

February 22nd, 2022

The Des Moines County Board of Supervisors met in regular session at the Courthouse in Burlington at 9:00 AM on Tuesday, February 22nd, 2022, with Chair Jim Cary, Vice-Chair Shane McCampbell, and Member Tom Broeker present. This meeting was also held electronically via Webex and YouTube live streaming. Public input was available through board email or call in.

Unless otherwise noted, all motions passed unanimously. The Pledge of Allegiance was conducted.

Meet with Department Heads: County Auditor Terri Johnson gave an update on the June 7th Primary Election. The filing for the County offices starts March 7th and ends March 25th. Federal and State Candidates filing go to the Secretary of State office. That filing runs from February 28th to March 18th. Payroll Deputy Sara Doty reported she continues to stay busy with payroll. IT Director Colin Gerst reported his office is busy. Sheriff Kevin Glendening reported everything is going well at the Sheriff's Office. His two newest Deputies finished up the Academy and are on their final step of training. The jail currently has a population of 63 with one adult housed out of county. Land Use Assistant Administrator Jarred Lassiter stated they have the second reading for the public hearings for the Zoning, Subdivision, and Airport Ordinances on the Agenda for today. Land Use Assistant Director Zach James stated he would like to hold another work session in reference to a fee schedule for the Ordinances. Safety Director Angela Vaughan would like to remind everyone to stay safe and be careful with the cold temperatures and rainy weather. Public Health Director Christa Poggemiller reported her office is busy. County Recorder Natalie Steffener reported the new digitization is moving along. County Engineer Brian Carter reported they are filling up on mix (salt and sand) and continuing to stay busy when the weather allows. Maintenance Director Rodney Bliesener stated his department is busy. Conservation Director Chris Lee stated the Wellmark grant has been submitted. Ice on ponds is thinning due to lower temperatures so he's reminding everyone to be careful. ATVs are not allowed on Big Hollow. The watershed plan is through the DNR process and on to the final step with the EPA.

There was no Correspondence received.

Resolution #2022-011 to add locally funded project LFM-P114PCC22—7X-29-PCC Paving on Upper Flint Road to the construction plan was presented. Broeker made a motion to approve and seconded by McCampbell.

**Resolution to add Farm-to-Market (FM) or Locally Funded Project(s) not in the current program.
Des Moines County Resolution No. 2022-011**

BE IT RESOLVED: That the Board of Supervisors of Des Moines County, Iowa, initiates and recommends that the following project(s) be approved by the Iowa Department of Transportation (Iowa DOT) for improvement with the funds as shown below for the period covering the current secondary road construction program.

Funding Source	Project Number	Type of Work and Location of Project	Length Miles	Estimated Costs
Local	LFM-PI 14PCC22--7X-29	PCC - Upper Flint Road 2022	.516	770,000

February 22, 2022
Date

Jim Cary
Chair, Board of Supervisors

I, Terri Johnson, Auditor in and for Des Moines County, Iowa, do hereby certify the above and foregoing to be a true and exact copy of a resolution passed and approved by the Board of Supervisors of Des Moines County, Iowa, at their meeting held on the 22nd day of February, 2022.

Terri Johnson
County Auditor

Resolution #2022-012 Declaring Des Moines County to be a Second Amendment Sanctuary County was presented. Broeker read the resolution into record. Cary gave the public each two minutes to speak. Dale Allison, 721 Court St., was not for the resolution. He asked if the Board of Supervisors knew what an Unconstitutional Law is? Al Nielsen, 15609 DMC HWY 99., was for the resolution stating it is to reaffirm our Bill of Rights. 34 Counties have approved this already and he would like to see all 99 Counties approve it. Marlin Dubetz, 13280 151st St. West Burlington., spoke saying the 2nd Amendment Sanctuary sends a message. Evil is against it and the citizens have a right to be prepared to protect. Matt Shivers, 119 Greenwood Dr., stated laws are there to protect us. Healthcare has rules to protect people and we need to follow the laws that are out there. Sheriff Glendening spoke about enforcement and would not enforce an Unconstitutional Law. McCampbell stated this is only a proclamation. Cary followed by saying this is a political issue. Broeker read a statement regarding the 2nd Amendment reiterating the 2nd Amendment is more about rights. Broeker made a motion to approve and seconded by McCampbell.

