

JUNE 17, 2013

The Board of Supervisors of Clinton County, Iowa, met. Present were Supervisors Staszewski, Davisson and Schmidt. The minutes of the previous meeting were read and approved.

REPORTS

The May 2013 monthly report of the Commission of Veterans Affairs, submitted by Ed Staszewski, Director, was presented, approved and filed.

9:15 A.M. FORMAL ACTION: Resolutions and Motions

The following resolution was presented and on motion adopted.

RESOLUTION #2013-154

WHEREAS, Michael L. Miller has petitioned for property tax suspension under provision of Code of Iowa, Section 427.8, on the following described property:

1145 432nd Avenue, Clinton, IA

Parcel #2610150000

WHEREAS, eligibility for said suspension has been verified by Kim Ralston, CAP Director.

BE IT RESOLVED by the Clinton County Board of Supervisors that tax suspension [for the collection of taxes, special assessments, and rates or charges, including interest, fees and costs] be and is hereby approved and the County Treasurer is authorized to make entry on her records accordingly, all under provision of Section 427.8, Code of Iowa.

BE IT FURTHER RESOLVED that tax suspension under provision of Section 427.8, Code of Iowa is for the 2012 Assessment Year and all prior years and it is the responsibility of the petitioning taxpayer to reapply for further tax suspension.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2013-155

WHEREAS, Judith E. Voda has petitioned for property tax suspension under provision of Code of Iowa, Section 427.8, on the following described property:

2220 12TH Avenue So., Clinton, IA

Parcel #8809150000

WHEREAS, eligibility for said suspension has been verified by Kim Ralston, CAP Director.

BE IT RESOLVED by the Clinton County Board of Supervisors that tax suspension [for the collection of taxes, special assessments, and rates or charges, including interest, fees and costs] be and is hereby approved and the County Treasurer is authorized to make entry on her records accordingly, all under provision of Section 427.8, Code of Iowa.

BE IT FURTHER RESOLVED that tax suspension under provision of Section 427.8, Code of Iowa is for the 2012 Assessment Year and all prior years and it is the responsibility of the petitioning taxpayer to reapply for further tax suspension.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2013-156

WHEREAS, Tony and Jeannie Eldrenkamp have petitioned for property tax suspension under provision of Code of Iowa, Section 427.8, on the following described property:

2214 No. 5th Street, Clinton, IA

Parcel #86-24870000

WHEREAS, eligibility for said suspension has been verified by Kim Ralston, CAP Director.

BE IT RESOLVED by the Clinton County Board of Supervisors that tax suspension [for the collection of taxes, special assessments, and rates or charges, including interest, fees and costs] be and is hereby approved and the County Treasurer is authorized to make entry on her records accordingly, all under provision of Section 427.8, Code of Iowa.

BE IT FURTHER RESOLVED that tax suspension under provision of Section 427.8, Code of Iowa is for the 2012 Assessment Year and all prior years and it is the responsibility of the petitioning taxpayer to reapply for further tax suspension.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2013-157

WHEREAS, Justin and Dawn Herman have petitioned for property tax suspension under provision of Code of Iowa, Section 427.8, on the following described property:

2326 Wallace Street, Clinton, IA

Parcel #82-03810000

WHEREAS, eligibility for said suspension has been verified by Kim Ralston, CAP Director.

BE IT RESOLVED by the Clinton County Board of Supervisors that tax suspension [for the collection of taxes, special assessments, and rates or charges, including interest, fees and costs] be and is hereby approved and the County Treasurer is authorized to make entry on her records accordingly, all under provision of Section 427.8, Code of Iowa.

BE IT FURTHER RESOLVED that tax suspension under provision of Section 427.8, Code of Iowa is for the 2012 Assessment Year and all prior years and it is the responsibility of the petitioning taxpayer to reapply for further tax suspension.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2013-158

WHEREAS, Charles W. Fenzel, Jr. has petitioned for property tax suspension under provision of Code of Iowa, Section 427.8, on the following described property:

514 No. 3rd Street, Clinton, IA

Parcel #80-49450000

WHEREAS, eligibility for said suspension has been verified by Kim Ralston, CAP Director.

