

# Clinton County Board of Supervisors

Clinton County Administration Building  
1900 North Third Street

John F. Staszewski, Chairperson  
Dan Srp, Vice Chairperson  
Shawn Hamerlinck

P.O. Box 2957  
Clinton, Iowa 52733-2957  
Telephone: (563) 244-0575

[www.clintoncounty-ia.gov](http://www.clintoncounty-ia.gov)

**PUBLIC NOTICE** is hereby given that the Clinton County Board of Supervisors will meet at the following time and place: MONDAY, June 22, 2015, 9:00 A.M.; Clinton County Administration Building, Conference Room B, 1900 N. 3<sup>rd</sup> St., Clinton, IA.

**9:00 a.m.** Review Correspondence & Claims  
  
Call to Order – Pledge of Allegiance

**9:15 a.m.** Formal Action & Motions

#### RESOLUTIONS

- Tax suspension request – Mohammad and Jane Asaadi
- Approve redemption of tax sale certificate 14-0196
- Approve the Communications Bargaining Unit agreement
- Approve the General Services Bargaining Unit agreement
- Approve the Secondary Roads Bargaining Unit agreement
- Approve the Sheriff Bargaining Unit agreement
- Administrative Salaries for FY2016
- Communication Salaries for FY2016
- General Services Salaries for FY2016
- Various salary for FY2016
- Non-union FY16 wages for Engineer's Department/Secondary Roads
- Personnel Resignation – County Jail
- Personnel Appointment – County Jail
- Sheriff's Office Personnel Salaries for FY2016
- Sheriff's Office Administrative Personnel Salaries for FY2016
- Sheriff's Office Deputies, Civilian Correctional Officers and Office Personnel Salaries for FY2016

#### MOTIONS

- Final plans approval for Fog Seal Project No. FM-CO23(101)-55-23
- Utility permit number 13-19 for Miles Cooperative Telephone Association
- Utility permit number 10-76 for Eastern Iowa Light and Power

GENERAL PUBLIC

DEPARTMENT HEADS, ELECTED OFFICIALS & EMPLOYEES

**9:30 a.m.** Public Hearing with possible action to follow  
Public comment is welcome on a construction permit application for a proposed confinement feeding operation expansion for Blue Hyll Dairy.

**9:40 a.m.** Public Hearing with possible action to follow  
Public comment is welcome on the proposed Drake's Run minor subdivision.

**9:45 a.m.** Public Hearing with possible action to follow  
Public comment is welcome on the proposed rezoning of property owned by Joe & Marcia Strunk in Hampshire Township.

**9:55 a.m.** Discussion  
Case Management Director Patti Robinson will update the board concerning the future of the case management program.

June 22, 2015

**RESOLUTION # 2015-\_\_\_\_\_**

**WHEREAS, MOHAMMAD R. AND JANE ASAADI** have petitioned for property tax suspension under provision of Code of Iowa, Section 427.8, on the following described property:

700 N 3<sup>RD</sup> STREET, CLINTON IA

PARCEL #80-54010000

**WHEREAS,** the 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 Treasure 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 2014 Assessment Year and all prior years and it is the responsibility of the petitioning taxpayer to reapply for further tax suspension.

**Roll Call:**

**Hamerlinck:** \_\_\_\_\_

**Srp:** \_\_\_\_\_

**Staszewski:** \_\_\_\_\_

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**John Staszewski, Chairperson  
Clinton County Board of Supervisors**

**ATTEST:**

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**Eric Van Lancker  
County Auditor  
County of Clinton  
State of Iowa**

**RESOLUTION # 2015-**

**WHEREAS, Angela Hammond** has petitioned for a Tax Sale Certificate Redemption under provisions of Code of Iowa, Section 447.9, on the following described property:

1810 23<sup>rd</sup> Avenue So, Clinton, IA

Parcel # 8010610000

**WHEREAS**, eligibility for said 447.9 tax sale certificate redemption has been verified by Kim Ralston, CAP Director.

**BE IT RESOLVED** by the Clinton County Board of Supervisors that the redemption of the tax sale certificate 14-0196 be and is hereby approved. Additionally the Clinton County Board of Supervisors approves the payment of the interest due to the holder of Tax Sale Certificate OHP 105 LC; 2920 N Harrison St, Davenport, IA 50803. The County Treasurer is authorized to make entry on this record accordingly.

**Roll Call:**

**Hamerlinck:** \_\_\_\_\_

**Srp:** \_\_\_\_\_

**Staszewski:** \_\_\_\_\_

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**John Staszewski, Chairperson**  
**Clinton County Board of Supervisors**

**ATTEST:**

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**Eric Van Lancker**  
**County Auditor**  
**County of Clinton**  
**State of Iowa**

June 22, 2015

RESOLUTION #2015-\_\_\_\_\_

WHEREAS, employees of the Communications Bargaining Unit have concluded negotiations for an agreement from July 1, 2015 through June 30, 2017; and

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the Communications Bargaining Unit Agreement, from July 1, 2015 through June 30, 2017, 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:

Hamerlinck: \_\_\_\_\_

Srp: \_\_\_\_\_

Staszewski: \_\_\_\_\_

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Chairperson, John F. Staszewski

ATTEST:

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County Auditor, Eric Van Lancker

June 22, 2015

RESOLUTION #2015-\_\_\_\_\_

WHEREAS, employees of the General Services Bargaining Unit have concluded negotiations for an agreement from July 1, 2015 through June 30, 2017; and

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the General Services Bargaining Unit Agreement, from July 1, 2015 through June 30, 2017, 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:

Hamerlinck: \_\_\_\_\_

Srp: \_\_\_\_\_

Staszewski: \_\_\_\_\_

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Chairperson, John F. Staszewski

ATTEST:

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County Auditor, Eric Van Lancker

June 22, 2015

RESOLUTION #2015-\_\_\_\_\_

WHEREAS, employees of the Secondary Roads Bargaining Unit have concluded negotiations for an agreement from July 1, 2015 through June 30, 2017; and

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the Secondary Roads Bargaining Unit Agreement, from July 1, 2015 through June 30, 2017, 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:

Hamerlinck: \_\_\_\_\_

Srp: \_\_\_\_\_

Staszewski: \_\_\_\_\_

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Chairperson, John F. Staszewski

ATTEST:

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County Auditor, Eric Van Lancker

June 22, 2015

RESOLUTION #2015-\_\_\_\_\_

WHEREAS, employees of the Sheriff Bargaining Unit have concluded negotiations for an agreement from July 1, 2015 through June 30, 2017; and

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the Sheriff Bargaining Unit Agreement, from July 1, 2015 through June 30, 2017, 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:

Hamerlinck: \_\_\_\_\_

Srp: \_\_\_\_\_

Staszewski: \_\_\_\_\_

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Chairperson, John F. Staszewski

ATTEST:

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County Auditor, Eric Van Lancker

RESOLUTION 2015 - \_\_\_\_\_

BE IT RESOLVED by the Clinton County Board of Supervisors that pursuant to Chapter 331.904 (1), (2), (3), Code of Iowa, the annual salaries for administrative personnel of the various offices FY 2015-2016 are hereby established:

Ross Barlow	Assistant County Attorney	\$89,537.00
Robin Strausser	Assistant County Attorney	\$77,867.00
Cheryl Newport	Assistant County Attorney	\$77,867.00
Amanda Myers	Assistant County Attorney	\$73,062.00
James McHugh	Assistant County Attorney	\$59,070.00
Lynn Kirchhoff	Budget Director	\$59,500.00
Jill McDonald	Assistant to the Auditor	\$63,911.00
Nancy A. Howson	Deputy Auditor	\$44,938.00
Rebecca Weaver	Deputy Auditor	\$55,358.00
Natalie Ehm	Deputy Auditor	\$55,358.00
Kyle Leist	GIS Technician	\$39,000.00
Debbie Jo Elkins	Deputy Recorder	\$50,714.00
Sherry Sperry	Deputy Recorder	\$43,741.00
Lori Michaelson	Deputy Treasurer	\$54,500.00
Marcia Opheim	Deputy Treasurer	\$47,000.00
Samantha Giuliani	Deputy Treasurer	\$41,500.00

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to issue biweekly pay checks in payment of same without further action of this Board.

Roll Call:

Hamerlinck: \_\_\_\_\_

Srp: \_\_\_\_\_

Staszewski: \_\_\_\_\_

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Chairperson, John F. Staszewski

ATTEST:

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County Auditor, Eric Van Lancker

June 22, 2015

RESOLUTION 2015 - \_\_\_\_\_

WHEREAS, an agreement has been made between the Clinton County Board of Supervisors and the Clinton County Communications Commission, of which Commission, Clinton County is a member, and the Clinton County Communications Operators are covered by said agreement; and

WHEREAS, the following employees are covered by said agreement for the period July 1, 2015, through June 30, 2016:

Ruthellen Bates  
S. LeeAnn Birdsley  
Lynn Broadrick  
Margaret Crosthwaite  
Marcia DeBoer  
Sara Eagle

Kellene Hosette  
Rhya Kowzic  
Adam Lemke  
Betty J. McCullough  
Nathan Petersen  
Brent Vogel

BE IT RESOLVED by the Clinton County Board of Supervisors that the County Auditor be and is hereby authorized to issue biweekly pay checks on the General Basic Fund in payment of wages, as set out in said agreement without further action of this Board.

BE IT FURTHER RESOLVED by the Clinton County Board of Supervisors that the County Auditor be and is hereby authorized to pay longevity and shift differential as per union contract without further action of this Board.

