

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 Action

The following resolution was presented and on motion adopted.

RESOLUTION #2011-245

WHEREAS, the following mobile home was purchased from Royal Pines dealership on September 20, 2011 and taxes must be prorated and added to the records of Clinton County for taxation:

Rhonda Welford 5000 Lincolnway #27, Clinton, IA VIN#11259914 Dist 0780 \$115.00

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the above County records shall be adjusted and Clinton County Treasurer shall make said adjustment to reflect the pro-rated taxes due per Iowa Code 443.9.

Roll Call:

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

The following resolution was presented and on motion adopted.

RESOLUTION #2011-246

WHEREAS, the following taxpayers qualify for elderly and disabled tax credit for the 2010 tax levy in the following amounts:

District	Parcel	Name	Address	Amount
210	2005780000	Seifert, Mary	707 6th St., DeWitt, IA 52742	\$130.00
600	5400480000	Eiben, Vera W.	P.O. Box 463, Wheatland, IA 52777	\$84.00
210	2011460000	Starr, Raymond	1002 12th St., DeWitt, IA 52742	\$230.00
740	8003250000	Ammons, Almeta	309 2nd Ave. N., Clinton, IA 52732	\$122.00
690	6200940000	Bunce, Linda	127 Park Ave., Charlotte, IA 52731	\$560.00
830	8625290000	Evans, Beverly	403 Main Ave., Clinton, IA 52732	\$122.00
110	1002230000	Jamison, Lynne	627 14th Place, Camanche, IA 52730	\$238.00
740	8029190000	Jenkins, Jacqueline	1011 Galbraith, Clinton, IA 52732	\$222.00
740	8069810000	Mahmens, Gloria	619 N. 11th St., Clinton, IA 52732	\$372.00
560	5001900000	McCutcheon, Tommy	402 Broadway St., Lost Nation, IA 52254	(\$170.00)
560	5001890000	McCutcheon, Tommy	403 Winter Street, Lost Nation, IA 52254	\$256.00
560	5001900000	McCutcheon, James	402 Broadway St., Lost Nation, IA 52254	\$170.00
740	8015580000	Quick, Milton	315 2nd Ave. So., Clinton, IA 52732	\$372.00
810	8400780000	Reid, Rebekah	810 N. 3rd St., Clinton, IA 52732	\$572.00
740	8034090000	Lehne, Joan	231 N. Bluff Blvd., Clinton, IA 52732	\$120.00
740	8057550000	Witt, Mary	1223 S. 3rd St., Clinton, IA 52732	\$364.00
830	8609350000	Koch, Margie	615 18th Ave. N., Clinton, IA 52732	\$372.00
690	6201090000	Goff, Nancy	103 Case St., Charlotte, IA 52731	\$212.00
830	8613080000	Schreiner, Jerald	2515 Pershing Blvd., Clinton, IA 52732	\$722.00
800	8205540000	Holle, Marlene	1201 15th Ave. So., Clinton, IA 52732	\$372.00
830	8610790000	Burns, Eloise	1533 N. 8th St., Clinton, IA 52732	\$122.00
830	8624190000	Figg, Ronald	2301 N. 8th St., Clinton, IA 52732	\$122.00
740	8026650000	Stillings, Loran	811 7th Ave. So., Clinton, IA 52732	\$222.00
740	8047280000	Judon, Rosie	640 1st Ave., Clinton, IA 52732	\$366.00
830	8623040000	Hasenkamp, Phyllis	2322 N. 11th St., Clinton, IA 52732	\$222.00
830	8609750000	Weispfenning, Lucille	1611 N. 7th St., Clinton, IA 52732	\$122.00

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that real estate taxes levied for the above referenced parcels shall be adjusted as noted and the Auditor and the Treasurer in and for Clinton County are hereby authorized to amend the records for Clinton County to correspond to the elderly credit adjustments as approved.

Roll Call:

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

The following resolution was presented and on motion adopted.

RESOLUTION #2011-247

WHEREAS, the Clinton County Assessor and Archer Daniels Midland Company have settled court case #CV3716 generating a "Stipulated Assessed Value" for parcel 8032550000 (locally known as the ADM Co-

generation facility located at 1800 S. 5<sup>th</sup> St., Clinton, IA) on January 1, 2010, of \$32,618,530.00 effectively reducing the current fiscal year real estate tax from \$3,263,980.00 to \$1,365,600.00.

