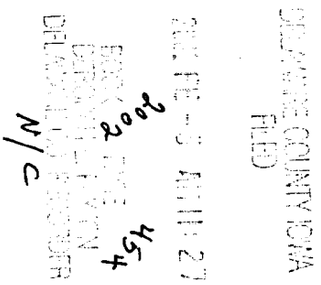
Del. Co. Aud.



Instrument Preparer: Sharon McCrabb, Counthouse, Manchester, Iowa phone - 563 927 4701

CERTIFICATION

Attached hereto is the supporting documentation for the passage of Ordinance #22 entitled "An Ordinance Readopting the existing County Code of Delaware County, Iowa" by the Delaware County Board of Supervisors.

1. Copy of the Board of Supervisors Official Minutes, Book W, Page 457, dated October 29, 2001, showing the Ordinance approved and dates set for the first and second readings.

2. Proof of Publication of the Public Notice published November 6, 2001 in The Manchester Press and November 7, 2001 in the Delaware County Leader showing the first consideration of Ordinance #22, set for December 3rd, 2001.

3. Proof of Publication of the Public Notice published November 13th, 2001 in The Manchester Press and November 14th, 2001 in the Delaware County Leader showing the second consideration of Ordinance #22, set for December 10, 2001.

4. Copy of Official Minutes of the Board of Supervisors, dated December 3, 2001, showing the first reading of the ordinance. (Book W, page 462).

5. Copy of the Official Minutes of the Board of Supervisors, dated December 10, 2001, showing the second and final reading and adoption of Ordinance #22.

6. Proof of Publication of the full text of the ordinance published on December 18th, 2001 in The Manchester Press and on December 19th, 2001 in the Delaware County Leader.

I, Sharon McCrabb, County Auditor, do hereby certify that the attached are true copies or originals of the above listed instruments.

Dated this 5 day of February, 2002.

Sharon McCrabb, County Auditor

STATE OF IOWA)
) SS:
DELAWARE COUNTY)

Subscribed and sworn to before me, and in my presence by Sharon McCrabb, Delaware County Auditor, this 5 day of February, 2002.

Carolyn A. Wilson

NOTARIAL SEAL IOWA
CAROLYN A. WILSON
Commission Number 167742
My Comm. Exp. 12-17-04

DELAWARE COUNTY ORDINANCE #22

Title: An ordinance readopting the existing county code of Delaware County, Iowa:

SECTION 1. PURPOSE. Code of Iowa Section 331.302, subsection 9, requires that once every five years a County shall compile its code of ordinances. This ordinance readopts ordinances already in effect and amends certain ordinances and/or repeals any ordinance deemed no longer necessary to the operation of Delaware County, Iowa, or to the health, safety and welfare of its citizens.

SECTION 2. READOPTION OF CURRENT CODE. The following ordinances have been previously adopted and enacted into law and were duly published as the law provides. They are stated herein by number and subject matter and by the authority of the Delaware County Board of Supervisors comprise the Delaware County Code of Ordinances:

1. No. 2 "An Ordinance Establishing the Area Service System B Road Classification in Delaware County, Iowa" readopted in its entirety.

2. No. 3 "An Ordinance to Establish the Policy and Level of Service in Respect to Clearance of Snow or Ice and Maintenance of This County's Secondary Roads During the Winter Months" readopted in its entirety.

3. No. 7 "Waste Disposal, Solid Waste Management and Disposal, Separation of Yard Waste from all Other Garbage and Refuse" readopted in its entirety.

4. No. 11 "An Ordinance to Impose a Local Option Sales and Services Tax in Delaware County" readopted in its entirety

5. No. 11a "An Ordinance Adopting Rules for the Construction and Abandonment of Private Water Wells in Delaware County" readopted in its entirety.

6. No. 12 "An Ordinance for the establishment and Maintenance of a Uniform Rural Address System for Delaware County" readopted in its entirety.

7. No. 14 "An Ordinance Prescribing the General Relief Program in Delaware County" readopted in its entirety.

8. No. 15 "An Ordinance Relating to Property Tax Exemptions" readopted in its entirety.

9. No. 16 "An Ordinance Relating to Gifts that may be Accepted or Received by County Officials, Employees, Candidates or their Immediate Family Members" readopted in its entirety.

10. No. 17 "An Ordinance Establishing the area Service "C" Road Classification in Delaware County, Iowa" readopted in its entirety.

11. No. 18 "An Ordinance to Impose a Local Option Sales and Services Tax in Delaware County" readopted in its entirety.

12. No. 19 "Delaware County On-Site Wastewater Treatment and Disposal Systems" readopted in its entirety.

13. No. 20 "Delaware County Regulations for Non-Public Water Wells" readopted in its entirety.

14. No. 21 "An Ordinance Establishing Voting Precincts and Supervisor Districts Pursuant to the 2000 Population Census" adopted in its entirety.

SECTION 3. REPEAL OF COUNTY LAW. The following ordinances deemed by the Board of Supervisors to be of no further value to the operation of Delaware County or to the health, safety and welfare of its citizens, are hereby repealed:

1. No. 9 "An Ordinance to Impose a Local Option Sales and Services Tax in Delaware County" repealed in its entirety.

2. No. 10 "An Ordinance to Impose a Local Option Sales and Services Tax in Delaware County" repealed in its entirety.

3. No. 13 "An Ordinance Readopting the Existing County Code and Amending and/or Repealing Certain Portions therein, Delaware County, Iowa" repealed in its entirety.

SECTION 4. CODE OF ORDINANCES. Copies of the code as adopted herein shall now be on file and available for public inspection in the Office of the County Auditor during regular office hours.

SECTION 5. WHEN EFFECTIVE. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed and adopted by the Board of Supervisors this 10th day of December, 2001.

