

SEPTEMBER 16, 2019

The Board of Supervisors of Clinton County, Iowa, met. Present were Supervisors Srp, Determann and Irwin. Minutes of the previous meeting were read and approved.

TRANSFERS

General Basic Fund	to	Secondary Road Fund	\$25,567.31
Rural Services Basics	to	Secondary Road Fund	\$202,774.94

REPORTS

The August 2019 monthly report of the Commission of Veterans Affairs, submitted by Ed Staszewski, Director, was presented, approved and filed.

9:00 A.M. Review Correspondence and Claims  
Call to Order – Pledge of Allegiance

9:15 A.M. Formal Action & Motions

CONSENT AGENDA

Resolutions #2019-237 through #2019-247 were approved on the Consent Agenda:

RESOLUTION #2019-237

BE IT RESOLVED by the Clinton County Board of Supervisors that the Benischek Wedding will electronically file an application for a short-term liquor license effective November 5, 2019, for 1032 220<sup>th</sup> Ave, Maquoketa, Iowa, and said application is hereby approved by the Clinton County Board of Supervisors.

Roll Call: Irwin: Yes; Determann: Yes; Srp: Yes.

Daniel A. Srp, Chairperson

RESOLUTION #2019-238

WHEREAS, the Board of Supervisors of Clinton County, Iowa, having adopted “Regulations for Non-Union County Engineer’s Personnel” applicable to the employment of non-union personnel, and

WHEREAS, it is necessary to make certain changes in the regulation as to the appointment of non-union employees, now

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the following changes are made: Terminate the employment of Steve Olson for the position of part time summer maintenance, effective October 11, 2019; Terminate the employment of Ty Oster for the position of temporary summer intern, effective August 31, 2019.

Roll Call: Irwin: Yes; Determann: Yes; Srp: Yes.

Daniel A. Srp, Chairperson

RESOLUTION #2019-239

THEREFORE BE IT RESOLVED, by the Board of Supervisors of Clinton County, Iowa, that the resignation of Kathryn Birkett, of the County Attorney’s Office be and is hereby acknowledged, effective August 13, 2019, at midnight.

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to discontinue pay warrants effective August 13, 2019, at midnight.

Roll Call: Irwin: Yes; Determann: Yes; Srp: Yes.

Daniel A. Srp, Chairperson

RESOLUTION #2019-240

WHEREAS, Diane Miller began employment with Clinton County on August 22, 2016, in the position of Clerk I and has accepted promotion to the position of Clerk II effective September 16, 2019, to fill the position vacated by the promotion of Tami Stoddard to 2<sup>nd</sup> Deputy Treasurer, in Office of Clinton County Treasurer effective September 9, 2019

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors, that the County Auditor be and is hereby authorized to issue biweekly paychecks on the General Basic Fund, Office of County Treasurer to Diane Miller in the position of Clerk II.

Roll Call: Irwin: Yes; Determann: Yes; Srp: Yes.

Daniel A. Srp, Chairperson

RESOLUTION #2019-241

WHEREAS, the Mobile Home of Jon Schluns was added to the county tax list from Cedar Heights dealer inventory, and in accordance with Iowa code 435.23 taxes due in the amount of \$194.00 must be billed for the mobile home Vin#064653 located in the Cedar Heights Mobile Home Park.

THEREFORE BE IT RESOLVED by the County Board of Supervisors that property tax abatements as detailed shall be made to the county records and the County Treasurer is hereby authorized to make said changes to the county system for fiscal year 2019-2020.

Roll Call: Irwin: Yes; Determann: Yes; Srp: Yes.

Daniel A. Srp, Chairperson

RESOLUTION #2019-242

WHEREAS, the City of Lost Nation, a municipal subdivision of the state of Iowa, and the registered owner of the parcel identified on the county system by #50016500000, is exempt from property tax. On April 11, 2019 county transfer records note the transfer of property ownership to the City of Lost Nation for the purchase price of \$500. Notice of tax due was sent to the city and the city has notified the treasurer's office that they should be exempt pursuant to Iowa Code 445.63 for taxes in the amount of \$94.00 payable in the fiscal year 2019/2020.