FURTHER, the Treasurer received the first tax installment on September 29, 2011 in the amount of \$1,631,990.00 resulting in a refund due to Archer Daniels Midland Company by court order in the amount of \$266,390.00.

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the Clinton County Auditor is hereby authorized to issue a refund for overpayment of tax to Archer Daniels Midland and the Treasurer and Assessor shall adjust the records of the County as ordered, adjudged and decreed by Judge Gary D. McKenrick and served on the County by interoffice mail October 5, 2011.

Roll Call:

Davisson: Yes

Schmidt: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2011-248

WHEREAS, the Clinton County Board of Supervisors has considered combining precincts for voting purposes within the County; and

WHEREAS, the office of the Secretary of State has reviewed the Clinton County ordinance to define its voting precincts and recommended modifications; and

WHEREAS, it is required per Iowa Code 49.4 to set a time and place for a public hearing on the proposed ordinance to define voting precincts in Clinton County to allow County residents to present objections to or arguments in favor of any part of the proposed ordinance;

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that a public hearing be held on Monday, October 31, 2011, at 10:00 a.m. in the Board of Supervisors Room, Clinton County Administration Center, 1900 N. Third Street, Clinton, Iowa, for the aforementioned purpose; and

BE IT FURTHER RESOLVED that the County Auditor is hereby directed to cause a publication to be made of a notice of the meeting in the official county newspapers and that such publication to be not less than 4 nor more than 20 days before the date of the said public hearing.

Roll Call:

Davisson: Yes

Schmidt: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2011-249

WHEREAS, the fiscal year 2011-2012 budget for Clinton County requires a budget amendment as allowed per conditions under Iowa Code 331.435; and

WHEREAS, it is required per Iowa Code 331.435, Iowa Code 331.434 (3) and Iowa Code 331.434 (4) to set a time and place for a public hearing on the fiscal year 2011-2012 budget amendment to allow taxpayers to present objections to or arguments in favor of any part of the budget amendment;

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that a public hearing be held on Tuesday, November 15, 2011, at 10:00 a.m. in the Board of Supervisors Room, Clinton County Administration Center, 1900 N. Third Street, Clinton, Iowa, for the aforementioned purpose; and

BE IT FURTHER RESOLVED that the County Auditor is hereby directed to cause a publication to be made of a notice of the meeting in the official county newspapers and that such publication to be not less than 10 nor more than 20 days before the date of the public meeting on the fiscal year 2011-2012 budget amendment.

Roll Call:

Davisson: Yes

Schmidt: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2011-250

WHEREAS, EIRUSS is a 28E association comprised of five counties, including Clinton County; and

WHEREAS, EIRUSS constructed, owns, and operates the Andover Water System in Clinton County; and

WHEREAS, the Andover Water System required filter system improvements and emergency repair work that exceeded EIRUSS financial reserves; and

WHEREAS, Clinton County desires to advance \$5,000 to EIRUSS to assist in the payment of improvement expenditures on the Andover Water System.

WHEREAS, EIRUSS agrees to establish rates that will provide adequate revenues to repay the \$5,000 advance over ten years at zero percent interest.

NOW, THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that Clinton County will advance EIRUSS \$5,000 to make payment for filter system improvements and emergency repair work with the advance to be repaid by EIRUSS to Clinton County over ten years at zero percent interest and authorizes the Chairperson to execute the agreement on this 24th day of October, 2011.

Roll Call:

Davisson: Yes

Schmidt: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2011-251

WHEREAS, cities and counties in the State of Iowa are required to file with the Iowa Secretary of State a precinct plan based on the most recent federal decennial census; and

WHEREAS, Chapter 49.6 of the Code of Iowa grants cities and counties the power to combine township and city precincts as long as the combined precinct does not have a total population in excess of three thousand five hundred (3,500) and is combined wholly within a legislative district; and

WHEREAS, certain census blocks in the City of Camanche are contiguous with Camanche Township Precinct and within the same Legislative House District 97;

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the Chairperson is authorized to sign an agreement with the City of Camanche to combine the following census tracts with Camanche Township Precinct:

- Census Tract 8 – Blocks 2054

BE IT FURTHER RESOLVED that the City of Camanche and Clinton County will reflect said agreement in each appropriate precinct plan to be filed with the Iowa Secretary of State.