Roll Call:

Hamerlinck: \_\_\_\_\_

Srp: \_\_\_\_\_

Staszewski: \_\_\_\_\_

\_\_\_\_\_  
Chairperson, John F. Staszewski

ATTEST:

\_\_\_\_\_  
County Auditor, Eric Van Lancker

June 22, 2015

RESOLUTION 2015- \_\_\_\_\_

WHEREAS, an agreement having been made between the Clinton County Board of Supervisors and General Services union employees represented by Public, Professional and Maintenance Employees, IBPAT 2003, applicable to the employment of said employees; and

WHEREAS, the following employees are covered by said agreement:

Grade 1: Kelli Riley

Grade 2:

Grade 3: June Mielk; Wanda Schlotfeldt; Steven Tegeler

Grade 4: David Hendrickson; Allen Ketelsen; John McElroy; Michelle Stearn; Jennifer Woodard

Grade 5: Christine Bruhn; Melissa Clay; Denise Dodson; DeeAnna Fiedler; Debra Irish; Natalie Kristensen; Cynthia Perry, Tami Stoddard

Grade 6: Jean Horan; Lori Johnson; Barbara Mussman-Weber

Grade 7: Lisa Abbott; Karen Brix; Teresa Decker; Mathew Lancaster; Penny Linden; Robert Schaefer; Tami Stoddard

Grade 8: Paul Burn; William Costello; Grant Henry; Charles Jacobsen; Jill Schmidt; David Schneden; Jessica Steines

Grade 9: Darin Voss; Ryan Waltz

Grade 10: Mark Roberts

Grade 11: Sandra Beck; Chip Brown; Darla Brown; Tracy Dickey; Andra Ehredt; Cynthia Griep; David Huennekens; Steven Lansing; Amber Ledvina-Geurink; Christine Meier; Mark Mussmann; Shane Sikkema; Brad Taylor; Sherry Tubbs;

Grade 12: Paul Banowetz; Handy Ehredt

BE IT RESOLVED by the Clinton County Board of Supervisors that the County Auditor be and is hereby authorized to issue biweekly pay checks on the various funds in payment of wages, as set out in said agreement, for said job classifications without further action of this Board.

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to increase the hourly pay rate for eligible personnel covered by PPME 2003 contract, as step raises are

earned FY 2015-2016 and to disburse longevity to qualifying personnel without further action of this Board.

Roll Call:

Hamerlinck: \_\_\_\_\_

Srp: \_\_\_\_\_

Staszewski: \_\_\_\_\_

\_\_\_\_\_  
Chairperson, John F. Staszewski

ATTEST:

\_\_\_\_\_  
County Auditor, Eric Van Lancker

RESOLUTION 2015 - \_\_\_\_\_

WHEREAS, the Clinton County Board of Supervisors have considered the appointment of the following personnel of various county offices for the period from July 1, 2015 through June 30, 2016.

BE IT RESOLVED by the Clinton County Board of Supervisors that said personnel be and are hereby appointed to the position indicated.

Todd J. Kinney	County Engineer	\$107,731.00 Yearly
Eric Dau	Communications Director	\$54,366.00 Yearly
Corey Johnson	Building Maintenance Manager	\$56,092.00 Yearly
Karen Petersen	Office Manager	\$60,500.00 Yearly
Edward Staszewski	Veterans Affairs Director	\$36,978.00 Yearly
Walter Wickham	Conservation Director	\$76,949.00 Yearly
Shane McClintock	Environmental Services Director	\$52,000.00 Yearly
Lisa Frederick	Admin Asst, Environmental Services	\$17.15 Hourly
Chance Kness	Emergency Management Coordinator	\$62,587.45 Yearly
Amanda Pearson	Emergency Management Admin Asst	\$35,000.00 Yearly
Dannie Howard	Operations Officer	\$40,000.00 Yearly
Patricia A. Robinson	Director of Case Management	\$64,028.00 Yearly
Robyn Landon	Medicaid Case Management Supervisor	\$54,366.00 Yearly
Rebecca J. Eskildsen	ICG/MR CM Director	\$66,387.00 Yearly
Kimberly Ralston	Assistant MH Coordinator	\$59,750.00 Yearly
Celestine Hlubek	Administrative Assistant	\$40,303.00 Yearly
Margaret Kuhl	Clinton County Justice Coordinator	\$47,500.00 Yearly
Elizabeth Smith	IT Director	\$64,500.00 Yearly
Brian Briese	Network Systems Analyst	\$54,825.00 Yearly
Nathan Mueller	Zoning Administrator	\$45,100.00 Yearly
Edward Reuter	Maintenance Supervisor	\$47,084.00 Yearly

BE IT FURTHER RESOLVED by the Clinton County Board of Supervisors that the County Auditor be and is hereby authorized to issue biweekly pay checks on the various funds in payment of salaries without further actions of this Board.

Roll Call:

Hamerlinck: \_\_\_\_\_

Srp: \_\_\_\_\_

Staszewski: \_\_\_\_\_

\_\_\_\_\_  
Chairperson, John F. Staszewski

ATTEST:

\_\_\_\_\_  
County Auditor, Eric Van Lancker

**RESOLUTION # 2015-\_\_\_\_\_**

**June 22, 2015**

**WHEREAS, the Board of Supervisors of Clinton County, Iowa, having considered the appointment of the following personnel to the Clinton County Secondary Road Department for the period from July 1, 2015, through June 30, 2016, now**

**THEREFORE BE IT RESOLVED that said personnel be and are hereby appointed to the positions indicated:**

<b>Elliott Pennock</b>	<b>Asst. County Engineer</b>	<b>\$65,000/Year</b>
<b>Velda I. Arvola</b>	<b>Office Manager</b>	<b>\$22.51/Hour*</b>
<b>Donn Holst</b>	<b>Road Maintenance Foreman</b>	<b>\$70,782/Year</b>
<b>Gregory Oldsen</b>	<b>Shop Foreman</b>	<b>\$26.52/Hour</b>
<b>Jeff A. Oster</b>	<b>Bridge Foreman</b>	<b>\$26.52/Hour</b>
<b>Ryan Weaver</b>	<b>Engineering Technician-4</b>	<b>\$25.00/Hour</b>

**\*Hourly rate contingent upon continuing accounts payable responsibilities.**

**BE IT FURTHER RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the "Regulations for Non-Union County Engineer's Personnel," be applicable for the employment of the above personnel for said period.**

**BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to issue bi-weekly warrants on the Secondary Road Fund in payment of salaries without further order of the Board.**

**Roll Call:**

**Hamerlinck: \_\_\_\_\_**

**Srp: \_\_\_\_\_**

**Staszewski: \_\_\_\_\_**

**ATTEST:**

\_\_\_\_\_  
**Eric Van Lancker**  
**County Auditor**  
**County of Clinton**  
**State of Iowa**

\_\_\_\_\_  
**Chairman**  
**Clinton County Board of Supervisors**

June 22, 2015

**RESOLUTION 2015-\_\_\_\_\_**

**WHEREAS**, the Clinton County Sheriff has accepted the resignation of CLAYTON RABE, 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 CLAYTON RABE after accrued benefits are paid effective after his last day of employment on June 22, 2015.

Roll Call:

Hamerlinck: \_\_\_\_\_

Srp: \_\_\_\_\_

Staszewski: \_\_\_\_\_

\_\_\_\_\_  
John Staszewski, Chairperson  
Clinton County Board of Supervisors

ATTEST:

\_\_\_\_\_  
Eric Van Lancker  
County Auditor  
County of Clinton  
State of Iowa

June 22, 2015

**RESOLUTION 2015-\_\_\_\_\_**

**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.

**THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Clinton County, Iowa that the County Auditor be an is hereby authorized to issue biweekly paychecks on the General Basic Fund, Office of Jail to **CLAYTON RABE**, as a full-time Deputy Sheriff. This will be in effect at an hourly rate of \$22.62 during the probationary period. For the purpose of calculating years of service and vacation, Rabe's previous starting date of employment with the Sheriff's Office on February 18, 2014 shall be used. For the purpose of seniority as a Deputy Sheriff the date of June 23, 2015 shall be used. This is subject to the terms and conditions of the Sheriff's Bargaining Unit agreement without further action of this Board.

Roll Call:

Hamerlinck: \_\_\_\_\_

Srp: \_\_\_\_\_

Staszewski: \_\_\_\_\_

\_\_\_\_\_  
John Staszewski, Chairperson  
Clinton County Board of Supervisors

ATTEST:

\_\_\_\_\_  
Eric Van Lancker  
County Auditor  
County of Clinton  
State of Iowa

June 22, 2015

RESOLUTION 2015 - \_\_\_\_\_

WHEREAS, the Clinton County Board of Supervisors have considered the appointment of the following personnel of the Clinton County Sheriff's Office for the period from July 1, 2015 through June 30, 2016.

BE IT RESOLVED by the Clinton County Board of Supervisors that said personnel be and are hereby appointed to the position indicated.

Tara Sbertoli	Sheriff's Admin Assist	\$20.04 hourly
Laura Davis	Civil Process Director	\$60,534.73 yearly
Gean Moore	Civil/Transport	\$16.13 hourly
Randy Meier	Senior's vs. Crime	\$14.08 hourly
Elizabeth Eikenberry	Secretary	\$17.98 hourly
James Robertson	Bailiff	\$17.53 hourly
Clarence Henry	Bailiff	\$15.69 hourly
Richard Peasley	Bailiff	\$15.69 hourly
Michael Wirth	Bailiff	\$15.69 hourly
Don Weis	Bailiff	\$15.69 hourly
Steve Dyson	Bailiff	\$15.38 hourly
Jess Paul	Bailiff	\$15.38 hourly
Vacant	Bailiff	\$15.00 hourly
Vacant	Bailiff	\$15.00 hourly

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to increase the hourly rate of pay for longevity when the proper notification is received from the Sheriff's Office, without further action of this Board.

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to issue biweekly pay checks in payment of same without further action of this Board.

Roll Call:

Hamerlinck: \_\_\_\_\_

Srp: \_\_\_\_\_

Staszewski: \_\_\_\_\_

\_\_\_\_\_  
John Staszewski, Chairperson  
Clinton County Board of Supervisors

ATTEST: \_\_\_\_\_

Eric Van Lancker, County Auditor  
County of Clinton, State of Iowa

June 22, 2015

RESOLUTION 2015 - \_\_\_\_\_

WHEAREAS, pursuant to Chapter 331.904 (1), (2), (3), Code of Iowa, the annual salaries for administrative personnel of the Clinton County Sheriff's Office for fiscal year 2015-16 are hereby established.

BE IT RESOLVED by the Clinton County Board of Supervisors that the salaries for administrative personnel are hereby established for fiscal year July 1, 2015 through June 30, 2016.

Kevin G. Cain	Chief Deputy	\$74,098.75
Thomas Paarmann	Lieutenant	\$69,740.00
Craig Eberhart	Lieutenant	\$69,740.00
Steven L. Cundiff	Sergeant	\$28.85 hourly
Paul Hammond	Sergeant	\$28.85 hourly
J. Scott Reyhons	Sergeant	\$28.85 hourly
Vacant	Sergeant	\$28.85 hourly

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to increase the hourly rate of pay for longevity when the proper notification is received from the Sheriff's Office, without further action of this Board.

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to increase the hourly rate of pay for EMT Certification when the proper notification is received from the Sheriff's Office, without further action of this Board.

BE IT RESOLVED that the County Auditor be and is hereby authorized to issue biweekly pay checks in payment of same without further action of this Board.

