

NOVEMBER 8, 2021

The Board of Supervisors of Clinton County, Iowa, met. Present were Supervisors Determann, Irwin and Srp. Minutes of the previous meeting were read and approved.

9:00 A.M. Review Correspondence and Claims      Call to Order – Pledge of Allegiance

9:15 A.M. Formal Action & Motions                      Claims were approved unanimously

Coronavirus/COVID-19 update: County Community Health Manager Michele Cullen reported an uptick in cases last week with 155 new cases compared to 117 the previous week. She said they did see a lot of families testing positive. She said 17 new cases were reported during the last three days. Hospitalizations did not go up, she reported, with 83 in the region and Mercy having eight and Genesis with 21. She said the vaccination rate is creeping up slowly 50.7% from 50.5% last week. She said booster shots are continuing and the vaccinations for children have also started for 5-11 year olds. Cullen said Public Health is making plans today to distribute children's vaccines. She said the shipments have not been coming in as expected.

CONSENT AGENDA

Resolutions 2021-297 through 2021-304 and one (1) MOTION were approved on the Consent Agenda:

RESOLUTION 2021-297

WHEREAS, the Board of Supervisors of Clinton County, upon recommendation from the Clinton County Veterans Affairs Commission, has recommend Joseph Raaymakers for the position of Director of Veterans Affairs of Clinton County; now

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County Iowa, to approve the appointment of Joseph Raaymakers to full-time exempt position as the Director of Veterans Affairs with three weeks of vacation to be available upon hire with a start date of November 22, 2021; and

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to issue bi-weekly paychecks in accordance with this resolution without further action of the Clinton County Board of Supervisors.

Roll Call: Srp: Yes; Irwin: Yes; Determann: Yes.                      Tom Determann, Chairperson

RESOLUTION 2021-298

WHEREAS, the Clinton County Sheriff is an elected official and the Board of Supervisors does not consider nor appoint personnel for elected officials, but need to authorize payroll for the County Auditor; now

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa that the County Auditor be and is hereby authorized to issue biweekly paychecks on the General Basic Fund, Office of Jail to Zachary Simons, as a full-time Civilian Correctional Officer. This will be in effect at an hourly rate of \$19.30 during the probationary period of 6 months, then increasing to \$21.44. Zachary Simon's starting date of employment with the Sheriff's Office will be November 15, 2021. This is subject to the terms and conditions of the Sheriff's Bargaining Unit agreement without further action of this Board.

Roll Call: Srp: Yes; Irwin: Yes; Determann: Yes.                      Tom Determann, Chairperson

RESOLUTION 2021-299

WHEREAS, the Clinton County Communications Commission has authorized the hiring of additional staff and the Board of Supervisors does not consider or appoint personnel for the Communications Commission, but needs to authorize payroll for the County Auditor. Clinton County Communications Director Eric Dau desires to appoint Tad Bartels as a Telecommunicator for the Clinton County Communications Commission; now

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors of Clinton County, Iowa, that the County Auditor be and is hereby authorized to issue biweekly paychecks on the Communications Commission Budget, to Tad Bartels, as a full-time Telecommunicator. This will be in effect at an hourly rate of \$18.46 during the first 6 months of employment, then increasing to \$20.77 for the next 6 months of employment, and the increasing to \$23.08 after 1 year of employment. Bartels' starting date of employment with the Clinton County Communications Commission will be November 8<sup>th</sup>, 2021. This is subject to the terms and conditions of the Clinton County Communications Commission Bargaining Unit agreement without further action of this Board.

Roll Call: Srp: Yes; Irwin: Yes; Determann: Yes.                      Tom Determann, Chairperson

RESOLUTION 2021-300

BE IT RESOLVED that the Clinton County Board of Supervisors or Clinton County, Iowa, hereby order the following appointment: Clinton County Board of Adjustments (Five-Year Term) Christopher Frame

Roll Call: Srp: Yes; Irwin: Yes; Determann: Yes.                      Tom Determann, Chairperson

RESOLUTION 2021-301

WHEREAS, pursuant to Iowa code section 445.16 it is impractical to pursue collection of the total amount due through the tax sale or personal judgment remedies. Requesting the abatement for the following Buildings on

Leased Land: 80-99982600 \$13,901.00

THEREFORE BE IT RESOLVED pursuant to code of Iowa sections 445.16 taxes owing shall be abated and the treasurer is hereby authorized to make amendment to the county records indicating said abated tax for the parcels as noted, and the County Auditor shall update the record for fiscal year 2021-2022 in the same manner.

