

AUGUST 26, 2013

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

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

The following resolution was presented and on motion adopted.

RESOLUTION #2013-233

BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the resignation of Melissa Luckritz, Targeted Case Manager, Office of Case Management, be and is hereby accepted effective midnight, August, 29, 2013.

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

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2013-234

WHEREAS, Deborah Logsdon has petitioned for property tax suspension under provision of Code of Iowa, Section 427.8, on the following described property:

913 South 5th Street, Clinton, IA

Parcel #80-56250000

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 2012 Assessment Year and all prior years and it is the responsibility of the petitioning taxpayer to reapply for further tax suspension.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2013-235

WHEREAS, the Assessor for the City of Clinton has verified a military credit was omitted in error and should be granted to parcel 82-08940000 for the fiscal years 2012/2013 and 2013/2014 assessment years 2011 and 2012 for Claudia Van Maanen, Et Al.

FURTHER, military credit was omitted on parcel 80-68500000 for the fiscal year 2013/2014 assessment year 2012 only for Lowell Gage.

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the County Treasurer shall adjust the real estate tax due to reflect a military credit for two years for Paul and Sandra Flota parcel number 86-23950000 and 82-08940000 for Claudia Van Maanen, and for one year on parcel 80-68500000 for Lowell Gage. Further, the County records of the Auditor and the Treasurer shall be adjusted accordingly as resolved by the Board of Supervisors for Clinton County.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2013-236

WHEREAS, Clinton County made official Request for Qualifications from qualified and interested consulting engineers for preliminary and final design and construction engineering services for the construction of a new Wastewater System project to serve the unincorporated Elvira Community in rural Clinton County. The EIRUSS has previously contracted for a Preliminary Engineering Report (PER) as a result of an Iowa DNR request to resolve private wastewater system issues in the community. The PER showed that a conventional community system approach is infeasible. Therefore, the County is searching for affordable, innovative solutions;

WHEREAS, Clinton County is proposing to construct a decentralized wastewater system based upon recommendations from the Engineering Consultant. The project is anticipated to be partially funded with County funds and the balance with private local funds. The project will be bid and constructed in accordance with applicable local, state and federal guidelines;

WHEREAS, Clinton County has received and evaluated Statement of Qualifications from five firms regarding this project;

WHEREAS, consultants with the engineering firm of French-Reneker-Associates, Inc. was one of the firms that provided a Statement of Qualifications for engineering services for proposed wastewater treatment improvements for Elvira;

WHEREAS, the Clinton County Board of Health has recommended to the Clinton County Board of Supervisors to select the engineering firm of French-Reneker-Associates, Inc. located in Fairfield, Iowa, for engineering services for proposed wastewater treatment improvements for Elvira, Iowa.

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the Clinton County Chairperson is authorized to sign the contract agreement with French-Reneker-Associates, Inc. at a cost of \$13,400.00 for services to be rendered.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2013-237

WHEREAS, Clinton County has an interest in helping to promote and market the Clinton County region; and

WHEREAS, Clinton County previously belonged to the Eastern Iowa Economic Development Alliance which has since disbanded; and

WHEREAS, Clinton County has entered into a new regional external marketing alliance with Quad Cities First; and

WHEREAS, Clinton County is in receipt of an invoice from Quad Cities First for annual membership dues in the amount of \$10,000.00 wherein half of said invoice is to be paid by Eastern Iowa Community College District and half is to be paid by Clinton County; and

WHEREAS, DeWitt Chamber & Development Company is holding \$4,572.62 of funds previously received from Clinton County; and

WHEREAS, DeWitt Chamber & Development Company seeks an additional amount of \$427.38 to complete Clinton County's share of membership dues; and

BE IT RESOLVED by the Clinton County Board of Supervisors that \$427.38 be dispersed from the matching grant line item to DeWitt Chamber & Development Company for annual membership dues of \$5,000.00 to be paid to Quad Cities First.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2013-238

WHEREAS, the Clinton County Board of Supervisors has considered the bids received by the Clinton County Engineer's Office on August 20, 2013 for Emergency HMA Patching repairs on County road Y-4E,

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

Determann Asphalt Paving, LLC	\$ 9,976.00
General Asphalt Construction Co.	\$19,720.00
McCarthy Improvement	No bid
Tri-City Blacktop, Inc.	No bid
Mathy Construction	No bid

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

Determann Asphalt Paving, LLC	\$ 9,976.00
Camanche, IA 52730	

BE IT FURTHER RESOLVED that the Chairperson of the Board of Supervisors be authorized to execute said contracts on behalf of Clinton County, Iowa.

Roll Call:

Schmidt: Yes
Davisson: Yes
Staszewski: Yes

John F. Staszewski, Chairperson

Motion was made by Supervisor Schmidt to authorize the Chairperson to sign Utility Permit Number 28-9 for Mas Tee North America to bore underground telephone within county right-of-way under 160th Street in Section 36 of T83N – R6E of Elk River Township.

Roll Call:

Schmidt: Yes
Davisson: Yes
Staszewski: Yes

Motion carried.