BE IT RESOLVED by the Clinton County Board of Supervisors that tax suspension [for the collection of taxes, special assessments, and rates or charges, including interest, fees and costs] be and is hereby approved and the County Treasurer is authorized to make entry on her records accordingly, all under provision of Section 427.8, Code of Iowa.

BE IT FURTHER RESOLVED that tax suspension under provision of Section 427.8, Code of Iowa is for the 2012 Assessment Year and all prior years and it is the responsibility of the petitioning taxpayer to reapply for further tax suspension.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2013-159

WHEREAS, the Clinton County Sheriff has accepted the resignation of Samantha Barden, as a Correctional Officer.

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 General Basic Fund, Office of Sheriff, to Samantha Barden after accrued benefits are paid effective after her last day of employment on June 20, 2013.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2013-160

WHEREAS, employees of the Clinton County Sheriff's Office have concluded negotiations for a two-year agreement from July 1, 2013 through June 30, 2015; and

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the Clinton County Sheriff's Office Employee Union Contract from July 1, 2013 through June 30, 2015, be and is hereby ratified by Clinton County and when the final contract is presented, the Board of Supervisors be and is hereby authorized to sign said contract on behalf of Clinton County.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2013-161

BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that Doyle Kirk, Jr. has been appointed to the position of Operations Officer for the Clinton County Emergency Management Agency and is hereby approved at an annual salary of \$34,000 effective July 18th, 2013, and after the successful completion of a six-month probation period, an annual salary of \$35,000, and upon one year of service an annual salary of \$36,000 without further action of this Board;

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to issue biweekly pay checks from the Emergency Management Fund to Doyle Kirk, Jr. without further action of this Board.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2013-162

BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the appointment of Nathan Mueller to the full-time position of Planning & Zoning Director is hereby approved. Starting salary to be set at \$43,000 with a \$1,000 increase at the completion of six months probation from the effective hiring date of June 24, 2013; and

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to issue biweekly pay checks from the General Basic Fund without further action of this Board.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes
John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2013-163

WHEREAS, Clinton County has appropriated certain funds from its FY2014 budget for substance abuse services to the citizens of Clinton County and that the aforementioned funds be allocated to area substance abuse service Providers through an approved Preferred Provider Agreement.

WHEREAS, said Provider of service is as follows:

Bridgeview Community Mental Health Center

BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the aforementioned Preferred Provider Agreement be and is hereby accepted and the Chairperson be and is hereby authorized to sign the Preferred Provider Agreement on behalf of Clinton County.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2013-164

WHEREAS, Clinton County has appropriated certain funds from its FY2014 budget for substance abuse services to the citizens of Clinton County and that the aforementioned funds be allocated to area substance abuse service Providers through an approved Preferred Provider Agreement.

WHEREAS, said Provider of service is as follows:

Center for Alcohol & Drug Services

BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the aforementioned Preferred Provider Agreement be and is hereby accepted and the Chairperson be and is hereby authorized to sign the Preferred Provider Agreement on behalf of Clinton County.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2013-165

WHEREAS, the Boards of Supervisors of Cedar, Clinton, Delaware, Jackson, and Jones Counties (collectively hereinafter the "Members") in the State of Iowa have authorized and executed a certain Eastern Iowa Regional Utility Service Systems Intergovernmental Agreement (the "28E Agreement") pursuant to Chapter 28E of the Code of Iowa; and

WHEREAS, the terms of the 28E Agreement provide for the creation of the Eastern Iowa Regional Utility Service Systems Commission (the "EIRUSS") for the purposes of planning, designing, developing, financing, constructing, owning, operating, and maintaining wastewater treatment systems and water systems for and on behalf of the Members and the cities and unincorporated areas within the boundaries of the Members; and

WHEREAS, EIRUSS has authority pursuant to the 28E Agreement and Chapter 28F of the Code of Iowa to issue revenue bonds and interim financing notes to pay the costs of projects undertaken, but prior to the issuance of such bonds or notes each of the Members must adopt a resolution authorizing their issuance; and

