

STATE OF IOWA            )  
                                      ) Ss:  
DELAWARE COUNTY

April 1, 2013  
Manchester, Iowa  
1:15 PM

The Delaware County Board of Supervisors met in regular session this date at 1:15 pm with all members present. Also present were Milt Kramer, Bruce Trapp, Melanie Dill, Jen Stolka, Jim Wessels, Delma Hardin, Anthony Bardgett, Carla Becker, and three (3) members of the media. Jeff Madlom, Chairperson, called the meeting to order.

**Motion made** by Helmrichs, second by Ries and carried to approve the minutes from the March 25, 2013 regular session. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to approve the following employees to attend their respective meetings: Casey Snyder and Lynn Brunsmann to attend the Jail Basic 40 hour school in Des Moines April 15-19, 2013; Joette Orcutt and Sue Collins to attend the Jail in-service 20 hour school in Dubuque April 2-4, 2013; Megan Norem, Ken Rion and Glenn Nystel to attend the Jail in-service 20 hour school in Johnson County May 21-23, 2013; John LeClere to attend the ISSCA Civil School in Des Moines April 21-24, 2013; John LeClere and Courtney Vorwald to attend the DEC Drug Endangered Children seminar in Altoona on April 8, 2013; and Jeff Madlom, Shirley Helmrichs and Jerry Ries to attend the RTA meeting in Dubuque on April 3, 2013. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to approve the payment of the following claims:

Alliant Energy	Service	68.01
Black Hills Energy	Service	372.24
Mediacom LLC	Data Processing	139.95
Windstream	Telephone Service	523.66

All Ayes

**Motion made** by Ries, second by Helmrichs and carried to approve a request for partial payment from Renaissance Restoration, Inc. as follows:

Courtroom Ceiling Restoration	\$34,884.90
Preparation of Ceiling for New Lighting	<u>\$5,246.89</u>
Total Partial Payment	\$40,131.79

Chairperson Madlom stated that the Board is extremely happy with how the project is coming along. After the new lighting is installed in a few weeks, the Board is considering having an open house so everyone can see the beautifully restored ceiling. All Ayes

There were no "Applications for Approval of Underground Construction on Delaware County Right-of-Way" submitted for consideration.

**Motion made** by Helmrichs, second by Ries and carried to acknowledge receipt of the following manure management plan updates: Robert Schaul in Section 28 of Coffins Grove Township; C&K Pork Inc, Kent Keppler, in Section 6 of Richland Township; Nick Eike, Eike Farms, in Section 3 of Hazel Green Township; James Dolan, Delaware Finisher, in Section 30 of Prairie Township; Pork Chop Ranch Inc, Zumbach Finisher, in Section 31 of Union Township; Jeff State, P&D, in Section 7 of Honey Creek Township; Mouw Family Investments LLC, Winch Site, in Section 20 of Union Township; Agri-Vest Inc., Recker Farm South, in Dubuque County, Wilson Farms, Ann Wilson-Grant, in Section 32 of Delhi Township; and DAK Pork LLC, Ann Wilson-Grant, in Section 1 of Hazel Green Township. All Ayes

This being the date and time set to hold a public hearing on the first, and possibly final, reading of Proposed Ordinance #37 – A Social Host Ordinance, Chairperson Madlom opened the hearing at 1:25 pm.

Proposed Ordinance #37 –Social Host, was read aloud by the Board for those present to hear.

Supervisor Ries asked those representing the City of Manchester if they had any concerns that the proposed Ordinance covers the rural area and those living within Delaware County municipalities. There were no objections.

Having received no comments regarding proposed Ordinance #37 – Social Host, either written or oral, the public hearing was closed at 1:39 pm.

**Motion made** by Helmrichs, second by Ries and carried to approve the first reading of proposed Ordinance #37 – Social Host, waive the second and final readings of said proposed ordinance and direct the Auditor to publish the full text of the approved Ordinance as follows:

#### COUNTY ORDINANCE # 37 SOCIAL HOST

Be it ordained by the Board of Supervisors of Delaware County, Iowa:

##### Section 1. Purpose.

Pursuant to the authority granted under Chapter 331, Code of Iowa (2011), this Ordinance is enacted to protect and preserve the rights, privileges, and property of the residents of Delaware County and to preserve and improve the peace, safety, health, welfare, comfort and convenience of the residents of Delaware County. The purpose of this ordinance is to prohibit the consumption of alcoholic beverages by persons under the legal drinking age of twenty-one (21) at gatherings where adult persons know or have reason to know or allow or permit underage persons to drink alcoholic beverages on property they own or control.

The Delaware County Board of Supervisors finds that the occurrence of social gatherings at premises where alcoholic beverages are served to, or consumed by, persons under the legal drinking age is harmful to such persons themselves and a threat to public welfare, health and safety. The Surgeon General's Call to Action (2007) is hereby incorporated by reference, as further support of the health, safety and public welfare concerns that exists with underage drinking.

The Delaware County Board of Supervisors further finds that persons under legal drinking age often attend gatherings where controlled substances and/or alcoholic beverages are brought or made available, and that the persons who are in control of such premises either have reason to know or are knowingly tolerating, allowing, or permitting such drug and alcohol use to occur. This ordinance will establish penalties for persons who know or have reason to know or permit or allow underage drinking or drug use, and will encourage those persons to ensure that those activities are not occurring on premises under their control.

##### Section 2. Definitions.

- a. "Adult Person" means any person age eighteen (18) or older.
- b. "Alcohol" means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, whiskey, rum, brandy, gin, or any other distilled spirits including dilutions and mixtures thereof from whatever source or by whatever process produced.
- c. "Alcoholic beverage" means any beverage in any form that contains more than one half of one percent of alcohol by volume including alcoholic liquor, wine, or beer.

- d. "Emergency Responders" means firefighters, law enforcement officers, emergency medical service personnel, and other personnel having emergency response duties.
- e. "Enforcement Services" means the salaries and benefits of emergency responders for the amount of time actually spent responding to or remaining at an event, gathering, or party and administrative costs attributable to the incident; the actual costs for medical treatment for any injured emergency responder, and the costs of repairing any damage to equipment or vehicles.
- f. "Event, gathering or party" means any group of three (3) or more persons who have assembled or gathered together for a social occasion or other activity.
- g. "Juvenile" means a person under the age of eighteen (18).
- h. "Legal age" means twenty-one (21) years of age or more.
- i. "Parent" means any person having legal custody of a juvenile: (1) as a natural parent, adoptive parent, or step-parent; (2) as a legal guardian; or (3) as a person to whom legal custody has been given by order of the court.
- j. "Person" means any individual, partnership, corporation or any association of one or more individuals.
- k. "Possession or Control" means actual possession or constructive possession based on facts, which permit the inference of intent to possess or control alcoholic beverages.
- l. "Premises" means any home, yard, farm, field, land, apartment, condominium, hotel or motel room, other dwelling unit, hall or meeting room, garage, barn, park, tent, camper/RV, or any other place conducive to assembly, public or private, whether occupied on a permanent or temporary basis, whether occupied as a dwelling or specifically for an event, gathering, or party, and whether owned, leased, rented or used with or without permission or compensation.
- m. "Public place" means the same as defined in Iowa Code section 123.3(27).
- n. "Social host" means any person who aids, allows, entertains, organizes, supervises, controls or permits an event, gathering or party. This includes but is not limited to: (1) the person (see Section j. above) who owns, rents, leases, or otherwise has control of the premises where the event, gathering or party takes place; (2) the person(s) in charge of the premises; or (3) the person(s) responsible for organizing the event, gathering or party. If the social host is a juvenile, and the juvenile's parent(s) are (1) present on the premises, or (2) knows or reasonably should know of the event, gathering or party and knows or reasonably should know that the consumption of alcohol is occurring, both the juvenile and the parent(s) will be held liable for violations of this chapter.
- o. "Underage person" means any person under the age of twenty-one (21).

### **Section 3. Affirmative Duties.**

It is the duty of the social host of an event, gathering or party to take all reasonable steps to prevent alcoholic beverages from being possessed or consumed by underage persons on the premises. Reasonable steps include, but are not limited to:

- a. Controlling underage persons' access to alcoholic beverages,
- b. Controlling the quantity of alcoholic beverages,
- c. Verifying the age of persons being served, in the possession of, or consuming alcoholic beverages at the event, gathering or party by inspecting driver's licenses or other government-issued identification cards,
- d. Supervising the activities of underage persons at the party, and
- e. Notifying law enforcement of underage possession or consumption of alcoholic beverages and allowing law enforcement to enter the premises for the purpose of stopping the possession or consumption by underage persons.

### **Section 4. Prohibited Acts.**

- a. It is unlawful for any social host of an event, gathering or party on the social host's premises to knowingly permit or allow underage persons to consume alcoholic beverages or knowingly permit or allow underage persons to possess alcoholic beverages on the premises, whether or not the social host is present on the premises.
- b. It is unlawful for any social host to host an event, gathering or party on premises when the person knows or reasonably should know that an underage person has consumed an alcoholic beverage, or possess an alcoholic beverage with the intent to consume it, and the person fails to take reasonable steps to prevent the possession or consumption by the underage person. A social host who hosts such an event, gathering or party does not have to be present at the time the prohibited act occurs.
- c. A person or persons under the legal age shall not purchase or attempt to purchase or individually or jointly have alcoholic liquor, wine, or beer in their possession or control. (As set out in Iowa Code section 123.47(2)). A person under the legal age who has consumed alcoholic liquor, wine, or beer shall be presumed to have had the same in his or her possession or control prior to its consumption.
- d. A social host has an affirmative defense if the social host took reasonable steps to prevent the possession or consumption of alcohol, or notified law enforcement and allowed law enforcement to enter the premises for the purpose of stopping the illegal activities.

### **Section 5. Exceptions.**

This Ordinance does not apply to actions permitted under Iowa Code Section 123.47(2) or to legally protected religious observances or to situations where underage persons are lawfully in possession of alcoholic beverages during the course and scope of employment.

### **Section 6. Enforcement.**

The Delaware County Sheriff's Office shall have primary, but not exclusive, enforcement responsibility for this Ordinance.

### **Section 7. Jurisdiction.**

The provisions of this ordinance shall apply throughout Delaware County, Iowa, including municipalities that have not enacted a municipal ordinance dealing with similar subject matter.

### **Section 8. Effective Date.**

This Ordinance shall be in full force and effect from and after its passage, adoption, and publication as required by law.

### **Section 9. Repealer Clause.**

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

### **Section 10. Severability Clause.**

If any section, provision, sentence, clause, phrase or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any provision, section, subsection, clause, phrase or part hereof not adjudged invalid or unconstitutional.

### Section 11. Evidence of Consumption.

A specific finding has been made by the Board of Supervisors that preliminary breath screening tests (PBT's), which have been approved by the Department of Public Safety for use in Public Intoxication cases, are accurate in determining the presence or absence of alcohol in a person's body. Such devices are valuable tools in the investigation of unlawful consumption of alcohol. Therefore, at trial, evidence obtained during the administration of preliminary breath testing, including the test result expressed in terms of alcohol concentration, shall be admissible on the issue of whether a person under the legal drinking age did or did not consume alcohol.

### Section 12. Penalties.

A person who commits a violation under Section 4 shall be punished by the following penalties:

- a. A first offense shall be a simple misdemeanor punishable by a scheduled fine of five hundred dollars (\$500.00) plus applicable surcharges and court costs.
- b. A second or subsequent offense shall be a simple misdemeanor punishable by a scheduled fine of six hundred twenty-five dollars (\$625.00) plus applicable surcharges and court costs.
- c. The court may, in its discretion, order the person to perform community service work under Iowa Code Section 909.3A, of an equivalent value to the fine imposed under this section.
- d. The County may also seek reimbursement for enforcement provided by emergency responders related to the event, gathering or party.

PASSED AND ADOPTED THIS 1st DAY OF APRIL, 2013.

/S/ Jeff Madlom, Chairperson  
Delaware County Board of Supervisors

ATTEST:

/S/ Carla Becker, County Auditor

Ayes: Helmrichs, Ries and Madlom

Nays: None

**Motion made** by Ries, second by Helmrichs and carried to accept the FY 2012-13 Audit Report as filed. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to approve the following agreement with the Department of Human Services regarding the usage of transition funds for mental health services:

#### **Agreement between the Department of Human Services and Delaware County pursuant to HF160, 85th General Assembly**

Federal Child Enrollment Contingency Funds (issued under the authority of section 2104(n) of the Social Security Act), are credited to the Mental Health and Disability Services Redesign Transition Fund created in 2012 Iowa Acts, chapter 1120, section 23, and are made available to selected counties of the State of Iowa. A county receiving an allocation from the Redesign Transition Fund shall not use the allocation in a manner that violates federal match requirements for the medical assistance program or for the child enrollment contingency fund under the federal Children's Health Insurance Program Reauthorization Act of 2009. A county receiving an allocation under this subsection shall not use the allocation in any way that supports or draws federal match moneys.

#### **AUTHORITIES**

DHS and Delaware County (the County) are authorized to participate in this Agreement under HF160, 85th General Assembly:

Department of Human Services (DHS): means the single state agency (42 CFR §431.10) designated by the Governor as the agency for administration of related federal and state programs (42 CFR §431.10; 7 CFR §273.15, 7 CFR § 271.4 and 2009 Iowa Code section 234.6).

#### **RESPONSIBILITIES OF DEPARTMENT OF HUMAN SERVICES**

- A. DHS is the entity responsible for drawing down the Federal Child Enrollment Contingency Funds and depositing the funds into the Mental Health and Disability Services Redesign Transition Fund.
- B. DHS shall remit funds designated in HF 160 to the County not later than two calendar weeks following the effective date of the enactment of HF160.
- C. DHS shall provide oversight of the Child Enrollment Contingency Funds balance and supply reporting as necessary to the federal government as required by law (Ref. OMB Circular A-133 subpart D.)
- D. If the County is not subject to a single audit in accordance with OMB Circular A-133, the DHS shall bear the audit costs associated with any procedures relating to the performance of audit requirements established by the DHS and the Office of the Auditor of State for the Federal Child Enrollment Contingency Funds allocation.

#### **RESPONSIBILITIES OF COUNTY**

- A. The County shall comply with all requirements for allowable costs as stated in HF160, 42 C.F.R. § 433.51(a) and (c), 42 C.F.R. § 457.628(a) and OMB Circular A-87.
- B. The County shall comply with audit requirements as stated in OMB Circular A-133. Any audit costs pertaining to a federal audit of the Federal Child Enrollment Contingency Funds received are the responsibility of the County. The County shall bear the County's costs associated with any audit requirements.
- C. If an audit takes exception to Federal Child Enrollment Contingency Funds expenditures under this Agreement, the County shall assume legal liability for any reimbursement of the federal funds or penalty determination resulting from the audit findings. The County shall remit these funds to the DHS within five business days of notice from the DHS or the cognizant federal agency.
- D. The County shall comply with any audit requirements established by DHS and the Office of the Auditor of State for the County's expenditures relating to the allocation.
- E. The County must report Federal Child Enrollment Contingency Funds expended on the County's Schedule of Expenditures of Federal Awards (SEFA) as passed through the Iowa Department of Human Services under CFDA# 93.767, Agency/Pass-through number 75X5551.

#### **ACCOUNTABILITY**

By signing this Agreement, the parties agree to the responsibilities listed above and are certifying that they have read and understand the terms of this agreement and will comply with all federal and state regulations.

**EXECUTION.** IN WITNESS WHEREOF, in consideration of the mutual covenants set forth above the parties have entered into this Agreement and have caused their duly authorized representatives to execute this Agreement.

**The State of Iowa, Department of Human Services**

By: [Signature]  
Name: Richard Shulte  
Title: Administrator M/HDS

Date: 3/29/2013

**For the County**

The County certifies that Federal Child Enrollment Contingency Funds will not be used as the non-federal match for any other federal funding for expenditures.

The County certifies that Federal Child Enrollment Contingency Funds will not be used for expenditures previously reimbursed by another entity.

By: /S/ Jeff Madlom  
Title: Chairperson, Delaware County Supervisors  
All Ayes

**Motion made** by Ries, second by Helmrichs and carried to approve the low bid of \$185,169.31 submitted by K Construction Inc. for the 310<sup>th</sup> Ave Bridge Project #BROS-C028(81)—8J-28 (locally known as the Westhoff Bridge) at the state letting held on March 19, 2013. Bids received were as follows:

K Construction, Inc.	\$185,169.31
Jim Schroeder Construction, Inc.	\$190,411.90
Muscatine Bridge Co., Inc.	\$211,459.72
Taylor Construction, Inc.	\$213,366.00
Iowa Bridge & Culvert, LC	\$237,510.36

The late start date for this project will be August 5, 2013 with 55 working days allocated for completion. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to approve the low bid of \$807,363.35 submitted by Mathy Construction Co d/b/a River City Paving for the X47 Paving Project #FM-C028(82)—55-28 at the state letting held on March 19, 2013. Theirs was the only bid submitted for this project. The late start date for this project will be August 19, 2013 with 20 working days allocated for completion. All Ayes

**ENGINEER'S REPORT**

The Delaware County Engineer respectfully requests a voluntary embargo of the gravel roads throughout the entire county. As the days are starting to warm up, the roads are becoming soft and possibly impassable. We request everyone limit travel until the roads have a chance to heal. The Secondary Roads Department will attempt to fix areas that are a danger to the public but will not begin "normal" maintenance activities until the county's heavy equipment is able to access the roads on a routine basis. If anyone must haul, please limit travel to the early mornings if and when the roads are frozen. Delaware County appreciates the public's patience and understanding in this transition time.

**NEXT MEETING**

The next regular session of the Board of Supervisors will be held on Monday, April 8, 2013 at 1:15 pm.

**PUBLIC COMMENTS:**

None.

There being no further business before the Board, Chairperson Madlom asked for a motion to adjourn.

**Motion made** by Ries, second by Helmrichs and carried to adjourn the meeting at 1:46 pm. All Ayes

These minutes have been read and approved.

/S/ Jeff Madlom, Chairperson

/S/ Carla K. Becker, Auditor

STATE OF IOWA            )  
                                      ) Ss:  
DELAWARE COUNTY

April 4, 2013  
Manchester, Iowa  
9:00 AM

The Delaware County Board of Supervisors met in work session this date at 9:00 am with all members present. Also present were Deb Peyton, Carolyn Wilson, Andrea Schmidt, Monica Heiserman, John LeClere, Peggy Petlon, Katie McCusker and Carla Becker. There were no members of the media present. Jeff Madlom, Chairperson, called the meeting to order.

#### **Discussion Regarding Computer and Maintenance Contracts**

Peggy Petlon began the discussion regarding the Community Services issues with Solutions. They purchased a laptop in January and immediately had issues with it. Solutions couldn't figure out why it wouldn't connect with the bank like it has to. This is Sandy's computer and deals with veteran affairs issues. Peggy stated that they have spent many hours on the phone with Solutions trying to get this computer up and running. With another computer last year, they even had to unscrew the back of the computer and replace a part which she was not comfortable with. She feels that Solutions should have replaced the laptop right away instead of trying to fix it.

Carla Becker, County Auditor, explained that even if she had purchased the computer at Best Buy or Walmart, they do not just give you a new one. You would have been required to send it in to be repaired which means the employee would have been out of a computer unless you had a backup laptop she could use. She does agree there is a point at which Solutions should be able to tell us that the cost of them trying to fix the issue is more costly than a new system would be.

Sheriff John LeClere also addressed the issue of Solutions. The Sheriff's Department contracts with Shield Ware for their software. They also have Panasonic Tough Books in the squad cars which were not purchased from Solutions. Since they are not familiar with the product, it takes them longer to address problems with them.

Norm Wellman stated that he also has issues with the Dispatch Center and IT. He really needs someone 24/7 and would like the county to go back to having a full-time IT person on staff. He had good luck using him when we did have one. He also stated that he had his computer in the office crash and was down for a while until he could get one purchased and installed. Neither his system in the office nor the Dispatch Center are covered by Solutions.

Supervisor Helmrichs stated that she does not believe it is solely the County's responsibility for the Dispatch Center. "You have two (2) other Boards who have interest in that center," she stated. Since Mr. Wellman and the Sheriff require 24/7 response, she feels they should be contracting with someone locally to cover their IT needs. Even when we had a full-time IT/GIS employee, he was not on call 24/7.

Deb Peyton, County Recorder, asked if it was still the Board's policy that all data processing equipment be purchased through Solutions. Supervisor Helmrichs stated the Board has a data processing budget and thus in her opinion, any equipment that the offices want paid for out of that budget should be purchased through Solutions since the Board contracts with them for maintenance. Copier machines, small in house printers etc. that will be paid for by the individual office budgets can be purchased elsewhere if they want. The other Board members seemed to agree.

It appears what frustrates people the most is the lack of communication. If one office will be having Solutions on site for something, they really should be communicating that to the other offices. Also, Ms. Becker feels a protocol should be established for computer issues. If an employee is experiencing problems with their system, they should follow the protocol. If that doesn't fix the problem, then they should contact the Auditor's Office. If they are in the Community Services building they should then contact Katie. That way, only one phone call is being made into Solutions and one work order being created by Solutions.

The Auditor's Office will work on establishing the protocol for offices to follow.

The proposed backup system was also discussed. Chairperson Madlom asked for its consideration to be put on Monday's agenda.

Another topic was the possible future installation of a secure wireless system in the courthouse. Currently, the Board has not given permission for anyone in the building to utilize wireless internet access. With that being said, there are two (2) wireless routers operating without prior approval in the building.

Wireless would benefit many offices. The Assessor's Office is looking at utilizing tablets next year. Tablets require some form of wireless in order to download, update or access the internet or e-mail. Attorneys are utilizing their laptops more often for court cases as well as people doing research in the building. Access to their files could be accomplished with wireless. A secure system could allow "guests" to have limited access. It would also benefit the Sheriff's deputies who have laptops in their cars. Even though it would not replace the air cards being utilized for access, it would help with downloads and updates of the lap tops and video equipment.

#### **Discussion Regarding Account Changes to the Targeted Case Management and Community Life Programs**

With counties beginning the process of regionalizing, we need to address the Targeted Case Management and Community Life Programs and where these programs should be accounted for. Currently, these programs are accounted for within the Mental Health Fund (10000). It is highly recommended that counties doing so move these programs either into their own funds or move them under the General Fund (01000). This will be imperative once we become regionalized for mental health services and the fund balance within the Mental Health Fund (10000) becomes property of the region.

For the most part, these programs do cash flow but it may take up to one year to receive reimbursement for expenditures. County Auditor, Carla Becker fears that if they are put into their own funds, cash flow will become an issue. She would prefer to have them as separate departments under the General Fund. This way, there would be no cash flow issues. Also, since they would be their own department, it would be easy to track cash flow to make certain that reimbursements were being received.

No matter where these programs are moved to, they will no longer be accounted for under service area four (4). The State is recommending they now come under service area three (3). Unfortunately, this will require a budget amendment for Delaware County. Most likely this amendment would be required right away in July 2013.

Auditor Becker stated that she would also like to run this scenario by Hunt & Associates (county's audit firm) to see how the accrual end of this would be viewed. Since the expenditures would not begin from the General Fund for these programs until FY 2013-14, what about those expenditures from FY 2012-13 that receive reimbursements in FY 2013-14.

#### **Discussion Regarding New Full-time Status of Assistant County Attorney and Benefits**

With the Assistant County Attorney going to full-time status as of April 1, 2013, the Board wanted to discuss amongst themselves the possibility of providing some form of benefit to her. Insurance benefits will begin on June 1, 2013. However, the employee handbook states that employees only accrue vacation time the first year of full-time employment. After completion of the first year, the employee would receive five (5) days of vacation. After completion of their second year, they would receive a total of ten (10) days of vacation. The third week of vacation is received after the completion of ten (10) consecutive years of full-time employment. On the

sixteenth year (16<sup>th</sup>) of consecutive full-time employment, the employee would receive one additional day of vacation per year until they reached the twenty (20) days total. This is the maximum number of vacation days allowed.

Supervisor Madlom feels that the Board should look at giving the new full-time Assistant County Attorney some form of vacation time to begin with. This is not a position that can be filled by just anyone. They must be a licensed attorney.

The Board has been very happy with the current Assistant's job performance and felt fortunate to be able to bring her on full-time since another county was trying to lure her away by offering more money than what the Board could offer.

Supervisor Helmrichs agrees that they need to look into this a little farther. Since she is not a department head, nor is she a deputy of the County Attorney's office, she becomes an employee under the control of the Board. The handbook does not currently address this type of employee.

Deb Peyton, County Recorder, was not in favor of the Board making an exception for just one employee. Although she respects the fact that the new full-time Assistant County Attorney is very capable of doing her job, she does not feel it would be fair for her to receive vacation time right away when all other employees had to wait the specified time period within the handbook. The Board has a handbook that all elected officials and department heads have agreed to follow. There should be no exceptions. One of her deputies started out as part-time in her office. However, when she moved to full-time, this made no difference. She was still required to wait an entire year after becoming full-time to receive any vacation time. She is very concerned with the Board making concessions on an individual basis.

There being no further business before the Board, the meeting was adjourned at 11:30 am.

These minutes have been read and approved.

/S/ Jeff Madlom, Chairperson

/S/ Carla K. Becker, County Auditor

STATE OF IOWA )  
 ) Ss:  
 DELAWARE COUNTY

April 8, 2013  
 Manchester, Iowa  
 1:15 PM

The Delaware County Board of Supervisors met in regular session this date at 1:15 pm with all members present. Also present were Mary Cray, Tom Elgin, Keith Kramer, Pat Dolan, Russell Sporer, Carolyn Wilson, Anthony Bardgett, Carla Becker, and two (2) members of the media. Jeff Madlom, Chairperson, called the meeting to order.

