



Board of Health

Sandra Larson, JD, BSN
Preeti Joseph, MD
Jess Smith, PharmD, MPH
Mitchell Edwards, MD
Mike Fidgeon
Lynn “Tut” Fuller, MD
Kathryn J. Dolter, RN, PhD,
Lieutenant Colonel, U. S. Army (Retired)

DUBUQUE COUNTY BOARD OF HEALTH

Meeting Minutes – October 15, 2025 | 4:30 p.m.

Dubuque County West Campus Conference Room, 1225 Seippel Rd. Dubuque, IA & via Zoom

Call to Order: Chair Larson called the meeting to order at 4:30 p.m. (in person & Zoom).

Roll Call:

Board Members (In Person):

- Sandra Larson, Chair
- Kathryn Dolter
- Mike Fidgeon, Vice Chair
- Mitchell Edwards

Board Members (Virtual):

- Tut Fuller
- Preeti Joseph
- Jess Smith

Board Members (Absent):

- None

Liaison (Virtual):

- Ann McDonough, Board of Supervisors Liaison

Internal Staff (In Person):

- Allie White
- Bailey Avenarius
- Tina Daubenberger
- John Sewell
- Emma Hilkin
- Carissa Brown

Contracted Staff:

- Mary Rose Corrigan (Virtual)
- Tim Link (In Person)

Members of the Public:

- Diane Pape Freiburger
- Cris Bakey

- Christa Childers
- Bobby Childers
- Carla Kasal

Quorum Established: at 4:30 p.m.

Public Comment: None

Chairperson Announcements & Updates: Larson announced that Jess Smith will be resigning from the Board of Health and expressed appreciation for her contributions and service to the Board. She noted that two additional vacancies for community members will open in December. Larson also commended the dedication and hard work of Dubuque County Public Health employees, emphasizing that they deserve to be treated with respect.

BOS/BOH Liaison Comments: Supervisor McDonough stated that she was not aware of any comments directed toward Dubuque County Health Department employees. She expressed her willingness to intervene and assist in resolving the situation.

Approval of October 15, 2025, Agenda: Motion by Dolter, seconded by Fidgeon; approved unanimously.

Approval of September 17, 2025, Minutes: Motion by Dolter, seconded by Smith; approved unanimously.

Action Item:

a. Request for Waiver 25552 Dawn Circle Sherrill, IA 52073

Bailey Avenarius summarized that Kim Chapman is requesting a one-time setback waiver for a seasonal property located at 25552 Dawn Circle in Sherrill, Iowa. The property is a two-bedroom home that will be used primarily on weekends from April through November. Due to limited space on the lot, installation of a conventional septic system is not feasible; therefore, the property owner is requesting permission to install a holding tank. After a site visit and consultation with the contractor, it was determined that two setback waivers are required under the Iowa Administrative Code. The first waiver is to allow the holding tank to be placed one foot from the property line instead of the required ten feet, and the second is to allow placement three feet from the dwelling instead of the required ten feet. To address the reduced distance from the property line, a mutual easement must be created and signed between Karen Wold and the adjacent property owner, John Statton, and recorded with the Dubuque County Recorder's Office. Regarding the holding tank system, the buyers and sellers have signed an Addendum to the Purchase Contract stating that the buyers will install an alarm system on the holding tank to ensure timely maintenance and prevent overflow issues. Avenarius recommended that a mutual easement be prepared by a licensed attorney and properly recorded, that the holding tank include an alarm system as outlined in the signed Addendum, and that the installation comply with the Iowa Administrative Code and be fully documented. A Time of Transfer

inspector opposed Avenarius' recommendation due to concerns about the holding tank and shared those concerns in an email. After discussion, it was decided to grant the waivers contingent upon all recommended conditions being met, including the preparation and recording of the easement. Motion by Fuller, seconded by Dolter; approved unanimously.

b. Request for Waiver 225 Durango Rd. Durango, IA 52039

Bailey Avenarius summarized that Robert and Christa Childers, property owners at 225 Durango Road, requested a one-time setback waiver to retain their newly installed soil absorption system (tertiary treatment), which is located 50 feet from the property's well—less than the required 100-foot setback. The system includes both a coco filter (secondary treatment) and soil absorption (tertiary treatment), providing a high level of wastewater purification. Installation was completed by contractor Jeff McAuliffe, who did not notify the department prior to beginning the work. The project was funded through the Water Infrastructure Fund (WIF) Program, established with ARPA funds to assist in replacing failing septic systems in unsewered areas. Due to space limitations on the property, full compliance with setback requirements was not possible. A final inspection conducted on October 6 by Sewell and Avenarius confirmed the system's layout and functionality. Based on site-specific constraints and in accordance with Iowa Administrative Code 567—Chapter 69, a waiver is necessary to allow the reduced setback. Avenarius recommended approval of the one-time waiver due to the system's enhanced treatment capability, code compliance, and permanent oversight provisions. The combination of secondary and tertiary treatment provides advanced wastewater purification and promotes long-term system performance. Although the setback distance is reduced, the system meets the intent of IAC Chapter 69 for private sewage disposal, thereby maintaining compliance. Permanent oversight will be ensured through a recorded maintenance agreement requiring annual professional inspection and servicing to protect public and environmental health. The Board also requested that the maintenance agreement include annual testing of the homeowners' well water. Motion by Dolter, seconded by Fidgeon; approved unanimously.

