

November 21, 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.

9:15 A.M. Resolutions / Formal Actions

The following resolution was presented and on motion adopted.

RESOLUTION #2011-276

WHEREAS, Jesus Christ Prince of Peace Church sold its' rectory at 516 9<sup>th</sup> Avenue South in Clinton, Iowa, to Victory Center Ministries for use as its' parsonage on February 1, 2010 and Iowa Code, Section 427.1(8) governs us as follows:

8. Property of religious, literary, and charitable societies.

"All grounds and buildings used or under construction by literary, scientific, charitable, benevolent, agricultural, and religious institutions and societies solely for their appropriate objects, not exceeding three hundred twenty acres in extent and not leased or otherwise used or under construction with a view to pecuniary profit. However, an organization mentioned in this subsection whose primary objective is to preserve land in its natural state may own or lease land not exceeding three hundred twenty acres in each county for its appropriate objects. All deeds or leases by which such property is held shall be filed for record before the property herein described shall be omitted from the assessment. All such property shall be listed upon the tax rolls of the district or districts in which it is located and shall have ascribed to it an actual fair market value and an assessed or taxable value, as contemplated by Section 441.21, whether such property be subject to a levy or be exempted as herein provided and such information shall be open to public inspection."

FURTHER, the sale and transfer of ownership for this parcel was filed with the Clinton County Recorder on February 4, 2010 as instrument number 2010-00682. Subsequent to the recording of the purchase, Victory Center Ministries LLC filed for real estate tax exemption for the parcel with the City Assessor after the deadline of February 1 and the exemption was declined in accordance with the Code of Iowa as referenced above for 2010 by the Assessor. The ability to grant an abatement of real estate taxes to a religious entity that otherwise qualifies for tax exemption but purchases or receives as a gift, property after the filing deadline is expressly afforded the Board of Supervisors in Iowa Code, Section 427.3.

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that taxes for the Victory Center Ministries LLC for City of Clinton parcel number 8055150000 used for the purpose of parsonage shall be abated in accordance with Section 427.3 of the Code of Iowa and the County Auditor and the County Treasurer are authorized to adjust and update the County record accordingly.

Roll Call:

Davisson: Yes

Schmidt: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2011-277

WHEREAS, the Clinton County Sheriff has accepted the resignation of Alisha Wirth as Reserve Deputy Sheriff.

THEREFORE BE IT RESOLVED that the Board of Supervisors of Clinton County, Iowa, be and hereby accepts the resignation of Alisha Wirth as a Reserve Deputy Sheriff for the Clinton County Sheriff's Office effective on October 25, 2011.

Roll Call:

Davisson: Yes

Schmidt: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2011-278

WHEREAS, the Clinton County Sheriff may appoint Reserve Deputies in accordance with Code of Iowa, Chapter 80D.1; and

WHEREAS, Brian Daniel Winkel has met the hiring requirements and Sheriff Lincoln desires to appoint Winkel as a Reserve Deputy Sheriff.

THEREFORE BE IT RESOLVED that the Board of Supervisors of Clinton County, Iowa, be and hereby authorizes the appointment of Brian Daniel Winkel as a Reserve Deputy Sheriff for the Clinton County Sheriff's Office effective on November 21, 2011.

Roll Call:

Davisson: Yes

Schmidt: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2011-279

WHEREAS, the Clinton County Sheriff may appoint Reserve Deputies in accordance with Code of Iowa, Chapter 80D.1; and

WHEREAS, Jennifer Renee Austin has met the hiring requirements and Sheriff Lincoln desires to appoint Austin as a Reserve Deputy Sheriff.

THEREFORE BE IT RESOLVED that the Board of Supervisors of Clinton County, Iowa, be and hereby authorizes the appointment of Jennifer Renee Austin as a Reserve Deputy Sheriff for the Clinton County Sheriff's Office effective on November 21, 2011.

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

The following resolution was presented and on motion adopted.

RESOLUTION #2011-280

WHEREAS, the Clinton County Sheriff may appoint Reserve Deputies in accordance with Code of Iowa, Chapter 80D.1; and

WHEREAS, Brian Edward Hess, Jr. has met the hiring requirements and Sheriff Lincoln desires to appoint Hess as a Reserve Deputy Sheriff.

THEREFORE BE IT RESOLVED that the Board of Supervisors of Clinton County, Iowa, be and hereby authorizes the appointment of Brian Edward Hess, Jr. as a Reserve Deputy Sheriff for the Clinton County Sheriff's Office effective on November 21, 2011.

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

The following resolution was presented and on motion adopted.

RESOLUTION #2011-281

WHEREAS, the Clinton County Sheriff may appoint Reserve Deputies in accordance with Code of Iowa, Chapter 80D.1; and

WHEREAS, Paul Phillip Giuliani has met the hiring requirements and Sheriff Lincoln desires to appoint Giuliani as a Reserve Deputy Sheriff.

THEREFORE BE IT RESOLVED that the Board of Supervisors of Clinton County, Iowa, be and hereby authorizes the appointment of Paul Phillip Giuliani as a Reserve Deputy Sheriff for the Clinton County Sheriff's Office effective on November 21, 2011.

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

The following resolution was presented and on motion adopted.

RESOLUTION #2011-282

WHEREAS, the Clinton County Sheriff is authorized to have a Sheriff's Reserve Unit, and whereas, from time to time new members are added to this unit, and that said members are trained in the use of various weapons.

