

AUGUST 10, 2015

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

9:00 A.M. Review Correspondence and Claims

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

The following resolution was presented and on motion adopted.

RESOLUTION #2015-220

WHEREAS, the Assessor suggests that a homestead credit has been approved and needs to be added to the parcel record 86-04480000 in District 0830 for Jesse and Gianna Watkins of 3101 Pershing Blvd. and the Auditor and Treasurer's records need to be adjusted by the homestead credit.

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that County records be adjusted by the County Treasurer on the County system to reflect the additional homestead tax credit and the Auditor shall file an amended homestead credit request to include the homestead adjustment for parcel 86-04480000 in Tax District 0830.

Roll Call:

Hamerlinck: Yes

Srp: Yes

Staszewski: Yes

John F. Staszewski, Chairman

The following resolution was presented and on motion adopted.

RESOLUTION #2015-221

WHEREAS, the County Treasurer has accepted the resignation of Jennifer Woodard from the position of Clerk I in the Treasurer's office; and

WHEREAS, Allison Swanson has accepted the position of Clerk I in the Treasurer's office effective August 17, 2015, fulfilling the vacated position;

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the County Auditor is hereby authorized to discontinue payroll checks from the Treasurer's budget effective August 14, 2015, for Jennifer Woodard and make an addition to the Treasurer's payroll for Allison Swanson effective August 17, 2015.

Roll Call:

Hamerlinck: Yes

Srp: Yes

Staszewski: Yes

John F. Staszewski, Chairman

The following resolution was presented and on motion adopted.

RESOLUTION #2015-222

WHEREAS, the Clinton County Auditor 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;

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 General Supplemental Fund, Office of the County Auditor, to Jennifer Woodard, as a full-time Election Clerk effective August 17, 2015, at an hourly rate of \$17.38 per the terms and conditions of the General Services Collective Bargaining Agreement.

Roll Call:

Hamerlinck: Yes

Srp: Yes

Staszewski: Yes

John F. Staszewski, Chairman

The following resolution was presented and on motion adopted.

RESOLUTION #2015-223

BE IT RESOLVED that the Clinton County Board of Supervisors will hold a Public Hearing on the 24th day of August, 2015, at 9:30 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 easement to Alliant Pipeline to place a natural gas pipeline across the Ben Martinsen Wildlife Area; and

BE IT FURTHER RESOLVED the Clinton County Board of Supervisors authorizes County Conservation Director Walt Wickham to prepare and submit the proper Public Hearing notice to the appropriate media outlets.

Roll Call:
Hamerlinck: Yes
Srp: Yes
Staszewski: Yes
John F. Staszewski, Chairman

The following resolution was presented and on motion adopted.

RESOLUTION #2015-224
RESOLUTION APPROVING A TEXT AMENDMENT TO THE ZONING
ORDINANCE OF CLINTON COUNTY, IOWA

WHEREAS, on the matter herein, the Clinton County Planning and Zoning Commission held a Public Hearing on July 9, 2015, and following said hearing the Commission recommended approval of the attached text amendments to the Clinton County Zoning Ordinance; and

WHEREAS, the Clinton County Board of Supervisors held a Public Hearing and First Reading of the proposed text amendments on August 3, 2015, 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 text amendment on August 10, 2015, to consider said amendment;

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

1. The attached ordinance numbered 2015-03 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:
Hamerlinck: Yes
Srp: Yes
Staszewski: Yes
John F. Staszewski, Chairman

ORDINANCE #2015-03
AN ORDINANCE AMENDING THE TEXT OF THE CLINTON COUNTY ZONING ORDINANCE
TO UPDATE SIDE-YARD SETBACK REQUIREMENTS AS APPLIED TO ACCESSORY
STRUCTURES IN ALL ZONING DISTRICTS.

