

Clinton County Board of Supervisors

Clinton County Administration Building
1900 North Third Street

Daniel A. Srp, Chairperson
Shawn Hamerlinck, Vice Chairperson
John F. Staszewski

P.O. Box 2957
Clinton, Iowa 52733-2957
Telephone: (563) 244-0575

www.clintoncounty-ia.gov

PUBLIC NOTICE is hereby given that the Clinton County Board of Supervisors will meet at the following time and place: MONDAY, July 18, 2016, 9:00 A.M.; Clinton County Administration Building, Conference Room B, 1900 N. 3rd St., Clinton, IA.

9:00 a.m. Review Correspondence & Claims
Call to Order – Pledge of Allegiance

9:15 a.m. Formal Action & Motions

CONSENT AGENDA

- RESOLUTION 2016-172: Liquor license approval – Canyon Creek Golf Course
- RESOLUTION 2016-173: Resignation – Jail
- RESOLUTION 2016-174: Resignation – Sheriff's Office
- MOTION: Utility permit number 10-85 for Eastern Iowa Light and Power

RESOLUTIONS

- Approved contract for lease of dishwasher for Jail kitchen
- Approve contract for road improvements project extension with Willis and Glorianne Greve
- Award contract for micro-surfacing on Y-54

UNFINISHED BUSINESS

GENERAL PUBLIC

DEPARTMENT HEADS, ELECTED OFFICIALS & EMPLOYEES

9:30 a.m. Public Hearing with possible action to follow
The Supervisors welcome public comment on a proposed amendment to the Clinton County Floodplain Management Ordinance to clarify certain requirements for the construction of accessory structures in the Floodway Fringe District and updating the effective date of Official Floodplain Zoning Map. Possible action may follow this hearing.

9:35 a.m. Public Hearing with possible action to follow
The Supervisors welcome public comment on a proposed amendment to the Clinton County Zoning Ordinance to change the requirements for severing an existing farm dwelling within 1,320 feet of an existing livestock confinement operation or feed lot. Possible action may follow this hearing.

9:40 a.m. Drainage Districts

1. The Supervisors as Board of Trustees for various drainage districts will possibly take action to consider approval of revisions to the Clinton County Drainage District Maintenance Policy and Procedures

July 18, 2016

RESOLUTION 2016-172

BE IT RESOLVED by the Clinton County Board of Supervisors that Canyon Creek Golf Club, will electronically file a renewal application for liquor license number BB0016169 with an endorsement for Outdoor Services and Sunday Sales, effective August 27, 2016. Said application be and is hereby approved by the Clinton County Board of Supervisors.

Roll Call:

Staszewski: _____

Hamerlinck: _____

Srp: _____

Chairperson, Daniel A. Srp

ATTEST:

County Auditor, Eric Van Lancker

July 18, 2016

RESOLUTION 2016 - 173

WHEREAS, the Clinton County Sheriff has accepted the resignation of Julie Cramer, as a full-time correctional officer.

THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of Clinton County, Iowa that the County Auditor be an is hereby authorized to stop issuance of biweekly paychecks on the General Basic Fund, Office of Sheriff, to JULIE CRAMER, after accrued benefits are paid effective after her last day of employment on July 12, 2016.

Roll Call:

Staszewski: _____

Hamerlinck: _____

Srp: _____

Daniel A. Srp, Chairperson
Clinton County Board of Supervisors

ATTEST:

Eric Van Lancker, Auditor
County of Clinton
State of Iowa

July 18, 2016

RESOLUTION 2016 -174

WHEREAS, the Clinton County Sheriff has accepted the resignation of James Robertson, as a part-time bailiff.

THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of Clinton County, Iowa that the County Auditor be an is hereby authorized to stop issuance of biweekly paychecks on the General Basic Fund, Office of Sheriff, to JAMES ROBERTSON, after accrued benefits are paid effective after his last day of employment on July 19, 2016.