Roll Call: Srp: Yes; Irwin: Yes; Determann: Yes. Tom Determann, Chairperson

#### RESOLUTION 2021-302

WHEREAS, the Clinton County Board of Supervisors has considered bids for snow removal at the County Satellite Office; and

WHEREAS: the bid received is as follows: AEJ Enterprises

Snow removal from sidewalks ½” – 6” \$45 Snow removal from parking lots ½ “ – 6” \$65

7” or more % per inch \_\_\_\_\_ 0% \_ Salt sidewalks per application \$35

Salt parking lot per application \$65 Hauling snow – loader per hour \$75

Hauling snow – tandem dump truck per hour \$75

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the proposal be approved for AEJ enterprises as recommended by the Facilities Director Corey Johnson; and

BE IT FURTHER RESOLVED that the Chairperson of the Board of Supervisors be authorized to sign the proposal on behalf of Clinton County, Iowa.

Roll Call: Srp: Yes; Irwin: Yes; Determann: Yes. Tom Determann, Chairperson

#### RESOLUTION 2021-303

BE IT RESOLVED that the Clinton County Board of Supervisors will host a Public Hearing on the 29<sup>th</sup> day of November, 2021, at 9:45 a.m. in Conference Room B at the Clinton County Administration Building, 1900 North 3rd Street, Clinton, Iowa 52732 for the purpose of soliciting public comment on a proposed map amendment to the Clinton County Zoning Ordinance changing the designation of certain property in Section 34, Township 83 North, Range 5 East of the 5<sup>th</sup> P.M. from A-1 (Prime-Agriculture) to R-1 (Suburban Residential); and

BE IT FURTHER RESOLVED the Clinton County Board of Supervisors authorizes Planning and Zoning Director Thomas Barnes to prepare and submit the proper Public Hearing notice to the appropriate media outlets.

Roll Call: Srp: Yes; Irwin: Yes; Determann: Yes. Tom Determann, Chairperson

#### RESOLUTION 2021-304

WHEREAS, the Clinton County Sheriff’s Office desires to enter into an agreement with the Iowa Alcoholic Beverages Division for the purpose of providing and funding tobacco, alternative nicotine and vapor product enforcement activities to the county; and

WHEREAS, the Sheriff desires the Clinton County Board of Supervisors to authorize the signing of said agreement effective November 8, 2021;

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the Clinton County Sheriff is hereby authorized to sign the agreement, which has been reviewed and approved by the Clinton County Attorney.

Roll Call: Srp: Yes; Irwin: Yes; Determann: Yes. Tom Determann, Chairperson

MOTION by Supervisor Irwin to authorize the Chairperson to sign Utility Permit Number 6-27 for F&B Communications to bore underground communications line in the west ditch of 130<sup>th</sup> Avenue and under the road and into the east ditch in the county right-of-way located on the border of Sections 03 and 04 of T81N R1E in the Spring Rock TWP.

Roll Call: Srp: Yes; Irwin: Yes; Determann: Yes. Motion carried.

#### RESOLUTIONS

The following resolution was presented and on motion approved:

#### RESOLUTION 2021-305

WHEREAS, on the matter herein, the Clinton County Planning and Zoning Commission held a Public Hearing on October 5, 2021 and following said hearing the Commission recommended approval of the attached map amendment to the Clinton County Zoning Ordinance; and

WHEREAS, the Clinton County Board of Supervisors held a public hearing and first reading of the proposed map amendment on November 1, 2021 to consider said amendment and to hear comments for and against; and

WHEREAS, the Clinton County Board of Supervisors held a second reading of the proposed map amendment on November 8, 2021 to consider said amendments; and

NOW, THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors as follows:

1. The attached ordinance numbered 2021-03 is hereby adopted.

2. The Auditor is directed to publish said ordinance as required by law.
3. This ordinance shall be in effect from and after its adoption and publication as required by law.