Roll Call:

Hamerlinck: \_\_\_\_\_

Srp: \_\_\_\_\_

Staszewski: \_\_\_\_\_

\_\_\_\_\_  
John Staszewski, Chairperson  
Clinton County Board of Supervisors

ATTEST:

\_\_\_\_\_  
Eric Van Lancker, Auditor  
County of Clinton, State of Iowa

June 22, 2015

RESOLUTION 2015- \_\_\_\_\_

WHEREAS, pursuant to Chapter 331.904 (1), (2), (3), of the Code of Iowa, the annual salaries of Sheriff's Deputies, Civilian Correctional Officers and Office Personnel for fiscal year 2015-16 are hereby established.

BE IT RESOLVED by the Clinton County Board of Supervisors that salaries for the following Sheriff's Deputies, Civilian Correctional Officers and Office Personnel be and are hereby established for the fiscal year July 1, 2015 through June 30, 2016.

Allen Soenksen	Deputy Sheriff	\$25.84 hourly
Jeffrey Ernst	Deputy Sheriff	\$25.84 hourly
Stacey Bussie	Deputy Sheriff	\$25.84 hourly
Jessup Schroeder	Deputy Sheriff	\$25.84 hourly
Steven Diesch	Deputy Sheriff	\$25.84 hourly
Thomas Christoffersen	Deputy Sheriff	\$25.84 hourly
Scott Wainwright	Deputy Sheriff	\$25.84 hourly
Brian Grell	Deputy Sheriff	\$25.84 hourly
Christopher Sivright	Deputy Sheriff	\$25.84 hourly
Matthew A. Owens	Deputy Sheriff	\$25.84 hourly
Cole Hamilton	Deputy Sheriff	\$25.84 hourly
Mark Mahmens	Deputy Sheriff	\$25.84 hourly
Alisha Wirth	Deputy Sheriff	\$25.84 hourly
Zachary Lange	Deputy Sheriff	\$25.84 hourly
Brandon VanBlaricome	Deputy Sheriff	\$25.84 hourly
Jacob Dever	Deputy Sheriff	\$25.84 hourly
Ben Watts	Deputy Sheriff	\$25.84 hourly
Clayton Rabe	Deputy Sheriff	\$25.84 hourly
Karen Jess-Jungen	Secretary	\$18.65 hourly
Debra Determan	Secretary	\$18.65 hourly
Kimberly Spittler	Secretary	\$18.65 hourly
Sheri Plum	Civilian Correctional Officer	\$18.65 hourly
Patricia Edwards	Civilian Correctional Officer	\$18.65 hourly
Bryan McClimon	Civilian Correctional Officer	\$18.65 hourly
Lori Nichols	Civilian Correctional Officer	\$18.65 hourly
Christopher Atkinson	Civilian Correctional Officer	\$18.65 hourly
Julie Cramer	Civilian Correctional Officer	\$18.65 hourly
Tracey Friederichsen	Civilian Correctional Officer	\$18.65 hourly
Megan Goodall	Civilian Correctional Officer	\$18.65 hourly
Paul Guilliani	Civilian Correctional Officer	\$18.65 hourly
Ron Shanahan	Civilian Correctional Officer	\$18.65 hourly
Andrew Long	Civilian Correctional Officer	\$18.65 hourly
Hailey Hall	Civilian Correctional Officer	\$18.65 hourly

Vacancy

Civilian Correctional Officer

\$18.65 hourly

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to increase the hourly pay rate of Sheriff's Deputies, Civilian Correctional Officers, and Office Personnel for longevity when proper notification is received from the Office of Sheriff, as per union contract, without further action of this Board.

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to increase the hourly pay rate of Sheriff's Deputies for EMT certification when proper notification is received from the Office of Sheriff, as per union contract, without further action of this Board.

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to issue biweekly pay checks in payment of same without further action of this Board.

Roll Call:

Hamerlinck: \_\_\_\_\_

Srp: \_\_\_\_\_

Staszewski: \_\_\_\_\_

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John Staszewski, Chairperson  
Clinton County Board of Supervisors

ATTEST:

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Eric Van Lancker, Auditor  
County of Clinton, State of Iowa

**CLINTON COUNTY  
BOARD OF SUPERVISOR  
MOTION**

**June 22, 2015**

**Supervisor \_\_\_\_\_ moved to approve the final plans for Fog Seal Project No. FM-C023(101)--55-23, on Z-50 (442<sup>nd</sup> Avenue / 432<sup>nd</sup> Avenue) from Highway 136 north to E-50 (140<sup>th</sup> Street), by placing their signatures on said plans.**

**Roll Call:**

**Hamerlinck: \_\_\_\_\_**

**Srp: \_\_\_\_\_**

**Staszewski: \_\_\_\_\_**

**Motion \_\_\_\_\_**

**PAID**  
6-15-15  
#33547  
\$106

Clinton County  
Permit No. 13-19

**APPLICATION FOR APPROVAL OF CONSTRUCTION  
WITHIN CLINTON COUNTY RIGHT-OF-WAY**

This is a Permit Application for telecommunications, electric, gas, water, earthwork, drainage and other miscellaneous work within county ROW. The applicant agrees to comply with the following permit requirements. Compliance shall be determined by the sole discretion of the County Engineer as deemed necessary to promote public health, safety and the general welfare. These requirements shall apply unless waived in writing by the County Engineer prior to installation.

Applicant Name: Miles Co-op Telephone Assn

Street Address: 342 Ferry Rd.

City, State & Zip Code: Miles IA 52064

Contact Person: Don Bales

1. Location Plan. An applicant shall file a completed location plan as an attachment to this Permit Application. The location plan shall set forth the location of the proposed utility and/or construction on the secondary road system and include a description of the proposed installation.
2. Written Notice. At least 10 working days prior to the proposed construction, an applicant shall file with the County Engineer a written notice stating the time, date, location and nature of the proposed construction. Permits will be issued for a maximum period of one year.
3. Inspection. The County Engineer may provide a full-time inspector during the installation of utility lines and construction within ROW to insure compliance with this permit. The inspector may have the right, during reasonable hours and after showing proper identification, to enter any installation site in the discharge of the inspector's official duties, and to make any inspection or test that is reasonably necessary to protect the public health, safety and welfare.
4. Inspection Fees. **(Utility Permits Only)** Upon approval of the application by the Board of Supervisors, the permit will be issued by the County Engineer upon payment of the required prepaid \$100.00 permit fee made payable to the County Treasurer's office. Inspection fees may be required by the County Engineer and paid by the applicants. The applicant shall pay actual costs directly attributable to the installation inspection conducted by the County Engineer.
5. Requirements. The installation inspector shall assure that the following requirements have been met:
  - A) Construction signing shall comply with the Manual on Uniform Traffic Control Devices.
  - B) Depth – (Add additional depth if ditch has silted to the thickness of the deposited silt.) The minimum depth of cover shall be as follows:

Telecommunications.....	36"	Electric.....	48"
Gas.....	48"	Water.....	60"
Sewer.....	60"		

- C) The applicant shall use reference markers in the right-of-way ("R.O.W.") boundary to locate line and changes in alignment as required by the County Engineer. A permanent warning tape shall be placed one (1) foot above all underground utility lines.
  - D) All tile line locations shall be marked with references located in the R.O.W. line.
  - E) No underground utility lines shall cross over a crossroad drainage structure without written approval.
  - F) Residents along the utility route shall have uninterrupted access to public roads. An all-weather access shall be maintained for residents adjacent to the project.
  - G) A joint assessment of the road surfacing shall be made by the applicant and the Road Maintenance Superintendent both before and after construction. After construction, granular surfacing shall be added to the road by the applicant to restore the road to its original condition excluding tile crossings. After surfacing has been applied, the road surface shall be reviewed by the Road Maintenance Superintendent once the road has been saturated, to determine if additional surfacing on the roadway by the applicant is necessary.
  - H) All damaged areas within the R.O.W. shall be repaired and restored to at least its former condition by the applicant or the cost of any repair work caused to be performed by the County will be assessed against the applicant.
  - I) Areas disturbed during construction which present an erosion problem shall be rectified by the applicant in a manner approved by the County Engineer.
  - J) All trenches, excavations, and utilities that are knifed shall be properly tamped.
  - K) All utilities shall be located between the bottom of the backslope and the bottom of the foreslope, unless otherwise approved in writing by the County Engineer prior to installation.
  - L) Paved road utility crossings shall be bored. The depth below the road surface shall match the minimum depth of cover for the respective utility.
6. Non-Conforming Work. The County Engineer may suspend the installation at any time if the applicant's work does not meet the requirements set forth in this Permit.
7. Emergency Work. In emergency situations, work may be initiated by an applicant without first obtaining a permit. However, a permit must be obtained within fourteen (14) days of initiation of the work. All emergency work shall be done in conformity with the provisions of this ordinance and shall be inspected for full compliance.
8. County Infraction. Violation of this permit is a county infraction under Iowa Code Section 331.307, punishable by a civil penalty of \$100 for each violation. Each day that a violation occurs or is permitted to exist by the applicant constitutes a separate offense.
9. Hold Harmless. The utility company shall save the County harmless of any damages resulting from the applicant's operations. A copy of a certificate of insurance naming the County as an additional insured for the permit work shall be filed in the County Engineer's office prior to installation. The minimum limits of liability under the insurance policy shall be \$1,000,000.

- 10. Permit Required. No applicant shall install any lines unless such applicant has obtained a permit from the County Engineer and has agreed in writing that said installation will comply with all ordinances and requirements of the County for such work. Applicants agree to hold the County free from liability for all damage to applicant's property which occurs proximately as a result of the applicant's failure to comply with said ordinances or requirements.
  
- 11. Relocation. The applicant shall, at any time subsequent to installation of utility lines, at the applicant's own expense, relocate or remove such lines as may become necessary to conform to new grades, bridge construction, alignment or widening of R.O.W. resulting from maintenance or construction operations for highway improvements.