Roll Call:

Staszewski: _____

Hamerlinck: _____

Srp: _____

Daniel A. Srp, Chairperson
Clinton County Board of Supervisors

ATTEST:

Eric Van Lancker, Auditor
County of Clinton
State of Iowa

APPLICATION FOR APPROVAL OF CONSTRUCTION
WITHIN CLINTON COUNTY RIGHT-OF-WAY

This is a Permit Application for telecommunications, electric, gas, water, drainage utilities and other miscellaneous work within county ROW. The applicant agrees to comply with the following permit requirements. Compliance shall be determined by the sole discretion of the County Engineer as deemed necessary to promote public health, safety and the general welfare. These requirements shall apply unless waived in writing by the County Engineer prior to installation.

Applicant Name: Eastern Iowa Light & Power

Street Address: 500 S. 5th Street

City, State, Zip: Dewitt, IA, 52742

Contact Person: Aaron Healy: 563-649-3146 x7390 or 563-529-3723

1. Location Plan. An applicant shall file a completed location plan as an attachment to this Permit Application. The location plan shall set forth the location of the proposed utility and/or construction on the secondary road system and include a description of the proposed installation.
2. Written Notice. At least 10 working days prior to the proposed construction, an applicant shall file with the County Engineer a written notice stating the time, date, location and nature of the proposed construction.
3. Inspection. The County Engineer may provide a full-time inspector during the installation of utility lines and construction within ROW to insure compliance with this permit. The inspector may have the right, during reasonable hours and after showing proper identification, to enter any installation site in the discharge of the inspector's official duties, and to make any inspection or test that is reasonably necessary to protect the public health, safety and welfare.
4. Inspection Fees. Upon approval of the application by the Board of Supervisors, the permit will be issued by the County Engineer upon payment of the required prepaid \$100.00 permit fee made payable to the County Treasurer's office. Inspection fees may be required by the County Engineer and paid by the applicants. The applicant shall pay actual costs directly attributable to the installation inspection conducted by the County Engineer.
5. Requirements. The installation inspector shall assure that the following requirements have been met:
 - A) Construction signing shall comply with the Manual on Uniform Traffic Control Devices.
 - B) Depth - (Add additional depth if ditch has silted to the thickness of the deposited silt.) The minimum depth of cover shall be as follows:

Telecommunications.....	36"	Electric.....	48"
Gas.....	48"	Water.....	60"
Sewer.....	60"		

- C) The applicant shall use reference markers in the right-of-way ("R.O.W.") boundary to locate line and changes in alignment as required by the County Engineer. A permanent warning tape shall be placed one (1) foot above all underground utility lines.
 - D) All tile line locations shall be marked with references located in the R.O.W. line.
 - E) No underground utility lines shall cross over a crossroad drainage structure without written approval.
 - F) Residents along the utility route shall have uninterrupted access to public roads. An all-weather access shall be maintained for residents adjacent to the project.
 - G) A joint assessment of the road surfacing shall be made by the applicant and the County Engineer both before and after construction. After construction, granular surfacing shall be added to the road by the applicant to restore the road to its original condition. After surfacing has been applied, the road surface shall be reviewed by the County Engineer once the road has been saturated, to determine if additional surfacing on the roadway by the applicant is necessary.
 - H) All damaged areas within the R.O.W. shall be repaired and restored to at least its former condition by the applicant or the cost of any repair work caused to be performed by the County will be assessed against the applicant.
 - I) Areas disturbed during construction which present an erosion problem shall be solved by the applicant in a manner approved by the County Engineer.
 - J) All trenches, excavations, and utilities that are knifed shall be properly tamped.
 - K) All utilities shall be located between the bottom of the backslope and the bottom of the foreslope, unless otherwise approved in writing by the County Engineer prior to installation.
 - L) Paved road crossings shall be bored. The depth below the road surface shall match the minimum depth of cover for the respective utility.
6. Non Conforming Work. The County Engineer may suspend the installation at any time if the applicant's work does not meet the requirements set forth in this Permit.
 7. Emergency Work. In emergency situations, work may be initiated by an applicant without first obtaining a permit. However, a permit must be obtained within fourteen (14) days of initiation of the work. All emergency work shall be done in conformity with the provisions of this ordinance and shall be inspected for full compliance.
 8. County Infraction. Violation of this permit is a county infraction under Iowa Code Section 331.307, punishable by a civil penalty of \$100 for each violation. Each day that a violation occurs or is permitted to exist by the applicant constitutes a separate offense.
 9. Hold Harmless. The utility company shall save the County harmless of any damages resulting from the applicant's operations. A copy of a certificate of insurance naming the County as an additional insured for the permit work shall be filed in the County Engineer's office prior to installation. The minimum limits of liability under the insurance policy shall be \$1,000,000.