DELAWARE COUNTY BOARD OF SUPERVISORS

Bill Skinner

Bill Skinner, Chairperson

Shirley E. Helmrichs

Shirley E. Helmrichs

G. Eldon Koeneke

G. Eldon Koeneke

ATTEST:

Sharon McCrabb

Sharon McCrabb, Auditor and Clerk to the Board of Supervisors

Supervisor's Minutes,

KOCH BROTHERS, DES MOINES C-089-X H-0192-1

October 29, 2001
Manchester, Iowa

STATE OF IOWA)
) SS:
DELAWARE COUNTY)

The Delaware County Board of Supervisors met in regular session this date at 1:00 p.m. with all members present. Bill Skinner, Chairperson, called the meeting to order.

Motion made by Helmrichs, seconded by Koeneke and carried that the following county employees be allowed to attend their respective meetings: F.K. Porter and Susan Krager to attend jail certification school of instruction November 26 through November 30 in Des Moines; Catherine Moellers to visit a client in Rock Valley October 31 through November 1; Laura Schuman to attend a Mental Health Conference in Cedar Rapids on November 9, 2001; Eldon Koeneke to attend a WorkForce Development meeting in Elkader on October 30th; Bill Skinner to attend an ECIA meeting in Dubuque on November 1st. All ayes.

Motion made by Koeneke, seconded by Helmrichs and carried that the following claims be allowed for payment:

	General Basic Fund	
Iowa Telecom	phone service	$15.18
Maquoketa Valley REC	electric service	901.75
Mastercard	meals & envelopes	414.04
Wal Mart	supplies & jail repair	76.79
Iowa Telecom	phone service	322.26
Consolidated Energy Co.	gasohol	2,145.32
	Mental Health Fund	
Iowa Telecom	phone service	136.62
Kirkwood Community College	registration fee	45.00
Mastercard	hotel registration	64.43
Peoples Natural Gas	utility service	13.04
Wal Mart	office supplies	38.64
	Conservation Trust Fund	
Alliant Utilities	electric service	7.88
	Secondary Road Fund	
Peoples Natural Gas	utility service	14.96
AT&T	phone service	126.88
Iowa Telecom	phone service	33.25
Consolidated Energy	fuel	4,844.42
Alliant Energy	utility service	11.55

All ayes.

Motion made by Helmrichs, seconded by Koeneke and carried that the Applications for Approval of Underground Construction on Delaware County Right-of-Way for the City of Earlville to run two six inch water mains under Margaret Street and one under Northern Avenue be approved. All ayes.

Motion made by Koeneke, seconded by Helmrichs and carried that Ordinance #22 entitled "An Ordinance Readopting the Existing County Code of Delaware County, Iowa" be approved and the dates of December 3rd and December 10 be set for the first and second readings of the ordinance at 1:00 p.m. in the Supervisors' Office, Courthouse, Manchester, Iowa. All ayes.

Motion made by Helmrichs, seconded by Koeneke and carried that the resignation of Edward L. Funke as seasonal part-time roadside mower for the secondary road department be approved effective October 23, 2001. All ayes.

Bill Skinner, Chairperson, announced that a meeting of the Emergency Management Board had been held on October 24th and Norman Wellman was appointed to assume the duties of the Emergency Management Director at an annual salary of $6,565.00 to replace Garlyn Glanz who resigned. Norman Wellman's salary is effective October 28, 2001.

Eldon Koeneke stated that there is a need to get someone to work in the County Services office since the duties are increasing. Currently there is one full time person and one part-time.

Motion made by Koeneke, seconded by Helmrichs and carried that the following Resolution be approved:

RESOLUTION

WHEREAS, Title III, Section 301 of the Emergency Planning and Community Right-to-know Act (EPCRA) of 1986 establishes the requirement for Local Emergency Planning Committees (LEPCs); and

WHEREAS, The County formed an LEPC as required; and

WHEREAS, each County is required to have a hazardous materials emergency plan on file with the SERC; and

WHEREAS, it has been determined that the merger of LEPCs would improve emergency planning efficiency and effectiveness; and

WHEREAS, such merger is allowed by state law; and

WHEREAS, each existing LEPC will continue to have representation on the Regional Planning Committee;

THEREFORE BE IT RESOLVED, that the Delaware County LEPC merge with other LEPCs to form the VI Regional Emergency Planning Committee, which will serve the communities in the VI Regional Emergency Planning District. It is understood that each county must continue to develop and maintain a state approved multi-hazard emergency operations plan, including a section for hazardous materials emergencies.

Passed this 29th day of October, 2001

Chair of the Board of Supervisors: /S/ Bill Skinner

ATTEST: /S/ Sharon McCrabb, Auditor

Supervisor's Minutes,

Motion made by Helmrichs, seconded by Koeneke and carried that the petition to the Iowa Emergency Response Commission to approve Delaware County's merger with the proposed VI Regional Emergency Planning District composed of the following counties: Benton, Buchanan, Clayton, Fayette, Jones, Cedar and Iowa, be approved, and the Board Chair sign same. All ayes.

Shirley Helmrichs stated that the Board had been presented with a plaque from the Iowa Community Action Association for work done to allow Operation: New View to move into the Manchester Office. New View brought over $1,000,000 back into Delaware County last year through services provided to Delaware County residents.

Mark Nahra, County Engineer, updated the Board on road and bridge projects.

There being no further business, this meeting adjourned. These minutes were read and approved.

Bill Skinner
Bill Skinner, Chairperson

Sharon McCrabb
Sharon McCrabb, Auditor

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November 5, 2001
Manchester, Iowa

STATE OF IOWA)
) SS:
DELAWARE COUNTY)

The Delaware County Board of Supervisors met in regular session this date at 1:00 p.m. with all members present. Bill Skinner, Chairperson, called the meeting to order.