**Motion made** by Helmrichs, second by Ries and carried to approve the minutes from the April 1, 2013 regular session. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to approve the following employees to attend their respective meetings: Sandy Ahrens, Peggy Petlon and the VA Commissioners to attend the VA Spring School in Des Moines April 8-11, 2013; Kim Gehling to attend two (2) Case Management meetings in Des Moines April 8-9, 2013; Peggy Petlon to attend the Regional CPC meeting in Cedar Rapids on April 12, 2013 and April 24, 2013; John Bernau and Courtney Vorwald to attend the County Attorney's Association Spring Training Conference at Arnolds Park June 9-13, 2013; Pam Klein and Carolyn Wilson to attend the Solutions School in Ames on April 18, 2013; Carla K. Becker to attend the Voter Verification Committee meeting in Waterloo on April 12, 2013; Jerry Ries and Shirley Helmrichs to attend the Operation New View meeting in Dubuque on April 11, 2013; and Anthony Bardgett to attend an engineering conference in Ames April 21-25, 2013. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to approve the payment of the following claims, including the April 5, 2013 payroll in the amount of \$155,102.08 warrant #32008 - 32120:

Advanced Systems Inc	Maint-Off Equip/Furniture	142.83	Kuhlman Construction LC	Roads	10271.54
Alliant Energy	Service	5153.76	L&L Murphy Consulting	Planning-Consulting	2000.00
Altorfer Inc	Construction & Maint	1014.64	Lahr Repair Inc	Construction & Maint	2050.21
Bard Materials	Roads	6130.13	Leader Publications	Board Proceedings	1580.21
Barron Motor Supply	Shop Equipment	985.38	Lechtenberg Janitorial	Custodial Supplies	81.00
Barry Beeh	Rent Payments	325.00	Jill Lewis	Buildings-Repair/Maint	150.00
Benton Co Auditor	Medical/Health Services	3014.99	Loel J Madlom	Employee Mileage/Subs	217.28
Best Cleaners	Uniforms/mops	1048.00	Mail Services LLC	Postage & Mailing	549.16
Bi-County Disposal Inc	Custodial Supplies	97.00	Main Street Market	Food Preparation Services	1406.33
Black Hills Energy	Service	974.36	Manchester Motor Supply	Shop Equipment	184.14
Black Hills Energy	Assistance	128.83	Manchester Press	Publications	1345.01
Bob Stephen Motors Inc	Repair/Maint- Vehicle	151.20	Manchester Signs LLC	Repair/Maint-Misc Equip	5.00
Bodensteiner Implement	Repair/Maint-Const Equip	57.72	City of Manchester	Water Use & Sewer	505.45
BOSS	Stationery/Supplies	45.10	Martin Bros Distributing Co	Custodial Supplies	90.67
Boubin Tire Co	Repair/Maint- Vehicle	12.96	Martin Equip of IA IL Inc	Construction & Maint	398.60
BP	Fuels	879.01	McDowell Truck/Auto Repair	Repair/Maint-Misc Equip	123.34
California Contractors	Safety Items	102.00	Midwest Wheel	Construction & Maint	983.95
Carls Feed & Farm Store Inc	Public Education Items	73.40	Carrie Nauman	Legal-Court Related	8.50
Co Case Management	Data Processing	610.50	Northeast IA Telephone	Data Processing	975.57
Central Iowa Water	Water Use & Sewer	43.38	Kelly Neyen	Legal-Court Related	15.00
CenturyLink	Telephone Services	420.77	Office Express	Stationery/Supplies	27.99
City Laundering Co	Buildings-Repair/Maint	122.44	Carol A Ogea	Outpatient	480.00
City of Colesburg	Roads	2206.79	Opportunity Village	Sheltered Workshop	644.12
Cortez Truck Sales & Equip	Construction & Maint	85.62	Palmer Hardware	Repair/Maint-Misc Equip	221.94
Debra Kintzle Cleaning	Buildings-Repair/Maint	200.00	Peggy S Petlon	Education & Training	88.71
Del Co Public Health	Grant Reimbursements	14940.85	Phoenix Supply	Clothing & Dry Goods	179.13
Delaware Co Sheriff	Transportation	1074.26	Pictometry International Corp	Data Processing	73.60
Delaware Co Solid Waste	Sanitation Disposal	2045.55	Prairie View Management Inc	RCF	3327.82
Del Co Treasurer	Data Processing	10.00	Precise MRM LLC	Repair/Maint-Radio Equip	772.87
Delhi Lumber	Buildings	183.17	Pro Build	Public Education Items	6.99
City of Delhi	Roads	3070.48	Radio Communications	Repair/Maint-Radio Equip	131.33
Dean Dempster	Park Development	700.00	Delaware Dubuque Jackson	General Transportation	136.50
Don & Walt LLC	Repair/Maint-Const Equip	217.82	Reliance Telephone Inc	Telephone Services	300.00
Dons Truck Sales Inc	Construction & Maint	185.01	Rite Price Office Supply	Supplies	351.33
Dubuque ER Physicians	Diagnostic Evaluation	510.00	Ritter Tool Sales Inc	Minor Equip & Hand Tools	388.60
Dulaney Court Reporting	Legal-Court Related	71.70	River Valley Cooperative	Natural -LP Gas-Fuel Oil	1522.32
Dyersville Equipment Co	Construction & Maint	6889.00	Scott Pharmacy	Prescription Medicine	10.85
Eastern IA Regional Housing	Rent Payments	201.00	Silveredge Cooperative	Fuels	2801.40
Eastside Storage	Buildings-Repair/Maint	30.00	Simmons Perrine Moyer etal	Legal-Court Related	14815.90
Edgewood Oil Co	Lubricants	2109.40	Smittys	Tires & Tubes	538.16
Edgewood Saw & Supply	Construction & Maint	252.82	Solutions Inc	Education & Training	100.00
Tina Elgin	Custodial	500.00	State Medical Examiner	Medical/Health Services	1941.85
Emeritus at Silver Pines	RCF	2419.97	Streichers	Apparel & Uniform	210.98
Everys Auto & Tire Center	Repair/Maint- Vehicle	3.00	Ron Struble	Rent Payments	140.00
Fareway Store Inc	Food & Provisions	50.00	Superior Welding Supply	Repair/Maint-Misc Equip	179.54
Sarah M Feldmann	Miscellaneous	23.42	Swift Law Firm	Legal Rep for Commitment	462.90
April	Custodial Supplies	86.25	Terminal Supply Company	Construction & Maint	1068.09
Force America Distributing	Construction & Maint	1584.86	Three Rivers FS	Fuels	10109.29
Forestry Suppliers Inc	Park Development	213.99	Titan Access	Construction & Maint	1446.78
Gaffney Quarries Inc	Roads	1727.81	Treasurer State of Iowa	Inpatient/Hospital	5296.78
Garlyn R Glanz	Postage & Mailing	2.24	Truck Country of Iowa	Construction & Maint	482.42
Jim Graybill	Rent Payments	275.00	US Postmaster	Postage & Mailing	58.00
Harrison Truck Centers	Construction & Maint	384.76	USDA APHIS	Dues & Memberships	40.00
Hawkeye Community College	Education & Training	170.00	Vanguard Appraisals Inc	Appraisal Services	8150.00
Henderson Products	Construction & Maint	197.82	VISA / Mastercard	Employee Mileage/Subs	1120.18
Heritage Printing	Printing Services	1297.70	Sheri L Weber	Miscellaneous	14.00
Hopkinton Municipal Utilities	Water Use & Sewer	126.45	FE Welterlen Motors Inc	Construction & Maint	30.25
IA Dept of Transportation	Construction & Maint	373.70	Stacy L Wessels	Miscellaneous	11.00
IHW PC	Engineering Services	400.00	Windstream	Telephone Service	2229.47
ISAC Group Unemployment	Unemployment Comp	4244.71	Wonder Car Wash	Repair/Maint- Vehicle	196.00
Kimberly S Lange Law Office	Legal for Commitment	88.50	You Squared	Radio & Communications	140.00
KMCH	Education & Training	75.00			

There were no "Applications for Approval of Underground Construction on Delaware County Right-of-Way" submitted for consideration.

**Motion made** by Ries, second by Helmrichs and carried to acknowledge receipt of manure management plan updates as follows: David & Delma Hardin, Hardin Farms, in Section 11 of Delaware Township. All Ayes

**Presentation on ICAP and IMWCA**

Russell Sporer addressed the Board regarding the Iowa Community Assurance Pool (ICAP) and the Iowa Municipal Workers' Compensation Association (IMWCA). He stated that in the 1970's and early 80's, the insurance market made it difficult for local governments to purchase good insurance coverage at reasonable rates. The coverage was more restrictive, had lower limits and cost more. ICAP was formed as a way to address this insurance crisis.

ICAP is not an insurance company. However, it does cover all aspects of coverage that an insurance company would cover; liability, crime, auto, etc. Legislation was passed to enable public entities to form group self-insurance programs. ICAP is one such pool. IMWCA on the other hand is a 28E organization. Both of these programs have been successful beyond their wildest dreams. ICAP currently has 500 members including 70 counties and IMWCA has over 650 members including 70 counties.

Four objectives were identified:

1. Exclusive to Iowa Governments
2. Strong emphasis on loss control
3. Broad comprehensive coverage
4. Have stable long-term predictable rates

ICAP has a Cumulative Reserve Fund in which, after 6 years of participation, the member is fully vested and can participate in contribution refunds.

The Board of Directors for these programs are made up of elected officials from the different member agencies.

He would suggest that the Board have the County Attorney's office review all the documents related to membership within these organizations. That way the County Attorney can get a better idea on what membership actually entails.

Supervisor Ries asked Pat Dolan, agent for Dolan Insurance Agency, his opinion on the programs and if he would still be able to work with the Board through these programs. Mr. Dolan stated that he acts at the pleasure of the Board. Even though he has not seen any problems with the Board's current relationship with Employers' Mutual, if the Board decided to look at these programs he would support them. He just wanted them to know that philosophically, they are two (2) different approaches. He does feel the financial strength of these programs is much better now than it has been in the past. He would encourage the Board to take Mr. Sporer up on his offer to e-mail the paperwork to the County Attorney for review.

Supervisor Helmrichs commented that it never hurts to look at the county's options. She would also like to speak with other counties who are current members of these programs and get their opinions. Chairperson Madlom stated that he did not object to the materials being e-mailed to the County Attorney's office.

Mr. Dolan did comment that timeliness is an issue since we are fast approaching the county's renewal date of July 1, 2013.

The Board thanked both Mr. Sporer and Mr. Dolan for their time.

**Discussion on Bonding for Lake Delhi Dam/Spillway Reconstruction**

Keith Kramer, F & M Bank, addressed the Board regarding the proposed bonding for the dam and spillway reconstruction. Back in March 2012, F & M Bank worked with four (4) other local banks on a bond proposal for the county. If the bond were exempt, the banks were offering the money at 1% interest. However, if the bonds were not exempt, they were offering it at 1.52% interest. He would like to know where things are at in regards to the proposed bonding.

Supervisor Ries stated that the Board is currently in limbo waiting for the district to get their permits to reconstruct. The Board is also waiting for the property to transfer from the LDRA to the District Trustees.

Mary Kray, Trustee for the District, stated that the Board of Trustees had approved an amended agreement and asked the LDRA for an April 25, 2013 closing.

Supervisor Helmrichs asked Mr. Kramer to reaffirm with the other banks that they are still committed to those rates.

There was some discussion as to the advantages/disadvantages of the county taking possession of the bond proceeds all at once or utilizing a draw down procedure. County Auditor Carla Becker stated that taking the proceeds all at once would be easier to manage as long as there were no limitations as to the time frame for expenditure. Since it is too late to levy anything for debt service in 2013-14, the soonest the Board would be able to repay any interest on the note would be December 2014. She would want the banks to agree to this in advance.

With this in mind, and considering the possible construction schedule of the dam and spillway, Mr. Kramer is recommending a December 2013 closing date if the Board is going to take full possession of the bond proceeds. He will go back to the banks involved and re-affirm their commitment. The County Auditor will also contact the County's bonding attorney, Mark Cory, to bring him up-to-date and look at potentially proceeding with the bonding paperwork.

The Board thanked Mr. Kramer for his time.

**Motion made** by Helmrichs, second by Ries and carried to approve the following Proclamation regarding sexual assault:

**PROCLAMATION  
SEXUAL ASSAULT AWARENESS MONTH**

**WHEREAS**, sexual assault affects women, children, and men of all racial, cultural and economic backgrounds; and  
**WHEREAS**, in addition to the immediate physical and emotional costs, sexual assault may also have associated consequences of post-traumatic stress disorder, substance abuse, depression, homelessness, eating disorders and suicide; and  
**WHEREAS**, sexual assault can be devastating not only to the survivor, but also for the family and friends of the survivor; and  
**WHEREAS**, since no one person, organization, agency or community can eliminate sexual assault on their own, we must work together to educate our entire population about what can be done to prevent sexual assault, support victim/survivors and their significant others and support those agencies providing services to victims/survivors.

**NOW, THEREFORE**, WE THE BOARD OF SUPERVISORS IN AND FOR DELAWARE COUNTY, ON BEHALF OF ALL STAFF AND CITIZENS OF DELAWARE COUNTY, **DO HEREBY PROCLAIM** THE MONTH OF APRIL, 2013 AS:

**SEXUAL ASSAULT AWARENESS MONTH**

IN DELAWARE COUNTY, IOWA AND ENCOURAGE ALL CITIZENS TO LEARN MORE ABOUT PREVENTING SEXUAL VIOLENCE.

Dated this 8<sup>th</sup> day of April, 2013.

Delaware County Board of Supervisors

/S/ Jeff Madlom, Chairperson

/S/ Shirley Helmrichs

/S/ Jerry Ries

ATTEST: /S/ Carla K. Becker, Delaware County Auditor

All Ayes



**Motion made** by Ries, second by Helmrichs and carried to approve the request made by Garlyn Glanz, Conservation Director, to deposit \$1,305.00 cash rent received for the Indian Hills area farm ground into the Conservation Trust Fund (68000). All Ayes

**Motion made** by Helmrichs, second by Ries and carried to approve the issuance of a 99 year lease to Gary Lee and Penny Kaye Sands for the following described property:

Parcel F, part of the Cemetery Lot in the Southeast Quarter (SE ¼) of Section Eleven (11), Township Eighty-eight North (T88N), Range Five West (R5W) of the 5<sup>th</sup> P.M., Delaware County, Iowa according to the plat recorded in Book 2012, Page 1244.

The lease over this excess cemetery grounds is being given in exchange for an access easement to the used portion of the cemetery over the Sands' ground. Since there will be no monies changing hand, the Delaware County Assessor has agreed that the ground will retain its exempt status and that no property tax will be owed for this leased area by the County for the full term of this lease. Said term shall commence on July 1, 2013 and end on July 1, 2112. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to approve the purchase of a new media server and the upgrade of the county's current domain controller to facilitate a three way backup system between the County, the Assessor's Office and the Community Services building. Although this project will alleviate the problem of having an off-site backup for files saved on these servers, it does not alleviate the tape drives for the two (2) i-series servers. These servers will still need to have backup tapes with physical off-site storage.

This will also serve as a fail-over between the County's server and the Assessor's server to limit employee downtime in case of a server malfunction. This fail over will not apply to the Community Service's Department at this time since no "hard" link is being established between the two (2) facilities. The upgrade to the current domain control will cost \$1,818.44 while the new media server will be \$7,376.17. Supervisor Ries was concerned with the data security. Although she could not guarantee anything, County Auditor Carla Becker stated that all precautions will be taken. Each file is password protected and the office can also encrypt their data if they so choose. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to acknowledge receipt of the Auditor's Quarterly report which shows that for the quarter ending March 31, 2013, \$4,457.64 was collected for various fees and deposited into the General Funds. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to acknowledge receipt of the Recorder's Monthly Report showing that for the month of March 2013 the following fees were collected and deposited into their respective funds:

General Fund	\$10,584.81
Recorder's Document Management Fund	322.00
Electronic Transfer Fund	<u>322.00</u>
Total Collected	\$11,228.81

All Ayes

**Motion made** by Ries, second by Helmrichs and carried to acknowledge receipt of the Sheriff's Quarterly Report which shows that for the quarter ending March 31, 2013, \$69,280.34 was collected for various fees and charges and deposited into the General Fund. This figure includes \$24,335.20 in civil fees and \$30,174.99 in contract law enforcement charges. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to acknowledge receipt of the Treasurer's Monthly Banking and Investment Report which shows that as of April 1, 2013, \$21,880,414.85 was collected on behalf of all taxing entities and deposited in various banks across the county. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to approve the Class "C" Liquor License Renewal Application for Pin Oak Links, Inc located at 2266 185<sup>th</sup> Ave in Manchester. This is a twelve (12) month license with outdoor service area and Sunday sales privileges. All Ayes

This being the date and time set to receive bids on two (2) new tandem trucks for the Secondary Roads Department, County Engineer Anthony Bardgett read the following bids aloud:

**Two (2) Tandem Truck Chassis**

Truck Country, Dubuque	Freightliner	\$208,274
Harrison Truck Center, Waterloo	Freightliner	\$214,255
Truck Country, Dubuque	Western Star	\$218,998
Hawkeye Truck Center, Dubuque	International	\$226,200
Twin Bridges Truck City, Davenport	Mack	\$228,300
Cedar Rapids Truck Center, Cedar Rapids	Peterbilt	\$243,400

**Two (2) Truck Bodies (including Dump Box and Snow Equipment)**

Henderson Truck Equipment, Manchester	\$162,169
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Anthony Bardgett requested that the Board acknowledge receipt of said bids and table the final consideration for one week to allow him time to review the bids.

**Motion made** by Helmrichs, second by Ries and carried to acknowledge receipt of the truck bids as read and to table the final consideration of said bids until the April 15, 2013 meeting to allow County Engineer Anthony Bardgett to review the bids in detail. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to set Monday, April 22, 2013 at 1:15 pm as the date and time to receive bids for the 2013 Contract Rock Program. This year's program will place 99,000 tons of crushed rock over 315 miles of roadway. With nine (9) territories, the program will cover 35 miles per territory. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to approve the plans for the reconstruction and paving of the southeast Courthouse parking lot as presented by Anthony Bardgett and to set Monday, April 22, 2013 at 1:15 pm as the date and time to receive bids for the completion of this project. The reconstruction will include the removal of the majority of the existing parking lot, a 4 inch base of new stone and 6 inches of new concrete. Following protocol for the solicitation of bids, Mr. Bardgett will send notices to five (5) or six (6) contractors. The Board also directed him to put a notice in the official newspapers of the county. All Ayes

The next item on the agenda was added due to its timely nature.

**Motion made** by Ries, second by Helmrichs and carried to approve the contract for Project BROS-C028 (81)--8J-28 (310<sup>th</sup> Ave Bridge Replacement) with K Construction in consideration of \$185,169.31. The late start date for this project will be August 5, 2013 with 55 working days allocated for completion. All Ayes

**ENGINEER'S REPORT**

None

**NEXT MEETING**

The next regular session of the Board of Supervisors will be held on Monday, April 15, 2013 at 1:15 pm.

**PUBLIC COMMENTS:**

Chairperson Jeff Madlom announced that KMCH Radio, the County's official radio station, has been selected as one of fifty (50) finalists for the Crystal Award from the National Association of Broadcasters. The award recognizes year round commitment to community service. KMCH is the only Iowa radio station to be named as a finalist this year. The ten (10) winners will be announced Tuesday, April 9, 2013 in Las Vegas.

There being no further business before the Board, Chairperson Madlom asked for a motion to adjourn.

**Motion made** by Ries, second by Helmrichs and carried to adjourn the meeting at 2:37 pm. All Ayes

These minutes have been read and approved.

/S/ Jeff Madlom, Chairperson

/S/ Carla K. Becker, Auditor

STATE OF IOWA )

) Ss:

DELAWARE COUNTY

April 11, 2013  
Manchester, Iowa  
2:00 PM

The Delaware County Board of Supervisors met in work session this date at 2:00 pm with all members present. Also present were Devonne Harford, John LeClere, Anthony Bardgett, Monica Heiserman and Carla Becker. There were no members of the media present. Jeff Madlom, Chairperson, called the meeting to order.

**Discussion Regarding July 1, 2013 Insurance Renewal**

A few years ago, the unions asked that the county do whatever was necessary to have insurance renewal rates available before union negotiations. Since BCBS provides renewal rates five months prior to the contract date, the county went to an April 1<sup>st</sup> renewal date. During this year's union negotiations, it was asked that the county have the insurance renew on July 1 to match the contract period. However, by doing so, the county will not receive its renewal rates until February which is too late for union negotiations. The matter went to arbitration and the county lost. Thus, the county asked BCBS to change their renewal date back to July 1<sup>st</sup> and to re-issue renewal rates for this date.

Devonne Harford, BCBS Account Manager, addressed the Board by stating that their request for a renewal date change to July 1<sup>st</sup> was approved. Since the Board is also changing their plan from a UQ5/QPT to a C62/ALG, the county will no longer be grandfathered and thus the plan will cover preventative services at 100%.

There will be an additional 3% increase in premium over the rates quoted for the April 1<sup>st</sup> renewal. Also, with this new plan, the co-pay will increase from \$15.00 to \$20.00 for doctor's visits and \$100.00 to \$150.00 for Emergency Room visits. The Coinsurance will also increase from 10%/20% to 20%/30%. There will also be a difference in the co-pay for prescription drugs. Currently the co-pay is \$10/\$25/\$40. On the new plan it will change to \$8/\$35/\$50.

The renewal paperwork is due into their office no later than June 1, 2013. BCBS will provide summaries of benefits and coverage along with new insurance cards for all employees.

Ms. Harford also addressed the Board concerning fees imposed by the new Affordable Health Care Act that the county will be responsible for. The county's current premiums have a comparative Effectiveness Research Fee of \$1.00/member/year already added into the premium. In 2013, this rate will increase to \$2.00/member/year. A member is anyone who is covered by the policy. For policy years 2014-2019, this fee will be adjusted by the Secretary of Treasury to account for medical inflation. The fee does not apply after 2019.

Another fee the county will have to pay is the Transitional Reinsurance Fee of \$5.25/member/month. This fee ends in 2016 and will be a separate item on the county's premium billing. The last fee she discussed was the Annual Health Insurer Fee. This fee has been estimated at \$7.00-\$9.00/member/month and will be perpetual. It will be used to help fund reforms made pursuant to the ACA.

The Board thanked Ms. Harford for her time.

There being no further business before the Board, the meeting was adjourned at 11:30 am.

These minutes have been read and approved.

/S/ Jeff Madlom, Chairperson

/S/ Carla K. Becker, County Auditor

STATE OF IOWA )  
 ) Ss:  
 DELAWARE COUNTY

April 15, 2013  
 Manchester, Iowa  
 1:15 PM

The Delaware County Board of Supervisors met in regular session this date at 1:15 pm with all members present. Also present were John LeClere, Norman Wellman, Terry Solomon, Anne Rave, Anthony Bardgett, Carla Becker, and two (2) members of the media. Jeff Madlom, Chairperson, called the meeting to order.

**Motion made** by Helmricks, second by Ries and carried to approve the minutes from the April 8, 2013 regular session and the April 11, 2013 work session. All Ayes

**Motion made** by Ries, second by Helmricks and carried to approve the following employees to attend their respective meetings: Daneen Schindler to attend the Legal Description Workshop in Ankeny May 28-30, 2013 and the Recorder's School of Instruction in Ames on May 8, 2013; Carolyn Wilson to attend the Treasurer's Association Spring School in Larchwood May 14-17, 2013; Jerry Ries to attend the RC&D meeting in Maquoketa on April 16, 2013 and the Juvenile Detention meeting in Waterloo on April 19, 2013; and Shirley Helmricks to attend the BDF meeting in Independence on April 16, 2013. All Ayes

**Motion made** by Helmricks, second by Ries and carried to approve payment of the following claims:

CenturyLink QCC Business	Telephone Service	29.07
US Cellular	Telephone Service	208.19
Windstream	Telephone Service	222.17

All Ayes

**Motion made** by Ries, second by Helmricks and carried to approve the "Application for Approval of Underground Construction on Delaware County Right-of-Way" submitted by Maquoketa Valley Electric Cooperative to place a three phase underground distribution power line to service a new home for Mike Ries in Section 27 of Hazel Green Township. Mr. Ries will have a private contractor bore three 2" conduits underneath 320<sup>th</sup> Street. MVEC will then install the conductors. All Ayes

**Motion made** by Helmricks, second by Ries and carried to acknowledge receipt of the following manure management plan updates: Shover Farm, James Shover, in Section 15 of Hazel Green Township; McDonald Acres, Inc., Thomas McDonald, in Section 23 of Hazel Green Township; and Welter Idle Not Farms, Ltd in Section 27 of South Fork Township. All Ayes

**Motion made** by Ries, second by Helmricks and carried to acknowledge receipt of the Clerk of Court's Monthly Report and Remittance showing that for the month of March 2013, \$1,165.47 was collected for various fees and surcharges and deposited into the general funds. All Ayes

Sheriff John LeClere addressed the Board regarding IT services for the Sheriff's Department, the E911 Department and the Conservation Department. At a recent work session with the Board, it was suggested that since these departments require 24/7 service, that they contract with a local provider for IT services. Sheriff LeClere stated that he contacted Iowa Technologies, located in Manchester, about providing these services. After doing so, he also received a recommendation for the same company from the software vendor. Since Solutions does not support their current software, nor do they offer 24/7 service, he would like the Board to approve a contract with Iowa Technologies for service in the Sheriff's, E-911 and Conservation Departments effective May 1, 2013 through April 30, 2014. The Gold Service Agreement rate will be \$1,800/year with an additional fee of \$75.00/hour plus mileage.

**Motion made** by Helmricks, second by Ries and carried to approve the contract with Iowa Technologies for IT services in the Sheriff's, E-911 and Conservation Departments effective May 1, 2013 through April 30, 2014 with an annual fee of \$1,800 and a \$75.00/hour rate plus mileage. Chairperson Madlom stated that this will be a great service for these departments since they operate 24/7. All Ayes

County Engineer Anthony Bardgett addressed the Board regarding the bids for two (2) tandem trucks for the Secondary Roads Department that were opened during the April 8, 2013 board meeting. After several hours of reviewing the bids for the truck chassis, Mr. Bardgett observed that Harrison Truck Center (2<sup>nd</sup> low bidder) had more of a warranty package built into their bid than Truck Country bid (low bidder). Truck Country also did not include a price for a front axle air bag where Harrison Truck Center did include this in their bid. The breakdown of the top two (2) bids is as follows:

**Truck Country (Price per Truck)**

Base Price = \$104,137

Add EW3 Engine Warranty = \$1,805 (7 year 250,000 mile)

Add Set Forward Axle = \$750

Add Front PTO = \$450

Add Increased HP = \$400

Add Heated Windshield = \$450

Add Axle Airbag = \$1,200

**Total = \$109,192/truck (\$218,384 for both)**

**Harrison Truck Center (Price Per Truck)**

Base Price = \$105,410

Add EW3 Engine Warranty = \$1,070 (7 year 250,000 mile)

Add Set Forward Axle = \$650

Add Front PTO = \$360

Add Increased HP = \$335

Add Heated Windshield = \$440

**Total = \$108,265/truck (\$216,530 for both)**

Mr. Bardgett is recommending the Board approve the bid from Harrison Truck Center for the chassis and the bid of \$160,874 for the two (2) truck bodies and snow removal equipment from Henderson Manufacturing (decreased from the original bid of \$162,169.00 because we switched from a hot shift PTO to a front mount PTO which saved money.)

Supervisor Ries asked Mr. Bardgett if he was happy with the Henderson bid. Mr. Bardgett stated that he did not see a reason to ask for additional bids for the truck bodies. He is happy with Henderson's equipment and service. It also is a positive that they are a Delaware County manufacturer.

**Motion made** by Ries, second by Helmricks and carried to award the bid for the two (2) tandem truck chassis for the Secondary Roads Department to Harrison Truck Center for their bid of \$216,530 (Freightliner) and for the two (2) truck bodies, including dump box and snow removal equipment to Henderson Manufacturing for its low bid of \$160,874.00. All Ayes

**Motion made** by Helmricks, second by Ries and carried to approve the contract with Mathy Construction Co, d/b/a River City Paving, for the X47 Paving Project (FM-C028(82)--55-28) in consideration of its low bid of \$807,363.35. The late start date for this project is August 19, 2013 with 20 working days allocated for completion. All Ayes

**ENGINEER'S REPORT**

Secondary Road crews are currently spot rocking the gravel roads and doing some light blading where needed.

**NEXT MEETING**

The next regular session of the Board of Supervisors will be held on Monday, April 22, 2013 at 1:15 pm.

**PUBLIC COMMENTS:** None

There being no further business before the Board, Chairperson Madlom asked for a motion to adjourn. **Motion made** by Ries, second by Helmricks and carried to adjourn the meeting at 1:30 pm. All Ayes

These minutes have been read and approved.

/S/ Jeff Madlom, Chairperson

/S/ Carla K. Becker, Auditor

STATE OF IOWA            )  
                                      ) Ss:  
DELAWARE COUNTY

April 22, 2013  
Manchester, Iowa  
10:00 AM

The Delaware County Board of Supervisors met in work session this date at 10:00 am with all members present. Also present were Tom Schuetz, Monica Heiserman and Carla Becker. There were no members of the media present. Jeff Madlom, Chairperson, called the meeting to order.

#### Discussion Regarding July 1, 2013 Insurance Renewal

Devonne Harford, BCBS Account Manager, had addressed the Board regarding the BCBS July 1, 2013 renewal rates and policy change to a C62/ALG. With this change, the Board was made aware that the county would no longer be grandfathered and thus the plan will cover preventative services at 100%.

Since the county self-funds a portion of the medical insurance policy, Tom Schuetz with Group Services came to address how the change in renewal date, premium and plan would affect the county's budget with Group Services. Since the deductible through BCBS will increase the county's exposure to risk, the county's budget will need to increase through the self-funded portion. However, even with the increase in budget on the Group Services end, he is still projecting that the county will still save approximately \$52,520 (3.63%) by changing plans over the original renewal projection.

#### Affordable Care Act Provisions and Fees in 2014 and beyond

Mr. Schuetz also discussed the Affordable Care Act (ACA) and how Delaware County will be affected in the near future. The first area he discussed is the additional fees that said act will require employers to pay. There are currently five (5) separate fees which have been identified for collection in 2014.

##### **1. PCORI Fee**

The first fee is the Patient Centered Outcome Research Institute (PCORI) Fee. This fee is \$1.00/member covered per year for 2012-2013 and is already included in the county's premium. In 2013-14 this fee will increase to \$2.00/member per year. From 2014-2019 the amount will be adjusted by the Secretary of Treasury to account for medical inflation. This fee will no longer exist after September 30, 2019. Because the county has a self-funding portion, we will have to pay a separate PCORI fee for Group Services. However, for the Group Services plan this fee is only collected on employees and not all members covered like above.

##### **2. Transitional Reinsurance Fee**

This fee is intended to help stabilize premiums in the individual market during the first three (3) years that the public exchanges are in effect (2014, 2015 and 2016). BCBS will begin collecting this fee in January 2014 as a separate item on the county's billing. They are estimating this fee will be \$5.25/member covered/month. For Delaware this would be 269 members times 5.25/month or \$16,947.00 annually.

##### **3. Annual Health Insurer Fee**

This fee is intended to help fund reforms made pursuant to the ACA. It will be an annual fee imposed on the insurance industry which will be collected from the policy holders. This fee will be ongoing. BCBS is estimating the 2014 fee between \$7.00 - \$9.00/member covered per month. Using an average of \$8.00, this would be an annual fee of \$25,824.00 for Delaware County.

##### **4. Risk Adjustment**

This fee is intended to provide payments to health insurance issuers that disproportionately attract high-risk populations and reduces the incentives for issuers to avoid these high-risk enrollees. Although this fee is likely to be collected in 2014, guidance is still pending as to what amount will be collected.

##### **5. Exchange User Fee**

This fee is still in the proposed stages. Even though there is no decision yet as to what the fee will be, it is likely to be collected in the 2014 calendar year. Since the exchange must be self-sustaining as of January 1, 2015, the exchange may charge user fees to participating health insurance issuers to support its operation.