6/12/15  
DATE SUBMITTED

Miles Co-op Telephone Assn  
NAME OF APPLICANT OR COMPANY

Don Bales  
BY

APPROVAL:

\_\_\_\_\_  
DATE

\_\_\_\_\_  
COUNTY ENGINEER

APPROVAL: **Required for Franchise Utility Permit Applications Only**

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CHAIRPERSON, BOARD OF SUPERVISORS

# CLINTON COUNTY ENGINEER

Clinton County Administration Building  
1900 North Third Street  
P.O. Box 2957  
Clinton, Iowa 52733-2957  
563-244-0564  
Fax: 563-243-3739

**Permit Fee Paid, Check # 33547 in amount of \$100 on 6/15/15**

June 22, 2015

Attn: Don Bales  
Miles Coop. Telephone Association  
342 Ferry Road  
Miles, IA 52064

Subject: Permit # 13-19 for Underground utility lines

Dear Don,

Please find enclosed one signed copy of your requested permit for construction within the county right-of-way. This permit was approved based on the following stipulations:

- Telecommunications cable shall be bored under culverts or installed around the ends of culverts. This stipulation applies to all culverts located with the county right-of-way.
- Telecommunications cables shall be placed at a minimum depth of 36”.
- The telecommunications cable shall be bored under crossing streets. The cable depth shall be a minimum of 36” below the lowest ditch elevation at crossings.

Please call 24 hours before construction and keep one copy of the permit and construction plans at the job site. As built plans or a letter stating that the above permitted utility has been constructed as permitted will be required within sixty (60) days of construction. If you have any questions, please call the office at the above listed number. Thank you.

Sincerely,

Elliott Pennock, EIT  
Assistant County Engineer

**CLINTON COUNTY  
BOARD OF SUPERVISORS  
MOTION**

June 22, 2015

Supervisor \_\_\_\_\_ moved to authorize the Chairperson to sign Utility Permit Number 13-19 for Miles Cooperative Telephone Association to place underground fiber optic cable within the county right-of-way on the east side of 252<sup>nd</sup> Avenue in Section 3 in Bloomfield Township.

**Roll Call:**

**Hamerlinck:** \_\_\_\_\_

**Srp:** \_\_\_\_\_

**Staszewski:** \_\_\_\_\_

**Motion** \_\_\_\_\_

APPLICATION FOR APPROVAL OF CONSTRUCTION  
WITHIN CLINTON COUNTY RIGHT-OF-WAY

This is a Permit Application for telecommunications, electric, gas, water, drainage utilities and other miscellaneous work within county ROW. The applicant agrees to comply with the following permit requirements. Compliance shall be determined by the sole discretion of the County Engineer as deemed necessary to promote public health, safety and the general welfare. These requirements shall apply unless waived in writing by the County Engineer prior to installation.

Applicant Name: Eastern Iowa Light & Power

Street Address: 500 S. 5th Street

City, State, Zip: Dewitt, IA, 52742

Contact Person: Aaron Healy: 563-649-3146 x7390 or 563-529-3723

1. Location Plan. An applicant shall file a completed location plan as an attachment to this Permit Application. The location plan shall set forth the location of the proposed utility and/or construction on the secondary road system and include a description of the proposed installation.
2. Written Notice. At least 10 working days prior to the proposed construction, an applicant shall file with the County Engineer a written notice stating the time, date, location and nature of the proposed construction.
3. Inspection. The County Engineer may provide a full-time inspector during the installation of utility lines and construction within ROW to insure compliance with this permit. The inspector may have the right, during reasonable hours and after showing proper identification, to enter any installation site in the discharge of the inspector's official duties, and to make any inspection or test that is reasonably necessary to protect the public health, safety and welfare.
4. Inspection Fees. Upon approval of the application by the Board of Supervisors, the permit will be issued by the County Engineer upon payment of the required prepaid \$100.00 permit fee made payable to the County Treasurer's office. Inspection fees may be required by the County Engineer and paid by the applicants. The applicant shall pay actual costs directly attributable to the installation inspection conducted by the County Engineer.
5. Requirements. The installation inspector shall assure that the following requirements have been met:
  - A) Construction signing shall comply with the Manual on Uniform Traffic Control Devices.
  - B) Depth - (Add additional depth if ditch has silted to the thickness of the deposited silt.) The minimum depth of cover shall be as follows:

Telecommunications.....	36"	Electric.....	48"
Gas.....	48"	Water.....	60"
Sewer.....	60"		

- C) The applicant shall use reference markers in the right-of-way ("R.O.W.") boundary to locate line and changes in alignment as required by the County Engineer. A permanent warning tape shall be placed one (1) foot above all underground utility lines.
  - D) All tile line locations shall be marked with references located in the R.O.W. line.
  - E) No underground utility lines shall cross over a crossroad drainage structure without written approval.
  - F) Residents along the utility route shall have uninterrupted access to public roads. An all-weather access shall be maintained for residents adjacent to the project.
  - G) A joint assessment of the road surfacing shall be made by the applicant and the County Engineer both before and after construction. After construction, granular surfacing shall be added to the road by the applicant to restore the road to its original condition. After surfacing has been applied, the road surface shall be reviewed by the County Engineer once the road has been saturated, to determine if additional surfacing on the roadway by the applicant is necessary.
  - H) All damaged areas within the R.O.W. shall be repaired and restored to at least its former condition by the applicant or the cost of any repair work caused to be performed by the County will be assessed against the applicant.
  - I) Areas disturbed during construction which present an erosion problem shall be solved by the applicant in a manner approved by the County Engineer.
  - J) All trenches, excavations, and utilities that are knifed shall be properly tamped.
  - K) All utilities shall be located between the bottom of the backslope and the bottom of the foreslope, unless otherwise approved in writing by the County Engineer prior to installation.
  - L) Paved road crossings shall be bored. The depth below the road surface shall match the minimum depth of cover for the respective utility.
6. Non Conforming Work. The County Engineer may suspend the installation at any time if the applicant's work does not meet the requirements set forth in this Permit.
  7. Emergency Work. In emergency situations, work may be initiated by an applicant without first obtaining a permit. However, a permit must be obtained within fourteen (14) days of initiation of the work. All emergency work shall be done in conformity with the provisions of this ordinance and shall be inspected for full compliance.
  8. County Infraction. Violation of this permit is a county infraction under Iowa Code Section 331.307, punishable by a civil penalty of \$100 for each violation. Each day that a violation occurs or is permitted to exist by the applicant constitutes a separate offense.
  9. Hold Harmless. The utility company shall save the County harmless of any damages resulting from the applicant's operations. A copy of a certificate of insurance naming the County as an additional insured for the permit work shall be filed in the County Engineer's office prior to installation. The minimum limits of liability under the insurance policy shall be \$1,000,000.



# CLINTON COUNTY ENGINEER

Clinton County Administration Building  
1900 North Third Street  
P.O. Box 2957  
Clinton, Iowa 52733-2957  
563-244-0564  
Fax: 563-243-3739

June 22, 2015

Aaron Healy  
Eastern Iowa Light & Power  
500 South 5<sup>th</sup> Street  
DeWitt, Iowa 52742  
563-529-3723

Subject: Permit 10 – 76 for Electrical Utility Installation

Dear Aaron,

Please find enclosed one signed copy of your requested permit for construction within the county right-of-way. The permit was approved based on the following stipulation:

- Eastern Iowa Light & Power shall not place guy wires within 10 feet of the edge of shoulder.
- **Eastern Iowa Light & Power shall bore all utility work within County ROW at a minimum depth of 48-inches.**
- Utility cable shall be bored under culverts or installed around the ends of culverts. This stipulation applies to all culverts located within the county right-of-way.

Please call 24 hours before construction and keep one copy of the permit and construction plans at the job site. As built plans or a letter stating that the above permitted utility has been constructed as permitted will be required within sixty (60) days of construction. Please submit the \$100 permit fee, made payable to the Clinton County Engineer's Office. If you have any questions, please call the office at the above listed number.

Thank you,

Elliott Pennock, EIT  
Assistant Clinton County Engineer

**CLINTON COUNTY  
BOARD OF SUPERVISORS  
MOTION**

June 22, 2015

Supervisor \_\_\_\_\_ moved to authorize the Chairperson to sign Utility Permit Number 10 – 76 for Eastern Iowa Light and Power to bore underground electrical across 345<sup>th</sup> Avenue in Section 31 of Center Township, T82N-R5E.

**Roll Call:**

**Hamerlinck:** \_\_\_\_\_

**Srp:** \_\_\_\_\_

**Staszewski:** \_\_\_\_\_

**Motion** \_\_\_\_\_

## **STAFF REPORT**

**DATE:** June 22, 2015  
**TO:** Clinton County Board of Supervisors  
**FROM:** Clinton County Planning and Zoning Office  
Nate Mueller  
**RE:** Construction Permit Application Review for an expansion of an existing DNR-permitted dairy cattle confinement facility proposed by Blue Hyll Dairy in section 25 of Elk River Township.

### **Location and Overview (see Location Map on Page 2)**

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Clinton County has received a Construction Permit Application and Manure Management Plan for a proposed expansion of a previously permitted dairy cattle confinement operation located in the SE ¼ of the NE ¼ of Section 25 in Elk River Township. This report is being written in conformance with Clinton County Resolution #2015-06 which requires Clinton County to submit to the Iowa Department of Natural Resources an adopted recommendation regarding all applications received between February 1, 2015 and January 31, 2016.

Blue Hyll Dairy was granted a DNR permit in 1999 to construct a dairy barn (including an open earthen lagoon for manure storage) with a total facility capacity of 1000 mature dairy cattle, or 1400 Animal Units (AUs). Since that time the facility has operated with around 700 head (980 AU) of mature dairy cattle.

Blue Hyll Dairy has filed a construction permit application proposing to expand the existing permitted operation by constructing a new free stall barn on the site. This barn will house an additional 610 head of dairy cattle at 1440 259<sup>th</sup> Avenue approximately 2.75 miles east of Andover. The building site is currently owned by Blue Hyll LLC and the surrounding farm ground is owned by Loran and Betty Lou Burken, who also live at the site. The total capacity of the facility after expansion would be 1310 mature dairy cattle - which translates to 1834 Animal Units.

### **General Site Review (see Blue Hyll Site Map on page 3)**

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A site plan has been provided showing the location of the proposed building on the existing site. The building will be located approximately 100 feet northwest of the existing cattle barns. The new building will utilize the existing wells which are both located at least 100 feet away from the proposed building. The permitting approval for any future wells will be reviewed by the Clinton County Health Department at the time of Construction.

The Clinton County Flood Hazard Boundary Map shows some floodplain on the east/northeast part of the property, but not in the area of the proposed building. The applicant will be required to obtain a local floodplain permit to expand the sand settling lane as proposed with this expansion. The mapped floodplain is at the edge of the expected impact area, so water from 100-year flood events are less likely to impact the proposed building or the existing manure storage basin.

