

October 31st, 2017

The Des Moines County Board of Supervisors met in regular session at the Court House in Burlington at 9:00 AM on Tuesday, October 31st, 2017. Bob Beck, Jim Cary and Tom Broeker were present.

Unless otherwise noted, all motions passed unanimously.

Meet with Department Heads: County Auditor Terri Johnson reported next Tuesday is the City Election. This Friday, November 3rd is the last day to request an absentee ballot to be mailed for the City Elections. To date only 110 absentee ballots have been requested. Sheriff Mike Johnstone reported his department is busy with the murder trial in Keokuk and they are working closely with Lee County. Public Health Administrator Christa Poggemiller stated her department is finishing up the flu clinics. She stated Dr. Brook Smith has contacted her about serving on the Animal Control Board. The National Prescription Drug - Take Back Day held on Saturday, October 28th had a very good turnout. Conservation Director Chris Lee reported the Nature Center remodeling is making a lot of progress in its 1st week. CDS Director Ken Hyndman reported his department is busy. Lots of people are needing services lately. County Engineer Brian Carter stated with the good weather they have completed some road blading and some ditch work. He is currently working on purchasing right of way on Iowa City Road for the road improvement project.

Correspondence: Greater Burlington thanked the County Supervisors for their support of Fireball Run. The City of Burlington sent a notice of a meeting to discuss an urban renewal plan for West Avenue – Mason Road Urban Renewal Area. The meeting is set for November 2nd at 10:00 AM at City Hall. The City Council will hold a public hearing on the urban renewal plan on November 20th at 5:30 PM at City Hall.

Animal Control Ordinance: Cary motioned to open the public hearing for the 3rd Reading of Ordinance #6I – Animal Control Ordinance. Broeker seconded. Public comments were received. Dale Oaks, 13419 Beaverdale Rd., West Burlington stated he does not agree with the ordinance. He felt the ordinance does not protect anyone and there are a lot of things in the ordinance he does not like. He doesn't believe all dogs should be classed the same. He felt most of the problems were from people living in subdivisions and people moving to the country from town. He felt subdivision should be separated from farms. He stated if someone was trespassing on his property he expects his dog to bite the person. Broeker stated willful trespass of property is covered under this ordinance. Beck stated subdivision are not the only ones with issues. Dogs chasing and injuring cattle encouraged the ordinance, if a dog bites anyone twice, the dog and owner will be brought before the Animal Control Board. Cary stated this ordinance protects the dog and responsible dog owners will not have anything to worry about because any issues would be brought before the Animal Board. Angie Vaughan agreed. The Sheriff or Health Department will make recommendations when a dog needs to be brought before the Animal Control Board. The Animal Control Board will then determine its outcome. Judy Mennen, 11227 142nd Ave., West Burlington is one-hundred percent for the ordinance. She stated she thinks this ordinance would have given her incident a protocol to follow. Her son was invited onto the neighbor's property and she was not aware of the dog's prior history. She felt this ordinance will make dog owners responsible and will not allow any willy-nilly complaints. The Board will only see legitimate cases. Deb Wirt, 4491 160th St., Burlington stated her neighborhood dog incident had been going on for seven years and she does not live in a subdivision. Her case was an unusual case with a pack of dogs running the area. The Sheriff and Health Department Administrator were satisfied with the ordinance. Broeker motioned to close the public hearing on Ordinance #6I. Cary seconded. No more comments were received. Broeker motioned to approve Ordinance 6I – Animal Control Ordinance. Cary seconded. Motion carried. Approved.

Animal Control Board: Broeker requested a discussion regarding the Animal Control Board. He stated they have been approached by several individuals willing to serve on the Board. The Ordinance stated the members on the Board shall consist of five members. Members should be at least one veterinarian, one farmer, and one with animal training. At least three of the members should be residents of the unincorporated areas. He wondered if the Board should be gender balanced and unincorporated residents should have the advantage. Beck stated Cities have animal ordinances and this Animal Control Board will serve the rural areas. Beck stated those individuals interested in serving on the Board should send a letter or email to the County Auditor. Cary asked Mr. Oaks if he was willing to serve on the Board. Mr. Oaks graciously declined.

