

# CLINTON COUNTY BOARD OF SUPERVISORS

---

John Staszewski, Chairperson

Dan Srp

Shawn Hamerlinck

---

## PUBLIC NOTICE

is hereby given that the above governmental body will meet at the following date,  
time, place: **Tuesday, March 31, 2015, 9:15 a.m.**

**Board of Supervisors Meeting  
Clinton County Administration Building, Conference Room B,  
1900 North 3<sup>rd</sup> Street, Clinton, Iowa**

---

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

**9:15 a.m. Formal Action: Resolutions and Motions**

**Resolution** Accept retirement of a Secondary Road Employee; and authorize the County Engineer to fill vacancy created by said retirement

**Resolution** Request that the Iowa Department of Transportation schedule and fund the requisite environmental study for the DeWitt to Lisbon section of the U.S. Highway 30 improvement

**Motion** Authorize Kim Ralston, Community Assistance Program Director to be the Board of Supervisors' Authorized Signatory for the County Substance Abuse Prevention Programs grants application.

**General Public** – This is the time that the public can address the Board. Public comments will be limited to 3 minutes per individual.

**Department Heads, Elected Officials and Employees** – (Updates/Requests will be limited to 5 minutes per department. Lengthier discussions will need to be scheduled as a separate agenda item.)

**10:00 a.m.** Public Hearing to solicit public input on a minor subdivision known as Farrell Subdivision

**10:05 a.m.** Possible Action to follow Public Hearing

**10:10 a.m.** Public Hearing to solicit public input on a major subdivision known as Gregoire 4<sup>th</sup> Subdivision

**10:15 a.m.** Possible Action to follow Public Hearing

**10:30 a.m.** Public Hearing to solicit public input on Secondary Roads Budget and Construction program

**10:40 a.m.** Possible Action to follow Public Hearing

**10:45 a.m.** Discussion/Possible Action: Staff changes as they pertain to the FY2015 and FY2016 budget

## PUBLIC NOTICE

**Clinton County Offices will be closed on Good Friday, April 3, 2015**

Clinton County does not discriminate on the basis of disability in the admission or access to its services, programs, or activities. For information on accessibility and to request reasonable accommodations at least three (3) days in advance, please contact our office at 563-244-0575.

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

**March 31, 2015**

**WHEREAS, an agreement having been made between the Clinton County Secondary Road Department union employees represented by International Brotherhood of Painters & Allied Trades Local Number 2003, and the Board of Supervisors of Clinton County, Iowa, applicable to the employment of said employees, and**

**WHEREAS, it is necessary to make certain changes in the status of employees covered by said agreement, now**

**THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the following changes be made:**

**Accept the retirement of Mark Nicely, Truck Driver, effective March 31, 2015.**

**BE IT FURTHER RESOLVED that the County Engineer be and is hereby authorized to fill the vacancy created by said retirement.**

**Roll Call:**

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

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

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

**ATTEST:**

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

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

March 31, 2015

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

**WHEREAS**, the Clinton County Board of Supervisors continues to support efforts to enhance U.S. Highway 30 including the phase from DeWitt to Lisbon; and

**WHEREAS**, the Clinton County Board of Supervisors acknowledge the completion of the widening of U.S. Highway 30 between Dewitt and Lisbon would stimulate economic development in the communities along this corridor; and

**WHEREAS**, the Clinton County Board of Supervisors realize an improved economic development will increase counties' tax bases along the corridor that could possibly result in steady or lower county tax levies while improving services; and

**WHEREAS**, the Clinton County Board of Supervisors believe a widened U.S. Highway 30 would also improve transportation safety for our citizens and for all who use this important transportation artery;

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CLINTON COUNTY, STATE OF IOWA**, that the County of Clinton respectfully requests that the Iowa Department of Transportation schedule and fund the requisite environmental study for the DeWitt to Lisbon section of the U.S. Highway 30 improvement.

Roll Call:

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

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

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

\_\_\_\_\_  
Chairperson, John Staszewski

ATTEST:

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

March 31, 2015

Motion by Supervisor \_\_\_\_\_ to authorize Kim Ralston, Community Assistance Programs Director to be the Board of Supervisors Authorized Signatory for the County Substance Abuse Prevention Programs grants application.

**ROLL CALL:**

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

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

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

Motion \_\_\_\_\_.