THEREFORE BE IT RESOLVED by the County Board of Supervisors that property tax abatements as detailed shall be made to the county records and the County Treasurer is hereby authorized to make said changes to the county system for fiscal year 2019-2020.

Roll Call: Irwin: Yes; Determann: Yes; Srp: Yes.

Daniel A. Srp, Chairperson

RESOLUTION #2019-243

WHEREAS, Linda Fawcett and James Fawcett Trustees filed for forest & fruit tree exemption timely and qualified for said exemption on a parcel identified on the county system by #2202380000, rendering the parcel exempt from property tax. It is therefore necessary to abate taxes billed in error on said parcel 2202380000 in the amount of \$804.00.

THEREFORE BE IT RESOLVED by the County Board of Supervisors that property tax adjustments/abatements as detailed shall be made to the county records and the County Treasurer is hereby authorized to make said changes to the county system for fiscal year 2019-2020.

Roll Call: Irwin: Yes; Determann: Yes; Srp: Yes.

Daniel A. Srp, Chairperson

RESOLUTION #2019-244

WHEREAS, the County Assessor has identified three parcels that qualify for business property tax credit in the fiscal year 2019-2020 as follows: 8615820001 RDH 18890 \$416.00, 8011650002 Classic Garage LLC \$904.00, 4602430001 American Mutual Ins \$1952.00

THEREFORE BE IT RESOLVED by the County Board of Supervisors that property tax adjustments as detailed shall be made to the county records and the County Treasurer is hereby authorized to make said changes to the county system for fiscal year 2019-2020.

Roll Call: Irwin: Yes; Determann: Yes; Srp: Yes.

Daniel A. Srp, Chairperson

RESOLUTION #2019-245

WHEREAS, the County Assessor has identified 5 parcels that qualify for Family Farm Credit in the fiscal year 2019-2020 as follows: 0202920000 \$45.08; 0202930000 \$24.65; 0202940000 \$35.12; 0202950000 \$30.77; 0402800000 \$47.78;

THEREFORE BE IT RESOLVED by the County Board of Supervisors that property tax adjustments as detailed shall be made to the county records and the County Treasurer is hereby authorized to make said changes to the county system for fiscal year 2019-2020.

Roll Call: Irwin: Yes; Determann: Yes; Srp: Yes.

Daniel A. Srp, Chairperson

RESOLUTION #2019-246

WHEREAS, Lynne Jamison has petitioned for a property tax suspension under provision of Code of Iowa, Section 427.8, on the following described property: 627 14<sup>th</sup> Place, Camanche, IA Parcel #10-02230000

WHEREAS, the 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 2018 Assessment Year and all prior years and it is the responsibility of the petitioning taxpayer to reapply for further tax suspension.

Roll Call: Irwin: Yes; Determann: Yes; Srp: Yes.

Daniel A. Srp, Chairperson

RESOLUTION #2019-247

WHEREAS, the Clinton Community School District desires to enter into an agreement with the Clinton County Sheriff's Office to provide services to students through the 21<sup>st</sup> Century Program; and

WHEREAS, the Clinton County Sheriff wishes to continue to service the program; now

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the Clinton County Sheriff is authorized to sign said agreement.

Roll Call: Irwin: Yes; Determann: Yes; Srp: Yes.