Location Map for Blue Hyll Dairy Expansion



CAFO  
Expansion  
Site in red

Blue  
Hyll  
Property  
in Blue

Andover &  
Clinton  
City Limits  
in Green

Clinton

## Site Map for Blue Hyll Dairy Expansion



There are four residences and one business located within the required 1,875-foot separation distance from the proposed building. All of these property owners have signed a separation distance waiver as required by the DNR. There is one additional residence on the site, but it is owned by Loran & Betty Lou Burken who have partial ownership interest in Blue Hyll LLC, making the exempt from separation requirements.

Primary access to the site will be provided by gravel-surfaced 459<sup>th</sup> Avenue and US Hwy 67. Truck traffic will be able to utilize the existing turnaround area to stage pickups/deliveries without impeding traffic flow on 459<sup>th</sup> Ave. Some damage to the gravel roads could occur due to heavy loads associated with this facility, especially during wet weather and in the spring when frost boils are likely to occur. Truck traffic should be able to access the site from Hwy 67 without crossing any bridges. There are no

bridges with posted load limits on the roads which would be used to access the facility site, or the fields where the manure will be injected or surface applied. The area roads are sufficient for access.

### **Master Matrix scoring and Review Comments**

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The applicant has submitted a Master Matrix Evaluation and awarded their plan 500 total points. The calculations exceed the number of points needed to pass in all individual categories as well as total score. The applicant has provided documentation for most question for which points were claimed. During the site visit, both DNR staff and P&Z staff found 2 discrepancies in the points claimed. Points were claimed for additional separation distance from a public use area, and also for eligibility to claim a homestead exemption credit for the building site. There is a cemetery located approximately 1900 feet to the NE of the building site, which is just outside the required 1875 ft. separation distance. Cemeteries are considered public use areas, so staff feels that these points should be removed. After speaking with the Assessor, Staff also feels that the points claimed for homestead exemption should also be removed as the home on the site is not on the same lot as the new building, therefore the building site is not eligible for a homestead exemption. (The applicant indicated at our site visit meeting that they would submit a revised matrix wherein those points were not claimed, but as of the packet deadline the County has not received a copy of that updated matrix.) With these points removed, the matrix still meets the minimum required score in the overall as well as all individual categories. Applicant and Staff Master Matrix Evaluation scoring findings are shown below.

**Table 1:** Master Matrix Scoring

	<b>Total Score</b>	<b>Air</b>	<b>Water</b>	<b>Community</b>
<b>Score needed to Pass</b>	<b>440</b>	<b>53.38</b>	<b>67.75</b>	<b>101.13</b>
Applicant Totals	500	121.75	107	271.25
Clinton County Totals	445	109.75	107	228.25

### **Manure Management Plan**

---

A Manure Management Plan (MMP) calls for the manure from this facility to be spread or injected in the fall or spring over approximately 2600 acres of farmland located in Northeast Clinton and southeast Jackson Counties.

Runoff into these waterways is possible where dry manure will be land-applied instead of injected into the soil. Caution should be used when applying manure to make sure the ground is in a state where the manure can be natural absorbed into the soil to minimize runoff.

The applicants have indicated in their master matrix (and claimed points) that they will remain an additional 200' above the minimum required separation distance from any residences, schools, public use areas, and businesses when applying manure. The applicant has indicated in their application that there will be a buffer between land applied manure and any dwellings and they will maintain an additional 50' buffer above the minimum required separation distance from any wells. Odor is likely on days that manure will be applied.

## **Recommendation**

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This site is generally suitable as a location for this Confined Feeding Operation. The Zoning Department's evaluation of the Master Matrix finds that the applicant receives enough points to pass.

According to IAC 65.10(2)(b), and the Notice letter to the Board from the Iowa Department of Natural Resources dated May 27, 2015, the Board may submit comments or forward comments from the public, which must be received by the DNR no later than June 26, 2015. These comments, together with the responses included below, may include but are not limited to the following:

- a. **The existence of an object or location not included in the application that benefits from a separation distance requirement as provided in section 459.202 or 549.204 or 549.310 of the Code of Iowa.** A review of the available information indicates that there do not appear to be any "objects or locations" not identified in the application that would benefit from the separation requirements contained in the Code.
- b. **The suitability of soils and the hydrology of the site where construction of a confinement feeding operation structure is proposed.** The soil type where construction is proposed is Chaseburg. This soil has moderate characteristics for most engineering/construction uses.
- c. **The availability of land for the application of manure originating from the confinement feeding operation.** The submitted MMP appears to show sufficient area for application of the manure generated by this confinement feeding operation.
- d. **Whether the construction of a proposed confinement feeding operation structure will impede drainage through established tile lines, laterals or other improvements which are constructed to facilitate the drainage of land not owned by the person applying for the construction permit.** The construction of this facility on the site proposed does not appear to impede the drainage through established tile lines, etc. The applicant owns and farms the land adjacent to the proposed building.

Based on this evaluation of the construction permit application, Manure Management Plan and Master Matrix, staff finds that this application successfully meets all State and Local requirements. Staff recommends that the Board of Supervisors recommend approval of the application to the Iowa Department of Natural Resources.

---

Nate Mueller  
Director - Clinton County Planning & Zoning

Blue Hyll Dairy Master Matrix Scoring Totals

Question	Applicant scoring			
	Score	Air	Water	Community
1	100	65.00		35
2	30	12		18
3	30	12		18
4	10		10	
5	30	9		21
6	10	4		6
7	30		24	6
8	50	5	25	20
9	25	7.5	7.5	10
10	30		22.5	7.5
11				
12				
13				
14				
15				
16				
17				
18				
19	20			20
20	30			30
21				
22	25			25
23	25	0	0	25
24	20	0	0	20
25				
26				
27	10		10	
28				
29				
30	5	3.25		1.75
31	5	2		3
32	5	2		3
33	10		8	2
34				
35				
36				
37				
38				
39				
40				
41				
42				
43				
44				
<b>Total</b>	<b>500</b>	<b>121.75</b>	<b>107</b>	<b>271.25</b>

Question	Score	Air	Water	Community
2	0	0		0
3	30	12		18
4	10		10	
5	30	9		21
6	10	4		6
7	30		24	6
8	50	5	25	20
9	25	7.5	7.5	10
10	30		22.5	7.5
11		0		0
12		0		0
13			0	0
14		0		0
15		0		0
16		0	0	0
17			0	0
18		0		0
19	20			20
20	30			30
21				0
22	0			0
23	25			25
24	20			20
25			0	0
26e		0	0	0
27	10		10	
28			0	0
29			0	
30	5	3.25		1.75
31	5	2		3
32	5	2		3
33	10		8	2
34				
35				
36				0
37				0
38				0
39				0
40			0	0
41			0	0
42		0	0	0
43		0	0	0
44			0	0
<b>Total</b>	<b>445</b>	<b>109.75</b>	<b>107</b>	<b>228.25</b>

Minimum score to pass 440 53.38 67.75 101.13

**Clinton County  
Board of Supervisors**

Clinton County Administration Building  
1900 North Third Street

John F. Staszewski, Chairperson  
Dan Srp, Vice Chairperson  
Shawn Hamerlinck

P.O. Box 2957  
Clinton, Iowa 52733-2957  
Telephone: (563) 244-0575

[www.clintoncounty-ia.gov](http://www.clintoncounty-ia.gov)

## Clinton County Master Matrix Scoring & Recommendation

The Clinton County Board of Supervisors has reviewed the Master matrix and Construction Permit Application for: **Blue Hyll Dairy, LLC.**

Public Notice was published on **6/6/2015** and the proof of publication is attached.

Matrix as scored by Clinton County = **445** points. **Passing / Failing**

If the County-scored matrix is different than submitted, then the County-scored matrix is attached with justifications

Supplemental letters or documentation is being sent to the DNR

Upon review and inspection of construction site and documents provided, we the Clinton County Board of Supervisors recommend the permit be **Approved / Disapproved**

**Comments or Reasons for Disapproval:**

---

**John Staszewski, Chairperson**  
**Clinton County Board of Supervisors**

---

**Date**



**STAFF REPORT**

**DATE:** June 3, 2015

**TO:** Clinton County Board of Supervisors

**FROM:** Clinton County Planning and Zoning Office  
Nate Mueller

**RE:** Application 3867 of Dane Pape & Sarah Crowley requesting approval of an application to create a 2-lot Minor Subdivision to be known as Drake's Run Subdivision.

**Location**

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The proposed subdivision is located in the SW ¼ of the SE ¼ of Section 16, Township 82 North, Range 3 East of the 5th P.M. in Clinton County, Iowa. This is a 2-lot subdivision consisting of 38.78 acres located on the north side of 190<sup>th</sup> Street approximately 1.25 miles west of Highway 61 in Welton Township.



Proposed lots for Drake's Run Subdivision:



## **Background and Details**

---

The purpose of this subdivision application is to split a 38.78 acre parcel into 2 lots – Lot 1 will contain a new home and be used as a residential non-farm lot. Lot 2 will remain as undisturbed ag ground in production. There are no existing buildings on proposed lot 2.

The new residential use will have agricultural uses on all sides, and there are 7 residences within a ¼ mile and 10 within ½ mile. The site is currently zoned A-1 and is primarily crop ground.

### **Details of the Proposal:**

The regular bulk standards, normally permitted uses, and special exception uses from the A-1 Zoning District of the Clinton County Zoning Ordinance will apply to both lots in the proposed subdivision:

<b>Lot size – Anticipated Use</b>	<u>Lot 1</u> – 7.00 acres – Residential – This lot will contain the new residence. <u>Lot 2</u> – 31.78 acres – Agricultural – This ground will remain in ag production
<b>Front setback</b>	50 feet
<b>Side setback</b>	15 feet
<b>Rear setback</b>	40 feet
<b>Building Height - max</b>	35 feet or 2 ½ stories
<b>Density Allowed</b>	1 lot per 40 acres - the applicant's attorney has submitted an acceptable Agricultural Easement to allow for the increased density in this A-1 district.

### **County Engineer's Review of Proposed Driveway Access**

---

Any new accesses onto County roads are subject to permitting and review by the County Engineer's Office. Final location and design requirements of any new access will be determined at the time of permitting. New driveways must meet separation and site distance requirements.

### **County Health Department Review of Well and Septic System Suitability**

---

With a parcel size of 7.00 acres, the County Health Department does not foresee any problems developing adequate wastewater facilities on proposed Lot 1 *subject to review of a soil analysis or percolation test*. There is no new well or septic planned for Lot 2. Any new or replacement wells or wastewater treatment systems installed on either lot in the future are subject to permitting and review by the County Health Department. Final wastewater suitability and design will be determined at the time of permitting.