**STAFF REPORT**

**DATE:** March 31, 2015

**TO:** Clinton County Board of Supervisors

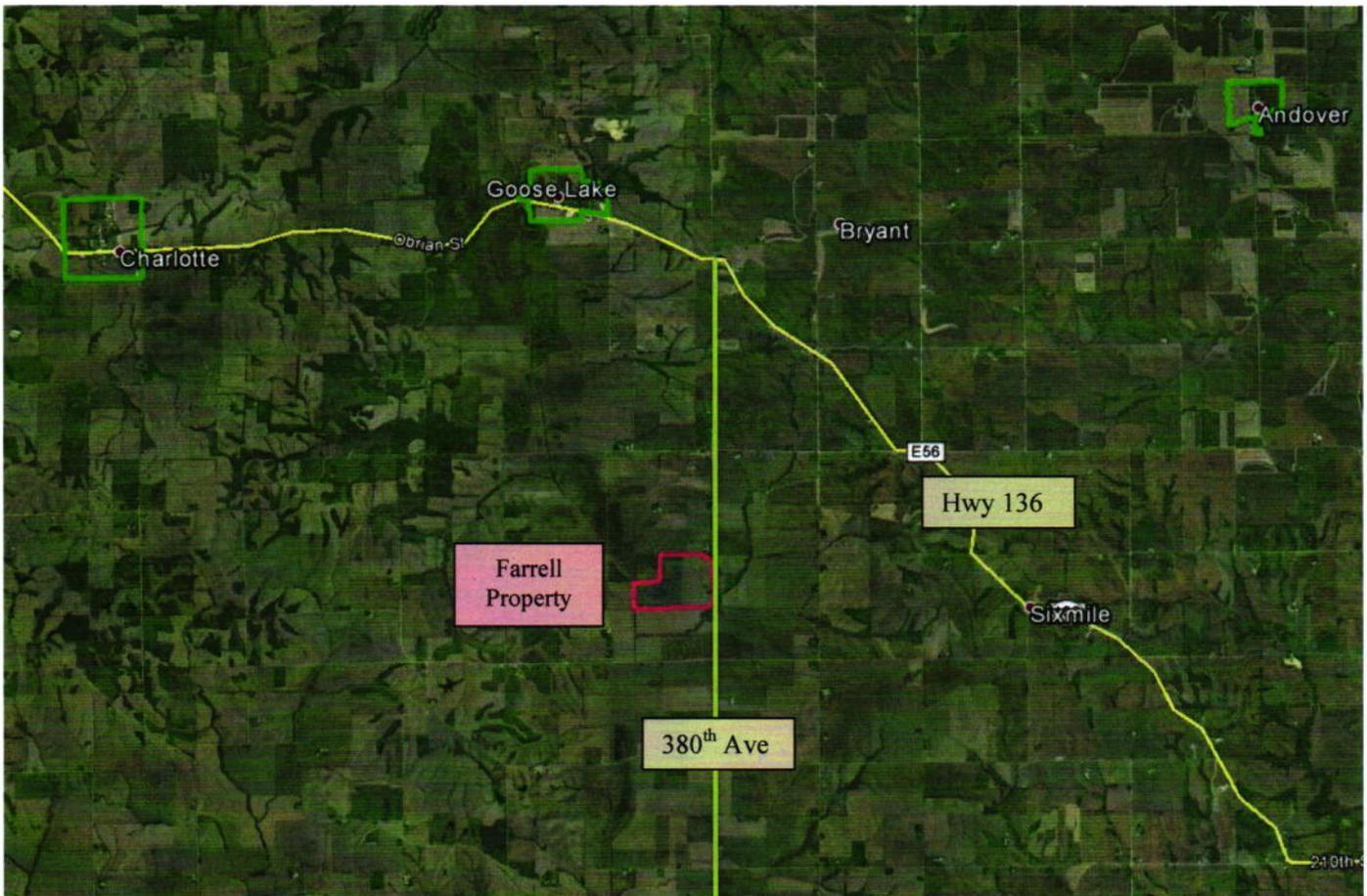
**FROM:** Clinton County Planning and Zoning Office  
Nate Mueller

**RE:** Application 3836 of Lucille Farrell requesting approval of an application to create a 2-lot Minor Subdivision to be known as Farrell Subdivision.

