

JANUARY 6, 2015

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

9:00 A.M. Review Correspondence and Claims

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

The following resolution was presented and on motion adopted.

RESOLUTION #2015-06

WHEREAS, Iowa Code Section 459.304(3) sets out the procedure if a Board of Supervisors wishes to adopt a "construction evaluation resolution" relating to the construction of a confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR's decision regarding a specific application; and

WHEREAS, by adopting a construction evaluation resolution the Board of Supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the Board of Supervisors between February 1, 2015 and January 31, 2016 and submit an adopted recommendation regarding that application to the DNR; and

WHEREAS, the Board of Supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code Section 459.305, but the Board's recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

NOW, THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that this construction evaluation resolution pursuant to Iowa Code section 459.304(3) is hereby adopted.

Roll Call:

Hamerlinck: Yes

Srp: Yes

Staszewski: Yes

John F. Staszewski, Chairman

The following resolution was presented and on motion adopted.

RESOLUTION #2015-07

APPROVAL OF COUNTY SUPERVISOR TO SERVE AS DIRECTOR ON EASTERN IOWA MENTAL HEALTH-DISABILITY SERVICES REGION GOVERNING BOARD OF DIRECTORS

WHEREAS, an article of agreement was entered into by Cedar County, Clinton County, Jackson County, Muscatine County and Scott County; as indicated by the actions of each having adopted an Agreement by resolution of their respective governing bodies, and hereby joined together to create the Eastern Iowa Mental Health-Disability Services Region to serve as a separate legal entity pursuant to Iowa Code Chapter 28E and Iowa Code Section 331.388 et seq., and any amendments thereto; and

WHEREAS, in consideration of the mutual covenants and agreements, the member parties agree in the Eastern Iowa Mental Health Region 28E Agreement under Section 4: Governance; 4.1 Governing Board of Directors: The Governing Board of Directors shall contain: a.) Each member county shall appoint one of its supervisors to serve as a Director on the Governing Board. The Director shall serve at the pleasure of the County appointing the Director;

THEREFORE BE IT RESOLVED that member county Clinton County appoints Board of Supervisor Shawn A. Hamerlinck to serve as a Director on Eastern Iowa Mental Health-Disability Services Region Governing Board of Directors.

Roll Call:

Hamerlinck: Yes

Srp: Yes
Staszewski: Yes
John F. Staszewski, Chairman

The following resolution was presented and on motion adopted.

RESOLUTION #2015-08

WHEREAS, the Iowa Department of Transportation will secure funds under 23 USC Section 130 for the installation of two automatic gates with 12-inch LED flashing light signals and prediction circuitry at the 105th Avenue crossing of the Union Pacific Railroad, and

WHEREAS, the installation will be a joint project between Clinton County, Union Pacific Railroad and the Iowa Department of Transportation (DOT), and

WHEREAS, the 90% funding portion of the project will be covered under this agreement and the required 10% matching funds will be provided by Clinton County, and

WHEREAS, to receive Federal funds in accordance with 23 USC Section 130 Railroad-Highway Crossings Fund it is necessary for Clinton County, Union Pacific Railroad and the Iowa Department of Transportation to enter into an agreement for administration of the project.

THEREFORE BE IT RESOLVED that the Board of Supervisors of Clinton County, Iowa, shall approve the Agreement for Project No: RRP-RR03(180)—8A-00 {US DOT project No. 190408B}.

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

Roll Call:
Hamerlinck: Yes
Srp: Yes
Staszewski: Yes
John F. Staszewski, Chairman

The following resolution was presented and on motion adopted.