WHEREAS, EIRUSS has undertaken the design and construction of a wastewater treatment system (the "Project") in the unincorporated community of Fairview in Jones County, Iowa and has proposed the issuance of revenue bonds (the "Bonds") to pay the costs of the Project; and

WHEREAS, it is now necessary for the Board of Supervisors of Clinton County to approve and authorize the issuance of the Bonds;

NOW, THEREFORE, It Is Hereby Resolved by the Board of Supervisors of Clinton County, Iowa (the "County"), as follows:

Section 1. The County hereby authorizes EIRUSS to issue the Bonds for the Project in a principal amount not to exceed \$600,000.

Section 2. All resolutions or parts thereof in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2013-166

BE IT RESOLVED by the Clinton County Board of Supervisors of Clinton County, Iowa, that the layoff of Tammy Crosthwaite, Case Management Supervisor, Office of Case Management, resulting from a reduction of funds from the State of Iowa, be and is hereby effective midnight June 11, 2013.

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to discontinue pay checks effective said date.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

Motion was made by Supervisor Schmidt to authorize the Chairperson to sign Utility Permit Number 10-50 for Eastern Iowa Light and Power to bore an underground electrical line within the County right-of-way under 182nd Street in Section 17 of T82N-R4E in Washington Township.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

Motion carried.

GENERAL PUBLIC

DEPARTMENT HEADS, ELECTED OFFICIALS, AND EMPLOYEES

Lynn Tibbetts, Human Resources Manager, reported the front receptionist area will not be staffed for an undetermined amount of time with a recent job opening.

Paul Ketelsen, Interim County Planning & Zoning Administrator, reported B&W Control Specialists will spray Drainage District #15 and recheck some areas of Drainage District #17 this week.

Corey Johnson, Clinton County Building Maintenance Manager, reminded the Board of Supervisors about the bid opening later in the day for Phase II of the DeWitt Government Annex renovation. He also reported the asbestos removal estimate for the DeWitt Annex is \$8,000 and the contractor will begin later this week.

9:40 A.M. Discussion / Possible Action to Follow – Commitment of fund balance through GASB 54 – County Auditor Eric Van Lancker

Van Lancker explained the County has recently approved GASB 54 which allows for assignment of the County's fund balance. He requested the Board of Supervisors commit \$124,000 of the fund balance for the use of purchasing voting equipment.

The following resolution was presented and on motion adopted.

RESOLUTION #2013-167

WHEREAS, the Government Accounting Standards Board (GASB) has issued its Statement No. 54, Fund Balance Reporting and Government Fund Type Definitions, requiring , among other things, all state and local

governmental entities to adopt a resolution committing General Supplemental fund balance resources for the future purchase of election equipment; and

WHEREAS, Clinton County receives property taxes, state-aid funding and other revenues; and

WHEREAS, it is the intent of the Clinton County Board of Supervisors to adopt this resolution to restrict and commit the fund balance resources of the General Supplemental Fund in accordance with Generally Accepted Accounting Principles (GAAP) and GASB 54;

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that it commits the following funds:

Clinton County Auditor Elections Administration: \$125,000 for the purchase of election equipment.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

9:54 A.M. IMWCA Best Practices Presentation – IMWCA Representatives Dean Schade and Russ Sporer and local insurance agents John Root and Julie Bray

Schade said this is the fifth year the award is being awarded to the County. He added Clinton County is the only five-year award winner in the state. Sporer said this is a tremendous achievement. He added he personally works with 25 entities and Clinton County has the best experience mod in the state of any Counties and that's quite an achievement. Sporer said he mentions Clinton County to other entities as an example.

10:00 A.M. Public Hearing – Proposed Construction Permit Application for a Confinement Feeding Operation from Michael Schmidt d/b/a/ Deep Creek Pork

PUBLIC HEARING

Chairperson Staszewski called the Public Hearing to order at 10:00 a.m. Present were Supervisor Schmidt and Davisson; Administrative Assistant Roberta Lewis; County Auditor Eric Van Lancker; Interim Planning & Zoning Administrator Paul Ketelsen; and members of the press and public.

