

OFFICIAL NOTICE

The Des Moines County Board of Supervisors will hold a regular session on **Tuesday, April 16th, 2024** at 9:00 A.M. in the public meeting room at the Des Moines County Courthouse.

8:30 AM -Work Session: Board of Supervisors: Review of Weekly Business

PUBLIC NOTICE – the meeting can be viewed by live stream at <https://desmoinescounty.iowa.gov/live/> Anyone with questions during the meeting may email the Board of Supervisors at board@dmcounty.com OR call 319-753-8203, Ext 4

TENTATIVE AGENDA:

1. Pledge of Allegiance
2. Changes to Tentative Agenda
3. Meet with Department Heads / Elected Officials
4. Correspondence
5. Discussion / Vote:
 - A. Accounts Payable Claims
 - B. Payroll Reimbursement Claims
 - C. Fireworks Permit – 34 Raceway – April 20th, May 10th, August 3rd
 - D. Resolution #2024-024 and Final Plat for Mack Subdivision
 - E. Resolution #2024-025 Regarding Disbursement of Opioid Settlement Funds for Purchase of Handheld Narcotics Analyzers
 - F. Reports:
 1. Dewey Byar Trust Report, Qtr 1 2024
 2. Sheriff's Monthly Report of Fees Collected, March 2024
 3. Clerk's Monthly Report of Fees Collected, March 2024
 - G. Minutes for Special Meeting on April 9th, 2024
 - H. Minutes for Regular Meeting on April 9th, 2024
6. Other Business
7. Future Agenda Items
8. Committee Reports
9. Public Input
10. Adjournment

**APPLICATION FOR FIREWORKS PERMIT
UNINCORPORATED AREAS OF DES MOINES COUNTY, IOWA**

Submit To: Des Moines County Auditor, Courthouse, 513 N. Main, Burlington, Iowa 52601

APPLICANT (MUNICIPALITY, FAIR ASSOCIATION, AMUSEMENT PARK, ORGANIZATION, GROUP OF INDIVIDUALS) 34 Raceway PHONE: 319-752-3434

ADDRESS OF APPLICANT: PO Box 185 W Burlington, IA 52655

NAME OF APPLICANT'S REPRESENTATIVE COMPLETING APPLICATION: Nina Covert

REPRESENTATIVE'S DATE OF BIRTH (DOB): 07/31/1984

FILED

APR 08 2024

**DES MOINES CO. AUDITOR
BURLINGTON, IOWA**

DATE/TIME OF DISPLAY INCL. RAIN DATE: April 20, May 10, August 3 2024

LOCATION OF DISPLAY: 10463 S Prairie Grove Rd W Burlington

DETAILED DESCRIPTION OF DISPLAY
See Attached

OPERATOR (Name and DOB) Kevin Byerly 7/31/1982 PHONE: 319-470-5298

ADDRESS: 2531 Ave. G Ft. Madison, IA 52627

Qualifications of Operator (Copy of proof must be attached)

- 1. Pyrotechnic Guild International, Inc. / American Pyrotechnic Association certification
- 2. Other formal fireworks safety training. Please specify: J&M Certified

Fire Prevention Measures:
~~Spotters and Danville or/and New London F.D.~~

I, ROBERT BERNDT, FIRE MARSHAL being Fire Chief of the BURLINGTON Fire Department, FUNT RIVER Township, do hereby approve of the display, location and fire prevention measures or this Fireworks display. Fire Chief/ Designee Signature & Date [Signature] 4/11/24

I hereby affirm that I understand that no person shall handle or explode Fireworks while under the influence of alcohol, narcotics, or drugs which could adversely affect judgment, movements, or stability; that no person will set up or explode Fireworks after 11:00 pm; that no person will set up or explode Fireworks who is not 18 and qualified as set out above or who is not under the direct supervision of the Operator; that the Operator will conduct a thorough search for any unexploded Fireworks or fuses; that any unexploded Fireworks will be stored or disposed of in a safe manner; and that the Sponsor, Operator, and I will follow its terms and the laws of the State of Iowa. Further, I specifically agree to protect, defend, and hold Des Moines County, Iowa, its officers and employees, and the Fire Chief/designee who signs this application harmless from any and all damages or claims for damages that might arise or accrue by reason of the granting of the permit for which I am applying.