Thus, Delaware County will be paying at least \$43,487.00 in ACA fees over and above its premium costs for insurance. This is one of the reasons why employers are trying to decide if they should "pay" or "play" once the ACA is in full effect. Will it be cheaper for employers to pay the penalties for not providing insurance coverage to its employees or should they continue to offer insurance and pay the ACA fees.

#### ACA Definition of Full-time Benefit Eligible

Another area of concern with the ACA is the change in definition for benefit eligible employees. There will be two (2) types of employees: full-time and variable. According to the ACA, any variable employee who averages over 30 hours worked per week is considered full-time for benefit purposes and needs to be offered affordable coverage by the employer. The county will need to set a measurement period, administrative period and stability (benefit) period. If the county sets the benefit period as 12 months, any variable employee averaging 30 hours or more worked across the 12 months will have to be offered affordable coverage. The benefit or stability period will then need to be the same length as the measurement period. Most likely there will be some reporting requirements in regards to this tracking of "variable" employees.

The Board thanked Mr. Schuetz for his time.

There being no further business before the Board, the meeting was adjourned at 11:23 am.

These minutes have been read and approved.

/S/ Jeff Madlom, Chairperson

/S/ Carla K. Becker, County Auditor

STATE OF IOWA )  
 ) Ss:  
 DELAWARE COUNTY

April 22, 2013  
 Manchester, Iowa  
 1:15 PM

The Delaware County Board of Supervisors met in regular session this date at 1:15 pm with all members present. Also present were Craig Davis, Mike Schroeder, Carla Becker, and two (2) members of the media. Jeff Madlom, Chairperson, called the meeting to order.

**Motion made** by Helmrichs, second by Ries and carried to approve the minutes from the April 15, 2013 regular session. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to approve the following employees to attend their respective meetings: Shirley Helmrichs to attend a BDF meeting in Fayette on April 23, 2013. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to approve the payment of the following claims, including the April 19, 2013 payroll in the amount of \$153,210.75 warrant #32304 - 32417:

Abbe Center for MH	Prescription Medicine	11261.20	John Deere Financial	Buildings-Repair/Maint	273.88
Advanced Systems Inc	Stationery/Supplies	201.23	Johnson Co Medical Examiner	Medical/Health Services	1998.58
Advancement Services	Work Activity Services	1146.60	Koch Brothers	Equipment/Furniture	77.83
Alliant Energy	Service	716.00	Kuhlman Quarries	Roads	20492.69
Al's Electrical Service	Repair/Maint-Misc Equip	12.00	Lambert Reporting	Legal-Court Related	165.10
Altorfer Inc	Construction & Maint	917.61	Jill Lewis	Buildings-Repair/Maint	150.00
Animal Health International	Safety Items	24.00	Linn Co Comm Services	Work Activity Services	84.42
Bard Materials	Radio & Communications	3457.95	Linn Co Treasurer	Medical/Health Services	2775.62
Anthony T Bardgett	Education & Training	57.02	L L Pelling Co Inc	Roads	862.05
Barnes Distribution	Shop Equipment	516.22	Lori French Travel Services	Education & Training	1157.20
Benton County Social Service	Drop In/Social Support	186.75	M&M Snow Removal	Buildings-Repair/Maint	1715.50
Best Western University Park	Employee Mileage/Subs	344.96	Loel J Madlom	Employee Mileage/Subs	65.54
Bi-County Disposal Inc	Sanitation Disposal	12.00	Main Street Market	Food Preparation Services	1221.18
Black Hawk-Grundy MH	Outpatient	135.00	Manchester Motor Supply	Construction & Maint	123.54
Blakesley Drug	Prescription Medicine	59.26	Manchester Press	Publications	665.22
Bodensteiner Implement	Minor Mv Parts & Access	21.60	Manchester Public Library	Contribution	7458.90
Bohnenkamp-Murdoch	Funeral Services	1500.00	Maquoketa Valley REC	Electrical Power	815.05
R Ried Boom MD	Medical & Health Services	172.60	Mason City Business System	Repair/Maint-Misc Equip	14.86
Broadlawns Medical Center	Outpatient	183.00	Matt Parrott & Sons	Stationery/Supplies	628.38
Buchanan Co Jail	Rm/Bd Payments	4400.00	Rita McGrane	Supervised Living	400.00
Buchanan Co Sheriff	Sheriff Transportation	654.84	Mediacom LLC	Telephone Services	42.77
Business Systems Inc	Repair/Maint-Misc Equip	39.93	Medical Associates Clinic	Diagnostic Evaluation	1861.00
Carpenter Uniform Co	Wearing Apparel/Uniform	165.79	Midwest Business Products	Stationery/Supplies	117.51
Carr & Carr Attorneys	Legal Rep for Commitment	97.70	Midwest Wheel	Construction & Maint	1644.12
Co Case Management	Education & Training	40.00	Monkeytown	Supplies	59.80
Cedar Valley Ranch Inc	RCF	3091.10	Jenny Montgomery	Miscellaneous	10.14
City Laundering Co	Custodial Supplies	59.63	NWTF	Membership	35.00
Clayton County VA	General Transportation	450.37	NE IA Telephone Service	Data Processing	1967.99
Colesburg Public Library	Contribution	1818.06	Nebraska-IA Industrial	Shop Equipment	636.46
Communications Engineering	Repair/Maint-Radio Equip	5531.34	North IA Juvenile Detention	Protection/Security	375.00
Computer Connections	Radio & Communications	102.47	Palmer Hardware	Repair/Maint-Misc Equip	326.86
Country Ridge Apartments	Rent Payments	485.00	Peggy S Petlon	Education & Training	46.43
Crescent Electric Supply Co	Electrical Accessories	168.55	Radio Communications	Radio/Communications	14414.64
D&S Portables Inc	Custodial Supplies	184.00	Delaware Dubuque Jackson	General Transportation	143.00
Delaware Co Sheriff	Transportation	1098.10	Renaissance Restoration Inc	Buildings	20741.10
Delhi Public Library	Contribution	2237.63	Rise LTD	Sheltered Workshop	64.00
District Six Recorders Assn	Dues & Memberships	50.00	Rite Price Office Supply	Supplies	1217.56
Don & Walt LLC	Boiler Inspection, Etc	235.50	River Valley Cooperative	Fuels	9441.39
Dubuque County Sheriff	Legal-Court Related	15.00	Runde Auto Group	Repair/Maint- Vehicle	137.73
Dyersville Commercial	Board Proceedings	2512.06	Ruth Suckow Mem Library	Contribution	2237.63
Edgewood Public Library	Contribution	1678.07	Michael K Ryan	Education & Training	16.04
Tina Elgin	Custodial	500.00	S&D Supply Inc	Construction & Maint	280.00
F&M Bank	Stationery/Supplies	28.00	Sadler Power Train Inc	Construction & Maint	2042.90
Fairview Cemetery Assn	Care of Graves	82.50	Scenic Acres	RCF	987.75
April Fisher	Custodial Supplies	56.25	Schaul Housing	Rent Payments	540.00
Four Oaks Family & Children	Protection/Security	1446.15	Smittys	Buildings-Repair/Maint	88.50
Georgen Auto LLC	Repair/Maint- Vehicle	245.47	Solutions Inc	Data Processing	528.00
Garlyn R Glanz	Postage & Mailing	1.92	Standard Auto Parts LLC	Repair/Maint- Vehicle	58.92
City of Greeley	Water Use & Sewer	63.00	Streichers	Apparel & Uniform	321.97
Group Services Inc	Health Insurance	10274.83	Systems Unlimited Inc	Work Activity Services	177.60
Hausers Water Systems Inc	Water Use & Sewer	26.00	Tailored Living	Supported Comm Living	1328.46
Hawkeye International	Construction & Maint	279.96	Terminal Supply Company	Construction & Maint	808.81
Travis D Hemesath	Education & Training	15.00	Thomson Reuters - West	Magazines/Newspaper	1381.54
Henderson Products	Construction & Maint	38.36	Three Rivers FS	Repair/Maint-Misc Equip	11763.50
Heritage Printing	Printing Services	57.83	Towncrest Pharmacy	Prescription Medicine	154.50
Hillcrest Community MH	Prescription Medicine	199.00	Trans Iowa Equipment LLC	Construction & Maint	640.28
Hillcrest Family Services	Supported Comm Living	310.00	Truck Country of Iowa	Construction & Maint	286.91
Hopkinton Public Library	Contribution	2237.63	Unlimited Services Inc	General Transportation	1032.43
Houlihan Sanitation Service	Sanitation Disposal	150.50	US Cellular	Telephone Services	2403.62
Hunt & Associates PC	Audit Services	13400.00	Visiting Nurse Association	Representative Payee	35.25
IA Co Recorders Assn	Equipment/Furniture	2318.54	Courtney E Vorwald	Employee Mileage/Subs	83.62
Iowa DOT	Construction & Maint	2.52	Blue Cross & Blue Shield	Insurance	6366.43
Secretary of State Elections	Postage & Mailing	300.42	FE Welterlen Motors Inc	Repair/Maint- Vehicle	34.95
ISACA Treasurer	Education & Training	310.00	Widner Drug & Gift	Prescription Medicine	23.29
Iowa State Co Treasurers	Education & Training	150.00	Windstream	Telephone Service	313.33

All Ayes

**Motion made** by Ries, second by Helmrichs and carried to approve the "Application for Approval of Underground Construction on Delaware County Right-of-Way" submitted by Windstream Communications to bury copper telephone cable under Jefferson Road at 2368 Jefferson Road. The construction will be located approximately two (2) miles southeast of Manchester in Section 10 of Milo Township. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to acknowledge receipt of the following manure management plan updates: Glen Bockenstedt, G & S Pork, in Section 9 of Delaware Township; Ken Wilgenbusch in Section 28 of Prairie Township; Jeff Zumbach in Section 29 of Milo Township; and Pork Chop Ranch, Inc., Zumbach Finisher, in Section 31 of Union Township. All Ayes

**Motion made** by Helmricks, second by Ries and carried to approve the Lease Agreement with Operation New View Community Action Agency for the rental of office space located at 721 South 5<sup>th</sup> Street, Suite B in Manchester. The agreement is for the term of five (5) years, commencing on July 1, 2013, at the rate of \$50.00/month. Both agree that the value of the rented space is \$600.00/month; however, Delaware County will contribute \$550.00/month as an in-kind allocation. All Ayes

**Motion made** by Ries, second by Helmricks and carried to approve the transfer of \$613,986.00 from the Rural Services Fund to the Secondary Roads Fund. All Ayes

This being the date and time set to receive bids for the 2013 Contract Rock Program, Craig Davis, Assistant County Engineer, opened and read the following bids aloud:

River City Stone	Area 1 (22,000 ton)	\$8.49/ton	\$186,780.00
Kuhlman Construction LC	Area 1 (22,000 ton)	\$7.91/ton	\$174,020.00
	Area 2 (22,000 ton)	\$7.91/ton	\$174,020.00
	Area 3 (22,000 ton)	\$7.91/ton	\$174,020.00
	Area 4 (33,000 ton)	\$7.92/ton	\$261,360.00

**Motion made** by Ries, second by Helmricks and carried to acknowledge receipt of the bids for the 2013 Contract Rock Program as read and to award the bid for Areas 1-3 to Kuhlman Construction LC for its low bid of \$7.91/ton and for Area 4 to Kuhlman Construction LC for its low bid of \$7.92/ton. The late start date for this project is June 24, 2013 with 35 working days allocated for completion. All Ayes

This being the date and time set to receive bids on the Southeast Courthouse Parking Lot Reconstruction Project, Craig Davis opened and read the following bids aloud:

Pirc-Tobin Construction, Inc.	\$55,218.75
Tschiggfrie Excavating, Inc.	\$55,742.24
Drew Cook & Sons Excavating, Inc.	\$59,466.59
Roger Erikson Construction, LLC	\$60,483.21
Horsefield Construction, Inc.	\$73,480.25

A bid from Eric Zieser Construction LLC was received but could not be read since neither a bid bond nor a certified check was filed with the bid.

**Motion made** by Ries, second by Helmricks and carried to acknowledge receipt of the bids for the Southeast Courthouse Parking Lot Reconstruction Project as read and to table the awarding of said bid until the April 29, 2013 meeting to allow the County Engineer time to review each bid. All Ayes

**Motion made** by Helmricks, second by Ries and carried to approve the contract with Vogel Traffic Services, in consideration of \$56,950.40, for the 2013 Centerline Markings Project. The late start date for said project is August 19, 2013 with 30 working days allocated for completion. All Ayes

**Motion made** by Ries, second by Helmricks and carried to approve the contract with Horsefield Construction, Inc., in consideration of \$1,039,733.32, for the D22 (Old Hwy 20) Paving Project (LOST-14(01)--73-28). The project will consist of PCC Whitetopping on 4.55 miles of D22 from the east Earlville City limits east to Dyersville with a late start date of August 19, 2013 and 30 working days allocated for completion. All Ayes

#### **ENGINEER'S REPORT**

Crews are continuing to blade and spot rock where needed.

#### **NEXT MEETING**

The next regular session of the Board of Supervisors will be held on Monday, April 29, 2013 at 1:15 pm.

#### **PUBLIC COMMENTS:**

None.

There being no further business before the Board, Chairperson Madlom asked for a motion to adjourn.

**Motion made** by Ries, second by Helmricks and carried to adjourn the meeting at 1:34 pm. All Ayes

These minutes have been read and approved.

/S/ Jeff Madlom, Chairperson

/S/ Carla K. Becker, Auditor

STATE OF IOWA            )  
                                      ) Ss:  
DELAWARE COUNTY

April 29, 2013  
Manchester, Iowa  
1:15 PM

The Delaware County Board of Supervisors met in regular session this date at 1:15 pm with all members present. Also present were Terry Solomon, Bill Rave, Tom Porter, Jason Kluesner, Jim Wessels, Anthony Bardgett, Carla Becker, and two (2) members of the media. Jeff Madlom, Chairperson, called the meeting to order.

**Motion made** by Helmrichs, second by Ries and carried to approve the minutes from the April 22, 2013 regular session. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to approve the following employees to attend their respective meetings: Judy Lee to attend the 2013 Shield User Meeting in Des Moines May 1-8, 2013; Jerry Ries to attend the Iowa Work Force Development meeting in Elkader on April 30, 2013; and Jeff Madlom and Shirley Helmrichs to attend the Mental Health Regionalization meeting in Cedar Rapids on May 2, 2013 and the Corrections Board training in Waterloo on May 3, 2013. All Ayes

There were no claims submitted for consideration of payment.

**Motion made** by Helmrichs, second by Ries and carried to approve the "Application for Approval of Underground Construction on Delaware County Right-of-Way" submitted by Windstream Communications Inc. to bury fiber optic communications cable along 167<sup>th</sup> Ave south of Manchester in Section 6 of Milo Township. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to acknowledge receipt of the confined feeding operations application and manure management plan filed by Robert E. Beswick in Section 36 of Honey Creek Township. All Ayes

#### Discussion Regarding Firefly Road

Bill Rave presented the Board with a petition, signed by 43 individuals, to have the first 1.2 miles of Firefly road west of State Hwy 13 paved. Mr. Rave stated that he feels the Board is doing a good job with the money they have to work with but when you have 35+ families on a 1.2 mile stretch of road the county needs to listen to what they are saying. According to Mr. Rave this stretch of roadway is in bad condition.

Jim Wessels, property owner, stated that he has lived on this roadway for over 12 years. He estimates that the volume of traffic over that period of time has more than doubled. He is particularly concerned with the safety of the extreme wash boarding on the first curve. With the heavy tree cover in the area the dust causes a problem with visibility. With the amount of people who walk along the roadway, he truly believes there is a safety issue on this section of Firefly Road.

Tom Porter stated that when the state has done traffic counts on the road they have conducted them up by Jennifer Tegeler's and not down where all the residences are. Jason Kluesner pointed out that there are not only a large number of families living within this 1.2 mile stretch of road but also five businesses that need the road to operate. If the county is not willing to hard surface the road then they need to maintain it more often.

County Engineer Anthony Bardgett explained that each maintainer is responsible for 70 miles of roadway. It takes them approximately 5-6 days to complete one route. This spring they have had very few days to blade the road in between rains. Currently, the county has over 225 miles of paved roadways. With the funding level we have it is difficult to maintain that much. All the existing funding is spoken for just to maintain the existing asphalt roadways not to mention the 35-40 year old concrete roadways that exist all over the county.

When asked about seal coating the roadways, Mr. Bardgett stated that he did not like it for gravel roads. It is hard to maintain and has a short lifespan (less than five (5) years). However, the cost of hard surfacing the road is too much right now. Just the asphalt would be \$250,000/mile. This stretch would also require the purchase of additional right-of-way and the replacement of the existing bridge since it is too narrow by today's standards. Unfortunately, the Local Option Sales and Services Tax monies are all being allocated towards the maintenance of the county's current paved roads.

Those property owners present seemed to think that seal coating the road would be a short term fix that they would be willing to fund (\$20,000 estimated cost for the first application). Mr. Bardgett stated that he would look into feasible options for this area. He is afraid that seal coating will not hold up and would create bigger problems in the future. The Board thanked everyone for their time and comments.

**Motion made** by Helmrichs, second by Ries and carried to approve the changing of the county's health insurance policy with Wellmark Blue Cross Blue Shield (BCBS) to a July 1<sup>st</sup> renewal date (as requested by the unions and upheld through arbitration) and to change the plan to a C62 ALG Plus. The new plan will increase the BCBS deductible by \$1,000 for a single, the coinsure in and out of network by 10% each, the copay for office visits by \$5.00 and the emergency room deductible by \$50.00 per occurrence. However, by making this plan change the county will lose its current grandfathered status. This means that, as of July 1, 2013, all preventative services will be covered at 100%. Even with this requirement, the Board will still save over \$50,000 in premiums by changing plans. The county also has a partial self-funded portion through Group Services, Inc. which helps reduce the effective deductible for employees. There were no changes made to that service. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to award the bid for the SE Courthouse Parking Lot Reconstruction Project to Pirc-Tobin Construction in consideration of its low bid of \$55,218.75. The late start date for this project is May 28, 2013 with 20 working days allocated for completion. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to approve awarding the bid for Project (BROS-C028 (80)--8J-28) (255<sup>th</sup> Ave Bridge Project) to Taylor Construction, Inc. in consideration of its low bid of \$255,418.40. The bid letting was held by the State DOT on April 16, 2103. The late start date for this project is July 22, 2013 with 65 working days allocated for completion. All Ayes

#### ENGINEER'S REPORT

**Hard Surfaced Road Maintenance** – Kluesner Construction worked on crack sealing the Penn Center Road last week. Over the next several weeks they will be working on crack sealing various roads around the county. The work areas will be reduced to one lane traffic.

**Gravel Road Maintenance** – Secondary Road crews will be hauling rock this week to 240<sup>th</sup> Street between State Hwy 13 and 180<sup>th</sup> Ave. The Iowa DOT will be using 240<sup>th</sup> Street as their haul route for the State Hwy 20 paving project. The road will be rocked and dust controlled before construction begins. The Iowa DOT will reimburse Delaware County for this cost. Maintainer operators are blading the gravel roads full-time now. With the difficult spring, crews have applied approximately 14,000 tons (approximately \$100,000 worth) of rock to various areas around the county.

#### NEXT MEETING

The next regular session of the Board of Supervisors will be held on Monday, May 6, 2013 at 1:15 pm.

**PUBLIC COMMENTS:** None

There being no further business before the Board, Chairperson Madlom asked for a motion to adjourn. **Motion made** by Ries, second by Helmrichs and carried to adjourn the meeting at 1:46 pm. All Ayes

These minutes have been read and approved.

/S/ Jeff Madlom, Chairperson

/S/ Carla K. Becker, Auditor

STATE OF IOWA )  
 ) Ss:  
 DELAWARE COUNTY

May 6, 2013  
 Manchester, Iowa  
 1:15 PM

The Delaware County Board of Supervisors met in regular session this date at 1:15 pm with all members present. Also present were Jason Kluesner, Tom Porter, Brent Gassman, Mary Kray, Terry Solomon, Jim Haughenbury, Bret Haughenbury, Keith Kramer, Larry Peter, Eve Peter, Rod McDonald, Jim Wessels, Anthony Bardgett, Carla Becker, and two (2) members of the media. Jeff Madlom, Chairperson, called the meeting to order.

**Motion made** by Helmrichs, second by Ries and carried to approve the minutes from the April 29, 2013 regular session. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to approve the following employees to attend their respective meetings: Deborah Peyton to attend a District 6 Recorders' meeting in Cedar Rapids on May 9, 2013; Mike Ryan to attend the NE Iowa Citizens Corp meeting in Oelwein on May 6, 2013 and a Region 6 LEPC meeting in Vinton on May 14, 2013; retroactively for Peggy Petlon to attend the MH Regional meeting in Cedar Rapids on May 2, 2103 and the RTA meeting in Dubuque on May 3, 2013; Peggy Petlon and Sandy Ahrens to attend the GA meeting in Dubuque on May 8, 2013; Peggy Petlon to attend the TAG meeting in Dubuque on May 14, 2013, the CPC meeting in Cedar Rapids on May 15, 2013 and the CPC training in Des Moines on May 31, 2013; Carla K. Becker to attend the Voter Verification Committee meeting in Waterloo on May 10, 2013; Jerry Ries and Shirley Helmrichs to attend the Operation New View meeting in Dubuque on May 9, 2013; and Jeff Madlom, Shirley Helmrichs and Anthony Bardgett to attend the RPA meeting in Dubuque on May 9, 2013. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to approve the payment of the following claims, including the May 3, 2013 payroll in the amount of \$152,690.93 warrant #32597-32706:

Abbe Center	RCF	403.50	Keltek Inc	Radio & Communications	3040.55
Advanced Business Systems	Data Processing	750.00	Joseph Koopmann	Rent Payments	450.00
Allen E Willman Process	Legal-Court Related	47.00	Kuhlman Quarries	Roads	25101.76
Alliant Energy	Service	5759.81	L&L Murphy Consulting	Planning-Consulting	2000.00
Altorfer Inc	Maint Equipment	1813.92	Lacal Equipment Inc	Construction & Maint	681.00
Bankers Trust Company	GO Bond Redemption	334412.50	Lechtenberg Janitorial	Custodial Supplies	204.95
Bard Materials	Roads	3167.61	John A LeClere	Fuels	38.00
Anthony T Bardgett	Employee Mileage/Subs	181.67	Jill Lewis	Buildings-Repair/Maint	150.00
Larry D Beaman	Education & Training	10.65	Linn Co Community Services	Work Activity Services	168.84
Becker Electric LLC	Repair/Maint-Fixed Equip	391.15	Mailing Services Inc	Postage & Mailing	2244.85
Benton Co Social Service	Drop In/Social Support	207.50	Main Street Market	Food Prep Services	1529.37
John W Bernau	Employee Mileage/Subs	51.42	Manchester Motor Supply	Minor Equip	10.49
Best Cleaners	Uniforms/mops	1025.25	Manchester Press	Publications	482.82
Black Hills Energy	Service	1169.19	City of Manchester	Water Use & Sewer	46489.51
BP	Fuels	1173.64	Maquoketa Valley REC	Utilities	225.00
Lynn H Brunsman	Employee Mileage/Subs	54.57	Martin Equip of IA IL Inc	Minor Mv Parts & Access	469.19
Carpenter Uniform Co	Uniforms	432.67	Matco Tools Nathan Pearson	Minor Equip	395.07
Co Case Management Service	Data Processing	616.00	Nick McGraw	Rent Payments	200.00
Central Iowa Water	Water Use & Sewer	60.93	Mediacom LLC	Data Processing	139.95
CenturyLink	Telephone Services	420.71	Midwest Wheel	Construction & Maint	2620.85
ChemRight Laboratories Inc	Engineering Services	960.00	Office Express	Stationery/Supplies	225.34
City Laundering Co	Buildings-Repair/Maint	147.04	Olberding Construction Co	Park Development	75.00
Comm Found of Greater Dub	Education & Training	75.00	Opportunity Village	Sheltered Workshop	569.96
Counseling/Assessment Serv	Outpatient	105.00	Pakor Inc	Stationery/Supplies	422.51
Country Ridge Apartments	Rent Payments	100.00	Palmer Hardware	Buildings-Repair/Maint	63.48
D&S Portables Inc	Custodial Supplies	184.00	Prairie View Management	RCF	2357.32
Debra Kintzle Cleaning	Buildings-Repair/Maint	200.00	Precise MRM LLC	Repair/Maint-Radio Equip	924.31
Del Clay Impl Co Inc	Repair/Maint- Vehicle	400.43	Racom Corp	Radio & Communications	339.00
Delaware County Bar Assoc	Dues & Memberships	150.00	Radio Communications	Repair/Maint-Misc Equip	265.00
Delaware Co Historical	Buildings-Repair/Maint	1752.97	Retriever LLC	Construction & Maint	125.00
Del Co Public Health	Refunds /Reimburse	5277.45	Gerald L Ries	Employee Mileage/Subs	129.95
Delaware Co Services	Contribution	16159.00	Rite Price Office Supply	Supplies	513.01
Delaware Co Sheriff	Transportation	688.02	River Valley Cooperative	Fuels	3322.02
Del Co Treasurer	Data Processing	15.00	Runde Auto Group	Repair/Maint- Vehicle	32.14
Donald Dilger	Rent Payments	400.00	S&D Supply Inc	Minor Equip	399.00
DJ Repair	Repair/Maint- Vehicle	875.97	Schau Housing	Rent Payments	250.00
Don & Walt LLC	Repair/Maint-Misc Equip	436.81	Simmons Perrine Moyer	Legal-Court Related	5567.00
Dons Truck Sales Inc	Construction & Maint	330.15	Simons Feed Service	Public Education Items	26.35
Eastern Iowa Drainage	Repair/Maint-Const Equip	290.00	Casey E Snyder	Fuels	89.84
Eastern Iowa Tire Inc	Tires & Tubes	7009.10	Solutions Inc	Data Processing	21966.55
Eastside Storage	Buildings-Repair/Maint	30.00	Sprayers Plus Dave Eibey	Repair/Maint-Const Equip	43.40
Tina Elgin	Custodial	500.00	Spring Green	Repair/Maint-Misc Equip	165.00
Emeritus at Silver Pines	RCF	4839.94	Standard Auto Parts LLC	Minor Mv Parts & Access	7.87
Every's Auto & Tire Center	Repair/Maint- Vehicle	3.00	Stanley Consultants Inc	Engineering Services	281115.23
Fillenwarth Beach	Employee Mileage/Subs	2010.80	State of Iowa-Elevator Safety	Boiler Inspection, Etc	125.00
April Fisher	Custodial Supplies	116.25	Terminal Supply Company	Construction & Maint	1162.65
Forestry Suppliers Inc	Medical & Health Services	61.78	Three Rivers FS	Fuels	12537.69
Four Oaks Family Services	Protection/Security	326.55	Treasurer State of Iowa	Case Mgmnt-Medicaid	142188.33
Gillund Enterprises	Lubricants	264.76	Treasurer State of IA DHS	Inpatient/Hospital	5898.73
Autumn C Halweg	Miscellaneous	3.00	Truck Country of Iowa	Construction & Maint	150.72
Harrison Truck Centers	Construction & Maint	263.08	Vanguard Appraisals Inc	Appraisal Services	15550.00
Hawkeye International	Minor Mv Parts & Access	428.99	VISA / Mastercard	Education & Training	5257.07
Henderson Products	Construction & Maint	256.39	Walmart Community	Clothing & Dry Goods	339.33
Heritage Printing	Printing Services	46.00	Sheri L Weber	Miscellaneous	5.00
Holiday Inn Des Moines	Education & Training	231.84	Windstream	Telephone Service	358.66
Eric S Holub	Fuels	17.02	Windstream	Telephone Service	2973.55
Hopkinton Municipal Utilities	Utilities	458.45	WW Electric Bill Williams	Buildings	181.21
Iowa Technologies	Service Fee	1800.00	Zee Medical Inc	Medical & Health Services	31.85
Ingrids Landscaping	Permanent Landscaping	614.38	Zep Manufacturing Co	Shop Equipment	386.36

All Ayes

**Motion made** by Helmrichs, second by Ries and carried to approve the "Application for Approval of Underground Construction on Delaware County Right-of-Way" submitted by Windstream Communications to bury copper telephone cable along 310<sup>th</sup> Ave to accommodate a bridge replacement project. This cable will be placed temporarily around the construction area approximately two (2) miles southeast of Petersburg in Sections 9 and 10 of Bremen Township. All Ayes



**Motion made** by Ries, second by Helmricks and carried to acknowledge receipt of the following manure management plan updates: McDonald Acres, Inc., Thomas P. McDonald in Section 23 of Hazel Green Township; B & H Pork, LLC in Section 24 of Delaware Township; Kevin and Marjie Werner, K & M Swine, in Section 20 of Milo Township; and Ron and Arlene Wulfekuhle, Wulfekuhle #4, in Section 20 of Adams Township. All Ayes

#### **Discussion Regarding Future Bonding for Lake Delhi Dam/Spillway Reconstruction**

Keith Kramer, F & M Bank, addressed the Board regarding the county's bonding for Lake Delhi dam/spillway reconstruction. He stated that at the Board meeting held on April 8, 2013, the Supervisors asked if he would contact the banks involved in the initial offer for bonding and reaffirm their commitment to the project. The original five (5) banks participating were F & M Bank, Farmers Savings Bank, Heritage Bank, GNB Bank, and Community Savings Bank. He is happy to report that all five (5) banks are still on board. If the Delaware County Board of Supervisors issues a tax exempt bond the rate will be 1.00%. If the bond is not tax exempt, then the rate will be 1.52%.