Section 1: Be it enacted by the Clinton County Board of Supervisors that the text of the Clinton County Zoning Ordinance be amended as follows:

1. Subsection 4.2.1 of the Clinton County Zoning Ordinance is hereby amended by deleting subsection 4.2.1.A in its entirety and replacing it with the following:
 - A. Accessory Structures.** No accessory building shall be erected in any required front setback area and no separate accessory buildings shall be erected within five (5) feet of the rear yard or side yard lot line. Accessory buildings shall not occupy more than thirty (30) percent of the rear or side yard. Accessory buildings located closer than ten (10) feet to a principal structure shall be considered part of the principal structure.
 1. In a residential or agricultural zoning district an accessory building or structure is a subordinate or incidental structure, attached to or detached from the principal building, which is not used for commercial purposes except as provided for home occupations or farm use.
 2. In non-residential zoning districts an accessory building or structure is a subordinate building or structure, the use of which is secondary to and supportive of the principal building.
 3. All non-agricultural structures are subject to the bufferyard requirements found in Chapter VII of this Ordinance.

Section 2: The change as hereinabove set forth shall be entered and made part of the Zoning and Ordinance of the County of Clinton, Iowa.

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 10th day of August, 2015 by the Board of Supervisors, Clinton County, State of Iowa.

Signed: Shawn Hamerlinck
Signed: Dan A. Srp
Signed: John F. Staszewski
Clinton County Board of Supervisors

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

The following resolution was presented and on motion adopted.

RESOLUTION #2015-225
RESOLUTION APPROVING A MAP AMENDMENT TO THE ZONING
ORDINANCE OF CLINTON COUNTY, IOWA

WHEREAS, on the matter herein, the Clinton County Planning and Zoning Commission held a Public Hearing on July 9, 2015, 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 August 3, 2015, 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 August 10, 2015, to consider said amendments; and

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

1. The attached ordinance numbered 2015-04 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:
Hamerlinck: Yes
Srp: Yes
Staszewski: Yes
John F. Staszewski, Chairman

ORDINANCE #2015-04
AN ORDINANCE AMENDING THE MAP OF THE CLINTON COUNTY ZONING ORDINANCE
RELATIVE TO THE ZONING DESIGNATION OF CERTAIN PROPERTY LOCATED IN
SECTION 11, TOWNSHIP 81 NORTH, RANGE 3 EAST OF THE 5TH 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:

The South half of the Southwest Quarter of Section 11, Township 81 North, Range 3 East of the 5th Principal Meridian, Clinton County, Iowa, excepting therefrom the following: Commencing at the Southwest corner of said Section 11, thence North 0° 00' 00" East along the West line of said Section 11, a distance of 294.10 feet to the point of beginning; thence continuing North along said line, a distance of 265.00 feet; thence North 88° 14' 16" East, a distance of 492.00 feet; thence South 0° 00' 08" East, a distance of 281.37; thence North 89° 51' 20" West, a distance of 491.78 feet to the point of beginning. Said described tract containing 134,345 square feet (3.08 acres) more or less.

within the A-1 (Prime Agricultural) 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 10th day of August, 2015 by the Board of Supervisors, Clinton County, State of Iowa.

Signed: Shawn Hamerlinck
Signed: Dan A. Srp
Signed: John F. Staszewski
Clinton County Board of Supervisors

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

The following resolution was presented and on motion adopted.

RESOLUTION #2015-226

WHEREAS, the Clinton County Board of Supervisors has considered the bids received by the Clinton County Engineer's Office on August 6, 2015, for HMA Resurfacing and HMA Pavement-New of 225th Street from State Highway 61 Overpass to 260th Avenue, and 291st Street from State Highway 67 to Rock Creek Marina, Project Nos. L-315 and L-361.

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

Determann Asphalt Paving, L.L.C.	\$436,996.30
Mathy Construction Co.	\$413,217.36

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

Mathy Construction Co. Onalaska, WI	\$413,217.36
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BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors be authorized to execute said contracts on behalf of Clinton County, Iowa.

Roll Call:
Hamerlinck: Yes
Srp: Yes
Staszewski: Yes
John F. Staszewski, Chairman

Motion was made by Supervisor Srp to authorize the Chairman to sign the one-year agreement with Iowa State Association of Counties (ISAC) for the ISAC HIPAA Program.

Roll Call:
Hamerlinck: Yes
Srp: Yes
Staszewski: Yes

Motion carried.

GENERAL PUBLIC

DEPARTMENT HEADS, ELECTED OFFICIALS AND EMPLOYEES

Supervisor Srp announced he will attend the IDOT Commissioner meeting in Burlington on Tuesday. County Attorney Mike Wolf reported Guy McCausland would take the trees from the Administration Building and create benches for the Clinton County Courthouse. He would complete the work for the cost of the wear on the blade at his mill.