The purpose of the Public Hearing was to solicit comments from the public concerning a proposed construction permit application for a confinement feeding operation owned by Michael Schmidt d/b/a Deep Creek Pork.

Proof of publication was presented, accepted, and returned for filing.

Delores and Darik Flathers, neighbors to the proposed operation, said they have some concerns about air quality, noise and traffic. They would like to know what happens if manure pits are not able to be cleaned in an appropriate time.

Michael Schmidt said the Flathers' concerns are the same as his and he has thought about this operation for many years. He said he is looking out for his neighbors and friends. He said his family home and farm is also close to the operation. He said there should be minimum impact to their property. He's also willing to work with them to provide more precautions as needed.

Delores Flathers said her main concern is how long until there are more confinements in the area.

Supervisor Schmidt asked about traffic. Michael Schmidt responded he intends for the traffic to come from the north which would cut down on traffic for his neighbors to the south. He is willing to follow up with any dust control that is requested.

Supervisor Schmidt asked about the distance requirements. Ketelsen reviewed the full matrix report with the Board of Supervisors. He said the master matrix did included enough points over the minimum required.

Motion was made by Supervisor Schmidt to adjourn the public hearing.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

Motion carried. The Public Hearing closed at 10:28 a.m. The Board of Supervisors plans to meet 10:30 a.m. on Friday to consider approval of the permit.

10:33 A.M. Discussion - Request to have County pay a health benefit stipend for retirees from age 62 to 65 – County Engineer

Kinney reviewed a summary of the issue. Van Lancker reminded the Board of Supervisors it would have to budget each year the liability of the possibility of people in that age range retiring. He said he has concerns what that would mean to the County budget and the County tax rate.

10:38 A.M. Discussion / Possible Action – Request to purchase assignment and compromise of County held tax sale certificate, Parcel #80-18160000 with the legal description: W 33' of Lot 20 Blk 35 – Dana Scott

Scott made an offer for the certificate. The County Treasurer said it was a fair offer. Scott said the property is next to her property and includes a tree that is close to falling. She said the neighbors have been taking care of the property.

Motion was made by Supervisor Davisson to accept the offer from Dana Scott for the property on 320 Fourth Avenue North in Clinton.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

Motion carried.

10:45 A.M. Discussion / Eastern Iowa MHDS Regional Planning Group Recommendations to Regional Governing Board – Mental Health Coordinator Becky Eskildsen

Eskildsen said she received the most updated draft this morning from the regional planning group. She reviewed the recommendations with the Board of Supervisors. Eskildsen said the next meeting of the planning group is Thursday.

11:45 A.M. A.T.B.C. per Iowa Code 21.5(1)(i) Interview for Part-time Board Secretary Position – Candidate #001

Motion was made by Supervisor Davisson to enter a closed session at the request of Teresa Kilburg pursuant to Code of Iowa, Chapter 21.5(1)(i) for the purpose of a interview.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

Motion carried. Board of Supervisors entered closed session at 11:45 a.m.

Chairperson Staszewski adjourned the closed session and the Board of Supervisors returned to general session at 12:15 p.m.

12:19 P.M. A.T.B.C. per Iowa Code 21.5(1)(i) Interview for Part-time Board Secretary Position – Candidate #002

Motion was made by Supervisor Davisson to enter a closed session at the request of Gwen Costello pursuant to Code of Iowa, Chapter 21.5(1)(i) for the purpose of a interview.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

Motion carried. Board of Supervisors entered closed session at 12:19 p.m.

Chairperson Staszewski adjourned the closed session and the Board of Supervisors returned to general session at 12:41 p.m.

The Board of Supervisors adjourned to meet on Friday, June 21, 2013.

Eric Van Lancker, County Auditor

John F. Staszewski, Chairperson

-APPROVED-

County Auditor

Chairperson