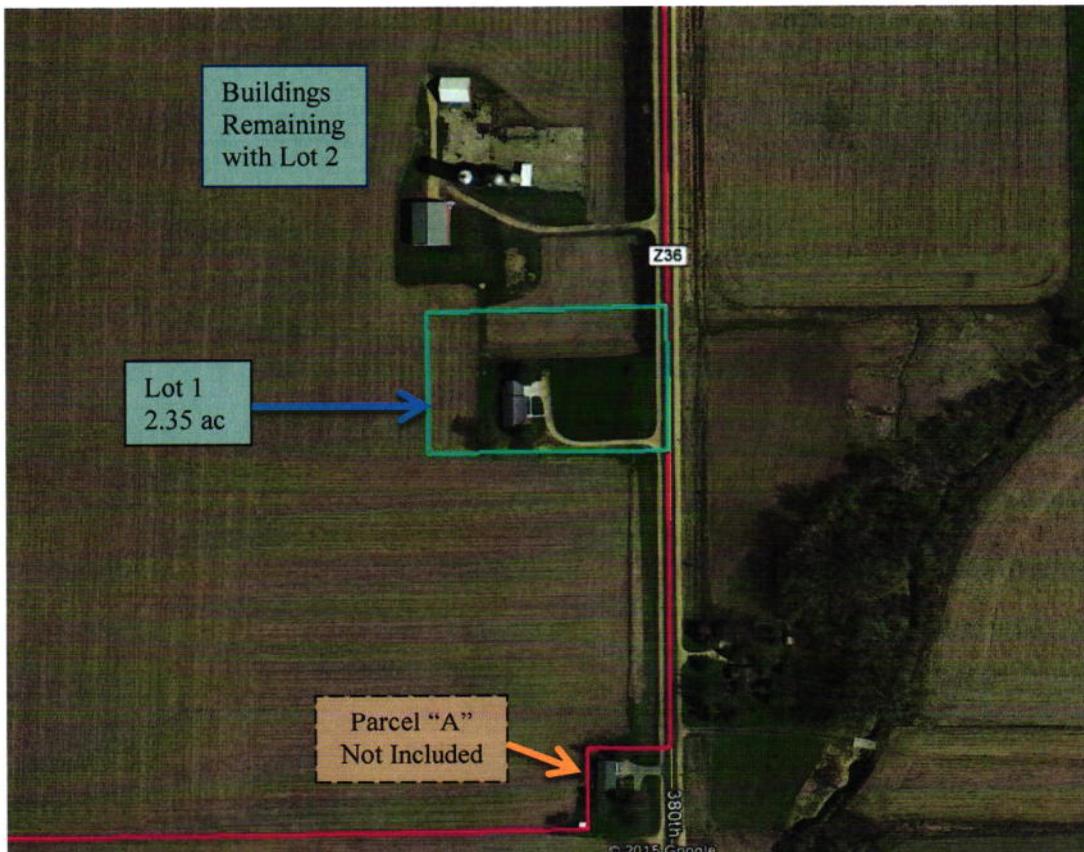
**Location**

---

The proposed subdivision is located in the SE ¼ of the NE ¼ of Section 15, Township 82 North, Range 5 East of the 5th P.M. in Clinton County, Iowa. This is a 2-lot subdivision consisting of 204.69 total acres located on the west side of 380<sup>th</sup> Avenue approximately 3.75 miles north of Elvira in Center Township.



Proposed lots for Farrell Subdivision:



## **Background and Details**

---

The purpose of this subdivision application is to split an existing home and 2.35 acres off from the larger farm of just over 200 acres. Lot 1 will become/remain a residential non-farm lot for Lucille Farrell. Lot 2 will remain farm ground and will be farmed by Lucille's son David Farrell. There are 3 existing buildings staying with the farm on proposed Lot 2.

A ½-acre lot was split from the far southeast corner of the farm in the 1970s. A house was built on that lot which is now owned by Joshua Bormann. This subdivision surrounds the Bormann property on 2 sides. There are 7 residences within ½ mile of Mrs. Farrell's residence. The site is currently zoned A-1 and is primarily crop ground except for the building areas.

### **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> – 2.35 acres – Residential – This lot will contain the residence. <u>Lot 2</u> – 202.34 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 will need to file an acceptable Agricultural Easement to allow for the increased density in this A-1 district.

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

---

The house and buildings both have existing accesses. 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**

---

The house on Lot 1 has an existing septic system. With a parcel size of 2.35 acres, the County Health Department does not foresee any problems developing adequate replacement wastewater facilities, should they become necessary, on proposed Lot 1 subject to review of a soil analysis or percolation test. There is an existing well on Lot 2 which will be shared between the two lots. 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**

---

The Zoning Commission held a Public Hearing on March 4<sup>th</sup>, 2015 in DeWitt. After taking public comment and reviewing the application, the Commission voted 3 - 0 (Commissioners Burken & Ralston absent) to recommend approval of this application.