Nina Covert 4/3/24
Signature of Applicant & Date

This Application (is) (is not) approved by the Des Moines County Board of Supervisors on the _____ day of _____, _____.

Chairperson, Des Moines County Board of Supervisors

Copy to: Des Moines County Sheriff; Fire Chief; Police Dispatch

Pd. CK #143956
\$ 50⁰⁰



J&M Displays Proposal for: 34 Raceway, Inc.

Free for Advertising

1.4G Multi-shell Barrage Units

Quantity	Name	Rising Effect
2	Green Comet 36s Z cake	
2	Green Dahlia 36s Z cake	
6	Report with Color Tail 50 shot (40 sec)	
1	White Peony 36s (25sec)	
1	Yellow Comet 36s Z cake	
1	(UN0431) Color with strobe 25 shot cake 5X5	
1	(UN0431) Gold glittering willow with tail 25 shot cake	
1	(UN0431) Green Purple Gold crossettes with gold glittering tails 25 shot ca	
1	(UN0431) Silver whirl to RWB with whistles & finale 25 Shot cake	
1	(UN0431) Variegated with whistle tail 25 shot cake	
1	Multi-Effect Straight cake with Falling leaves 20 shot (18 sec)	
2	National Anthem Cake (Opening)	

Category Shell Count: 775

FILED

APR 08 2024

DES MOINES CO. AUDITOR
BURLINGTON, IOWA

Ignition Items

Quantity	Name	Rising Effect
25	MJG 10' (non-regulated ATF) Igniters with 10' leads (FWI 10 - 30 per box)	

Category Shell Count: 0

Section Shell Count: 775

All 3 shows are the same



J&M Displays Proposal for: 34 Raceway, Inc.

This proposal includes an extension of our \$10,000,000.00 spectator liability insurance, and workers compensation on our shoot team.

Total Price of Show: **\$500.00**

Total Shot Count: 775

Packing Check: 45

Date of Display: 04/20/24

Customer Number: 11153

Please Note the Following Comments:

The data in this proposal is confidential, and is to be accorded confidential treatment and shall not be disclosed other than to the official representative of the organization listed on the cover, and only then when in the evaluation of this proposal. Any reproduction of the contents of this proposal, whether in whole or in part, is expressly forbidden. J&M Displays, Inc. requests that all information be safeguarded from release pursuant to any request under the Freedom of Information Law of this state or any other state or jurisdiction; as it may cause competitive disadvantage to our company. The enclosed concepts and materials are the sole and exclusive property of J&M Displays, Inc. We reserve the right to make substitutions of equal or greater value. Prices and specifications are subject to change without notice. For choreographed displays the quantity and sizes of product may change based on the music selected; however, the dollar value of the product will remain the same.

Diameter	Quantity	Shots	Racks
Multi-shell Barrage Units			
0"	15	650	
1.2"	5	125	
Multi-shell Barrage Units Qty: 20 Shot Ct: 775			
Igniters Needed: 20			

FILED
APR 08 2024
DES MOINES CO. AUDITOR
BURLINGTON, IOWA

**DES MOINES COUNTY
BOARD OF SUPERVISORS
RESOLUTION #2024-024**

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 **Mack Subdivision** has been reviewed for conformance to applicable County standards by the Des Moines County Auditor, Health Department, Secondary Roads Department, 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 **Mack Subdivision**, with the following condition:

- Article VI, Section G(1) shall be waived, in order to allow for an access easement of less than 33 feet in width, for the section of Lot 1 adjacent to the BNSF railroad crossing.

Approved and adopted this 9th day of April, 2024.

DES MOINES COUNTY BOARD OF SUPERVISORS

Tom L. Broeker, Chair

Jim Cary, Vice Chair

Shane McCampbell, Member

ATTEST: _____

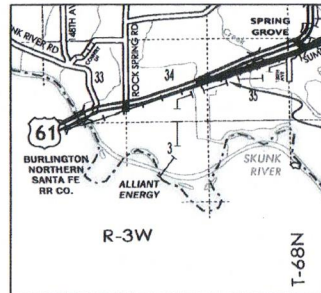
Sara Doty, County Auditor

Notes required by Des Moines County or by utility company.

