

**PUBLIC NOTICE**

**MINUTES OF THE ALLAMAKEE COUNTY BOARD OF SUPERVISORS**

**MONDAY, AUGUST 30, 2021 (UNOFFICIAL)**

Board members present: Byrnes, Reiser and Schellhammer. All members voting "AYE" unless noted.

Meeting called to order by Schellhammer, followed by the Pledge of Allegiance.

21.319-Motion Reiser/Second Byrnes to approve today's agenda and the minutes from August 23, 2021. Motion carried.

The following people were present at various times throughout the meeting in person or via Zoom: Joseph Moses – Standard newspaper, Denise Beyer – Auditor and Clerk to Supervisors, Mandy O'Neill, Bonnie Smola, Jon Luchsinger, Gene Averhoff, Stephanie Runkle, Kathy Han-num, Ann Hart, Mark Peterson, Val Reinke, Karen Pratte, Tyler Baughman, Duane Smith, Craig Lensing and Chrissy Good, Darin Svenson, Mike Hohenbrink, Heather Home-wood, Corey Snitker, Paul Whalen, Brian Ridenour.

Public Comment: Val Reinke gave an update on past and upcoming meetings and events.

21.320-Motion Byrnes/Second Reiser to open public hearing regarding Private Burial Ordinance. Motion carried.

Stephanie Runkle spoke about how the ordinance discussion arose and said the ordinance addresses responsibilities for maintenance of these private burial sites, and any agreements that would need to be signed. Agreements would follow the property. State law says private

burials are allowed, unless a city or county says private burials are not allowed. Craig Lensing, Martin-Grau Funeral Home, stated documentation is important, to have the burial location well-marked, on the corner of a property would provide ease of access, and cemeteries require a permanent enclosure (vault) but this would be up to the county if an enclosure would be required. Reinke asked if the burial location would be included in the survey and item 4e addresses this. The requirement of vaults or concrete liners or another type of permanent outer burial container was discussed.

21.321-Motion Byrnes/Second Reiser to close public hearing regarding Private Burial Ordinance. Motion carried.

No action taken on first reading due to some language updates to be made.

Pastor Duane notified Supervisors the public Bible reading on court-house lawn will be on September 11. Supervisors took no action because the public has a right to assemble.

21.322-Motion Byrnes/Second Reiser to approve transfer of \$9,050.00 from General Basic to Emergency Medical Services Fund. Motion carried.

21.323-Motion Byrnes/Second Reiser to approve abatement of \$156.00. Motion carried.

Discussion was held regarding the Resolution to declare Allamakee County a Second Amendment Sanctuary County. Attorney Tony Gericke spoke. Mark Peterson and Gene Averhoff talked about the term "sanctuary" and changing the word

"sanctuary" to "supportive". Paul Whalen spoke about the original intent of the Constitution and implications of federal laws. Kathy Han-num and Ann Hart spoke against the resolution saying we have a Constitution and state law and this is unnecessary and Hart feels Supervisors do a tremendous job and their role is infrastructure and this resolution would be divisive. Tyler Baughman spoke in favor of second amendment. Attorney Tony Gericke reminded the public that a resolution is not "enacting a law", just saying what the Supervisors support; if there is a statute against something and you violate that statute, you would be prosecuted. From a legal standpoint there is nothing to prevent supporting or passing a resolution.

Motion by Reiser to sign the resolution declaring Allamakee County to be a Second Amendment Supportive County. No second was received. Schellhammer feels this takes us into a political arena that the Supervisors don't need to go, feels the language is symbolic and political, though he is a second amendment supporter. Schellhammer feels the Supervisors need to "stay in their lane". Byrnes referenced and read the oath the Supervisors and all elected officials take when they take office and feels this says enough about their support of the 2nd amendment.

Ridenour asked Supervisors to set a date to take bids on A26 sealcoat project.

21.324-Motion Byrnes/Second Reiser to set September 27, 2021 at 10:00 am for letting date on A26

sealcoat project, with project to take place next June. Motion carried.

21.325-Motion Reiser/Second Byrnes to approve final payment voucher for Waterville Road (X32) project. Motion carried.

Ridenour reviewed upcoming road and bridge projects and presented plans for approval.

21.326-Motion Reiser/Second Byrnes to approve road and bridge plans for various projects. Motion carried.

Department Head/COVID-19 updates: Engineer Ridenour gave update on damage from recent strong storms; Friday the barricades were removed from Smithfield bridge; applications have been received and interviews will take place this week for openings in his department. Schellhammer informed Ridenour of a call he received on a ditch issue. Corey Snitker gave an update on COVID-19 and state emergency proclamations; he is requesting PPE to have on hand; update on storm damage and Upper Iowa flood stage predictions. Snitker will be meeting with a company to discuss security camera options. Auditor Beyer updated on things discussed last week at ISAC meetings. Schellhammer asked about agenda items on 6-county meeting agenda.

21.327-Motion Byrnes/Second Reiser to adjourn. Motion carried.

Larry Schellhammer, Chairperson ATTEST:

Denise Beyer, Auditor

Published September 8, 2021 in the Postville Herald.