The Board thanked Mr. Kramer for his efforts and thanked the five (5) banks for their continued support of this project and Delaware County.

**Motion made** by Helmricks, second by Ries and carried to not participate in the ICAP and IMWCA assurance pools and to continue receiving insurance through EMC Insurance and the Dolan Insurance Agency. At their April 8, 2013 meeting, the Board was presented with the opportunity of joining these pools to replace the current insurance coverage and workers' compensation coverage provided by EMC Insurance. Since then, the Board has had County Attorney John Bernau look over the materials presented at that meeting. Mr. Bernau had concerns with some of the materials and was not in favor of the Board going that way. Supervisor Helmricks stated that she was also in contact with another governmental entity that was recently turned down by IMWCA due to their mod factor which is similar to the county's mod factor. All Ayes

**Motion made** by Ries, second by Helmricks and carried to approve the continuation of the following Memorandum of Understanding which was originally approved December 15, 2008:

#### **MEMORANDUM OF UNDERSTANDING BETWEEN Delaware County Public Health and Delaware County Board of Supervisors**

This Memorandum of Understanding (hereinafter "MOU") is entered into as of the 15<sup>th</sup> day of December, 2008 between Delaware County Public Health (DCPH) and Delaware County Board of Supervisors.

##### **I. Introduction**

Advance planning for a coordinated public health response to an emergency event (i.e. natural disaster, disease outbreak, or bioterrorism) is essential. It is possible the public health personnel and/or equipment may need to be relocated to an alternative facility to continue with critical functions. Warning periods are expected to be very short and tremendous personnel and material resources will be required during such a response.

State, regional and local public health officials, local emergency management directors, hospitals, and communities must work in a coordinated, organized manner when dealing with the serious issues presented by an emergency event. A critical response component is the ability for DCPH to provide critical functions.

This MOU establishes a relationship of cooperation between DCPH and Delaware County Board of Supervisors during an emergency event.

##### **II. Requirements**

In consideration of the relationship of cooperation between the two parties they each agree to the following:

###### **A. Delaware County Board of Supervisors**

1. Provide access to an alternate facility upon notification from DCPH, including the Delaware County Court House. This facility will need accessibility via phone, fax, and computer. (DCPH requests priority over all other events; however this decision will be made by above party).
2. Provide DCPH with a point of contact, to authorize use, available 24 hours/day, 7 days a week.  
Daytime phone: 563 927-4701  
After hours / Emergency: Courthouse Custodian's and County Auditor's cellphone
3. Provide DCPH with a point of contact, to open facilities, available 24 hours/day, 7 days a week.  
Daytime phone: 563 927-4701  
After hours / Emergency: Courthouse Custodian's and County Auditor's cellphone
4. Allow support staff from Regional Medical Center (RMC) to help in the move and set up of any essential office equipment to and from the alternate facility, including electronic equipment.
5. Allow use of phones, fax, copy machines, and other equipment/supplies as needed by DCPH.
6. Return the facility to its original purpose and function.

###### **B. DCPH**

1. Provide staff person as a point of contact available 24 hours/day, 7 days a week.  
Daytime phone: 563-927-7551  
After hours / Emergency: 563-927-3232  
Provide as much advanced notification to Delaware County Board of Supervisors as to facilities needed in the event of a public health emergency within Delaware County.
2. Maintain critical functions as outlined in the Continuity of Operations Plan, Prioritized Listing of Essential Functions for DCPH. These critical functions include, but are not limited to:
  - a) Communication and Collaboration with Local Board of Health and EMA,
  - b) Accurate and timely information to the Public via Media,
  - c) Respond to phone questions from public,
  - d) Communication with Iowa Department of Public Health,
  - e) Communicable Disease Surveillance,
  - f) Prophylaxis of essential workers, and then to the entire county within 48 hours.
3. Return the facility to its original purpose and function.
4. Reimburse facilities for any office supplies used.

##### **III. Assignability**

This agreement is not assignable or transferable.

##### **IV. Renewal**

This agreement will be automatically renewed each year unless terminated pursuant to the other party providing a ninety (90) days written notice.

##### **V. Amendment**

This Agreement shall not be supplemented, amended, or modified except on the express written agreement of the parties.

##### **VI. Authority to Enter into this Agreement**

The persons executing this MOU on behalf of their respective entities hereby represent and warrant that they have the right, power, legal capacity, and appropriate authority to enter into this MOU on behalf of the entity for which they sign.

/S/ Delma Hardin RN BSN  
Delaware County Public  
/S/Jeff Madlom, Chairperson  
Delaware County Board of Supervisors

All Ayes

**Motion made** by Helmrichs, second by Ries and carried to approve the following agreement with MECCA Services:

**Agreement  
Between  
MECCA SERVICES and DELAWARE COUNTY**

The purpose of this Agreement is to clearly establish guidelines regarding Delaware County's payments for certain substance abuse costs.

The Code of Iowa, Chapter 125, sets out mandates regarding the County's responsibility for payment of substance abuse costs. Delaware County recognizes that under certain conditions it is in the best interest of the patient and County to utilize a private facility. Therefore, Delaware County will pay MECCA SERVICES for holding and evaluating court ordered substance abusers prior to court hearing, subject to the following, and as detailed in Attachment A, within the scope of MECCA's substance abuse license:

**INVOLUNTARY COMMITMENTS:**

- a. An application has been filed in Delaware County, alleging the patient to be a chronic substance abuser pursuant to Iowa Code Section 125.75.
- b. MECCA will charge patients for services based upon the patient's ability to pay. Payments will be collected by MECCA from, or on behalf of, patients and will be refunded to the County. MECCA will be aggressive regarding collection of fees from patients, including benefits available through Title XIX, VA, private insurance, etc., and
- c. The per diem rate will be \$350.00 per day, all inclusive, (including physical exam, medical and clinical services, testing, physician's evaluation and report, and other related costs),
- d. MECCA will bill County for all charges within 30 days of providing the service.
- e. The County will pay for a maximum of five (5) days, unless under Code Section 125.81 the court hearing is delayed due to a Saturday, Sunday, or holiday.
- f. Payments will be made to MECCA within twenty (20) calendar days of the County's receipt of invoice by MECCA.

This agreement may be canceled with 90 days written notice by either party.

For MECCA:

For Delaware County:  
Jeff Madlom, Chairperson  
May 6, 2013

**Attachment A - Additional Information**

We are able to provide detoxification services for substance abusers including those alleged to be chronic substance abusers under Chapter 125 of the Code for the residents of Delaware County. In general we provide medically monitored, "social setting" detoxification, which utilizes social/psychological support, rather than "medically-managed" detoxification. Over 95% of persons can be detoxified using "social-setting" methods. In the event our Chief Medical Director determines a patient requires pharmacological assistance to aid in the withdrawal process the appropriate medication will be prescribed. When patients are so extremely ill that they require immediate acute medical care, we refer them to either the University of Iowa Hospital and Clinics or Mercy Hospital in Iowa City. The cost for this care is the responsibility of the client or County. We do not accept patients who are unconscious or comatose, as they require immediate acute medical care.

Our charge for detoxification is \$350.00 per day. This charge is all-inclusive. Included in the per diem are physician examinations, nursing services, clinical assessment, necessary laboratory testing of patient blood and urine, and other clinical services. When patients are placed here on ICO, we provide physical space for committal hearings as needed without additional charge. Staff testimony within our building is without additional charge.

**Any staff travel to, or testimony at, hearings outside of Iowa City would involve an additional charge for the time and added expense involved for us.**

The normal length of detoxification for voluntary patients is 48 to 96 hours. If laboratory tests are required, as in the case of ICO clients, we require 96 hours in order to complete an evaluation. We are dedicated to providing quality care in as brief a period of time (and as inexpensively) as clinically responsible.

We charge patients for services based upon the patient's ability to pay. Funds collected by us from patients would be refunded to the County. We are aggressive regarding collections of fees from patients, although we realize there are circumstances where payment of fees by the patient is unrealistic.

The procedure for authorizing detoxification would be for you to designate a person or persons who notify our intake personnel of the pending admission and authorization for county payment. The intake personnel will determine availability of bed space. MECCA does not guarantee a bed will always be available to you. It may be most practical with ICO patients to have the person in your county who handles substance abuse committal payments (or the Judicial Hospitalization Referee or the person in the Clerk of Court who handles committal filings, et cetera) notify our intake personnel. We want to be clear who our contact person is with the county. If the patient is on ICO, we prefer the Sheriff's staff transporting the patient remain at our facility until the patient is admitted (this includes our dressing them in pajamas and performing initial physical assessments). The wait for the sheriff's staff will normally be less than 45 minutes.

All Ayes

**Motion made** by Ries, second by Helmrichs and carried to approve the Class C Liquor License renewal for Hart Ridge, Inc. located at 1645 195<sup>th</sup> Street, Manchester, Iowa. This is a 12 month license with outdoor service area and Sunday sales privileges. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to acknowledge receipt of the Recorder's monthly report showing that for the month of April 2013 the following fees were collected and deposited into their respective funds:

General Fund	\$10,515.62
Recorder's Document Management Fund	346.00
Electronic Transfer Fund	<u>346.00</u>
Total Collected	\$11,207.62

All Ayes

**Discussion Regarding a Portion of 140<sup>th</sup> Ave in NE ¼ NE ¼ of 34-87-6**

Brent Gassman addressed the Board regarding the portion of 140<sup>th</sup> Ave which goes through his property. He would like to see this portion of the abandoned roadway vacated. He is in the process of selling his property and moving to Des Moines and would like to get this taken care of as soon as possible.

Brett Haughenbury owns property directly south of Mr. Gassman. He would like to be able to use 140<sup>th</sup> Ave as access to his property unless the old bridge can be replaced on the access to the east. He simply wants good access to his property. Currently, he is having to access from the east over the old bridge which still exists on the abandoned portion of 140<sup>th</sup> Ave. With the condition of this bridge, he is concerned with safety and liability.

County Engineer Anthony Bardgett stated that in the 1950s the county moved the roadway to the east but did not follow through and vacate the old roadway. The bridge that exists was built in 1907. The concrete is deteriorated and there is severe scouring and abutment issues. If the county were to look to officially vacating this portion of the roadway, we would be obligated to do something about the bridge. He would like to remove and replace the bridge and then have the Board look at officially vacating this portion of 140<sup>th</sup> Ave. The first step would be to apply for a permit to replace the existing bridge. This may take up to two (2) months.

**Motion made** by Helmrichs, second by Ries and carried to direct County Engineer Anthony Bardgett to move forward with the replacement of the existing bridge on the aforementioned section of 140<sup>th</sup> Ave in the NE ¼ of the NE ¼ of Section 34 of Adams Township with the intent of beginning a formal vacation process of this section of roadway after the completion of the bridge replacement. All Ayes

#### **Discussion Regarding Solution for Firefly Road**

Anthony Bardgett addressed the Board regarding his research into the Firefly Road issues presented at the April 29, 2013 Board meeting. He stated that he would not recommend seal coating that roadway under any circumstances. He then passed around pictures of deteriorating seal coated roadways. The property owners would just be throwing their money away.

Supervisor Ries stated that he thought they could reduce the speed limit on that section of roadway down to 35 and then perhaps the seal coat would hold up. But according to Mr. Bardgett, this is not the case. That section of roadway is so protected that it retains too much moisture to do this type of application. Supervisor Madlom stated that he would not be in favor of reducing the speed on this gravel road.

Mr. Bardgett continued by stating that his crews have hauled approximately 360 tons of rock onto the one mile section of Firefly and will try and have it bladed twice a week throughout the season. He feels this will make a tremendous difference in the condition of the roadway.

Property owners present were not pleased with the news. They feel it will still be a problem due to the fact that most property owners apply dust control so then those sections won't be bladed all summer. They also feel the dust created is a huge safety issue since it does not dissipate due to the dense trees in the area.

Mr. Bardgett stated he would not be in favor of paving only a small segment of the roadway unless there were a more long-term plan of paving the entire road. He does not want to start paving a mile here and a mile there all over the county. What the county does here will definitely set a precedent moving forward.

Reference was made to the fact that they recently paved the Pin Oak Park Road and there is only one business versus five (5) and half the houses located on that road that there is on this one mile stretch of Firefly. Mr. Bardgett stated that the Pin Oak Park Road had been in and out of the five (5) year plan for over ten (10) years. The entire road was paved, not just a portion, and it was done to a low volume standard. The total cost of this project was \$197,000 paid for out of Local Option Sales Tax monies.

Jim Wessels stated that it makes sense to lower the speed limit on this stretch of roadway due to the sharp curves. He would also like to see a long-term solution for the dust problem. Mr. Bardgett would rather not set a precedent of dust controlling county gravel roads. Mr. Wessels would rather see a long-term solution of black-topping the roadway. When asked what criteria the county looks at to determine paving, Mr. Bardgett stated that connectivity, cost, number of curves and traffic all enter into the calculation. However, the money has to be there first in order to even look at a project.

Tom Porter stated that he thought the DOT had it scheduled to count the traffic on Firefly Road this summer.

Mr. Wessels stated that the rock has helped a great deal already. However, he is still looking for a more permanent solution to the dust problem. According to him it is an issue of safety.

Chairperson Madlom asked Mr. Bardgett if he would come up with a good estimate of what it would cost to replace the existing bridge, acquire additional right-of-way and black-top this section of Firefly Road. If possible, he would like to have him present his finding at the May 20, 2013 Board meeting. This is not a commitment to pave. This is only to get a feeling of what resources it would take to do it.

The Board thanked everyone for their comments.

**Motion made** by Ries, second by Helmrichs and carried to approve the plans for the 200<sup>th</sup> Street Culvert Project (L-C14(01)—73-28 and locally known as the Thole Culvert) and set June 3, 2013 at 1:15 pm as the date and time to receive bids for said project. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to approve the contracts with Kuhlman Construction for the 2013 Rock Program as follows:

Area 1	22,000 ton	174,020.00
Area 2	22,000 ton	174,020.00
Area 3	22,000 ton	174,020.00
Area 4	33,000 ton	261,360.00

The late start date for the project will be June 24, 2013. Areas 1, 2, & 3 will have 35 working days allocated for completion. Area 4 will have 50 working days allocated. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to approve the contract for the 255<sup>th</sup> Ave Bridge Project (BROS-C028(80)--8J-28) with Taylor Construction, Inc. in consideration of their low bid of \$255,418.40. The late start date for this project will be July 22, 2013 with 65 working days allocated for completion. All Ayes

#### **ENGINEER'S REPORT**

**Westhoff Bridge (Project BROS-C028(81)--8J-28** – A preconstruction conference was held with K Construction on Friday, May 3, 2013. They are anticipating a start date around the middle of June.

**Secondary Road Crews** – Crews are out working on various duties such as cold mix patching, tile road crossing repairs and spot rocking.

#### **NEXT MEETING**

The next regular session of the Board of Supervisors will be held on Monday, May 13, 2013 at 1:15 pm.

#### **PUBLIC COMMENTS:**

None.

There being no further business before the Board, Chairperson Madlom asked for a motion to adjourn.

**Motion made** by Ries, second by Helmrichs and carried to adjourn the meeting at 2:15 pm. All Ayes

These minutes have been read and approved.

/S/ Jeff Madlom, Chairperson

/S/ Carla K. Becker, Auditor

STATE OF IOWA            )  
                                      ) Ss:  
DELAWARE COUNTY

May 13, 2013  
Manchester, Iowa  
1:15 PM

The Delaware County Board of Supervisors met in regular session this date at 1:15 pm with all members present. Also present were John LeClere, Milt Kramer, Anthony Bardgett, Carla Becker, and two (2) members of the media. Jeff Madlom, Chairperson, called the meeting to order.

**Motion made** by Helmrichs, second by Ries and carried to approve the minutes from the May 6, 2013 regular session. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to approve the following employees to attend their respective meetings: Carla K. Becker, Monica Heiserman and Peggy Hildebrand to attend the SEAT Continuing Education class in Cedar Rapids on May 15, 2013; Shirley Helmrichs and Jeff Madlom to attend the ECIA meeting in Dubuque on May 15, 2013; and Shirley Helmrichs to attend the RTA meeting in Dubuque on May 14, 2013. All Ayes

There were no claims submitted for consideration at today's meeting.

**Motion made** by Ries, second by Helmrichs and carried to approve the "Application for Approval of Underground Construction on Delaware County Right-of-Way" submitted by Windstream Communications, Inc. to bury fiber optic communications cable from the intersection of State Hwy 38 and US 20 to a cell tower located at 2203 220<sup>th</sup> Street. This proposed construction will be located approximately two (2) miles west from the town of Delaware in Sections 31 & 32 of Oneida Township. All Ayes

There were no manure management plans or updates submitted for filing.

#### **Discussion Regarding Potential Future Jail Expansion**

Sheriff John LeClere addressed the Board by summarizing what has been done to this point. According to Sheriff LeClere, the Board was presented with information regarding the remodeling and expansion of the existing facility at a work session held earlier this year. He stated that the main focus of the project is to enhance security at the facility, increase the number of inmates which can be housed and to achieve segregation of male and female inmates by sight and sound as required by law. Within the scope of the proposed project, the old jailer house will be demolished and the new portion of the facility constructed in its place. The existing jail will be turned into booking and temporary holding cells. They would also construct a new kitchen area since the old kitchen was housed in the jailer's house.

Currently, there are eleven (11) inmates housed in the jail which is to full capacity. They also still have two (2) in Buchanan County. Even this is down slightly from last month, these numbers can change daily. He feels the next step is to set an election date.

The county special election dates remaining this calendar year are in August and November. Chairperson Madlom stated that he would like to see the election held in conjunction with the City Election in November. His thought was that perhaps it would help to increase the turnout. The best turnout that Johnson County achieved during their attempt at building a new justice center was 15%.

Supervisor Ries stated that he would rather see it stand alone and have its own Special Election date in August.

Supervisor Helmrichs was concerned with having the election too soon. She stated that the county will need to conduct several informational meetings throughout the county to educate the public on the need for this renovation before an election can occur. She would also like to see the Board form an Ad Hoc Committee to look at the current plans and make suggestions for possible improvements. This committee would also help with the public outreach for the project. She would also like to be able to utilize the Delaware County Fair as a public outreach tool. Since this is the first time they are discussing this in an open meeting (the last meeting was just an informational work session) she feels there needs to be a lot more communication with the public. The current plans are also the first draft. She would assume that they will want to revise these after they receive input from the public.

Sheriff LeClere stated that he had spoken with the City Clerks within the county and most were willing to host as many informational sessions as the Board deemed necessary. They would also like a scaled down set of plans to display at their offices. He also stated that the summer is very busy for his office which may make it difficult for him to attend a large number of meetings during the summer months. He feels that November would be better for his office.

It was also mentioned that the Board will need to contact the county's bonding attorney to see what the process is and put together a potential timeline for the project.

Supervisor Ries asked Manchester Mayor Milt Kramer what his advice would be. He stated that there currently isn't any information being put out to the public. The county will need to do a large amount of public education prior to any attempt at passing a bond issue. He also stated that the county has never even presented it to the City of Manchester. He also stated it would be a good idea to contact those counties who have had bond issues fail and see what they feel could have been done differently.

Chairperson Madlom asked that the County Auditor place the consideration of forming an Ad Hoc Committee for the Future Renovation/Expansion of the Jail on the agenda for May 20, 2013.

**Motion made** by Helmrichs, second by Ries and carried to acknowledge receipt of the Clerk of Court's Monthly Report and Remittance showing that for the month of April 2013, \$1,248.23 was collected for various fines and surcharges and deposited into the general funds. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to acknowledge receipt of the Treasurer's Banking and Investment Report showing that as of May 1, 2013, \$17,809,208.52 was collected on behalf of all taxing entities and deposited in various banks across the county. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to approve the Service Agreement with The Howard E. Nyhart Company, Inc., in consideration of \$2,750, for the preparation of a comprehensive annual report and actuarial valuation relating to disclosures required by GASB 45. The report shall be for the fiscal year ending June 30, 2103. All Ayes

#### **Discussion and Possible Consideration of Additional Data Processing Expenditures for FY 2012-13**

Delaware County Auditor Carla K. Becker addressed the Board regarding data processing needs which are not currently approved through the FY 2012-13 Budget. As the fiscal year draws to a close, there is money left in the data processing budget which could be utilized for departmental requests.

First, during this year's assessment it was noted that the Community Services Department has several old XP computers which are not being completely supported through the county's current anti-virus. It would be in the best interest of the county to replace some of them now versus replacing them all at one time. The cost of four (4) computers would come to \$5,027.88.

Second, is the need for a secure wireless connection within the courthouse and Sheriff's Department. Currently, there are two (2) wireless units being utilized by courthouse departments. These units are not intended for governmental use and are not as secure as

the county needs them to be. With more and more departments utilizing wireless, the Board should consider installing secure wireless access points. Solutions, Inc. sells Meraki units which are designed for high-density deployment in large offices, schools, hospitals and governmental buildings. It would take six (6) units to cover the two (2) buildings at a cost of \$6,996.00. This cost includes a five (5) year license.

The third item is the replacement of printers. The Recorder, Treasurer and Auditor all purchased the same type of printers within the last three (3) years. Unfortunately, IBM no longer supports these units. Supervisor Ries stated that the Recorder and Treasurer asked to replace their units during the FY 2013-14 budget process. Since there is money left in the data processing account he would like to see these two (2) departments be able to replace these printers. The Recorder has two (2) units and the Treasurer has one unit. If they were to purchase three (3) Lexmark printers to replace these the discounted price would be \$2,146.00/each or a total of \$6,438. Since all three (3) of these units are still in good working condition, perhaps we could find a place for them within other departments. County Auditor Carla Becker stated she would like to have at least one of the units. Her current printer has almost 250,000 sides copied whereas the units being replaced have anywhere from 40,000 to 114,000 sides copied. This is significantly less than the unit she is using.

**Motion made** by Ries, second by Helmrichs and carried to approve the following data processing expenditures for FY 2012-13:

1. Purchase of four (4) computers for the Community Services Department - \$5,027.88
2. Purchase of wireless access points for the courthouse and Sheriff's Department - \$6,996.00
3. Purchase of three (3) printers; one for Treasurer's Office and two (2) for Recorder's Office - \$6,438

All Ayes

Motion made by Helmrichs, second by Ries and carried to approve the hiring of the following four (4) seasonal part-time summer employees:

Andrew Heims	Seasonal Roadside Mower	Effective May 14, 2013	\$12.00/hour
Jacob Meyer	Seasonal Part-time Laborer	Effective May 14, 2013	\$10.00/hour
Dylan Brooks	Seasonal Part-time Laborer	Effective May 14, 2013	\$10.00/hour
Devi Lawson	Seasonal Part-time Laborer	Effective May 20, 2013	\$10.00/hour

All Ayes

#### **ENGINEER'S REPORT**

**170<sup>th</sup> Ave Culvert Replacement** – Crews will be working on the 170<sup>th</sup> Ave Culvert Replacement Project near Dennis Lyon's property all week.

#### **NEXT MEETING**

The next regular session of the Board of Supervisors will be held on Monday, May 20, 2013 at 1:15 pm. There will also be a work session held on May 17, 2013 in the lower level conference room beginning at 9:00 am.

#### **PUBLIC COMMENTS:**

None

There being no further business before the Board, Chairperson Madlom asked for a motion to adjourn.

**Motion made** by Ries, second by Helmrichs and carried to adjourn the meeting at 1:50 pm. All Ayes

These minutes have been read and approved.

/S/ Jeff Madlom, Chairperson

/S/ Carla K. Becker, Auditor

STATE OF IOWA            )  
                                      ) Ss:  
DELAWARE COUNTY

**May 17, 2013**  
**Manchester, Iowa**  
**9:00 AM**

The Delaware County Board of Supervisors met in work session this date at 9:00 AM with all members present. Also present were John LeClere, Anthony Bardgett, Deborah Peyton, Norman Wellman, David Timmer, Monica Heiserman, John Bernau, Pam Klein, Andrea Schmidt, Peggy Petlon, Garlyn Glanz, Paul Greufe, and Carla Becker. There was no media present. Jeff Madlom, Chairperson, called the meeting to order.

Paul Greufe, Human Resource Specialist with Greufe and Associates, met with the Board of Supervisors, elected officials, department heads and department representatives to review the county's employee handbook. He stated the purpose of the handbook is to inform employees of the policies and procedures regarding employment with Delaware County in an employee friendly manner. It should be user friendly and NOT read like a legal document. After walking through and discussing the first three (3) sections of the handbook, Mr. Greufe stated that he would revise some the language in these sections, based on what was discussed, and bring it back for the group to review and approve at the next meeting. He will e-mail the County Auditor with the dates he would be available for the next meeting.

The work session was closed at 12:10 pm.

/S/ Jeff Madlom, Chairperson

/S/ Carla K. Becker, Auditor

STATE OF IOWA )  
 ) Ss:  
 DELAWARE COUNTY

May 23, 2013  
 Manchester, Iowa  
 9:00 AM

The Delaware County Board of Supervisors met in regular session this date at 9:00 am with all members present. Also present were Jason Kluesner, Tom Porter, Terry Solomon, John LeClere, Callie McDonald, Carrie McNamara, Milt Kramer, Bill Rave, Chad Wulfekuhle, Anthony Bardgett, Carla Becker, and two (2) members of the media. Jeff Madlom, Chairperson, called the meeting to order.