Motion made by Helmrichs, seconded by Koeneke and carried that Shirley Helmrichs and Eldon Koeneke be allowed to attend an Operation: New View meeting in Dubuque on November 8, 2001. All ayes.

Motion made by Koeneke, seconded by Helmrichs and carried that the payroll of 11-2-01 in the amount of $102,881.98 through warrants #2497 -2614 and the following claims be allowed for payment:

	GENERAL BASIC FUND	
Iowa Telecom	phone service	$187.79
Steve's Welding	signs	1,200.00
AT&T	phone service	750.23
	MENTAL HEALTH FUND	
AT&T	phone service	349.12

All ayes.

Motion made by Helmrichs, seconded by Koeneke and carried that the following "Applications for Approval of Underground Construction on Delaware County Right-of-Way" be approved: Iowa Telecom for a copper voice cable 4 miles NW from Manchester; Mediacom LLC boring for fiber optic cable 1.5 miles North from Manchester. All ayes.

Motion made by Koeneke, seconded by Helmrichs and carried that the wage for Kurt Hoefer, Deputy Sheriff, be increased from 78% of the Sheriff's salary to 82% resulting in $17.06 per hour effective November 7, 2001, after having successfully completed his probationary period. All ayes.

Motion made by Helmrichs, seconded by Koeneke and carried that the following new employees be approved for the Community Services Department: Susan Cauten as full time case manager at $23,000.00 annually, effective November 12, 2001 and filling a vacancy; Agnes Wulfekuhle as part time janitor at $5.25/hr. for a maximum of four hours of work per week, effective November 5, 2001. All ayes.

Motion made by Koeneke, seconded by Helmrichs and carried that the resignation of Joe Hodges as seasonal part-time truck driver for the secondary road department, effective October 20, 2001, be approved. All ayes.

Motion made by Helmrichs, seconded by Koeneke and carried that the New Jobs and Income Program (NJIP) Agreement for the Northeast Iowa Grain Processors Cooperative be approved and signed by the Board Chair. All ayes.

The Board announced that they would meet as follows: November 8th, 2001 at 8:00 a.m. for the canvass of the cities opting for runoff elections; November 13th, 2001 at 9:00 a.m. for the canvass of the regular city election; 10:00 a.m. for the regular Supervisors' meeting; November 20th, 2001 at 1:00 p.m. for the Supervisors' regular meeting.

Eldon Koeneke announced that because of State budget cuts, the human services offices in Jones and Clayton counties will be closing and Delaware County may be picking up more office people to help with additional client services.

Discussion was held on the possible closing of the Clerk of Court's Office in Delaware County.

Mark Nahra, County Engineer, gave the Board an update on road and bridge projects.

There being no further business, this meeting adjourned. These minutes were read and approved.

Bill Skinner
Bill Skinner, Chairperson

Sharon McCrabb
Sharon McCrabb, Auditor

STATE OF IOWA, Delaware County-ss.

I, Larry K. Woellert, being duly sworn depose and say that I am publisher of The Manchester Press, a newspaper published weekly in Manchester, in said county, and that the Del Co Auditor in case of Public Notice

a copy of which is hereto attached, was published in said newspaper for 1 weeks consecutively; the first publication having been made on the 6 day of Dec A.D. 2001, and the last on the 6 day of Dec A.D. 2001

Publication fee, $ 17.02

Larry K. Woellert

Subscribed by Larry K. Woellert and by him sworn to before me, a notary public in and of Delaware County, Iowa this 6 day of Dec A.D. 2001

Witness my hand and seal the date last above written.

Peggy A McElhaney Notary Public

NOTARIAL SEAL IOWA
PEGGY A. McELHANEY
MY COMMISSION EXPIRES
8-13-03

PUBLIC NOTICE

Public notice is hereby given that the Delaware County Board of Supervisors will meet to consider Ordinance #22 entitled AN ORDINANCE READOPTING THE EXISTING COUNTY CODE OF DELAWARE COUNTY, IOWA at their regular meeting on December 3rd, 2001 at 1:00 p.m. in the Courthouse, Manchester, Iowa.

Summary: Once every five years a County must compile its code of ordinances readopting ordinances already in effect and amending or repealing others having to do with the operation of Delaware County or for the health, safety and welfare of its citizens.

Copies of the full text of the Ordinance are available to the public at the Auditor's Office.

Sharon McCrabb
Delaware County Auditor
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Legal Notice
Delaware County
PUBLIC NOTICE

Public Notice is hereby given that the Delaware County Board of Supervisors will meet to consider Ordinance #22 entitled AN ORDINANCE READOPTING THE EXISTING COUNTY CODE OF DELAWARE COUNTY, IOWA at their regular meeting on December 3rd, 2001 at 1:00 p.m. in the Courthouse, Manchester, Iowa.

Summary: Once every five years, a County must compile its code of ordinances readopting ordinances already in effect and amending or repealing others having to do with the operation of Delaware County or for the health, safety and welfare of its citizens.

Copies of the full text of the Ordinance are available to the public at the Auditor's Office.

Sharon McCrabb,
Delaware County Auditor

State of Iowa, Delaware County, ss

I, Mary Heele being duly sworn, state that I am the publisher of the Delaware County Leader, a newspaper published at Hopkinton, Delaware County, Iowa, and the attached notice was published in said newspaper for one consecutive weeks beginning November 7 2001, and ending Same 20____.

PRINTERS FEES: $ 9.13

Mary Heele

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME BY Mary Heele ON THIS 29th DAY OF November, 2001

Geraldine P. Huber
Notary Public

GERALDINE P. HUBER
Commission Number 150066
My Commission Expires
Jan 26 2004

KOCH BROTHERS, DES MOINES C-089-X H-0192-1

November 26, 2001
Manchester, Iowa

STATE OF IOWA)
) SS:
DELAWARE COUNTY)

The Delaware County Board of Supervisors met in regular session this date at 1:00 p.m. with Koeneke present and Helmrichs and Skinner absent. Eldon Koeneke recessed the meeting for lack of a quorem. The meeting will be continued at 1:00 p.m. on November 28th.