Daniel A. Srp, Chairperson

RESOLUTIONS

The following resolution was presented and on motion approved:

RESOLUTION #2019-248

WHEREAS, the Iowa Legislature in 2014 overwhelmingly passed the HBI Act, known as Home Base Iowa, which is a one-of-a-kind program assisting veterans and transitioning service members from active duty military to civilian life; and

WHEREAS, the Home Base Iowa program private-public partnership provides a high-level of commitment and resources for our veterans, transitioning service members and their families; and

WHEREAS, the program offers countless resources to help veterans and their families with education and in transitioning to a new community with focused support and individuals who want to help; and

WHEREAS, Clinton County, Iowa, became a Home Base Iowa Community Partner through formal action on March 8, 2016; and offers an incentive to veterans locating to Clinton County; now

WHEREAS, Clinton County, Iowa, offers incentives through Home Base Iowa to veterans who qualify through formal action on April 11, 2016; now

THEREFORE BE IT RESOLVED that the Clinton County Board of Supervisors awards William Wheeler the amount of \$1,500.00 for the qualified reimbursement for a home purchase closing cost; and

BE IT FURTHER RESOLVED that the Clinton County Auditor be authorized to pay the claim in the amount of \$1,500.00 to William Wheeler from the General Basic Miscellaneous Fund.

Roll Call: Irwin: Yes; Determann: Yes; Srp: Yes.

Daniel A. Srp, Chairperson

The following resolution was presented and on motion approved:

RESOLUTION #2019-249

WHEREAS, Clinton County voters approved a proposition to issue General Obligation Bonds not to exceed \$22,000,000 for the purpose to pay for the costs of designing, constructing, equipping and furnishing a jail, sheriff's office, 911/communications center and emergency management agency office and demolition of the existing facility; and

WHEREAS, the Clinton County Board of Supervisors have deemed it best practice to review each claim for payment for said project; and

WHEREAS, the appropriate Clinton County officials have reviewed the claim(s) listed below and recommend payment; and

WHEREAS, the following list of claims have been submitted for payment on said project:

VENDOR: RK Graphics      AMOUNT: \$7,600.00      INVOICE DATE: September 3, 2019

BE IT RESOLVED by the Clinton County Board of Supervisors that said claims have been duly reviewed and approved for payment; and

BE IT FURTHER RESOLVED the County Auditor is authorized to make said payments within the standard claim payment process from the Capital Projects Fund.

Roll Call: Irwin: Yes; Determann: Yes; Srp: Yes.

Daniel A. Srp, Chairperson

The following resolution was presented and on motion approved:

RESOLUTION #2019-250

WHEREAS, certain departments in the various funds of the County may overspend and there are sufficient funds available in the said service areas to cover these expenditures; now

THEREFORE BE IT RESOLVED by the Board of Supervisors that the following office funds be adjusted to wit:

Operating Transfers General Basic	from \$ 319,088	to \$ 1,119,088
Sheriff General Basic	from \$ 3,763,491	to \$ 3,826,491
Building Maintenance General Basic	from \$ 887,676	to \$ 1,006,676
Building Maintenance General Supplemental	from \$ 354,676	to \$ 386,676
Veterans Affairs General Supplemental	from \$ 19,888	to \$ 26,850
General Assistance General Basic	from \$ 212,544	to \$ 213,605
General Assistance General Supplemental	from \$ 33,622	to \$ 33,803
Miscellaneous Grants	from \$ 10,000	to \$ 24,000
Capital Projects	from \$1,150,000	to \$ 1,950,000

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to make the above adjustments.

Roll Call: Irwin: Yes; Determann: Yes; Srp: Yes.

Daniel A. Srp, Chairperson

The following resolution was presented and on motion approved:

RESOLUTION #2019-251

WHEREAS, on the matter herein, the Clinton County Planning and Zoning Commission held a Public Hearing on August 6, 2019, and following said hearing the Commission recommended Approval of the attached map amendment to the Clinton County Zoning Ordinance; and

WHEREAS, the Clinton County Board of Supervisors held a public hearing and First Reading of the proposed map amendment on September 9, 2019, to consider said amendment and to hear comments for and against; and

WHEREAS, the Clinton County Board of Supervisors held a Second Reading of the proposed map amendment on September 16, 2019, to consider said amendments; and

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

1. The attached ordinance numbered 2019-02 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: Irwin: Yes; Determann: Yes; Srp: Yes.