### **Planning & Zoning Commission Recommendation**

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The Zoning Commission held a Public meeting on June 3<sup>rd</sup>, 2015 in DeWitt. After taking public comment and reviewing the application, the Commission voted 4 – 0 (Commissioner Whitman absent) to recommend approval of this application.

## **Review of Preliminary Plat Subdivision Criteria (2.2.3.D) for Drake's Run Subdivision**

- 1. The application conforms with environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal.**

An acceptable soil analysis or percolation test will be required before any septic systems can be constructed or reconstructed in this subdivision. New septic systems are subject to County Health Department approval and permitting and applicants are strongly encouraged to work closely with the County Sanitarian to make sure preliminary designs meet all applicable State and County regulations.

- 2. The applicant has shown the availability of water which meets applicable health standards and is sufficient for the reasonable foreseeable needs of the subdivision.**

Any new wells or connections to existing wells are subject to County Health Department approval and permitting. All lots within this subdivision must share a water supply unless granted a variance by this Commission.

- 3. The site is served, or will be served at the time of development, with all necessary public utilities, including, but not limited to electric and telephone service.**

Utility Services are available at this location. Electrical Service is provided by Eastern Light & Power. Telephone service, if needed, is provided by Windstream.

- 4. The site is located in an area of the County that is appropriate for proposed development activity and which will not contribute to the need for inefficient extensions and expansions of public facilities, utilities and services.**

Both lots will have direct access onto 190<sup>th</sup> Street which is a paved County road. Lot 2 has an existing field access, and the applicant has indicated that they will install a new permitted driveway to serve Lot 1. No extension of public utilities is required for development on this site.

- 5. The applicant has shown the availability and accessibility of public services such as schools, public safety and fire protection.**

This subdivision is located in the Central Clinton Community School District. Fire protection will be provided by the Welton Volunteer Fire Department which is located within 1.5 miles. Police protection is provided by the Clinton County Sheriff's Department.

- 6. The site represents an overall development pattern that is consistent with the goals and policies on the Master Plan, the Capital Improvements Program, and any other applicable planning documents adopted by the County.**

This development is in an area designated Agricultural on the Future Land Use Map, which allows for limited development of this type. The proposed non-farm lot is located in an area of low-quality crop ground and the applicants have submitted an acceptable Agricultural Easement to allow for the increased density in the A-1 district. No infrastructure improvements are required for this development.

**7. The site and application conform to all applicable provisions of these regulations.**

The proper application procedures have been followed for this application.

The site is zoned A-1, which allows 1 dwelling unit per 40 acres. The applicants have submitted an acceptable Agricultural Easement to allow for the increased density in the A-1 district.

The Corn Suitability Ratings and uses are within the limits set forth in the Zoning Ordinance. Only 20% of the area of Lot 1 has a CSR rating of 65 or 68. Lot 2 will remain a 'farm lot' in crop production so CSR values for this lot are not factored into the approval.

**8. The application considers the effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision.**

190<sup>th</sup> Street is a paved road which had a traffic count of 590 VPD in the most recent DOT study (2010). There is excess capacity for additional traffic on this road sufficient to handle the increased volume that can be expected by the creation of one additional lot.

**9. The Preliminary Plat shows the location, spacing and design of proposed streets, curb cuts and intersections, all of which are consistent with good traffic engineering design principles.**

No new streets are proposed in this subdivision.

**10. Each lot in the map of a residential development has adequate and safe access to/from a local street. If lot access is to/from a collector or arterial street, the Planning and Zoning Commission shall expressly find that such access is safe and that no other lot access or subdivision configuration is feasible.**

Development on any of the proposed lots will have adequate and safe access to 190<sup>th</sup> Street, which is a paved major collector road. If the property owners wish to establish a new access they will have to meet driveway separation distances as well as Secondary Roads site distance, design, and permitting requirements.

**11. The site contains a parcel, lot and land subdivision layout that is consistent with the Zoning Ordinance, good land planning and site engineering design principles.**

The lot design for this subdivision meets the requirements of the ordinance and reflects good land planning and site engineering principles.

**12. The site will be laid out and developed in a manner that is sensitive to environmental features and/or characteristics of the tract or parcel including, but not limited to, topography, slope, soils geology, hydrology, floodplains, wetlands, vegetation and trees.**

The site is primarily crop ground with a few trees and a small stream on the northern area of Lot 1. The new development proposed for lot 1 will remove some crop ground from production, but should not disturb any existing vegetation. There is no mapped floodplain on the property and there are no extreme slopes, topography, soil geology, or wetlands to consider on either lot.

**13. The applicant agrees to dedicate and improve land, right-of-way and easements, as may be determined to be needed to effectuate the purposes of these regulations and the standards and requirements incorporated herein.**

No dedications of land or rights-of-way are required for this subdivision.

**Planning & Zoning Staff Recommendation**

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The plat appears to be correct, and the applicant has met the requirements of the Clinton County Zoning, Subdivision, Floodplain and Airport Ordinances. Staff recommends approval.



**STAFF REPORT**

**DATE:** June 22, 2015

**TO:** Clinton County Board of Supervisors

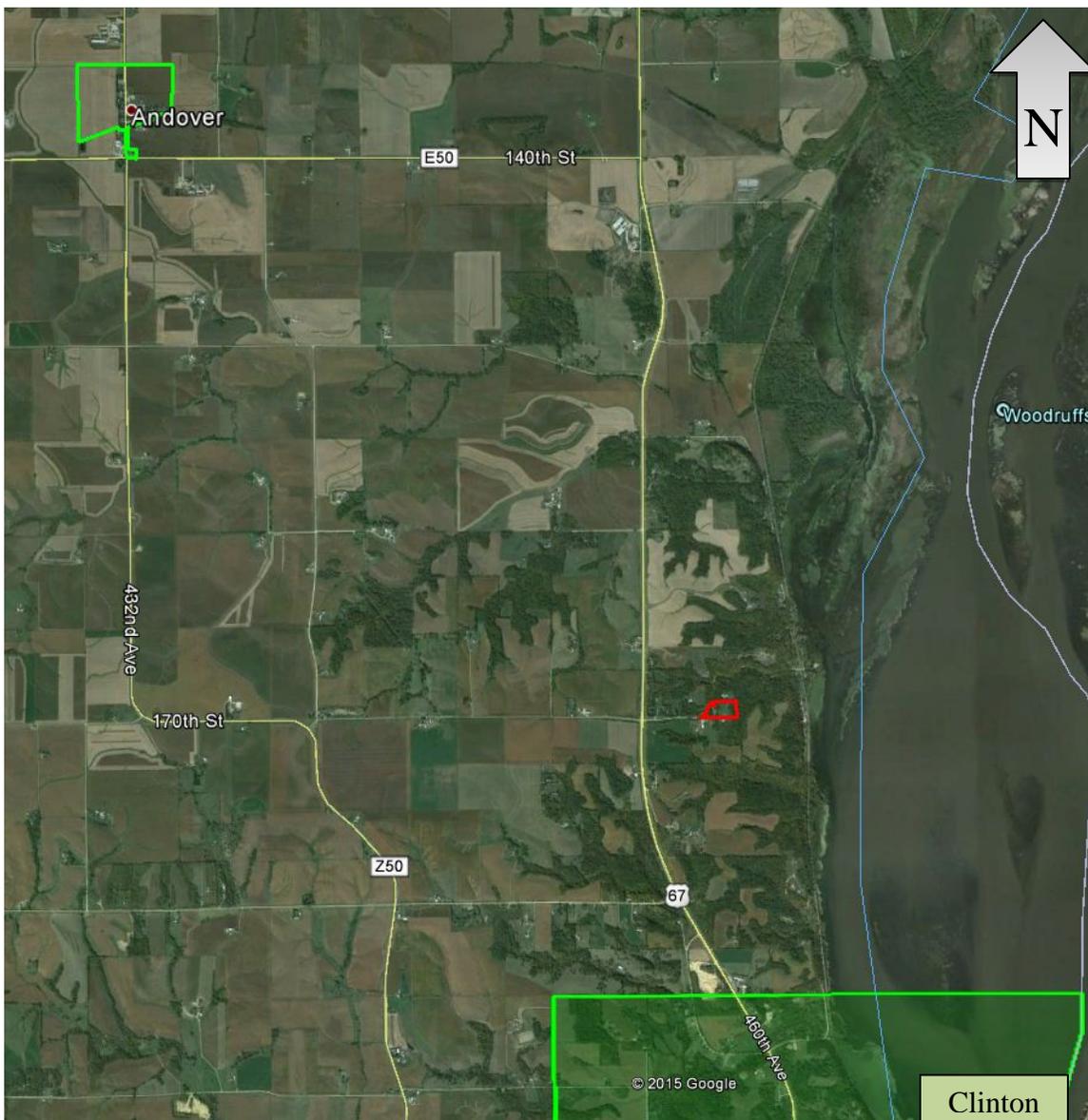
**FROM:** Clinton County Planning and Zoning Office  
Nate Mueller

**RE:** Rezoning application 3866 of Marcia & Paul J. Strunk requesting the change of 8.95 acres from AR-1 (Agricultural-Recreational) to R-1 (Suburban Residential).

