

JANUARY 18, 2022

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 Approved Unanimously

Coronavirus/COVID-19 update: Clinton Community Health Manager Michele Cullen reported new cases in the County are significantly going up. She said last week the seven-day new cases was 246 while the last seven days has reported 426 new cases. She added that number does not include the many who are doing the rapid home test. Cullen added the home kits are only 70% effective. She said hospitalizations in the region are at 224 with Genesis having 46 and Mercy with 10. She said the positivity rate is at 25% and 10,875 boosters have been given in the County. Cullen said the public health Wednesday clinics continue and vaccinations and boosters are also available at pharmacies and other clinics. Cullen said she will post information on Facebook about the federal website where home tests may be ordered.

CANVASS OF VOTES

The Board of Supervisors met as the Board of Canvassers and proceeded to canvass the votes of the Drainage Districts #8, #9 and #12 elections held on January 15, 2022. Results of the canvass were recorded and placed on file in the Clinton County Auditor's Office.

CONSENT AGENDA

Resolutions 2022-23 through 2022-24 were approved on the Consent Agenda:

RESOLUTION 2022-23

WHEREAS, the Clinton County Conservation Board wishes to end payroll for Autumn Griffin; now  
THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the County Auditor be and is hereby authorized to stop issuance of biweekly paychecks on the Conservation General Fund in payment of wages without further order of the Board. Griffin's last day of employment with Conservation will be on January 23, 2022.

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

RESOLUTION 2022-24

WHEREAS, the Board of Supervisors of Clinton County, upon recommendation from the Clinton County Director of Human Resources, authorizes the hire/transfer of Autumn Griffin for the position of Payroll and Benefits Administrator under the Human Resources Department; now

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, to approve the hire/transfer of Autumn to full-time exempt position \$50,000/year starting wage as the Payroll and Benefits Administrator with the transfer of all leave banks with the start date is January 24, 2022; 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, Chairman

RESOLUTIONS

The following resolution was presented and on motion approved:

RESOLUTION 2022-25

WHEREAS, the Clinton County Board of Health has one seat open; and  
WHEREAS, the Board has determined Jenna Lovass to be qualified and appropriate to be appointed as a member of the Clinton County Board of Health; now

THEREFORE BE IT RESOLVED that Jenna Lovaas is appointed to a three-year term set to expire 12/31/2024.

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

The following resolution was presented and on motion approved:

RESOLUTION 2022-26

WHEREAS, the Clinton County Board of Supervisors regulates the installation of towers and antennas placed throughout the County; and

WHEREAS, the County regulates the installation of towers and antennas in order to protect the public health, safety and general welfare of the community through minimizing adverse visual effects and avoiding potential damage from structural failures; and

WHEREAS, the County regulates the placement of utilities in order to promote the health, safety and general welfare of the public through policies that foster safe travel over the right-of-way, safety around homes and buildings where overhead feeds are connected, and orderly development in the County; and

WHEREAS, in 2019, the State of Iowa adopted new regulations in Iowa Code Chapter 8C with regard to the regulation new tower applications and other wireless communications facilities; and

WHEREAS, Clinton County Ordinances have not been updated to comport with these new legislative changes; and

WHEREAS, it is in the best interest of the County to temporarily halt the installation, augmentation and relocation communication towers and antennas in order to give the County time to plan, consider, review, adopt and/or revise its ordinances to fully address the legal rights of any application and the rights, safety, privacy, property and security of residents of the County; and

WHEREAS, the County needs an opportunity to study and engage in deliberation of all of the issues pertaining to the emerging wireless communication facilities and cell towers in the County and to evaluate the need for additional standards to properly regulate these facilities; and

WHEREAS, the Board of Supervisors has determined a need for the Clinton County Zoning Administrator to evaluate and determine the appropriate permitting and land use controls for new telecommunication facilities and antennas within the County; and

WHEREAS, a temporary moratorium on the acceptance and approval of applications of installation, augmentation and relocation communication towers and antennas in the County is reasonable, necessary and appropriate to administer a study and determine what additional regulations and conditions can be developed and implemented.

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

1. The Board of Supervisors finds that it is necessary for the Clinton County Zoning Administrator to evaluate the appropriate permitting and land use controls that should apply to wireless telecommunication facilities and antennas in the County.

2. The purpose of the evaluation to be conducted includes, but is not limited to determining the appropriate permitting and licensing standards, and land use and development standards, that should apply to wireless telecommunication facilities and antennas in the County and determining the appropriate changes, if any, that should be made to County Ordinances or zoning regulations.

3. The County finds that there is a need to adopt a County-wide moratorium, while the evaluation referenced in numbered paragraph 1 of this resolution is being conducted.

4. The County finds that this moratorium applies to, but is not limited to, the following types of land use applications: right-of-way permits, special exception permit applications, antenna permits, building permits, and electrical permits for installation, construction or operation of wireless telecommunication facilities, including towers and antennas in the County;

5. A study is authorized to be conducted by County staff, to be followed by consideration of potential changes to the County's Ordinances by the Board of Supervisors.

6. For a period of 120 days following the approval of this resolution, or until an amendment to the land use regulations of the County is approved, whichever comes first, no application for any permit or development for a cell tower or wireless communication facility within County right-of-way will be accepted, nor shall any permit or development order be approved for a cell tower or wireless communication facility within Clinton County.

7. The Moratorium established by this resolution shall apply to any application pending as of the date of this resolution.

8. The adoption of this Resolution is undertaken by the County in good faith and is intended to further the goals of the Clinton County comprehensive planning and to comply with State law.

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

#### DEPARTMENT HEADS, ELECTED OFFICIALS AND EMPLOYEES

County Auditor Eric Van Lancker reminded the Board it meets Friday for budget presentations and will meet again on Monday for its regular Board meeting.

County Treasurer Dustin Johnson said the DOT rollout for the cross-county titling will likely be delayed again.

#### DISCUSSION WITH POSSIBLE ACTION

County Response to the Sheriff's Union Initial Proposal Response: County labor attorney Dave Pillers reviewed the County's response. Pillers said he will have a call with the union attorney this afternoon to set schedules for negotiations.

ARP Funding Update: The Board reviewed its priority projects for ARP funding. Determann wanted more time to look at the secondary roads request for dump trucks and graders. He said he wasn't sure the Board would make any decisions this week. Srp said he understands that, but doesn't believe any of the projects he included in his motion will come off the priority list and should get started due to expected long lead times to complete the projects.

MOTION by Supervisor Srp to authorize work funded by ARP funds to begin on Administration Building penthouse air handler, courthouse elevator, Courthouse fire panel, Courthouse metal detector and x-ray machine, jail kitchen hood, two dump trucks, Lost nation and Elwood shed replacements and all of the public health request.

Roll Call: Srp: Yes; Irwin: Yes; Determann: No. Motion carried.

REPORTS

The Commission of Veterans Affairs December 2021 monthly and 2nd Quarter FY22 reports were presented, approved and filed.

The Board of Supervisors adjourned to meet on Friday, January 21, 2022.

Eric Van Lancker, County Auditor

Tom Determann, Chairman

-APPROVED-

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County Auditor

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Chairman