**Motion made** by Helmrichs, second by Ries and carried to approve the minutes from the May 13, 2013 regular session and May 17, 2013 work session. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to approve the following employees to attend their respective meetings: Retroactively for Mike Ryan to attend the rescheduled Region 6 LEPC meeting in Vinton and the town hall meeting in Parkersburg on May 21, 2013; Carla Becker and Peggy Hildebrand to attend the ISACA Legal Description workshop May 28-30, 2013; retroactively for Jerry Ries to attend the RC&D meeting in Maquoketa on May 21, 2013; Shirley Helmrichs to attend the BDF meeting in Independence on May 28, 2013; and Shirley Helmrichs, Jeff Madlom and Jerry Ries to attend the RTA meeting in Dubuque on May 29, 2013. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to approve the payment of the following claims, including the May 17, 2013 payroll in the amount of \$154,015.44 warrant #32900-33018:

Abbe Center MH	Emergency Treatment	7156.70	Hillcrest Community MH	Prescription Medicine	662.00
ABC Fire Protection Inc	Buildings-Repair/Maint	45.00	Hillcrest Family Services	Supported Comm Living	248.00
Accent Laser Services Inc	Stationery/Supplies	349.80	Hiway Products Inc	Roads	972.81
Advanced Systems Inc	Maint-Off Equip/Furniture	135.59	IA Dept of Transportation	Minor Equip & Hand Tools	850.83
Advancement Services	Work Activity Services	546.00	IA Law Enforcement Academy	Education & Training	90.00
Alliant Energy	Service	1387.31	IA Prison Industries	Custodial Supplies	149.88
Allied Insurance	Real Property Insurance	948.00	IA State Bar Assn	Dues & Memberships	260.00
Altorfer Inc	Safety Items	911.36	Iowa Technologies	Repair/Maint-Misc Equip	374.00
AT&T Corporate Security	Telephone Services	1.85	IBM Corporation	Data Processing	2468.40
Auto Jet Muffler Corp	Construction & Maint	554.18	Illowa Culvert & Supply	Steel-Iron-Related Metals	7230.00
Bard Materials	Roads	6735.38	ISACA Treasurer	Education & Training	270.00
Barron Motor Supply	Minor Mv Parts & Access	1251.55	John Deere Financial	Buildings-Repair/Maint	640.55
David G Baumgartner	Legal Rep for Commitment	228.90	Johnson Co Sheriff	Sheriff's Transportation	31.50
Larry D Beaman	Employee Mileage/Subs	197.75	Kane Appraisal & Real Estate	Legal-Court Related	6000.00
Becker Electric LLC	Repair/Maint-Fixed Equip	233.67	Kluesner Construction Inc	Repair/Maint-Misc Equip	150.00
Bi-County Disposal Inc	Custodial Supplies	189.16	KMCH	Education & Training	75.00
Black Hills Energy	Natural -LP Gas-Fuel Oil	464.44	Kuhlman Quarries	Roads	40805.58
Black Hills Energy	Assistance	242.09	Lahr Repair Inc	Construction & Maint	698.96
Blakesley Drug	Prescription Medicine	53.78	Landscapes by Childs Play	Repair/Maint-Misc Equip	371.00
Bob Stephen Motors Inc	Repair/Maint- Vehicle	524.78	Leader Publications	Board Proceedings	1378.36
BOSS	Stationery/Supplies	14.40	Judy A Lee	Employee Mileage/Subs	31.25
Boubin Tire Co	Repair/Maint- Vehicle	71.20	Lenzs Collision Center	Repair/Maint- Vehicle	250.00
Broadlawn Medical Center	Outpatient	90.00	Jill Lewis	Buildings-Repair/Maint	150.00
Buchanan Co Sheriff	Legal-Court Related	24.62	L L Pelling Co Inc	Roads	845.25
Carr & Carr Attorneys	Legal-Court Related	72.50	LSI Lutheran Services	Protection/Security	1328.78
Co Case Management	Education & Training	30.00	Mail Services LLC	Stationery/Supplies	566.94
Cedar Valley Ranch Inc	RCF	2961.00	Main Street Market	Food Preparation Services	1418.65
CenturyLink QCC Business	Telephone Services	26.07	Main Street Repair	Repair/Maint- Vehicle	180.55
City Laundering Co	Custodial Supplies	59.63	Manchester Motor Supply	Construction & Maint	9.78
C J Cooper & Assoc Inc	Medical & Health Services	417.47	Manchester Press	Publications	311.08
Comelec Services Inc	Data Processing Supplies	965.38	Maquoketa Valley REC	Electrical Power	902.35
Comm Found of Greater Dbq	Education & Training	25.00	City of Masonville	Utilities	72.00
Community Savings Bank	GO Bond Redemption	63601.36	Matco Tools Nathan Pearson	Minor Equip & Hand Tools	592.72
Counseling & Assessment	Outpatient	105.00	John McCarter	Legal-Court Related	667.12
Custom Hose Supplies Inc	Construction & Maint	98.48	Rita McGrane	Supervised Living	400.00
D&S Portables Inc	Sanitation Disposal	226.40	Mediacom LLC	Telephone Services	36.68
Data Imaging Supplies Inc	Office Equipment	767.77	Mid Amer Research	Shop Equipment	124.42
Del Clay Impl Co Inc	Minor Mv Parts & Access	253.93	Midwest Wheel	Construction & Maint	704.11
Del Co Economic Developmnt	Contribution	10000.00	Monkeytown	Supplies	140.84
Del Co Mutual Ins Assn	Real Property Insurance	199.44	Jenny Montgomery	Miscellaneous	7.14
Del Co Public Health	Refunds/Reimburse	6973.95	Monticello Vet Clinic	Public Education Items	42.50
Delaware Co Sheriff	Transportation	444.09	NE Iowa Telephone	Park Development	429.00
Delaware Co Solid Waste	Sanitation Disposal	2045.55	Oneida Nameplate Co	Park Development	684.00
Del Co Treasurer	Property Taxes	538.00	Palas Custom Fencing	Land	1676.46
Delhi Lumber	Steel-Iron-Related Metals	291.17	Palmer Hardware	Repair/Maint-Misc Equip	412.23
Des Moines Stamp Mfg Co	Stationery/Supplies	63.75	Penn Center Inc	RCF	17670.93
Don & Walt LLC	Repair/Maint-Misc Equip	259.48	Pro Build	Wood & Lumber	45.72
Dons Truck Sales Inc	Construction & Maint	2407.83	Quill Corporation	Stationery/Supplies	23.99
Dubuque County Sheriff	Legal-Court Related	15.00	Beverly Rahe	Employee Mileage/Subs	114.92
City of Dubuque	Custodial Supplies	85.00	Regional Family Health	Legal-Court Related	14.00
Dyersville Commercial	Board Proceedings	1791.29	Rise LTD	Sheltered Workshop	64.00
City of Earlville City Clerks	Utilities	375.00	Rite Price Office Supply	Supplies	428.33
East Central IA Acute Care	Diagnostic Evaluation	168.84	River Valley Cooperative	Natural -LP Gas-Fuel Oil	397.94
Tina Elgin	Custodial	500.00	Rowley Equipment	Repair/Maint- Vehicle	121.09
Fannon Welding LLC	Construction & Maint	20.00	Keith J Rowley	Apparel & Uniform	102.50
Sarah M Feldmann	Miscellaneous	14.14	RTL Equipment Inc	Construction & Maint	22693.00
The Fish Shack	Public Education Items	34.29	Runde Auto Group	Repair/Maint- Vehicle	113.43
April Fisher	Custodial Supplies	86.25	Lynn M Ryan	Employee Mileage/Subs	195.49
Four Oaks Family & Children	Protection Services	186.60	Michael K Ryan	Minor Equip & Hand Tools	54.99
Gaffney Quarries Inc	Roads	1969.11	The Safe Place Foundation	Ongoing Rent Subsidy	525.00
Gemplers	Minor Equip & Hand Tools	53.45	Scenic Acres	RCF	840.62
Garlyn R Glanz	Postage & Mailing	13.25	Schau Housing	Rent Payments	250.00
GNB Bank	Stationery/Supplies	48.15	Sign-Up LTD	Traffic & St Sign	495.30
Group Services Inc	Insurance	10347.50	Silveredge Cooperative	Fuels	2966.72
Autumn C Halweg	Miscellaneous	5.00	Smittys	Tires & Tubes	884.10
Harrison Truck Centers	Construction & Maint	84.05	Standard Auto Parts LLC	Repair/Maint-Misc Equip	340.47
Hausers Water Systems Inc	Water Use & Sewer	5.00	State Medical Examiner	Medical & Health Services	9.50
Helle Farm Equipment Inc	Minor Mv Parts & Access	469.68	Swift Law Firm	Legal-Court Related	183.72
Travis D Hemesath	Fuels	481.37	Systems Unlimited Inc	Work Activity Services	118.40
Henderson Products	Construction & Maint	796.00	Telegraph Herald	Off Publication/Legal Not	105.45
Heritage Printing	Stationery/Supplies	171.60	Terminal Supply Company	Construction & Maint	783.10

Thomson Reuters-W Pymnt	Magazines/Newspaper	531.04	Visiting Nurse Association	Representative Payee	23.50
Three Rivers FS	Repair/Maint-Misc Equip	24948.78	Weber Paper Company	Stationery/Supplies	74.58
Towncrest Pharmacy	Prescription Medicine	16.48	Blue Cross & Blue Shield	Insurance	9634.88
Treasurer State of Iowa	Inpatient/Hospital	5840.80	FE Welterlen Motors Inc	Repair/Maint- Vehicle	82.07
Unity Point Clinic	Medical/Health Services	185.00	Stacy L Wessels	Miscellaneous	5.00
Unlimited Services Inc	General Transportation	1106.42	Windstream	Telephone Service	538.88
US Cellular	Telephone Services	1831.60	WW Electric Bill Williams	Buildings	3782.23
US Postmaster	Postage & Mailing	224.00			
All Ayes					

**Motion made** by Ries, second by Helmrichs and carried to approve the "Application for Approval of Underground Construction on Delaware County Right-of-Way" submitted by Windstream Communications to bury copper telephone cable along Firefly Road to relocate a pedestal approximately 1.5 miles southeast of Dundee in Section 35 of Richland Township. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to acknowledge receipt of the following manure management plan updates: Linda Brandel, WB Farms Inc., in Section 17 of Coffins Grove Township. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to approve the transfer of \$137,456.00 from the Rural Services Fund to the Secondary Roads Funds for taxes collected in April 2013. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to appoint Doug Peyton as Trustee of the Adams & Hazel Green Benefited Fire District for a period of three (3) years. Mr. Peyton has served on this Board for many years. He is being re-appointed even though Chairperson Madlom was unable to contact him directly to confirm the appointment. If for some reason Mr. Peyton does not wish to continue on as trustee of the district, he can resign and the Board will consider someone else for the position. All Ayes

#### **Discussion of Ad Hoc Planning Committee – Proposed Future Jail Renovation and Expansion**

Discussion was held regarding the creation of an Ad Hoc Planning Committee for the proposed renovation and expansion of the Delaware County Jail. Supervisor Ries feels that it is premature to create a committee now. He would like to see the Board wait until they have decided on a date for the election.

Chairperson Madlom feels that it is important to get the committee created as soon in the process as possible. Supervisor Helmrichs agreed with Chairperson Madlom. She feels that even though they have preliminary plans already drawn up, there are still lots of things which are still negotiable. She feels it would be beneficial to have different sets of eyes and ears involved in the actual planning of the future facility.

When asked his opinion, Sheriff John LeClere stated that the Board could do some preliminary work to see if people would be willing to serve on a committee of this nature.

Supervisor Helmrichs feels that the Delaware County Fair would be a great opportunity to get information out to the public regarding the project. Being the week of July 8<sup>th</sup>, the fair is only six (6) weeks away. That doesn't give this committee much time to work. She has already been thinking about potential members of the committee and has actually come up with a list of names ranging from farmers, Farm Bureau members and bankers, to former dispatch and jail employees. Chairperson Madlom also stated that he had a listing of potential committee members.

**Motion made** by Ries, second by Helmrichs and carried to table the consideration of forming an Ad Hoc Planning Committee for the Proposed Renovation and Expansion of the Delaware County Jail until the June 3, 2013 meeting. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to approve the Statement of Property Values presented by EMC Insurance to be used during the 2013-14 Property Insurance renewal quote, as amended. All Ayes

Motion made by Ries, second by Helmrichs and carried to approve the following agreement with the Iowa Department of Human Services:

#### **COUNTY CONTRACT FOR TARGETED CASE MANAGEMENT SERVICES**

This contract is entered into on this 1<sup>st</sup> day of July 2013, by and between Delaware County (hereafter "Entity") and the Iowa Department of Human Services, Targeted Case Management Unit (hereafter "TCM Unit"), for the provision of targeted case management services.

#### **RECITALS**

**WHEREAS**, Iowa Code Chapter 225C requires each County of the State of Iowa to provide targeted case management services to persons with intellectual disabilities, brain injury, developmental disabilities, and chronic mental illness.

**WHEREAS**, the Iowa Department of Human Services has received a waiver from the United States Department of Health and Human Services to provide coverage under the Medicaid Program for a limited number of children needing behavioral health care services. This waiver is known as the Children's Mental Health Waiver.

**WHEREAS**, 441 Iowa Administrative Code Section 24.41 defines a targeted case management provider to mean the Iowa Department of Human Services, a county, or a consortium of counties; and

**WHEREAS**, pursuant to 2005 Iowa Acts, Chapter 117, Section 4, case management services are included in the services available under the waiver.

#### **AGREEMENT**

#### **ARTICLE I SERVICES TO BE PROVIDED**

##### **Section 1.1 Services to Persons Who are Medicaid Eligible (Check One):**

- The Entity has been certified by the Department of Human Services, Division of Mental Health and Disability Services, as a provider of targeted case management services and has enrolled with Iowa Medicaid Enterprise to provide targeted case management services to persons in the designated categories:
  - Children with a Severe Emotional Disturbance

##### **Section 1.2 Services to Persons Who are NOT Medicaid Eligible (Check One):**

- The Entity has established a process to review applications from non-Medicaid eligible persons who apply for targeted case management services, and is responsible for 100% of the costs of approved services, including targeted case management services.

##### **Section 1.3 Other Services to be Provided:**

1. The TCM Unit shall maintain a list of persons referred for targeted case management services. The number of persons on the referral list shall be provided to the Entity upon request.
2. The TCM Unit shall verify the Medicaid eligibility of all persons who apply for services.
3. The TCM Unit shall provide targeted case management services to those persons included in the Entity's plan. The Entity, as provided by law, assumes no responsibility for targeted case management service costs unless services are provided pursuant to **Section 1.2** above.

- The TCM Unit will notify the Entity of all proposed amendments to 441 Iowa Administrative Code Chapter 24 and will consider the recommendations of the Entity with respect to those proposed amendments.

**ARTICLE II**

**Cost of Targeted Case Management Services**

The TCM Unit will set a projected unit rate for targeted case management services for Intellectual Disability/Developmental Disabilities/Chronic Mental Illness.

**ARTICLE III**

**Contract Duration**

This contract is effective July 1, 2013, through June 30, 2014, inclusive.

**ARTICLE IV**

**Termination**

- This contract may be terminated by either party upon ninety (90) days written notice as set forth in Iowa Code Section 225C.20.
- The Entity shall be responsible for ensuring that a new service provider is in place prior to the expiration of the ninety (90) day notice period. The Entity shall be responsible for payment of the unit rate for services provided by the TCM Unit prior to transfer to the new provider. Upon notice of termination of this contract, the TCM Unit will notify the current consumers that the Entity has terminated their contract with DHS-TCM and notify the consumer of their right to choose service providers.

**ARTICLE V**

**Monitoring and Evaluation**

All information regarding persons receiving targeted case management services is considered confidential and will be used and disseminated only in compliance with state and federal law.

**ARTICLE VI**

**Billing**

The Entity has selected the TCM Unit as its targeted case manager, and the TCM Unit shall bill the Iowa Medicaid Enterprise, the Iowa Managed Care Plan, or the County for the costs of providing Medicaid targeted case management services, in accordance with 441 Iowa Administrative Code Chapter 80.

**ARTICLE VII**

**Administration**

- The Entity and the TCM Unit will comply with all applicable state and federal laws, rules, regulations, and court orders.
- There are no third party beneficiaries to this contract.
- This contract may not be assigned, transferred, or conveyed in whole or in part without the prior written consent of the other party.
- This contract may be amended only upon written agreement of both parties.

**IN WITNESS WHEREOF**, and in consideration of the mutual covenants set forth, the parties execute this contract through their duly authorized agents.

/S/ Jeff Madlom  
 Chair, Delaware County Board of Supervisors  
 May 23, 2013  
 Director or Authorized Designee  
 Iowa Department of Human Services  
 (Date)

Even though the Department of Human Services was requesting a three (3) year contract, the Board only approved a one year contract since there are too many changes happening with the mental health system at this time. All Ayes

**Discussion Regarding the Requested Paving of 1.2 miles of Firefly Road**

At a previous meeting, the Board had requested that County Engineer Anthony Bardgett work up an estimate of the cost to pave the 1.2 miles of Firefly Road in question. Mr. Bardgett stated that with the grading, 3:1 foreslopes, 6" macadam stone, 4" choke stone, 6' shoulders, 22' wide road top with 4" of asphalt and twin 8x8 culverts to replace the bridge structure, the estimated cost for the 1.2 miles would be \$1,057,000. This estimate assumes that any extra right-of-way needed would be donated by the property owners. Mr. Bardgett stated that if the Board were to approve moving forward with this, he would like there to be a long range plan to pave the remainder of Firefly Road to May Road (the next paved road). He would not like to see the county get into the cycle of paving 1 mile strips of roadway.

When asked how the road is now that the county has added extra gravel and is blading it more often. Bill Rave stated that it is getting better but that there are still a lot of pot holes from the bridge south to the highway.

Chairperson Madlom stated that if this portion of roadway were to be put into the five-year plan, it would need to be done in two (2) phases; structures and grading first and then paving. In order to put this into the five-year plan another project would need to be pulled out. Since this bridge is not posted (it is simply too narrow for current paving standards), it would be hard to justify replacing it when we do have so many structures that are posted and need replaced. He would also like to see what the traffic count is above and below the bridge.

Mr. Bardgett stated that he could purchase his own traffic count equipment and be able to spot check areas around the county.

Chairperson Madlom also wanted to give credit to Mr. Bardgett and his crew for going above and beyond to take care of the issue with this roadway. Normally it takes 7-10 days for a maintainer to get through his district. This portion of roadway will be graded twice a week throughout the summer.

Chad Wulfekuhle stated that he owns property at the intersection of Firefly Road and State Hwy 13. His concern is the speed at which cars are entering and exiting the roadway. They do not slow down before the intersection and then hit the washboard which flings them into the ditch. There is no shoulder on that section of roadway. The road literally goes from road to a steep drop off. This is a safety hazard in his opinion. He also stated that Firefly Road is used a lot for access to the river throughout the spring summer and fall. They are constantly seeing canoes and kayaks being hauled back and forth. Paving the roadway would be good for these recreational activities.

It was asked how the county was able to pave the Pin Oak Road without 6' shoulders. Mr. Bardgett stated that the Pin Oak Road was done to low volume standards with only 1 1/2' shoulders. It also helped that it was a dead end roadway. Other factors which enter into the low volume standard are traffic count and speed limit.

Chairperson Madlom stated that he would like to see how the extra grading goes this summer and get a traffic count on various locations along this strip of roadway. Then, taking all the information into account, the Board can consider a master plan to help improve this section of roadway.

The Board thanked everyone for their time.



**Motion made** by Helmrichs, second by Ries and carried to approve the contract with Pirc-Tobin for the Southeast Courthouse Parking Lot Replacement Project in consideration of \$55,218.75. The late start date for this project is May 28, 2013 with 20 working days allocated for completion. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to approve the following quote from Altorfer Cat to complete a certified power train rebuild on the county's 143 H Caterpillar (Lonnie's machine):

Certified Power Train Rebuild		\$129,054.00
Optional Services		
Reseal Hydraulic Control Valve	3,768.06	
Tighten Circle Assembly	1,663.13	
Replace Wiring Harness	<u>2,127.09</u>	
		<u>\$7,558.28</u>
TOTAL		<u>\$136,612.28</u>

Mr. Bardgett has been very happy with the last machine they had rebuilt. The approved \$136,612.28 to rebuild this machine is less than half the cost of purchasing a new one. Altorfer stated they would have room to take the machine in 2-3 weeks. It will take 8-10 weeks to complete the rebuild. All Ayes

#### **ENGINEER'S REPORT**

**X47 Paving Project (FM-C028(82)--55-28)** – The contractor is planning to start the cold-in-place recycling paving next Tuesday, May 28, 2013. The road will be closed to one lane during construction. The surface asphalt paving is expected to start around the first part of July.

**Westhoff Bridge (Project BROS-C028(81)--8J-28)** – A preconstruction conference was held with K Construction on Friday, May 3, 2013. They are anticipating a start date around the middle of June.

**Highway Maintenance** – Kluesner Construction is in the county this week crack sealing several different highways. The road will be closed to one lane in the work area.

**Contract Rock Program** – Kuhlman Construction started contract rock this morning pulling rock out of the Buck Creek Quarry. They will be rocking the territory south of Delhi.

**170<sup>th</sup> Ave Culvert Project** – The culvert replacement project was completed yesterday and the road is now open to traffic.

#### **NEXT MEETING**

Due to the Memorial Day holiday, there will not be a meeting the week of May 27, 2013. The next regular session of the Board of Supervisors will be held on Monday, June 3, 2013 at 1:15 pm.

#### **PUBLIC COMMENTS:**

None.

There being no further business before the Board, Chairperson Madlom asked for a motion to adjourn.

**Motion made** by Ries, second by Helmrichs and carried to adjourn the meeting at 10:12 am. All Ayes

These minutes have been read and approved.

/S/ Jeff Madlom, Chairperson

/S/ Carla K. Becker, Auditor

STATE OF IOWA )  
 ) Ss:  
 DELAWARE COUNTY

June 3, 2013  
 Manchester, Iowa  
 1:15 pm

The Delaware County Board of Supervisors met in regular session this date at 1:15 pm with all members present. Also present were Norman Wellman, John LeClere, Dick Foust, Milt Kramer, Ty Mann, Angela Jordan, Carrie McNamara, Mike Schroeder, Anthony Bardgett, Carla Becker, and three (3) members of the media. Jeff Madlom, Chairperson, called the meeting to order.

**Motion made** by Helmricks, second by Ries and carried to approve the minutes from the May 23, 2013 regular session. All Ayes

**Motion made** by Ries, second by Helmricks and carried to approve the following employees to attend their respective meetings: Retroactively for Jeff Madlom and Anthony Bardgett to attend a DOT meeting in Dyersville on June 3, 2013; Matt Menard and Brian Hillebrand to attend the ARIDE Training in Dubuque June 5 & 6, 2013; Jeff Madlom and Shirley Helmricks to attend the Regional Mental Health meeting in Cedar Rapids on June 6, 2013; and Jeff Madlom to attend the ECIA Board meeting in Dubuque on June 4, 2013. All Ayes

**Motion made** by Helmricks, second by Ries and carried to approve the payment of the following claims, including the May 31, 2013 payroll in the amount of \$161,197.00 warrant #33234-33359:

Abbe Center for MH	Outpatient	5605.02	Kuhlman Construction LC	Cover Aggregate & Sand	257.50
Advanced Systems Inc	Stationery/Supplies	206.31	Kuhlman Quarries	Roads	28978.75
Alliant Energy	Service	4493.69	L&L Murphy Consulting	Planning-Consulting	2000.00
Altorfer Inc	Repair/Maint- Vehicle	1964.90	Lake Delhi Rec Assn	Dredge Donation	42729.17
American Bar Assn	Dues & Memberships	225.00	Lechtenberg Janitorial	Custodial Supplies	332.20
Bonney J Amsden	Fuels	20.00	Jill Lewis	Buildings-Repair/Maint	150.00
Jody Antrim JDC Works	Park Development	120.00	Liberty Bail Bonds Process	Legal-Court Related	50.00
AT&T Corporate Security	Telephone Services	5.55	Linn Co EMA	Contribution	4000.00
Office of Auditor of State	Acct/Audit/Clerical	625.00	LSI Lutheran Services in IA	Protection/Security	1374.60
Bankers Trust Company	Bond Registrar Fees	250.00	Mail Services LLC	Postage & Mailing	619.26
Bard Materials	Roads	1988.21	Main Street Market	Food Preparation	1816.54
John W Bernau	Employee Mileage/Subs	51.42	Manchester Press	Publications	624.09
Black Hills Energy	Service	527.16	City of Manchester	Utilities	84.98
Black Hills Energy	Assistance	515.02	Maquoketa Valley REC	Utilities	165.41
Bodensteiner Implement	Shop Equipment	44.55	Marco Inc	Repair/Maint-Misc Equip	67.95
BP	Fuels	1026.27	Marla's Screen Prints	Safety Items	1297.47
Barry Brandt	Legal-Court Related	35.00	John McCarter	Legal-Court Related	511.31
Buchanan Co Jail	Rm/Bd Payments	2700.00	Bo Mead	Engineering Services	400.00
Buchanan Co Sheriff	Legal-Court Related	74.06	Mediacom LLC	Data Processing	139.95
Carls Feed & Farm Store Inc	Land	90.00	Midwest Wheel	Construction & Maint	951.21
Carr & Carr Attorneys	Legal Rep for Commitment	55.80	Mutual Wheel Company	Construction & Maint	27.40
Co Case Management	Data Processing	621.50	Nebraska-IA Industrial	Shop Equipment	155.98
Cedar Cross Overhead Door	Buildings	270.75	Opportunity Village	Sheltered Workshop	693.28
Central Iowa Water	Water Use & Sewer	41.44	Palmer Hardware	Radio & Communications	161.74
CenturyLink	Telephone Services	420.71	Penn Center Inc	RCF	12856.80
City Laundering Co	Buildings-Repair/Maint	147.04	Pepsi-Cola Gen Bottle Inc	Stationery/Forms	189.00
Cost Advisory Services Inc	Acct/Audit/Clerical	3950.00	Phoenix Supply	Clothing & Dry Goods	1164.61
Del Clay Impl Co Inc	Construction & Maint	33.40	Platt Cemetery	Care of Graves	12.50
Del Co Public Health	Refunds /Reimburse	5210.58	Prairie Inet	Radio & Communications	280.71
Delaware Co Sheriff	Transportation	78.09	Precise MRM	Rrepair/Maint-Radio Equip	790.23
Del Co Treasurer	Data Processing	10.00	Radio Communications	Repair/Maint-Misc Equip	7155.00
Diamond Mowers Inc	Construction & Maint	211.41	Ramada NW Inn & Suites	Education & Training	61.60
DJ Repair	Repair/Maint- Vehicle	402.86	Delaware Dubuque Jackson	General Transportation	117.00
Don & Wait LLC	Repair/Maint-Fixed Equip	372.99	Reliance Telephone Inc	Telephone Services	200.00
Dons Truck Sales Inc	Construction & Maint	40.09	Rite Price Office Supply	Supplies	402.75
Electronic Engineering	Repair/Maint-Radio Equip	209.48	Sandry Fire Supply LLC	Land	198.00
Tina Elgin	Custodial	500.00	Scherrmans Implement	Construction & Maint	89.17
Fastenal Company	Construction & Maint	62.08	Shield Technology Corp	Data Processing	15970.00
Fertilizer Dealer Supply	Construction & Maint	569.85	Simmons Perrine Moyer etal	Legal-Court Related	7616.00
April Fisher	Custodial Supplies	82.50	Smittys	Repair/Maint-Const Equip	16.20
Foster Pheasants	Public Education Items	45.00	Solutions Inc	Data Processing	23004.81
Garlyn R Glanz	Postage & Mailing	8.85	St Lukes Hospital	Diagnostic Evaluation	2770.00
Grainger	Safety Items	330.22	Story Co Sheriff	Sheriff Transportation	11.20
Harrison Truck Centers	Construction & Maint	269.06	The Sunshine Boy	Custodial Supplies	40.00
Hawkeye Comm College	Education & Training	85.00	Superior Welding Supply	Repair/Maint-Misc Equip	65.25
Hawkeye International	Construction & Maint	139.98	Swift Law Firm	Diagnostic Evaluation	189.91
Robert Helmrich	Grounds & Maint Supplies	75.00	Tailored Living	Supported Comm Living	762.92
Henderson Products	Repair/Maint-Const Equip	300.00	TASC - Client Invoices	Planning-Consulting	484.20
Peggy A Hildebrand	Employee Mileage/Subs	166.11	Terminal Supply Company	Construction & Maint	720.40
Hopkinton Municipal Utilities	Utilities	375.25	West Payment	Magazines/Books	149.50
Houlihan Sanitation Service	Sanitation Disposal	135.50	Three Rivers FS	Fuels	9923.47
Iowa DOT	Engineering Services	942.23	US Postmaster	Postage & Mailing	460.00
IA Law Enforcement Acdmy	Education & Training	400.00	US Postmaster	Postage & Mailing	5300.00
IA Prison Industries	Repair/Maint- Vehicle	2565.04	Verles Hunting & Fishing	Minor Equip/Hand Tools	10.00
IA State Bar Assn	Dues & Memberships	125.00	VISA / Mastercard	Stationery/Supplies	1564.50
ISAC	Education & Training	50.00	Walmart Community	Custodial Supplies	563.79
ISU Bridge Engineering	Education & Training	360.00	Weber Paper Company	Custodial Supplies	551.04
Kane Appraisal & Real Estate	Legal-Court Related	1800.00	Weiners Tree Removal	Park Development	284.50
Kimberly S Lange Law Office	Legal-Court Related	147.00	Michael A Wilson	Fuels	20.02
Kluesner Construction Inc	Roads	48000.00	Windstream	Telephone Service	357.36
Kris Engineering Inc	Minor Mv Parts & Access	1729.03	Windstream	Telephone Service	2316.35

There were no "Applications for Approval of Underground Construction on Delaware County Right-of-Way" submitted for consideration.

**Motion made** by Ries, second by Helmricks and carried to acknowledge receipt of the following manure management plan updates: H & K Farms LLC in Section 1 of Honey Creek Township; Logan Schneider, Wild Hogs, in Section 1 of Milo Township; Jordan Perrinjaquet, Makin Bacon Pork, in Section 3 of Coffins Grove Township; Nick Knepper in Section 33 of Bremen Township; Premier Pork, Site #1; in Section 30 of Coffins Grove Township; Robert J. Maiers in Section 15 of Oneida Township; and a new application for 7Bradens 1 LLC in Buchanan County. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to approve an Electric Line Easement for ITC Midwest LLC across Lots One (1) and Two (2) in Public Square Addition to Hopkinton, Iowa. According to Angela Jordan, ITC Midwest, they are rebuilding and updating the lines in Hopkinton to improve reliability and service. County Engineer Anthony Bardgett recommended approval. A county maintainer shed is located on this parcel in Hopkinton. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to approve the following contract with Delaware County Public Health:

**Agreement Between  
Delaware County Board of Supervisors  
and  
Delaware County Memorial Hospital  
dba  
Regional Medical Center**

**AGREEMENT MADE** and entered into this 1st day of July, 2013, by Delaware County Memorial Hospital d/b/a Regional Medical Center of the City of Manchester, Iowa acting by and through its Board of Trustees hereinafter referred to as "RMC" and through the Delaware County Board of Supervisors hereinafter referred to as the "County", and the Delaware County Board of Health hereinafter referred to as the "Board" as follows:

**WHEREAS**, the RMC is a duly organized operating hospital, under the laws of the State of Iowa, and is desirous of assuming functions to facilitate the provision of core public health functions, and other essential public health services to the residents of Delaware County, and providing those services under the names Delaware County Public Health and Regional Medical Home Care (Medicare Provider Number 06-71560) as subsidiaries of Delaware County Memorial Hospital d/b/a Regional Medical Center.

