

JULY 11, 2016

The Board of Supervisors of Clinton County, Iowa, met. Present were Supervisors Srp, Hamerlinck and Staszewski. 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: Resolutions and Motions

CONSENT AGENDA

The following Resolutions #2016-163 through #2016-169 were approved on the Consent Agenda:

RESOLUTION #2016-163

The Clinton County Board of Supervisors, having interviewed the different County Officials and Department Heads, does hereby report cash on hand in the various offices before the opening of business on Friday, July 1, 2016, as follows:

CONSERVATION

Grand Mound – Camping & Damage Deposits \$ 7,066.10

RECORDER/REGISTRAR

Cash in Drawer \$ 200.00

SHERIFF

Petty Cash \$ 107.53

Gun Permit/Permit to Purchase \$ 0.00

Accident Report \$ 0.00

Driving Records \$ 0.00

SHERIFF – CIVIL DEPARTMENT

Cash on Hand \$ 100.00

JAIL

Inmates Funds for Deposit \$ 46.18

Pop \$ 105.74

TREASURER

Cash in Drawers \$ 1,000.00

Cash in Vault \$ 800.00

Cash in Drawers – DeWitt \$ 400.00

Roll Call:

Staszewski: Yes

Hamerlinck: Yes

Srp: Yes

Daniel A. Srp, Chairperson

RESOLUTION #2016-164

BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the appointment of Christina McQuiston, current permanent part-time Targeted Case Manager, Office of Case Management, be and is hereby moved to temporary full-time Targeted Case Manager for the term of July 11, 2016, through September 30, 2016, at current hourly rate, is hereby approved. After said term Christina will return to the permanent part-time position without further action.

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

Roll Call:

Staszewski: Yes

Hamerlinck: Yes

Srp: Yes

Daniel A. Srp, Chairperson

RESOLUTION #2016-165

WHEREAS, Code of Iowa, Chapter 426C, provides a business property tax credit for qualifying properties;
and

WHEREAS, the Clinton County Assessor's Office has recommended the attached list of parcels qualify for the business property tax credit as defined by Code of Iowa, Section 426C.4(1)(a);

THEREFORE, BE IT RESOLVED by the Clinton County Board of Supervisors that the attached list of parcels is allowed the business property tax credit per Code of Iowa, Chapter 426C, effective July 1, 2016.

Roll Call:
Staszewski: Yes
Hamerlinck: Yes
Srp: Yes
Daniel A. Srp, Chairperson

RESOLUTION #2016-166

WHEREAS, Code of Iowa, Chapter 425, provides a homestead property tax credit for qualifying properties; and

WHEREAS, the Clinton County Assessor's Office has recommended the approval of applications for the homestead property tax as filed in the County Assessor's Office; now

THEREFORE, BE IT RESOLVED by the Clinton County Board of Supervisors that said parcels are allowed the homestead property tax credit per Code of Iowa, Chapter 425, effective July 1, 2016.

Roll Call:
Staszewski: Yes
Hamerlinck: Yes
Srp: Yes
Daniel A. Srp, Chairperson

RESOLUTION #2016-167

WHEREAS, Code of Iowa, Chapter 426A, provides a military service property tax credit for qualifying properties; and

WHEREAS, the Clinton County Assessor's Office has recommended the approval of applications for the military service property tax as filed in the County Assessor's Office; now

THEREFORE, BE IT RESOLVED by the Clinton County Board of Supervisors that said parcels are allowed the military service property tax credit per Code of Iowa, Chapter 426A, effective July 1, 2016.

Roll Call:
Staszewski: Yes
Hamerlinck: Yes
Srp: Yes
Daniel A. Srp, Chairperson

RESOLUTION #2016-168

BE IT RESOLVED by the Clinton County Board of Supervisors that Midnight Farm will electronically file a renewal application for liquor license number BWV66475 with an endorsement for Sunday Sales, effective July 1, 2016. Said application be and is hereby approved by the Clinton County Board of Supervisors.