## Commission Findings on Preliminary Plat Subdivision Criteria (2.2.3.D) for Farrell 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 for septic systems in a floodplain.
- 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 Iowa Light and Power. Telephone service, if needed, is provided by Iowa Telecom.
- 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 utilize existing direct access onto 380<sup>th</sup> Avenue which is a hard-surface County road. 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 Northeast Community School District. Fire protection will be provided by the Low Moor Volunteer Fire Department which is located within 7.65 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 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 Com Suitability Ratings and uses are within the limits set forth in the Zoning Ordinance. CSR is not considered on Lot 1 because the area is currently occupied by the house and cannot be row-cropped. Lot 2 will remain a 'farm lot' in crop production so CSR values 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.**

380<sup>th</sup> Avenue is a hard surface road which had a traffic count of 1480 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 380<sup>th</sup> Avenue, 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 except for the yard areas directly surrounding the house and buildings on Lots 1 & 2 respectively. There is no new development expected to occur, but any future development will be on bare ground – any existing trees and vegetation should not be threatened by the subdivision. There are no extreme slopes, topography, soil geology, or wetlands to consider on Lot 1. There is mapped flood plain along the drainage ditch on the west end of Lot 2, but this presents little concern as this area is projected as continued crop production.

**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.

**STAFF REPORT**

**DATE:** March 31, 2015

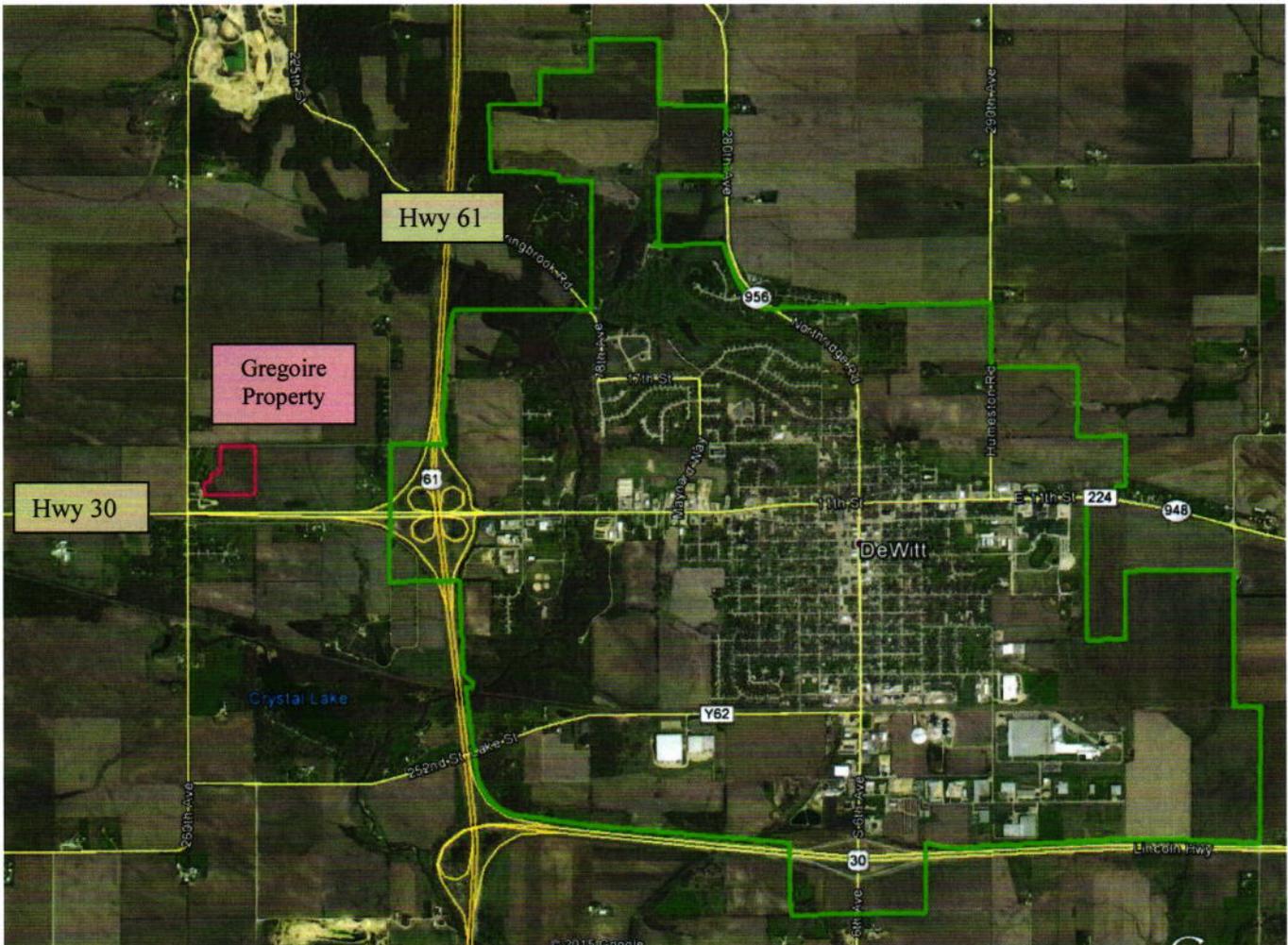
**TO:** Clinton County Board of Supervisors