- Minimum building setback for any structure:
Front yard = 30'
Side yard = 15'
- Road waiver: In addition to the claims exempted pursuant to section 670.4(7) of the Iowa code dealing with public roads, Des Moines County is not involved in the maintenance of this private right-of-way and is further held harmless for any costs in maintaining said road system or right-of-way or for any other damages sustained pertaining to the use of said road system or right-of-way.
- Utility easements shall consist of all platted streets or roads, and a 7.5 foot wide strip along each side of all interior lot lines, and a 25 foot wide strip along and adjacent to all platted streets and roads, and a 15 foot wide strip of land on all lots, 7.5 foot either side of the utility service as built, from the point of origin to the point of service entrance.

Owner:
Richers Family Farmland LLC
3350 163rd Street
Wever, IA 52658

Subdivider:
Tyron Mack
1137 S Garfield Ave.
Burlington, IA 52601



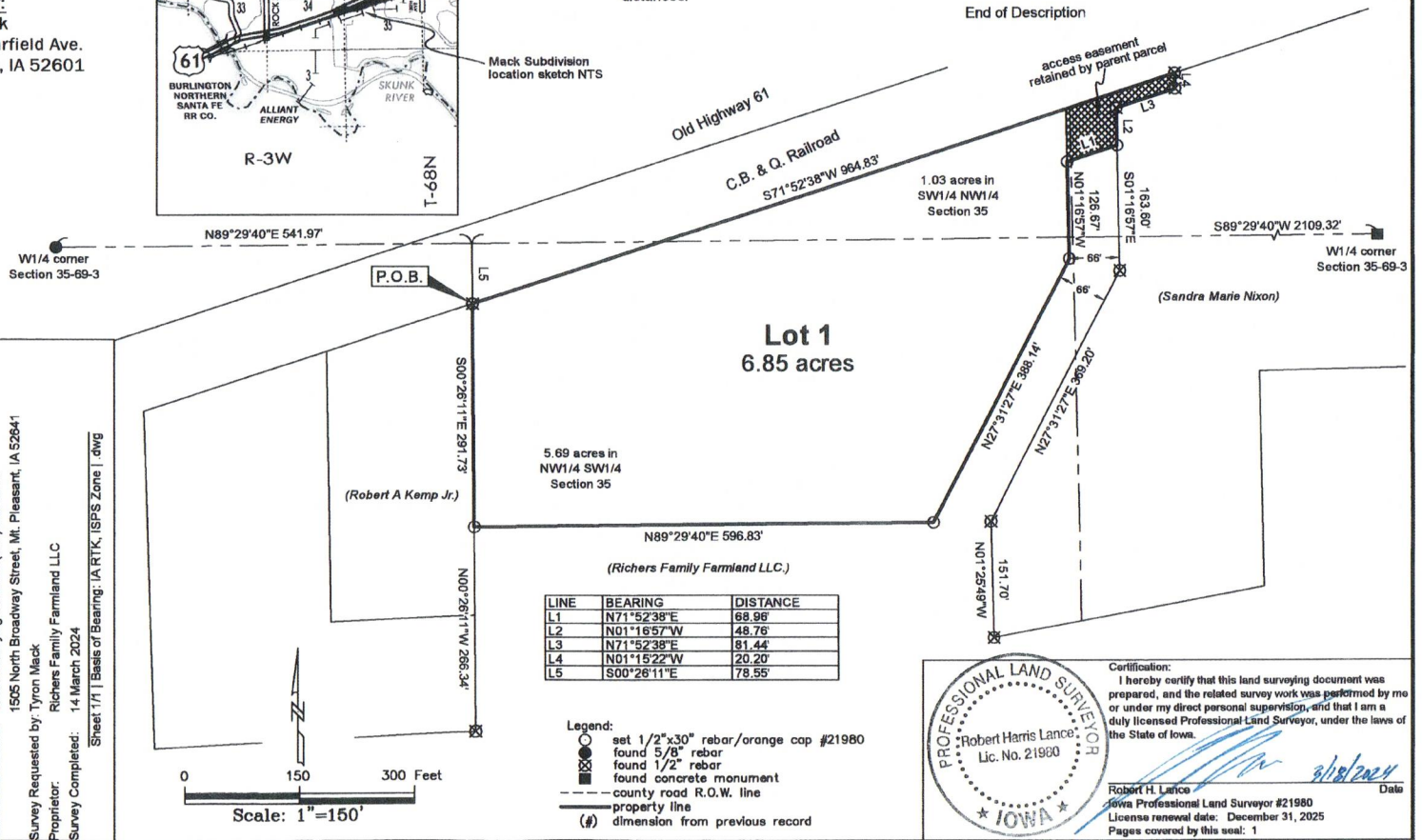
Mack Subdivision location sketch NTS

Mack Subdivision

In part of the NW1/4 of the SW1/4 and part of the S1/2 of the NW1/4 all in Section 35, Township 69 North, Range 3 West of the 5th P.M., Des Moines County, Iowa, described as follows:

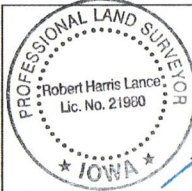
Commencing at the W1/4 corner of Section 35, thence North 89°29'40" East, along the north line of the SW1/4 of Section 35, a distance of 541.97 feet;
thence South 00°26'11" East, 78.55 feet to the POINT OF BEGINNING;
thence, continuing, South 00°26'11" East, 291.73 feet;
thence North 89°29'40" East, 596.83 feet;
thence North 27°31'27" East, 388.14 feet;
thence North 01°16'57" West, 126.67 feet;
