

OCTOBER 6, 2014

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

9:00 A.M. Review of Correspondence and Claims

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

The following resolution was presented and on motion adopted.

RESOLUTION #2014-268

WHEREAS, Michele Sue Wagner has petitioned for property tax suspension under provision of Code of Iowa, Section 427.8, on the following described property:

2426 No. 2nd Street, Clinton, IA

Parcel #86-05200000

WHEREAS, eligibility for said suspension has been verified by Kim Ralston, CAP Director.

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 is authorized to make entry on her records accordingly, all under provision of Section 427.8, Code of Iowa.

BE IT FURTHER RESOLVED that tax suspension under provision of Section 427.8, Code of Iowa, is for the 2013 Assessment Year and all prior years and it is the responsibility of the petitioning taxpayer to reapply for further tax suspension.

Roll Call:

Staszewski: Yes

Schmidt: Yes

Davisson: Yes

Jill M. Davisson, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2014-269

WHEREAS, Mary McDonnell has petitioned for property tax suspension under provision of Code of Iowa, Section 427.8, on the following described property:

2722 ½ No. 3rd Street, Clinton, IA

Parcel #86-02110000

WHEREAS, eligibility for said suspension has been verified by Kim Ralston, CAP Director.

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 is authorized to make entry on her records accordingly, all under provision of Section 427.8, Code of Iowa.

BE IT FURTHER RESOLVED that tax suspension under provision of Section 427.8, Code of Iowa, is for the 2012 Assessment Year and all prior years and it is the responsibility of the petitioning taxpayer to reapply for further tax suspension.

Roll Call:

Staszewski: Yes

Schmidt: Yes

Davisson: Yes

Jill M. Davisson, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2014-270

WHEREAS, Harrison Guy has petitioned for property tax suspension under provision of Code of Iowa, Section 427.8, on the following described property:

3242 McKinley Street, Clinton, IA

Parcel #86-01270000

WHEREAS, eligibility for said suspension has been verified by Kim Ralston, CAP Director.

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 is authorized to make entry on her records accordingly, all under provision of Section 427.8, Code of Iowa.

BE IT FURTHER RESOLVED that tax suspension under provision of Section 427.8, Code of Iowa, is for the 2013 Assessment Year and all prior years and it is the responsibility of the petitioning taxpayer to reapply for further tax suspension.

Roll Call:
Staszewski: Yes
Schmidt: Yes
Davisson: Yes
Jill M. Davisson, Chairperson

The following resolution was presented and on motion adopted.

RESOLUTION #2014-271

WHEREAS, the Clinton County Board of Supervisors has considered the bids received by the Iowa Department of Transportation (IaDOT) on September 16, 2014, for a HMA Paving-Full Depth Reclamation project located on Bulger's Hollow (170th Street), north of Clinton, Project No. FLAP-C023(99)—6L-23.

WHEREAS, the total amount of each bid was as follows:

Determann Asphalt Paving, LLC	\$144,477.08
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THEREFORE BE IT RESOLVED that the Board of Supervisors of Clinton County, Iowa, concurs in the IaDOT's recommendation that the contract for said work be awarded to the low bidder, as follows:

Determann Asphalt Paving, LLC Camanche, IA	\$144,477.08
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BE IT FURTHER RESOLVED that the Chairperson of the Board of Supervisors be authorized to execute said contracts on behalf of Clinton County, Iowa.

Roll Call:
Staszewski: Yes
Schmidt: Yes
Davisson: Yes
Jill M. Davisson, Chairperson

Motion was made by Supervisor Staszewski to accept the Fiscal Year 2014 year-end cash report as presented.

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

Motion carried.

Motion was made by Supervisor Schmidt to authorize the Chairperson to sign the release of Bunge North America from the Clinton County Farmland Lease.

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

Motion carried.

GENERAL PUBLIC

Wayne Bott, Clinton County resident, shared a copy of the Leopold Letter and shared an article in that edition with the Board of Supervisors. He said the article could be used when considering how the County leases its County-owned farmland to make it sustainable for the future.