CLINTON CO. ELK RIVER TWP.

SEC 01



BRUCE RIECK
4616 110TH ST



BORE 215FT SOUTH ACROSS 110TH ST
TO NEW PADMOUNT TRANSFORMER
FOR SAM HOWARD.



BORE

110TH ST

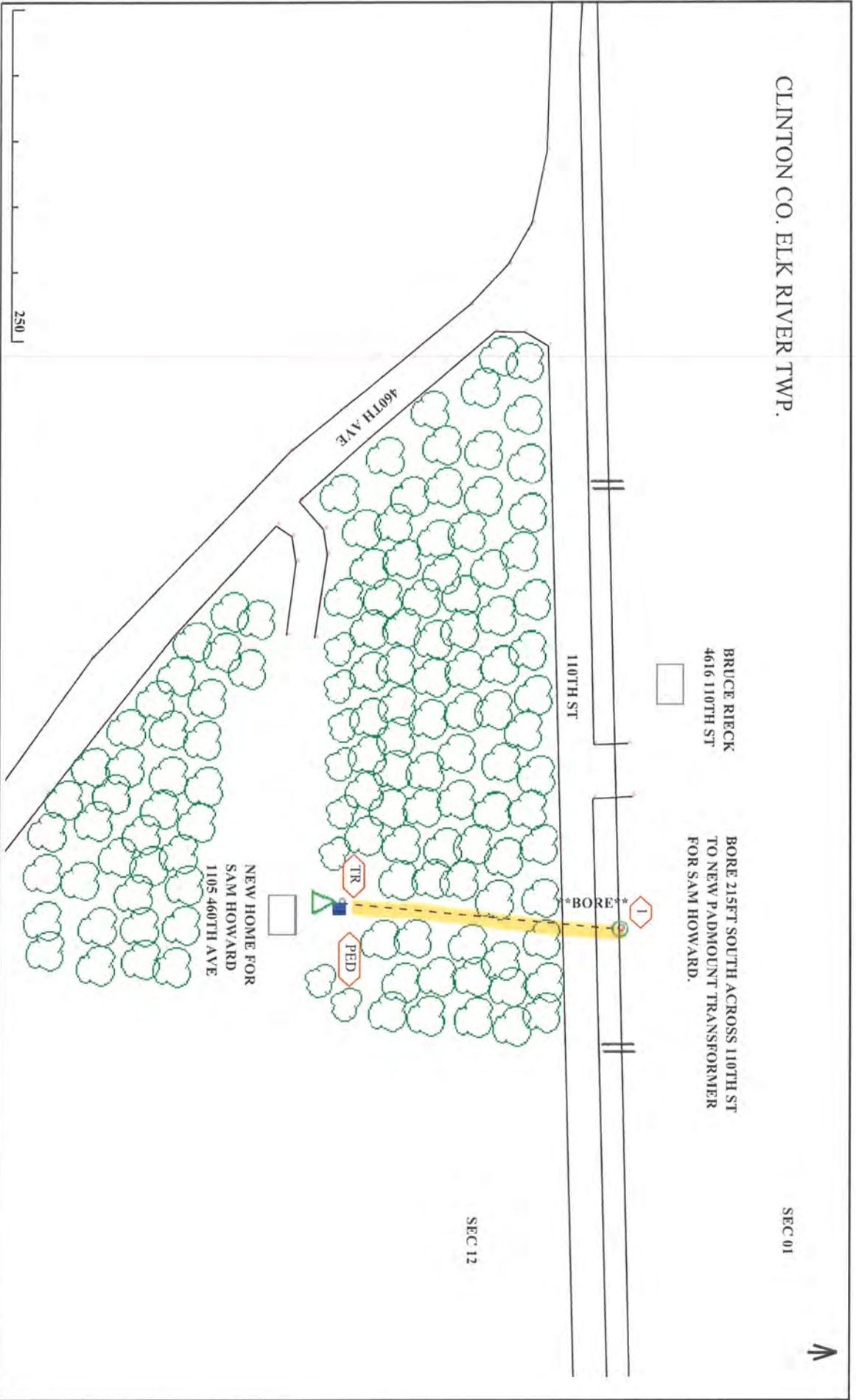
460TH AVE

SEC 12

NEW HOME FOR
SAM HOWARD
1105 460TH AVE



250 J



CLINTON COUNTY ENGINEER

Clinton County Administration Building
1900 North Third Street
P.O. Box 2957
Clinton, Iowa 52733-2957
563-244-0564
Fax: 563-243-3739

July 18, 2016

Aaron Healy
Eastern Iowa Light & Power
500 S. 5th Street
DeWitt, Iowa 52742
563-649-3146 x7390

Subject: Permit 10 – 85 for Electrical Utility Installation

Dear Aaron,

Please find enclosed one signed copy of your requested permit for construction within the county right-of-way. The permit was approved based on the following stipulation:

- Eastern Iowa Light & Power shall not place guy wires within 10 feet of the edge of shoulder.
- Eastern Iowa Light & Power shall bore all utility work within County ROW at a minimum depth of 48-inches.
- Utility cable shall be bored under culverts or installed around the ends of culverts. This stipulation applies to all culverts located within the county right-of-way.

Please call 24 hours before construction and keep one copy of the permit and construction plans at the job site. As built plans or a letter stating that the above permitted utility has been constructed as permitted will be required within sixty (60) days of construction. The \$100 permit fee is waived. If you have any questions, please call the office at the above listed number.

Thank you,

Elliott Pennock
Asst. Clinton County Engineer

**CLINTON COUNTY
BOARD OF SUPERVISORS