RESOLUTION 2022-012
A RESOLUTION DECLARING DES MOINES COUNTY TO BE A SECOND AMENDMENT
SANCTUARY COUNTY

WHEREAS, the right of the people to keep and bear arms is guaranteed as an individual right under the Second Amendment to the United States Constitution, “A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed”. and

WHEREAS, the right of the people to keep and bear arms for the defense of life, liberty and property is regarded as an inalienable right by the people of Des Moines County; and

WHEREAS, the people of Des Moines County derive economic benefit from all safe forms of firearms recreation, hunting and shooting conducted within Des Moines County using all types of firearms allowable under the United States Constitution and the laws of the State of Iowa, and

WHEREAS, the Des Moines County Board of Supervisors was elected to represent the citizens of Des Moines County, and have sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Iowa, and

WHEREAS, Iowa State Senators and State Representatives have also sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Iowa; and

WHEREAS, legislation is currently being considered and expected to be proposed by both the Iowa State Legislature and Federal Legislature that potentially seeks to infringe on the constitutionally protected right of citizens to keep and bear arms; and

WHEREAS, it is desirable to declare that Des Moines County is a Second Amendment Sanctuary County, as Des Moines County opposes the enactment of any legislation that would infringe upon the constitutional right of the people of Des Moines County to keep and bear arms.

NOW, THEREFORE IT BE RESOLVED that the Des Moines County Board of Supervisors hereby declares Des Moines County to be a Second Amendment Sanctuary County, and hereby states its opposition to the enactment of any legislation that would infringe upon the constitutional right of the people of Des Moines County to keep and bear arms.

Passed and adopted this 22nd day of February 2022

Jim Cary, Chair
Shane McCampbell, Vice-Chair
Tom Broeker, Member

ATTEST: Terri Johnson, County Auditor

2nd Public Hearing for Subdivision Ordinance #29. McCampbell made a motion to open the public hearing and seconded by Broeker. Land Use Assistant Director Zach James and Assistant Administrator Jarred Lassiter presented the Ordinance. Chairman Jim Cary asked if there were any public comments. None received. Broeker motioned to close the public hearing and seconded by McCampbell. Broeker motioned to approve the 2nd reading for Subdivision Ordinance #29 and seconded by McCampbell. Cary motioned to waive the 3rd hearing and approve Resolution #2022-013 accepting Ordinance #29. Seconded by Broeker.

**DES MOINES COUNTY
BOARD OF SUPERVISORS
RESOLUTION #2022-013**

WHEREAS the Des Moines County Board of Supervisors adopted a Subdivision Ordinance (Ordinance No. 29) on January 2, 1996, for the purpose of promoting the health, safety and general welfare, through establishing minimum standards for the subdivision of land,

WHEREAS the Board recognizes the need to substantially revise and upgrade the standards used to regulate the subdivision of land in Des Moines County, in order to improve the efficiency of administration, reflect present day best practices, and adequately balance the needs of the general public with the desires of private property owners, and

WHEREAS a new version of Ordinance No. 29 has been prepared, and determined to be fully consistent with the principles of County subdivision regulation, as well as local land use priorities,

NOW THEREFORE, BE IT RESOLVED: That the Board of Supervisors hereby approves and adopts the revised Des Moines County Subdivision Ordinance (Ordinance No. 29),

AND FURTHER BE IT RESOLVED: That any previously adopted ordinances or resolutions in conflict with the newly adopted ordinance are hereby repealed.

Approved and adopted this 22nd day of February, 2022.

DES MOINES COUNTY BOARD OF SUPERVISORS

Jim Cary, Chair
Shane McCampbell, Vice Chair
Tom L. Broeker, Member

ATTEST: Terri Johnson, County Auditor

2nd Public Hearing for Zoning Ordinance #34. Broeker made a motion to open the public hearing and seconded by McCampbell. Land Use Assistant Director Zach James and Assistant Administrator Jarred Lassiter presented the Ordinance. Chairman Jim Cary asked if there were any public comments. None received. McCampbell motioned to close the public hearing and seconded by Broeker. Broeker motioned to approve the 2nd reading for Zoning Ordinance #34 and waive the 3rd reading and approve Resolution #2022-014 accepting Ordinance #34. Seconded by McCampbell.

**DES MOINES COUNTY
BOARD OF SUPERVISORS
RESOLUTION #2022-014**

WHEREAS the Des Moines County Board of Supervisors adopted a Zoning Ordinance (Ordinance No. 34) on March 3, 1998, for the purpose of protecting the public health, safety, comfort, order and general welfare, through

the regulation of development and land uses in unincorporated Des Moines County within two miles of the City of Burlington, and

WHEREAS the Board recognizes the need to substantially revise and upgrade the standards used to regulate development within the jurisdiction of Ordinance No. 34, in order to improve the efficiency of administration, reflect present day best practices, and adequately balance the needs of the general public with the desires of private property owners, and

WHEREAS a new version of Ordinance No. 34 has been prepared, along with a revised Official Zoning Map, and these have been determined to be fully consistent with the principles of County zoning regulation, as well as local land use priorities,

NOW THEREFORE, BE IT RESOLVED: That the Board of Supervisors hereby approves and adopts the revised Des Moines County Zoning Ordinance (Ordinance No. 34), including the Official Zoning Map,

AND FURTHER BE IT RESOLVED: That any previously adopted ordinances or resolutions in conflict with the newly adopted ordinance are hereby repealed.