DEPARTMENTS HEADS, ELECTED OFFICIALS AND EMPLOYEES

Clinton County Auditor Eric Van Lancker reported that absentee voting has been brisk compared to the similar election four years ago. He mentioned his office has already handled 5,000 absentee ballots and there were a total of 7,700 absentee ballots in 2010.

Clinton County Building Maintenance Manager Corey Johnson said the historical society is not interested in the original Courthouse doors being stored on the fourth floor. He said they will be able to remove the doors from the fourth floor. He said the Board of Supervisors will need to decide what to do with the doors. Johnson added the cafeteria equipment was removed from the Administration Building and will be offered to the public through a bid process. He said his department will also start working on re-keying the offices in the Administration Building.

Clinton County Human Resource Manager Lynn Tibbetts announced that on Fridays during October in the Clinton County buildings employees can wear pink to support breast cancer awareness month.

Clinton County Engineer Todd Kinney reported he received a request from Our Lady of the Prairie Retreat for dust control on the road near their property. He said the Board of Supervisors will need to consider budgeting for this activity. He said the estimate for the two miles of treatment would be about \$10,000.

Kinney also reported he was asked to serve on the jail site committee through the CCJCC. He wanted to ask the Board of Supervisors if they have an issue with him participating on that committee. The Board of Supervisors said it would be up to him.

CCJCC Coordinator Margret Kuhl said the Jail Facility Committee is meeting Thursday and will begin with the site selection committee.

9:45 A.M. Discussion/Possible Action – Clinton County Farm Lease

Clinton County Attorney Mike Wolf presented a proposed resolution for Board of Supervisors consideration that would set the lease length at two years and the Board of Supervisors would conduct a closed bid process to determine the rent and renter.

The following resolution was presented and on motion adopted.

RESOLUTION #2014-272

WHEREAS, the Clinton County Board of Supervisors (hereinafter "Board") has determined certain Clinton County agricultural property should be leased to the highest bidder for a two-year period; March 1, 2015 to February 28, 2017. The real property is known as the "CLINTON COUNTY FARM" consisting of approximately 160.3 tillable acres (FSA Farm #1949) situated in Clinton County, Iowa; and legally described, as follows:

Parcel "A", being the South One-half of the Southeast Quarter (SE 1/4) of Section 35, Township 83 North, Range 4, East of the 5th P.M.; and Parcels "B" and "B-1", being part of the North One-half of the Northeast Quarter (NE 1/4) of Section 2, Township 82 North, Range 4, East of the 5th P.M., Clinton County Iowa, these parcels identified on the Plat of Survey recorded as Instrument #2008-08825 in the Office of the County Recorder, and

Parcel "C", being part of the North One-half of the Northwest Quarter (NW 1/4) of Section 2, Township 82 North, Range 4, East of the 5th P.M., Clinton County Iowa, this parcel identified on the Plat of Survey recorded as Instrument #2008-08824 in the Office of the County Recorder.

[It has also been legally described in prior lease agreements as follows:

The southwest quarter of the southeast quarter and the west one-half of the southeast quarter of the southeast quarter in section thirty-five, township eighty-three north range four east of the 5th p.m. containing approximately sixty acres.

The northeast quarter of the northwest quarter, the northwest quarter of the northeast quarter, the northwest quarter of the northwest quarter and the west one-fourth of the northeast quarter of the northeast quarter in section two, Township eighty-two north range four east of the fifth pm, containing approximately one hundred and forty acres.]

(hereinafter "Clinton County Farm").

WHEREAS, the Board has determined that it would be best to lease the Clinton County Farm by asking

for sealed bids for the annual rent for two crop years to obtain the highest possible price. Sealed bids will be accepted by the County Auditor up to a specified date and time. Sealed bids must be accompanied by a non-refundable down-payment of ten (10) percent to be applied to the first half rent (each crop year's rent will be paid in two payments – March and November). The highest bid will be awarded the right to lease the Clinton County Farm for two years from March 1, 2015 to February 28, 2017 (for agricultural use in growing either corn or soybeans). All unsuccessful bidders' down payments will be returned. The Board reserves the right to waive at any time these specific bidding requirements at its discretion after discussion and vote.