Eldon Koeneke, Vice-Chairperson

Sharon McCrabb, Auditor

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November 28, 2001
Manchester, Iowa

STATE OF IOWA)
) SS:
DELAWARE COUNTY)

The Delaware County Board of Supervisors met in regular session this date at 1:00 p.m. with Helmrichs and Koeneke present and Skinner absent. Eldon Koeneke, Vice-Chairperson, called the meeting to order.

Motion made by Helmrichs, seconded by Koeneke and carried that the following county employees be allowed to attend their respective meetings: JoEllen Holtorf and Rick Harbaugh to attend an Engineer's Service Bureau meeting in Independence on December 4, 2001; Mark Nahra to attend an Engineer's Service Bureau meeting in Washington, Iowa on December 5, 2001 and a Transportation Board meeting in Washington, D.C. on January 5th through 12th; Rick Harbaugh to attend an Eagle Point Engineer's Workshop in Ames on December 10, 2001. All ayes.

Motion made by Helmrichs, seconded by Koeneke and carried that the following claims be allowed for payment:

	General Basic Fund	
Alliant Energy	electric service	$596.68
Wal-Mart	equipment & supplies	226.05
Iowa Telecom	phone service	137.07
Peoples Natural Gas	utility service	196.32
Ronald Garner	labor/jury room	712.00
Delaware County Sheriff's Dept.	replenish petty cash	50.00
Michael Weber	labor/jury room	300.00
QWest	phone service	.99
	Mental Health Fund	
Iowa Telecom	phone service	136.62
Wal-Mart	supplies	317.33
Mastercard	meeting registration	13.00
	Conservation Trust Fund	
Alliant Energy	electric service	7.60
	Secondary Road Fund	
Peoples Natural Gas	utility service	31.18
Alliant Energy	electric service	35.10
Iowa Telecom	phone service	41.70

All ayes.

Motion made by Helmrichs, seconded by Koeneke and carried that taxes be abated on a mobile home on land leased of Roy Ingles as follows: $360.00 for the taxes to be paid 2001/2002 and all taxes to be paid in 2002/2003. The taxes are listed in the name of Conseco Finance Servicing Co. in Greeley Corp. The mobile home was repossessed, sold and moved prior to the end of March, 2001. All ayes.

Motion made by Helmrichs, seconded by Koeneke and carried that the "Juvenile Justice Youth Development Program Subgrantee Contract" for monthly cost of a pager/cell phone for the juvenile probation officer with total amount being $736.00 for the period October 1, 2001 through September 30,2002, be approved. All ayes.

Mark Nahra, County Engineer updated the Board on secondary road projects.

There being no further business, this meeting adjourned. These minutes were read and approved.

Eldon Koeneke, Vice-Chairperson

Sharon McCrabb, Auditor

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December 3, 2001
Manchester, Iowa

STATE OF IOWA)
) SS:
DELAWARE COUNTY)

The Delaware County Board of Supervisors met in regular session this date at 1:00 p.m. in the Supervisors' Office, Courthouse, Manchester, Iowa. Bill Skinner, Chairperson, called the meeting to order with all members present.

Motion made by Koeneke, seconded by Helmrichs and carried that the following county employees be allowed to attend their respective meetings: Shirley Helmrichs and Eldon Koeneke to attend an Operation: New View meeting in Dubuque on December 4th; Norm Wellman to attend a District 6 Emergency Management meeting on December 20, 2001 in Cedar Rapids. All ayes.

Supervisor's Minutes,

Motion made by Helmrichs, seconded by Koeneke and carried that the following claims be allowed for payment along with the 11-30-01 payroll in the amount of $107,213.74 through warrants #3130 - #3242:

	General Basic Fund	
Peoples Natural Gas	utility service	$66.20
Postmaster	Recorder's postage	46.00
U. S. Post Office	Human Services postage	1,080.00
	Mental Health Fund	
Amoco Oil Co.	fuel	544.73
	Secondary Road Fund	
Mastercard	supplies	200.94

All ayes.

The first reading of Delaware County Ordinance #22 entitled "An ordinance readopting the existing county code of Delaware County, Iowa" was held. The second reading will be held December 10th. Motion made by Koeneke, seconded by Helmrichs and carried that the first reading of Ordinance #22 be acknowledged. All ayes.

Motion made by Helmrichs, seconded by Koeneke and carried that Chris Deutmeyer and Randy Gudenkauf be approved as maintenance men for the secondary road department retroactive to November 26, 2001, at $11.46 per hour, both as full time. All ayes.

Discussion and hearing date for classification of Agreement, re Hopkinton bridge will be considered at the December 10th official meeting.

Motion made by Koeneke, seconded by Helmrichs and carried that a public hearing be held December 17, 2001 at 1:00 p.m. for reclassification of approximately one mile of 297th Street to a level C. Road, gated at both ends, per petition filed. All ayes.

Bill Skinner appointed the Board of Supervisors an ad hoc committee to study the county budgets.

The Board acknowledged a petition signed by eight people requesting the closing of 181st Avenue, a dead end gravel road south of Manchester.

Mark Nahra, County Engineer, updated the Board of various secondary road projects.

There being no further business, this meeting adjourned. These minutes were read and approved.

Bill Skinner
Bill Skinner, Chairperson

Sharon McCrabb
Sharon McCrabb, Auditor

STATE OF IOWA, Delaware County-ss.

