

JUNE 18, 2012

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

TRANSFERS

General Basic Fund	to	Secondary Road Fund	\$3,209.12
Rural Service Fund	to	Secondary Road Transfer	\$12,353.14
General Basic Fund	to	Con. Conservation Land Acq.	\$3,130.46
City Assessor - FICA	to	City Assessor Fund	\$11,685.63
City Assessor – IPERS	to	City Assessor Fund	\$12,280.43
Debt Service – Capital Projects	to	Debt Service – Road Project A	\$9,790.68
Debt Service – Capital Projects	to	Debt Service – Railport Project B	\$17,619.50

REPORTS

The May 2012 monthly report of the Commission of Veterans Affairs, submitted by Ed Staszewski, Director, was presented, approved and filed.

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

The following resolution was presented and on motion adopted.

RESOLUTION 2012-161

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

1429 13<sup>th</sup> Avenue So., Clinton IA

Parcel #80-44400000

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 10-0338 be and is hereby approved. The County Treasurer is authorized to make entry on this record accordingly.

Roll Call:

Staszewski: Yes

Davisson: Yes

Schmidt: Yes

Brian Schmidt, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2012-162

WHEREAS, William and Norma Kuehn has petitioned for property tax suspension under provision of Code of Iowa, Section 427.8, on the following described property:

737 5<sup>th</sup> Ave. N., Clinton IA

Parcel #80-25780000

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

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

BE IT FURTHER RESOLVED that tax suspension under provision of Section 427.8, Code of Iowa, is for the 2011 Assessment Year and all prior years and it is the responsibility of the petitioning taxpayer to reapply for further tax suspension.

Roll Call:

Staszewski: Yes

Davisson: Yes

Schmidt: Yes

Brian Schmidt, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2012-163

WHEREAS, the Clinton County Sheriff desires to install kiosks in the cellblocks and a cashier machine in the law center lobby to hopefully increase revenue for the county through Swanson Services Corporation which provide commissary services and residential banking systems to the Clinton County Jail.

WHEREAS, per Iowa Code (356.7) 40% of the Room and Board Expense may be used for things other than infrastructure improvements and courthouse security equipment, if agreed upon by the Sheriff and Board of Supervisors. The total project cost is \$17,475.00 and \$8,475.00 is requested from the Room and Board line item which is well below the 40%.

THEREFORE BE IT FURTHER RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the County Sheriff be authorized to proceed with the Swanson Services Corporation project allowing funds from the Room and Board Expense line item be utilized as mentioned above.

Roll Call:  
Staszewski: Yes  
Davisson: Yes  
Schmidt: Yes  
Brian Schmidt, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2012-164

WHEREAS, the Clinton County Sheriff has accepted the resignation of Leanna Christensen, 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 Jail, to Leanna Christensen after accrued benefits are paid effective after her last day of employment on June 7, 2012.

Roll Call:  
Staszewski: Yes  
Davisson: Yes  
Schmidt: Yes  
Brian Schmidt, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2012-165

WHEREAS, the Board of Supervisors of Clinton County, Iowa, is empowered under authority of Sections 321.471 to 321.473 of the Code of Iowa to prohibit the operation of vehicles or impose limitations on the weight of vehicles upon bridges or culverts under their sole jurisdiction, and

WHEREAS, the Clinton County Engineer has determined that Bridge Number 123710 on 160<sup>th</sup> Street in Section 4 of Washington Township does not meet established standards set forth by state and federal authorities and that the bridge is inadequate for two-lane legal loading at allowable stresses and,

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that vehicle and load limits be established and that signs be erected advising of the permissible maximum weights on Bridge Number 123710 as described:

Bridge Number 123710 (L-0420) on 160<sup>th</sup> Street in Section 4, T82N, R4E of Washington Township be limited as follows:

LOAD LIMIT 24 TONS (All Vehicles)

Roll Call:  
Staszewski: Yes  
Davisson: Yes  
Schmidt: Yes  
Brian Schmidt, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2012-166

WHEREAS, it is in the best interest of Clinton County to seek the expertise of consulting firms for specialized services; and

WHEREAS, Ruth J. Lee, RJLee & Associates, LLP, has presented an agreement to provide consulting services for the Clinton County Health Benefit Plan; and

WHEREAS, the continuity of a firm in place with knowledge of the Clinton County Health Benefit Plan considering the current health benefits landscape is of utmost importance;

BE IT RESOLVED by the Clinton County Supervisors that the agreement presented by RJLee & Associates, Inc., to provide consulting services for the Clinton County Health Benefit Plan from July 1, 2012 through and including June 30, 2015, at the following fee structure: FY2013, \$21,400; FY2014, \$22,000; FY2015, \$22,800; be approved and the chairman authorized to sign said agreement.

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to issue a check on the General Basic Fund in payment of the consulting fee when an invoice is presented.