BE IT RESOLVED the Board reserves the right to accept or refuse any bid at its discretion (acceptance or rejection may be determined at the time the sealed bids are opened, but no later than seven (7) days after the opening of the bids); and if the highest bid is accepted, the successful bidder must sign the lease on the property no later than one (1) month after the bid is accepted (failure to do so will result in the forfeiture of the down payment to Clinton County). Attorney John Peavey will handle the lease agreement of the Clinton County Farm on behalf of Clinton County.

BE IT FURTHER RESOLVED the Board will open the closed bids received by the County Auditor on October 27, 2014, at 9:45 a.m. in the Board of Supervisor's Conference Room "B", Clinton County Administration Building, 1900 N. 3rd St., Clinton, Iowa. The Board will also decide and take action on the Lease acceptance on October 27, 2014, at 9:45 a.m.

BE IT FURTHER RESOLVED the Board reserves the right to waive any deficiencies in the procedures outlined for the lease of the Clinton County Farm.

BE IT FURTHER RESOLVED the Clinton County Auditor shall publish notice of this Resolution.

Roll Call:

Staszewski: Yes

Schmidt: Yes

Davisson: Yes

Jill M. Davisson, Chairperson

9:54 A.M. Discussion/Possible Action – Compromise of Tax Sale Certificate Payment Agreement

Clinton County Treasurer Rhonda McIntyre presented the agreement which includes paying the entire tax sale amount, but in payments. The payment plan was outlined. McIntyre recommended the agreement be accepted.

Motion was made by Supervisor Staszewski to accept the payment plan from River City Investing Group, Inc.

Roll Call:

Staszewski: Yes

Schmidt: Yes

Davisson: Yes

Motion carried.

9:58 A.M. Second Reading of Text Amendments to the Zoning and Subdivision Ordinances of Clinton County. Possible action to follow: Approval of Second Reading and adoption of proposed Ordinance Amendment.

Motion was made by Supervisor Schmidt to approve the Second Reading and waive the Third Reading of the text amendment to the Zoning and Subdivision Ordinances of Clinton County.

Roll Call:

Staszewski: Yes

Schmidt: Yes

Davisson: Yes

Motion carried.

The following resolution was presented and on motion adopted.

RESOLUTION #2014-273

RESOLUTION APPROVING CERTAIN TEXT AMENDMENTS TO THE ZONING
AND SUBDIVISION ORDINANCES OF CLINTON COUNTY, IOWA

WHEREAS, on the matter herein, the Clinton County Planning and Zoning Commission held a Public Hearing on September 3, 2014, and following said hearing the Commission recommended approval of the attached text amendments to the Clinton County Zoning and Subdivision Ordinances; and

WHEREAS, the Clinton County Board of Supervisors held a Public Hearing and First Reading of the proposed text amendments on September 29, 2014, to consider said amendments and to hear comments for and against; and

WHEREAS, the Clinton County Board of Supervisors held a Second Reading of the proposed text amendments on October 6, 2014, to consider said amendments; and

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors as follows:

1. The attached ordinance numbered 2014-01 is hereby adopted.
2. The Auditor is directed to publish said ordinance as required by law.
3. This ordinance shall be in effect from and after its adoption and publication as required by law.

Roll Call:

Staszewski: Yes

Schmidt: Yes

Davisson: Yes

Jill M. Davisson, Chairperson

The following ordinance was presented and on motion adopted.

ORDINANCE #2014-001

AN ORDINANCE AMENDING THE TEXT OF THE CLINTON COUNTY ZONING
ORDINANCE TO UPDATE PUBLIC HEARING NOTICE PUBLICATION REQUIREMENTS.