**WHEREAS**, the County is desirous of entering into an agreement for the provision of services by the Regional Medical Center,

**WHEREAS**, the Board is desirous of arranging for the RMC to assume services, and

**WHEREAS**, the parties desire to provide a statement of their agreement for the RMC to provide needed public health services to Delaware County residents by operating and being responsible for public health functions during the term of this agreement.

**IT IS NOW THEREFORE AGREED** by and among the parties as follows:

- I. **THIS AGREEMENT** shall be effective commencing July 1, 2013, and terminates on June 30, 2014.
- II. **THE RMC** continues to be committed to providing services to all residents of Delaware County, without regard to their ability to pay for such services. A sliding fee schedule is used when appropriate. RMC is responsible for providing each of the services outlined in Delaware County's Local Public Health Services Contract (LPHSC) application and any subsequent Requests to Modify or Alternative Plans approved by the County Board of Health.
- III. **RESPONSIBILITIES OF THE COUNTY RELATED TO THE LOCAL PUBLIC HEALTH SERVICES CONTRACT** shall include the following:
  - A. The County shall annually budget for and act as fiscal agent for the Board for the amount appropriated from the Iowa Department of Public Health Local Public Health Services Grant.
- IV. **THE RMC** shall keep all records, reports and statistical data related to public health services, and shall make and file timely reports required by statutes or administrative rules, or required by the terms and conditions of any grant or other program with the appropriate governmental unit or other authority or agency requiring the same, and shall inform the Board of such matters. The Regional Medical Center shall maintain confidentiality of all individual medical records.

**THEREFORE**, in consideration of the mutual covenants and agreements of this contract, it is understood by and between the parties hereto as follows:

- A. The RMC shall maintain an independent staffed public health and home care subsidiary departments to provide public health services as delineated in Section II of this agreement, which will function under the direction of the Chief Administrative Officer of RMC.
- B. The RMC shall make available proper and sufficient space to accommodate the employees and records.
- C. The RMC shall have control of interviewing, hiring, discharging and setting the compensation for employees. The Employee Handbook of RMC shall be in effect for all persons employed. The RMC agrees to provide a registered nurse administrator, competent in public/community health nursing, to direct the department which employs registered nurses and staff competent in public health/community nursing, and homemaker/home health aide services to assist in fulfilling the objectives of this agreement.
- D. The RMC shall obtain any necessary licenses, permits or the authority to perform its duties hereunder and shall furnish proof thereof at the request of the County or the Board.
- E. The RMC will hold the County and the Board harmless from liability for any act or omission by the RMC, its employees and agents in performing this agreement.
- F. The RMC shall work with the Board in providing direction and advice in matters relating to the public health services rendered by the RMC. The Board will meet a minimum of six times annually, as scheduled. Public health nursing and homemaker/home health aide duties established either by statute or administrative rule of the State of Iowa or any federal law or mandate shall be carried out by the RMC.
- G. The County shall provide funds to the RMC for providing services as contracted for and required by the Code of Iowa, Chapter 139, and for such services as mutually agreed by all parties concerned as set forth below:
  1. The County shall annually budget for and reimburse RMC for the cost of providing public health services.
  2. The amount of funds provided to RMC by the County shall be determined by mutual agreement between said parties and shall be paid by the County to the RMC. Each year the RMC shall establish a budget for the provision of public health services to the County. The County shall reimburse RMC for the cost of providing Public Health services.
  3. The maximum amount of liability the County shall incur for the 2013 – 2014 (July 1, 2013 through June 30, 2014) fiscal year is **\$127,500** and the amounts appropriated from the Iowa Department of Public Health Local Public Health Services Grant. The RMC shall bill the County on a regular basis for services provided under the terms of the RMC Agreement. Payments to the RMC shall be made by the County on a regular basis for services provided by the RMC. The amount of state grant funds is identified on the Iowa Department of Public Health contract face sheet. Any additional appropriation or de-appropriation during the fiscal year will be in the dollar amount stated on the Iowa Department of Public Health contract amendment face sheet.
  4. RMC shall have the right to set charges and bill for services rendered in compliance with established billing procedures of RMC not in conflict with funding source requirements (i.e. Local Public Health Services Contract, Medicare, Medicaid, Blue Cross/Blue Shield and other such carriers).
  5. The Regional Medical Center will work with the County to complete year-end business related to Delaware County Public Health and Regional Medical Home Care and bill the County for related costs.
  6. The County or RMC may terminate **THIS AGREEMENT** by giving 90 days written notice to the other parties to this agreement. Upon termination of this agreement, the RMC shall:
    - a. Deliver to the Board, all records in its possession relative to the duties carried out by the RMC pursuant to this agreement.
    - b. Assign to the Board all its interest in any state, federal or other public grants or programs provided through the County or the Board for the provision of health services pursuant to this agreement beyond the amount required to cover services already delivered by RMC

**IN WITNESS WHEREOF** the parties have executed the above and foregoing instrument on the date and year written first above.

**DELAWARE COUNTY BOARD OF SUPERVISORS**

By /S/ Jeff Madlom, Chairperson,  
Chairperson, Board of Supervisors

**REGIONAL MEDICAL CENTER**

Chairman, Board of Trustees

**DELAWARE COUNTY BOARD OF HEALTH**

Chairperson, Board of Health

**REGIONAL MEDICAL CENTER**

RMC Chief Administrative Officer

**DELAWARE COUNTY AUDITOR**

By /S/ Carla K. Becker  
Delaware County Auditor

**REGIONAL MEDICAL CENTER**

Chief Executive Officer  
All Ayes

**Motion made** by Helmricks, second by Ries and carried to approve the fiscal year 2013-14 renewal contracts between Solutions, Inc. and Delaware County Community Services/CPC for Licensed Code Support, with a 50 hour pre-paid contract, and Managed Services at a Silver Level in consideration of \$5,175.00 and \$7,020.00 respectfully. All Ayes

**Consideration of Forming an Ad-Hoc Committee for Planning of Proposed Future Renovation and Expansion of Delaware County Jail**

The next item on the agenda was the consideration of forming an ad-hoc committee for planning the proposed future renovation and expansion of the Delaware County Jail. All Board members present stated that they have contacted several people to inquire if they would be interested in serving on such a committee. They are looking at a committee size of approximately 12-18 members. It was recommended that the consideration of forming the committee be tabled until the Board members have received confirmation of those contacted to serve.

**Motion made** by Ries, second by Helmricks and carried to table the consideration of forming an Ad-Hoc Committee to begin planning for the proposed future renovation and expansion of the Delaware County Jail until the June 10, 2013 meeting to allow each Board member to receive confirmation from potential committee members, with thanks to those who will agree to serve. All Ayes

**Motion made** by Helmricks, second by Ries and carried to approve the Cigarette and Tobacco Renewal Permit for Hart Ridge, Inc. located at 1645 195<sup>th</sup> Street in rural Manchester. All Ayes

Motion made by Ries, second by Helmricks and carried to approve the following resolution regarding an account code change:

**RESOLUTION  
JOURNAL ENTRY AUTHORIZATION**

**WHEREAS**, in March 2013, the Delaware County Board of Supervisors amended the FY 2012-13 budget to accommodate expenditures relating to the renovation and restoration of the courtroom ceiling, and

**WHEREAS**, the Board directed the County Auditor on February 25, 2013 to pay for \$99,566.00 of these expenditures out of dollars allocated for building maintenance (Warrant #31211), and

**WHEREAS**, the Delaware County Board of Supervisors actually budgeted for these expenditures to be paid from Local Option Sales Tax monies.

**NOW, THEREFORE BE IT RESOLVED** that the Delaware County Board of Supervisors directs the Delaware County Auditor's Office to move the expenditures paid with Warrant #31211 in the amount of \$99,566.00, by journal entry, from coding 01000-09100-441-01 (Building Maintenance) to 01000-10220-610-01-642 (Buildings-Local Option Sales Tax).

Approved on this 3<sup>rd</sup> day of June, 2013.

/S/ Jeff Madlom, Chairperson  
Delaware County Board of Supervisors

Attest:

/S/ Carla K. Becker  
Delaware County Auditor  
All Ayes

**Motion made** by Helmricks, second by Ries and carried to approve the following resolution amending the FY 12-13 Appropriations:

**APPROPRIATIONS RESOLUTION  
FY 2012/2013**

**WHEREAS**, it is desired to make appropriations for each of the different county officers and departments for the fiscal year beginning **July 1, 2012**, in accordance with Section 331.434, Subsection 6, of the Code of Iowa,

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of Delaware County, Iowa, as follows:

**Section 1.** The amounts itemized by fund and by department or office on the following schedule are hereby appropriated from the resources of each fund so itemized, the department or office listed in the first column on the same line of the schedule.

**Section 2.** Subject to the provisions of other county procedures and regulations, and applicable state law, the appropriations authorized under Section 1 shall constitute authorization for the department or officer listed to make expenditures or incur obligations from the itemized fund, effective **June 3, 2013**.

**Section 3.** In accordance with Section 331.437, Code of Iowa, no department or county official shall expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure of money for any purpose in excess of the amounts appropriated pursuant to this resolution.

**Section 4.** If at any time during the **2012/2013** budget year the Auditor shall ascertain that the available resources of a fund for that year will be less than said fund's total appropriations, she shall immediately so inform the Board and recommend appropriate corrective action.

**Section 5.** The Auditor shall establish separate accounts for the appropriations authorized in Section 1, each of which account shall indicate the amount of the appropriation, the amounts charged thereto, and the unencumbered balance. The Auditor shall report the status of such accounts to the applicable departments and offices monthly, during the **2012/2013** budget year.

**Section 6.** All appropriations authorized pursuant to this resolution lapse at the close of the business day on June 30, 2013.

The **2012/2013** fiscal year budget appropriated and accounted for by department and fund is as follows:

Department	General		MH/DD Fund	Rural Services	Secondary		Total
	Basic	Supple.			Road	Other	
Supervisors	1,035,983	549,307		139,930			1,725,220
Auditor	164,230	255,718					419,948
Treasurer	282,709	65,581					348,290
Attorney	205,551	28,723					234,274
Sheriff	1,675,103	207,224				9,089	1,891,416
Clerk of Court		49,600					49,600
Recorder	194,326	42,831				5,000	242,157
Community Services	221,506	11,832				35,500	268,838
County Engineer					7,432,457		7,432,457
Veteran Affairs	118,689	12,597					131,286
Conservation	442,506	42,832				61,375	546,713
Local Health	127,500						127,500
Weed Commissioner				13,250			13,250
Human Services	28,050	50,000					78,050
County Farm	30,400						30,400
Medical Examiner	35,000						35,000
Fairgrounds	37,000						37,000
County Services	132,415	21,296		86,613			240,324
County Library				70,672			70,672
Historical Society	11,600						11,600
Mental Health			2,345,716				2,345,716
Non-departmental						72,400	72,400
Totals	\$4,742,568	\$1,337,541	\$2,345,716	\$310,465	\$7,432,457	\$183,364	\$16,352,111

Dated this 3<sup>rd</sup> day of June, 2013.

Delaware County Board of Supervisors

/S/ Jeff Madlom, Chairperson

Attest:

/S/ Carla K. Becker, Auditor

The resolution moves appropriation dollars for departments from Fund 01000 to Fund 02000 to cover the increased insurance premium realized for April, May and June since the county's insurance policy renewed on April 1, 2103. The amounts moving between funds for each department were as follows:

Auditor	\$1,500
County Attorney	\$3,200
Recorder	\$2,000
Community Services	\$600
Veteran Affairs	\$600
Conservation	\$2,000
County Services	\$1,000

The resolution also moves \$5,000 from Fund 01000 to Fund 02000 under the Board of Supervisors to account for additional costs for cobra premiums. One department (the Sheriff's Department) had sufficient appropriation dollars to cover the increase in premium. The Treasurer's Office will be reviewing their budget to look for the availability of appropriation dollars to cover the rate increase for their department. The Board will consider this change at a later date.

During union negotiations for FY 2013-14, the county was asked to return to a July 1<sup>st</sup> renewal even though it was the union members who initially wanted the renewal set for April 1<sup>st</sup> in order to have insurance renewal rates in time for negotiations. The county did not agree with the change back to July 1<sup>st</sup> but lost in arbitration. Thus, the problem of budget shortfall due to the April renewal will not exist next year. However, since the renewal date has been reset to July 1<sup>st</sup>, insurance renewal rates will be available no sooner than 5 months before the renewal date or February 1, 2013. Thus, the county most likely will not have insurance renewal rates for budget and union negotiations and will need to estimate for the proposed budget.

All Ayes

**The next item is added as a timely addition to the agenda.**

Motion made by Ries, second by Helmricks and carried to acknowledge the issuance of the following local disaster declaration:

**LOCAL DISASTER DECLARATION**

Delaware County has suffered from a **Severe Thunderstorm** type of incident. The **heavy rains** event that occurred on **May 29, 2013** causing severe damage to public and private property, disruption of utility service, and endangerment of health and safety of the citizens of Delaware County within the disaster area. Agriculture production also was severely impacted as these events struck during critical stages of plant development. Early estimates are as follows: **Parts of Delaware County received 5 plus inches of rain on top of saturated grounds.** Therefore, the Delaware County Board of Supervisors has declared a state of emergency authorized under Iowa State Statute and will execute the expenditure of emergency funds from all available sources, the invoking of mutual aid agreements, and the applying to the State of Iowa for assistance.

Dated this 29<sup>th</sup> day of May, 2013.

/S/ Jeff Madlom, Chairperson

Delaware County Board of Supervisors

All Ayes

This being the date and time set to receive bids for the 200<sup>th</sup> Street Culvert Project (L-C14 (01)--73-28), County Engineer Anthony Bardgett read the following bids aloud:

K Construction, Inc.	\$75,251.72
Tschiggfrie Excavating, Inc.	\$87,778.70
Gus Construction Co., Inc.	\$95,241.44

Mr. Bardgett requested that the Board table the final awarding of the bid for one week to allow him time to review them.

**Motion made** by Helmrichs, second by Ries and carried to acknowledge receipt of the bids for the 200<sup>th</sup> Street Culvert Project as read and to table the final consideration of said bids until the June 10, 2013 meeting to allow the County Engineer time to review the bids more thoroughly. All Ayes

**County Engineer's Recognition of Officials Assisting in Recent Storms**

Anthony Bardgett addressed the Board, and those present, regarding the storms which recently went through Delaware County. He wanted to thank and recognize all those individuals and organizations which came together to assist in the recovery and cleanup from the storms. He particularly wanted to acknowledge the help received from the local fire fighters, Sheriff's Department, Police Department, Dispatch Center and KMCH radio. It was wonderful to see so many entities come together to help the community. These individuals and entities spent many hours, day and night, dealing with issues from the storm. He greatly appreciates all their efforts.

**The next item on the agenda is a timely addition.**

Anthony Bardgett addressed the Board regarding the current project to reconstruct and resurface the courthouse southeast parking lot. Once the contractor, Pirc Tobin, had completed the initial preparation of the area, it was discovered that the soil was very wet and unsuitable to put concrete on. In order to properly prepare the area for resurfacing, they will need to core out an additional 6 inches and put a mesh fabric across the area in order to stabilize for concrete. The additional cost to the project will be \$12,934.36. If the area is not stabilized enough, they may have to pump the concrete into the site so as not to tear up the base. If this is the case, there will be an additional charge for the pumping as well.

**Motion made** by Ries, second by Helmrichs and carried to approve changing the contract with Pirc Tobin to core out an additional 6 inches and add stabilizing mesh to the site for the reconstruction and resurfacing of the southeast courthouse parking lot in consideration of \$12,934.36. All Ayes

**ENGINEER'S REPORT**

**X47 Paving Project (FM-C028(82)--55-28)** – The cold-in-place recycling paving was completed last week. The asphalt paving will be completed sometime in July.

**Westhoff Bridge (Project BROS-C028(81)--8J-28)** – A preconstruction conference was held with K Construction on Friday, May 3, 2013. They are anticipating a start date around the middle of June.

**Contract Rock Program** – Kuhlman Construction is continuing in the south central and southeast parts of the county this week.

**Flood Damage** – Secondary Road crews are continuing to work on road damage repairs from last week's flood. Some areas received extensive damage and will take time to repair. We are also assessing the total costs of the flood damage in case state or federal assistance is available to Delaware County.

**NEXT MEETING**

The next regular session of the Board of Supervisors will be held on Monday, June 10, 2013 at 1:15 pm.

**PUBLIC COMMENTS:**

Norm Wellman, Delaware County Services Director, wanted to recognize the job done by his employee Mike Ryan, Delaware County Emergency Management Coordinator, during the storms last week. Mr. Ryan was able to go from storm preparation with the tornado warnings, to damage assessment and then right into flood mitigation without missing a beat. It is his opinion that Delaware County is fortunate to have Mr. Ryan as its coordinator.

There being no further business before the Board, Chairperson Madlom asked for a motion to adjourn.

**Motion made** by Ries, second by Helmrichs and carried to adjourn the meeting at 1:50 pm. All Ayes

These minutes have been read and approved.

/S/ Jeff Madlom, Chairperson

/S/ Carla K. Becker, Auditor

STATE OF IOWA            )  
                                      ) Ss:  
DELAWARE COUNTY

June 10, 2013  
Manchester, Iowa  
9:00 am

The Delaware County Board of Supervisors met in work session this date at 9:00 am with all members present. Also present were Paul Greufe, Norman Wellman, John LeClere, Peggy Petlon, Deborah Peyton, Andrea Schmidt, Carolyn Wilson, Pam Klein, Monica Heiserman, Dave Timmer and Carla Becker. There were no members of the media present. Jeff Madlom, Chairperson, called the meeting to order.

The focus of this work session was the review and possible revision of the 2013 Employee Handbook. Paul Greufe, HR Specialist, facilitated the meeting which was a continuation of a work session held on May 17, 2013. The discussion began at Section 4.1 Holidays and continued to the end of the handbook. Mr. Greufe made some suggestions on cleaning up the language in a few sections for clarity.

Much time was spent on FMLA and its associated management and reporting. Mr. Greufe felt that one person (office) should be in charge of filing the FMLA paperwork to make this more consistent between departments. After revising the handbook from the discussions held through the work session, Mr. Greufe will e-mail the draft document to all department heads for review.

Chairperson Madlom stated that he would like to have one more work session to discuss the revisions.

Mr. Greufe stated that he would also be available to perform an audit of what each department is currently doing with regards to employee management. He would also look at the application forms and annual review forms being used for compliance with current law. All departments will be given two (2) weeks to review the draft before the last meeting is scheduled.

There being no further business before the Board, Chairperson Madlom adjourned the meeting at 11:25 am.

These minutes have been read and approved.

/S/ Jeff Madlom, Chairperson

/S/ Carla K. Becker, Auditor

STATE OF IOWA            )  
                                      ) Ss:  
DELAWARE COUNTY

June 10, 2013  
Manchester, Iowa  
1:15 pm

The Delaware County Board of Supervisors met in regular session this date at 1:15 pm with all members present. Also present were Norman Wellman, Craig Davis, Karen Cameron, Milt Kramer, Carla Becker, and three (3) members of the media. Jeff Madlom, Chairperson, called the meeting to order.

**Motion made** by Helmricks, second by Ries and carried to approve the minutes from the June 3, 2013 regular session. All Ayes

**Motion made** by Ries, second by Helmricks and carried to approve the following employees to attend their respective meetings: Deborah Peyton to attend the ISAC Dist 6 meeting in Cedar Rapids on June 19, 2013; Carla K. Becker to attend the ISAC Legislative update in Cedar Rapids on June 19, 2013; Norman Wellman to attend the GIS/911 Conference in West Des Moines on June 12, 2013 and the Iowa 911 Communications Council meeting in Evansdale on June 26, 2013; Mike Ryan to attend the Johnson County EOC for Region 6 Homeland Security and District 6 Iowa Emergency Management Association meetings; Shirley Helmricks to attend the Regional Agency on Aging meeting in Elkader on June 12, 2013; and Craig Davis to attend a watershed meeting in Postville on June 11, 2013. All Ayes

**Motion made** by Helmricks, second by Ries and carried to approve the payment of the following claims:

Delaware Co Recorder	Land	238.40
Simmons Perrine Moyer Bergman	Land	150.00
Rick J & Rebecca S Wiersema etal	Land	89341.96
Windstream	Telephone Service	807.73
Gerald F & Lois N. Wright	Land	59655.78

All Ayes

There were no "Applications for Approval of Underground Construction on Delaware County Right-of-Way" submitted for consideration.

**Motion made** by Ries, second by Helmricks and carried to acknowledge receipt of the following manure management plan updates: Progressive Pork LC, Kent Keppler, in Section 31 of Richland Township. All Ayes

#### **Presentation Regarding Fact Book About Delaware County**

Karen Cameron, Regional Advertising Executive with *Live Wire*, addressed the Board regarding a fact book about Delaware County that she is currently working on. She will be utilizing the county's website and conducting personal interviews to help obtain the information needed for the book. The production of the book will be paid for through advertising purchased by local businesses. The book is intended to compensate for Delaware County not having a welcome wagon. It will also include local events throughout the year. They are hoping to initially print around 2,500 on August 1, 2013 and place them strategically across the county, including in the Delaware County Courthouse.

She thanked the Board Members for their time.

**Motion made** by Ries, second by Helmricks and carried to acknowledge the re-appointment of Tom Allyn to a five (5) year term on the Conservation Board and Marv Waterhouse to a three (3) year term on the Veteran Affairs Commission. Consideration of appointing an Ad Hoc Committee to assist in the planning of the proposed expansion and renovation to the jail was tabled until June 17, 2013. Board members stated that they were still waiting to hear back from potential appointees. Board members discussed having the committee be comprised of 15 members in addition to the County Sheriff. They also discussed their personal viewpoints on what the mission of this committee should be. Supervisor Ries feels they have a good plan in place already and would like to see this committee disseminate information throughout the county regarding the need for this expansion/renovation. Supervisors Madlom and Helmricks felt the committee should initially be focused on learning the issues involved and then in planning what should be done in regards to a modified or expanded facility. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to acknowledge receipt of the Recorder's monthly report showing that for the month of May 2013 the following fees were collected and deposited into their respective funds:

General Fund	\$12,625.35
Recorder's Document Management Fund	375.00
Electronic Transfer Fund	<u>375.00</u>
Total Collected	\$13,375.35

All Ayes

**Motion made** by Helmrichs, second by Ries and carried to acknowledge receipt of the Treasurer's monthly report showing a balance of \$14,955,862.84 deposited in various banks across the county on behalf of all taxing entities. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to acknowledge receipt of the FY 2011-12 Financial Compilation for the Lake Delhi Combined Recreational Facility and Water Quality District. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to acknowledge receipt of the FY 2012 Cost Allocation Plan as prepared by Cost Advisory Services, Inc. and to approve the signing of the plan certification. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to approve the request from Delaware County Treasurer Carolyn Wilson to waive the interest and publication costs associated with delinquent taxes on Parcel 250-14-07-002-09 and 250-14-00-003-20 owned by Heather Freiburger and Joseph C. McGrane (contract purchaser) respectively. According to County Auditor Carla Becker, Ms. Freiburger had a trailer located on land owned by Mr. McGrane. There was an additional building on the parcel which was erroneously assumed to be Ms. Freiburger's. The error wasn't caught until May of this year at which time the building was moved back onto Mr. McGrane's parcel. However, since the taxes on Ms. Freiburger's parcel have been delinquent, interest, penalty and costs have been accumulating on the parcel. Mr. McGrane is willing to pay the back taxes on the building but does not feel he should owe the interest and other costs since it was not properly assessed. Freiburger's are also willing to pay up the back tax less anything due and payable regarding the building which should have been on McGrane's parcel. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to set July 1, 2013 at 1:15 pm as the date and time to hold a public hearing regarding the proposed amendment to the FY 2013-14 Budget to account for changes in reporting with the case management and community life programs as well as the increased expenditures with regards to the Assistant County Attorney going from part-time to full-time status. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to award the bid for the 200<sup>th</sup> Street Culvert Project (L-C14(01)--73-28) to K Construction, Inc. in consideration of its low bid of \$75,251.72. The late start date for this project is September 23, 2013 with 18 working days allocated for completion. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to acknowledge the results of the Iowa DOT letting for winter salt as follows:

North American Salt	\$65.55/ton
Cargill Inc.	\$65.93/ton
Morton Salt	\$67.84/ton

and to award the bid to North American Salt for its low bid of \$65.55 per ton or \$91,770.00 for the 1,400 tons ordered. This is a decrease from last year's awarded bid of \$66.51/ton. All Ayes

#### **ENGINEER'S REPORT**

**X47 Paving Project (FM-C028(82)--55-28)** – The cold-in-place recycling paving was completed last week. The asphalt paving will be completed sometime in July.

**310<sup>th</sup> Street Bridge (Westhoff Bridge Project BROS-C028(81)--8J-28)** – A preconstruction conference was held with K Construction on Friday, May 3, 2013. They are anticipating a start date around the middle of June.

**255<sup>th</sup> Ave Bridge (Maiers Bridge Project BROS-C028(80)—8J-28)** – Project is scheduled to begin on Monday, June 24, 2013.

**Southeast Courthouse Parking Lot (LOST-PL-13(01)--73-28)** – The south one-half of the parking lot is poured. The contractor is waiting seven (7) days before allowing vehicles to park on the newly poured concrete. They will seal the south one-half on Friday and tear out the north one-half on Saturday of this week.

**Contract Rock Program** – Kuhlman Construction has completed the southwest portion of the county and is moving on to the southeast portion this week.

**Flood Damage** – Secondary Road crews are continuing to work on road damage repairs from last week's flood. Some areas received extensive damage and will take time to repair. We are also assessing the total costs of the flood damage in case state or federal assistance is available to Delaware County.

#### **NEXT MEETING**

The next regular session of the Board of Supervisors will be held on Monday, June 17, 2013 at 1:15 pm.

#### **PUBLIC COMMENTS:**

None.

There being no further business before the Board, Chairperson Madlom asked for a motion to adjourn.

**Motion made** by Ries, second by Helmrichs and carried to adjourn the meeting at 1:45 pm. All Ayes

These minutes have been read and approved.

/S/ Jeff Madlom, Chairperson

/S/ Carla K. Becker, Auditor



STATE OF IOWA            )  
                                      ) Ss:  
DELAWARE COUNTY

June 17 2013  
Manchester, Iowa  
10:30 am

The Delaware County Board of Supervisors met in work session this date at 10:30 am with all members present. Also present were Mark Cory, Mary Kray, Lamont Davidson, Steve Leonard, Larry Peter, Eve Peter, Scott Wilson, Carolyn Wilson and Carla Becker. There were no members of the media present. Jeff Madlom, Chairperson, called the meeting to order.

**Discussion Regarding Future Bonding for Lake Delhi Dam Restoration and Spillway Construction**

Mark Cory, Bond Counsel with Ahlers and Cooley, addressed the Board regarding where things are regarding the bonding for Lake Delhi. The Board has already held the required public hearing. Thus, the public has been given notice that the county intends to go into debt for this purpose.

The last time he was here, the county and the Lake District Trustees were trying to negotiate an agreement for the usage of the county monies. Mr. Cory would like to see both parties enter into an agreement prior to the issuance of any debt. With the attractive taxable rate of 1.52% that has been offered by the local banks, the county should issue the debt as taxable to give them the most flexibility. He would also like to see the ability for the county to prepay without penalty added to the loan agreement.

Scott Wilson, F & M Bank, stated the banks are committed at the 1.52%. However, they are anticipating that the debt will be issued no later than December 1, 2013.

Mr. Cory stated that once the Board knows what they want in the agreement, he can put it into a final format for everyone to review. Once the full terms of the agreement are agreeable to both sides, he would recommend the Trustees hold a public hearing to receive comments prior to final approval. He recommended they run this by their counsel.

He also stated that once the District has approved the agreement, then the county can hold a public hearing to receive comments. Notice for this hearing should be published not less than 4 or more than 20 days prior to the hearing. Taking any and all comments into consideration, if the Board is still agreeable, then they can execute a resolution to approve the agreement. Since both entities are "public" entities he is recommending the use of a 28E Agreement. The part of this process which will take the longest is the negotiations between the county and the district.

Even though he is recommending that the agreement be in place prior to the debt issuance, there is no requirement that it be completed first.

As far as the debt issuance is concerned, once the county has a closing date set, Mr. Cory will complete the necessary paperwork. The Board will give notice and set a date to approve the loan agreement. If the load is taxable, no tax certificate is required. If the Board is looking at a December 1, 2013 closing date, they should be contacting him no later than mid to late October.

**Post Issuance Compliance Policy**

The Post Issuance Compliance Policy is relevant only to tax exempt borrowing. According to Mr. Cory, the IRS views tax exemption on borrowing as a federal subsidy since bond issuers do not have to pay tax on the interest they earn. Thus, the federal government wants to be certain that entities are spending the money on those things they want to subsidize and that borrowers are not borrowing too early and/or making money on the transaction.