I, Larry K. Woellert, being duly sworn depose and say that I am publisher of The Manchester Press, a newspaper published weekly in Manchester, in said county, and that the

Dec 20

Auditor

in case of Public Notice

a copy of which is hereto attached, was published in said newspaper for 1 weeks consecutively; the first publication having been made on the 13 day of Dec A.D. 2001, and the last on the 13 day of Dec A.D. 2001

Publication fee, $ 17.02

Larry K. Woellert

Subscribed by Larry K. Woellert and by him sworn to before me, a notary public in and of Delaware County, Iowa this 13 day of Dec A.D. 2001

Witness my hand and seal the date last above written.

Peggy A. McElhaney Notary Public

NOTARIAL SEAL IOWA

PEGGY A. McELHANEY
MY COMMISSION EXPIRES
8-13-03

PUBLIC NOTICE

Public notice is hereby given that the Delaware County Board of Supervisors will meet for the second and final time to consider Ordinance #22 entitled AN ORDINANCE RE-ADOPTING THE EXISTING COUNTY CODE OF DELAWARE COUNTY, IOWA at their regular meeting on December 10th, 2001 at 1:00 p.m. in the Courthouse, Manchester, Iowa.

Summary: Once every five years a County must compile its code or ordinances readopting ordinances already in effect and amending or repealing others having to do with the operation of Delaware County or for the health, safety and welfare of its citizens.

Copies of the full text of the Ordinance are available to the public at the Auditor's Office.

Sharon McCrabb
Delaware County Auditor
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Legal Notice
Delaware County
PUBLIC NOTICE 11-4-01

Public Notice is hereby given that the Delaware County Board of Supervisors will meet for the second and final time to consider Ordinance #22 entitled AN ORDINANCE READOPTING THE EXISTING COUNTY CODE OF DELAWARE COUNTY, IOWA at their regular meeting on December 10th, 2001 at 1:00 p.m. in the Courthouse, Manchester, Iowa.

Summary: Once every five years a County must compile its code or ordinances readopting ordinances already in effect and amending or repealing others having to do with this operation of Delaware County or for the health, safety and welfare of its citizens.

Copies of the full text of the Ordinance are available to the public at the Auditor's Office.

Sharon McCrabb,
Delaware County Auditor

State of Iowa, Delaware County, ss
I, Mary Heele being duly sworn, state that I am the publisher of the Delaware County Leader, a newspaper published at Hopkinton, Delaware County, Iowa, and the attached notice was published in said newspaper for One consecutive weeks beginning November 14 2001, and ending same 20____.
PRINTERS FEES: $11.23

Mary Heele

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME BY Mary Heele
ON THIS 29th DAY OF November, 2001

Geraldine P. Huber
Notary Public

DINE P. HUBER
Number 150066
Commission Expires
Jan 26-2004

Motion made by Helmrichs, seconded by Koeneke and carried that the following claims be allowed for payment along with the 11-30-01 payroll in the amount of $107,213.74 through warrants #3130 - #3242:

	General Basic Fund	
Peoples Natural Gas	utility service	$66.20
Postmaster	Recorder's postage	46.00
U. S. Post Office	Human Services postage	1,080.00
	Mental Health Fund	
Amoco Oil Co.	fuel	544.73
	Secondary Road Fund	
Mastercard	supplies	200.94

All ayes.

The first reading of Delaware County Ordinance #22 entitled "An ordinance readopting the existing county code of Delaware County, Iowa" was held. The second reading will be held December 10th. Motion made by Koeneke, seconded by Helmrichs and carried that the first reading of Ordinance #22 be acknowledged. All ayes.

Motion made by Helmrichs, seconded by Koeneke and carried that Chris Deutmeyer and Randy Gudenkauf be approved as maintenance men for the secondary road department retroactive to November 26, 2001, at $11.46 per hour, both as full time. All ayes.

Discussion and hearing date for classification of Agreement, re Hopkinton bridge will be considered at the December 10th official meeting.

Motion made by Koeneke, seconded by Helmrichs and carried that a public hearing be held December 17, 2001 at 1:00 p.m. for reclassification of approximately one mile of 297th Street to a level C. Road, gated at both ends, per petition filed. All ayes.

Bill Skinner appointed the Board of Supervisors an ad hoc committee to study the county budgets.

The Board acknowledged a petition signed by eight people requesting the closing of 181st Avenue, a dead end gravel road south of Manchester.

Mark Nahra, County Engineer, updated the Board of various secondary road projects.

There being no further business, this meeting adjourned. These minutes were read and approved.

Bill Skinner
Bill Skinner, Chairperson

Sharon McCrabb
Sharon McCrabb, Auditor

****

December 10, 2001
Manchester, Iowa
11:30 a.m.

STATE OF IOWA)
) SS:
DELAWARE COUNTY)

The Delaware County Board of Supervisors met in special session this date as the Board of County Canvassers, to canvass the votes cast in the runoff elections held in the cities of Hopkinton and Colesburg on December 4, 2001. The tally lists returned from the two election precincts show results as follows:

COLESBURG - For city council, one to be elected, Julie Wessel was declared duly elected for the term of four years.

HOPKINTON - For city council, one to be elected, Steve Davis was declared duly elected for the term of four years.

There being no further business, this meeting adjourned. These minutes were read and approved.

Bill Skinner
Bill Skinner, Chairperson

Sharon McCrabb
Sharon McCrabb, Auditor

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December 10, 2001
Manchester, Iowa
1:00 p.m.

STATE OF IOWA)
) SS:
DELAWARE COUNTY)

The Delaware County Board of Supervisors met in regular session this date with all members present. Bill Skinner, Chairperson, called the meeting to order with nine persons present.