MOTION**

July 18, 2016

Supervisor _____ moved to authorize the Chairperson to sign Utility Permit Number 10 – 85 for Eastern Iowa Light and Power to bore underground electrical lines across 110th Street in Section 1 and 12 of Elk River Township, T83N-6E.

Roll Call:

Staszewski: _____

Hamerlinck: _____

Srp: _____

Motion _____

July 18, 2016

RESOLUTION 2016 - _____

WHEREAS, the Clinton County Sheriff's Office desires to enter into a contract Ecolab, Inc. for the lease of a dishwasher for the Jail kitchen; and

WHEREAS, County Attorney Wolf has reviewed and approved said lease agreement.

THEREFORE BE IT RESOLVED that the Clinton County Board of Supervisors authorized the signing of said contract.

Roll Call:

Staszewski: _____

Hamerlinck: _____

Srp: _____

Dan Srp, Chairperson
Clinton County Board of Supervisors

ATTEST:

Eric Van Lancker, Auditor

County of Clinton
State of Iowa

RESOLUTION #2016-_____
July 18, 2016

WHEREAS: The Clinton County Secondary Road Department has awarded the scheduled improvements on 380th Avenue, 150th Street, 390th Avenue, and 148th Street in Sections 25 and 35 of Deep Creek Township, T83N-R5E; and

WHEREAS: In association with the programmed 148th Street Improvement Project L-264--73-23 and LFM-264—7X-23, a property owner has requested the improvements extended to the east side of their property entrance at 3945 148th Street (approximately 60 feet); and

WHEREAS: The County Engineer has reviewed the request in accordance with current Secondary Road Policy and payment for said improvement has been received, therefore the County Engineer recommends that the request be approved.