There are two (2) layers to these regulations:

1. Arbitrage – How fast the monies are spent
2. Rebate – Repay anything over and above what was needed

Mr. Cory recommends any entity that borrows on a tax exempt basis, or has the ability to do so, should have a Post-Issuance Compliance Policy in place. When an entity fills out the tax exempt certificate it now asks if they have a policy in place. He feels that if you check no, you may be placed on a short stack to an IRS audit. It simply raises a red flag that perhaps not all the necessary procedures are in place.

The policy would require the appointment of a Compliance Coordinator. The Board should appointment a particular position and not just the person serving in that position. They could appoint the County Auditor, County Treasurer or even one of themselves. The coordinator would be responsible for monitoring compliance with the policy. They would also be tasked with obtaining continuing education in the area as well as the training of new personnel as they came in. The coordinator would also maintain all transcripts of the proceedings. They will also consult with bond counsel, IRS publications and any other resources necessary to meet the requirements of the policy.

Another aspect of the policy would be insuring proper use of the proceeds, timely expenditure of said proceeds, proper usage of bond financed assets and continuing disclosure of material events. All issuers of over \$1,000,000 must make an electronic filing within 10 working days of material events on a central website called "EMMA".

There is no rush to enter into a Post-Issuance compliance Policy unless the Board has intentions of issuing tax exempt bonds or loans. However, there is no harm in getting it passed and out of the way. Once this policy is in place, it will cover any tax exempt debt issuance moving forward unless the laws governing these transactions changes.

The Board thanked Mr. Cory for his time.

There being no further business before the Board, Chairperson Madlom adjourned the meeting at 11:30 am.

These minutes have been read and approved.

/S/ Jeff Madlom, Chairperson

/S/ Carla K. Becker, Auditor

STATE OF IOWA )  
) Ss:  
DELAWARE COUNTY

June 17, 2013  
Manchester, Iowa  
1:15 pm

The Delaware County Board of Supervisors met in regular session this date at 1:15 pm with all members present. Also present were Mary Kray, Willie Rossow, Gary Engelken, Julie Engelken, Milt Kramer, JoEllen Holtorf, Ted Bohnenkamp, Willard Hawker, Doug A. Hawker, Carrie McNamara, Casey Snyder, Scott Wilson, John LeClere, Carolyn Wilson, Les Carlson, Carla Becker, and three (3) members of the media. Jeff Madlom, Chairperson, called the meeting to order.

**Motion made** by Helmrichs, second by Ries and carried to approve the minutes from the June 10, 2013 regular session. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to approve the following employees to attend their respective meetings: Retroactively for Shirley Helmrichs to attend the BDF meeting in Independence on June 11, 2013; Jerry Ries to attend the EIRUSS meeting in Dyersville and the RC&D meeting in Maquoketa on June 18, 2013; and Jeff Madlom, Anthony Bardgett, Ron Dzaboff and Lonny Fry to attend a tour of the Altorfer-Cat facility in Cedar Rapids on June 18, 2013. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to approve the payment of the following claims, including the June 14, 2013 payroll in the amount of \$164,787.81 warrant #33551-33669:

Abbe Center for MH	Outpatient	3736.68	Iowa Technologies	Data Processing Supplies	13250.00
Accent Laser Services Inc	Stationery/Supplies	84.95	ISAC	Education & Training	150.00
Addoco In	Park Development	1508.75	John Deere Financial	Custodial Supplies	1179.86
Adult Crisis Stabilization	General Transportation	484.90	Gary Johnson	Rent Payments	250.00
Advanced Systems Inc	Maint-Off Equip/Furniture	310.71	Keltek Inc	Vehicle parts	751.36
Alliant Energy	Service	74.00	Marty Kelzner	Rent Payments	275.00
Altorfer Inc	Safety Items	245.46	Kimberly S Lange Law Office	Legal Rep for Commitment	88.50
AT&T Corporate Security	Telephone Services	1.85	Knipper Auto & Tire	Repair/Maint- Vehicle	47.33
Auto Jet Muffler Corporation	Construction & Maint	159.45	Joseph Koopmann	Rent Payments	200.00
Bard Materials	Roads	2109.05	Kuhlman Construction LC	Cover Aggregate & Sand	421.24
Barron Motor Supply	Minor Mv Parts & Access	1019.77	Kuhlman Quarries	Roads	25748.41
John W Bernau	Employee Mileage/Subs	51.42	Lahr Repair Inc	Construction & Maint	1122.96
Best Cleaners	Uniforms/mops	1150.75	Landscapes by Childs Play	Repair/Maint-Misc Equip	177.55
Bi-County Disposal Inc	Sanitation Disposal	229.00	Leader Publications	Board Proceedings	697.28
Black Hills Energy	Natural -LP Gas-Fuel Oil	261.38	Jill Lewis	Buildings-Repair/Maint	150.00
Black Hills Energy	Assistance	451.47	David Loecke	Board of Review	686.70
Blakesley Drug	Prescription Medicine	238.34	LSI Lutheran Services in IA	Protection/Security	1420.42
Bob Stephen Motors Inc	Repair/Maint- Vehicle	997.06	Main Street Market	Food Preparation Services	1938.04
Bohnenkamp-Murdoch	Medical & Health Services	486.75	Manchester Press	Publications	435.28
R Ried Boom MD	Medical & Health Services	150.00	Manchester Signs LLC	Traffic & St Sign	27.80
BOSS	Stationery/Supplies	56.69	City of Manchester	Water Use & Sewer	464.21
Boubin Tire Co	Tires & Tubes	1025.14	Maquoketa Valley REC	Electrical Power	163.58
Budden Well & Plbg Service	Plumbing Repair/Maint	450.00	Martin Equipment	Construction & Maint	377.47
Carls Feed & Farm Store Inc	Public Education Items	121.45	Matco Tools Nathan Pearson	Minor Equip & Hand Tools	76.03
Carpenter Uniform Co	Apparel & Uniform	1284.03	McDowell Truck Repair	Construction & Maint	91.90
Carr & Carr Attorneys	Commitment Rep	73.10	Rita McGrane	Supervised Living	400.00
Cedar Valley Ranch Inc	RCF	3091.10	Medical Associates Clinic	Diagnostic Evaluation	144.00
CenturyLink QCC Business	Telephone Services	26.05	Midwest Business Products	Maint-Off Equip/Furniture	136.00
ChemRight Laboratories Inc	Engineering Services	960.00	Midwest Wheel	Construction & Maint	2130.36
City Laundering Co	Custodial Supplies	124.63	Monkeytown	Supplies	308.41
City of Colesburg	Utilities	317.56	Jenny Montgomery	Miscellaneous	16.07
Cook Co Superior Court	Legal-Court Related	6.50	Moyson Resources	Safety Items	375.00
Cy & Charleys Firestone	Tires & Tubes	784.00	Mutual Wheel Company	Construction & Maint	169.47
D&S Portables Inc	Sanitation Disposal	552.70	Northeast Iowa Telephone	Telephone Services	14.95
Debra Kintzle Cleaning	Buildings-Repair/Maint	250.00	OfficeMax Incorporated	Stationery/Supplies	88.71
Deery Brothers Chevrolet	Motor Vehicle	12645.30	Ovel Forest Products Inc	Park Development	731.25
Delaware Co EM	Contribution	50000.00	Palmer Hardware	Repair/Maint-Misc Equip	1422.33
Del Co Historical Society	Buildings-Repair/Maint	2830.17	PDK Properties	Rent Payments	281.00
Delaware Co Services	Contribution	24201.00	Phoenix Supply	Clothing & Dry Goods	150.98
Delaware Co Sheriff	Transportation	2665.69	Pirc Tobin Construction Inc	Buildings-Repair/Maint	42779.43
Del Co Solid Waste Comm	Sanitation Disposal	4091.10	Pro Build	Wood & Lumber	295.55
Dependable Automotive	Shop Equipment	104.30	Radio Communications	Radio & Communications	721.25
Don & Walt LLC	Park Development	287.60	Stephanie Rattenborg	Legal-Court Related	352.00
Dons Truck Sales Inc	Construction & Maint	1218.54	Ray O'Herron Co Inc	Minor Equip & Hand Tools	307.59
Dubuque County Sheriff	Legal-Court Related	15.00	Regional Medical Center	Medical & Health Services	203.00
Dyersville Commercial	Board Proceedings	1145.77	Reliance Telephone Inc	Telephone Services	300.00
ECIA	Education & Training	350.00	Gerald L Ries	Employee Mileage/Subs	67.80
Eastside Storage	Buildings-Repair/Maint	30.00	Rite Price Office Supply	Supplies	566.61
Edgewood Oil Co	Lubricants	1480.00	Ritter Tool Sales Inc	Shop Equipment	100.00
Ed's Lawn Care	Buildings-Repair/Maint	906.00	River Valley Cooperative	Natural -LP Gas-Fuel Oil	4401.14
Tina Elgin	Custodial	500.00	RTL Equipment Inc	Construction & Maint	130.57
Fannon Welding LLC	Shop Equipment	20.00	Runde Auto Group	Repair/Maint- Vehicle	410.37
Fastenal Company	Construction & Maint	17.38	S&D Supply Inc	Minor Equip & Hand Tools	215.63
Janet K Fischer	Grounds & Maint Supplies	140.00	Sadler Power Train Inc	Construction & Maint	1325.94
April Fisher	Custodial Supplies	101.25	Schau Housing	Rent Payments	205.00
Gaffney Quarries Inc	Roads	4066.21	Schneider Corporation	Data Processing	43980.00
Genesis Medical Center	Diagnostic Evaluation	5500.00	Scott VanKeppel LLC	Construction & Maint	2334.95
Groth Services LLC	Buildings	365.50	Silveredge Cooperative	Fuels	3204.24
Jim Gudenauf	Engineering Services	400.00	Shelia Smith	Board of Review	686.70
Harrison Truck Centers	Construction & Maint	278.49	Smittys	Repair/Maint- Vehicle	54.59
Hausers Water Systems Inc	Water Use & Sewer	62.92	Solutions Inc	Data Processing	712.99
Helle Farm Equipment Inc	Construction & Maint	838.74	Spring Green	Buildings-Repair/Maint	95.00
Heritage Printing	Printing Services	169.88	St Lukes Hospital	Diagnostic Evaluation	112.34
Peggy A Hildebrand	Employee Mileage/Subs	13.45	Standard Auto Parts LLC	Repair/Maint- Vehicle	112.56
City of Hopkinton	Grounds & Maint Supplies	50.00	State Hygienic Lab	Park Development	201.00
Houlihan Sanitation Service	Sanitation Disposal	68.00	State Medical Examiner	Medical & Health Services	1582.00
Iowa DOT	Roads	230.16	Greg Strauser	Rent Payments	205.00
Treasurer State of Iowa	Education & Training	435.00	Sues Flower & Garden	Permanent Landscaping	162.00
IA Prison Industries	Traffic & St Sign	5006.00	Super Wash Car Wash	Repair/Maint- Vehicle	300.00
IA Secretary of State	Stationery/Supplies	30.00	Susan Frye and Associates	Legal-Court Related	160.05

TekSupply	Construction & Maint	189.75	Vanguard Appraisals Inc	Appraisal Services	3200.00
Terminal Supply Company	Construction & Maint	229.89	Vantagepoint	Pay out	16828.66
Three Rivers FS	Repair/Maint-Misc Equip	20929.33	Wendy L Weber	Board of Review	228.90
Towncrest Pharmacy	Prescription Medicine	82.44	Stacy L Wessels	Miscellaneous	13.00
Ultramax	Ammunition	263.00	Windstream	Telephone Service	476.87
Unlimited Services Inc	General Transportation	943.25	Zee Medical Inc	Safety Items	22.70
US Cellular	Telephone Services	1849.20	Zep Manufacturing Co	Safety Items	363.18
US PostMaster	Postage & Mailing	850.00	Ziegler Inc	Repair/Maint-Radio Equip	241.53

All Ayes

There were no "Applications for Approval of Underground Construction on Delaware County Right-of-Way" submitted for consideration.

**Motion made** by Ries, second by Helmricks and carried to acknowledge receipt of the following manure management plan updates: Gentz Farms Inc., Kevin Gentz, Section 20 of Colony Township; Sandhill Pork in Section 24 of Hazel Green Township; and KW Pork Finishing Site III, Kenneth Wilgenbusch, in Section 8 of Prairie Township. All Ayes

#### **Discussion with Bonding Attorney on Potential Bonding for Jail Renovation and Expansion**

Delaware County Bonding Attorney Mark Cory addressed the Board regarding bonding for the potential renovation and expansion of the Delaware County Jail. According to Mr. Cory, jail facilities are considered general county purposes. That means any project costing more than \$700,000 must be approved at an election. Said election must be on one of the dates specified by code with at least 42 days' notice given to the Auditor's Office.

If the Board should decide to go ahead with an election, Mr. Cory will prepare all the necessary paper work including a resolution to order election which would include the specific question to be placed on the ballot. The Board could hold a Special Election or it could put the question on a General Election ballot. Placing the question on a General Election ballot would save the county the cost of having a Special Election. The Board could also utilize the City Election this November. However, this would be more complicated than a normal General Election since multiple ballots would be needed to accommodate urban and rural voters.

The laws have changed that the Board no longer has to list the full cost of the project within the ballot language. However, they will have to have a meeting before the election where they talk about the total cost of the project. There is no need for this to be a "public hearing". The Board would simply pass a resolution approving the final project cost.

In regards to the forming of an Ad Hoc Committee, Mr. Cory cautioned the Board. There are several sections of the Iowa Code which come into play here. Section 68A.505 states that at no time can public funds be used to advocate yes or no on a ballot issue. The individual Board members have free speech as individuals. The Board itself can also pass a resolution stating they are either for or against as a Board. However, no public funds can be expended to advocate one way or another.

Thus, if the Ad-Hoc Committee is being formed to gather and disseminate FACTUAL information only, then he sees no problem with reimbursing them for mileage or letting them use county equipment or facilities free of charge. However, if the intent is to send them out into the community to help push for the passage of the question, then no public funds or favors should be used.

If partisan groups form in regards to this issue, there is nothing that keeps any of the Board members from joining these groups as an individual. However, he did caution that if two (2) or more Board members belong to a committee, it may be considered an official meeting and thus should have an agenda and minutes.

Supervisor Ries asked if the Board members should stay away from these committee meetings to avoid any issues. Mr. Cory stated no, all Board members can be involved and should be involved at least in the planning and information gathering phases. Ultimately, the Board is responsible to make sure there is a good design for any proposed expansion or renovation. He would simply ALWAYS post an agenda even though this would require minutes to be taken.

The Board thanked Mr. Cory for his time.

**Motion made** by Helmricks, second by Ries and carried to form an Ad-Hoc Committee to research and gather information and submit an opinion regarding the need for the possible renovation and expansion of the current Delaware County Jail facility. The committee will be asked to review all historical data regarding the current facility, gather information regarding the needs of the county and formulate a recommendation on what course of action should be taken, the scope and size of any proposed project and the time frame in which said project should be completed. The initial membership of the Jail Facility Planning Committee is as follows:

John LeClere	Steve Dudak	Rich Sampson	Carrie McNamara
Dean Sherman	Mike Downs	Casey Snyder	Denise Bishop
Bruce Trapp	Dick Foust	Dan Wheeler	Bill Hermes
Linda Jay	Cindy Vorwald	Barb Robinson	
Tom Forkenbrock	Larry Bell	DJ Hucker	

**Motion made** Ries, second by Helmricks and carried to approve appointing the following persons to the Eastern Iowa Tourism Council:

Bev Rahe	1 year term
Jeannie Domeyer, Alternate	1 year term

All Ayes

**Motion made** by Helmricks, second by Ries and carried to approve the following contracts with Solutions, Inc. for FY 2013-14:

<b><u>Information Technology Services Agreement</u></b>	\$18,708
Bronze Level Power Systems-System I Plan	\$2,400
Silver Level Managed Services (96 devices monitored)	\$16,308
Prepaid 100 Hour Contract	\$10,350
<b><u>Licensed Code Support Agreement</u></b>	\$28,080
License and Application Support for Auditor, Assessor, Engineer, Recorder and Treasurer	

All Ayes

**Motion made** by Ries, second by Helmricks and carried to change the Claims Policy to allow for one extra claim date in FY 2012-13. The Board will add Monday, June 24, 2013 as a date to pay claims and will not be paying claims on the July 1, 2013 scheduled date. Since the next scheduled claims date wouldn't be until July 15, 2013, the Board may approve a small number of claims to be paid on July 8, 2013. However, the departments will need Board approval in order to submit claims for payment on July 8, 2013. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to approve the following resolution regarding EIRUSS funding:

**RESOLUTION**

**WHEREAS**, the Boards of Supervisors of Cedar, Clinton, Delaware, Jackson, and Jones Counties (collectively hereinafter the "Members") in the State of Iowa have authorized and executed a certain Eastern Iowa Regional Utility Service Systems Intergovernmental Agreement (the "28E Agreement") pursuant to Chapter 28E of the Code of Iowa; and

**WHEREAS**, the terms of the 28E Agreement provide for the creation of the Eastern Iowa Regional Utility Service Systems Commission (the "EIRUSS") for the purposes of planning, designing, developing, financing, constructing, owning, operating, and maintaining wastewater treatment systems and water systems for and on behalf of the Members and the cities and unincorporated areas within the boundaries of the Members; and

**WHEREAS**, **EIRUSS** has authority pursuant to the 28E Agreement and Chapter 28F of the Code of Iowa to issue revenue bonds and interim financing notes to pay the costs of projects undertaken, but prior to the issuance of such bonds or notes each of the Members must adopt a resolution authorizing their issuance; and

**WHEREAS**, **EIRUSS** has undertaken the design and construction of a wastewater treatment system (the "Project") in the unincorporated community of Fairview in Jones County, Iowa and has proposed the issuance of revenue bonds (the "Bonds") to pay the costs of the Project; and

**WHEREAS**, it is now necessary for the Board of Supervisors of Delaware County to approve and authorize the issuance of the Bonds;

**NOW, THEREFORE**, It Is Hereby Resolved by the Board of Supervisors of Delaware County, Iowa (the "County"), as follows:

Section 1. The County hereby authorizes EIRUSS to issue the Bonds for the Project in a principal amount not to exceed \$600,000.

Section 2. All resolutions or parts thereof in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Passed and approved June 17, 2013

DELAWARE COUNTY, IOWA

/S/ Jeff Madlom, Chairperson

Attest:

/S/ Carla K. Becker,

County Auditor

All Ayes

**Motion made** by Ries, second by Helmrichs and carried to approve the following Destruction of Records resolution:

**RESOLUTION**

**DESTRUCTION OF RECORDS**

Pursuant to the 2013 Code of Iowa, Section 331.323 sub section 2d; and Sections 50.19 and 48A.32 of the 2013 Election Laws of Iowa, we do hereby authorize the destruction of the following records in the Delaware County Auditor's Office:

- Accounting Reports – FY08-09; FY09-10; FY10-11
  - Journal Entries
  - Expenses & Revenue Reports
  - Fund Status Reports
  - Department Budgetary Status by Department
- Cigarette Permits – July 1, 2007 through June 30, 2008
- Liquor Licenses – FY07-08; FY08-09; FY09-10
- Precinct Registers
  - 2012 Special Election – Lake Delhi 7/17/2012
  - 2012 Special Election – Western Dubuque 4/3/2012
  - 2011 Special Election – Lake Delhi Bond 11/18/2011
  - 2011 City Election – 11/8/2011
- Lake Delhi Trustee Election materials – 7/17/2012
- 2012 General Election 11/6/2012 – Unvoted ballots
- 2010 – 2 week rotation AS400 backup tapes

/S/ Jeff Madlom, Chairperson

/S/ Jerry Ries

/S/ Shirley Helmrichs

Signed this 17<sup>th</sup> day of June, 2013.

ATTEST:

/S/ Carla K. Becker, Delaware County Auditor

All Ayes

**Discussion Regarding Proposed Agreement with Department of Natural Resources Regarding Quaker Mill Dam**

Delaware County Engineer Anthony Bardgett stated that he was approached by the Department of Natural Resources (DNR) regarding the possible removal of the low head dam at Quaker Mill. Since the County has interest in the Quaker Mill Dike, the DNR wants the County to act as a facilitator. The DNR is asking that the County sign a Memorandum of Understanding with them in regards to assistance with this project.

Mr. Bardgett read the proposed agreement out loud to those present. He then stated that the DNR was looking at removal of this low-head dam, adding riffle structures and doing some stream realignment upstream. The Board then opened it up for discussion.

Willie Rossow asked how much of the current dam structure would be removed. Mr. Bardgett stated it would be removed down to the flow line.

Doug Hawker, DNR, stated that he understood that everything, but the old "lookout" base, would go. It will be designed for flood mitigation.

When asked about the stream alignment and dike repair, Mr. Bardgett stated that the intent with stream alignment is to pull the bed away from the dike. When the breach in the dike is repaired, they will need to consider something different than what was done before. Most likely the finished project will be lower than what it is currently.

Willard Hawker, current owner of the pond and dam facility, stated that he is determined to have the dam removed. "If necessary, I will put a hole in it," he stated. "I will not have myself and my neighbors flood again." He is also willing to deed over as much property as necessary to the Delaware County Conservation Board to make the river accessible.

Doug Hawker stated that the new structures will allow for fish passage up stream and water craft downstream. He even felt that it could serve as a Whitewater Park similar to Manchester.

Willard Hawker reiterated that he was prepared to deed the property over to the Conservation Board to provide good public access to the water. He also stated that there was a 100 foot fall from his home to the dam structure.

When asked about a timeline for the project, Mr. Bardgett stated that the DNR has a grant available for funding with a filing deadline of August. If they could get the funding in place, there is a small chance that something could get done yet this fall. The DNR has surveyed the entire stream to get a good handle on the concept. Mr. Bardgett stated that all the property owners in the area, along with Garlyn Glanz and the Delaware County Conservation Board, need to be involved prior to any final plans being approved for the project.

**Motion** made by Helmricks, second by Ries and carried to approve the following Memorandum of Understanding with the DNR:

**Iowa Department of Natural Resources**  
*MEMORANDUM OF UNDERSTANDING*  
*LOW-HEAD DAM MITIGATION PROGRAM TECHNICAL ASSISTANCE*

**GRANTEE:** DELAWARE COUNTY

**PROJECT CONTACT:** ANTHONY BARDGETT, P.E.  
DELAWARE COUNTY ENGINEER  
(563) 927-3505

**DNR CONTACT:** NATE HOOGEVEEN  
(515) 281-3134

1. **SERVICES:** Iowa DNR agrees to provide river restoration design services to the Delaware County Engineer (the County) in support of successful implementation of the project. Services will include the following phases:
  - a) Drafting and non-engineered project design sufficient for permit submittal and initial cost estimates.
  - b) Submit illustrations, analysis report, and calculations to the County for design review.
  - c) Develop joint permit application for County to apply for Iowa DNR Floodplains and Sovereign Lands permits, and U.S. Army Corps of Engineers' Sec. 404 and 106 review. Project management and small compliance contracts related to environmental, cultural, or hydraulic review will be completed as needed in the compliance process. Submit permit applications as agent of the County. Apply for local floodplain permit, if required as a condition in DNR floodplain permit or letter.
  - d) Production of drawings and example bid specification documents to be incorporated into the County's bid process.
  - e) Assist with project inspection during construction and final walk-through with Contractor. Final acceptance of work and payment approvals will be the responsibility of the County.
  - f) Assist with non-DNR grant applications by providing information about the project as needed.
2. **COUNTY OF DELAWARE RESPONSIBILITIES:** The Delaware County Engineer (the County) will:
  - a) Incorporate drawings and specifications from Iowa DNR to develop a bid package according to process regularly used for the County projects or procurements.
  - b) Conduct design review in coordination with Iowa DNR river restoration designers. Recommend design and cost estimate changes based on local and professional knowledge. Stamp finalized project drawings.
  - c) Pursue and accept additional outside funds that may need to be secured to conduct the project.
  - d) Assist with providing information for joint permit application and communicate with regulatory personnel, if needed.
  - e) Advertise bid opportunity for project. Negotiate and execute contracts. The County will provide coordination among contractors and material suppliers leading up to construction. The County will call a pre-construction meeting including all project partners, contractors, and material suppliers.
  - f) Final acceptance of work and payment approvals will be the responsibility of the County. The County will handle all aspects of approval of invoices and payments to contractors.
3. **EXECUTION:** By signing this Addendum, the grantee agrees to the terms and conditions set forth in this agreement, failure to meet the terms and conditions of this grant agreement may be cause for repayment of all or part of the grant funds.

Date: June 17, 2103  
Iowa Department of Natural Resources

/S/ Jeff Madlom, Chairperson  
Delaware County Board of Supervisors  
All Ayes

**ENGINEER'S REPORT**

**X47 Paving Project (FM-C028(82)--55-28)** –The asphalt paving will be completed sometime in July.

**310<sup>th</sup> Street Bridge (Westhoff Bridge Project BROS-C028(81)--8J-28)** – A preconstruction conference was held with K Construction on Friday, May 3, 2013. They are anticipating a start date around the middle of June.

**255<sup>th</sup> Ave Bridge (Mayers Bridge Project BROS-C028(80)--8J-28)** – The contractor is planning to start on Monday, June 24, 2013 with clearing and grubbing around the bridge.

**Southeast Courthouse Parking Lot (LOST-PL-13(01)--73-28)** – The contractor is anticipating pouring the north one-half of the parking lot on Wednesday or Thursday of this week.

**Contract Rock Program** – The contractor will not be hauling rock this week.

**NEXT MEETING**

The next regular session of the Board of Supervisors will be held on Monday, June 24, 2013 at 1:15 pm.

**PUBLIC COMMENTS:**

Julie Engelken, property owner at Sunset Beach, wants to have a say in what the final plans at Quaker Mill will look like. Even though they do not want to get flooded again, they do want water in front of their house.

There being no further business before the Board, Chairperson Madlom asked for a motion to adjourn.

**Motion made** by Ries, second by Helmricks and carried to adjourn the meeting at 2:40 pm. All Ayes

These minutes have been read and approved.

/S/ Jeff Madlom, Chairperson

/S/ Carla K. Becker, Auditor

STATE OF IOWA )  
 ) Ss:  
 DELAWARE COUNTY

June 24, 2013  
 Manchester, Iowa  
 1:15 pm

The Delaware County Board of Supervisors met in regular session this date at 1:15 pm with all members present. Also present were Anthony Bardgett, John Bernau, Ben Knutson, Janelle Tucker, Neoma Guenther, Velda Meyen, Andy Fangman, Ryan Cole, Gloria Noble, Harold Chambers, Pamela Koloc, Thomas Gibbs, Keith Crilly, Carla Becker, and two (2) members of the media. Jeff Madlom, Chairperson, called the meeting to order.