Amendment to Zoning Ordinance #34: Broeker motioned to open the public hearing for the 1st reading of a rezoning request on Upper Flint Road. Cary seconded. Jeff Hanan, Land Use Administrator presented the report for the rezoning request. The owner/subdivider is Marc & Lea Zaiser, 6125 Pegtown Rd., Mediapolis. The rezoning would allow the creation of a residential subdivision on two parcels of land containing 67.39 acres. The rezoning request would change the districts from A-1 Agricultural to R-1 One-Household Residential. The subdivider will need to complete the preliminary and final platting requirements. The property is bordered by agricultural land to the north; residential to the east; residential and agricultural land to the west and a mix of residential and agricultural land to the south. This property lies within the Two-Mile Zoning Area. The Future Land Use map in the Comprehensive Plan adopted in July 1997 and updated May 2004 shows this area to be residential. Therefore, the proposed rezoning would not go against the Comprehensive Plan. The County Zoning commission meet on October 12th and recommends approval. Lot sizes were discussed and would comply with septic requirements. Dale Oaks commented city people need to stay in town. Cary motioned to close the public hearing. Broeker seconded. Broeker motioned to approve the 1st reading of the rezoning request and Amendment to Zoning Ordinance #34. Cary seconded. The 2nd reading will take place on November 7th.

Courthouse Security Plan: a resolution approving Courthouse Security Plan - Revision 2.0 was presented. Broeker stated the committee made a few changes to the plan approved last year. The Security Plan is kept confidential and not open for public review, therefore changes were not discussed. Broeker motioned to approve changes to the plan. Cary seconded.

**RESOLUTION ADOPTING DES MOINES COUNTY COURTHOUSE
AND PUBLIC BUILDINGS SECURITY PLAN, Revision 2.0**

WHEREAS, Des Moines County, Iowa created a committee to establish a security and safety plan for the Des Moines County Courthouse and County public buildings, and

WHEREAS, said committee developed a Des Moines County Courthouse and Public Buildings Security Plan and adopted on the 19th day of July 2016, and

WHEREAS, such Plan is critical to ensure a safe working environment for County and State employees, and for the safety of citizens who go to the Courthouse and/or other County public buildings, and

WHEREAS, the Plan includes actions to be taken in the case of natural disasters and for emergency procedures and the safe evacuation of the Courthouse and public buildings in case of threats of injury or violence, as well as to designate the roles and responsibilities of various individuals to assure that these policies are carried out.

WHEREAS, the Plan has been reviewed and updated by the Courthouse and Public Buildings Security Committee and recommends changes per Revision 2.0.

BE IT THEREFORE RESOLVED that the Des Moines County Courthouse and Public Buildings Security Plan, Revision 2.0, is hereby adopted and approved on this day by the Des Moines County Board of Supervisors.

APPROVED AND SIGNED THIS 31st DAY OF October 2017.

Robert Beck, Chairman
Jim Cary, Vice-Chair
Thomas Broeker

ATTEST: Terri Johnson, Des Moines County Auditor

Tax abatement request by City of Burlington: The City of Burlington requested abatement of taxes for Legacy Drive. This is a public road constructed by the developer and ownership transferred to the City in May 2017. The City requested the taxes for 2017 payable 2018/2019 be abated. Broeker motioned to approve the abatement. Cary seconded.

Personnel Action: County Attorney's Office – Jayme Rowley, Records/Legal Secretary. One-year anniversary increase, new rate is \$31,393.22, effective 10/31. Cary motioned to approve. Broeker seconded.

Report: Veterans Affairs, October 2017. The report was received and filed in the Auditor's Office.

Board Minutes: Cary motioned to approve the minutes for the Board meeting held on October 24th, 2017. Broeker seconded.

Future Agenda item: November 28th – Designate Animal Control Board.

Committee Reports: Cary attended the NAACP dinner held at Big Muddy's on October 28th. He read the Board's resolution and thanked the NAACP.

Meeting adjourned at 9:59 AM.

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

Approved November 7, 2017
Bob Beck, Chairman
Attest: Terri Johnson, Auditor