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

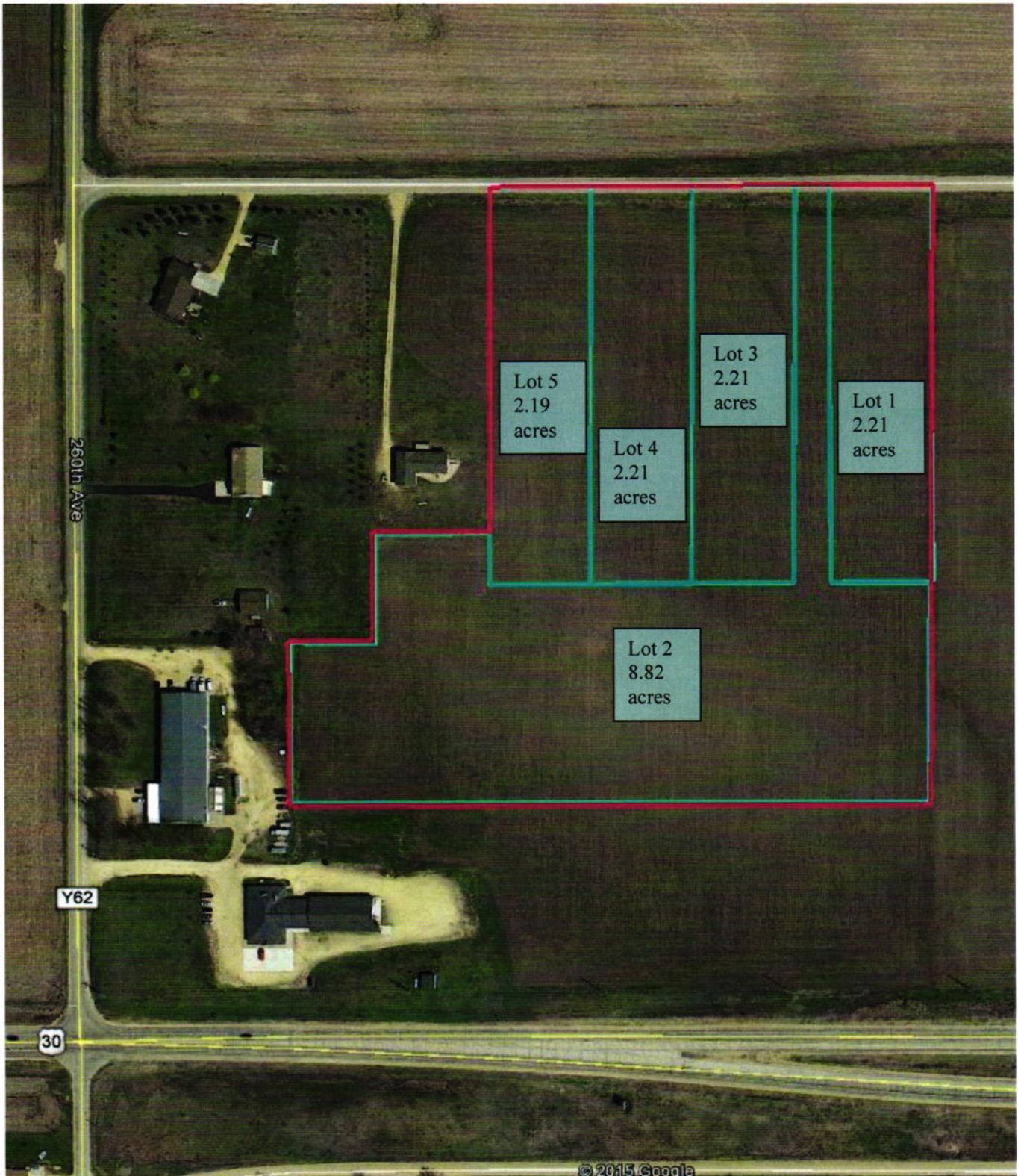
**RE:** Application 3835 of Charles, Denise, and Charlene Gregoire & Tyler Ohnemus requesting approval of an application to create a 5-lot Major Subdivision to be known as Gregoire 4<sup>th</sup> Addition.

