

November 7, 2011

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

TRANSFERS

General Basic Fund	to	Secondary Road Fund	\$18,419.54
Rural Services Fund	to	Secondary Road Fund	\$108,815.70
General Basic Fund	to	County Conservation Land Acq.	\$12,138.53

9:15 A.M. Resolutions / Formal Action

The following resolution was presented and on motion adopted.

RESOLUTION #2011-263

WHEREAS, the Board of Supervisors of Clinton County, Iowa, having adopted "Regulations for Non-Union County Engineer's Personnel" applicable to the employment of non-union personnel, and

WHEREAS, it is necessary to make certain changes in the regulation as to the appointment of non-union employees, now

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

Terminate the employment of the following part-time employee/summertime employee, effective October 31, 2011.

David Mohr

Roll Call:

Davisson: Yes
Schmidt: Yes
Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2011-264

WHEREAS, the Clinton County Communications Commission has reached an agreement with the Public Professional and Maintenance Employees, IUPAT Local 2003, for the payment of additional funds to certain staff members for temporary work; and

WHEREAS, Telecommunicators Brent Vogel and Eric Dau have assumed temporary extra duties to assist the Communications Commission since the retirement of the Communications Supervisor.

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors to authorized the County Auditor to pay a sum of \$125.00 each per pay period retroactive to July 1, 2011 and continuing until further notice by the Sheriff to Brent Vogel and Eric Dau.

Roll Call:

Davisson: Yes
Schmidt: Yes
Staszewski: Yes

John F. Staszewski, Chairperson

Discussion was held regarding Resolution #2011-265.

Supervisor Davisson said she and the Board of Supervisors received a lot of input during the last week on the Women's Health Services funding. She became concerned over some misunderstandings she wanted to address. One concern is that Women's Health Services said it was blindsided. That surprised Davisson because Women's Health Services executive director met with the Board of Supervisors in January to discuss the Women's Health Services request. The other misunderstanding is that the Board is being accused that the decision to not fund Women's Health Services is a political move and Davisson said it is not. She said it is an emotional subject and everyone is entitled to their opinion. Davisson believes it was discussed on a previous resolution as to whether to fund Women's Health Services, however the discussion was not concluded during the budget process earlier in the year. She also made it clear that the funding to Women's Health Services is not mandated, but rather gifts to these agencies. Davisson said she believes this Board tries to do what is right with consideration to the citizens of Clinton County. She said the board's decisions are not made lightly.

Supervisor Schmidt said he struggled deeply on making a decision on this issue. He recognizes the services that Women's Health Services provides and the value to the city and the county and encourages anyone to support Women's Health Services in time or dollars. Schmidt said he is trying to represent all taxpayers and the heart-felt issue here is abortion and Women's Health Services is mandated to provide all information. Schmidt said a good portion of the County taxpayers have an issue with the services provided. He said it would be wrong for the County to provide funding while recognizing taxpayers concerns about the issue. He believes Women's Health Services can make up the \$5,000 through private contributions.

Staszewski said his earlier position to support Women's Health Services has nothing to do with abortion and he believes in the services provided by Women's Health Services.

The following resolution was presented and on motion adopted.

RESOLUTION #2011-265

BE IT RESOLVED by the Clinton County Board of Supervisors that the County Auditor be and is hereby authorized to issue checks on the General Basic Fund and Rural Basic Fund to the following listed entities for the amounts detailed, presenting the first half allocation FYE 2012:

Camanche Historical Society/Gateway Genealogical Society	\$ 750.00
Carroll Assistance Center	\$ 1,500.00
Clinton Municipal Airport Commission	\$ 6,750.00
Quality Jobs 4 A Strong Future	\$ 20,000.00
Clinton Art Association	\$ 1,250.00
Clinton County Agriculture Society (4-H Clubs)	\$ 17,500.00
Clinton County Fireworks Association	\$ 2,500.00
Clinton County Historical Society	\$ 2,250.00
Clinton County Soil and Water Conservation	\$ 1,750.00
Clinton County Solid Waste Agency (R.B.)	\$ 41,655.00
Concerned DeWitt Citizens, Ltd.	\$ 2,000.00
DeWitt Development Company (includes business education coordinator)	\$ 11,300.00
Felix Adler Child Discovery Center	\$ 1,250.00
Generations Agency on Aging	\$ 1,906.00
Community Action of Eastern Iowa	\$ 2,100.00
Retired Senior Volunteer Program	\$ 3,000.00
River Bend Services, Inc.	\$ 3,203.50
YWCA Domestic Violence/Sexual Assault Resource Center	\$ 7,650.00

Roll Call:

Davisson: Yes
Schmidt: Yes
Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2011-266

WHEREAS, the Clinton County Secondary Roads Department contracted with Clinton Engineering Co. for the repair of the Roadside Management Building from damage caused by a fire, and

WHEREAS, construction of said repair work has been completed by the Contractor and the work has been approved and accepted by the County Engineer.

THEREFORE BE IT RESOLVED that the Board of Supervisors of Clinton County, Iowa, shall approve the final payment to said Contractor.