Roll Call: Srp: Yes; Irwin: Yes; Determann: Yes. Tom Determann, Chairperson

ORDINANCE 2021 - 03

AN ORDINANCE AMENDING THE MAP OF THE CLINTON COUNTY ZONING ORDINANCE RELATIVE TO THE ZONING DESIGNATION OF CERTAIN PROPERTY LOCATED IN SECTION 25, TOWNSHIP 81 NORTH, RANGE 3 EAST OF THE 5<sup>TH</sup> P.M. IN CLINTON COUNTY, IOWA

BE IT ENACTED BY THE CLINTON COUNTY BOARD OF SUPERVISORS:

Section 1: The zoning district boundaries of the County of Clinton Iowa are herewith changed so as to provide for the change of the following described property: A portion of the south one-half of the SW ¼ of the SE ¼ and a prortion of the SE ¼ of the SW ¼ all of section 25, township 81 north, range 3, east of the 5<sup>th</sup> P.M. Clinton County Iowa, described as follows:

Beginning at the south corner of section 25, township 81 north, range 3, east of the 5<sup>th</sup> P.M., Clinton County, IA; thence S88°08'34"W, along the south line of the SE ¼ of the SW ¼ of said section 25, a distance of 186.96 feet, to the intersection with the center line of 274<sup>th</sup> Avenue; thence N09°23'47"W along said centerline, 627.48 feet; thence N84°17'14"E 269.08 feet, to a point on the east line of said SE ¼ to the of the SW ¼ ; thence N01°54'08"W, along said east line 25.00 feet, to the northwest corner of the south one-half of the SW ¼ of the SE ¼ if said section 25; thence N87°38'56"E, along the north line of said south one-half, 246.22 feet, thence S19°09'16"E, 222.04 feet; thence S63°17'14"E, 395.80 feet; thence S62°47'35"E, 242.01 feet; thence S05°16'14"E, 138.34 feet, to a point of the south line of said south one-half of the SW ¼ of the SE ¼ ; thence S87°33'58"W, along the said south line, 879.15 feet, to the point of beginning. Said rezoning parcel contains 11.69 acres, and is subject to easement and restriction of record. within the AR-1 (Agricultural Recreational) District of Clinton County, Iowa to R-1 (Suburban Residential).

Section 2: The change as hereinabove set forth shall be entered and made part of the zoning map of the County of Clinton, Iowa, which map is made part of the Zoning Ordinance of the County of Clinton, Iowa, by incorporation therein as set forth in Chapter III, Section 3.2 of the said Clinton County Zoning Ordinance, and the Chairperson of the Board of Supervisors in accord with Chapter III, Section 3.2.3 shall promptly note on said map the Ordinance numbers, nature of change and date of change.

Section 3: If any section, provision or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4: This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

PASSED AND ADOPTED this 8<sup>th</sup> day of November, 2021 by the Board of Supervisors, Clinton County, State of Iowa.

Signed: Daniel A. Srp; Signed: Jim Irwin, Jr.; Signed: Tom E. Determann, Chairperson

ATTEST: Eric Van Lancker (Signed), County Auditor, County of Clinton, State of Iowa

The following resolution was presented and on motion approved:

RESOLUTION 2021-306

WHEREAS, on the matter herein, the Clinton County Planning and Zoning Commission held a Public Hearing on October 5, 2021 and following said hearing the Commission recommended approval of the attached map amendment to the Clinton County Zoning Ordinance; and

WHEREAS, the Clinton County Board of Supervisors held a public hearing and first reading of the proposed map amendment on November 1, 2021 to consider said amendment and to hear comments for and against; and

WHEREAS, the Clinton County Board of Supervisors held a second reading of the proposed map amendment on November 8, 2021 to consider said amendments; and

NOW, THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors as follows:

1. The attached ordinance numbered 2021-04 is hereby adopted.
2. The Auditor is directed to publish said ordinance as required by law.
3. This ordinance shall be in effect from and after its adoption and publication as required by law.