**Location**

The proposed subdivision is located in the NW ¼ of the NW ¼ of Section 14, Township 81 North, Range 3 East of the 5th P.M. in Clinton County, Iowa. This is a 5-lot subdivision consisting of 17.64 total acres located on the south side of 240<sup>th</sup> Street approximately ½ mile west of DeWitt in DeWitt Township.



Proposed lots for Gregoire 4<sup>th</sup> Addition:



## **Background and Details**

---

The purpose of this subdivision application is to split an existing 17.64 acre parcel into 4 housing lots and on agricultural lot. Lots 1, 3, 4, and 5 will be developed as residential lots. Lot 2 will remain farm ground and will be owned by Mr. Gregoire. There are tentative plans to plant grape vines on Lot 2 in preparation for opening a winery on the Commercially-zoned lot along Highway 30 just east of the Vet Clinic. There are no existing buildings on the land being subdivided.

This property has been split several times since the early 2000s. The original 40 acre parcel includes Grandview Subdivision, Gregoire 1<sup>st</sup> Addition, Gregoire 2<sup>nd</sup> Addition, and Gregoire 3<sup>rd</sup> Addition. This subdivision (4<sup>th</sup> Addition) is a replat of all of the 3<sup>rd</sup> Addition. There are 40 residences within ¼ mile of this subdivision. The site is currently zoned R-1 which allows a density of 1 lot per 2 acres of the parent parcel. The property is primarily crop ground currently.

### **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:

**Lot size – Anticipated Use**     Lot 1 – 2.21 acres – Residential – a residence will be built in the future.

Lot 2 – 8.82 acres – Agricultural – Corn, Soybeans, possibly grapes.

Lot 3 – 2.21 acres – Residential – a residence will be built in the future.

Lot 4 – 2.21 acres – Residential – a residence will be built in the future.

Lot 5 – 2.19 acres – Residential – a residence will be built in the future.

**Front setback**                             30 feet

**Side setback**                              15 feet

**Rear setback**                             30 feet

**Building Height - max**                35 feet or 2 ½ stories

**Density Allowed**                        1 lot per 2 acres – This subdivision is below the density limit for the R-1.

### **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 and each access entrance will require a permit from the Secondary Roads Department. Final location and design requirements of any new access will be determined at the time of permitting. The property owner is responsible to pay the cost to construct and maintain the entrance. The county can build the entrance for them, but the property owner will be billed the actual cost of construction. Any shared accesses need to have a written agreement between property owners sharing the access allowing the shared access. New driveways must also meet separation and site distance requirements.

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

---

All lots will utilize on-site septic systems. With a parcel size of 2.21 acres, the County Health Department does not foresee any problems developing adequate wastewater facilities subject to review of a soil analysis or percolation test. A new well will be drilled which will be shared between lots 1, 3, 4, and 5. Any new or replacement wells or wastewater treatment systems installed on any lots 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**

The Zoning Commission held a Public Hearing on March 4<sup>th</sup>, 2015 in DeWitt. After taking public comment and reviewing the application, the Commission voted 3 - 0 (Commissioners Burken & Ralston absent) to recommend approval of this application.

## **Commission Findings on Preliminary Plat Subdivision Criteria (2.2.3.D) for Gregoire 4<sup>th</sup> Addition**

- 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 for septic systems in a floodplain.
- 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 Interstate Light and Power. Telephone service, if needed, is provided by Iowa Telecom or Mediacom.
- 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.**  
All lots will utilize shared direct accesses onto 240<sup>th</sup> Street which is a hard-surface County road. There will be 2 separate entrances – one serving lots 1, 2, and 3, and one serving lots 4 and 5. 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 DeWitt Volunteer Fire Department which is located within 2.5 mile. 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 Commercial on the Future Land Use Map. While Residential development is not generally allowed in Commercial districts, this property was zoned Residential in 2006. At that time it was determined by the Board of Supervisors that Residential development is appropriate for this area. This development is within the density limits allowed in the R-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 R-1, which allows 1 dwelling unit per 2 acres. This development is within the density limits for the R-1 district.

CSR is not considered for subdivisions in residentially zoned areas.

**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.**

240<sup>th</sup> Street is a hard surface road which had a traffic count of 100 VPD in the most recent DOT study (2010). 260<sup>th</sup> Avenue is a hard surface road with a traffic count of 540 VPD. There is excess capacity for additional traffic on these roads 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.**

The 5 lots will share two new accesses onto 240<sup>th</sup> Street. Staff prefers to see shared accesses whenever possible to minimize the interference from many closely-spaced accesses. No new streets are proposed in this subdivision at this time, however proper area has been reserved for a future private road should one become necessary to serve Lot 2 or other property immediately south of 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 240<sup>th</sup> Street, which is a paved minor road. New accesses 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 on all proposed lots. The new development within this subdivision should not threaten any existing trees and vegetation. There are no extreme slopes, topography, soil geology, or wetlands to consider on any lots. There is no mapped flood plain on this property.

