

JANUARY 13, 2014

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

TRANSFERS

General Basic Fund	to	Secondary Roads Fund	\$2,943.53
Rural Service Fund	to	Secondary Roads Transfer	\$23,608.80
General Basic Fund	to	Pioneer Cemetery	\$29,350.00

REPORTS

The December 2013 monthly and the 2<sup>nd</sup> Quarter FY2014 reports of the Commission of Veterans Affairs, submitted by Ed Staszewski, Director, were presented, approved and filed.

The 2<sup>nd</sup> Quarter FY2014 report of the County Recorder's Report of Fees Collected, submitted by Steve Mangan, Clinton County Recorder, was presented, approved and filed.

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

The following resolution was presented and on motion adopted.

RESOLUTION #2014-13

WHEREAS, it is in the best interest of Clinton County to review its organizational structure from time to time; and

WHEREAS, the Clinton County Board of Supervisors desires to combine the Roadside Management operation within the Secondary Roads Department for management purposes;

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the Roadside Management be included under the Secondary Roads Department organizational structure;

BE IT FURTHER RESOLVED that the Roadside Management budget remains separate from the Secondary Roads Department budget for operational purposes.

Roll Call:

Staszewski: Yes

Schmidt: Yes

Davisson: Absent

Brian Schmidt, Vice-Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2014-14

WHEREAS, the United States Department of Justice has taken ownership of a parcel of land in Clinton County located at 1268 465<sup>th</sup> Avenue and noted in the records of Clinton County for taxation as parcel #26-08420000.

WHEREAS, the United States Department of Justice is tax exempt for the period of July 10, 2012 through January 2014 taxes accruing on the parcel are deemed uncollectible.

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the taxes for the parcel listed above at 1268 465<sup>th</sup> Avenue in Clinton County shall be abated and the County Treasurer and the County Auditor shall modify the County records to reflect said adjustments.

Roll Call:

Staszewski: Yes

Schmidt: Yes

Davisson: Absent

Brian Schmidt, Vice-Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2014-15

WHEREAS, the Iowa Department of Transportation (DOT) is planning to resurface US-30, beginning west of Calamus (near 158<sup>th</sup> Ave.) to the east corporation limits of Clarence (DOT Project Number NHSX-030-8(30)—3H-16), and

WHEREAS, the DOT has offered to include hot mix asphalt paving of selected County road approaches to US 30 and receive reimbursement for the cost from Clinton County as detailed in Funding Agreement Number 2014-C-229, and

THEREFORE BE IT RESOLVED that the Board of Supervisors of Clinton County, Iowa, shall approve the Iowa DOT Funding Agreement No: 2014-C-229.

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

Roll Call:

Staszewski: Yes

Schmidt: Yes

Davisson: Absent

Brian Schmidt, Vice-Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2014-16

WHEREAS, the Clinton County Board of Supervisors desire to renovate the Clinton County Satellite Office (formerly known as the Candlelight) at 226 11<sup>th</sup> St., DeWitt, Iowa; and

WHEREAS, the Clinton County Building Maintenance Department has received blueprints and plans for the Phase III Renovations 2014.

THEREFORE BE IT RESOLVED that the Clinton County Board of Supervisors do hereby approve the plans and specifications for the Clinton County Satellite Office Phase III for 2014.

Roll Call:

Staszewski: Yes

Schmidt: Yes

Davisson: Absent

Brian Schmidt, Vice-Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2014-17

WHEREAS, the Iowa Association of County Supervisors recognizes that a high quality transportation system serves as the artery for economic activity and that the condition of the infrastructure in the State of Iowa is a key element for our future economic growth; and

WHEREAS, an integral part of the State of Iowa's Road Use Tax Fund (RUTF) is the fuel tax, which has not been significantly increased since 1989, while maintenance and construction costs have more than doubled during that same timeframe; and

WHEREAS, there have been several state-wide studies completed over the past 10 years identifying the requirement to significantly increase the amount of funding for the administration, maintenance and improvements to our state-wide public roadway system, including the 2006 Road Use Tax Fund (RUTF) study called for by Governor Culver, the 2011 Road Use Tax Fund (RUTF) study completed per 2011 Iowa Code Section 307.31, and the 2011 Governor's Transportation 2020 Citizen Advisory Commission (CAC) created by Governor Branstad; and

WHEREAS, the 2008 TIME-21 study documented the fact that under today's funding structure and highway usage, over 20% of the travel done in Iowa is by out-of-state drivers while only 13% of the state's road use revenues come from out of state drivers; and

WHEREAS, the funding provided by the implementation of the TIME-21 Fund in 2009 is inadequate to meet the critical maintenance and improvement needs for the State of Iowa's transportation system; and

WHEREAS, 95% of Road Use Tax Fund revenues are required by the Iowa Constitution to be spent only on our roadways; and

WHEREAS, due to the severe shortage in state funding to meet the critical needs of our roadway system, several Iowa counties have had to resort to issuing almost \$100 million in bonds to pay for their most critical maintenance needs, which will have to be paid off through property taxes; and

WHEREAS, Clinton County has issued \$6.4 million in bonds to pay for our most critical roadway and bridge needs; and

WHEREAS, the 2011 Governor's Transportation 2020 Citizen Advisory Council report to Governor Branstad and the Iowa Legislature identified the need for \$215 million per year of increased funding over the next 20 years, in addition to the funding being provided by the TIME-21 revenues, just to meet the most critical needs of our transportation infrastructure; and

WHEREAS, the Iowa Roads Association, the Iowa County Engineer's Association, and numerous business related associations throughout Iowa have publically supported the call for increased RUTF funding;

NOW, THEREFORE BE IT RESOLVED that the Iowa State Association of County Supervisors and the Clinton County Board of Supervisors strongly encourages the implementation of the 2011 Citizen's Advisory Council's recommendations to:

Increase the state fuel tax rates across the board by ten cents, over a period of no less than three years, resulting in an estimated \$184 million to \$230 million of additional annual revenue.