Wolf also reported the CCJCC is recruiting members for a Blue Ribbon Panel to review the interest to form a Public Safety Authority. Wolf said the panel should be meeting in the next couple of months.

9:30 A.M. Discussion/Update - Annual Visit and Judiciary Update - District Court Chief Judge Marlita Greve and District Court Administrator Kathy Gaylord

Greve and Gaylord were joined by Clinton County Clerk of Court Kim Hess and Assistant Court Administrator Brian McKenrick.

Greve said she visits all the counties in the Seventh Judicial District and she said Clinton County has the best Courthouse in the state and complimented Clinton County on its security measures. She said only 11 courthouses in the state have security at its front entrance and Clinton and Scott are two of those. Greve said a security committee will be formed by court personnel in Clinton County. She said Clinton County still has a district court judge at the Courthouse every day as the judicial district has been very busy. Greve added the electronic document system is now operating in the judicial district and around the state and Iowa is the only state that has its system entirely electronic. Greve said it takes a while to learn, but it will be efficient.

Srp said the electronic system is a good choice by the State and the County is also working to become more electronic.

McKenrick said the system is able to scan Iowa identification cards and enter a person's personal information which reduces data entry mistakes.

Hess said the electronic system is also reducing the amount of paperwork being added to the fourth floor of the Courthouse storage area.

9:45 A.M. Discussion with Possible Action – Proposed Ordinance Adoption for Design of New Road and New Structure – County Engineer Todd Kinney

Kinney presented a proposed ordinance for the Board of Supervisors' review and consideration to set a Public Hearing for potential ordinance adoption process and a draft ordinance that addresses the minimum requirements for design of any new road pavement or gravel roads and any new structures. He said the ordinance is required for FEMA if there was a disaster and the County applied for financial assistance. Kinney said the next step is to set a Public Hearing date that can be scheduled for next week's meeting.

9:50 A.M. Discussion with Possible Action – Letter of Support for Psychiatric Hospital proposed by Strategic Behavioral Health, LLC – County Mental Health Coordinator Becky Eskildsen

Eskildsen spoke with local providers about this proposal. She said some are worried about this facility hiring away local staff. She added the hospital is not planning on reducing its services if the new facility is built in Davenport.

Eskildsen has drafted a letter of need of services for the Board of Supervisors' review. She said the County would consider using its services if the facility is built if it makes sense for the client.

Srp said he's not sure it is the County's place to advocate for a specific provider, but does support choice for the County's residents.

Hamerlinck said the County could provide a needs-based letter as opposed to a letter supporting a specific entity. Ken Croken, Genesis Health System, said the certificate of need is reviewed at the State level. He said when duplicate services are offered it drives up the cost of services. He said Strategic Behavioral Health has filed an application with the State Board.

Croken said a lack of facilities is not our problem, but there are no psychiatrists to treat those patients. He said it is the same with psychiatric nursing. Croken said building a facility doesn't create the service, but only dilutes it by stretching limited resources.

Croken said Strategic Behavioral Health is a for-profit business that is interested in turning a profit as opposed to offering services on a mission-based system.

Hamerlinck said he would rather not have the County participate in a letter of any sort.

Eskildsen reported the MH Regional Board did vote in favor of providing a letter of support.

Srp would like to review any resolution of support or expressing a level of need.

Eskildsen will share her draft letter with the Board of Supervisors.

9:55 A.M. Discussion with Possible Action – Covering Long-Term Absence in Zoning

Clinton County Planning and Zoning Director Nate Mueller and County Sanitarian Shane McClintock discussed with the Board of Supervisors how to cover a pending long-term absence in the Satellite Office.

Mueller said those in the office while he is out can receive training to handle some immediate issues. He said more involved issues will take at least a month and he will be back to handle those.

Srp thanked the Board of Health and staff for assisting with filling in when needed.

The Board of Supervisors adjourned to meet on Monday, August 17, 2015.

Eric Van Lancker, County Auditor

John F. Staszewski, Chairman

-APPROVED-

County Auditor

Chairman