

JULY 8, 2010

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

9:15 A.M. Resolutions / Formal Actions

The following resolution was presented and on motion adopted.

RESOLUTION #2010-210

BE IT RESOLVED by the Clinton County Board of Supervisors that Joyce Koehler, d/b/a Canyon Creek Golf Club, will electronically file a renewal application for liquor license number BB0016169 with an endorsement for Outdoor Services and Sunday Sales, effective August 27, 2010. Said application be and is hereby approved by the Clinton County Board of Supervisors.

Roll Call:

Starling: Yes

Staszewski: Yes

Davisson: Yes

Jill M. Davisson, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2010-211

BE IT RESOLVED by the Clinton County Board of Supervisors that Dorothy O' Brien, d/b/a Wide River Winery, will electronically file a renewal application for native wine on premises liquor license number WCN000058 with endorsements for Outdoor Services and Sunday Sales, effective September 4, 2010. Said application be and is hereby approved by the Clinton County Board of Supervisors.

Roll Call:

Starling: Yes

Staszewski: Yes

Davisson: Yes

Jill M. Davisson, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2010-212

WHEREAS, Clinton County proposes to vacate a portion of road easement located west of the intersection of 170th Street and 442nd Avenue and pursuant to Iowa Code Section 306.11, if the proposed vacation is part of a road right-of-way held by easement and will not change the existing traveled portion of the road or deny access to the road by adjoining landowners, a public hearing is not required for vacation. The original road easement establishment is generally described as follows:

Commencing at the southwest corner of section six, T 82 N, R 6, E of the 5th P.M., and continuing east on a line between sections six and seven to the northeast corner of section twelve in the same range and township, thence east by the most practical route to the Mississippi River bottom. The original county road establishment number is 91, located in book 1, page 88.

The portion to be vacated is described as follows:

A 33-foot wide strip located in the SW¹/₄ of the SW¹/₄ of Section 2, described as, commencing at the SE corner of said SW¹/₄ of the SW¹/₄ of Section 2, thence due west along the section line 33-feet to the point of beginning, thence due west 262.00 feet, thence due north 33.00 feet, thence due east 262.00 feet, thence due south 33-feet to the point of beginning.

WHEREAS, no objections either in writing or by persons present have been received by the Board of Supervisors and that the subject section of road easement warrants vacation.

NOW, THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the subject sections of road easement be vacated.

A 33-foot wide strip located in the SW¹/₄ of the SW¹/₄ of Section 2, described as, commencing at the SE corner of said SW¹/₄ of the SW¹/₄ of Section 2, thence due west along the section line 33-feet to the point of beginning, thence due west 262.00 feet, thence due north 33.00 feet, thence due east 262.00 feet, thence due south 33-feet to the point of beginning.

Roll Call:

Starling: Yes

Staszewski: Yes

Davisson: Yes

Jill M. Davisson, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2010-213

The Clinton County Board of Supervisors, having interviewed the different County Officials and Department Heads, does hereby report cash on hand in the various offices before the opening of business on Thursday, July 1, 2010, as follows:

CONSERVATION

Grand Mound – Camping & Damage Deposits	\$ 2,760.00
Rock Creek Marina	\$ 3,486.20
Eden Valley – Camping Receipts	\$ -- 0 --

EMERGENCY MANAGEMENT

Petty Cash	\$ 26.38
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ENGINEER

Petty Cash	\$ 128.08
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ENVIRONMENT SERVICES

Petty Cash	\$ 36.63
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INFORMATION TECHNOLOGY

Petty Cash	\$ 100.03
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RECORDER/REGISTRAR

Cash in Drawer	\$ 200.00
Boats, Vitals & Land Records Fees	\$ 8,244.00

SHERIFF

Petty Cash	\$ 108.93
Gun Permit	\$ --0--
Permit to Purchase	\$ --0--
Accident Report	\$ --0--
Driving Records	\$ --0--

SHERIFF – CIVIL DEPARTMENT

Cash on Hand	\$ 100.00
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JAIL

Inmates Funds for Deposit	\$ 44.95
Pop	\$ 55.19

TREASURER

Cash in Drawers	\$ 1,100.00
Cash in Vault	\$ 900.00

Roll Call:

Starling: Yes
 Staszewski: Yes
 Davisson: Yes

Jill M. Davisson, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2010-214

WHEREAS, the Board of Supervisors of Clinton County, Iowa, realizes that some locations in the County require lower speed limits than those set by state law, and

WHEREAS, the Board of Supervisors of Clinton County, Iowa, have received a petition to lower the speed limit on Y-32, north of the City of Toronto, due to safety concerns from some of the traveling public who use Y-32, and

WHEREAS, in accordance with section 321.285, an engineering and traffic investigation along Y-32 between the north City limits of Toronto and the north entrance to Walnut Grove Park has been completed by the Clinton County Engineer’s Office. The County Engineer recommends that the posted speed be established at 35 miles per hour based on the 85th percentile speed of the free flowing traffic for said section of Y-32; and

WHEREAS, the Board of Supervisors of Clinton County, Iowa, has received the County Engineer’s recommendation concerning the speed limit and concurs with said recommendation; and

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the following speed limit be and hereby-set on Y-32 (118th Avenue) as described:

35 miles per hour speed limit on Y-32 for northbound and southbound traffic. Beginning at the north boundary of the existing 25 miles per hour zone located north of the City of Toronto and extending north approximately 0.25 miles.

Roll Call:

Starling: Yes
 Staszewski: Yes
 Davisson: Yes

Jill M. Davisson, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2010-215

WHEREAS, the Board of Supervisors of Clinton County, Iowa, authorize the Roadside Management Department to terminate Deputy Weed Commissioner.

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the following employee be terminated within the Roadside Management Department:

Approve the termination of Darin Voss in the position of Deputy Weed Commissioner with an end date of July 2nd, 2010.

BE IT FURTHER RESOLVED that the Clinton Auditor be and is hereby authorized to terminate bi-weekly paychecks on the Rural Basic Fund in payment of salaries without further order of the Board.

Roll Call:
Starling: Yes
Staszewski: Yes
Davisson: Yes
Jill M. Davisson, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2010-216

WHEREAS, Clinton County Board of Supervisors (hereinafter "Board") auctioned a 9.02 acre parcel of Clinton County property along with buildings located approximately one mile south of Charlotte, Iowa, and described as follows:

Parcel "A" being part of the North One-half of the Northwest Quarter (NW ¼) of Section 2, Township 82 North, Range 4, East of the 5th P.M., Clinton County, Iowa, identified on a Plat of Survey recorded as Instrument # 2008-08824 in the Office of the Clinton County Recorder, (hereinafter "West Property"), pursuant to the statutory steps required for sale of county-owned property.

WHEREAS, the Board has determined that the attached list of items (with respective values) are missing before the closing, and which is no fault of the successful bidder.

WHEREFORE, the Board authorizes an adjustment of the closing price in the amount of \$1,000.00, in order to compensate the successful bidder for the loss of the missing items (one 12 X 12 steel sliding door on pole barn and 17 hog furrowing crates) which were sold to the bidder as part of the property sale.

WHEREFORE, the Clinton County Auditor shall record this Resolution, along with attached list, to account for this adjustment at the property closing.

Roll Call:
Starling: Yes
Staszewski: Yes
Davisson: Yes
Jill M. Davisson, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2010-217

WHEREAS, Clinton County has appropriated certain funds from its FY 2011 MH-DD Fund for mental health services to the residents of Clinton County and that the aforementioned funds are allocated to providers through an approved contract with the County.

WHEREAS, said Provider of contracted services are as follows:

Skyline Center, Inc.
Wagner Pharmacy
Clinton Municipal Transit Administration
Genesis Visiting Nurse Association
River Bend Transit

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the aforementioned contracts are hereby accepted and the Chairperson is authorized to sign the contract on behalf of Clinton County.

Roll Call:
Starling: Yes
Staszewski: Yes
Davisson: Yes
Jill M. Davisson, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2010-218

WHEREAS, River Bend Transit has presented an agreement to provide transportation services to Clinton County; and

WHEREAS, Clinton County has an interest in helping to provide transportation services to persons within Clinton County; and

WHEREAS, River Bend Transit has been designated as the regional transit provider for multi-county area including Clinton County and River Bend Transit has vehicles and employees available for transporting those persons in need; and

WHEREAS, the period of this agreement is July 1, 2010 through June 30, 2011; and

WHEREAS, the actual cost of providing transportation to Clinton County residents is \$77,937.00, the cost will be supported from various revenue sources including Clinton County in the amount of \$6,220.00; and

BE IT RESOLVED by the Clinton County Board of Supervisors that said agreement be and is hereby accepted and approved and the Chairperson be and is hereby authorized to sign said agreement on behalf of Clinton County and the County will allocate \$6,220.00 to River Bend Transit FY 2010-2011.