**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.

March 17, 2015

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

**WHEREAS, in accordance with Section 309.93 and Section 309.22 Code of Iowa, it is required that a County Secondary Road Budget and Construction Program be adopted by the Board of Supervisors, on or before April 15<sup>th</sup> each year, now**

**BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa that a public hearing for the purpose of soliciting public comment on said County Secondary Road Budget and Construction Program for the 2015-2016 FYE, be scheduled for March 31, 2015 at 10:30 a.m. in the Board of Supervisors Room.**

**Roll Call:**

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

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

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

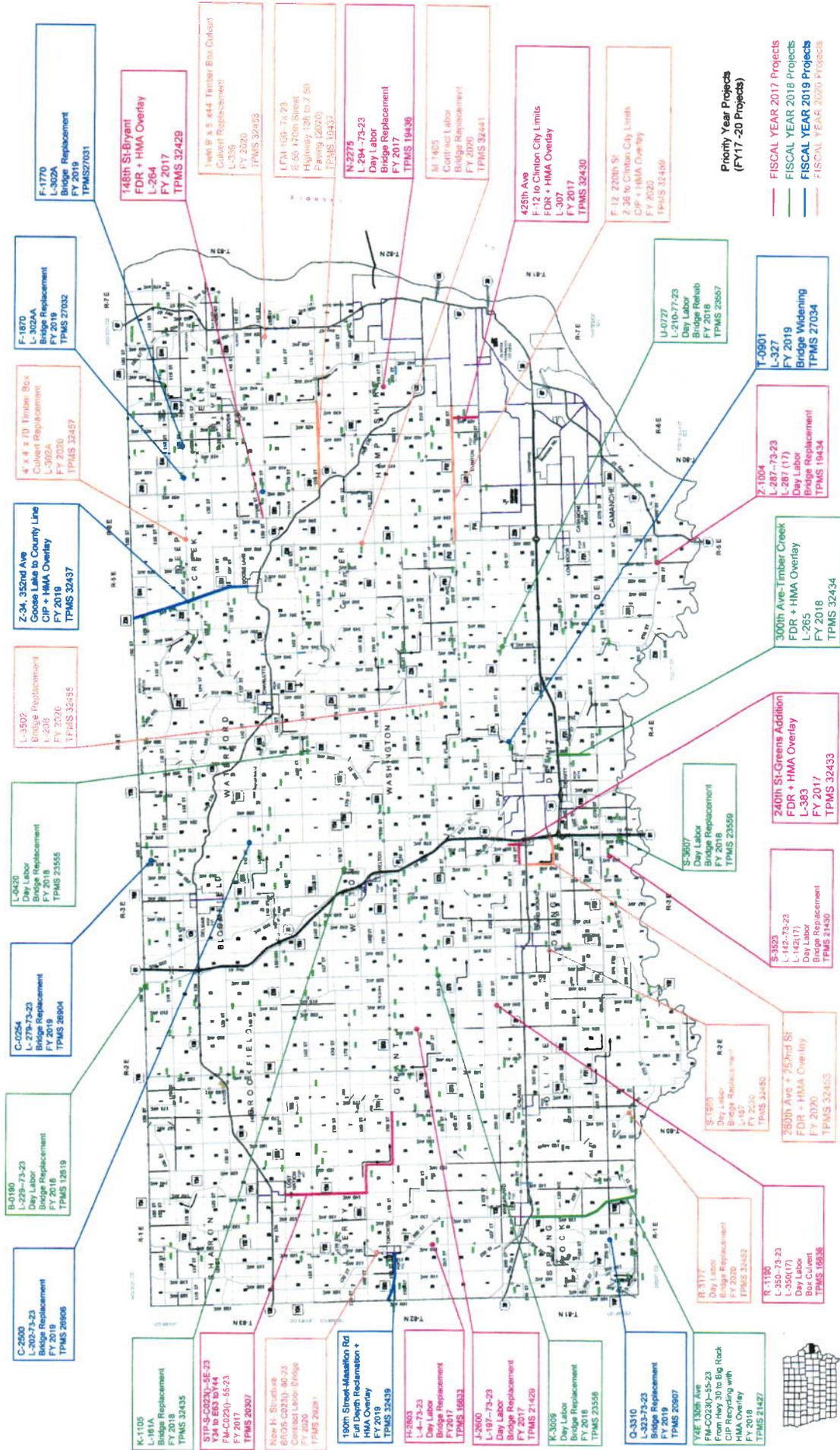
**ATTEST:**

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

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

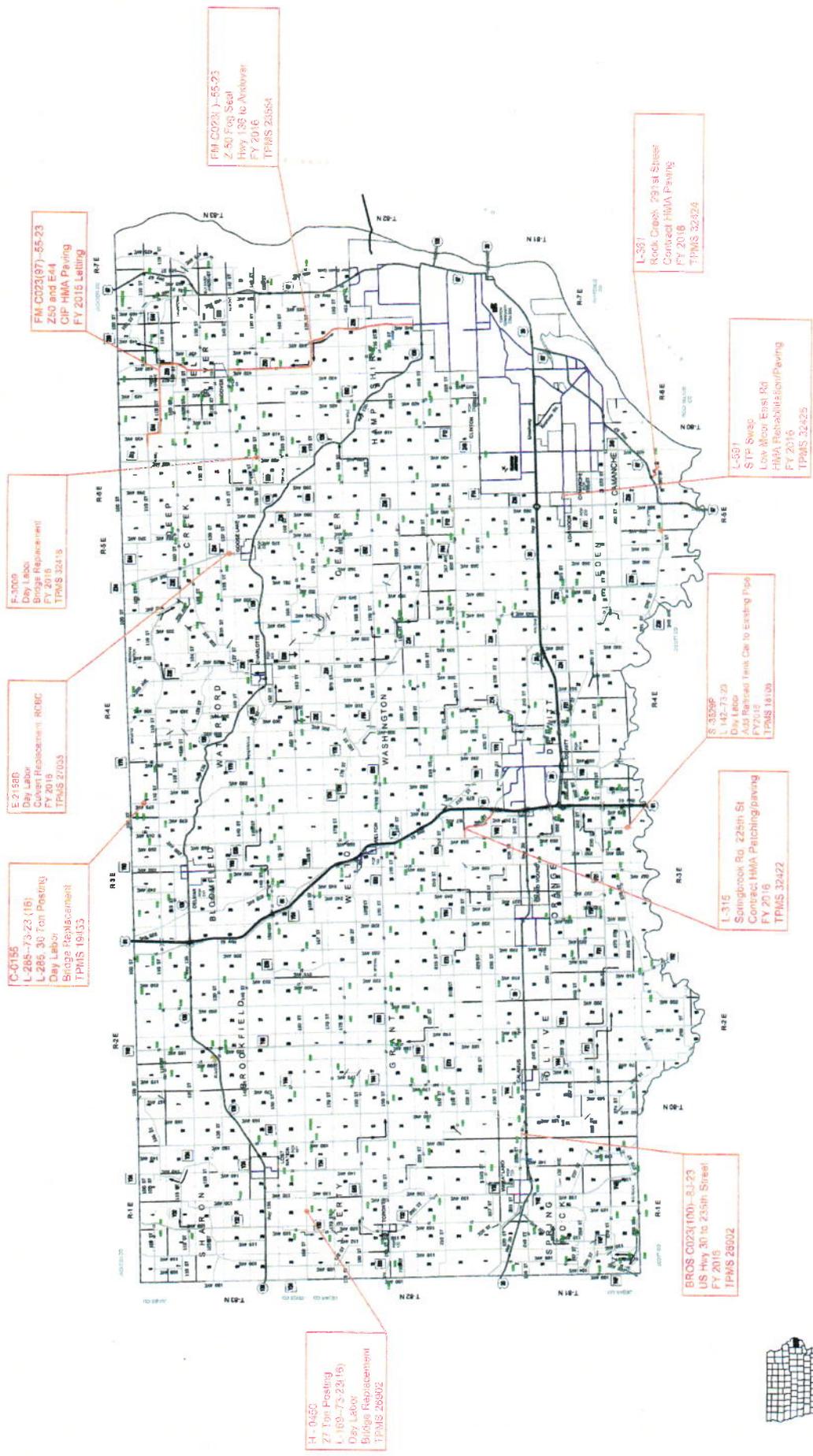
# FIVE YEAR SECONDARY ROADS CONSTRUCTION PROGRAM (March 2015)

## Priority Years



City of Portland, Oregon

# FIVE YEAR SECONDARY ROADS CONSTRUCTION PROGRAM FY 2016 Accomplishment Map (March 2015)



— FISCAL YEAR 2016 Projects

