

May 23rd, 2017

The Des Moines County Board of Supervisors met in regular session at the Court House in Burlington at 9:00 AM on Tuesday, May 23rd, 2017, with Bob Beck, Jim Cary and Tom Broeker present.

Unless otherwise noted, all motions passed unanimously.

Meet with Department Heads: County Auditor Terri Johnson gave an update for the 2017 School and City elections. Nomination papers for candidates are available from the Auditor, County website, school secretary, city clerk or Secretary of State Website. School Election is September 12th; candidate filing period is July 10th – Aug 3rd. Burlington City Primary, if necessary, is Oct 10th, candidate filing period is Aug 14th – Aug 31st. City Election is Nov 7th; candidate filing period is Aug 28th – Sept 21st. Jail Administrator Doug Ervine reported a population of 95 inmates. The jail can only hold 68, so the others are sent to adjoining county jails. They are repainting the kitchen in preparation for the June inspection. County Engineer Brian Carter reported the bridge deck on Pleasant Grove Road was poured last week. A Contractor is starting the dust control in the county. There will be a pre-construction meeting this week for the Madison Avenue project. It should start in early June. Conservation Director Chris Lee is looking for a good holiday weekend for camping. A Critter Catch event will be held at Starr's Cave this weekend. The Big Hollow project is moving forward and the contractor is starting to hookup lateral lines. The Mississippi River level went down but recent rains are causing it to rise again. Boat ramps are still under water. IT Director Gina Erickson reported 250 county email boxes were switched to an Office 365 Governmental Cloud system. They will be upgrading all offices to Office 2016. Her office had budgeted \$36,000 for FY18 to replace the video court system. Since then an 8th Judicial Tech Committee has been formed. The committee is working on implementing a "GoToMeeting" system with the State which can be used with a webcam and laptop instead of purchasing new camera equipment for each location. This could cost only \$4,000 and they are working with SEIRPC on a grant which could eventually not cost anything. This new system could potentially save the Court system and Counties money on transportation. A committee is working on developing a new standardized county logo. Her office is working on a new evidence procedure process between the Sheriff's Office and County Attorney's Office. It will save on the purchase of DVD's and the time it takes to copy all evidence to DVD's. She has submitted the HIPAA Master Policy handbook to the Board, CPC and Public Health for review. Comments will be sent to Carosh for them to update the final manual. Once it is finalized it will be sent to the Board for approval, then employee training will proceed. Other projects include Tyler v10 Financial and imaging upgrades. Public Health Administrator Christa Poggemiller reported the Board of Health had a meeting last week but did not have a quorum. Their next meeting will tentatively be June 1st. SEIRPC Jeff Hanan reported on the IDNR Flood Plain remapping. He received an updated GIS map and there are not that many changes so it does not look as bad as initially thought. Community Services Director Ken Hyndman is focusing on the State CSN 3.0 computer system. Four people from his office will be attending the training. The Case Management unit will close in June. They are calling and sending letters to clients to inform them of the closure. The clients will be changed over to AmeriHealth Caritas.

Correspondence: Received a letter thanking the county for clearing the corner of Dodgeville Road along the bike path. This area had become a safety issue. Received a letter from the ISAC CM & MHDS Manager, due to AmeriHealth Caritas taking all case management duties in-house, the Member Counties has decreased. With regret the program was closing effective June 30th. Received a letter from FEMA. They are notifying the county that FEMA, Homeland Security and the Iowa DNR have initiated a flood hazard mapping project in Des Moines County.

Taxable Payroll Claim Reimbursements in the amount of \$784.73 were approved upon motion made by Cary. Broeker seconded.

Broeker motioned to open the public hearing for the Area Service Class C Road Classification for 172nd Street. Cary seconded. The County Engineer presented information regarding 172nd Street. This portion of 172nd Street is a dirt road lying between the intersection with 220th Avenue and the intersection with Jimtown Road with a gravel road on either end. He was contacted by adjoining owners about 5 years ago to change the class of the road. If approved, gates would be placed on both ends of the dirt portion of the road and adjoining owners would each have a key to gain access. Carroll Oberman asked about the gate type the county would install. The Engineer responded the county uses quality farm gates. The adjoining owners will be responsible for making sure the gates are locked and replacing the gates should they become unrepairable. Cary motioned to close the public hearing. Broeker seconded.

Broeker motioned to change a portion of the road to an Area Service “C” road. Cary seconded.