Approved and adopted this 22nd day of February, 2022.

DES MOINES COUNTY BOARD OF SUPERVISORS

Jim Cary, Chair
Shane McCampbell, Vice Chair
Tom L. Broeker, Member

ATTEST: Terri Johnson, County Auditor

2nd Public Hearing for Airport Approach Regulations Ordinance #58. McCampbell made a motion to open the public hearing and seconded by Broeker. Land Use Assistant Director Zach James and Assistant Administrator Jarred Lassiter presented the Ordinance. Chairman Jim Cary asked if there were any public comments. None received. Broeker motioned to go out of public hearing and seconded by McCampbell. McCampbell motioned to approve the 2nd reading for Airport Approach Regulations Ordinance #58 and waive the 3rd reading and approve Resolution #2022-015 accepting Ordinance #58. Seconded by Broeker.

**DES MOINES COUNTY
BOARD OF SUPERVISORS
RESOLUTION #2022-015**

WHEREAS the Southeast Iowa Regional Airport serves as both a valuable transportation resource for Des Moines County and the surrounding region, and a positive influence for local economic development, and

WHEREAS the Des Moines County Board of Supervisors recognizes the need to adopt a set of regulations to ensure that development within unincorporated Des Moines County complies with all applicable requirements of the Federal Aviation Administration, to ensure that continued regular service at the airport can remain unimpeded, and

WHEREAS an ordinance has been prepared for the purposes of 1) preventing the establishment of hazards to air navigation and incompatible land uses in the airport approach areas, 2) minimizing potential dangers from, and conflicts with, the use of aircraft, and 3) addressing Federal Aviation Regulation (FAR) Part 77 and all other applicable federal and state laws regulating hazards to air navigation, and

WHEREAS the enforcement of this ordinance is intended to be carried out in conjunction with separate but largely identical ordinances adopted by the Cities of Burlington and West Burlington, whose jurisdictions also fall within the Overlay Zones outlined on the Southeast Iowa Regional Airport Approach Zones Map,

NOW THEREFORE, BE IT RESOLVED: That the Board of Supervisors hereby approves and adopts the Des Moines County Airport Approach Regulations (Ordinance No. 58), along with the Southeast Iowa Regional Airport Approach Zones Map.

Approved and adopted this 22nd day of February, 2022.

DES MOINES COUNTY BOARD OF SUPERVISORS

Jim Cary, Chair
Shane McCampbell, Vice Chair
Tom L. Broeker, Member

ATTEST: Terri Johnson, County Auditor

Payroll Reimbursement Claims in the amount of \$191.40 were presented. McCampbell made a motion to approve and seconded by Broeker.

Personnel Action - Local Health – Judith Weatherwax, CAN. 9.96 Unpaid hours for 2/18 & 2/19; Stefanie Gall, New Hire. Health Promotion Coordinator, \$50,664.75 effective 2/22/22; Brigitte Davis, RN. 1.63 Unpaid hours for 2/17 were presented. Broeker made a motion to approve all three and seconded by McCampbell.

Sheriff – Jon Gates, Deputy. 6-month step increase, \$50,247.60, effective 2/23/22; Zander Schweiss, Deputy. 6-month step increase, \$50,247.60, effective 2/24/22; Brandon McLeland, Deputy. 1-year step increase, \$59,669.00, effective 3/8/22 were presented. McCampbell made a motion to approve all three and seconded by Broeker.

DESCOM – Brandall Diaz, Telecommunication 1. Unpaid leave time for pay period of 2/25/22. Effective 1/22/22 -TBD was presented. McCampbell made a motion to approve and seconded by Broeker.

Reports received and filed in the Auditor’s Office: Sheriff’s Monthly Report, January 2022.

McCampbell motioned to approve the February 15th, 2022, regular meeting minutes and seconded by Broeker.

Future Agenda Items – Work Session with SEIRPC on March 8th regarding Ordinance fees. The Auditor would like to hold a Work Session to discuss updating Ordinance 6.

McCampbell stated he attended a Youth Board, Community Action and Workforce Development Meeting.

No public input was received.

The Board of Supervisors went into closed session at 9:54 a.m. with the Maintenance Director, IT Director, and County Engineer for Employee Evaluations. Broeker made a motion to go into closed session and seconded by McCampbell. They returned to the meeting at 11:21 a.m. and Broeker made a motion to go out of closed session with a second from McCampbell.

Meeting was adjourned at 11:22 a.m.

This Board meeting is recorded. The meeting minutes and audio are posted on the county’s website www.dmcountry.com

Approved March 1st, 2022
Jim Cary, Chairman
Attest: Sara Doty, Deputy Auditor