Roll Call: Srp: Yes; Irwin: Yes; Determann: Yes. Tom Determann, Chairperson

ORDINANCE 2021 - 04

AN ORDINANCE AMENDING THE MAP OF THE CLINTON COUNTY ZONING ORDINANCE RELATIVE TO THE ZONING DESIGNATION OF CERTAIN PROPERTY LOCATED IN SECTION 22 and 23, TOWNSHIP 82 NORTH, RANGE 3, EAST OF THE 5<sup>TH</sup> P.M. IN CLINTON COUNTY, IOWA

BE IT ENACTED BY THE CLINTON COUNTY BOARD OF SUPERVISORS:

Section 1: The zoning district boundaries of the County of Clinton Iowa are herewith changed so as to provide for the change of the following described property: A parcel of land located in the NE ¼ NE ¼ and the SE ¼ NE ¼ of section 22 and the NW ¼ NW ¼ of section 23, all in township 82 north, range 3, east of the 5<sup>th</sup> P.M., Clinton County Iowa, more particularly described as the follows: Beginning at the NW corner of said section 23; thence N89°33'10"E, 663.09 feet, along the north line of the NW ¼ of said section 23; thence S0°07'23"W, 1330.65 feet to a point on the south line of said NW ¼ NW ¼; thence S89°22'07"W, 664.92 feet, along said south line, to the SW corner of said NW ¼ NW ¼; thence S0°12'03"W 330.00 feet, along the east line of the SE ¼ NE ¼ of said section 22 thence N89°45'17"W, 570.22 feet, thence N2°47'09"W 1663.84 feet, to a point on the north line of the NE ¼ of said section 22; thence S89°52'02"E, 656.91 feet, along said north line, to the point of beginning, containing 43.71 acres more or less, subject to the county road easement as shown. Basis of bearing: The north line of the NW ¼ of said section 23 is assumed to bear N89°33'10"E for the purpose of this description. within the A-1 (Prime Agriculture) District of Clinton County, Iowa to C-1 (Highway Commercial).

Section 2: The change as hereinabove set forth shall be entered and made part of the zoning map of the County of Clinton, Iowa, which map is made part of the Zoning Ordinance of the County of Clinton, Iowa, by incorporation therein as set forth in Chapter III, Section 3.2 of the said Clinton County Zoning Ordinance, and the Chairperson of the Board of Supervisors in accord with Chapter III, Section 3.2.3 shall promptly note on said map the Ordinance numbers, nature of change and date of change.

Section 3: If any section, provision or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4: This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

Signed: Daniel A. Srp; Signed: Jim Irwin, Jr.; Signed: Tom E. Determann, Chairperson

ATTEST: Eric Van Lancker (Signed), County Auditor, County of Clinton, State of Iowa

RESOLUTION 2021-307 discussion: County Sheriff Greenwalt said out-of-county inmates have produced approximately \$200,000 in revenue since the start of the year. He said the local jail population has increased in the last few months. He said this is putting jail staff and inmates in jeopardy and increasing the liability to the County. He said the jail currently has around 80 inmates. Greenwalt said the former jail had 44 inmates capacity and they are working with the same number of correctional officers. He added this jail is physically three-times larger than the old one. He said this makes cell checks take much more time. He said staff is sometimes behind distributing medications to inmates because of the lack of staff. He said booking an inmate can take as little as 30 minutes to more than 60 minutes. Greenwalt said he's not happy about making this request, but jail population is causing this request. He said if local inmate numbers decrease they could increase out-of-county inmates which could bring in revenue to help offset the additional staff. However, Greenwalt said he doesn't see the local numbers reducing anytime soon. Chief Deputy Steve Diesch said the County with the former jail was sending out 7-10 inmates a week. Greenwalt said the staff would be plugged into the schedule during the known peak times. Supervisor Irwin said negating liability and having a shortage of staff is important to address. Greenwalt said this staff level being requested should be good for the jail for a while. Diesch said additional staff could also help start the programming in the jail that has been talked about since the new jail was built. Supervisor Srp encouraged them to continue to use outside resources to decrease the population of the jail. Determann said we knew this day was coming and shouldn't be a surprise. He said voters supported it and want criminals in jail. He said none of us like this, but it is still the most efficient way to run the jail. Srp said overall he's concerned because the Board approved two new positions in other offices last week and that all of this will affect future budget discussions. Srp said when the jail was being planned, there was always a threshold of inmates that we knew we would have to increase staff and the County is there now.

The following resolution was presented and on motion approved:

RESOLUTION 2021-307

WHEREAS, the Clinton County Sheriff desires to hire four (4) full-time Civilian Correctional Officers and one (1) full-time Deputy Sheriff, all of which will report to the jail;

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the County Sheriff is hereby authorized to proceed in hiring for the positions.

Roll Call: Srp: Yes; Irwin: Yes; Determann: Yes.