THAT the following reserves have been locally trained by certified instructors in Firearms, Striking Instruments and Chemical Weapons,

AND after receiving training as prescribed by the Code of Iowa, Section 80D.3 and 501.1AC Chapter 10, (3); Sheriff Rick Lincoln now seeks approval from the Clinton County Board of Supervisors for Reserve Deputy Kurt Klosterman and Reserve Deputy Nicholas Azadeh to be authorized to carry weapons as required by Iowa Code, Section 80D.7.

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

The following resolution was presented and on motion adopted.

RESOLUTION #2011-283

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

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

Approve the termination of Bill Cline, Dennis Fairbanks, Andrew Girod, Raymond Myers, and Casey Ritz with an end date of October 14, 2011.

BE IT FURTHER RESOLVED that the County 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:

Davisson: Yes  
Schmidt: Yes  
Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2011-284

WHEREAS, on April 19, 2004, the Iowa Legislature passed House File 2302, which the Governor signed into law on May 6, 2004.

WHEREAS, Iowa Code 99D.20 provides that the Board of Supervisors of each county where gambling operations are conducted must select a certified public accountant licensed within the State to conduct the annual audit of certain licensed gambling establishments within the county, specifically providing,

“99D.20 AUDIT OF LICENSEE OPERATIONS. Within ninety days after the end of each calendar year, the licensee shall transmit to the commission an audit of the financial transactions and condition of the licensee’s operations conducted under this chapter. Additionally, within ninety days after the end of the licensee’s fiscal year, the licensee shall transmit to the commission an audit of the licensee’s total racing and gaming operations, including an itemization of all expenses and subsidies. All audits shall be conducted by certified public accountants authorized to practice in the State of Iowa under Chapter 542 who are selected by the Board of Supervisors of the County in which the licensee operates.”

WHEREAS, the certified public accounting firm of CLIFTON-GUNDERSON, LLP is experienced in performing audits of gambling operations, is registered and licensed to perform such services in the State of Iowa and is combining with the Minneapolis based peer firm of LarsonAllen to form a combined new firm CliftonLarsonAllen, which will also be registered and licensed to perform such services in the State of Iowa.

NOW, THEREFORE BE IT RESOLVED that the Clinton County Board of Supervisors, hereby, appoints the certified public accounting firm of Clifton-GundersonLLC./LarsenAllen combined new certified public accounting firm of CliftonLarsonAllen to conduct the annual audits (as prescribed in Iowa Code 99D.20 and 99F.13) effective 2 January 2012, for Wild Rose Clinton, LLC, an Iowa Racing and Gaming Commission licensed gambling operation, located within Clinton County.

IT IS FURTHER RESOLVED that this appointment of CliftonLarsonAllen, shall remain in effect and renew automatically each year until the Board of Supervisors receives a request from Wild Rose Clinton, LLC, to appoint another certified public accounting firm selected to perform the annual audits contemplated under Iowa Code 99D.20; 99F.13.

Roll Call:

Davisson: Yes  
Schmidt: Yes  
Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2011-285

WHEREAS, certain offices and funds of the General Basic Fund or Special Services Fund may overspend and there are sufficient funds available in the said service areas to cover these expenditures.

THEREFORE BE IT RESOLVED by the Board of Supervisors that the following office funds be adjusted to wit:

Social Agency’s	from	\$243,319	to	\$278,319
Information Technology	from	\$457,837	to	\$495,837
Miscellaneous	from	\$340,100	to	\$382,100
Mental Health	from	\$9,383,112	to	\$10,040,085
Rural Basic	from	\$0	to	\$5,000
County Conservation Land Acq.	from	\$557,500	to	\$817,500
Debt Service	from	\$1,382,948	to	\$1,385,148

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to make the above adjustments.

Roll Call:

Davisson: Yes  
Schmidt: Yes  
Staszewski: Yes

9:30 A.M. General Public

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

Clinton County Auditor Eric Van Lancker reported that the Iowa Secretary of State's office has accepted the County's reprecincting plan. He thanked those who came to the public meetings for their input and thanked the Board of Supervisors for their time on the matter. Van Lancker also scheduled the City of Clinton Runoff Election Canvass for December 12th at 9 a.m.

10:00 A.M. A.T.B.C. per Iowa Code 21.5(1)(i) Personnel Evaluation – County Engineer

Motion made by Supervisor Davisson to enter into a closed session per employee request per Iowa Code 21.5(1)(i) for an annual personnel evaluation for the County Engineer.

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

Motion carried. Board of Supervisors entered a closed session at 10:04 a.m.

Chairperson Staszewski adjourned the closed session at 11:09 a.m.

11:10 A.M. A.T.B.C. per Iowa Code 21.5(1)(i) Personnel Evaluation – Information Technology Director

Motion made by Supervisor Schmidt to enter into a closed session per employee request per Iowa Code 21.5(1)(i) for an annual personnel evaluation for the County Information Technology Director.

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

Motion carried. Board of Supervisors entered a closed session at 11:12 a.m.

Chairperson Staszewski adjourned the closed session at 11:37 a.m.

The Board of Supervisors adjourned to meet on Monday, November 28, 2011.

John F. Staszewski, Chairperson

Eric Van Lancker, County Auditor

-APPROVED-

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County Auditor

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Chairperson