Roll Call:

Davisson: Yes

Schmidt: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2011-252

WHEREAS, cities and counties in the State of Iowa are required to file with the Iowa Secretary of State a precinct plan based on the most recent federal decennial census; and

WHEREAS, Chapter 49.6 of the Code of Iowa grants cities and counties the power to combine township and city precincts as long as the combined precinct does not have a total population in excess of three thousand five hundred (3,500) and is combined wholly within a legislative district; and

WHEREAS, certain census blocks in the City of Maquoketa are contiguous with Brookfield/Bloomfield/Delmar Precinct in Clinton County and within the Legislative House District 97;

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the Chairperson is authorized to sign an agreement with the City of Maquoketa to combine the following census tracts with Brookfield/Bloomfield/Delmar Precinct:

- #190450011001008

BE IT FURTHER RESOLVED that the City of Maquoketa and Clinton County will reflect said agreement in each appropriate precinct plan to be filed with the Iowa Secretary of State.

Roll Call:

Davisson: Yes

Schmidt: Yes

Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2011-253

BE IT RESOLVED by the Board of Supervisors of Clinton County, that the re-appointment of James Haring to the Clinton County Conservation Board is hereby approved for a term of five (5) years.

Roll Call:

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

The following resolution was presented and on motion adopted.

RESOLUTION #2011-254

WHEREAS, Amy L. Thompson has petitioned for tax suspension under provision of Code of Iowa, Section 427.9, on the following property:

2509 Garfield Street, Clinton IA

Parcel #86-16240000

WHEREAS, eligibility for said suspension has been verified by the Iowa Department of Human Services.

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 shall make entry on her records accordingly, all under provision of Section 427.9, Code of Iowa.

BE IT FURTHER RESOLVED that tax suspension under provision of Section 427.9, Code of Iowa, is for the 2010 Assessment Year and all prior years and it is the responsibility of the petitioning taxpayer to reapply for further tax suspension.

Roll Call:

Davisson: Yes  
Schmidt: Yes  
Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2011-255

WHEREAS, the Clinton County Sheriff is an elected official and the Board of Supervisors does not consider nor appoint personnel for elected officials, but need to authorize payroll for the County Auditor.

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the Clinton County Auditor be and is hereby authorized to issue biweekly paychecks on the General Basic Fund, Office of Jail, to Laureen Ann Puckett, as a full-time Correctional Officer. This will be in effect October 25, 2011, at an hourly rate of \$15.44 during Correctional Officer Puckett's probationary period. This is subject to the terms and conditions of the Sheriff's Bargaining Unit agreement without further action of this Board.

Roll Call:

Davisson: Yes  
Schmidt: Yes  
Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2011-256

WHEREAS, Clinton County, Clinton County Emergency Management Commission and the cities of Camanche, Clinton and DeWitt are members of the Clinton County Commission; and

WHEREAS, it is in the best interest of the members to review and update the 28E Agreement from time to time; and

WHEREAS, a revised 28E Agreement has been presented to the members for their consideration; and

WHEREAS, Clinton County has reviewed the revised 28E Agreement and hereby accepts the revised Agreement.

BE IT RESOLVED by the Clinton County Board of Supervisors that the revised Clinton County Communications Commission 28E Agreement be and is hereby accepted and approved by Clinton County, Chairperson and the person designated by the Auditor be and are hereby authorized to sign said Agreement on behalf of Clinton County.

Roll Call:

Davisson: Yes  
Schmidt: Yes  
Staszewski: Yes

John F. Staszewski, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2011-257

WHEREAS, the Clinton County Sheriff previously promoted Tara Sbertoli to the position of Administrative Assistant to the Sheriff, and;

WHEREAS, the negotiated salary and longevity package for Sbertoli is unable to be supported by the County Auditor's computerized payroll software, necessitating the correction of Sbertoli's base wage rate.