thence North 71°52'38" East, 68.96 feet;
thence North 01°16'57" West, 48.76 feet;
thence North 71°52'38" East, 81.44 feet;
thence North 01°15'22" West, 20.20 feet to a point on the south line of the C. B. & Q Railroad;
thence, along said south line, South 71°52'38" West, 964.83 feet to the POINT OF BEGINNING, containing 6.85 acres.

The above bearings are based on Iowa State Plane South Coordinates and all distances are horizontal ground distances.



LINE	BEARING	DISTANCE
L1	N71°52'38"E	68.96'
L2	N01°16'57"W	48.76'
L3	N71°52'38"E	81.44'
L4	N01°15'22"W	20.20'
L5	S00°26'11"E	78.55'

- Legend:
- set 1/2"x30" rebar/orange cap #21980
 - found 5/8" rebar
 - found 1/2" rebar
 - found concrete monument
 - - - county road R.O.W. line
 - - - property line
 - (#) dimension from previous record



Certification:
I hereby certify that this land surveying document was prepared, and the related survey work was performed by me or under my direct personal supervision, and that I am a duly licensed Professional Land Surveyor, under the laws of the State of Iowa.

Robert H. Larice
Iowa Professional Land Surveyor #21980
License renewal date: December 31, 2025
Pages covered by this seal: 1

Date: 3/18/2024

FINAL PLAT

INDEX LEGEND
Mack Subdivision in part W1/2 Section 35
Township 69 North, Range 3 West, Des Moines County, Iowa
Robert H. Larice, Iowa P.L.S. #21980, rob@lancesurveying.com
Return Document to: Lance Surveying Services (319) 986-6779
1505 North Broadway Street, Mt. Pleasant, IA 52641
Survey Requested by: Tyron Mack
Proprietor: Richers Family Farmland LLC
Survey Completed: 14 March 2024
Sheet 1/1 | Basis of Bearing: IARTK, ISPS Zone | dwg