Roll Call:
Staszewski: Yes
Hamerlinck: Yes
Srp: Yes
Daniel A. Srp, Chairperson

RESOLUTION #2016-169

WHEREAS, Section 331.323(2)(d) of the Code of Iowa states the Board of Supervisors may authorize a county officer to destroy records that are not required to be kept as permanent records; and

WHEREAS, the County Auditor's Office has identified records appropriately for destruction and has inventoried said records as follows:

- Affidavits of Publications for FY2005-2006
- Accounts Payable Claims with Invoices for FY2010-2011

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the County Auditor be authorized to destroy said records in an appropriate and secure manner.

Roll Call:
Staszewski: Yes
Hamerlinck: Yes
Srp: Yes
Daniel A. Srp, Chairperson

RESOLUTION #2016-170

WHEREAS, the Clinton County Board of Supervisors has considered the bids received on June 30, 2016 for a full depth reclamation and HMA Resurfacing project located on 148th Street, 150th Street, 380th Avenue and 390th Avenue, east of Goose Lake, Project Numbers L-264 and LFM-264.

WHEREAS, the total amount of each bid was as follows:

River City Paving	\$672,413.03
Determann Asphalt Paving, LLC	\$629,321.80

THEREFORE BE IT RESOLVED that the Board of Supervisors of Clinton County, Iowa, concurs with the County Engineer's recommendation that the contract for said work be awarded to the low bidder, as follows:

Determann Asphalt Paving, LLC Camanche, IA	\$629,321.80
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BE IT FURTHER RESOLVED that the Chairperson of the Board of Supervisors be authorized to execute said contracts on behalf of Clinton County, Iowa.

Roll Call:
Staszewski: Yes
Hamerlinck: Yes
Srp: Yes
Daniel A. Srp, Chairperson

UNFINISHED BUSINESS

GENERAL PUBLIC

DEPARTMENT HEADS, ELECTED OFFICIALS AND EMPLOYEES

County Auditor Eric Van Lancker reminded the Board of Supervisors that software upgrade training continues this week for the Auditor's, Treasurer's and Assessor's offices.

County Engineer Todd Kinney reminded the Board of Supervisors he will be out of town for a few days during the next two weeks for state and national engineer meetings.

DISCUSSION WITH POSSIBLE ACTION

City of Clinton to Assign Tax Certificates: Chairperson Srp reported the Treasurer told him the City has more invested in those sites due to cleanup efforts and recommended the parcels be assigned to the City.

RESOLUTION #2016-171

WHEREAS, an offer to take assignment of tax sale certificates held by Clinton County has been received from the City of Clinton, Iowa, by the Clinton County Board of Supervisors for the following tax certificates:

15-7004	parcel #8000800000	owned by Robert Money Harris
15-7022	parcel #8600300000	owned by William – Roxanne McGatha
15-7019	parcel #8072750000	owned by Chad, Shawn, & Tara Skogman
03-0610	parcel #8005870000	owned by Joyce Van Verth
11-0603	parcel #8012810000	owned by Nancy Carter

WHEREAS, the Board of Supervisors accepts the offer of assignment of the City of Clinton parcels to the City as requested.

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the County Treasurer shall make adjustment to the records of Clinton County for assignment of the County held tax sale certificates for the parcels listed above and the Chairman of the Board of Supervisors is hereby authorized to sign assignments as requested.

Roll Call:
Staszewski: Yes
Hamerlinck: Yes
Srp: Yes
Daniel A. Srp, Chairperson

County Wellness Exercise Class Update and Proposal: Van Lancker and Patti Robinson, Case Management Director, reported they met with the YWCA to review how the new classes are being accepted. They reported numbers jumped at the start, but a falling again. They said the summer weather may not be helping the numbers as other outdoor activities are available. They said ending the program was an option they discussed. They recommended another two-month trial that would reduce the number of classes from three to two a week and the class types were reduced to the most popular classes.

Motion was made by Supervisor Hamerlinck to approve the agreement with YWCA for wellness exercise classes.

Roll Call:

Staszewski: Yes
Hamerlinck: Yes
Srp: Yes

Motion carried.

