Book 2019 Page 3505

2019 3505 Type 06 018 Pages 15
Date 12/11/2019 Time 10:28:39AM
Rec Amt $.00

Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared by and Return To: Carla K. Becker, County Auditor, 301 E. Main St., Manchester, IA 52057 (563) 927-4701

CERTIFICATION

Attached hereto are the following supporting documentation for the passage of an amendment to Paragraph #3 in Ordinance #39 entitled *"An Ordinance Regulating the Operation of All-Terrain Vehicles and Off-Road Utility Vehicles in Delaware County, Iowa"*, by the Delaware County Board of Supervisors:

1. Copy of Paragraph #3, County Ordinance #39
2. Proof of Publication of the Public Notice for the first reading of the Amendment to Paragraph #3, Ordinance #39 published August 21, 2019 in the *Manchester Press* and in the *Dyersville Commercial* and August 20, 2019 in the *Delaware County Leader*.
3. Copy of Resolution No. 2019-053 approving first reading and setting date for second reading.
4. Proof of Publication of the Public Notice for the second and final reading of the Amendment to Paragraph #3, Ordinance #39 published August 28, 2019 in the *Manchester Press* and in the *Dyersville Commercial* and August 27, 2019 in the *Delaware County Leader*.
5. Copy of Resolution No. 2019-059 approving second, and final, reading and to direct publication of said amended ordinance.
6. Copy of the Board of Supervisors Official Minutes of August 12, 2019 in Book 5, Page 24 through Page 25 setting the public hearing date for the first reading.
7. Copy of the Board of Supervisors Official Minutes of September 3, 2019 in Book 5, Page 30 through Page 33 showing the first approved reading of Ordinance #39 and setting the date for the second and final reading.
8. Copy of the Board of Supervisors Official Minutes of September 9, 2019 in Book 5, Page 34 through Page 35 showing the second and final approved reading of Ordinance #39.
9. Proof of Publication of the full text of the Amendment to Paragraph #3, Ordinance #39 on September 18, 2019 in the *Manchester Press* and the *Dyersville Commercial* and September 17, 2019 in the *Delaware County Leader*.

I, Carla K. Becker, Delaware County Auditor, do hereby certify that the attached are originals or true copies of the above listed instruments.

Dated this 11th day of December 2019.

Carla K. Becker, Delaware County Auditor

DELAWARE COUNTY IOWA OFFICIAL SEAL

STATE OF IOWA)
) SS:
DELAWARE COUNTY)

Subscribed and sworn to before me, and in my presence, by Carla K. Becker, Delaware County Auditor, this 11th day of December 2019.

NOTARIAL SEAL IOWA
ANNE RAVE
Commission Number 757587
MY COMMISSION EXPIRES
MARCH 25, 2021

Anne Rave, Notary Public in and for the State of Iowa

SECTION 3: OPERATION ON ROADWAYS. A registered All-terrain Vehicle or Off-road Utility Vehicle may be operated on secondary roadways, including Class A gravel roadways, in Delaware County pursuant to the restrictions in this ordinance and those restrictions imposed by the Code of Iowa. All-terrain Vehicles and Off-road Utility Vehicles shall not be operated on Class B or Class C roads, **except operation is allowed on the Class B road located in Fountain Springs Park.** All-terrain Vehicles and Off-road Utility Vehicles owned by Delaware County are authorized to operate on Class B roads for official purposes. Operation is limited to roadways lying outside the city limits of any incorporated city which does not have an ordinance or other regulation in effect allowing such operations.

A person shall not operate an All-terrain Vehicle or Off-road Utility Vehicle on secondary roadways in Delaware County unless the operator has a valid driver's license and is at least 16 years of age. An operator under 18 years of age shall be required to take and pass an Iowa Department of Natural Resources approved ATV Education Course and must carry a valid safety certificate while operating the vehicle as proof that the Iowa Department of Natural Resources approved ATV Education Course was successfully completed.

All-terrain Vehicle and Off-road Utility Vehicle operation may begin at sunrise and must cease at sunset.

Notarization

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 two consecutive week(s) beginning August 20, 2019 and ending August 27, 2019

PRINTER'S FEES $ 60.48

Mary Helle

Subscribed in my presence and sworn to before me by Mary Helle on this

27th day of August, 2019.

Cathy S Harris

Notary Public

NOTARIAL SEAL IOWA
CATHY S. HARRIS
Commission Number 731078
My Commission Expires
October 19, 2019

Legal Notice -- Delaware County Board of Supervisors

Notice of Public Hearings

Public Notice is hereby given that the Delaware County Board of Supervisors will hold a public hearing for the first reading in consideration of **Amending Section 3 of Ordinance #39 "An Ordinance Regulating the Operation of All-Terrain Vehicles and Off-Road Utility Vehicles in Delaware County, Iowa"** at their regular meeting on **Tuesday, September 3, 2019 at 1:15 pm** in the Delaware County Courthouse, Manchester, Iowa and a public hearing for the second, and possibly final, reading at its regular meeting on **Monday, September 9, 2019 at 1:15 pm.** Copies of the full text of the current Ordinance are available to the public at the Delaware County Auditor's Office or on the County's website at www.co.delaware.ia.us.

Proposed Amendment: SECTION 3: OPERATION ON ROADWAYS. A registered All-terrain Vehicle or Off-road Utility Vehicle may be operated on secondary roadways, including Class A gravel roadways, in Delaware County pursuant to the restrictions in this ordinance and those restrictions imposed by the Code of Iowa. All-terrain Vehicles and Off-road Utility Vehicles shall not be operated on Class B or Class C roads **except operation is allowed on the Class B road located in Fountain Springs Park.** All-terrain Vehicles and Off-road Utility Vehicles owned by Delaware County are authorized to operate on Class B roads for official purposes. Operation is limited to roadways lying outside the city limits of any incorporated city which does not have an ordinance or other regulation in effect allowing such operations.

A person shall not operate an All-terrain Vehicle or Off-road Utility Vehicle on secondary roadways in Delaware County unless the operator has a valid driver's license and is at least 16 years of age. An operator under 18 years of age shall be required to take and pass an Iowa Department of Natural Resources approved ATV Education Course and must carry a valid safety certificate while operating the vehicle as proof that the Iowa Department of Natural Resources approved ATV Education Course was successfully completed.

All-terrain Vehicle and Off-road Utility Vehicle operation may begin at sunrise and must cease at sunset.

Carla K. Becker, Delaware County Auditor
Date of Second Publication 27th day of August, 2019

RESOLUTION No. 2019-053

BE IT RESOLVED that the first reading of changes to the ordinance entitled:

"AN ORDINANCE REGULATING THE OPERATION OF ALL-TERRAIN VEHICLES AND OFF-ROAD UTILITY VEHICLES IN DELAWARE COUNTY, IOWA"

Is hereby approved and that said ordinance change be further considered for its second, and final, reading at a meeting to be held on the 9th of September, 2019 at 1:15 pm in the office of the Delaware County Board of Supervisors located within the Delaware County Courthouse, Manchester, Iowa. At such time and place, all persons interested shall be given the opportunity to be heard concerning said ordinance.

Approve this 3rd day of September, 2019 by the Delaware County Board of Supervisors.

Shirley E. Helmrichs, Chairperson

Jeff Madlom

Pete Buschmann

Attest: _____
Carla K. Becker, County Auditor

Notarization

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 two consecutive week(s) beginning August 20, 2019 and ending August 27, 2019

PRINTER'S FEES $ 60.48

Mary Helle

Subscribed in my presence and sworn to before me by Mary Helle on this

27th day of August, 2019.

Cathy S Harris

Notary Public

NOTARIAL SEAL IOWA
CATHY S. HARRIS
Commission Number 731078
My Commission Expires
October 19, 2019

Legal Notice -- Delaware County Board of Supervisors

Notice of Public Hearings

Public Notice is hereby given that the Delaware County Board of Supervisors will hold a public hearing for the first reading in consideration of **Amending Section 3 of Ordinance #39 "An Ordinance Regulating the Operation of All-Terrain Vehicles and Off-Road Utility Vehicles in Delaware County, Iowa"** at their regular meeting on **Tuesday, September 3, 2019 at 1:15 pm** in the Delaware County Courthouse, Manchester, Iowa and a public hearing for the second, and possibly final, reading at its regular meeting on **Monday, September 9, 2019 at 1:15 pm.** Copies of the full text of the current Ordinance are available to the public at the Delaware County Auditor's Office or on the County's website at www.co.delaware.ia.us.