RESOLUTION #2015-09

WHEREAS, Section 306.41 of the Code of Iowa provides that “The agency having jurisdiction and control over any highway in the state, or the chief engineer of said agency when delegated by such agency, may temporarily close sections of a highway by formal resolution entered upon the minutes of such agency when reasonably necessary because of construction, reconstruction, maintenance or natural disaster and shall cause to be erected ROAD CLOSED signs and partial or total barricades in the roadway at each end of the closed highway section and on the closed highway where that highway is intersected by other highways if such intersection remains open. Any numbered road closed for over forty-eight hours shall have a designated detour route. The agency having jurisdiction over a section of highway closed in accordance with the provisions of this section, or the persons or contractors employed to carry out the construction, reconstruction, or maintenance of the closed section of highway, shall not be liable for any damages to any vehicle that enters the closed section of highway or the contents of such vehicle or for any injuries to any person that enters the closed section of highway, unless the damages are caused by gross negligence of the agency or contractor.”

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the County Engineer be authorized to close Clinton County Secondary Roads as necessary with the actual dates of closure to be determined by the County Engineer as follows:

1. For Construction: Any project as described in the approved Clinton County Secondary Road Construction Program for the current fiscal year and any approved supplements thereto.
2. For Emergency Closure of any road for maintenance purposes: Any route deemed necessary by the County Engineer.

Roll Call:
Hamerlinck: Yes
Srp: Yes
Staszewski: Yes
John F. Staszewski, Chairman

The following resolution was presented and on motion adopted.

RESOLUTION #2015-10

BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa that Todd Kinney, County Engineer of Clinton County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the certification of completion of work and final acceptance thereof in accordance with plans and specifications in connection with all Farm to Market and federal or state aid construction projects in this county.

Roll Call:

Hamerlinck: Yes

Srp: Yes

Staszewski: Yes

John F. Staszewski, Chairman

The following resolution was presented and on motion adopted.

RESOLUTION #2015-11

WHEREAS, from time to time it is necessary to procure various services from the Iowa Department of Transportation (IADOT) for the construction of Clinton County Secondary Road projects.

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the Chairperson of said Board of Supervisors of Clinton County, Iowa, is hereby designated, authorized, and empowered to execute the transfer of funds from the Secondary Road Farm to Market Fund to the IADOT in payment for services provided to Clinton County on Secondary Road construction projects in this county.

Roll Call:

Hamerlinck: Yes

Srp: Yes

Staszewski: Yes

John F. Staszewski, Chairman

GENERAL PUBLIC

DEPARTMENT HEADS, ELECTED OFFICIALS, AND EMPLOYEES

Clinton County Auditor Eric Van Lancker reminded the Board of Supervisors that the auditors from the State Auditor's Office are in the building this week to finish the County's annual audit.

Todd Kinney, Clinton County Engineer, said a petition was submitted last week by four property owners in Bryant. The petition is asking for an alley to be vacated. Kinney said it would limit access for one property owner. He said the next step is to schedule a Public Hearing.

Chance Kness, Clinton County EMA Director, distributed the cooling and warming center policy that the Board of Supervisors approved in the last couple of years. Kness said a wind chill warning, according to the policy, initiates the warming policy and a wind chill warning will be issued later tonight. He said the warming center hours are during business hours. Kness also provided an overview of the EMA organization and the State Homeland Security process.

9:33 A.M. Administrative Assistant Roberta Lewis to Board of Supervisors:

Discussions -

- Boards and Commissions/Supervisors designation/representative
- Budget Session Scheduling Overview
- Administrative Assistant – Office procedures/updates

Lewis distributed and reviewed a list of committee assignments with the Board of Supervisors. Van Lancker reviewed the budget session schedule. Lewis distributed a proposed policy with guidelines for submitting resolutions and agenda items. It was discussed that the policy should be presented to the Department Heads before the Board of Supervisors enacts it. Lewis also presented the signature page for the Board of Supervisors credit card to be updated to acknowledge the new members.

The Board of Supervisors adjourned to meet on Tuesday, January 13, 2015.

Eric Van Lancker, County Auditor

John F. Staszewski, Chairman

-APPROVED-

County Auditor

Chairman