9:30 A.M. Iowa Drainage District Association Annual Update

Iowa Drainage District Association (IDDA) Executive Director John Torbert presented an update: Torbert reported the IDDA decided it would pull back from lobbying the legislature due to the Des Moines Waterworks lawsuit however; they are still participating in discussions. He said the EPA Waters of the United States have been officially implemented and the result of the action is still to be determined. He said it could increase EPA's authority and could include drainage districts. Torbert said Iowa is among 20-plus states suing the EPA for this proposal as it is over-stepping its bounds. He said the implementation is being held up due to the court action. He provided an update to the Des Moines Waterworks lawsuit. The suit calls for Drainage Districts to be regulated as a point source that would require a DNR permit. The suit also accuses the Drainage Districts of several claims including nuisance and trespassing. The counties listed have filed a suit to have it dismissed. There was a hearing late last year and an order was issued to send the state issues to the Iowa Supreme Court. Torbert said a hearing has not yet been set. He believes the Iowa Supreme Court would have to reverse previous rulings to find for the waterworks. Staszewski asked about IDDA involvement in the case. Torbert said IDDA has not joined the case, but has filed briefs as friend of the court. Hamerlinck encourages Clinton County not to participate and wait and see what happens.

9:45 A.M. Drainage Districts – Board of Trustees

- Consider Revisions to Clinton County Drainage District Maintenance Policy and Procedures
- Drainage District #7 Repair Request

Motion was made by Supervisor Hamerlinck to recess as Board of Supervisors and convene as Board of Trustees for Drainage Districts.

Roll Call:

Staszewski: Yes
Hamerlinck: Yes
Srp: Yes

Motion carried. The Board of Supervisors recessed and Board of Trustees convened at 9:46 a.m.

County Engineer Todd Kinney reviewed the revisions to the County Drainage District Maintenance Policy and Procedures. He said the major changes were adjustments to new state code thresholds for bids. He said the minor repair policy allowed the Drainage District clerk to order repair if it was less than \$5,000. He said this came up during the annual audit and some calls from Drainage District property owners. He said that amount has now been lowered to \$1,500. He said any repair between \$1,500 and \$50,000 will now come to the Board of Trustees. Kinney said anything greater will follow the Code of Iowa bidding process. He said the County Attorney and the Drainage District attorney have also reviewed the revisions. A resolution to approve the revisions will be presented during the Board's meeting next week.

Kinney updated the status of the repair request in Drainage District #7 that included part of a ditch that was not officially in the district. Kinney received options from the Drainage District attorney Randy Current. He said that section could be added to the Drainage District that would create reclassification of points in the Drainage District. The Drainage District could vote against the project and prevent it from happening. Kinney said that would be an expensive process. He said another option is to proceed entering into a drainage agreement with the property owners. He said the district would have the work done and be reimbursed by the property owners adjacent to the ditch. Kinney said this would be simpler and least costly, but it would not be permanent. He said future maintenance would have to be determined as part of the agreement. Reggie Kauffman, land owner on the ditch who requested the repair, said the ditch was built to drain the County road system. He said a property owner cleaned half the ditch at one time. There are two landowners on the proposed ditch. They guessed there could be several property owners that benefit from the ditch. Kinney said there are private ditches in districts that are

cleaned by the landowners. Srp would like to visit the site and neighbors about how to move forward. Srp would like Kinney to collect more information on this matter including an estimate of what the work would cost. Kinney added an update about Drainage District #15. He said the survey is complete, but the engineer's report has not yet been completed. He said they had planned a public hearing in July, but that should be moved back. He said the public hearing could be in middle August.

Motion was made by Supervisor Hamerlinck to recess as Board of Trustees for Drainage Districts and convene as Board of Supervisors.

Roll Call:

Staszewski: Yes

Hamerlinck: Yes

Srp: Yes

Motion carried. The Board of Trustees adjourned and the Board of Supervisors reconvened at 10:19 a.m.

The Board of Supervisors adjourned to meet at 6:00 p.m. on Wednesday, July 13, 2016, at the Calamus Fire Department in Calamus, IA 52729.

Eric Van Lancker, County Auditor

Daniel A. Srp, Chairperson

-APPROVED-

County Auditor

Chairperson