Roll Call:  
Staszewski: Yes  
Davisson: Yes  
Schmidt: Yes  
Brian Schmidt, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2012-167

BE IT RESOLVED by the Board of Supervisors of Clinton County, that the appointment of Fern Todtz for the position of part-time Temp Employee through All Staff Staffing be extended from June 29, 2012 through July 31, 2012, and

Roll Call:  
Staszewski: Yes  
Davisson: Yes  
Schmidt: Yes  
Brian Schmidt, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2012-168

BE IT RESOLVED by the Clinton County Board of Supervisors approve the termination of Jerold Wulf in the position of Medicaid Targeted Case Manager with an end date of June 12, 2012, and that the County Auditor be and is hereby authorized to discontinue payroll checks without further order from the Board.

Roll Call:  
Staszewski: Yes  
Davisson: Yes  
Schmidt: Yes  
Brian Schmidt, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2012-169

BE IT RESOLVED by the Clinton County Board of Supervisors that the said Board acknowledges and accepts the job description as presented for the Administrative Assistant position in Administrative Services providing support for the Board of Supervisors and Human Resource Manager is hereby approved.

Roll Call:  
Staszewski: Yes  
Davisson: Yes  
Schmidt: Yes  
Brian Schmidt, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2012-170

BE IT RESOLVED by the Clinton County Board of Supervisors that the said Board acknowledges and accepts the Human Resource Manager job description as presented and the personnel title be changes to correctly reflect the job duties performed within that title held by Lynn Tibbetts, as Human Resource Manager, is hereby approved – effective June 18, 2012.

Roll Call:

Staszewski: Yes

Davisson: Yes

Schmidt: Yes

Brian Schmidt, Chairperson

## GENERAL PUBLIC

## DEPARTMENT HEADS, ELECTED OFFICIALS, AND EMPLOYEES

County Auditor Eric Van Lancker asked the Board of Supervisors if it could meet on June 28 or 29 to take action on a fiscal year end transfer of funds. The Board decided to meet at 8 a.m. on June 28<sup>th</sup> to consider the resolution. Van Lancker also mentioned he will be out of the office on Wednesday to attend the ISAC District 6 Legislative Meeting in Cedar Rapids.

9:45 A.M. Discussion County Lease Renewal with AEA (Area Education Agency) – Possible Action to Follow

It was discussed that the \$8 per square foot is typical of what business rental is currently going for in the area. The Board decided to leave the lease as it currently exists.

10:00 A.M. Open Sealed Bids – Sheriff's Annex with Possible Action to Follow

Bids received and opened include:

Sam & Joanne Lee, DeWitt                      \$101,500.00

Motion made by Supervisor Davisson to forward the bid to the County Attorney and County Sheriff for review with a recommendation and/or resolution to be provided for the following Board of Supervisors meeting.

Roll Call:

Staszewski: Yes

Davisson: Yes

Schmidt: Yes

Motion carried.

10:15 A.M. Discussion 28E Agreement – Railport Renegotiation

The Board of Supervisors met with Clinton Mayor Mark Vulich, Clinton City Administrator Jeff Horne and CRDC President Steve Ames concerning the 28E Agreement for the Lincolnway Railway Project.

Vulich said the proposed change to the 28E Agreement would change the County from being a banker to a stakeholder in the railport. He added the City of Clinton residents are being double-taxed under the current agreement which would require the City of Clinton to pay back the County's \$6 million it has invested into the railport.

Supervisor Davisson said she is happy this discussion is taking place. She said the opportunities in the industrial park are wonderful but she was opposed to the original agreement because it was poorly written. She also didn't approve of the citizens of Clinton paying twice. Davisson has visited with city officials during the last few years to talk about the change. She looks forward to making the changes.

Horne said the County investment allowed for the completion of the first phase of the industrial park, which was the spur into the railport.

Ames added this project was started 12 years ago and Phase I was just finished earlier this year. He said interest by industries considering locating to the site is recently increasing. He said the site has gas, electric and sewer.

However, water will be handled on a case-by-case basis. Ames said the project could still ask to take advantage of the County's bonding capacity.

Horne said this is a regional project that will affect the smaller communities and rural areas in the County.

Davisson said the regionalism is important because the state and federal government has been promoting that trend for efficiencies.

Clinton County Attorney Mike Wolf presented a list of changes to the 28E Agreement. He recommends a full public hearing followed by a resolution to approve the changes. Wolf recommended no decisions be made immediately after the public hearing, but wait a week to approve any changes. He said those changes would then go to the Clinton City Council for its approval.

Supervisor Schmidt said the City and CRDC have been proactive with sharing information concerning the railport and he appreciates that effort.

Ames thanked the County for its support.