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, approve the following contract:

Willis and Glorianne Greve
3945 148th Street
Bryant, IA 52727

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: _____

Hamerlinck: _____

Srp: _____

ATTEST:

Eric Van Lancker
County Auditor
County of Clinton
State of Iowa

Chair
Clinton County Board of Supervisors

July 18, 2016

RESOLUTION # 2016-_____

WHEREAS: The Clinton County Board of Supervisors has considered the quotes received on July 1, 2016 for micro-surfacing on Y-54 from the southern city limits of Grand Mound to 270th Street and,

WHEREAS: the total amount of each quote was as follows:

Fahrner Asphalt	\$98,673.76
Sta-bilt Construction	\$82,446.75
Microsurfacing Contractors	\$78,923.70

THEREFORE BE IT RESOLVED that the Board of Supervisors of Clinton County, Iowa, concurs with the County Engineer's recommendation that the contract for said work be awarded to the low quote, as follows:

Micorsurfacing Contractors, LLC Peoria, IL	\$78,923.70
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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: _____

Hamerlinck: _____

Srp: _____

ATTEST:

Eric Van Lancker
County Auditor
County of Clinton
State of Iowa

Chairman
Clinton County Board of Supervisors

July 18, 2016

RESOLUTION 2016- _____

WHEREAS, on the matter herein, the Clinton County Planning and Zoning Commission held a Public Hearing on June 1, 2016, and following said hearing the Commission recommended approval of the attached text amendments to the Clinton County Floodplain Management Ordinance; and

WHEREAS, the Clinton County Board of Supervisors held a Public Hearing and First Reading of the proposed text amendments on June 27, 2016, 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 July 18, 2016, to consider said amendments; and

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

1. The attached ordinance numbered 2016-01 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: _____

Hamerlinck: _____

Srp: _____

ATTEST:

County Auditor, Eric Van Lancker

ORDINANCE #2016 - 01

AN ORDINANCE AMENDING THE CLINTON COUNTY FLOODPLAIN MANAGEMENT ORDINANCE TO CLARIFY REQUIREMENTS FOR THE CONSTRUCTION OF ACCESSORY STRUCTURES IN THE FLOODWAY FRINGE DISTRICT AND UPDATING THE EFFECTIVE DATE OF THE OFFICIAL FLOODPLAIN ZONING MAP.

Section 1: Be it enacted by the Clinton County Board of Supervisors that the text of the Clinton County Floodplain Management Ordinance be amended as follows:

1. Subsection II.B of the Clinton County Floodplain Management Ordinance is hereby amended by deleting the phrase, "July 18, 2011" between the words "dated" and "which" and replacing it with the phrase, "November 4, 2016" between "dated" and "which".
2. Subsection V.B.11.a of the Clinton County Floodplain Management Ordinance is hereby amended by deleting the phrase, "accessory" between the words "structures" and "to" and replacing it with the phrase, "that are incidental" between "structures" and "to".
3. Subsection V.B.11.a of the Clinton County Floodplain Management Ordinance is hereby amended by deleting subsections V.B.11.a.(1), V.B.11.a.(2), and V.B.11.a.(6) in their entirety and replacing them with the following:
 - (1) The structure shall be designed to have low flood damage potential. Its size shall not exceed 600 sq. ft. in size. Those portions of the structure located less than 1 foot above the BFE must be constructed of flood-resistant materials.
 - (2) The structure shall be used solely for low flood damage potential purposes such as vehicle parking and limited storage. The structure shall not be used for human habitation.
 - (6) The structure's walls shall include openings that satisfy the provisions of Section V.B.4.a.

Section 2: The change as hereinabove set forth shall be entered and made part of the Zoning and Ordinance 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 18th day of July, 2016 by the Board of Supervisors, Clinton County, State of Iowa.