Daniel A. Srp, Chairperson

ORDINANCE 2019-02

AN ORDINANCE AMENDING THE MAP OF THE CLINTON COUNTY ZONING ORDINANCE RELATIVE TO THE ZONING DESIGNATION OF CERTAIN PROPERTY LOCATED IN SECTION 4, TOWNSHIP 82 NORTH, RANGE 3 EAST OF THE 5<sup>TH</sup> P.M. IN CLINTON COUNTY, IOWA

BE IT ENACTED BY THE CLINTON COUNTY BOARD OF SUPERVISORS:

Section 1: The zoning district boundaries of the County of Clinton Iowa are herewith changed so as to provide for the change of the following described property: See Attached Exhibit "A" within the A-1 (Prime Agriculture) District of Clinton County, Iowa to R-1 (Suburban-Residential).

Section 2: The change as hereinabove set forth shall be entered and made part of the zoning map of the County of Clinton, Iowa, which map is made part of the Zoning Ordinance of the County of Clinton, Iowa, by incorporation therein as set forth in Chapter III, Section 3.2 of the said Clinton County Zoning Ordinance, and the Chairperson of the Board of Supervisors in accord with Chapter III, Section 3.2.3 shall promptly note on said map the Ordinance numbers, nature of change and date of change.

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 16<sup>th</sup> day of September, 2019 by the Board of Supervisors, Clinton County, State of Iowa.

Signed: Jim Irwin, Jr.; Signed: Tom E. Determann; Signed: Daniel A. Srp, Chairperson

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

UNFINISHED BUSINESS

GENERAL PUBLIC

DEPARTMENT HEADS, ELECTED OFFICIALS AND EMPLOYEES

County Auditor Eric Van Lancker informed the Board that the Law Enforcement Center project debt issuance is being audited by the IRS. He said the IRS routinely examines municipal debt issuance to determine compliance with federal tax requirements. He said the bond attorney said they are likely making sure no private money was used in the construction of the project and also making sure the bond money was spent in a timely fashion. Van Lancker said he and Budget Director Lynn Kirchhoff have been working to compile information the IRS has requested and will have that to the IRS before the Friday deadline.

Emergency Management Director Chance Kness reported a deputy medical examiner is resigning at the end of the month due to his heavy schedule. He anticipated Dr. Malcom will look for a replacement, but there is still another deputy medical examiner on contract. Kness added that there are 21 more deaths this year compared to this time last year. He said some of that is due to more specific paperwork. Kness added they have discovered that it is cheaper to send deaths to Ankeny as opposed to Cedar Rapids due to lab costs. He said they will begin to send a majority of the autopsies to Ankeny.

Supervisor Determann said Thursday is the DOT update on Highway 30 in Clarence.

Supervisor Irwin said he met with some people at the DeWitt Satellite Office to review security upgrades to that building. He said he will have more to report after they put some numbers together.

Chairman Srp said the mental health region board is meeting this afternoon to review the 28E agreement. He said he would like the 28E agreement to allow for an alternate from a county to participate in the board meeting. Van

Lancker added he has believed for a while that it is illegal for the board not to allow Clinton County to participate with anyone they send to the meeting because Clinton County taxpayers' dollars should have representation. Srp suggested that maybe a legal opinion should be sought.

DISCUSSION WITH POSSIBLE ACTION

Board and Commission appointments: The Board reviewed upcoming term expirations and will begin seeking replacements for those appointments. A news release will also be created to send to local media seeking interested county residents to serve on a board.

The Board of Supervisors adjourned to meet on Monday, September 23, 2019.

Eric Van Lancker, County Auditor

Daniel A. Srp, Chairperson

-APPROVED-

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County Auditor

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Chairperson