11:00 A.M. Board of Trustees for Drainage Districts

- Discussion with possible action for Drainage District #18 repair request
- Discussion with possible action for Drainage District #21 repair request
- Discussion with possible action for Drainage District #23 crossing repair
- Discussion for Drainage District #20 repair request
- Discussion – Statement Drainage District #22 closeout of project and FEMA payment

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

Roll Call:

Staszewski:	Yes
Davisson:	Yes
Schmidt:	Yes

Motion carried. Board of Supervisors recessed and Board of Trustees convened at 11:00 a.m.

Drainage District #18 repair request:

Clinton County Engineer Todd Kinney said he met with landowners in Drainage District #18 earlier this month. He reviewed project options, the estimates of the options and how landowners would pay. The work encompasses approximately 1,400 feet of tile. Kinney recommends repair to the clay tile between the two manholes. Kinney presented a cost of repair breakdown for the landowners based on figures presented by the County Auditor's Office. He also received another request during the meeting. A property owner was asked if the outlet ditch could be cleaned to provide more fall in the ditch. Kinney said the ditch is outside of the district. He said that request could be reviewed at a later time.

Davisson said if the landowners agreed to the recommended repair during the meeting then the work should proceed as soon as it can.

Motion made by Supervisor Staszewski to authorize the County Engineer to prepare a formal request for quotes for the repairs in Drainage District #18 between MH5 & MH6.

Roll Call:

Staszewski:	Yes
Davisson:	Yes
Schmidt:	Yes

Motion carried.

Drainage District #21 repair request:

Kinney said Line A is approx 2,400 ft and the repair will meet the threshold for the formal bidding process. An engineer's report will be submitted to the Board of Trustees and a public hearing will be required.

Davisson suggested sending the letters to landowners and scheduling the public hearing.

Kinney said his engineer report will include a recommendation as to how the repair should be conducted.

Motion made by Supervisor Staszewski to authorize the engineer to send a letter to the landowners including the engineer's recommendation for repair.

Roll Call:

Staszewski:	Yes
Davisson:	Yes
Schmidt:	Yes

Motion carried.

Drainage District #23 repair request:

Kinney said letters were sent to landowners to those on Drainage District #23 Lateral 3. The letter gave those landowners a chance to comment on the project. No comments have been received. Kinney said the next step is to obtain an agreement with the contractor and effected landowner to start the project.

Motion made by Supervisor Davisson to authorize the engineer to work with the Drainage District Attorney to seek an agreement with the contractor and affected landowner to begin the repair.

Roll Call:

Staszewski:	Yes
Davisson:	Yes
Schmidt:	Yes

Motion carried.

Drainage District #20 repair request:

Kinney updated the Board of Trustees on a request for a ditch cleaning/repair. He said the property owner wants the ditch cleaned because he has tile outfalls under water. The Board of Trustees has authorized the engineer to seek surveys on the ditch. He is expecting those requests for estimates to be submitted by the end of this week on Ditch 3, 4 & 11.

Drainage District #22 closeout statement/FEMA payment:

Clinton County Drainage District Clerk Gail Thomas provided the Board of Trustees with an update on a FEMA reimbursement. The reimbursement is for approximately \$63,986 for flood repair. She said FEMA will not pay interest occurred on the warrants to pay for the project. She said the approximate \$2,600 for interest on the warrants will be assessed to the Drainage District.

Motion made by Supervisor Davisson to adjourn as Board of Trustees for Drainage Districts and reconvene as Board of Supervisors.

Roll Call:

Staszewski:	Yes
Davisson:	Yes
Schmidt:	Yes

Motion carried. Board of Trustees adjourned and Board of Supervisors reconvened in general session at 11:31 a.m.

#### DEPARTMENT HEADS, ELECTED OFFICIALS, AND EMPLOYEES

Motion made by Supervisor Davisson to authorize the Chairperson to rescind a posting for a Secretary III position in the Board of Supervisors Office.

Roll Call:

Staszewski:	Yes
Davisson:	Yes
Schmidt:	Yes

Motion carried.

11:45 A.M. Discussion / Possible Action – Request for letter of support from JoElla O'Connell for gaming grant (funding request for County Tourism position)

Joella O'Connell requested a letter of support to apply for a gaming grant to support a Clinton County tourism position.

Supervisor Davisson said the Conservation Foundation would be able to address matching grant funds if the gaming grant is awarded.

Motion made by Supervisor Staszewski to authorize the Chairperson to sign a letter of support from the Board of Supervisors for a gaming grant to partially fund a county tourism position.

Roll Call:

Staszewski:	Yes
Davisson:	Yes
Schmidt:	Yes

Motion carried.

The Board of Supervisors adjourned to meet on Monday, June 25, 2012.

Eric Van Lancker, County Auditor

Brian Schmidt, Chairperson

-APPROVED-

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County Auditor

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Chairperson