Proposed Amendment: SECTION 3: OPERATION ON ROADWAYS. A registered All-terrain Vehicle or Off-road Utility Vehicle may be operated on secondary roadways, including Class A gravel roadways, in Delaware County pursuant to the restrictions in this ordinance and those restrictions imposed by the Code of Iowa. All-terrain Vehicles and Off-road Utility Vehicles shall not be operated on Class B or Class C roads, **except operation is allowed on the Class B road located in Fountain Springs Park.** All-terrain Vehicles and Off-road Utility Vehicles owned by Delaware County are authorized to operate on Class B roads for official purposes. Operation is limited to roadways lying outside the city limits of any incorporated city which does not have an ordinance or other regulation in effect allowing such operations.

A person shall not operate an All-terrain Vehicle or Off-road Utility Vehicle on secondary roadways in Delaware County unless the operator has a valid driver's license and is at least 16 years of age. An operator under 18 years of age shall be required to take and pass an Iowa Department of Natural Resources approved ATV Education Course and must carry a valid safety certificate while operating the vehicle as proof that the Iowa Department of Natural Resources approved ATV Education Course was successfully completed.

All-terrain Vehicle and Off-road Utility Vehicle operation may begin at sunrise and must cease at sunset.

Carla K. Becker, Delaware County Auditor
Date of Second Publication 27th day of August, 2019

RESOLUTION No. 2019-059

BE IT RESOLVED that the second, and final, reading of the proposed changes to Paragraph #3 of the ordinance entitled:

"AN ORDINANCE REGULATING THE OPERATION OF ALL-TERRAIN VEHICLES AND OFF-ROAD UTILITY VEHICLES IN DELAWARE COUNTY, IOWA"

was held today, Monday, September 9, 2019. At said hearing, there were no public comments, either written or oral, for or against the passage of said amended ordinance.

NOW, THEREFORE, the Delaware County Board of Supervisors hereby approves the proposed changes to Ordinance #39 as follows:

SECTION 3: OPERATION ON ROADWAYS. *A registered All-terrain Vehicle or Off-road Utility Vehicle may be operated on secondary roadways, including Class A gravel roadways, in Delaware County pursuant to the restrictions in this ordinance and those restrictions imposed by the Code of Iowa. All-terrain Vehicles and Off-road Utility Vehicles shall not be operated on Class B or Class C roads,* ***except operation is allowed on the Class B road located in Fountain Springs Park.*** *All-terrain Vehicles and Off-road Utility Vehicles owned by Delaware County are authorized to operate on Class B roads for official purposes. Operation is limited to roadways lying outside the city limits of any incorporated city which does not have an ordinance or other regulation in effect allowing such operations.*

A person shall not operate an All-terrain Vehicle or Off-road Utility Vehicle on secondary roadways in Delaware County unless the operator has a valid driver's license and is at least 16 years of age. An operator under 18 years of age shall be required to take and pass an Iowa Department of Natural Resources approved ATV Education Course and must carry a valid safety certificate while operating the vehicle as proof that the Iowa Department of Natural Resources approved ATV Education Course was successfully completed.

All-terrain Vehicle and Off-road Utility Vehicle operation may begin at sunrise and must cease at sunset.

and directs the County Auditor to publish said amended ordinance, in its entirety, in all three official newspapers of the county.

Approve this 9th day of September, 2019 by the Delaware County Board of Supervisors.

Shirley E. Helmrichs, Chairperson

Jeff Madlom

Pete Buschmann

Attest: _____
Carla K. Becker, County Auditor

STATE OF IOWA)
) **Ss:**
DELAWARE COUNTY)

August 12, 2019
Manchester, Iowa
1:15 p.m.

The Delaware County Board of Supervisors met in regular session this date at 1:15 pm with all Board members present. Also present were Daneen Schindler, Jerry Downs, Mike Corkery, Craig Davis, and Carla K. Becker. There was one member of the media present. Chairperson Helmrichs called the meeting to order.

Motion made by Madlom, second by Buschmann and carried to approve the agenda as posted. All Ayes

Motion made by Buschmann, second by Madlom and carried to approve the minutes from the August 5, 2019 meeting. All Ayes

Motion made by Madlom, second by Buschmann and carried to approve the following employees to attend their out-of-county meetings: Supervisor Madlom to attend the RC&D meeting in Anamosa on August 15th; Supervisors Madlom and Helmrichs to attend the Regional Mental Health meeting in Cedar Rapids on August 16th; and Carla Becker and Gabrielle Corkery to attend the SEAT training in West Des Moines August 27th – 30th. All Ayes

Motion made by Buschmann, second by Madlom and carried to approve the following claims for payment:

Alliant Energy	Service	255.53
Verizon Wireless	Telephone Services	78.88
Windstream	Telephone Service	407.83

All Ayes

There were no "Applications for Approval of Underground Construction on Delaware County Right-of-Ways" submitted for Board consideration.

Motion made by Madlom, second by Buschmann and carried to acknowledge receipt of the following manure management annual updates: H & K Farms, LLC (Harry Wulfekuhle) in Section 23 of Honey Creek Twp; EAH Farms (Joel Althoff) in Section 5 of South Fork Twp; and JWTD Swine, Inc. Farm #1 (Gary Wedewer) in Section 35 of Colony Twp. All Ayes

Motion made by Buschmann, second by Madlom and carried to acknowledge receipt of the Clerk of Court's Monthly Remittance showing that for the month of July 2019, a total of $791.67 was collected for various fees and deposited into the general funds. All Ayes

Motion made by Madlom, second by Buschmann and carried to acknowledge receipt of the Treasurer's Monthly Banking and Investment Report showing, as of July 31, 2019, a total of $17,573,924.60 was collected on behalf of all taxing entities and deposited in various banks across the county. All Ayes

Motion made by Buschmann, second by Madlom and carried to approve the usage of 180th Ave (running south out of Manchester) and a portion of 275th Street for the bike ride portion of the Hero Hustle Triathlon on Sunday, August 25, 2019. All Ayes

Motion made by Madlom, second by Buschmann and carried to approve the following resolution on behalf of the 911 Commission:

RESOLUTION No. 2019-047
DONATION OF OBSOLETE EQUIPMENT

WHEREAS, Delaware County has replaced several computer towers and monitors within county offices; and
WHEREAS, these towers and monitors can still be utilized by other governmental/non-profit entities.
NOW, THEREFORE, BE IT RESOLVED, that the Delaware County Board of Supervisors agrees to donate the following towers and monitor to the 911 Services Board for use at the Manchester Dispatch Center.

HP Workstation Z230	S/N 2UA5502RDV
HP Workstation Z230	S/N 2UA5502RF5
Lenovo ThinkCentre M83	S/N MJ0138AX
Lenovo ThinkStation P300	S/N MJ01X3ZF
Lenovo ThinkStation P300	S/N MJ01X3ZG
HP EliteDisplay E232	S/N 3CQ5362D4Y

Approved this 12th day of August, 2019.
/S/ Shirley E. Helmrichs, Chairperson, Delaware County Board of Supervisors Attest: /S/ Carla K. Becker, County Auditor
All Ayes

Motion made by Buschmann, second by Madlom and carried to approve the following resolution on behalf of the City of Ryan:

RESOLUTION No. 2019-048
DONATION OF OBSOLETE EQUIPMENT

WHEREAS, the Ryan Fire Department relies heavily on its computer for ongoing administration of its duties; and
WHEREAS, the Delaware County Board of Supervisors has one (1) computer tower & one (1) monitor setting in storage that have been labeled obsolete for any county administrative purposes; and
WHEREAS, this obsolete computer equipment would be functional for the Ryan Fire Department's use.
NOW, THEREFORE, BE IT RESOLVED, that the Delaware County Board of Supervisors agrees to donate the following computer tower & monitor to the Ryan Fire Department at no charge as long as they are used for the administration of the fire department's duties:

HP ProDesk 400 Tower	S/N MXL6121GXT
HP EliteDisplay E231i	S/N 3CQ528200V

Approved this 12th day of August, 2019.
/S/ Shirley E. Helmrichs, Chairperson, Delaware County Board of Supervisors Attest: /S/ Carla K. Becker, County Auditor
All Ayes

Motion made by Madlom, second by Buschmann and carried to approve the following resolution on behalf of the City of Masonville:

RESOLUTION No. 2019-049
DONATION OF OBSOLETE EQUIPMENT

WHEREAS, the Masonville Fire Department relies heavily on its computer for ongoing administration of its duties; and
WHEREAS, the Delaware County Board of Supervisors has one (1) computer tower & one (1) monitor setting in storage that have been labeled obsolete for any county administrative purposes; and
WHEREAS, this obsolete computer equipment would be functional for the Masonville Fire Department's use.
NOW, THEREFORE, BE IT RESOLVED, that the Delaware County Board of Supervisors agrees to donate the following computer tower & monitor to the Masonville Fire Department at no charge as long as they are used for the administration of the fire department's duties:

HP ProDesk 400 G2.5 Tower	S/N MXL6071T02
HP ThinkVision LT2250P	S/N V6CE059

Approved this 12th day of August, 2019.
/S/ Shirley E. Helmrichs, Chairperson, Delaware County Board of Supervisors Attest: /S/ Carla K. Becker, County Auditor
All Ayes

Motion made by Buschmann, second by Madlom and carried to approve the following resolution regarding the Delhi Fire Department:

RESOLUTION No. 2019-050
DONATION OF OBSOLETE EQUIPMENT

WHEREAS, the Delhi Fire Department relies heavily on its computer for ongoing administration of its duties; and
WHEREAS, the Delaware County Board of Supervisors has one (1) computer tower & one (1) monitor setting in storage that have been labeled obsolete for any county administrative purposes; and
WHEREAS, this obsolete computer equipment would be functional for the Delhi Fire Department's use.
NOW, THEREFORE, BE IT RESOLVED, that the Delaware County Board of Supervisors agrees to donate the following computer tower & monitor to the Delhi Fire Department at no charge as long as they are used for the administration of the fire department's duties:

HP ProDesk 400 G2.5 Tower S/N MXL6071T07
HP ThinkVision LT2323P S/N V1DT816

Approved this 12th day of August, 2019.
/S/ Shirley E. Helmrichs, Chairperson, Delaware County Board of Supervisors Attest: /S/ Carla K. Becker, County Auditor
All Ayes

Motion made by Madlom, second by Buschmann and carried to set Tuesday, September 3, 2019 and Monday, September 9, 2019 as the dates and times to hold a public hearing regarding a proposed amendment to Ordinance #39, An Ordinance Regulating the Operation of All-Terrain Vehicles and Off-Road Utility Vehicles in Delaware County, Iowa. Currently, said ordinance prohibits the use of all-terrain vehicles or off-road utility vehicles on Class B or Class C roadways. The intention of the Board is to amend Section 3 (Operation on Roadways) to allow for the use of said vehicles on the Class B roadway located in Fountain Springs Park. All Ayes

ENGINEER'S REPORT –
C64 Project – The cold-in-place recycling started last Friday and will continue this week with HMA scheduled for the last week of August.
Pioneer Road Bridge – The bridge was opened last Thursday. Seeding still needs to be completed when the weather permits.
X31 Paving Project – Pavement patches were completed last Friday with the HMA overlay to start on August 23rd.
Hartwick Road Patching (X29) – Started pavement patches this morning. The project will take approximately three (3) weeks to complete.
Maintenance – Crews completed the BASE One application on 230th Ave south of Delaware last week.

NEXT MEETING – The next regular board meeting will be held on Monday, August 19, 2019 at 1:15 p.m. There will be no meeting held the week of August 26, 2019.

PUBLIC COMMENTS –
Jerry Downs stated that he came before the Board last March requesting that action be taken regarding some trees that needed to be trimmed back near his house. He is wondering why this has not been taken care of. Assistant to the Engineer Craig Davis stated he would speak with the County Engineer regarding the matter and get back to Mr. Downs.

Motion made by Buschmann, second by Madlom and carried to adjourn the meeting at 1:35 p.m. All Ayes

These minutes have been read and approved for publication.

Shirley E. Helmrichs, Chairperson

Carla K. Becker, County Auditor

STATE OF IOWA)
) **Ss:**
DELAWARE COUNTY)

September 3, 2019
Manchester, Iowa
1:15 p.m.

The Delaware County Board of Supervisors met in regular session this date at 1:15 pm with all Board members present. Also present were Linda Gaul, Chandra Ravada, Jason Wenger, Daneen Schindler, Mike Corkery, Anthony Bardgett and Carla K. Becker. There were two members of the media present. Chairperson Helmrichs called the meeting to order.

Motion made by Madlom, second by Buschmann and carried to approve the agenda as posted. All Ayes

Motion made by Buschmann, second by Madlom and carried to approve the minutes from the August 19 & 26, 2019 meetings. All Ayes

Motion made by Madlom, second by Buschmann and carried to approve the following employees to attend their out-of-county meetings: Pat Oberbroeckling to attend a Roads/Streets Workshop in Ames on September 17th – 19th; Peggy Petlon to attend the Regional meeting in Des Moines September 12th & 13th, Regional Coordinators meeting in Cedar Rapids September 16th, RTA meeting in Dubuque on September 25th, and the Regional Governance Board meeting in Cedar Rapids on September 27th; Peggy Petlon and Nicole Recker to attend training in Independence on September 19th; Nicole Recker to attend a General Assistance Conference in Des Moines September 27th; and Supervisors Helmrichs, Madlom and Buschmann to attend the RTA meeting in Dubuque on September 4th. All Ayes

Motion made by Buschmann, second by Madlom and carried to approve the following claims for payment, including the August 30th payroll in the amount of $231,878.76 warrant #33474 thru #33586 and warrant #33609:

Accent Laser Services Inc	Stationery/Supplies	89.95
Advanced Systems Inc	Maint-Off Equip/Furniture	57.05
Alliant Energy	Service	5738.51
Jody Antrim JDC Works	Park Development – Minor	1440.18
Bard Materials (General)	Roads	43708.13
Bard Materials (Rock)	Cover Aggregate/Sand	72783.73
Bi-County Disposal Inc	Sanitation Disposal	45.00
Black Hills Energy	Natural -LP Gas-Fuel Oil	303.24
Bodensteiner Implement	Repair/Maint-Const Equip	51.72
R Ried Boom MD	Medical & Health Services	35.00
BP	Fuels	646.81
Burrington Group Inc	Buildings-Repair/Maint	2820.40
Canon Solutions America Inc	Maint-Off Equip/Furniture	13.64
CenturyLink	Telephone Services	352.68
ChemRight Laboratories Inc	Engineering Services	1080.00
City Laundering Co	Buildings-Repair/Maint	900.50
Continental Research Corp	Shop Equipment	399.88
Culvers Lawn & Landscape	Buildings-Repair/Maint	26884.45
D&S Portables Inc	Sanitation Disposal	675.00
Dearborn Life Insurance	Insurance	972.40
Del Co Public Health	Refunds/Reimbursements	3358.13
Del Co Treasurer	Property Taxes	502.00
Delhi Fire Department	Other	203.04
Dolan Insurance Agency	Blanket Insurance	316.00
Don & Walt LLC	Plumbing Repair/Maint	147.95
Dons Truck Sales Inc	Construction/Maint Equip	1818.79
Dyersville Commercial	Off Publication/Legal Not	45.00
Eastern IA Tourism Assn	County Contribution	500.00
Edgewood Oil Co	Fuels	111.00
Jody Elgin	Custodial Supplies	262.50
Tina Elgin	Custodial	500.00
Fastenal Company	Shop Equipment	597.60
The Fish Shack	Public Education Items	8.57
Gee Asphalt Systems Inc	Roads	102843.00
Georgen Auto LLC	Repair/Maint- Vehicle	27.48
Gierke Robinson Co	Minor Equip & Hand Tools	4806.21
Gillund Enterprises	Shop Equipment	206.16
Ginter Tools LLC	Minor Equip & Hand Tools	339.98
Garlyn R Glanz	Postage & Mailing	11.74
Good Neighbor Society	Food Preparation Services	5274.00
Groth Services LLC	Buildings	384.00
Hanson Law Office	Legal-Court Related	255.00
Henderson Products	Construction/Maint Equip	2269.69
Heritage Printing	Printing Services	44.64
Hopkinton Municipal Utilities	Water Use & Sewer	84.66
Hunt & Associates PC	Audit Services	14350.00
IA Prison Industries	Park Development – Minor	2275.00
IA Regional Utilities Assn	Water Use & Sewer	61.88
ISAC	Education & Training	25.00
JP Cooke Co	Stationery/Supplies	45.95
Koch Office Group	Office Equipment	40.17
Laurie Kramer	Buildings-Repair/Maint	400.00
L&L Murphy Consulting	Planning-Consulting	2000.00
Leader Publications	Board Proceedings	900.27
Danny E Lett	Stationery/Supplies	26.62
L L Pelling Co Inc	Roads	94887.63
Mail Services LLC	Postage & Mailing	603.90
Manchester Signs LLC	Traffic & St Sign	79.00
City of Manchester	Water Use & Sewer	346.59
Maquoketa Valley School	Office Rent	250.00
Mediacom LLC	Data Processing	693.80
Midwest Contractors Inc	Roads	300871.83
NE-IA Industrial Fasteners	Safety Items	305.13
North IA Juvenile Detention	Protection/Security	11150.00
Office Ally	Acct/Audit/Clerical	35.00
River City Stone (General)	Roads	409.30
River City Stone (Rock)	Cover Aggregate & Sand	141.85
Safelite Fulfillment Inc	Repair/Maint-Const Equip	316.88
Daneen G Schindler	Education & Training	20.00
Schmitz Janitorial Supply	Custodial Supplies	160.60
Silveredge Cooperative	Fuels	2002.32
Simmons Perrine Moyer et al	Labor Relations Services	43.50
Solutions Inc	Office Equipment	1422.00
South Central District ISAA	Education & Training	225.00
St Johns Lutheran Church	Rental-Land	152.00
State Hygienic Lab	Engineering Services	20.00
Stender Lawn Care LLC	Buildings-Repair/Maint	300.00
Matt Parrott	Stationery/Supplies	181.58
Supreme Green	Park Development	2399.60
TASC Client Invoices	Planning-Consulting	733.32
Taylor Construction Inc	Bridges	3152.50
Three Rivers FS	Fuels	18065.96
Transit Works	Minor Equip & Hand Tools	217.60
Verizon	Telephone	120.03
VISA / Mastercard	Stationery/Supplies	1893.89
Walmart Community	Custodial Supplies	289.85
Weber Paper Company	Stationery/Supplies	79.20
Welter Storage Equip Co Inc	Park Development – Minor	180.00
Windstream	Telephone Service	511.71
Windstream	Telephone Service	1443.83

All Ayes

There were no "Applications for Approval of Underground Construction on Delaware County Right-of-Way" submitted for consideration.

Motion made by Madlom, second by Buschmann and carried to acknowledge receipt of the following manure management plans and updates: Annual updates from Cade Perrinjaquet, (Perry's Pork) in Clayton County; Gary and Lori Wessels in Dubuque County; Kent Keppler (Progressive Pork Site 21) in Section 30 of Richland Twp; Jordan & Jenni Perrinjaquet (Maloney Site) in Section 12 of Delaware Twp; Blake Schneider (Bacon Bits) in Section 35 of Milo Twp; Klostermann Bros, Inc (TR-1) in Section 8 of Bremen Twp; Hilltop Pork, Inc (Hilltop Pork) in Section 6 of Bremen Twp; Adam Sheppard (Sand Hill Pork) in Section 24 of Hazel Green Twp; Jordan Perrinjaquet (Makin Bacon Pork) in Section 3 of Coffins Grove Twp; Kent Keppler (Progressive Pork Site 22) in Section 31 of Richland Twp; Nick Knepper in Section 33 of Bremen Twp; MAP Pork, LLC in Section 18 of Prairie Twp; Duane and Karen Nieman in Section 8 of North Fork Twp; North 60 Pork, LLC (4-year filing) in Section 15 of South Fork Twp; and a new facility application for Curt Maurer (Maurer Pasture Site) in Section 34 of Delaware Twp. All Ayes

Motion made by Buschmann, second by Madlom and carried to approve the abatement of FY 2019-20 taxes due on Parcel #550-00-01-019-00 owned by Delaware, Dubuque and Jackson County Regional Transit Authority (RTA). The property was purchased by the City of Earlville on June 29, 2018; however, the deed was not recorded by the City of Earlville until July 6, 2018. Because the deed was filed after the fiscal year cutoff, the property remained taxable for 2018 values payable 2019-20. However, it was made exempt for 2019 values (taxes payable in 2020-2021). Subsequently, the property was transferred to RTA by the City of Earlville on April 8, 2019 (recorded on May 1, 2019). An agreement between the City of Earlville and RTA stated that they would split all costs associated with the property 50/50. Chandra Ravada, with East Central Intergovernmental Association (ECIA), requested that the Board abate the taxes due on said parcel for 2019-20 since it is being used for an exempt purpose.

Even though the Board members have some reservations regarding the abatement of these taxes, having the RTA garage on this parcel in the City of Earlville will save nearly $1,500/month. Overall, the Board is pleased with the new building within the county. Supervisor Helmrichs went on record advising that the City of Earlville watch its dates and deadlines the next time it needs to record a document. All Ayes

PUBLIC HEARING – First Reading of Proposed Changes to Ordinance #39-An Ordinance Regulating the Operation of All-Terrain Vehicles and Off-Road Vehicles in Delaware County, Iowa
This being the date and time set to hold a public hearing for the First Reading of Proposed Changes to Ordinance #39-An Ordinance regulating the Operation of All-Terrain Vehicles and Off-Road Vehicles in Delaware County, Iowa, Chairperson Helmrichs opened the public hearing at 1:33 pm.

Supervisor Madlom read the proposed amendment to Section #3 aloud as follows:

SECTION 3: OPERATION ON ROADWAYS. A registered All-terrain Vehicle or Off-road Utility Vehicle may be operated on secondary roadways, including Class A gravel roadways, in Delaware County pursuant to the restriction in this ordinance and those restrictions imposed by the Code of Iowa. All-terrain Vehicles and Off-road Utility Vehicles shall not be operated on Class B or Class C roads **except operation is allowed on the Class B road located in Fountain Springs Park.**

Supervisor Madlom commented that almost every Class B roadway is dirt. This roadway is gravel. He feels this is a good change for the local ATV/UTV club. They have been very respectful of our county roadways and rules for ATV/UTV usage within the county. This roadway will make a good transition from the Greeley area to the Colesburg area.

There being no additional comments, either written or oral, the public hearing was closed at 1:36 pm.

Motion made by Madlom, second by Buschmann and carried to approve the following resolution:

RESOLUTION No. 2019-053

BE IT RESOLVED that the first reading of changes to SEction #3 of the ordinance entitled:
"AN ORDINANCE REGULATING THE OPERATION OF ALL-TERRAIN VEHICLES AND OFF-ROAD UTILITY VEHICLES IN DELAWARE COUNTY, IOWA"
Is hereby approved and that said ordinance change be further considered for its second, and final, reading at a meeting to be held on the 9th of September, 2019 at 1:15 pm in the office of the Delaware County Board of Supervisors located within the Delaware County Courthouse, Manchester, Iowa. At such time and place, all persons interested shall be given the opportunity to be heard concerning said ordinance.
Approved this 3rd day of September, 2019 by the Delaware County Board of Supervisors.
/S/ Shirley E. Helmrichs, Chairperson
/S/ Jeff Madlom
/S/ Pete Buschmann
Attest: /S/ Carla K. Becker, County Auditor
All Ayes

Motion made by Buschmann, second by Madlom and carried to acknowledge receipt of Kurt Funke's notice of resignation from his position as Deputy with the Delaware County Assessor's Office effective Friday, September 6, 2019. All Ayes

Motion made by Madlom, second by Buschmann and carried to approve the following resolution:

RESOLUTION No. 2019-054

DISPOSAL OF OBSOLETE COMPUTER EQUIPMENT

WHEREAS, Delaware County periodically purchases a variety of small computer equipment in order to operate on a daily basis; and,
WHEREAS, periodically these pieces of equipment become obsolete; and,
WHEREAS, the county cannot offer this property for sale to the public due to the fact that it contains data that cannot be used again; and,
WHEREAS, it is of benefit to the county to destroy and scrap this material at no charge rather than pay a disposal fee with the landfill.
NOW THEREFORE BE IT RESOLVED, the following miscellaneous obsolete computer equipment be destroyed and scrapped at no charge to the county:

Towers

HP ProDesk 400 G3	S/N 2UA63524P5
Lenovo ThinkCentre	S/N MJBCP40
Lenovo ThinkCentre	S/N MJHRHN2
Vertical Epxpd-21	S/N AG0506000507

Monitors

Lenovo	S/N V100759
Lenovo ThinkVision L171	S/N V1K6639
Lenovo ThinkVision	S/N V1K0664
Lenovo ThinkVision L193P	S/N VLFRM95
Lenovo ThinkVision	S/N V1F4806
Lenovo ThinkVision	S/N V2DL140
Lenovo ThinkVision L171	S/N V2DL419
Lenovo ThinkVision L2550p	S/N V699774
Lenovo ThinkVision L2250p	S/N V699709
Lenovo ThinkVision L2250p	S/N V6M0140
Lenovo ThinkVision L2323p	S/N V131350
Lenovo ThinkVision L2550p	S/N V6RX914
Samsung Monitor	S/N CB22HVDZ301301N
Samsung Syncmaster	S/N Z1QNHCLBC02519
Samsung Syncmaster	S/N AQ22H9N42602J
Samsung Syncmaster P2570	S/N EF25HVMZ600703
Samsung Syncmaster	S/N LS22WJWCBUXAA
Samsung Syncmaster	S/N Z2QDHCLC302319
Dell	S/N CN0Y42997161854PAP4Y
ViewSonic VX2439WM	S/N RKB102303649

Tablets/Laptops

Lenovo ThinkPad 2	S/N PK2ZL2N
Lenovo ThinkPad T540p	S/N R9028YY9
Lenovo ThinkPad T540p	S/N R900LHH8
Lenovo ThinkPad T530	S/N PK1C56G
Lenovo ThinkPad	S/N R83M2P5
Lenovo ThinkPad	S/N R83M2P2
Lenovo ThinkPad T530	S/N PK1C562
Lenovo ThinkPad T540p	S/N R900LHH8
Lenovo EliteBook 720	S/N 5CG5170QPP

Printers
IBM InfoPrint 1532 S/N 790-93LP
IBM InfoPrint MS810DN S/N 4063259901BVN
Miscellaneous
(14) Keyboards
(1) Netgear Router R0318 S/N 9038A1C055280
(3) 3Com Switch 8 port S/N 0700/YK3W6T0260308
(1) Comdial Phone S/N ZV0706029543
Dated this 3rd day of September, 2019.
/S/ Shirley E Helmrichs, Chairperson,
Delaware County Board of Supervisors
Attest: /S/ Carla K. Becker, Auditor
All Ayes

Motion made by Buschmann, second by Madlom and carried to approve the following resolution:

RESOLUTION No. 2019-055
DONATION OF OBSOLETE EQUIPMENT

WHEREAS, the City of Delaware - Water Department relies heavily on its computer for ongoing administration of its duties; and
WHEREAS, the Delaware County Board of Supervisors has one (1) computer tower & one (1) monitor sitting in storage that have been labeled obsolete for any county administrative purposes; and
WHEREAS, this obsolete computer equipment would be functional for the City of Delaware - Water Department's use.
NOW, THEREFORE, BE IT RESOLVED, that the Delaware County Board of Supervisors agrees to donate the following computer tower & monitor to the City of Delaware - Water Department at no charge as long as they are used for the administration of the city's duties:
HP Lenovo ThinkCentre M73 S/N MJ00E1Y2
HP EliteDisplay E231i S/N 3CQ528200S
Approved this 3rd day of September, 2019.
/S/ Shirley E. Helmrichs, Chairperson
Delaware County Board of Supervisors
Attest: /S/ Carla K. Becker, County Auditor
All Ayes

Motion made by Madlom, second by Buschmann and carried to approve the following resolution:

RESOLUTION No. 2019-056
DONATION OF OBSOLETE EQUIPMENT

WHEREAS, the City of Earlville - Water Department relies heavily on its computer for ongoing administration of its duties; and
WHEREAS, the Delaware County Board of Supervisors has one (1) computer tower & one (1) monitor sitting in storage that have been labeled obsolete for any county administrative purposes; and
WHEREAS, this obsolete computer equipment would be functional for the City of Earlville - Water Department's use.
NOW, THEREFORE, BE IT RESOLVED, that the Delaware County Board of Supervisors agrees to donate the following computer tower & monitor to the City of Earlville - Water Department at no charge as long as they are used for the administration of the city's duties:
HP ProDesk 400 S/N 2UA6101X7F
HP ThinkVision LT2323P S/N V1M2737
Approved this 3rd day of September, 2019.
/S/ Shirley E. Helmrichs, Chairperson
Delaware County Board of Supervisors
Attest: /S/ Carla K. Becker, County Auditor
All Ayes

Motion made by Buschmann, second by Madlom and carried to approve the following resolution:

RESOLUTION No. 2019-057
TRANSFER OF USED EQUIPMENT

WHEREAS, Delaware County has replaced several computer towers and monitors within county offices; and
WHEREAS, these towers and monitors can still be utilized by other governmental/non-profit entities.
WHEREAS, the computer towers currently operate on Windows 7 and they must be upgraded to Windows 10 before usage.
NOW, THEREFORE, BE IT RESOLVED, that the Delaware County Board of Supervisors agrees to transfer the following towers and monitors to the Delaware County Sheriff's Department.
HP ProDesk 400 S/N MXL6071T1M
HP ProDesk S/N 2UA6101X78
Lenovo ThinkCentre M72e S/N 7UMJ339BT
Lenovo ThinkCentre M72e S/N 7UMJ339BN
Lenovo ThinkCentre M72e S/N 7UMJ0852C
Lenovo ThinkCentre M72e S/N 7UMJ339CK
Lenovo ThinkCentre M72e S/N 7UMJ339CL
Lenovo ThinkVision L2250p S/N V6D2147
Approved this 3rd day of September, 2019.
/S/ Shirley E. Helmrichs, Chairperson
Delaware County Board of Supervisors
Attest: /S/ Carla K. Becker, County Auditor
All Ayes

Motion made by Madlom, second by Buschmann and carried to award the Bid for LP Gas to Consolidated Energy Co. for its low bid of $.864/gallon as follows:

Consolidated Energy Co

Secondary Roads Shop	20,000 gallons	.864/gallon	$17,280.00
Conservation Building	2,750 gallons	.864/gallon	$2,376.00
Outlying Sheds		.864/gallon	

All Ayes

Motion made by Buschmann, second by Madlom and carried to approve the following resolution:

RESOLUTION NO. 2019-058
RESOLUTION FOR USE OF DELAWARE COUNTY
ROADS FOR TRAFFIC DETOUR

WHEREAS, the City of Edgewood requests to detour traffic on Delaware County roads, from 12:00 p.m. to 3:00 p.m. on September 27, 2019 due to the Ed-Co Homecoming Parade, and
WHEREAS, the City of Edgewood will provide any and all necessary traffic control devices, all meeting the specifications of the Manual On Uniform Traffic Control Devices, and
WHEREAS, the City of Edgewood will provide law enforcement to direct traffic during the parade,

NOW THEREFORE BE IT RESOLVED that the Delaware County Board of Supervisors has approved the City of Edgewood's request for traffic detour:

Beginning at 195th Avenue west of Edgewood, then south one mile to 110th Street, then east one mile to county highway C60X (Laser Road), then north into Edgewood terminating at Iowa Highway 3.