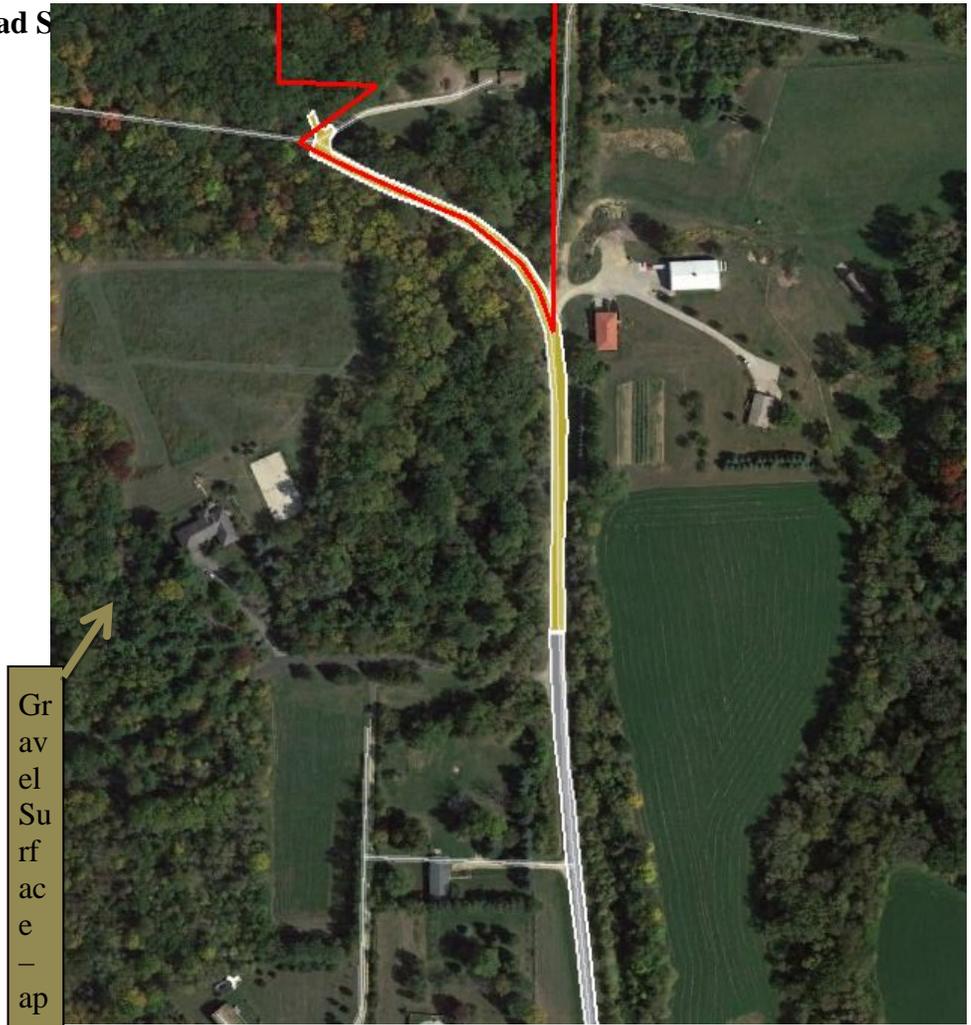
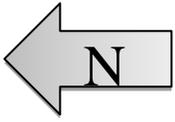
**Location & Background**

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The applicants own 8.95 acres located on 170<sup>th</sup> Street (Bulger’s Hollow Road) approximately 2,175 feet east of the intersection with U.S. Highway 67. They are requesting to rezone to Suburban Residential (R-1) in order to split the existing house on to its own lot to be sold separately from the remaining ground. They plan to build a new house on the remaining ground.



Detail view of Road S



Gravel Surface - approx

Blacktop - approx

Hwy

## Review of Map Amendment Criteria (9.3.2.B.5) for Rezoning request of Marcia & Joe Strunk

- a. Whether or not the current district classification of the property to be rezoned is valid and the suitability of the subject property for the uses to which it has been restricted under the existing zoning classification.**

This property is currently zoned AR-1 (Agricultural-Recreational). Non-farm residential uses are allowed in this district by the Zoning Ordinance. The AR-1 zoning allows for up to one dwelling unit per 5 acres, meaning a minimum lot size of 10 acres is needed for subdivision approval. The site requested for rezoning is currently 8.95 acres of timber ground with an existing house and outbuilding. The existing zoning is suitable for the current use of the property, but does not allow any further development.

- b. Whether there is a need for additional land zoned for the purpose requested.**

The proposed use of the property is non-farm residential use. There is little Residentially-zoned land in the County that is undeveloped.

- c. The character and use of nearby property.**

The character and use of nearby property is primarily residential in nature. The surrounding area includes largely undeveloped timber ground and non-farm residential uses. There is a limited area of crop ground to the south.

- d. Master Plan future land use designations.**

The Future Land Use Map designates this property as Suburban Residential. The Master Plan specifically designates the R-1 Suburban Residential district as the preferred zoning district to implement the Suburban Residential Future Land Use Map designation.

- e. The extent to which the proposed use will detrimentally or positively affect nearby property.**

The proposed use is residential housing lots. The surrounding area includes primarily residential lots and dense timber. This proposed use should have minimal impact on nearby property.

- f. The length of time the subject property has remained vacant as zoned.**

The site has been used residentially since the 60's. It is well suited for that use.

- g. Recommendations of the County's professional staff.**

Health Department: The developable area of the site is primarily Fayette soils. While this soil type is well-suited for citing conventional on-site septic systems, the usable area of future potential lots would be limited by the steep slopes found on the property. The Health Department feels that if the area were developed at full Suburban Residential density (e.g. 4 lots of approximately 2.2 acres), these steep slopes could present an obstacle to the citing of traditional septic systems while maintaining adequate room for replacement systems should they become necessary. The Health Department would recommend that the Board of Supervisors limit the overall density of the rezoning so that future subdivision of the site will create no more than 2 additional lots (3 total lots). As with all systems, final suitability and design is based on an acceptable soil analysis or percolation test and will be determined at the time of permitting.

Engineer: *"The additional trips will exacerbate the maintenance issues we already have on this section of roadway (steep hill with a horizontal curve). We may want to consider extending the paving to just south of the curve or at least requiring compensation for dust control along this section on an annual basis."*

The paved portion of 170<sup>th</sup> Street is due for full-depth reclamation this summer (2015). The increased

traffic from potential development can be easily handled by the paved portion of the road; however the gravel-surface portion of the road may be less suited to handle the impacts from the anticipated traffic. It should be noted that there are no plans to upgrade the gravel portion of the road in the 5 year road plan.

Planning & Zoning: See Below

- h. The availability and adequacy of required public and community facilities, utilities and services to serve the proposed use. These may include, but are not limited to, sanitary and storm sewers, water, electrical service, police and fire protection, schools, parks and recreation facilities, roads, libraries, solid waste collection and disposal and others as applicable.**

With an existing house on the site, utilities already exist in the area and can be extended with relative ease. The 2 acre minimum lot size allows each lot to have an approved wastewater disposal system permitted by the Health Department. The subdivision will be required to share a single water supply. Eastern Iowa Light and Power provides electrical service to the area; the Andover Volunteer Fire Department (which is 7 miles from this site) provides fire protection, and the Clinton County Sheriff's Department provides police protection. Solid waste disposal is each lot owner's responsibility.

- i. The extent to which the proposed use would adversely affect the capacity or safety of that portion of the street network influenced by the use, or present parking problems in the vicinity of the property.**

Immediate access to this site is from 170<sup>th</sup> Street, which had a 2010 traffic count of 240 VPD. The property is located approximately 2200 feet from U.S. Highway 67 which had a 2010 traffic count of 1680 VPD in the vicinity of 170<sup>th</sup> Street. There is an existing driveway which could serve as a shared access for all future lots if needed. If the applicant wishes to establish new driveways in the future, that will be reviewed by the Engineer when a subdivision application is submitted. This proposed development should not adversely affect the capacity or safety of the existing road network.

- j. The environmental impacts that the proposed use will generate including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting, or other environmental harm.**

Residential use of this property should not create excessive water, air, or noise pollution; nighttime lighting, or other environmental harm. Given the topography of the site there is potential for storm water runoff in the event of large storms, however a 2-acres lot size should allow the majority of those impacts to remain on each individual lot. The areas suitable for development tend to have average slopes of less than 10%. Overall there should be little environmental impact from this use.

- k. The ability of the applicant to satisfy any requirements applicable to the specific use imposed pursuant to these Regulations and other applicable County Ordinances.**

The Subdivision Ordinance requires that any future subdivision is limited to a single on-site water supply, meaning that without a variance the existing and all future residences will be required to share a well. Having a single well should also allow for the creation of a fire flow water access point for fire suppression within the subdivision. Staff recommends that if the Board of Supervisors waives the fire flow requirement, the applicant be required to obtain written acknowledgement from the Andover Fire Department that the Department feels it can provide fire protection without a dedicated onsite fire flow water source.

The applicant will need to comply with all applicable regulations and ordinances, and should not have trouble satisfying any requirements of the Zoning Ordinance or any other Ordinances of Clinton County.

## **Planning & Zoning Staff Recommendation**

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This general area is well-suited for residential development. It is located within ½ mile of a major arterial highway and within 3 miles of the City of Clinton. The site is primarily timber ground with acceptably flat open areas to support single family residential development. Future subdivision of this site will create housing development opportunities for the County without sacrificing any quality crop ground. In addition, this area was designated as being appropriate for suburban residential development when the Master Plan was adopted in 1999. While the general area is suitable for residential development, the Engineer's concerns about extra traffic on the gravel portion of 170<sup>th</sup> Street and the Sanitarian's concerns about the restricted area available for citing conventional septic systems also need to be taken into account. These concerns could be addressed by including conditions of approval which would limit the density of future development at this site. In light of these concerns Planning & Zoning Staff would recommend approving the application subject to the following conditions:

1. Due to the condition of 170<sup>th</sup> Street, as well as the limited area available for citing septic systems, it is necessary to restrict the overall density of this 8.95 acre property to 1 dwelling unit per 2.5 acres.
2. Any future subdivision or replat of the property within the bounds outlined in the attached Exhibit "A" shall include no more than 3 total lots.

**ORDINANCE #2015 - \_\_\_\_\_**

AN ORDINANCE AMENDING THE MAP OF THE CLINTON COUNTY ZONING ORDINANCE RELATIVE TO THE ZONING DESIGNATION OF CERTAIN PROPERTY LOCATED IN SECTION 6, TOWNSHIP 82 NORTH, RANGE 7 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:

See Attached Exhibit "A"

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.

June 29, 2015

**PASSED AND ADOPTED** this 29th day of June, 2015 by the Board of Supervisors, Clinton County, State of Iowa.

\_\_\_\_\_  
Shawn Hamerlinck

\_\_\_\_\_  
Dan Srp

\_\_\_\_\_  
John F. Staszewski, Chairperson  
Clinton County Board of Supervisors

**ATTEST:**

\_\_\_\_\_  
Eric Van Lancker      County Auditor  
County of Clinton      State of Iowa

EXHIBIT "A"

That part of the west half of the southeast quarter of the southwest quarter of Section six (6), Township eighty-two (82) North, Range seven (7), East of the 5th P.M., lying south and east of the Bulger Hollow Road, containing two and two-tenths (2.2) acres, more or less;

Also, a square piece or parcel of real estate containing one-half (1/2) acre of land located and situated in the southwest corner of the east half of the southeast quarter of the southwest quarter of Section six (6), Township eighty-two (82) North, Range seven (7), East of the 5th P.M.