RESOLUTION

WHEREAS Des Moines County desires to classify certain roads on the area service system in the County to provide for a minimal level of maintenance and access by means of a gate or barrier; and

WHEREAS the County, after consultation with the County Engineer, has the authority to specify certain roads within the County as Area Service “C” roads pursuant to Iowa Code Section 309.57 (2015) as amended, and County Ordinance #31 “Area Service Class ‘C’ Road; and

WHEREAS the County has received a petition, attached to this resolution, signed by all landowners adjoining the road, requesting that the following road be classified as an Area Service “C” road:

172nd Street beginning at a point 1374 ft. east of the Pl of 172nd Street and 220th Avenue, said point being 50 ft. east of the centerline of a field entrance to the north; thence easterly 1297 ft.; thence northerly 634 ft.; thence northeasterly, 266 ft.; thence easterly, 155 ft. to a point 1015 ft. westerly of the Pl of 172nd Street and Jimtown Road, said point being 100 ft. west of the centerline of a driveway for a residence. (See plat in Auditor’s Office)

WHEREAS minimum maintenance of this road would be as follows:

1. Blading – Blading or dragging will not be performed on a regular basis.
2. Snow and Ice Removal – Snow and ice will not be removed nor will the road surface be sanded or salted.
3. Weeds, Brush and Trees – Mowing or spraying weeds, cutting brush and tree removal will not be performed. Adequate sight distances will not be maintained.
4. Structures – Bridges will be posted as appropriate to advise of any load limitations. Bridges and culverts may not be maintained to carry legal loads. Upon failure or loss, the replacement structure will be designed for the traffic thereon.
5. Road Surfacing – There will be no surfacing materials applied to Area Service “C” Roads.
6. Shoulders – Shoulders will not be maintained.
7. Crown – A crown will not be maintained.
8. Repairs – There will be no road repair on a regular basis.
9. Uniform Width – Uniform width for the traveled portion of the road will not be maintained.
10. Inspections – Regular inspections will not be conducted.
11. Gates – Gates shall be purchased and installed by the County, and maintained by the adjoining landowners; and

WHEREAS, the only persons who will have access rights to the road shall be:

- The owner, lessee, or person in lawful possession of any adjoining land,
- The agent or employee of the owner, lessee or person in lawful possession of any adjoining land,
- Any peace officer,
- Any magistrate,
- Any public employee whose duty it is to supervise the use or perform maintenance of the road, any agent or employee of any utility located upon the road.

THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DES MOINES COUNTY that this County does hereby establish the road described as an Area Service “C” road, with restricted access and a minimal level of maintenance.

ADOPTED this 23rd day of May, 2017.

DES MOINES COUNTY BOARD OF SUPERVISORS

Robert W. Beck, Chair
Tom Broeker, Member
Jim Cary, Member

ATTEST: Teresa K. Johnson, Auditor

Jeff Hanan, SEIRPC presented the resolution and final plat for Abel Subdivision. The minor subdivision consists of two lots totaling 1.87 acres with existing homes on each lot and located in Franklin Twp. The owners are Brian and Michael Abel, 15226 206th St. Mediapolis are splitting the lots for family purposes. Broeker motioned to approve the subdivision. Cary seconded.

RESOLUTION

WHEREAS Section 354.8 of the Code of Iowa states that a governing body shall certify by resolution the approval of a subdivision plat, and,

WHEREAS the Final Plat for **Abel Subdivision** has been reviewed for conformance to applicable County standards by the Des Moines County Health Department, Secondary Roads Department, County Auditor, Zoning Commission Chair and Land Use Department and has been duly recommended by the aforementioned entities for approval,

NOW THEREFORE, BE IT RESOLVED: That the Board of Supervisors hereby approves the Final Plat of **Abel Subdivision**

Approved and adopted this 23rd day of May, 2017.

DES MOINES COUNTY BOARD OF SUPERVISORS

Robert W. Beck, Chair
Jim Cary, Vice Chair
Tom L. Broeker, Member

ATTEST: Terri Johnson, County Auditor

Jeff Hanan, SEIRPC presented the resolution and final plat for Fleenor Paradise Subdivision. The minor subdivision consists of one lot totaling 5.69 acres and located in Flint River Twp. The owner is Kathryn L. Fleenor Trustee. The subdivider is Brian Fleenor, 5794 Hunt Rd. Burlington. He is splitting off existing farm buildings from the farm land and this lot will be added to an existing parcel. Cary motioned to approve the subdivision. Broeker seconded.

RESOLUTION

WHEREAS Section 354.8 of the Code of Iowa states that a governing body shall certify by resolution the approval of a subdivision plat, and,

WHEREAS the Final Plat for **Fleenor Paradise Subdivision** has been reviewed for conformance to applicable County standards by the Des Moines County Health Department, Secondary Roads Department, County Auditor, Zoning Commission Chair and Land Use Department and has been duly recommended by the aforementioned entities for approval,

NOW THEREFORE, BE IT RESOLVED: That the Board of Supervisors hereby approves the Final Plat of **Fleenor Paradise Subdivision**

Approved and adopted this 23rd day of May, 2017.

DES MOINES COUNTY BOARD OF SUPERVISORS

Robert W. Beck, Chair
Jim Cary, Vice Chair
Tom L. Broeker, Member

ATTEST: Terri Johnson, County Auditor

Jeff Hanan, SEIRPC presented the resolution and final plat for Mutchler Subdivision. The subdivision consists of one lot totaling 3.07 acres and located in Danville Twp. The owner is Nancy Ann Mutchler, 17898 145th St., West Burlington. The new lot is for a family member and they will be splitting the driveway. Broeker motioned to approve the subdivision. Cary seconded.