Tom Determann, Chairperson

DEPARTMENT HEADS, ELECTED OFFICIALS AND EMPLOYEES

County Auditor Eric Van Lancker reminded the Board it will reconvene today at 1:30 to canvass the votes from last week's City/School Election. He said a second-tier canvass for the Cal-Wheat School District will be done next week during the regular meeting time. He reminded the Board that County buildings are closed Thursday in honor of Veterans Day.

County Engineer Todd Kinney reported Old HWY 30 repaving project should be wrapping up intersection paving. He said the painting contractor painted, but now that will be milled up. However, he said the County doesn't have to pay for the repainting.

Supervisor Irwin said the Workforce Development will start this week scheduling agents in the resource center in the Courthouse.

County Treasurer Dustin Johnson reported there is \$1.33 million of outstanding property tax this year and \$418,000 from the previous year. He noted most of that is from the former Ashford college property.

County Facilities Director Corey Johnson reported he has a custodian position open and will advertise the position soon.

DISCUSSION WITH POSSIBLE ACTION

Opioid Litigation Update: Van Lancker said he was on the call last week and that County Attorney Mike Wolf was not able to make the meeting this morning. He said the call was organized by ISAC. He said since Clinton County has been working with counsel, it is ahead of getting the County registered to vote on the state deal for the settlement. He said the settlement deal will be split 50% for the state and 50% will go to the counties. He said the County Attorney's association tried hard to make it a 60-40 split in favor of the counties, but Iowa's Attorney General would not budge from 50-50. He said it is important all counties in the state vote on the settlement as that will result in a larger amount of money from the settlement.

Solar Project Update: County Planning and Zoning Director Thomas Barnes provided an update on engaging an outside counsel for assistance with the solar projects proposed in the County. Barnes spoke with a firm in St. Louis who could provide various services. He also spoke with Louisa County who did not have as much negative feedback as Clinton County has received. But he said their project does not surround as many houses as Clinton County's project. Barnes said Origin, former IIW, could also provide various services to help the County through the process.

10:17 A.M. Drainage Districts

MOTION by Supervisor Srp to recess as the Board of Supervisors and convene as Board of Trustees for Drainage Districts.

Roll Call: Srp: Yes; Irwin: Yes; Determann: Yes.

Motion carried. The Board recessed and the

Board of Trustees convened at 10:18 a.m.

County Engineer Todd Kinney provided an update for the project in Drainage District #7 that was a tree and brush project. He said the work has been completed. He has emailed the Drainage District attorney because it is not clear how to close out the project. He said the amount of the project is such that it is confusing how the project gets closed out. He said the formal process requires a public hearing to give land owners the opportunity to request claims. The Board decided to follow the formal procedures. Kinney will bring a resolution to the Board next week to set a public hearing.

Kinney provided an update for the project in Drainage District #21. He said he needs more information from a couple of landowners for the tile replacement job. He said those two lines were replaced with one line. However, the area the two tiles drained is down to one tile and that has landowners concerned because the drainage appears to be less. Kinney said the Board may want to add some tiling to the project.

MOTION by Supervisor Srp to adjourn as the Board of Trustees for Drainage Districts and reconvene as the Board of Supervisors.

Roll Call: Srp: Yes; Irwin: Yes; Determann: Yes.

Motion carried. The Board of Trustees

adjourned and the Board of Supervisors re-convened at 10:28 a.m.

10:30 A.M. Broadband Study and Grants Update

SmartSource representatives Curtis Dean, Todd Kielkopf, and Ken Demlow reviewed the preliminary results of a recent survey conducted in Clinton County in regards to internet service and speeds. Dean said the new round of funding from the State is geared more toward serving rural areas. Kielkopf said they are working with other counties to develop a resolution to state public purpose for some of these projects to allow for possible contribution to the grant applications. He said there would also be criteria listed in the resolution. He said the County match

would only be made if the grant was awarded. The Board asked SmartSource to send the proposed resolution to review for next week's meeting.

1:30 P.M. Canvass Votes of the City/School Election

The Supervisors canvassed the votes of the November 2, 2021, City/School Election and the results are on file in the County Auditor's office and on the Clinton County Elections website for public inspection.

The Board of Supervisors adjourned to meet Monday, November 15, 2021.

Eric Van Lancker, County Auditor

Tom Determann, Chairperson

-APPROVED-

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County Auditor

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Chairperson