Passed and approved this 3rd day of September 2019.
/S/ Shirley Helmrichs, Chairperson
County Board of Supervisors
ATTEST: /S/ Carla Becker, County Auditor
All Ayes

Motion made by Madlom, second by Buschmann and carried to set Monday, September 16, 2019 at 1:15 pm as the date and time to receive bids for 5,000 tons of Winter Sand Material or Manufactured Sand. All Ayes

Motion made by Buschmann, second by Madlom and carried to approve the purchase of a Kuhn GMD240, DiscMower from Titan Machinery (Center Point, IA) for its low quote as follows:

KUHN GMD240 Disc Mower	11,783.00
Trade-in of County New Holland Disc Mower	5,000.00
Net Purchase Price	6,783.00

All Ayes

Motion made by Madlom, second by Buschmann and carried to approve the graveling of a 2,000' x 16' portion of Class B Cottonwood Lane to improve the access to the county park area at the end of the roadway. County Engineer Anthony Bardgett, County Foreman Pat Oberbroeckling and County Conservation Director Garlyn Glanz assessed the need for maintenance to this portion of Cottonwood Lane since it is used as an access to the County's park facility. This portion of roadway sits low. It is in need of some rock to help stabilize it. Director Glanz and his crew spent some time trying to re-establish the crown in the roadway. Mr. Bardgett estimates it would take approximately 560 tons of rock (1 ½" rock – 4" thick) at a cost of $7.70/ton or approximately $4,500. Typically, a Class B roadway does not get this type of maintenance. However, since the roadway serves as an access to a county park area, it would be smart to keep it in good condition. Mr. Bardgett thought the Board should consider making a separate category for this type of Level B roadway, which accesses a county park or facility. Mr. Bardgett will look at the county's ordinance for possible amendment in the near future. All Ayes

Motion made by Buschmann, second by Madlom and carried to acknowledge receipt of the following resignations of Temporary Seasonal Employees with the Secondary Roads Department:

Alex Linderwell	effective August 16, 2019
Adam Anderegg	effective August 23, 2019

The Board thanked them for their service. All Ayes

ENGINEER'S REPORT –
Pioneer Road Bridge – Project is complete except the final seeding.
X31 Paving Project – LL Pelling will be working on the final surface lift of asphalt this week.
C64 Project (Hwy 13 to 200th Ave) – River City Paving is working on the final surface lift of asphalt this week.
Hartwick Road Patching (X29) – Midwest Construction is continuing to work on the concrete patches.
RTA Bus Garage – Work is continuing on the overhead door installation and internal rooms finish items. There is a ribbon cutting date set for September 30, 2019 at noon for the new garage.
Maintenance Crews – Maintenance Crews have started concrete patching this week.

NEXT MEETING – The next regular board meeting will be held on Monday, September 9, 2019 at 1:15 p.m.

PUBLIC COMMENTS – None

Motion made by Madlom, second by Buschmann and carried to adjourn the meeting at 2:00 p.m. All Ayes

These minutes have been read and approved for publication.

Shirley E. Helmrichs, Chairperson

Carla K. Becker, County Auditor

STATE OF IOWA)
) **Ss:**
DELAWARE COUNTY)

September 9, 2019
Manchester, Iowa
1:15 p.m.

The Delaware County Board of Supervisors met in regular session this date at 1:15 pm with all Board members present. Also present were Mike Corkery, Pam Klein, Delma Hardin, Charity Loecke, Anthony Bardgett, and Carla K. Becker. There were two members of the media present. Chairperson Helmrichs called the meeting to order.

Motion made by Madlom, second by Buschmann and carried to approve the agenda as posted. All Ayes

Motion made by Buschmann, second by Madlom and carried to approve the minutes from the September 3, 2019 meeting. All Ayes

Motion made by Madlom, second by Buschmann and carried to approve the following employees to attend their out-of-county meetings: Carla Becker to attend an ISACA meeting in Grundy Center on September 13th; Supervisor Helmrichs to attend the Corrections meeting in Waterloo on September 13th; Supervisors Helmrichs and Buschmann to attend the Operation New View meeting in Dubuque on September 12th; Supervisor Buschmann to attend the Business Growth meeting in Dubuque on September 11th; and Ron Dzaboff and Jason Maiers to attend a sign truck body demo in Sheldon on September 11th. All Ayes

Motion made by Buschmann, second by Madlom and carried to approve the following claims for payment:

Alliant Energy	Service	3192.47	Edge Communications	Data Processing	209.28
AT&T	Telephone Services	5.55	Verizon Wireless	Telephone Services	86.49
LLC CenturyLink Comm	Telephone Services	25.39	VISA / Mastercard	Education & Training	502.36
Comelec Internet Services	Telephone Services	300.00	Windstream	Telephone Service	388.09

All Ayes

Motion made by Madlom, second by Buschmann and carried to approve the payment of $199,979.00 ($200,000 – $21.00 prorated taxes) to the Vontalge Family Partnership for the purchase of Lots 6, 7 & 8 of Deer Field 3rd Addition and Lot 1 of Deer Field 4th Addition, located within Section 30 of Delaware Township, for the future site of the Sheriff's Department/Jail. All Ayes

There were no "Applications for Approval of Underground Construction on Delaware County Right-of-Ways".

Motion made by Buschmann, second by Madlom and carried to acknowledge receipt of a construction permit for a new confinement feeding operation for Jeremy Reiling (The Hill) located in Section 7 of Fremont Township in Buchanan County. All Ayes

Presentation – Annual Update on Public Health Department for FY 2018/19

Delma Hardin and Charity Loecke, Delaware County Public Health, addressed the Board to update them on Public Health activities for FY 2018/19. Funding for the Public Health programs comes from the Delaware County Board of Supervisors (BOS), the Iowa Department of Public Health (IDPH), the Local Public Health Services (LPHS) Grant, the IDPH I-4 Immunization Grant, the Centers for Disease Control and Prevention (CDC) Bioterrorism Grant, and the Regional Medical Center (RMC).

The county funds, $131,325.00, were used to fund Public Health services, workforce infrastructure, office space and utilities. Some of the activities supported with these funds include disease outbreak investigation, reportable disease follow-up and surveillance, community health needs assessments, a health improvement plan, community collaboration, health education, nuisance complaint follow-ups, and home care skilled nursing and aide visits. County funds enabled the purchase of two laptop computers and one desktop computer, numerous bed bug kit supplies, promotion of skin safety by providing sunscreen packets at the fair and county parades, "Stop the Bleed" kits and the submission and administration of 4 grants. The department also purchased travel sized hand sanitizers, which will be utilized during the flu season.

Public Health staff also partners with other agencies in the community to help improve services, provide education and improve the health of Delaware County residents. However, for FY20, the CDC Bioterrorism Grant dollars will not be available. Hopefully, these dollars will be available again in FY21. Public Health will most likely need to utilize county dollars for funding in this area for FY20.

Ms. Hardin and Ms. Loecke wished to thank the Board of Supervisors for their support of Public Health services in Delaware County. Chairperson Helmrichs thanked them for their thorough report. Their attendance at today's meeting was much appreciated.

Casey Snyder joined the meeting at 1:24 pm.

Motion made by Madlom, second by Buschmann and carried to acknowledge receipt of the FY 2018/19 Financial Report for the Delaware County Memorial Hospital d/b/a Regional Medical Center. The Status of Revenues, Expenses and Changes in Net Position for the year ended June 30, 2019 show total operating revenues of $53,811,952, total operating expenses of $52,623,412, resulting in a gain from operations of $1,188,540. A net non-operating gain of $1,704,463 brings the excess revenues over expenses to $2,893,003. All Ayes

PUBLIC HEARING – Second, and Final, Reading of Proposed Changes to Ordinance #39 – An Ordinance Regulating the Operation of All-Terrain Vehicles and Off-Road Utility Vehicles in Delaware County, Iowa

This being the date and time set to hold a public hearing for the second, and final, reading of Proposed Changes to Ordinance #39 – An Ordinance Regulating the Operation of All-Terrain Vehicles and Off-Road Vehicles in Delaware County, Chairperson Helmrichs opened the public hearing at 1:36 pm. Supervisor Buschmann read the proposed changes to said ordinance for all present to hear. There being no comments, either written or oral, submitted for or against the proposed change, the public hearing was closed at 1:39 pm.