RESOLUTION

WHEREAS Section 354.8 of the Code of Iowa states that a governing body shall certify by resolution the approval of a subdivision plat, and,

WHEREAS the Final Plat for **Mutchler Subdivision** has been reviewed for conformance to applicable County standards by the Des Moines County Health Department, Secondary Roads Department, County Auditor, Zoning Commission Chair and Land Use Department and has been duly recommended by the aforementioned entities for approval,

NOW THEREFORE, BE IT RESOLVED: That the Board of Supervisors hereby approves the Final Plat of **Mutchler Subdivision**

Approved and adopted this 23rd day of May, 2017.

DES MOINES COUNTY BOARD OF SUPERVISORS

Robert W. Beck, Chair
Jim Cary, Vice Chair
Tom L. Broeker, Member

ATTEST: Terri Johnson, County Auditor

Jeff Hanan, SEIRPC presented the resolution and final plat for South Hollow Subdivision. The minor subdivision consists of two lots totaling 1.48 acres and located in Franklin Twp. The lots are for family members. The owner is Kirby & Michelle Parsons, 18349 152nd Ave, Sperry. Cary motioned to approve the subdivision. Broeker seconded.

RESOLUTION

WHEREAS Section 354.8 of the Code of Iowa states that a governing body shall certify by resolution the approval of a subdivision plat, and,

WHEREAS the Final Plat for **South Hollow Subdivision** has been reviewed for conformance to applicable County standards by the Des Moines County Health Department, Secondary Roads Department, County Auditor, Zoning Commission Chair and Land Use Department and has been duly recommended by the aforementioned entities for approval,

NOW THEREFORE, BE IT RESOLVED: That the Board of Supervisors hereby approves the Final Plat of **South Hollow Subdivision**

Approved and adopted this 23rd day of May, 2017.

Robert W. Beck, Chair
Jim Cary, Vice Chair

Tom L. Broeker, Member

ATTEST: Terri Johnson, County Auditor

A refund application was received for Hy-Vee Inc. The refund is for a liquor license previously approved but under the incorrect class. Broeker motioned to approve the refund. Cary seconded.

The following personnel actions were approved. Conservation: Zach Hunter, Day Hire Conservation Tech. Rate is \$9.00 hr. / day hire program, as needed. Cary motioned to approve. Broeker seconded. Correctional Center: Hillary May, PT Correctional Officer. 2-yr. step increase rate is \$14.84 hr. Effective 5/26. Edward J. Schulthies, PT Transport Officer. Due to prior experience his new hire rate is \$16.29 hr. Effective 5/23. Broeker motioned to approve both actions. Cary seconded. Community Services: Cathy Jarrett, Case Management Supervisor. Beck read her resignation/retirement letter into the record. Her retirement is effective 6/2. Cary motioned to approve. Broeker seconded.

The following report was received and filed in the Auditor's Office: Jail Stats, March 2017.

Cary motioned to approve the minutes for the Board meeting held on May 16th, 2017. Broeker seconded.

Future agenda items: Fireworks work session and set hearing dates for Animal Control Ordinance.

Committee Reports: Cary attended a Community Action meeting. They reviewed their budget and are lacking funds for transportation for Early Childhood children. They must be transported in school type buses for safety reasons. They can ride the school buses if they are on a current route. The Early Childhood home visitor contract was cut by \$2800. Broeker attended a Mental Health & Disabilities Commission planning meeting. Kramer from the State Attorney General's Office was present and rules on public input were discussed. Beck attended a Landfill meeting and a joint Fair Board and College meeting.

Meeting adjourned at 9:56 AM.

This Board meeting is recorded and kept on file for two years. The minutes are posted on the county's website www.dmcountry.com

Approved May 26, 2017
Bob Beck, Chairman
Attest: Terri Johnson, Auditor

Following the meeting was a work session with the County Attorney and Sheriff regarding the Animal Control Ordinance. Gary Haley, 13797 90th Ave. wants the Board to establish a good fair plan. Deb Wirt, 4491 160th St., Burlington gave an update on issues in her neighborhood. The ordinance definitions, animals at large, confinement for rabies quarantine and members on the animal control board and who appoints them were discussed. No one wants a leash law in the county but need to address aggressive vicious animals. The Sheriff stated they need to be careful of the intent of the law. The ordinance must state "shall" cannot be changed to "may". The Sheriff has discretion whether to charge the owner or not. Some minor corrections are needed in the language of the ordinance. All present thought the Board of Supervisors need to move forward with the ordinance as written and review it in a year, if something needs changed it can be amended. Three public hearings are required for an ordinance. Public input will be greatly appreciated during the hearing process.

Following the previous work session was another work session; the County Engineer took the Board of Supervisors on a Road Tour.