GENERAL PUBLIC

DEPARTMENT HEADS, ELECTED OFFICIALS, AND EMPLOYEES

Rollie Ehm, Clinton County Assessor, presented the Board of Supervisors with a letter of support to conduct a regional aerial photo for GIS. He said it will be less expensive for the group to contract together for the service as opposed to contracting alone as the County. He said the Clinton County Conference Board is recommending the program proceed. Ehm also thanked the Board of Supervisors for approving the wellness fitness class for County employees.

9:32 A.M. Discussion / Possible Action – RJ Lee & Associates, Ruth Lee, Health Benefits Consultant – Transition from First Administrators, Inc. to Wellmark

Lee reported Wellmark has decided to fold FAI into its full operation and are doing this with limited notice. She said Wellmark is asking for signed documents no later than Sept. 3. Lee has asked for a week extension and expects to get it as there are still unanswered questions. She recommended that the County move forward with the transition with Wellmark, but also research the market before this plan year ends.

Clinton County Auditor Eric Van Lancker added that benefits to County employees will not change. He said Lee's company has reported the County will actually save \$18,000 this plan year by going ahead with the Wellmark transition. However, he said the administrative rates will increase considerably if the administration is allowed to roll into Wellmark in the next plan year.

The following resolution was presented and on motion adopted.

RESOLUTION #2013-239

WHEREAS, Clinton County currently engages First Administrators, Inc. to administer Clinton County's

health benefits package; and

WHEREAS, First Administrators, Inc. will be absorbed into its parent company, Wellmark Blue Cross/Blue Shield of Des Moines, Iowa; and

WHEREAS, Wellmark will continue to administer Clinton County's health benefits package for the remainder of the plan year scheduled to end June 30, 2014, at similar rates to that of First Administrators, Inc.;

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that Wellmark Blue Cross/Blue Shield of Des Moines, Iowa, be and is hereby authorized to administer Clinton County's health benefits package starting November 1, 2013, through the end of the current health benefits plan year and that the Chairperson is authorized to sign the corresponding agreement with Wellmark to engage its services.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

9:55 A.M. Discussion/Possible Action – Work Study Request from High School Student – Engineer

Clinton County Engineer Todd Kinney said Northeast High School asked if the Engineer's department would accept a work study student in a non-paid position. He was told by the school that the liability for the student would be covered by the school. Van Lancker said the County will check with its insurance carriers on the liability issue.

10:10 A.M. Second Reading – Zoning Ordinance – Outback Planned Unit Development/Possible Action to Follow

Possible Action:

- Resolution to approve Outback Planned Unit Development Zoning Ordinance
- Resolution to approve Preliminary Plat of Outback Planned Unit Development Subdivision

Motion was made by Supervisor Davisson to accept the Second Reading of the zoning ordinance for the Outback Planned Unit Development and move forward with the consideration of the ordinance.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

Motion carried.

The following resolution was presented and on motion adopted.

RESOLUTION #2013-240

WHEREAS, on the matter herein, a Public Hearing was held by the Clinton County Planning and Zoning Commission on June 5, 2013 to consider a Planned Unit Development pursuant to the Clinton County Zoning Ordinance for the site to be known as Outback Subdivision containing 28.96 acres MOL located in the E ½ of the SW ¼ of Section 10, Township 80 North, Range 5, East of the 5th P.M in Clinton County, Iowa; and

WHEREAS following said Public Hearing the Commission recommended approval of said application at the July 10, 2013 Planning and Zoning Commission meeting; and

WHEREAS, the Clinton County Board of Supervisors held a Public Hearing on August 12, 2013 to consider the application for the Planned Unit Development, and held the First Reading of the accompanying rezoning ordinance amendment on August 19, 2013 and held a Second Reading on August 26, 2013; and

WHEREAS, this Board of Supervisors has considered the attached ordinance;

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

1. The attached ordinance numbered 2013-05 is hereby adopted.

2. The Auditor is directed to publish said ordinance as required by law.
3. This ordinance shall be in effect from and after its adoption and publication as required by law.

Roll Call:

Schmidt: Yes

Davisson: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

ORDINANCE 2013-05

AN ORDINANCE AMENDING THE CLINTON COUNTY ZONING ORDINANCE, FORMING A PLANNED UNIT DEVELOPMENT LOCATED ON PROPERTY DESCRIBED AS OUTBACK SUBDIVISION IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 80 NORTH, RANGE 5, EAST OF THE 5TH P.M., 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:

A PART OF THE EAST ONE-HALF OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 80 NORTH, RANGE 5 EAST OF THE 5TH PM, CLINTON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS: BEGINNING AT A 1" IRON ROD STAKE MARKING THE CENTER OF SAID SECTION 10; THENCE SOUTH 02°01'46" EAST, ALONG THE EAST LINE OF THE SAID SOUTHWEST QUARTER OF SECTION 10, A DISTANCE OF 1420.60 FEET TO AN IRON ROD STAKE; THENCE SOUTH 87°43'27" WEST, A DISTANCE OF 169.09 FEET TO AN IRON ROD STAKE; THENCE NORTH 32°25'37" WEST, A DISTANCE OF 480.47 FEET TO AN IRON ROD STAKE; THENCE NORTH 48°41'09" WEST, A DISTANCE OF 164.18 FEET TO AN IRON ROD STAKE; THENCE SOUTH 88°00'34" WEST, A DISTANCE OF 291.27 FEET TO AN IRON ROD STAKE; THENCE NORTH 01°59'26" WEST, A DISTANCE OF 163.58 FEET TO AN IRON ROD STAKE; THENCE SOUTH 88°02'35" WEST, A DISTANCE OF 80.78 FEET TO AN IRON ROD STAKE; THENCE NORTH 01°54'46" WEST, A DISTANCE OF 56.00 FEET TO AN IRON ROD STAKE; THENCE SOUTH 88°02'35" WEST, A DISTANCE OF 249.00 FEET TO AN IRON ROD STAKE; THENCE SOUTH 11°40'06" WEST, A DISTANCE OF 94.00 FEET TO AN SURVEY SPIKE; THENCE SOUTH 86°02'23" WEST, A DISTANCE OF 147.18 FEET TO AN IRON ROD STAKE; THENCE NORTH 02°00'00" WEST, A DISTANCE OF 764.32 FEET TO A SURVEY SPIKE MARKING THE NORTHWEST CORNER OF THE SAID EAST ONE-HALF OF THE SOUTHWEST QUARTER OF SECTION 10; THENCE NORTH 87°42'40" EAST, ALONG THE NORTH LINE OF THE SAID SOUTHWEST QUARTER OF SECTION 10, A DISTANCE OF 1322.50 FEET TO THE POINT OF BEGINNING. SUBJECT, HOWEVER, TO THE RIGHT OF WAY OF 292ND STREET OVER THE NORTH 43.00 FEET THEREOF.

within the AR-1 (Prime Agricultural) District of Clinton County, Iowa to PUD (Planned Unit Development).

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: Permitted principal and accessory uses and structures within this Planned Unit Development (PUD) will be the same as those contained in the R-2 Urban Residential district of the Clinton County Zoning Ordinance. The only Special Exception Uses listed for this PUD is for storage units on lots greater than 2 acres in size.

Determinations concerning whether a change in usage is similar to the current services will be decided by the Administrator or by appeal to the Board of Adjustment in accordance with requirements of the Zoning Ordinance. If a proposed change in usage is determined to not be similar to the current usage, an application to modify the allowed uses for the PUD will be made to the Planning and Zoning Commission and the Board of Supervisors to request approval to allow the change.

Setback requirements for this PUD will be 35' front, 10' side, 25' corner and 35' rear for primary structures. No structure may be constructed within 20 feet of an existing or proposed primary or secondary septic drain field as shown on the most recently approved preliminary or final plat. Maximum height will be limited to no more than 35' or 2 stories. Density shall not exceed 4 residential units per acre.

Section 4: 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 5: This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

PASSED AND ADOPTED this 26th day of August, 2013 by the Board of Supervisors, Clinton County, State of Iowa.

Signed: Brian L. Schmidt
Signed: Jill M. Davisson
Signed: John F. Staszewski
Clinton County Board of Supervisors

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

The following resolution was presented and on motion adopted.

RESOLUTION #2013-241

WHEREAS Mike Kopp has filed an application for a Planned Unit Development, which includes the Preliminary Plat of a proposed Major Subdivision to be known and designated as Outback Subdivision containing 28.96 Acres MOL located in the E ½ of the SW ¼ of Section 10, Township 80 North, Range 5, East of the 5th P.M in Clinton County, Iowa; and

WHEREAS the Clinton County Planning and Zoning Commission held a Public Hearing on June 5, 2013 to consider said application consisting of Revision 1 of the Preliminary Plat dated May 28, 2013 and other related documents, and having found it to be in compliance with the requirements of the Clinton County Zoning and Subdivision Ordinances recommended approval at a meeting held on July 10, 2013; and

WHEREAS the Clinton County Board of Health has reviewed and recommended approval of the proposed clustered on-site wastewater disposal system; and

WHEREAS, the Clinton County Board of Supervisors held a Public Hearing on August 12, 2013 to consider the application for the Planned Unit Development, and held the First Reading of the accompanying rezoning ordinance amendment on August 19, 2013 and held a Second Reading on August 26, 2013, and said ordinance has been approved; and

WHEREAS it appears that all requirements of the Clinton County Zoning Ordinance, Subdivision Regulations, and the laws of the State of Iowa have been complied with, said Preliminary Plat of Outback Subdivision, Clinton County, Iowa should be approved.

NOW, THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the Preliminary Plat of Outback Subdivision, Clinton County, Iowa be and the same is hereby approved.

Roll Call:
Schmidt: Yes
Davisson: Yes
Staszewski: Yes
John F. Staszewski, Chairperson

The Board of Supervisors adjourned to meet on Tuesday, September 3, 2013.

Eric Van Lancker, County Auditor

John F. Staszewski, Chairperson

-APPROVED-

County Auditor

Chairperson