**RESOLUTION #2024-025 REGARDING DISBURSEMENT OF OPIOID
SETTLEMENT FUNDS FOR PURCHASE OF HANDHELD NARCOTICS
ANALYZERS**

- a.) **WHEREAS**, Des Moines County is a party to the National Opioid Settlement Agreement, and
- b.) **WHEREAS**, Des Moines County has received settlement funds as a result of the National Opioid Settlement Agreement, and
- c.) **WHEREAS**, as a requirement of the National Opioid Settlement Agreement, said funds are to be used in the remediation of the opioid epidemic within Des Moines County, including narcotics enforcement by law enforcement agencies; and
- d.) **WHEREAS**, it is recommended that Des Moines County use a portion of the settlement funds to purchase two (2) handheld narcotics analyzers for use by the Des Moines County Sheriff's Department and the Burlington Police Department; and
- e.) **WHEREAS**, the handheld narcotics analyzers will increase the safety of law enforcement officers by alleviating the need for direct handling of unknown substances by law enforcement personnel to assist in determining if those substances are, in fact, illegal contraband; and
- f.) **WHEREAS**, the purchase price of the handheld narcotics analyzers is \$40,300 each for a total of \$80,600;

BE IT THEREFORE RESOLVED; that the purchase of two (2) handheld narcotics analyzers will assist law enforcement in narcotics enforcement and is directly related to the remediation of the opioid use disorder in Des Moines County as required by the National Opioid Settlement Agreement.

Approved and signed this _____ day of _____, 2024.

Jim Cary
Des Moines County Board of Supervisors

Shane McCampbell
Des Moines County Board of Supervisors

Tom Broeker
Des Moines County Board of Supervisors

ATTEST:

Sara Doty
Des Moines County Auditor



KEVIN GLENDENING, SHERIFF

512 N. Main Street
Burlington, IA 52601
Phone: 319-753-8289 (Civil)
Fax: 319-754-6910



SHERIFF'S MONTHLY REPORT TO THE BOARD OF SUPERVISORS

03/01/2024 thru 03/29/2024

SHERIFF FEES	5,844.29
MILEAGE	693.31
R & B	925.00
INTEREST	5.38
TOTAL	<u>\$7,467.98</u>

7 6537.60

I, Kevin Glendenning, Sheriff of Des Moines County, Iowa, do hereby certify that the above report is correct of monies collected by me as Sheriff during the period therein specified.

Kevin Glendenning

KEVIN GLENDENING, SHERIFF

CLERK'S REPORT OF FEES COLLECTED

STATE OF IOWA)
DES MOINES COUNTY)

TO THE DES MOINES COUNTY BOARD OF SUPERVISORS:

I, JACKIE A MYERS, CLERK OF DISTRICT COURT OF THE ABOVE-NAMED COUNTY AND STATE, DO HEREBY CERTIFY THAT THE FOLLOWING IS A TRUE AND CORRECT STATEMENT OF THE FEES COLLECTED BY ME IN MY OFFICE FOR THE MONTH OF MARCH, 2024 AND THE SAME HAS BEEN PAID TO THE COUNTY TREASURER, AS PER DUPLICATE VOUCHER HERETO ATTACHED.

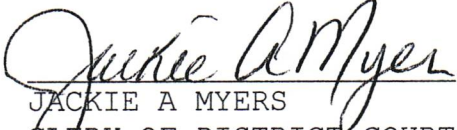
DES MOINES COUNTY TREASURER:

5% OF STATE FINE SURCHARGE	\$ -3.02
SHERIFF FEES	2,104.01
INFRACTIONS	5,187.91
TOBACCO	140.00
COUNTY ENFORCEMENT SURCHARGE	15.00
LAW LIBRARY	0
RECORD SECURITIES FEES	10.00
PRE-PD FEES TO SHERIFF	0
TOTAL FEES	<u>\$7,453.90</u>

TOTAL PAID \$7,453.90

CHECK No. 189851

RESPECTFULLY SUBMITTED THIS 9 DAY OF APRIL, 2024.


JACKIE A MYERS
CLERK OF DISTRICT COURT

April 9, 2024

The Des Moines County Board of Supervisors met in special session at the Court House in Burlington at 9:00 AM on Tuesday, April 9, 2024, with Chair Tom Broeker, Vice-Chair Jim Cary, and Member Shane McCampbell present. This meeting was also held electronically via Webex and YouTube live streaming. Public input was available through board email or call in.

The pledge of allegiance was conducted.