Shari Cummings, President, of the Delaware County Library Association addressed the Board and asked for $65,800 for the 2002/2003 FY library budget. She passed out information showing usage of the county libraries at 27% for rural patrons. The cities in Delaware County without libraries are paying the library association $2.00 per capita. In cities with libraries, the cost to taxpayers ranges from $6.00 to $35.00 per capita per year. More discussion was held on library mailings to patrons and access for the elderly and persons taking books from other libraries and returning them to local libraries.

The Board acknowledged receipt of the requested budget figure and told the people present that no decisions could be made until the budget process was farther along and the Board knew what they could afford.

Motion made by Helmrichs, seconded by Koeneke and carried that Mark Nahra, County Engineer, attend a RISE grant hearing in Ames on December 11, 2001 and Eldon Koeneke and Shirley Helmrichs attend an Operation: New View meeting in Dubuque on December 13, 2001. All ayes.

Motion made by Koeneke, seconded by Helmrichs and carried that the claims shown on pages 462a through 462d be approved along with the handwritten claims as follows:

	GENERAL BASIC FUND	
U. S. Cellular	phone service	$26.15
Alliant Energy	electric service	93.72

KOCH BROTHERS DES MOINES C-089-X H-0192-1

Motion made by Helmrichs, seconded by Koeneke and carried that the following Resolution be approved:

RESOLUTION

BE IT HEREBY RESOLVED by the Delaware County Board of Supervisors that Applications for Family Farm Credit be approved for all applicants with qualifying parcels for the tax year 2002/2003 with the exception of the following:

1. Arden J. & Dena L. Fischer

   W½ NE ex Ry, Section 19, Twp. 88, Range 5
   S 2/3 A SW SW, Section 17, Twp., 88, Range 5
   S 2/3 S½ SE ex Ry, Section 18, Twp. 88, Range 5

   Received after the deadline.

2. Norman E. & Linda A. Price

   W½ SE, W½ NE SE, Section 16, Twp. 87, Range 4
   N½ NW NE, Section 21, Twp. 87, Range 4

   Received after the deadline.

Dated this 10th day of December, 2001.

Delaware County Board of Supervisors
/S/ Bill Skinner, Chairperson
/S/ G. Eldon Koeneke
/S/ Shirley E. Helmrichs

ATTEST: /S/ Sharon McCrabb, Auditor

All ayes.

Motion made by Koeneke, seconded by Helmrichs and carried that the recommendation of the Delaware County Compensation Board for elected officials wages be acknowledged for the 2002/2003 fiscal year as follows: Supervisors - $22,884; Sheriff - $45,008; Auditor, Recorder and Treasurer - $36,183; County Attorney - $54,732. This represents 4% across the board. All ayes.

Motion made by Helmrichs, seconded by Koeneke and carried that the following transfers to Secondary Road Fund be approved: $16,913.32 from Rural Services Fund and $2,604.17 from the General Basic Fund. All ayes.

Motion made by Koeneke, seconded by Helmrichs and carried that the Monthly Report and Remittance of the Clerk of the District Court for the month of November, 2001, showing $509.74 received and deposited into the General Basic Fund be approved. All ayes.

Motion made by Helmrichs, seconded by Koeneke and carried that after the second and final reading of Ordinance #22, the ordinance be adopted as follows:

DELAWARE COUNTY ORDINANCE #22

Title: An ordinance readopting the existing county code of Delaware County, Iowa.

SECTION 1. PURPOSE. Code of Iowa Section 331.302, subsection 9, requires that once every five years a county shall compile its code of ordinances. This ordinance readopts ordinances already in effect and amends certain ordinances and/or repeals any ordinance deemed no longer necessary to the operation of Delaware County, Iowa, or to the health, safety and welfare of its citizens.

SECTION 2. READOPTION OF CURRENT CODE. The following ordinances have been previously adopted and enacted into law and were duly published as the law provides. They are stated herein by number and subject matter and by the authority of the Delaware County Board of Supervisors comprise the Delaware Code of Ordinances:

1. No. 2 "An Ordinance Establishing the Area Service System B Road Classification in Delaware County, Iowa" readopted in its entirety.
2. No. 3 "An Ordinance to Establish the Policy and Level of Service in Respect to Clearance of Snow or Ice and Maintenance of This County's Secondary Roads During the Winter Months" readopted in its entirety.
3. No. 7 "Waste Disposal, Solid Waste Management and Disposal, Separation of Yard Waste from all Other Garbage and Refuse" readopted in its entirety.
4. No. 11 "An Ordinance to Impose a Local Option Sales and Services Tax in Delaware County" readopted in its entirety.
5. No. 11a "An Ordinance Adopting Rules for the Construction and Abandonment of Private Water Wells in Delaware County" readopted in its entirety.
6. No. 12 "An Ordinance for the establishment and Maintenance of a Uniform Rural Address System for Delaware County" readopted in its entirety.
7. No. 14 "An Ordinance Prescribing the General Relief Program in Delaware County" readopted in its entirety.
8. No. 15 "An Ordinance Relating to Property Tax Exemptions" readopted in its entirety.
9. No. 16 "An Ordinance Relating to Gifts that may be Accepted or Received by County Officials, Employees, Candidates or their Immediate Family Members" readopted in its entirety.
10. No. 17 "An Ordinance Establishing the Area Service "C" Road Classification in Delaware County, Iowa" readopted in its entirety.
11. No. 18 "An Ordinance to Impose a Local Option Sales and Services Tax in Delaware County" readopted in its entirety.
12. No. 19 "Delaware County On-Site Wastewater Treatment and Disposal Systems" readopted in its entirety.
13. No. 20 "Delaware County Regulations for Non-Public Water Wells" readopted in its entirety.
14. No. 21 "An Ordinance Establishing Voting Precincts and Supervisor Districts Pursuant to the 2000 Population Census" adopted in its entirety.