Increase the "Fee for New Registration" from five percent to six percent, raising this fee to a level consistent with the state sales tax, resulting in an estimated \$50 million of additional annual revenue.

Allocate new funding to go to the TIME-21 Fund up to the cap (\$225 million) and the remaining new funding should be distributed consistent with the Road Use Tax Fund distribution formula.

THEREFORE BE IT ALSO RESOLVED that the Iowa State Association of County Supervisors and the Clinton County Board of Supervisors support the ongoing evaluation of creative, supplemental solutions to increased RUTF funding.

Roll Call:

Staszewski: Yes

Schmidt: Yes

Davisson: Absent

Brian Schmidt, Vice-Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2014-18

WHEREAS, Clinton County utilizes the issuance of County Business Licenses as required by Section 331.427(1)(a), Code of Iowa;

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the fee for said Business Licenses be set at \$25, effective July 1, 2014.

Roll Call:

Staszewski: Yes

Schmidt: Yes

Davisson: Absent

Brian Schmidt, Vice-Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2014-19

WHEREAS, Clinton County is dedicated to managing the risks of providing services for the public and will do all it can to prevent losses and create a safe work place for employees recognizing that losses may occur, Clinton County considers no losses acceptable and will make efforts to identify and treat all loss exposures,

THEREFORE BE IT RESOLVED that the Clinton County Board of Supervisors approve the Clinton County Exposure Control Policy and require appropriate and approved training for said policy.

Roll Call:

Staszewski: Yes

Schmidt: Yes

Davisson: Absent

Brian Schmidt, Vice-Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2014-20

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 County Auditor be and is hereby authorized to issue biweekly paychecks on the General Basic Fund, Office of Sheriff, to Eugene E. Deedon, as a bailiff/transport officer, a part-time position. This will be in effect January 20, 2014 at a rate of \$15.00 per hour.

Roll Call:

Staszewski: Yes

Schmidt: Yes

Davisson: Absent

Brian Schmidt, Vice-Chairperson

GENERAL PUBLIC

DEPARTMENT HEADS, ELECTED OFFICIALS, AND EMPLOYEES

Vice Chairperson Schmidt said Chairperson Davisson was unable to make the meeting due to an illness.

Clinton County Auditor Eric Van Lancker reminded the Board of Supervisors that he and Schmidt will meet with the State Auditors on Thursday for the exit interview of the FY13 audit.

Clinton County Treasurer Rhonda McIntyre reported she visited the Treasurer's Office space in the Clinton County Satellite Office in DeWitt last week and said it will be suitable. She said her office hours there will be 9 a.m. to 5 p.m. She asked that the front door electronic lock be open on the building during those office hours. Schmidt said that will be discussed when the office becomes fully operational.

Clinton County Engineer Todd Kinney informed the Board of Supervisors what he would present at the Farm Bureau meeting tonight. He also reported his current budget is running over budget which is typical at this time of the year. He said that evens out during the year as construction projects finish. Kinney said the ice and snow crews have been out this year already more than the total times last year.

Clinton County Assessor Rollie Ehm was asked about the taxable valuation for agricultural land ahead of the Farm Bureau meeting with the County.

9:45 A.M. Discussion / Possible Action – Resolution to accept definition of sale proceeds for Rail.One; and Approve proposed Addendum to Lincolnway Railport 28E Agreement regarding definition and determination of "Sale Proceeds"

John Frey reported the City Council approved the Rail.One sale proceeds. He said the addendum to the 28E Agreement was reviewed by both sides' legal professionals. Frey said the City Council approved exactly what the County proposed in the Addendum.

Clinton County Attorney Mike Wolf reported Chairperson Davisson was involved in the discussions with the addendum. He believes Davisson would have supported the approval of the addendum if she were not absent. He recommended the vote to accept the addendum should move ahead as scheduled.

The following resolution was presented and on motion adopted.

RESOLUTION #2014-21

RESOLUTION APPROVING ADDENDUM TO JOINT 28E AGREEMENT  
BETWEEN CLINTON COUNTY AND CITY OF CLINTON, IOWA,  
LINCOLNWAY RAILPORT PROJECT

WHEREAS, Clinton County has proposed an Addendum to the existing Joint 28E Agreement between Clinton County and the City of Clinton concerning the Lincolnway Railport Project; and

WHEREAS, the City of Clinton approved the proposed Addendum; now,

THEREFORE, BE IT RESOLVED by the Board of Supervisors of Clinton County the proposed Joint 28E Agreement County of Clinton and City of Clinton, Iowa Lincolnway Railport Project Addendum in the form attached to this Resolution as Exhibit "A" is hereby approved.

BE IT FURTHER RESOLVED the Board Chairperson and County Auditor are hereby authorized to execute the Addendum after it is approved and executed by the City of Clinton.

Roll Call:

Staszewski: Yes

Schmidt: Yes

Davisson: Absent

Brian Schmidt, Vice-Chairperson

Frey provided an update on the NRM sale. He said the closing was delayed and it will be done before the end of the month. Frey added the Rail.One proceeds are still in escrow as per the closing agreement and the process to establish the TIF district is just starting.

11:00 A.M. Budget Presentation – Clinton County Conservation

The Board of Supervisors adjourned to meet on Wednesday, January 15, 2014.

Eric Van Lancker, County Auditor

Brian Schmidt, Vice-Chairperson

-APPROVED-

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County Auditor

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Vice-Chairperson