Motion made by Buschmann, second by Madlom and carried to approve the following resolution:

RESOLUTION No. 2019-059

BE IT RESOLVED that the second, and final, reading of the proposed changes to Paragraph #3 of the ordinance entitled:
"AN ORDINANCE REGULATING THE OPERATION OF ALL-TERRAIN VEHICLES AND OFF-ROAD UTILITY VEHICLES IN DELAWARE COUNTY, IOWA" was held today, Monday, September 9, 2019. At said hearing, there were no public comments, either written or oral, for or against the passage of said amended ordinance.
NOW, THEREFORE, the Delaware County Board of Supervisors hereby approves the proposed changes to Ordinance #39 as follows:
SECTION 3: OPERATION ON ROADWAYS. *A registered All-terrain Vehicle or Off-road Utility Vehicle may be operated on secondary roadways, including Class A gravel roadways, in Delaware County pursuant to the restrictions in this ordinance and those restrictions imposed by the Code of Iowa. All-terrain Vehicles and Off-road Utility Vehicles shall not be operated on Class B or Class C roads,* ***except operation is allowed on the Class B road located in Fountain Springs Park.*** *All-terrain Vehicles and Off-road Utility Vehicles owned by Delaware County are authorized to operate on Class B roads for official purposes. Operation is limited to roadways lying outside the city limits of any incorporated city which does not have an ordinance or other regulation in effect allowing such operations.*
A person shall not operate an All-terrain Vehicle or Off-road Utility Vehicle on secondary roadways in Delaware County unless the operator has a valid driver's license and is at least 16 years of age. An operator under 18 years of age shall be required to take and pass an Iowa Department of Natural Resources approved ATV Education Course and must carry a valid safety certificate while operating the vehicle as proof that the Iowa Department of Natural Resources approved ATV Education Course was successfully completed.
All-terrain Vehicle and Off-road Utility Vehicle operation may begin at sunrise and must cease at sunset.

And directs the County Auditor to publish said amended ordinance, in its entirety, in all three official newspapers of the county.
Approved this 9th day of September, 2019 by the Delaware County Board of Supervisors.
/S/ Shirley E. Helmrichs, Chairperson
/S/ Jeff Madlom
/S/ Pete Buschmann
Attest: /S/ Carla K. Becker, County Auditor
All Ayes

Motion made by Madlom, second by Buschmann and carried to approve the following resolution:

RESOLUTION No. 2019-060
DESTRUCTION OF RECORDS

Pursuant to the 2019 Code of Iowa, Sections 48A.32, 50.19 and 331.323(2d), we do hereby authorize the destruction of the following records in the Delaware County Auditor's Office:

Tally Books

- City Election – November 6, 1979
- City Election - November 3, 1981
- City Run-off Election – City of Delaware & City of Earlville - November 24, 1981
- General Election – Hazel Green Township - November 6, 1928
- General Election - Hazel Green Township - November 4, 1930
- General Election – Hazel Green Township - November 3, 1936
- General Election – Hazel Green Township - November 5, 1946
- General Election – Hazel Green Township – November 7, 1972
- General Election – All precincts & absentee - November 7, 1978
- General Election – All precincts & absentee – November 4, 1980
- General Election – November 6, 1990
- General election – All precincts & absentee - November 6, 1984
- General Election – All precincts & absentee - November 4, 1986
- General election – All precincts & absentee - November 3, 1992
- Primary Election – Hazel Green Township – June 2, 1930
- Primary Election – Hazel Green Township – June 6, 1932
- Primary Election – Hazel Green - June 5, 1944
- Primary Election – All precincts & absentee - June 8, 1982
- Primary Election – Honey Creek, Milo, Oneida, North Fork, Delaware, Coffins Grove, Adams, Delhi Townships - June 3, 1986
- Primary Election – All precincts & absentee - June 5, 1990
- Primary Election – All precincts & absentee - June 2, 1992
- School Election – West Delaware/Ed-Co/Maquoketa Valley – September 9, 1980
- School Election – West Delaware/Ed-Co/Maquoketa Valley – September 8, 1981
- School Election – Maquoketa Valley School Director - September 14, 1982
- School Election – All precincts & absentee - September 13, 1988
- School Election – All precincts & absentee - September 11, 1990
- Special Election – Hazel Green Township - July 21, 1927
- Special Election – Hazel Green Township - July 3, 1929
- Special Election – Hazel Green - July 24, 1945
- Special Election – City of Edgewood – July 22, 1980
- Special Election – City of Delhi & City of Earlville – June 16, 1981
- Special Election – City of Hopkinton – August 18, 1981
- Special Election – IA. 22nd District Representative - November 3, 1981
- Special Election – Earlville GTE Franchise - December 7, 1982
- Special Election – Edgewood GTE Franchise - December 21, 1982
- Special Election – West Delaware School Director - May 17, 1983
- Special Election Hopkinton – Cable TV franchise & Absentee - July 12, 1983
- Special Election Edgewood – Cable TV franchise- Absentee - July 12, 1983
- Special Election Edgewood – Cable TV franchise - July 26, 1983
- Special Election – Ed-Co School – Two (2) precincts & absentee - June 26, 1990
- Special Election – City of Delaware cable TV franchise – 1 precinct & absentee - July 24, 1990
- Special Election – Lake District – One (1) precinct & absentee - July 24, 1990
- Special Election – Colesburg Natural Gas Franchise – One (1) precinct & absentee - July 24, 1990

Approved this 9th day of September, 2019.
/S/ Shirley Helmrichs, Chairperson
ATTEST: /S/ Carla K. Becker, Delaware County Auditor
All Ayes

Motion made by Buschmann, second by Madlom and carried to approve the transfer of the car hood from evidence storage relating to the 1975 murder of Howard B. Miller to the Delaware County Historical Society. According to Paul Louck, former Deputy with the Delaware County Sheriff's Dept, he will be assisting with a display at the Delaware County Historical Society for the Miller Murder Trial, which will include the use of this car hood. All Ayes

ENGINEER'S REPORT –
X31 Paving Project – LL Pelling is working on the final surface lift this week.
C64 Project (Hwy 13 to 200th Ave) – River City Paving finished the mainline paving. They still need to complete shoulders and pavement markings.
Hartwick Road Patching (X29) – Midwest Construction is planning to finish their work early this week.
Maintenance – Crews are working on concrete patches in the Edgewood area today. The road will be closed to one lane in the work zones.
RTA Bus Garage – Work is continuing on internal rooms. There is a ribbon cutting date set for September 30th at noon for the new garage.

NEXT MEETING – The next regular board meeting will be held on Monday, September 16, 2019 at 1:15 p.m.

PUBLIC COMMENTS –
None

Motion made by Madlom, second by Buschmann and carried to adjourn the meeting at 1:44 p.m. All Ayes

These minutes have been read and approved for publication.

Shirley E. Helmrichs, Chairperson

Carla K. Becker, County Auditor

E OF IOWA
JQUE COUNTY SS:

RTIFICATE OF PUBLICATION

I, Tiffany Lott, of Woodward munications, Inc., an Iowa corporation, ublisher of the Manchester Press, a spaper of general circulation published n the City of Manchester, County of ıware and State of Iowa; hereby certify t the attached notice was published in said newspaper on the following 9-14, 20 19, or which the charge is $ 142.34.

Tiffany Lott

scribed to before me, a Notary Public in and for Delaware County, Iowa, 14th day of Sept 20 19.

NOTARIAL SEAL IOWA — KIMBERLY NEBAUM Commission Number 784454 My Commission Expires

LEGAL NOTICE
DELAWARE COUNTY BOARD OF SUPERVISORS
COUNTY ORDINANCE # 39 (As Amended)
REGULATING TO THE OPERATION OF ALL-TERRAIN VEHICLES & OFF-ROAD UTILITY VEHICLES IN DELAWARE COUNTY, IOWA
BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF DELAWARE COUNTY:

SECTION 1: PURPOSE. This ordinance shall set forth regulations regarding the operation of all-terrain vehicles and/or off-road utility vehicles on county roadways designated by the Delaware County Board of Supervisors.