SECTION 3. REPEAL OF COUNTY LAW. The following ordinances deemed by the Board of Supervisors to be of no further value to the operation of Delaware County or to the health, safety and welfare of its citizens, are hereby repealed:

1. No. 9 "An Ordinance to Impose a Local Option Sales and Services Tax in Delaware County" repealed in its entirety.

2. No. 10 "An Ordinance to Impose a Local Option Sales and Services Tax in Delaware County" repealed in its entirety.

3. No. 13 "An Ordinance Readopting the Existing County Code and Amending and/or Repealing Certain Portions therein, Delaware County, Iowa" repealed in its entirety.

SECTION 4. CODE OF ORDINANCES. Copies of the code as adopted herein shall now be on file and available for public inspection in the Office of the County Auditor during regular office hours.

SECTION 5. WHEN EFFECTIVE. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed and adopted by the Board of Supervisors this 10th day of December, 2001.

DELAWARE COUNTY BOARD OF SUPERVISORS
/S/ Bill Skinner, Chairperson
/S/ Shirley E. Helmrichs
/S/ G. Eldon Koeneke

ATTEST: /S/ Sharon McCrabb, Auditor and Clerk to the Board of Supervisors

All ayes.

Motion made by Koeneke, seconded by Helmrichs and carried that the resignation of Louis Coleman be accepted with regret and appreciation of his 24 years of service to Delaware County. All ayes.

Motion made by Helmrichs, seconded by Koeneke and carried that the Official Petition filed at the December 3 Official Board meeting to close 181st Avenue (south of Manchester) be followed up by the County Engineer by contacting other adjacent owners. Giving clear title to the land could be complicated and costly. All ayes.

The Board discussed the installation of snowmobile crossing signs with the County Engineer.

Motion made by Koeneke, seconded by Helmrichs and carried that the snowmobile route plan submitted with minor changes from last year be approved. All ayes.

Motion made by Helmrichs, seconded by Koeneke and carried that the following agreement be approved:

AGREEMENT BETWEEN DELAWARE COUNTY AND CITY OF HOPKINTON AND THE DELAWARE COUNTY CONSERVATION BOARD

MAQUOKETA RIVER BRIDGE REPLACEMENT PROJECT

This agreement is being entered into by Delaware County, hereafter referred to as COUNTY, the City of Hopkinton, hereafter referred to as CITY, and the Delaware County Conservation Board, hereinafter referred to as CONSERVATION. The purpose of this agreement shall be to define the responsibilities of the COUNTY and CITY in regard to restoration of CONSERVATION park facilities located within the aforementioned bridge replacement project corridor.

PROJECT NARRATIVE: The CITY and COUNTY are in the process of replacing the Maquoketa River Bridge and Overflow Bridge on County Highway D47, also known as 275th Avenue, or Marion Street, Hopkinton. This is a federal aid bridge replacement project. The design of the new bridges has been completed and is in compliance with current state and federal requirements for freeboard and hydraulic capacity. This design will result in a road grade raise throughout the project corridor until the new road grade meets existing grade approximately 400 feet west of the intersection of Pheasant Road and 315th Street. Dunlap Park, owned by CONSERVATION, lies south of the current and replacement main channel bridges. The road grade raise will result in the loss of the current parking lot for the park. The project work will also lower the dam and remove the existing foundation of the old turbine house. The turbine house foundation is extensively deteriorated and is beyond repair and will likely not survive the removal of the dam structure. The safe use of the turbine house foundation cannot be guaranteed after the new bridge, the dam lowering, and associated channel work has been completed. This agreement outlines the terms for the associated project work in regard to CONSERVATION property.

This agreement is being cooperatively entered into by the three entities, as set forth herein:

1. CONSERVATION herein states its support for the bridge replacement project and removal of the dams.

2. CONSERVATION agrees to allow the removal of the turbine house foundation, the lowering of the dam, and the loss of the existing parking area in Dunlap Park.

3. CONSERVATION agrees to provide the CITY and COUNTY adequate easement for road purposes on the westerly side of the Dunlap Park property.

4. The CITY and COUNTY recognize that the bridge replacement project will make changes in the use and function of the park. The loss of the turbine house foundation will result in the loss of a structure that has served as a fishing access at the park. The lowering of the dam and filling of the downstream plunge pool will also change the fishery available to park users. The park also serves as a canoe launch for the Maquoketa River and the changes in park access will affect this use as well.

The CITY, COUNTY and CONSERVATION agree to the following work in mitigation of the changes to the park property caused by the project:

a. The COUNTY and CITY will construct an aggregate surfaced pedestrian path from the Town of Hopkinton to Dunlap Park, providing sidewalks on both replacement bridges, as part of the project work. The CITY, up to the entrance of the park, will do future maintenance of the pedestrian path. The CITY and COUNTY will share maintenance of the bridge sidewalks.

b. The COUNTY and CITY will construct a new parking lot and entrance off of Mill Street, Hopkinton, to replace the parking area covered by the new road embankment.

c. The COUNTY and CITY agree to pay all costs as part of the project for the removal of the dam and turbine house foundation.

Supervisor's Minutes,

KOCH BROTHERS DES MOINES C-082-X H-0192-1

d. The CITY and COUNTY agree to replace the existing fishing access structure with a 4-foot wide pathway built of erosion stone along the newly constructed bank protection on the right, or park side, bank of the river. Pathway will be incorporated in the bank protection approximately 1-2 feet above normal water elevation. This work will be done as part of the bank protection work in the bridge replacement project.

e. The CITY and COUNTY will construct an improved canoe access at the park with precast concrete sections per Delaware County Conservation Department design as part of the project. Said access will be built at the downstream end of the channel protection on the right, or park side, bank of the river.

This agreement applies only to the construction of the bridge replacement project. All other maintenance and construction functions involving this park, the bridges and the road are, or will be covered under separate agreements between the CITY, COUNTY and CONSERVATION.