Roll Call:
Starling: Yes
Staszewski: Yes
Davisson: Yes
Jill M Davisson, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2010-219

WHEREAS, quotations were received on June 26, 2010 for one used 2003 Chevrolet Venture LT van and on used 2003 Chrysler Town and Country LXI, and

WHEREAS, the total amount of each quotation without trade is as follows:

Clinton Ford Clinton, IA	No bid submitted
Krieger's DeWitt, IA	No bid submitted
McEleney Autocenter Clinton, IA	\$6,700.00 plus applicable fees
McEleney Autocenter Clinton, IA	\$5,900.00 plus applicable fees
D&D Chevrolet DeWitt, Iowa	No bid submitted
Thiel Motor Sales DeWitt, IA	No bid submitted

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the order be awarded to:

McEleney Autocenter for one used 2003 Chrysler Town and Country LXI at a cost of \$5,900.00.

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

Roll Call:
Starling: Yes
Staszewski: Yes
Davisson: Yes
Jill M. Davisson, Chairperson

Motion made by Supervisor Starling to authorize the Chairperson to sign Utility Permit Number 6-18 and Utility Permit Number 6-19 for F & B Communications to install fiber optic cable in Sections 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 33, 34 and 35 of Bloomfield Township, in Sections 7, 18, 19 and 30 of Waterford Township, in Sections 2 and 4 of Welton Township, in Sections 19, 20, 29, 30 and 32 of Liberty Township and in Sections 6 and 7 of Spring Rock Township. This construction will enable F & B Communications to install buried fiber optic telephone cable to upgrade their Delmar and Lowden Exchanges.

Roll Call:
Starling: Yes
Staszewski: Yes
Davisson: Yes

Motion carried.

9:30 A.M. General Public

9:45 A.M. Department Heads, Elected Officials and Employees

Clinton County Auditor Eric Van Lancker informed the Board of Supervisors about a meeting he had with Wild Rose Casino officials earlier in the week. He thanked the casino officials for bringing to the County's attention a state program that will result in less gaming revenue tax collection for the County during the next five fiscal years. As a result of the casino receiving a tax abatement for funding the Rebuild Iowa Infrastructure Fund, Clinton County will collect just short of \$8,000 less revenue each fiscal year for the next five fiscal years beginning with FY2011. He said that will result in the casino not paying the County one week in August and a reduced amount a following week in August depending on casino revenue for those weeks. Van Lancker also reported the Iowa State Association of Counties annual dues have been submitted and for the third year in a row those dues have not increased. Van Lancker also informed the Board of Supervisors that newspaper advertisements have been placed with the Clinton Herald and DeWitt Observer announcing the extended Monday hours at the Clinton County Administration Building.

10:04 A.M. A.T.B.C. Closed Session per IA Code 21.5(1)(c) Pending Litigation Matter

Motion made by Supervisor Staszewski to enter into a closed session per Iowa Code 21.5(1)(c) to discuss the pending litigation matter of Leonard v. Clinton County.

Roll Call:

Starling:	Yes
Staszewski:	Yes
Davisson:	Yes

Motion carried. Board of Supervisors entered the closed session at 10:05 a.m.

Chairperson Davisson adjourned the closed session and reconvened the Board of Supervisors into general session at 10:28 a.m.

Motion made by Supervisor Staszewski to authorize the County Attorney to retain the assistance of attorney John Peavey in the matter of Leonard v. Clinton County.

Roll Call:

Starling:	Yes
Staszewski:	Yes
Davisson:	Yes

Motion carried.

The Board of Supervisors adjourned to meet on Friday, July 16, 2010 in DeWitt, IA, at the Clinton County Fairgrounds.

Eric Van Lancker, County Auditor

Jill M. Davisson, Chairperson

-APPROVED-

Chairperson

County Auditor