**Motion made** by Helmrichs, second by Ries and carried to approve the minutes from the June 17, 2013 regular and work sessions. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to approve the following employees to attend their respective meetings: Carla Becker to attend a Precinct Atlas meeting in Mason City on June 27, 2013; Jerry Ries to attend an EIRUSS meeting and an RTA meeting in Dubuque on June 26, 2013; Shirley Helmrichs and Jeff Madlom to attend the RTA and RPA meeting in Dubuque on June 26, 2013; Shirley Helmrichs to attend the Scenic Valley Board of Aging meeting in Dubuque on June 27, 2013 and the Corrections meeting in Independence on June 28, 2013; retroactively for Jeff Madlom to attend the ISAC Legislative meeting in Cedar Rapids on June 19, 2013; Jeff Madlom to attend the Business Growth meeting in Dubuque on June 26, 2013; and Anthony Bardgett to attend the RPA meeting in Dubuque on June 26, 2013. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to approve the payment of the following claims:

Abbe Center for Comm MH	Emergency Treatment	6064.38	John Deere Financial	Motor Vehicle	11816.52
Advancement Services	Work Activity Services	546.00	Jones Co Auditor	Medical/Health Services	3445.83
Alliant Energy	Service	1170.15	Keltek Inc	Radio & Communications	4360.00
Al's Electrical Service	Repair/Maint-Misc Equip	140.80	KMCH	Education & Training	75.00
Jody Antrim JDC Works	Land	1375.80	Kuhlman Construction LC	Land	324.62
Benton Co Social Service	Drop In/Social Support	83.00	L&L Murphy Consulting	Planning-Consulting	2000.00
John W Bernau	Employee Mileage/Subs	332.28	Lambert Reporting	Legal-Court Related	182.00
Black Hills Energy	Service	128.03	Jill Lewis	Buildings-Repair/Maint	150.00
Black Hills Energy	Assistance	28.00	Linn Co Sheriff	Transportation	33.58
Boubin Tire Co	Repair/Maint- Vehicle	638.40	Manchester Press	Publications	442.97
Barry Brandt	Legal-Court Related	35.00	City of Manchester	Utilities	39.65
Buchanan Co Jail	Rm/Bd Payments	700.00	Maquoketa Valley REC	Utilities	1825.11
Carpenter Uniform Co	Wearing Apparel & Uniform	8.95	Marco	Repair/Maint-Misc Equip	65.26
Carr & Carr Attorneys	Legal Rep for Commitment	55.40	Mediacom LLC	Telephone Services	36.68
Co Case Management	Data Processing	638.00	Midwest Business Products	Employee Mileage/Subs	350.50
ChemRight Laboratories Inc	Engineering Services	96.00	Midwest Sales Co	Park Development	10000.00
City Laundering Co	Buildings-Repair/Maint	291.42	Opportunity Village	Sheltered Workshop	743.28
Country Ridge Apartments	Rent Payments	250.00	Palmer Hardware	Repair/Maint-Misc Equip	11.75
Data Imaging Supplies Inc	Office Equipment	704.80	Penn Center Inc	RCF	13411.20
Deery Brothers Chevrolet	Motor Vehicle	20988.66	Pirc Tobin Construction Inc	Buildings-Repair/Maint	29505.35
Delaware County Auditor	Data Processing	52.00	Prairie Inet	Radio & Communications	141.72
Del Co Public Health	Refunds /Reimburse	46108.71	Prairie View Management	RCF	3360.72
Delaware Co Services	Contribution	50000.00	Radio Communications	Radio Communications	25420.50
Delaware Co Soil & Water	Agric/Hort Services	2500.00	Rise LTD	Sheltered Workshop	64.00
Eide Bailly LLP	Acct/Audit/Clerical	800.00	Rite Price Office Supply	Supplies	416.18
Tina Elgin	Custodial	250.00	Runde Auto Group	Repair/Maint- Vehicle	166.22
ESRI	Data Processing	1600.00	Simmons Perrine Moyer etal	Legal-Court Related	10409.54
Gary's Towing	Service	160.00	Solutions Inc	Repair/Maint-Misc Equip	6332.98
Gemplers	Uniforms	400.70	Strawberry Pt Lutheran Home	General Transportation	156.50
Genesis Psychiatric Hosp	Diagnostic Evaluation	420.56	Systems Unlimited Inc	Work Activity Services	118.40
Garlyn R Glanz	Postage & Mailing	10.35	Tauke Motors Inc	Motor Vehicle	15900.00
Group Services Inc	Insurance	10347.50	Thomson Reuters	Magazines/Newspaper	835.04
Hillcrest Community MH	Prescription Medicine	604.00	Three Rivers FS	Fuels	3399.73
Home Depot Credit Service	Supplies	87.01	Treasurer State of Iowa	ICF-MR	162921.94
Hopkinton Municipal Utilities	Utility Services	275.00	Treasurer State of Iowa	Inpatient/Hospital	5883.97
Houlihan Sanitation Service	Sanitation Disposal	417.50	VISA / Mastercard	Employee Mileage/Subs	1817.60
Hunt & Associates PC	Audit Services	750.00	Visiting Nurse Association	Representative Payee	47.00
IA Co Attorneys Assn	Education & Training	750.00	Courtney E Vorwald	Employee Mileage/Subs	294.28
IA Co Recorders Assn	Education & Training	85.00	Walmart Community	Electrical Accessories	348.27
Iowa Technologies	Radio & Communications	4537.00	Widner Drug & Gift	Prescription Medicine	1366.10
IACCVSO Patty Hamann	Dues & Memberships	50.00	Windstream	Telephone Service	357.36
Jackson Equipment LLC	Repair/Maint-Const Equip	283.28	Zee Medical Inc	Medical & Lab Supplies	20.35

The claim submitted for payment to the Jones County Auditor for reimbursement of medical examiner costs was reduced by \$100.00 until further investigation can be done into that portion of the requested reimbursement. All Ayes

There were no "Applications for Approval of Underground Construction on Delaware County Right-of-Way" submitted for consideration.

**Motion made** by Ries, second by Helmrichs and carried to acknowledge receipt of the following manure management plan updates: Gentz Farms Inc., Kevin Gentz, Section 20 of Colony Township; S&K Pork LLC in Section 7 of Honey Creek Township; and Scott Ungs in Section 18 of Liberty Township, Dubuque County. All Ayes

#### **Presentation of Petition Regarding the Cleanup of Area South of and Adjacent to the City of Dundee**

Keith Crilly, property owner within the City of Dundee, presented the Board with a petition stating the following:

"The citizens of Dundee and visitors would like to ask the Delaware County Board of Supervisors for their help getting the properties at 402 and 406 Woodview Drive in Dundee, Iowa cleaned up. It is an eye sore, not good for the environment with the burning that is being done and chemicals that are getting into the ground. The resale of property and the building of new homes by this make the values of homes go down because no one wants to purchase or build by the property so then we are losing tax dollars.

We, the undersigned, are concerned citizens who urge our leaders to act now to clean up the property at 402 and 406 Woodview Drive in Dundee, Iowa. Help get this property cleaned up; it makes Delaware County look bad."

The petition was signed by one hundred thirty-one (131) concerned citizens.

Mr. Crilly addressed the Board regarding the severity of the situation. There are five (5) trailer houses that have been brought onto the property with only two (2) being inhabited. He has lived in his home for fourteen (14) years and never expected to have someone move in ten (10) years later and start junking. All summer the area smells like dead animals. He has even had animals crawl over to his property and die. Thus, in his opinion, not only is the property an eye sore, it is a health hazard.

Tom Gibbs, Dundee City Councilman, stated that if this property were in the city limits, the council would require a recycling permit due to all the cars that are coming in and out of the area. Legally he would only be able to do six (6) in his name per year. Mr. Gibbs also feels that property values are decreasing in the area due to the shape this property is in. It took one gentleman two (2) years to sell his home even at \$20,000 below the assessed value. No one wants to live next to something like that.

Citizens are also concerned with the people that are coming and going from the property due to the nature of the business being conducted. One mother stated that she is afraid to let her youngest walk home after school.

County Attorney John Bernau stated that since the County has no zoning or ordinances addressing this issue, they would need to rely on the Iowa Code. If a Public Health inspector, or other independent inspector, shows there is a public health hazard, then the Board can step in. Also, if there is illegal activity going on the Sheriff would be able to step in. He would recommend contacting Delma Hardin, Public Health, and the Delaware County Sherriff to explain the situation and allow them the opportunity to investigate. They could also contact the Department of Natural Resources (DNR) since the property is so close to the Maquoketa River and they are burying and/or burning garbage and possibly hazardous chemicals.

If there is not a public health issue or illegal activity going on, this becomes a civil matter.

Those present thanked the Board members for their time.

**Motion made** by Helmrichs, second by Ries and carried to acknowledge receipt of the Clerk of Court's Monthly Report and Remittance showing that for the month of May 2013, \$895.99 was collected for various fines and surcharges and deposited into the general funds. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to approve the following amendment to the 2012-13 Appropriations:

**APPROPRIATIONS RESOLUTION  
FY 2012/2013**

**WHEREAS**, it is desired to make appropriations for each of the different county officers and departments for the fiscal year beginning **July 1, 2012**, in accordance with Section 331.434, Subsection 6, of the Code of Iowa,

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of Delaware County, Iowa, as follows:

**Section 1.** The amounts itemized by fund and by department or office on the following schedule are hereby appropriated from the resources of each fund so itemized, the department or office listed in the first column on the same line of the schedule.

**Section 2.** Subject to the provisions of other county procedures and regulations, and applicable state law, the appropriations authorized under Section 1 shall constitute authorization for the department or officer listed to make expenditures or incur obligations from the itemized fund, effective **June 24, 2013**.

**Section 3.** In accordance with Section 331.437, Code of Iowa, no department or county official shall expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure of money for any purpose in excess of the amounts appropriated pursuant to this resolution.

**Section 4.** If at any time during the **2012/2013** budget year the Auditor shall ascertain that the available resources of a fund for that year will be less than said fund's total appropriations, she shall immediately so inform the Board and recommend appropriate corrective action.

**Section 5.** The Auditor shall establish separate accounts for the appropriations authorized in Section 1, each of which account shall indicate the amount of the appropriation, the amounts charged thereto, and the unencumbered balance. The Auditor shall report the status of such accounts to the applicable departments and offices monthly, during the **2012/2013** budget year.

**Section 6.** All appropriations authorized pursuant to this resolution lapse at the close of the business day on June 30, 2013.

The **2012/2013** fiscal year budget appropriated and accounted for by department and fund is as follows:

<u>Department</u>	<u>General Basic</u>	<u>General Supple.</u>	<u>MH/DD Fund</u>	<u>Rural Services</u>	<u>Secondary Road</u>	<u>Other</u>	<u>Total</u>
Supervisors	1,030,983	554,307		139,930			1,725,220
Auditor	164,230	254,718					418,948
Treasurer	280,809	68,481					349,290
Attorney	205,551	28,723					234,274
Sheriff	1,675,103	207,224				9,089	1,891,416
Clerk of Court		49,600					49,600
Recorder	194,326	42,831				5,000	242,157
Community Services	221,506	11,832				35,500	268,838
County Engineer					7,432,457		7,432,457
Veteran Affairs	118,689	12,597					131,286
Conservation	442,506	42,832				61,375	546,713
Local Health	127,500						127,500
Weed Commissioner				13,250			13,250
Human Services	28,050	50,000					78,050
County Farm	30,400						30,400
Medical Examiner	35,000						35,000
Fairgrounds	37,000						37,000
County Services	132,415	21,296		86,613			240,324
County Library				70,672			70,672
Historical Society	11,600						11,600
Mental Health			2,345,716				2,345,716
Non-departmental						72,400	72,400
Totals	\$4,735,668	\$1,344,441	\$2,345,716	\$310,465	\$7,432,457	\$183,364	\$16,352,111

Dated this 24<sup>th</sup> day of June, 2013.  
Delaware County Board of Supervisors  
/S/ Jeff Madlom, Chairperson  
Attest:  
Carla K. Becker, County Auditor

The appropriations were amended to move monies from the Auditor's General Supplemental and the Treasurer's General Fund to the Treasurer's General Supplemental to cover insurance costs. Monies were also moved from the Supervisor's General Fund to their Supplemental Fund to cover costs of the insurance self-funding program. All Ayes

**Motion made** by Helmricks, second by Ries and carried to approve the Operating Funds Transfer of \$92,660.14 from the Rural Services Fund to the Secondary Roads Fund. This is the final transfer for FY 2012-13 making the total amount transfer over the fiscal year at \$1,931,367 as budgeted. Based off of actual taxes collected for the year in the Rural Services Fund, this amount is \$351.19 below the maximum allowable transfer. All Ayes

Motion made by Ries, second by Helmricks and carried to approve the following wages to be paid in FY 2013-14:

**WAGES TO BE SET FOR 2013/2014**

<u>SHERIFF'S DEPARTMENT</u>	<u>ANNUAL BASE</u>	<u>PER HOUR</u>	<u>OVERTIME</u>
Eric Brooks, Chief Deputy	\$ 67,402.00	\$ 25.50	\$ 38.25
Casey Snyder, Jail Admin/Deputy	\$ 53,382.38	\$ 25.18	\$ 37.77
Bonney Jo Amsden, Patrol Deputy	\$ 52,573.56	\$ 25.18	\$ 37.77
Travis Hemesath, Patrol Deputy	\$ 51,562.53	\$ 24.70	\$ 37.05
Brian Hillebrand, Patrol Deputy	\$ 51,562.53	\$ 24.70	\$ 37.05
Eric Holub, Patrol Deputy	\$ 52,573.56	\$ 25.18	\$ 37.77
Matthew Menard, Patrol Deputy	\$ 52,573.56	\$ 25.18	\$ 37.77
Clayton Miller, Patrol Deputy	\$ 51,562.53	\$ 24.70	\$ 37.05
Jill Rahe, Investigative/Patrol Deputy	\$ 52,573.56	\$ 25.18	\$ 37.77
Keith Rowley, Patrol Deputy,	\$ 52,573.56	\$ 25.18	\$ 37.77
Lucas Thomsen, Patrol Deputy	\$ 52,573.56	\$ 25.18	\$ 37.77
Michael Wilson, Patrol Deputy	\$ 52,573.56	\$ 25.18	\$ 37.77
<u>JAILERS</u>			
Margaret M. Norem, Jailer	\$ 29,744.00	\$ 14.30	\$ 21.45
JoEtte Orcutt, Jailer	\$ 29,744.00	\$ 14.30	\$ 21.45
Lynn Brunsman, Jailer	\$ 29,744.00	\$ 14.30	\$ 21.45
Susan Collins, Pt-time Jailer		\$ 14.30	\$ 21.45
Glenn Nystel, Pt-time Jailer		\$ 14.30	\$ 21.45
Ken Rion, Pt-time Jailer		\$ 14.30	\$ 21.45
<u>Office Manager</u>			
Judy Lee, Office Manager	\$ 39,954.72	\$ 19.21	\$ 28.81
<u>Auditor's Office</u>	<u>SALARY/WAGE</u>		
Julie Hackbarth, Deputy	\$ 40,500.00		
Monica Heiserman, Deputy	\$ 43,432.00		
Peggy Hildebrand, Deputy	\$ 36,000.00		
Anne Rave, Deputy	\$ 40,500.00		
<u>Recorder's Office</u>			
Marsha Mescher, Deputy	\$ 43,432.00		
Daneen Schindler, Deputy	\$ 42,889.00		
<u>Treasurer's Office</u>			
Michele Africa, Deputy	\$ 40,174.00		
Karol Johnson, Deputy	\$ 41,802.00		
Pam Klein, Deputy	\$ 43,432.00		
Barb Robinson, Deputy	\$ 43,432.00		
<u>Temporary Pt. Time Clerk</u>			
Judy Zehr		\$11.50/Hr.	
<u>COUNTY ATTORNEY</u>			
Kathy Hauschild, Office Manager	\$ 42,500.00		
Courtney Vorwald, Assist Co Attorney	\$ 49,000.00		
<u>COURTHOUSE MAINTENANCE</u>			
David Timmer, Custodian		\$15.07/Hr.	
<u>COUNTY SERVICES</u>			
Norman Wellman, Co Services Direct/911	\$ 53,448.00		
Dennis Lyons, Sanitarian	\$ 38,169.00		
Mike Ryan, Emergency Management	\$ 40,577.00		
<u>COMMUNITY SERVICES</u>			
Peggy Petlon, CPC Director/VA/GA	\$ 57,234.00		
Sandy Ahrens, GA/VA Admin. Assist.	\$ 35,284.00		
Carolyn Becker, Case Mngr/Social Wrker	\$ 39,666.00		
Linda Burr, Comm. Life Supervisor	\$ 38,014.00		
Kim Gehling, Case Mngement Supervisor	\$ 46,688.00		
Michael Motto, Case Manager	\$ 35,780.00		
Laura Schuman, Case Manager	\$ 41,839.00		
Carol Krogmann, Office Manager	\$ 29,751.00		
Katie McCusker, Office Mngr/CPC Assist.	\$ 33,680.00		
Sarah Feldmann, Community Life		\$ 9.77	
Autumn Halweg, Community Life		\$ 9.55	
Raylynn Lee, Case Manager		\$ 17.60	
Jenny Montgomery, Community Life		\$ 8.24	
Sheri Weber, Community Life		\$ 12.48	
Stacy Wessels, Community Life		\$ 12.78	
<u>SECONDARY ROADS DEPT</u>		<u>SUMMER</u>	<u>WINTER</u>
Anthony Bardgett, Engineer	\$ 92,508/Annually		
Don Boeding, Maintenance Person		\$ 16.60	\$ 16.73
Brad Burger, Land Surveyor		\$ 24.94	N/A
Douglas Bush, Equipment Operator		\$ 20.91	\$ 20.91
Craig Davis, Asst. to the Engineer		\$ 28.69	N/A
Dean W. Dempster, Maintenance Person		\$ 20.75	\$ 20.91
Christopher Deutmeyer, Maintenance Person		\$ 20.75	\$ 20.91
James Diers, Sign Man		\$ 20.75	\$ 20.91
Dennis Dugan, Equipment Operator		\$ 20.91	\$ 20.91
Ronald Dzaboff, Shop Foreman		\$ 22.51	\$ 22.51
Wade Feldmann, Maintainer Operator		\$ 17.64	\$ 17.77
Brett Fessler, Maintenance Person		\$ 20.75	\$ 20.91
Shawn Foster, Head Mechanic		\$ 21.39	\$ 21.39
Lonnie Fry, Maintainer Operator		\$ 20.75	\$ 20.91
Jason Groskurth, Maintenance Person		\$ 17.64	\$ 17.77



Randall Gudenkauf, Maintenance Person	\$ 20.75	\$ 20.91
Mike Hageman, Equipment Operator	\$ 20.91	\$ 20.91
Christopher Hucker, Maintainer Operator	\$ 20.75	\$ 20.91
Eric Klaren, Maintainer Operator	\$ 20.75	\$ 20.91
Casey Langel, Equipment Operator	\$ 20.91	\$ 20.91
Jeff Lyness, Equipment Operator	\$ 16.73	\$ 16.73
Steve Naber, Maintenance Person	\$ 20.75	\$ 20.91
Stephen Novak, Maintainer Operator	\$ 20.75	\$ 20.91
Patrick Oberbroeckling, Foreman	\$ 28.69	N/A
Andrew Salow, Maintenance Person	\$ 17.64	\$ 17.77
Linda Schaul, Office Manager	\$ 21.89	N/A
Pat Schmitz, Mechanic	\$ 16.74	\$ 16.74
Mark Thole, Maintainer Operator	\$ 20.75	\$ 20.91
Ronald C. Thole, Maintenance Person	\$ 20.75	\$ 20.91
Arthur Wickman, Maintainer Operator	\$ 20.75	\$ 20.91
Michael Wilhelm, Maintainer Operator	\$ 20.75	\$ 20.91
Andrew Heims, Seasonal Roadside Mower	\$ 12.00	
Dylan Brooks, Seasonal	\$ 10.00	
Jacob Meyer, Seasonal	\$ 10.00	
Devin Lawson, Seasonal	\$ 10.00	

All Ayes

**Motion made** by Helmrichs, second by Ries and carried to approve the following resolution setting the FY 2103-14 Appropriations:

**APPROPRIATIONS RESOLUTION  
FY 2013/2014**

**WHEREAS**, it is desired to make appropriations for each of the different county officers and departments for the fiscal year beginning **July 1, 2013**, in accordance with Section 331.434, Subsection 6, of the Code of Iowa,

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of Delaware County, Iowa, as follows:

**Section 1.** The amounts itemized by fund and by department or office on the following schedule are hereby appropriated from the resources of each fund so itemized, the department or office listed in the first column on the same line of the schedule.

**Section 2.** Subject to the provisions of other county procedures and regulations, and applicable state law, the appropriations authorized under Section 1 shall constitute authorization for the department or officer listed to make expenditures or incur obligations from the itemized fund, effective **July 1, 2013**.

**Section 3.** In accordance with Section 331.437, Code of Iowa, no department or county official shall expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure of money for any purpose in excess of the amounts appropriated pursuant to this resolution.

**Section 4.** If at any time during the **2013/2014** budget year the Auditor shall ascertain that the available resources of a fund for that year will be less than said fund's total appropriations, she shall immediately so inform the Board and recommend appropriate corrective action.

**Section 5.** The Auditor shall establish separate accounts for the appropriations authorized in Section 1, each of which account shall indicate the amount of the appropriation, the amounts charged thereto, and the unencumbered balance. The Auditor shall report the status of such accounts to the applicable departments and offices monthly, during the **2013/2014** budget year.

**Section 6.** All appropriations authorized pursuant to this resolution lapse at the close of the business day on **June 30, 2014**.

The **2013/2014** fiscal year budget appropriated and accounted for by department and fund is as follows:

<u>Department</u>	<u>General Basic</u>	<u>General Supple.</u>	<u>MH/DD Fund</u>	<u>Rural Services</u>	<u>Secondary Road</u>	<u>Other</u>	<u>Total</u>
Supervisors	686,746	593,661		91,830			1,372,237
Auditor	160,324	322,154					482,478
Treasurer	310,047	80,889					390,936
Attorney	214,536	31,481					246,017
Sheriff	1,699,110	236,752				11,089	1,946,951
Clerk of Court		49,600					49,600
Recorder	208,110	50,362				5,000	263,472
Community Services	209,455	15,428				35,700	260,583
County Engineer					7,227,643		7,227,643
Veteran Affairs	117,342	16,373					133,715
Conservation	464,106	50,362				61,420	575,888
Local Health	127,500						127,500
Weed Commissioner				13,250			13,250
Human Services	27,300	60,000					87,300
County Farm	35,400						35,400
Medical Examiner	35,000						35,000
Fairgrounds	39,000						39,000
County Services	134,872	25,034		92,578			252,484
County Library				73,499			73,499
Historical Society	11,950						11,950
Mental Health			1,550,998				1,550,998
<b>Non-departmental</b>						<b>73,000</b>	<b>73,000</b>
<b>Totals</b>	<b>\$4,480,798</b>	<b>\$1,532,096</b>	<b>\$1,550,998</b>	<b>\$271,157</b>	<b>\$7,227,643</b>	<b>\$186,209</b>	<b>\$15,248,901</b>

Dated this 24<sup>th</sup> day of June, 2013.

Delaware County Board of Supervisors

/S/ Jeff Madlom, Chairperson

Attest: /S/ Carla K. Becker, Auditor

All Ayes

**Motion** made by Ries, second by Helmrichs and carried to approve the service agreement with EideBailly to assist Delaware County in the preparation of cost reports for case management, MR Waiver, Habilitation Services and the County Rate Information System (CRIS). The fee to prepare these reports will not exceed \$4,635 for the FY ending June 30, 2013. All Ayes

**Motion made** by Helmrichs, second by Ries and carried to approve the Rental Service Agreement with City Laundering Company to provide carpet mats for the county. The contract also provides for cleaning of Secondary Road mechanic uniforms which will be billed directly to the County Engineer's Office. Said agreement shall be for sixty (60) months effective June 24, 2013. All Ayes

**Motion made** by Ries, second by Helmrichs and carried to approve the renewal rates offered by EMC Insurance Companies for the following policies:

Property	\$30,854.00
Liability	19,733.00
Crime	2,334.00
Inland Marine	6,500.00
Auto	48,155.00
Workers' Compensation	140,892.00
Umbrella	27,908.00
Linebacker	9,815.00
Law Enforcement	<u>4,361.00</u>
Total	\$290,552.00

All Ayes

**Motion made** by Ries, second by Helmrichs and carried to set the employee contribution to health insurance for FY 2013-14 as follows: \$20/month for single; \$40/month for Employee/Children and Employee/Spouse; and \$50/month for family. This change mimics the language in the FY 2013-14 union tracts. All Ayes

The next item on the agenda was added due to timeliness.

**Motion made** by Helmrichs, second by Ries and carried to retroactively approve the following Local Disaster Declaration:

**LOCAL DISASTER DECLARATION**

Delaware County has suffered from a **Severe Weather** type of incident. The **Heavy Rainfall** occurred on **June 22, 2013**.

The following were affected;

- Public and Private property
- Disruptions of Utility Services
- Endangerment of Health & Safety of the Citizens
- Agriculture Production
- Interruption of Commerce and Manufacturing

Therefore, the Delaware County Board of Supervisors has declared a state of emergency authorized under Iowa State Statute and will execute the expenditure of emergency funds from all available sources, the invoking of mutual aid agreements, and the applying to the State of Iowa for assistance.

/S/ Jeff Madlom, Chairman  
Delaware County Board of Supervisors  
Date: June 22, 2013

WITNESS my hand and the seal of my office this 24<sup>th</sup> day of June, 2013.

/S/ Carla K. Becker, Auditor  
All Ayes

**Motion made** by Ries, second by Helmrichs and carried to approve a probationary wage increase for Jason Groskurth to move from 80% (\$15.94/hour) to 85% (\$16.93/hour) of the hourly wage (\$19.92) for his position. This is a first step raise for this employee. All Ayes

Motion made by Helmrichs, second by Ries and carried to approve the following resolution regarding the Colesburg Parade:

**RESOLUTION FOR USE OF DELAWARE COUNTY  
ROADS FOR TRAFFIC DETOUR**

**WHEREAS**, the Colesburg Commercial Club request the closure of Delaware County road X3C, between Iowa Highway 3 and Delaware/Clayton County line, from 2:00 p.m. to 3:00 p.m. on July 4, 2013 due to their 4<sup>th</sup> of July annual parade, and

**WHEREAS**, the Colesburg Commercial Club request the use of Delaware County roads to detour traffic between said times, and

**WHEREAS**, the Colesburg Commercial Club will provide all necessary traffic control devices and law enforcement to direct traffic during the parade route,

**NOW THEREFORE BE IT RESOLVED** that the Delaware County Board of Supervisors has approved the Colesburg Commercial Club's detour plan:

Beginning at the intersection of Delaware County road X3C and Clayton County road 400<sup>th</sup> Street and continuing west approximately one and a half miles to 290<sup>th</sup> avenue, then turning south on 290<sup>th</sup> avenue to Iowa Highway 3.

/S/ Jeff Madlom, Chair  
Delaware County Board of Supervisors

ATTEST: /S/ Carla Becker, County Auditor  
Date: June 24, 2013  
All Ayes

**Consideration of 28E Agreement with City of Delhi for Farm-to-Market Road Extension**

County Engineer Anthony Bardgett addressed the Board regarding a 28E Agreement with the City of Delhi for the maintenance of the Farm-to-Market roadway which runs through the city. The original agreement was for two (2) years and has now expired. He is asking that the Board renew said agreement.

The original agreement allowed all maintenance and construction responsibility for the farm-to-market extension within the city limits of Delhi from the County to the City. The County would also reimburse the City for the deficient road use tax fund distribution transferred by the State of Iowa to the County for this particular road.

Supervisor Helmricks stated that also in said agreement the City was to account for the use of the transferred funds and give a report to the county annually on how the reimbursed funds were spent on said roadway extension. She also stated that the City was to set aside a minimum of 40% of the funds returned by the county for future construction needs on the farm-to-market extension to assure adequate funding for improvements in coordination with the County program outside the city limits. To date, the City has not filed any reports with the Board and there is no accounting of how the monies have been spent. She is asking that the consideration of this agreement be tabled until such a report and accounting has been filed for review by the Board.

**Motion made** by Ries, second by Helmricks and carried to table the consideration of a 28E Agreement with the City of Delhi for Maintenance of a Farm-to-Market Road Extension until the July 8, 2013 meeting to allow time to receive and review an accounting of all maintenance done and monies appropriated for future construction. All Ayes

**Motion made** by Helmricks, second by Ries and carried to approve the final contract with K Construction, Inc. for the 200<sup>th</sup> Street Culvert Project (L-C-14(01)--73-28) in consideration of \$75,251.72. The late start date for this project is September 23, 2013 with 18 working days allocated for completion. All Ayes

#### **ENGINEER'S REPORT**

**X47 Paving Project (FM-C028(82)--55-28)** –The asphalt paving will be completed sometime in July.

**310<sup>th</sup> Street Bridge (Westhoff Bridge Project BROS-C028(81)--8J-28)** – A preconstruction conference was held with K Construction on Friday, May 3, 2013. They are anticipating a start date around the middle of June.

**255<sup>th</sup> Ave Bridge (Maiers Bridge Project BROS-C028(80)—8J-28)** – The construction that was originally planned to begin today has been delayed to sometime in August.

**Contract Rock Program** – The contractor will not be hauling rock this week.

**Bridge Deck Overlays** – The experimental asphalt program that we are working on with Iowa State University began last Friday with the milling of the old asphalt on three (3) bridge decks. The placement of the new asphalt mix is planned for Wednesday, June 26, 2013. These decks are located at 150<sup>th</sup> Ave south of 230<sup>th</sup> Street; 190<sup>th</sup> Ave north of D47; and 215<sup>th</sup> Ave south of D47.

**Flooding** – Due to the rain event on June 22, 2013, we have numerous roads throughout the eastern half of the county with road damage. As of today, 122<sup>nd</sup> Street east of 180<sup>th</sup> Ave, 100<sup>th</sup> Street west of 180<sup>th</sup> Ave and Fountain Springs Park Road are closed. Secondary Road crews will be out this week working to fix the damaged areas.

#### **NEXT MEETING**

The next regular session of the Board of Supervisors will be held on Monday, July 1, 2013 at 1:15 pm.

#### **PUBLIC COMMENTS:**

John Bernau introduced Ben Knutson, a Star Scout with a local troop who is working towards Eagle Scout. He is attending today's meeting as part of his Community and Citizenship badges. Mr. Bernau has asked that the minutes reflect his attendance.

There being no further business before the Board, Chairperson Madlom asked for a motion to adjourn.

**Motion made** by Ries, second by Helmricks and carried to adjourn the meeting at 2:15 pm. All Ayes

These minutes have been read and approved.

/S/ Jeff Madlom, Chairperson

/S/ Carla K. Becker, Auditor