EXCEPTING THEREFROM that parcel of land described as follows: Commencing at the southeast corner of the southwest quarter of Section six (6), Township eighty-two (82) North, Range seven (7), East of the 5th P.M., in Clinton County, Iowa; thence north  $88^{\circ} 39' 30''$  west five hundred two and five-hundredths (502.05) feet along the south line of the southwest quarter of said Section six (6); thence north  $00^{\circ} 46' 28''$  east one hundred forty-seven and fifty-eight-hundredths (147.58) feet; thence north  $88^{\circ} 39' 30''$  west one hundred forty-seven and fifty-eight-hundredths (147.58) feet to the west line of the east half of the southeast quarter of the southwest quarter of said Section six (6); thence north  $00^{\circ} 46' 28''$  east one hundred seventy-two and fifteen-hundredths (172.15) feet along the west line of the east half of the southeast quarter of the southwest quarter of said Section six (6) to the point of beginning of the tract of land herein described; thence north  $39^{\circ} 35' 25''$  west ninety-six and ninety-two-hundredths (96.92) feet to the south-easterly right-of-way line of Bulgers Hollow Road; thence north  $65^{\circ} 45' 26''$  west thirty-three (33) feet to the center line of said Bulgers Hollow Road; thence in a northeasterly direction along said center line on a curve concave northwesterly and the radius of which is five hundred ninety-seven and seventy-five-hundredths (597.75) feet for a distance of one hundred sixty and fifty-two-hundredths (160.52) feet; thence north  $08^{\circ} 51' 22''$  east one hundred ninety-six and seventy-hundredths (196.70) feet along said center line; thence in a northeasterly direction along said center line on a curve concave northwesterly and a radius of which is three hundred forty-two and sixty-five-hundredths (342.65) feet for a distance of forty-five and ninety-five-hundredths (45.95) feet; thence north  $01^{\circ} 10' 22''$  east sixty-four and sixty-hundredths (64.60) feet along said center line; thence in a northeasterly direction along said center line on a curve concave southeasterly and the radius of which is four hundred twelve and eight-hundredths (412.08) feet for a distance of eighty-nine and fifty-four-hundredths (89.54) feet; thence north  $13^{\circ} 37' 22''$  east thirty-four and seventy-seven-hundredths (34.77) feet along said center line to its intersection with the west line of the east half of the southeast quarter of the southwest quarter of said Section six (6); thence south  $00^{\circ} 46' 28''$  west six hundred sixty-eight and sixty-one-hundredths (668.61) feet along the west line of the east half of the southeast quarter of the southwest quarter of said Section six (6) to the point of beginning. The above described tract of land contains 0.556 of an acre and is subject to the rights of the public for roadway purposes over that portion thereof which is now occupied by Bulgers Hollow Road.

ALSO, a perpetual roadway easement for ingress and egress over the following described real estate situated in Clinton County, Iowa: Commencing at the southeast corner of the southwest quarter of Section six (6), Township eighty-two (82) North, Range seven (7), East of the 5th P.M. in Clinton County, Iowa; thence north  $88^{\circ} 39' 30''$  west five hundred two and five-hundredths (502.05) feet along the south line of the southwest quarter of said Section six (6); thence north  $00^{\circ} 46' 28''$  east one hundred forty-seven and fifty-eight-hundredths (147.58) feet; thence north  $88^{\circ} 39' 30''$  west one hundred forty-seven and fifty-eight-hundredths (147.58) feet to the west line of the east half of the

southeast quarter of the southwest quarter of said Section six (6); thence north 00° 46' 28" east one hundred seventy-two and fifteen-hundredths (172.15) feet along the west line of the east half of the southeast quarter of the southwest quarter of said Section six (6) to the point of beginning of the perpetual roadway easement herein described; thence south 00° 46' 28" west thirty and eighty-eight-hundredths (30.88) feet along the west line of the east half of the southeast quarter of the southwest quarter of said Section six (6); thence north 39° 35' 25" west one hundred ten and seventy-five-hundredths (110.75) feet to the southeasterly right-of-way line of Bulgers Hollow Road; thence north 24° 34' 22" east eighteen and fifty-nine-hundredths (18.59) feet along said right-of-way line; thence in a northeasterly direction along said right-of-way line on a curve concave northwesterly and the radius of which is six hundred thirty and seventy-five-hundredths (630.75) feet for a distance of three and sixty-three-hundredths (3.63) feet; thence south 39° 35' 25" east ninety-six and ninety-two-hundredths (96.92) feet to the point of beginning.

Commencing at the southeast corner of the southwest quarter of Section six (6), Township eighty-two (82) North, Range seven (7), East of the 5th P.M. in Clinton County, Iowa; thence north 88° 39' 30" west five hundred two and five-hundredths (502.05) feet along the south line of the southwest quarter of said Section six (6); thence north 00° 46' 28" east one hundred forty-seven and fifty-eight-hundredths (147.58) feet to the point of beginning of the tract of land herein described; thence north 88° 39' 30" west one hundred forty-seven and fifty-eight-hundredths (147.58) feet to the west line of the east half of the southeast quarter of the southwest quarter of said Section six (6); thence north 00° 46' 28" east one hundred seventy-two and fifteen hundredths (172.15) feet along the west line of the east half of the southeast quarter of the southwest quarter of said Section six (6); thence south 39° 35' 25" east two hundred twenty-seven and eighty-six-hundredths (227.86) feet to the point of beginning.

The above described tract of land contains 0.292 of an acre.

ALSO, a perpetual roadway easement for ingress and egress over the following described real estate situated in Clinton County, Iowa: Commencing at the southeast corner of the southwest quarter of Section six (6), Township eighty-two (82) North, Range seven (7), East of the 5th P.M. in Clinton County, Iowa; thence north 88° 39' 30" west five hundred two and five-hundredths (502.05) feet along the south line of the southwest quarter of said Section six (6); thence north 00° 46' 28" east one hundred forty-seven and fifty-eight-hundredths (147.58) feet; thence north 88° 39' 30" west one hundred forty-seven and fifty-eight-hundredths (147.58) feet to the west line of the east half of the southeast quarter of the southwest quarter of said Section six (6); thence north 00° 46' 28" east one hundred seventy-two and fifteen-hundredths (172.15) feet along the west line of the east half of the southeast quarter of the southwest quarter of said Section six (6) to the point of beginning of the perpetual roadway easement herein described thence north 39° 35' 25" west ninety-six and ninety-two-hundredths (96.92) feet to the southeasterly right-of-way line of Bulgers Hollow Road; thence in a northeasterly direction along said right-of-way line on a curve concave northwesterly and the radius of which is six hundred thirty and seventy-five-hundredths (630.75) feet for a distance of twenty-two and forty-nine-hundredths feet; thence south 39° 35' 25" east eighty-three and sixty-seven hundredths (83.67) feet to the west line of the east half of the southeast of the southwest quarter of said Section six (6); thence south 00° 46' 28" west thirty and eighty-eight-hundredths (30.88) feet to the point of beginning.

-AND-

A part of the east half (E1/2) of the southeast quarter (SE1/4) of the southwest quarter (SW1/4) of section six (6), township eighty-two (82) north, range seven (7), East of the 5<sup>th</sup> P.M. in Clinton, Iowa as follows: A parcel of land described as follows: commencing at the southeast corner of the southwest quarter (SW1/4) of section six (6), township eighty-two (82) north, range seven (7), East of the 5<sup>th</sup> P.M. in Clinton County, Iowa; thence north along the east line of the southwest quarter (SW1/4) a distance of four hundred seventy-nine and twenty-hundredths (479.20) feet; thence west on a straight line to a point four hundred seventy-eight and seventy-seven-hundredths (478.77) feet north of the southwest corner of the east half (E1/2) of the southeast quarter (SE1/4) of the southwest quarter (SW1/4); thence south along the west line of the east half (E1/2) of the southeast quarter (SE1/4) of the southwest quarter (SW1/4) a distance of four hundred seventy-eight and seventy-seven-hundredths (478.77) feet; thence east along the south line of the southeast quarter (SE1/4) of the southwest quarter (SW1/4) to the point of beginning.

EXCEPTING THEREFROM: A tract of land commencing at the southeast corner of the southwest quarter (SW1/4) of section six (6), township eighty-two (82) north, range seven (7), East of the 5<sup>th</sup> P.M. in Clinton County, Iowa; thence north  $88^{\circ} 39' 30''$  west five hundred two and five-hundredths (502.05) feet along the south line of the southwest quarter (SW1/4) of said section six (6), thence north  $00^{\circ} 46' 28''$  east one hundred forty-seven and fifty-eight-hundredths (147.58) feet to the point of beginning of the tract of land herein described; thence north  $88^{\circ} 39' 30''$  west one hundred forty-seven and fifty-eight-hundredths (147.58) feet to the west line of the east half (E1/2) of the southeast quarter (SE1/4) of the southwest quarter (SW1/4) of said section six (6); thence north  $00^{\circ} 46' 28''$  east one hundred seventy-two and fifteen hundredths (172.15) feet along the west line of the east half (E1/2) of the southeast quarter (SE1/4) of the southwest quarter (SW1/4) of said section six (6); thence south  $39^{\circ} 35' 25''$  east two hundred twenty-seven and eighty-six-hundredths (227.86) feet to the point of beginning.

Also, EXCEPTING THEREFROM, that parcel of land described as follows: commencing at the southeast corner of the southwest quarter (SW1/4) of section six (6), township eighty-two (82) north, range seven (7), East of the 5<sup>th</sup> P.M., in Clinton County, Iowa; thence north  $88^{\circ} 39' 30''$  west five hundred two and five-hundredths (502.05) feet along the south line of the southwest quarter (SW1/4) of said section six (6) to the point of beginning; thence north  $00^{\circ} 46' 28''$  east one hundred forty-seven and fifty-eight-hundredths (147.58) feet; thence north  $88^{\circ} 39' 30''$  west one hundred forty-seven and fifty-eight-hundredths (147.58) feet to the west line of the east half (E1/2) of the southeast quarter (SE1/4) of the southwest quarter (SW1/4) of said section six (6); thence south along the west line of the east half (E1/2) of the southeast quarter (SE1/4) of the southwest quarter (SW1/4) to the southwest corner of the east half (E1/2) of the southeast quarter (SE1/4) of the southwest corner of section six (6), township eighty-two (82) north, range seven (7), East of the 5<sup>th</sup> P.M.; thence east along the south line of the southwest quarter (SW1/4) of section six (6), township eighty-two (82) north, range seven (7), to the point of beginning.

EXHIBIT "A-3"