Roll Call:

Davisson: Yes
Schmidt: Yes
Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2011-267

WHEREAS, Clinton County has allocated \$92,661.00 in County funds for county libraries FY 2011-2012; and

WHEREAS, ten percent (10%) of the funds, \$9,266.00, are divided equally to the libraries in the cities of Calamus, Camanche, Clinton, DeWitt, Lost Nation and Wheatland, in the amount of \$1,544.00; and

WHEREAS, ninety percent (90%) of the funds, \$83,394.00 are disbursed to the libraries based on circulation as follows:

	Circulation	% of Total	Amount
Calamus	19	0.04%	\$33.35
Camanche	2,240	5.21%	\$4,344.82
Clinton	5,807	13.52%	\$11,274.86
DeWitt	33,418	77.85%	\$64,922.22
Lost Nation	745	1.73%	\$1,442.71
Wheatland	695	1.61%	\$1,342.64

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the County Auditor be and is hereby authorized to issue checks on the Rural Basic Fund in the following amounts representing the first half allocation for each library:

Calamus	\$772.00	\$16.67	\$788.67
Camanche	\$772.00	\$2,172.41	\$2,944.41
Clinton	\$772.00	\$5,637.43	\$6,409.43
Frances Banta Waggoner Community Library, DeWitt	\$772.00	\$32,461.11	\$33,233.11
Lost Nation	\$772.00	\$721.35	\$1,493.35

Wheatland

\$772.00

\$671.32

\$1,443.32

Roll Call:

Davisson: Yes

Schmidt: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2011-268

WHEREAS, the Clinton County Jail utilizes a LiveScan electronic fingerprint machine; and,

WHEREAS, the Sheriff desires to enter into a yearly maintenance agreement with SAFRAN MorphoTrak for the purpose of maintaining said device.

THEREFORE BE IT RESOLVED that the Clinton County Board of Supervisors authorizes the Sheriff or the Jail Administrator to sign said agreement.

Roll Call:

Davisson: Yes

Schmidt: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2011-269

BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the appointment of Fern Todtz for the position of Temp Employee be extended for sixty days in the Board of Supervisors Office at the pay rate of \$12.11 per hour for the extended time frame of November 6th to January 6, 2012, is hereby approved; and

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

Roll Call:

Davisson: Yes

Schmidt: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

Motion made by Supervisor Davisson to uphold the decision of Kim Ralston, Clinton County Assistant Mental Health Coordinator, to deny the appeal for General Assistance made on October 31, 2011, by Client #GA72186.

Roll Call:

Davisson: Yes

Schmidt: Yes

Staszewski: Yes

Motion carried.

9:30 A.M. General Public

Gary McDermott, Clinton, spoke about the American with Disabilities Act (ADA) requirements for the County. He asked if someone has been appointed as the ADA coordinator/contact. Board of Supervisors said that the County Building Maintenance Coordinator serves as the ADA coordinator/contact. McDermott reviewed requirements the County must meet under ADA. He said those include providing a notice of an ADA coordinator, self evaluation plan, establish grievance procedures and develop a transition plan. He requested to review those documents. McDermott also mentioned that a training session is being held in Cedar Rapids at the Kirkwood Center Hotel on Dec. 1st. He said the ADA requirements were to be in effect as of 1992.

Jeff Wortgow, a pastor in DeWitt, said funding the Women's Health Services was not about abortion. He believes Schmidt and Davisson have made it a moral issue. Wortgow asked how the supervisors came to the conclusion that a majority of the county were against the funding. Davisson said she was asked to review the Women's Health Services request by people in the County. Schmidt said, before this morning, he had 21 different contacts 11 to 9 with most not supporting his decision. But added there was no scientific poll on the issue. Wortgow said these types of issues should be discussed during an election cycle so those issues are clearly delineated. Davisson said her views on her pro-life platform have been made clear during her campaigns. Wortgow believes the supervisors do not have the right to restrict personal freedom because of their personal feelings. He said he appreciates the Board of Supervisors for their service.

John Booth, a pastor in Clinton, said the funding of Women's Health Services is a moral issue and is thankful to Schmidt and Davisson that they took the stance they took. He also said he had a letter signed by more than 30 people thanking the two supervisors for their position on the issue. He said providing funding to provide information about abortions is wrong because taking a life is wrong.

10:10 A.M. Department Heads, Elected Officials, and Employees

County Engineer Todd Kinney spoke with the Board of Supervisors about the Secondary Roads Department offering assistance to smaller communities for sign inventory and inspection. He said a regional planning affiliate asked counties what their policy will be when offering assistance to small communities to address reflective requirements. Kinney said this is a huge undertaking for his department and the County to meet the requirements. He suggested purchasing the piece of equipment to measure reflectivity and allow cities to use it. The Board of Supervisors asked Kinney to write up a policy and present it to them.