Section 1: BE IT ENACTED BY THE CLINTON COUNTY BOARD OF SUPERVISORS THAT THE TEXT OF THE CLINTON COUNTY ZONING AND SUBDIVISION ORDINANCES BE AMENDED AS FOLLOWS:

Amendment to the Clinton County Zoning Ordinance:

1. Subsection 9.2.4.E.4 of the Clinton County Zoning Ordinance is hereby amended by deleting subsection 9.2.4.E.4.b in its entirety and replacing it with the following:
 - b. Notice of Public Hearings of the ZBA shall be given in at least one (1) newspaper of general circulation in the County not less than four (4) nor more than twenty (20) days prior to the meeting.
2. Subsection 9.3.1.A.1 of the Clinton County Zoning Ordinance is hereby amended by deleting the phrase, "at least 15 days prior to the hearing" between the words "once" and "in" and replacing it with the phrase, "not less than four (4) nor more than twenty (20) days prior to the hearing" between the words "once" and "in".

Amendment to the Clinton County Subdivision Ordinance:

1. Subsection 2.1.2.A.1 of the Clinton County Subdivision Ordinance is hereby amended by deleting the phrase, "at least 15 days before the hearing" between the words "mail" and "to" and replacing it with the phrase, "at least 10 days before the hearing" between the words "mail" and "to".
2. Subsection 2.1.2.B of the Clinton County Subdivision Ordinance is hereby amended by deleting the phrase, "at least 15 days prior to the hearing" between the words "once" and "in" and replacing it with the phrase, "not less than four (4) nor more than twenty (20) days prior to the hearing" between the words "once" and "in".

Section 2: The change as hereinabove set forth shall be entered and made part of the Zoning and Subdivision Ordinances of the County of Clinton, Iowa.

Section 3: If any section, provision or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4: This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

PASSED AND ADOPTED this 6th day of October, 2014, by the Board of Supervisors, Clinton County, State of Iowa.

Signed: John F. Staszewski
Signed: Brian Schmidt
Signed: Jill M. Davisson
Clinton County Board of Supervisors

ATTEST:
Eric Van Lancker (Signed)
County Auditor
County of Clinton
State of Iowa

10:01 A.M. Discussion/Possible Action: Access Control System, Video Surveillance System, ADA Operators and other systems for Clinton County Satellite Offices

Clinton County IT Director Betsy Smith and Clinton County Building Maintenance Manager Corey Johnson said they are following up on the discussion from last week about upgrades to the building which includes keycards, handicapped buttons on the entry door and video cameras in the halls. Johnson said the budget can withstand installing keycard badge readers to the doors at an amount of approximately \$15,000. He added that the conduit for cameras in the halls exists, but cables would still need to be run for them. The installation cost is just short of \$16,000. Smith said that could be reduced by \$2,000 to \$7,000 depending on what server is needed for the camera system. The third item is a phone outside of the Sheriff's Office door for people to call the communications center if no one is in the Sheriff's portion of the building. Johnson said the phone installation is estimated at \$1,500.

Supervisor Davisson said she has heard from someone who utilizes a wheelchair who was not able to open the entry door. Johnson said automatic door opening buttons are \$15,500 apiece and the building would need two of those. Davisson said she realizes it's expensive, but it should be done correctly and supports the buttons to be installed.

Supervisor Schmidt said the County ADA policy includes accommodation with 72-hour notice. He said the building has been assessed for ADA compliance and issues are being addressed. He said this would be over and above ADA compliance as the doors already meet ADA standards. Johnson will present a resolution for Board of Supervisors approval next week to install the projects.

10:24 A.M. Discussion/Possible Action: Installation of fiber optic lines to provide data connection and County telephone service to Secondary Roads buildings in DeWitt - Clinton County IT Director Betsy Smith

Smith explained the proposed project and its costs. She said a fiber optic could be purchased for \$1,855 and a portion could be leased for approximately \$155 a month. She said that would replace an internet and phone bill that is currently paid for the building. Smith is currently having the County Attorney review the lease. She will bring the matter back to the Board of Supervisors for a decision after the lease review.

The Board of Supervisors adjourned to meet on Monday, October 13, 2014.

Eric Van Lancker, County Auditor

Jill M. Davisson, Chairperson

-APPROVED-

County Auditor

Chairperson