c. Request for Waiver 8881 Metropolitan Heights Dubuque, IA 52003

John Sewell summarized that Kieko Bakey, property owner of a residence located at 8881 Metropolitan Heights, is requesting a one-time setback waiver to replace the existing septic system with a modern alternative system. The property is a three-bedroom permanent residence, and installation will be managed by contractor Tim Lahey. Due to limited available space on the property, there is insufficient room for a conventional on-site wastewater treatment system, making an alternative system the only feasible option. The contractor has proposed a coco filter as the secondary treatment component. Because the coco filter is a closed system, it may be located within 100 feet of nearby wells, provided it maintains a minimum distance of 50 feet. This configuration allows for proper siting of the system on the property, provided the primary and secondary treatment components can be installed within the rear property line setback. A site visit was conducted on September 8 by Avenarius and Sewell. Based on field data and in accordance

with Iowa Administrative Code (IAC) 567—Chapter 69, one setback waiver is required to allow all components of the on-site wastewater treatment system to be installed up to one foot from the rear property line, reduced from the required ten feet. This property line also serves as the southerly right-of-way for Bellevue Heights Road. Sewell recommended approval of the one-time setback waiver request for Kieko Bakey. A maintenance agreement will be required for the life of the system, and the proposed installation meets all other setback requirements outlined in IAC Chapter 69, which governs private sewage disposal systems. Upon approval, the waiver decision will be recorded with the Dubuque County Recorder's Office. The Board also requested that the maintenance agreement include annual testing of the homeowners' well water. Motion by Dolter, seconded by Edwards; approved unanimously.

d. Consideration of Contract Between the Iowa Department of Inspections, Appeals, and Licensing and the Dubuque County Board of Health for Inspection and Enforcement of Swimming Pool, Spa, and Tattoo Facility Regulations

The Iowa Department of Inspections, Appeals, and Licensing (DIAL) has historically contracted with the City of Dubuque for the inspection and enforcement of public health regulations related to swimming pools, spas, and tattoo establishments. Due to updated state requirements, the contract must now be held directly between DIAL and the Dubuque County Board of Health rather than with the City. White explained that the Board may approve or decline the proposed contract and, if approved, subcontract with the City of Dubuque Health Department to perform the inspection and enforcement activities. White recommended that the Board not enter into the contract at this time, pending a legal opinion from the County Attorney, as enforcement authority may require specific language in the County ordinance. Mary Rose Corrigan from the City of Dubuque Health Department noted that only one formal enforcement action has occurred in all the years the City has managed these inspections, and that the City's adoption of the State Code by reference allows enforcement within city limits. White added that the County could consider adopting the State Code by reference, which would establish the Board as responsible for enforcement and inspection. Motion by Larson to sign the contract and subcontract it to the City, seconded by Dolter; approved unanimously.

Consent Items

a. Agreement with City of Dubuque Public Health for FY26 Childhood Lead Poisoning Prevention Program No motion needed, contract entered in every year.

b. Agreement with City of Dubuque Public Health for FY26 SA6 Emergency Response Planning No motion needed, contract entered in every year.

Presentations & Reports

- a. DCPH Report (Director White):** No verbal reports with the length of agenda, but it is included in packet.
- b. VNA Report (Stacey Killian):** No verbal reports with the length of agenda, but it is included in packet.
- c. County Attorney (pending)** Scott Nelson was invited to the meeting to answer questions;

however, he did not attend. Enforcement remains a significant concern, and several questions were raised regarding the issue. Supervisor McDonough noted that the County Attorney is required to provide legal counsel and stated that the Board may request permission from the County Attorney to hire outside counsel if needed. Larson shall present the request for legal advice with specific questions to County Attorney Nelson.

Unfinished Business

a. Proposed Attendance Bylaw for Discussion The Board expressed support for establishing an attendance policy to help ensure quorum at future meetings. The proposed bylaw would define excessive absenteeism as missing three consecutive meetings or 50% of meetings within a six-month period. The Board will vote on the proposed attendance bylaw at the next meeting.

New Business

a. Discussion of Board's Opioid Subcommittee Members There is now a limit of 3 board members for the Opioid Subcommittee. The Board should contact Carissa Brown if interested on being on it.

b. Discussion and possible action regarding the 28E Agreement for delegation of private well permitting authority. The County Attorney advised withdrawing from the agreement, noting that the Public Health Department currently lacks enforcement authority. White stated that language must be added to the County ordinance to grant the necessary enforcement powers to stay on the contract.

Board Communication and Reports: None

Next Meeting: November 19, 2025, at 4:30 p.m.

Public Comment: In response to 1 BOH member's concerns and 1 Public question Larson suggested scheduling a Work Session RE: Immunizations for a future BOH meeting.

Adjournment: Motion by Dolter at 6:08 p.m.