A public hearing was held on the proposed property tax levy. McCampbell motioned to open the public hearing and was seconded by Cary. Broeker explained the new HF718 legislation. Jim Holtkamp, Tama Twp., and Greg Mangold, 2216 Senica Dr., both asked the Board of Supervisors questions regarding the letter they received and for clarification on the assessment value and the County budget process. Chairman Broeker asked Auditor Doty if she received any public comment in the Auditor's Office. None received. Cary made a motion to close the public hearing and McCampbell seconded.

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

Tom Broeker, Chair

Attest: Sara Doty, County Auditor

April 9, 2024

The Des Moines County Board of Supervisors met in regular session at the Court House in Burlington at 9:00 AM on Tuesday, April 9, 2024, with Chair Tom Broeker, Vice-Chair Jim Cary, and Member Shane McCampbell present. This meeting was also held electronically via Webex and YouTube live streaming. Public input was available through board email or call in.

Item 5D was removed from the agenda. Unless otherwise noted, all motions passed unanimously. The Pledge of Allegiance was conducted.

Meeting with Department Heads: County Auditor Sara Doty wanted to remind the public that Rural Spring Cleanup began on April 8th and will run until June 8th or the funds are depleted. IT Director Colin Gerst reported his office is busy. Sheriff Kevin Glendening reported the "Bob's Best Shot Memorial Ride" took place this past Saturday and raised roughly \$12,000 for our local K9 units. The active shooter training that was held at the Courthouse this past Friday went well. The jail population is 92. Assessor Matt Warner stated the 2024 assessment notices were sent out last week. The month of April is the time frame to appeal your value at the Assessor's Office. The Board of Review petitions are taken until April 30th. Local Health Director Christa Poggemiller reported her office is busy. Budget Director Cheryl McVey stated we have received several letters from the HF718 mailing as returned in the Auditor's Office. If you did not receive a letter, you can give the Auditor's Office a call and see if we have it in the office. MHASEI CDS Director Ken Hyndman gave us a Mental Health update. County Recorder Natalie Steffener reported her office is busy. Emergency Management Director Shannon Prado reported there are new emergency response guidebooks from the State, and you can access them online if needed. She also added that the Active Shooter training held on Friday was a success. County Attorney Lisa Schaefer reported her office is busy. County Engineer Brian Carter stated the weather is getting warmer and his crews are getting busier. Golf Course Rd closed yesterday, and the contractors are on site working today. Spring Lake and Sullivan Slough Railroad crossings were looking at getting closed by the railroad on the 18th & 19th of April, but with those being an only access point for some residents, they went back to the drawing board. They are potentially looking at putting a gravel jog around the crossing for traffic, while they repair the crossing. The Engineer's Office will update the public, as they are notified. Maintenance Director Rodney Bliesener stated the active shooter drill went well and wanted to give his thanks to all involved in making it happen.

No correspondence was received.

Approval of Resolution #2024-021 Setting Time & Date for FY25 Budget Hearing was presented. Cary made a motion to approve and was seconded by McCampbell.

INSERT RESOLUTION #2024-021

Public Hearing on Proposal to Enter Into a General Purpose Loan Agreement was conducted. McCampbell made a motion to open the public hearing and was seconded by Cary. No public comments were made. Broeker asked Auditor Doty if any public comments were received in the Auditor's Office. None received. Cary made a motion to close the public hearing and was seconded by McCampbell.

Approval of Resolution #2024-022 Taking Additional Action on Proposal to Enter Into a General Obligation Loan Agreement and Providing for the Levy of Taxes to Pay General Obligation County Purpose Notes, Series 2024 was presented. McCampbell made a motion to approve and was seconded by Cary.

INSERT RESOLUTION #2024-022

Reports – Recorder's Report of Fees Collected, March 2024.

Cary motioned to approve the April 2nd, 2024, regular meeting minutes and was seconded by McCampbell.

Cary attended a Southeast Iowa Crime Commission and Juvenile Detention meeting. Broeker attended a County Safety Committee meeting.

The meeting was adjourned at 10:09 AM.

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

Tom Broeker, Chair
Attest: Sara Doty, County Auditor