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the County Auditor be and is hereby authorized to adjust Sbertoli's pay rate to \$18.30 plus non-union longevity steps. This shall be effective August 10, 2011.

Roll Call:

Davisson: Yes  
Schmidt: Yes  
Staszewski: Yes

John F. Staszewski, Chairperson

Motion made by Supervisor Davisson to authorize the County Auditor to create a claim in the amount of \$1,100,279.04 to the City of Clinton for expenses related to the Lincolnway Railport Project as detailed in the packet of information dated October 12, 2011, submitted to the County Auditor's office.

Roll Call:

Davisson: Yes  
Schmidt: Yes  
Staszewski: Yes

Motion carried.

Motion made by Supervisor Schmidt to authorize the Chairperson to sign Utility Permit Number 8-21 for Alliant Energy Company to install poles and an overhead line within the county right-of-way in Section 21 of Hampshire Township on the north side of 200<sup>th</sup> Street.

Roll Call:

Davisson: Yes  
Schmidt: Yes  
Staszewski: Yes

Motion carried.

9:41 A.M. Department Heads, Elected Officials and Employees

Clinton County Building Maintenance Coordinator Rick Laurion and Clinton County Emergency Management Director Chance Kness provided an update on grants being submitted for generators for the County Administration Building, the Law Center and the DeWitt Annex. Laurion said all three grants will be submitted before the November 1st deadline.

The Board of Supervisors discussed its budget as some line items were being overspent. The office supply line was drawn down quicker than expected due to passport administration in the office which was not originally included in the budget. The line for legal matters was starting to be overspent due to litigation in court over a road vacation dispute. And there were questions about the Board of Supervisors publications line. It was found that a large public notice was taken out of an incorrect line. The budget discussion was delayed for later in the meeting so further agenda items could continue as scheduled.

10:04 A.M. R J Lee & Associates / Health Benefit Update – Ruth Lee

Clinton County Health Benefits update by insurance consultant Ruth Lee will be rescheduled due to time considerations.

10:05 A.M. Closed Session – Union Negotiations, per Code of Iowa 20.17(3)

Motion made by Supervisor Davisson to enter into a closed session per Iowa Code 20.17(3) to discuss union contract negotiations.

Roll Call:

Davisson: Yes  
Schmidt: Yes  
Staszewski: Yes

Motion carried. Board of Supervisors entered into a closed session at 10:07 a.m.

Chairperson Staszewski adjourned the closed session at 10:53 a.m.

10:55 A.M. Closed Session – Confidential General Assistance Appeal, per Code of Iowa 21.5(1)(a)

Motion made by Supervisor Davisson to enter into a closed session at the request of a person requesting an appeal of a general assistance application request per Iowa Code 21.5(1)(a).

Roll Call:

Davisson: Yes  
Schmidt: Yes  
Staszewski: Yes

Motion carried. Board of Supervisors entered into a closed session at 10:55 a.m.

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

11:15 A.M. Limestone Bluffs RC&D Presentation – Sheri Rutenbeck

A presentation about the Limestone Bluffs RC&D organization was given by the organization's Executive Director Sheri Rutenbeck. She expressed that without federal funding, that has recently been negated, County participation will be needed to continue the economic development program. Supervisor Davisson said she would like to hear from the other counties in the organization about their level of willingness to support the program before committing Clinton County. Supervisor Schmidt plans on attending the Limestone Bluff meeting this week and will address that request.

11:56 A.M. Secondary Roads Update – County Engineer

Clinton County Engineer Todd Kinney provided a written update on secondary road projects that was accepted and placed on file. Kinney also noted that a grant application to address concerns on 400<sup>th</sup> Avenue west of Andover was rejected due to being received late. However, he said the application will be resubmitted for next year's round of funding.

11:58 A.M. Budget Discussion Continued

Further discussion was held. It was decided the Board of Supervisors would not take any action to include changes to its budget on an upcoming budget amendment and would try to meet its budget as it is currently set.

The Board of Supervisors adjourned to meet on Monday, October 31, 2011.

Eric Van Lancker, County Auditor

John F. Staszewski, Chairperson

-APPROVED-

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County Auditor

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Chairperson