John F. Staszewski

Shawn Hamerlinck

Daniel A. Srp, Chairperson
Clinton County Board of Supervisors

ATTEST:

Eric Van Lancker County Auditor
County of Clinton State of Iowa

July 18, 2016

RESOLUTION 2016- _____

WHEREAS, on the matter herein, the Clinton County Planning and Zoning Commission held a Public Hearing on June 1, 2016, and following said hearing the Commission recommended approval of the attached text amendments to the Clinton County Zoning Ordinance; and

WHEREAS, the Clinton County Board of Supervisors held a Public Hearing and First Reading of the proposed text amendments on June 27, 2016, 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 July 18, 2016, to consider said amendments; and

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

1. The attached ordinance numbered 2016-02 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: _____

Hamerlinck: _____

Srp: _____

ATTEST:

County Auditor, Eric Van Lancker

ORDINANCE #2016 – 02

AN ORDINANCE AMENDING THE TEXT OF THE CLINTON COUNTY ZONING ORDINANCE TO ALLOW THE SEVERANCE OF AN EXISTING DWELLING WITHIN 1320 FEET OF AN EXISTING FEEDLOT OR LIVESTOCK CONFINEMENT OPERATION IN THE A-1 AND AR-1 ZONING DISTRICTS.

Section 1: Be it enacted by the Clinton County Board of Supervisors that the text of the Clinton County Zoning Ordinance be amended as follows:

1. Subsection 4.1.4 of the Clinton County Zoning Ordinance is hereby amended by deleting subsections 4.1.4.a-c in their entirety and replacing them with the following:
 - a. An Agricultural Warning Notice, approved as to form by the County Attorney and prepared by Planning & Zoning Staff, is recorded with the plat and included as part of the deed of the home to be separated from the farm.
 - b. Notification of the request shall be sent to all property owners within 500 feet of the subject property as well as all sitting members of the Board of Adjustment. If the Planning & Zoning Office receives written opposition to the request within 14 days of the date of mailing, the decision to not include the typical farm buildings with the home must be made by the Board of Adjustment as an application for Special Exception as provided in Section 3.6.1 or 3.6.2 of this Ordinance.
2. Subsection 4.1.4 of the Clinton County Zoning Ordinance is hereby amended by deleting the phrase, “If any of these conditions are not met, or” at the beginning of paragraph 3.
3. Subsection 4.1.4 of the Clinton County Zoning Ordinance is hereby amended by deleting the word, “must” between the words “home” and “be” and replacing it with the word “may” between the words “home” and “be”.
4. Subsection 3.6.1.B.3 of the Clinton County Zoning Ordinance is hereby amended by adding the phrase “newly constructed” between the words “dwelling” and “non-farm”.
5. Subsection 3.6.2.B.3 of the Clinton County Zoning Ordinance is hereby amended by adding the phrase “newly constructed” between the words “dwelling” and “non-farm”.

Section 2: The change as hereinabove set forth shall be entered and made part of the Zoning and Ordinance 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 18th day of July, 2016 by the Board of Supervisors, Clinton County, State of Iowa.

John F. Staszewski

Shawn Hamerlinck

Daniel A. Srp, Chairperson
Clinton County Board of Supervisors

ATTEST:

Eric Van Lancker County Auditor
County of Clinton State of Iowa

RESOLUTION #2016_____

July 18, 2016

WHEREAS, pursuant to Code of Iowa Chapter 468, the Board of Supervisors of Clinton County, Iowa, acting as statutory trustees for Drainage Districts in Clinton County may develop policies and procedures for Drainage District maintenance work, and

WHEREAS, it is necessary to make certain changes in current policies and establish new policies, now

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the following policy is approved effective July 18, 2016:

1. Clinton County Drainage District Maintenance Policy and Procedures

Roll Call:

Staszewski: _____

Hamerlinck: _____

Srp: _____

ATTEST:

**Eric Van Lancker
County Auditor
County of Clinton
State of Iowa**

**Chairperson
Clinton County Board of Supervisors**