SECTION 2: DEFINITIONS. The definitions of terms used in this ordinance are:

1. ***All-terrain Vehicle*** as defined by Iowa Code § 321I.1 means a motorized vehicle with not less than three and not more than six non-highway tires that is limited in engine displacement to less than one thousand two hundred cubic centimeters and in total dry weight to less than one thousand two hundred pounds and that has a seat or saddle designed to be straddled by the operator and handlebars for steering control.
2. ***Designated riding area*** as defined by Iowa Code § 321I.1 means an all-terrain vehicle riding area on any public land or public ice under the jurisdiction of the Department of Natural Resource that has been designated by the department for all-terrain vehicle use.
3. ***Designated riding trail*** as defined by Iowa Code § 321I.1 means an all-terrain vehicle riding trail on any public land, private land, or public ice that has been designated by the state or the county for all-terrain vehicle use.
4. ***Off-road Utility Vehicle*** as defined by Iowa Code § 321I.1 means a motorized vehicle with not less than four and not more than eight non-highway tires or rubberized tracks that have a seat that is of bucket or bench design, not intended to be straddled by the operator, and a steering wheel or control levers for control. "Off-road Utility Vehicle" includes the following vehicles:
   a. "Off-road Utility vehicle-type 1" means an Off-road Utility Vehicle with a total dry weight of one thousand two hundred pounds or less and a width of fifty inches or less.
   b. "Off-road Utility vehicle-type 2" means an Off-road Utility Vehicle, other than a type 1 Off-road Utility Vehicle, with a total dry weight of two thousand pounds or less, and a width of sixty five inches or less.
   c. "Off-road Utility vehicle-type 3" means an Off-road Utility Vehicle with a total dry weight of more than two thousand pounds or a width of more than sixty-five inches, or both.
5. ***Public ice*** as defined by Iowa Code § 321I.1 means any frozen, navigable waters within the territorial limits of this state and the frozen marginal river areas adjacent to this state, other than farm ponds, that are under the jurisdiction of the Natural Resource Commission of the DNR.
6. ***Public land*** as defined by Iowa Code § 321I.1 means land owned by the federal government, the state, or political subdivisions of the state and land acquired or developed for public recreation pursuant to § 321I.8.
7. ***Roadway*** as defined by Iowa Code § 321I.1 means that portion of a highway improved, designed, or ordinarily used for vehicular travel.

SECTION 3: OPERATION ON ROADWAYS. A registered All-terrain Vehicle or Off-road Utility Vehicle may be operated on secondary roadways, including Class A gravel roadways, in Delaware County pursuant to the restrictions in this ordinance and those restrictions imposed by the Code of Iowa. All-terrain Vehicles and Off-road Utility Vehicles shall not be operated on Class B or Class C roads, ***except operation is allowed on the Class B road located in Fountain Springs Park.*** All-terrain Vehicles and Off-road Utility Vehicles owned by Delaware County are authorized to operate on Class B roads for official purposes. Operation is limited to roadways lying outside the city limits of any incorporated city which does not have an ordinance or other regulation. All-terrain Vehicle and Off-road Utility Vehicle operation may begin at sunrise and must cease at sunset.

SECTION 4: UNLAWFUL OPERATION. A person shall not operate an All-terrain Vehicle and/or Off-road Utility Vehicle under any of the following conditions:

1. At a rate of speed greater than the thirty-five (35) miles per hour, or greater than reasonable and/or proper under existing circumstances.
2. In a careless, reckless, or negligent manner so as to:
   a. Endanger any person;
   b. Cause injury or damage to person or property; or
   c. Create unnecessary skidding or sliding or cause any wheel or wheels to unnecessarily lose contact with the ground.
3. Without the following equipment:
   a. Lit headlight(s) and taillight(s).
   b. Functioning turn signals, brake lights, brakes, speedometer, and horn.
   c. Rearview mirror, if the All-terrain or Off-road Utility Vehicle is so equipped.
   d. An orange flag affixed to the vehicle at a height that is at least six feet off of the ground or no less than one foot above the top of the vehicle, whichever is higher.
   e. An effective muffling device that complies with the standards and procedures required by Iowa Code § 321I.12.
4. Without wearing a properly adjusted and fastened seatbelt if the All-terrain or Off-road Utility Vehicle is so equipped.
5. In any tree nursery or planting in a manner which damages or destroys growing stock.
6. On any public land, public ice, or designated riding trail in violation of official signs prohibiting such operation.
7. In any park, wildlife area, preserve, refuge, or game management area, except on designated riding areas identified by the Department of Natural Resources or designated riding trails identified by the Delaware County Conservation Board.
8. Any portion of a meandered stream or the bed of a non-meandered stream which has been identified as a navigable stream or river by the Iowa Department of Natural Resources and which is covered by water. This provision does not apply to designated riding areas, designated riding trails, construction vehicles engaged in lawful activity, and/or the operation of All-terrain Vehicles on ice.
9. Upon an operating railroad right-of-way. An All-terrain Vehicle may be driven directly across a railroad right-of-way only at established crossings.
10. With more persons on the vehicle than it was designed to carry. This paragraph does not apply to a person who operates an All-terrain Vehicle or Off-road Utility Vehicle as part of a farm operation as defined in Iowa Code § 352.2.
11. On any designated riding area or trail unless the trail is designated by signs as open to All-terrain and Off-road Utility Vehicle operation.
12. With a firearm in the person's possession while operating or riding on an All-terrain Vehicle unless it is unloaded and enclosed in a carrying case, subject to the following exceptions:
   a. The person is riding on or operating an All-terrain Vehicle on land owned or possessed by the person and the person's conduct is otherwise lawful.
   b. The person is riding on or operating an All-terrain Vehicle on land that is not owned or possessed by the person and is secured in a retention holster upon the person,
   ii. The person possesses and displays to a peace officer upon demand a valid permit to carry weapons which has been issued to the person, and
   iii. The person's conduct is within the limits of the permit to carry weapons.

   A nonambulatory person may carry an uncased and unloaded firearm while operating or riding on an All-terrain Vehicle.
13. While discharging a firearm as the operator or passenger, except a nonambulatory person may discharge a firearm from an All-terrain Vehicle while lawfully hunting if the person is not operating or riding on a moving All-terrain Vehicle.
14. Under the age of 16.
15. Without a valid driver's license.
16. Without a valid safety certificate on board as proof of successful completion of an Iowa Department of Natural Resources approved ATV Education Course if the operator is younger than 18 years of age.

SECTION 5: REGISTRATION REQUIREMENTS AND OTHER CONDITIONS. Individuals who operate on designated secondary roadways in Delaware County must register the All-terrain Vehicle or Off-road Utility Vehicle with the Iowa Department of Natural Resources. The following conditions apply:

1. The owner of each All-terrain Vehicle or Off-road Utility Vehicle shall be required to provide proof of ownership, including but not limited to bill of sale, Iowa Department of Natural Resources registration or registration from the appropriate out-of-state authority, and proof of liability insurance as required by Iowa Code §§ 321.20B and 321A.21.
2. All-terrain Vehicles or Off-road Utility Vehicles registered in Iowa are required to display their current registration decal and carry their certificate on board.
3. All-terrain Vehicles or Off-road Utility Vehicles registered in another state are required to also display a valid Iowa Department of Natural Resources User Permit in addition to displaying a current registration decal and carrying the certificate on board.

SECTION 6: EXEMPT VEHICLES. Registration shall not be required for:

1. All-terrain Vehicles and/or Off-road Utility Vehicles used exclusively as farm implements.
2. All-terrain or Off-road Utility Vehicles owned by the United States, this State or another State, or by a governmental subdivision thereof, and used for enforcement, search and rescue, or official purposes; but not for recreational or commercial purposes.
3. All-terrain vehicles used in accordance with Iowa Code § 321.234A(1)(a).

SECTION 7: PENALTIES. Violation of the Ordinance shall constitute a Simple Misdemeanor punishable by a fine of $65.00 to $625.00, plus the applicable court surcharge and costs and/or up to thirty (30) days in jail.

SECTION 8: REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 9: EFFECTIVE DATE. The ordinance shall become effective upon its passage and publication pursuant to Iowa Code § 331.302(8).

Passed and adopted this 9th day of September, 2019.

Delaware County Board of Supervisors
/S/ Shirley Helmrichs, Chairperson
ATTEST: /S/ Carla Becker, Delaware County Auditor

First Reading as Amended: September 3, 2019
Second, and Final Reading as Amended: September 9, 2019
Amendment Approved: September 9, 2019
Original Ordinance
First Reading: May 9, 2016
Second Reading: May 16, 2016
Third and Final Reading: May 23, 2016
Approved: May 23, 2016