Nothing within the context of this Agreement shall be construed to transfer any liability from the COUNTY or the CITY to CONSERVATION, or vice versa.

This AGREEMENT shall be in effect from the date of approval by the Delaware County Board of Supervisors, the City of Hopkinton and the Delaware County Conservation Board until dissolved by agreement at the completion of the project.

The County Engineer and Conservation Executive Director shall be the administrators for this agreement.

Severability: If any part of this agreement is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the agreement as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

Project number BRM-3542(601) and (602)-8N-28 Project Agreement:

This agreement is approved by the Delaware County Board of Supervisors at the regular meeting on the 10th day of December, 2001.

For Delaware County: /S/ Bill Skinner, Chairperson
Board of Supervisors

ATTEST: /S/ Sharon McCrabb, County Auditor

All ayes.

Delaware County owns a maintainer shed in a residential area of the City of Ryan. The county plans on moving to a rural area next summer. Mark Nahra, County Engineer, explained to the Board that the City of Ryan has asked the county to consider three options for the shed within the city limits:

1. Consider donating the shed to the City of Ryan for their use.
2. Not selling the property to anyone that would not use it in compliance with City Ordinances.
3. Tear the shed down and sell the property as a residential lot.

The Supervisors agreed to consider the three options presented by the City of Ryan and promised to maintain the property in the interim. Motion made by Koeneke, seconded by Helmrichs to table a response to selling the Ryan maintainer shed. All ayes.

The Board agreed their next official meeting would be held on Friday, December 21st, 2001 at 1:00 p.m. if a meeting was necessary at that time. The Courthouse will close at noon on December 24th for Christmas Eve.

Motion made by Helmrichs, seconded by Koeneke and carried that the Investment Report submitted by the County Treasurer for the period through November 30, 2001, showing $4,702,521.19 invested in Delaware County banks be approved. All ayes.

The Board discussed their opposition to the closing of the Clerk of Court's Office. Eldon Koeneke read a letter the Board received from an attorney in Wright County proposing the 71 affected counties meet and organize to handle the proposed court restructuring plan.

Motion made by Koeneke, seconded by Helmrichs and carried that a letter be sent by the Board of Supervisors to the Iowa Judicial Council and state representatives reflecting the opposition to the court restructuring plan. All ayes.

There being no further business, this meeting adjounrned. These minutes were read and approved.

Bill Skinner, Chairperson

Sharon McCrabb, Auditor

****

December 17, 2001
Manchester, Iowa

STATE OF IOWA)
) SS:
DELAWARE COUNTY)

The Delaware County Board of Supervisors met in regular session this date at 1:00 p.m. with all members present. Bill Skinner, Chairperson, called the meeting to order.

Motion made by Helmrichs, seconded by Koeneke and carried that Pat Kane be allowed to attend a CPC meeting retroactive to December 14, 2001, in Des Moines. All ayes.

Motion made by Koeneke, seconded by Helmrichs and carried that the following claims be allowed for payment along with the December 13, 2001 payroll in the amount of $105,356.28 through warrants #3588 - #3709:

General Basic Fund

Ronald Garner	labor/jury room	$648.00
Iowa Comm. Network	phone service	40.52
Iowa Dept. of Ec. Development	handbook	25.00
Iowa Telecom	phone service	468.44
City of Manchester	rescue squad agreement	10,000.00

STATE OF IOWA, Delaware County-ss.

I, Larry K. Woellert, being duly sworn depose and say that I am publisher of The Manchester Press, a newspaper published weekly in Manchester, in said county, and that the

Deputy Auditor

in case of Ordinance # 22

a copy of which is hereto attached, was published in said newspaper for 1 weeks consecutively; the first publication having been made on the 19 day of Dec A.D. 2001, and the last on the 18 day of Dec A.D. 2001

Publication fee, $ 33.59

Larry K Woellert

Subscribed by Larry K. Woellert and by him sworn to before me, a notary public in and of Delaware County, Iowa this 18 day of Dec, A.D. 2001

Witness my hand and seal the date last above written.

Peggy A McElhaney Notary Public

NOTARIAL SEAL IOWA

PEGGY A. McELHANEY
MY COMMISSION EXPIRES
8/13-03

DELAWARE COUNTY ORDINANCE #22

Title: An ordinance readopting the existing county code of Delaware County, Iowa:

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SECTION 5. WHEN EFFECTIVE. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed and adopted by the Board of Supervisors this 10th day of December 2001.

DELAWARE COUNTY BOARD OF SUPERVISORS
/S/ Bill Skinner, Chairperson
/S/ Shirley E. Helmrichs
/S/ G. Eldon Koeneke

ATTEST:
/S/ Sharon McCrabb, Auditor and Clerk
to the Board of Supervisors

P103

Legal Notice
Delaware County

DELAWARE COUNTY
ORDINANCE #22

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SECTION 5. WHEN EFFECTIVE. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed and adopted by the Board of Supervisors this 10th day of December 2001.

DELAWARE COUNTY
BOARD OF SUPERVISORS
Bill Skinner, Chairperson
Shirley E. Helmrichs
G. Eldon Koeneke

ATTEST:
Sharon McCrabb, Auditor and
Clerk to the Board of Supervisors

State of Iowa, Delaware County, ss

I, Mary Helle being duly sworn, state that I am the publisher of the Delaware County Leader, a newspaper published at Hopkinton, Delaware County, Iowa, and the attached notice was published in said newspaper for one consecutive weeks beginning December 19 2001, and ending same 20 .

PRINTERS FEES: $ 42.65

Mary Helle

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME BY Mary Helle

ON THIS 4th DAY OF February, 2002

Geraldine P Huber
Notary Public

GERALDINE P. HUBER
Commission Number 150066
My Commission Expires
Jan 26-2004