Clinton County Auditor Eric Van Lancker reminded the Board of Supervisors that his office is open until 5 p.m. today for absentee voting for Tuesday's City Election. Also, the Board of Supervisors are scheduled to canvass votes for Clinton and DeWitt on Thursday, Nov. 10 at 1 p.m. He also reminded the Board that the canvass for all other cities in Clinton County would be on Tuesday, Nov. 15, at 9 a.m.

10:30 A.M. Opening of Bids for County Farm Lease with Possible Action to Follow

Bids were opened for the lease on the County Cropland. The results of the bids were as follows:

	2012	2013	2014
Clinton County Farms:	\$65,883.30	\$65,883.30	\$65,883.30
Dickey Farms:	\$62,837.60	\$62,356.70	\$62,036.10

The following resolution was presented and on motion adopted.

RESOLUTION #2011-270

WHEREAS, Clinton County issued a public notice on October 22, 2011, requesting bids for the lease of County-owned cropland generally located one mile south of the City of Charlotte, Iowa; and

WHEREAS, sealed bids were received before the deadline of 8:30 a.m. on November 7, 2011, as follows:

<u>BIDDER</u>	<u>2012 BID</u>	<u>2013 BID</u>	<u>2014 BID</u>
Clinton Co. Farms	\$65,883.30	\$65,883.30	\$65,883.30
Randall & Mary Dickey	\$62,837.60	\$62,356.70	\$62,036.10

BE IT RESOLVED by the Clinton County Board of Supervisors that the lease be awarded to Clinton County Farms for the sum of \$65,883.30 in 2012 and \$65,883.30 in 2013 and \$65,883.30 in 2014.

BE IT FURTHER RESOLVED that the Chairperson be and is hereby authorized to sign said lease on behalf of Clinton County when the lease is presented for signature.

Roll Call:

Davisson: Yes
Schmidt: Yes
Staszewski: Yes

John F. Staszewski, Chairperson

10:37 A.M. Board of Trustees for Drainage District #22 – Receipt of Engineer's Completion Report and Action via Resolution Setting Public Meeting Date to Consider Report – Todd Kinney, Drainage District Engineer

Motion made by Supervisor Schmidt to recess as Board of Supervisors and convene as Board of Trustees for Drainage District #22.

Roll Call:

Davisson: Yes
Schmidt: Yes
Staszewski: Yes

Motion carried. Board of Supervisors recessed and Board of Trustees for Drainage District #22 convened at 10:38 a.m.

Todd Kinney presented the Board of Trustees with the Engineer's Completion Report. He met with a FEMA official who said the work appeared acceptable.

The following resolution was presented and on motion adopted.

RESOLUTION #2011-DD22-02

WHEREAS, the Clinton County Board of Supervisors acting as Trustees for Drainage District #22 have received the completion of work report from the Clinton County Engineer for the Drainage District #22 Repair Project, and;

WHEREAS, the Code of Iowa requires that a Public Hearing be held to consider the completion report, to hear any claims for damages against the contractor and to hear any objections to the completion report by any interested parties.

THEREFORE BE IT RESOLVED by the Board of Supervisors that a Public Hearing be held at 10:00 a.m. on November 28th, 2011, at the Clinton County Administration Building (Conference Room B), 1900 North 3rd St., Clinton, Iowa.

Roll Call:

Davisson: Yes
Schmidt: Yes
Staszewski: Yes

John F. Staszewski, Chairperson

Motion made by Supervisor Schmidt to adjourn as Board of Trustees for Drainage District #22 and reconvene as Board of Supervisors.

Roll Call:
Davisson: Yes
Schmidt: Yes
Staszewski: Yes

Motion carried. Board of Trustees for Drainage District #22 adjourned and Board of Supervisors reconvened in general session at 10:50 a.m.

10:54 A.M. A.T.B.C. per Code of Iowa 21.5(1)(i) – Personal Evaluation – Case Management

Motion made by Supervisor Schmidt to enter into a closed session per Iowa Code 21.5(1)(i) at the request of the employee for a personnel evaluation for Case Management.

Roll Call:
Davisson: Yes
Schmidt: Yes
Staszewski: Yes

Motion carried. Board of Supervisors entered a closed session at 10:54 a.m.

Chairman Staszewski adjourned the closed session at 11:20 a.m. and the Board of Supervisors returned to general session.

11:45 A.M. A.T.B.C. per Code of Iowa 21.5(1)(i) – Personal Evaluation – Roadside Management

Motion made by Supervisor Schmidt to enter into a closed session per Iowa Code 21.5(1)(i) at the request of the employee for a personnel evaluation for Roadside Management

Roll Call:
Davisson: Yes
Schmidt: Yes
Staszewski: Yes

Motion carried. Board of Supervisors entered a closed session at 11:46 a.m.

Chairman Staszewski adjourned the closed session at 12:21 a.m. and the Board of Supervisors returned to general session.

The Board of Supervisors adjourned to meet on Monday, November 14, 2011 as the Board of Trustees for Drainage District #22.

Eric Van Lancker, County Auditor

John F. Staszewski, Chairperson

-APPROVED-

County Auditor

Chairperson