

MARCH 1, 2021

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

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

9:15 A.M. Formal Action & Motions                      Claims were approved unanimously

Coronavirus/COVID-19 update: County Community Health Manager Michelle Cullen reported there were 12 new cases since Thursday. She said the 14-day positivity rate has decreased to 8%. Cullen said hospitalizations are holding at 42 in the region including 14 at Genesis and one at Mercy. She added there has been one more death in Clinton County. Cullen said vaccinations continue to increase with 5,247 administered. She said 1,640 completed the series. She said a new call in set up has been arranged through EMA. Residents may call this afternoon to get on a list for vaccination clinics in Clinton and DeWitt this week. HR Director Dawn Aldridge reviewed an update to the County Isolation During a Pandemic Policy.

The following resolution was presented and on motion approved:

**RESOLUTION #2021-57**

WHEREAS, it is in the best interest of Clinton County to establish and review policies from time to time; and

WHEREAS, the Clinton County Director of Human Resources has recommended the County update Policies for Pandemic reasons, specifically Isolation Policy; now

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the Isolation Policy be updated with policy revision date of 3/1/2021; and

BE IT FURTHER RESOLVED that this policy be distributed by the HR Director to all County elected officials and department heads and that it be posted on the web for staff readily find from home.

Roll Call: Srp: Yes; Irwin: Yes; Determann: Yes.                      Tom Determann, Chairperson

**CONSENT AGENDA**

Resolutions #2021-58 through #2021-60 were approved on the Consent Agenda:

**RESOLUTION #2021-58**

WHEREAS, Lynne R. Sturtevant has petitioned for a property tax suspension under provision of Code of Iowa, Section 427.8, on the following described property: 1456 Prospect Ave, Clinton, IA      Parcel #80-06130000

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 the 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 2020 Assessment Year and all prior years and it is the responsibility of the petitioning taxpayer to reapply for further tax suspension.

Roll Call: Srp: Yes; Irwin: Yes; Determann: Yes.                      Tom Determann, Chairman

**RESOLUTION #2021-59**

WHEREAS, Juliana Whitener has petitioned for a property tax suspension under provision of Code of Iowa, Section 427.8, on the following described property: 115 N 5<sup>th</sup> Street, Clinton, IA      Parcel #80-03130000

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 the 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 2020 Assessment Year and all prior years and it is the responsibility of the petitioning taxpayer to reapply for further tax suspension.

Roll Call: Srp: Yes; Irwin: Yes; Determann: Yes.                      Tom Determann, Chairman

**RESOLUTION #2021-60**

WHEREAS, parcel #60-99980300 of Debra and Cory Traver, has been charged erroneous penalty interest, resulting from an Ag exemption of special assessments. It is the recommendation of Treasurer, Dustin Johnson, that the interest was charged as a result of a clerical error, and they should be abated. The appropriate request for abatement was received on February 18, 2021.

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that property tax abatements as detailed shall be made through the 2020 tax year. The Treasurer will convert the original principle and amortized interest to become due September 2022.

Roll Call: Srp: Yes; Irwin: Yes; Determann: Yes. Tom Determann, Chairman

RESOLUTIONS

The following resolution was presented and on motion approved:

RESOLUTION #2021-61

WHEREAS, it is the goal of Clinton County, through the Clinton County Board of Supervisors, to protect our natural environment, and the public health and safety of its residents; and

WHEREAS, it is the duty of Clinton County to enforce the environmental protection statutes of the Iowa Administrative Code; and

WHEREAS, Clinton County is currently subject to a Notice of Violation: Prohibited Discharge of Sewage, Section 455B.186 Code of Iowa Subrule 567 IAC 62.1(1) & Paragraph 567 IAC 69.1 (3)“b” with the Iowa Department of Natural Resources in which Clinton County is required to take steps necessary to insure that households in the unincorporated communities of Elvira have adequate sewage treatment and disposal systems; and

WHEREAS, a Public Hearing was conducted at 10:30 am on February 22<sup>nd</sup>, 2021 to solicit oral and written comments on the proposed drawings, specifications, form of Contract, and estimated cost for the construction of said Proposed Wastewater System Improvements; now

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors, that the Procedural Documents and Specifications Proposed Wastewater System Improvements Elvira, Clinton County, Iowa shall be adopted by Clinton County.

Roll Call: Srp: Yes; Irwin: Yes; Determann: Yes. Tom Determann, Chairperson

The following resolution was presented and on motion approved:

RESOLUTION #2021-62

WHEREAS, the following quotations were received on February 18, 2021 for one new tandem dump truck cab and chassis, and

Dealer	Thompson	Truck Country	Truck Country	Twin Bridges
Manufacturer	International	Freightliner	Western Star	Maack
Model	HV 613 SBA	114SD	4700SB	GR64F
Base Price	\$115,000	\$112,533	\$124,964	\$118,516
Trade Value	\$9,000	\$8,000	\$8,000	\$10,000
Total After Trade	\$106,000	\$104,533	\$116,964	\$108,516

WHEREAS, the County Engineer has reviewed the bids with the Shop Manager and recommends that the quote be awarded Thompson Truck and Trailer for the purchase of one new International model tandem axle dump truck; now

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

Roll Call: Srp: Yes; Irwin: Yes; Determann: Yes. Tom Determann, Chairperson

The following resolution was presented and on motion approved:

RESOLUTION #2021-63

WHEREAS, the following quotations were received on February 18, 2021 for one new motor tractor, and

Dealership	P&K Midwest	Kunau
Model	6120M	Maxxum 115
Base Price	\$89,924.00	\$89,800
2003 6420D JD trade deduct	\$10,000	\$11,750
2012 6140D JD trade deduct	\$31,000	\$27,200
Total	\$48,924.00	\$50,850.00

WHEREAS, the County Engineer has reviewed the bids with the Shop Manager and recommends that the quote be awarded to P&K Midwest for the purchase of one new John Deere 6120M model tractor; now

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

Roll Call: Srp: Yes; Irwin: Yes; Determann: Yes. Tom Determann, Chairperson

The following resolution was presented and on motion approved:

RESOLUTION #2021-64

WHEREAS, Clinton County and has negotiated terms and conditions of a lease agreement between Clinton County and Clinton Substance Abuse Council for space available in the Clinton County Administration Building, 1900 North Third Street, Clinton; now

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the said lease agreement dated July 1, 2021, be and is hereby approved and the Chairman be and is hereby authorized to sign said lease with Clinton Substance Abuse Council on behalf of Clinton County.

Roll Call: Srp: Yes; Irwin: Yes; Determann: Yes. Tom Determann, Chairperson

The following resolution was presented and on motion approved:

RESOLUTION #2021-65

WHEREAS, Dale and Karen Teachout filed subdivision application 4040 requesting preliminary and final approval of a proposed minor subdivision to be known and designated as Teachout Subdivision, located in the SE ¼ of the SE ¼ of Section 17, Township 82 North, Range 6 East of the 5th P.M. in Clinton County, Iowa, and

WHEREAS, the Clinton County Planning and Zoning Commission held a public meeting on April 4, 2017 in DeWitt, Iowa to consider this application, and

WHEREAS, the Clinton County Board of Supervisors approved the Final Plat of Teachout Subdivision Clinton County, Iowa by Resolution #2017-104 on May 15, 2017; and

WHEREAS, subdivision plats are required to be recorded within one year of final approval; and

WHEREAS, although this subdivision has not been recorded within one year of March 25, 2019, the applicants intend to proceed with the recording of the Final Plat and ask that the time for the Final Plat to be recorded be extended by one year; and

WHEREAS, it appears that all requirements of the Clinton County Zoning Ordinance, Subdivision Regulations, Master Plan, and the laws of the State of Iowa have been complied with,

NOW, THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the Final Plat of Teachout Subdivision, Clinton County, Iowa, be and the same is hereby re-approved and the Chair is authorized to sign the final plat prior to recording.

Roll Call: Srp: Yes; Irwin: Yes; Determann: Yes. Tom Determann, Chairperson

The following resolution was presented and on motion approved:

RESOLUTION #2021-66

WHEREAS, the fiscal year 2020-2021 budget for Clinton County requires a budget amendment as allowed per conditions under Iowa Code 331.435; and

WHEREAS, it is required per Iowa Code 331.435, Iowa Code 331.434(3) and Iowa Code 331.434(4) to set a time and place for a public hearing on the fiscal year 2020-2021 budget amendment to allow taxpayers to present objections to or arguments in favor of any part of the budget amendment; now

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that a public hearing be held on Monday, March 22, 2021, at 9:45 a.m. in person at the Clinton County Administration Building at 1900 N 3rd St., Clinton, IA; and electronically and the public may participate by phone by dialing 1-408-418-9388 and entering the access code 623839162 or the public may also join through the internet by following this web address: <https://globalpage-prod.webex.com/join> and enter meeting Code: 623839162 and then password clinton23; and

BE IT FURTHER RESOLVED that the County Auditor is hereby directed to cause a publication to be made of a notice of the meeting in the official county newspapers and that such publication to be not less than 10 nor more than 20 days before the date of the public meeting on the fiscal year 2020-2021 budget amendment.

Roll Call: Srp: Yes; Irwin: Yes; Determann: Yes. Tom Determann, Chairperson

MOTION by Supervisor Srp to assess the following assessment amounts to their respective Drainage Districts and the Board of Supervisors will allow waivers as indicated for these assessments:

DRAINAGE DISTRICT		AMOUNT LEVIED	WAIVER AMORTIZATION
DRAINAGE DISTRICT 8	ALL POINTS	\$164.83	N/A
DRAINAGE DISTRICT 9	LATERAL B	\$419.65	N/A
DRAINAGE DISTRICT 15	ALL POINTS	\$342.22	N/A
DRAINAGE DISTRICT 21		\$35,748.93	20 YEAR
DRAINAGE DISTRICT 23	MAIN	\$26,328.60	20 YEAR
	TOTAL	\$63,004.23	

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

DEPARTMENT HEADS, ELECTED OFFICIALS AND EMPLOYEES

County Auditor Eric Van Lancker reported the Board will canvass votes from the March 2 Special Election at 9 a.m. next Monday. He said the polls are open tomorrow from 7 a.m. to 8 p.m. He also thanked Supervisor Irwin for his written opposition to recent election legislation.

County Treasurer Dustin Johnson reported today is the first day of the second-half of tax collections. Johnson said his office is working on the tax suspension program to lower the suspended amount and bring in more funds to the county through state tax credit reimbursements.

County Facility Director Corey Johnson reported the parking lot bids came in \$61,000 below estimates and roof bids are due this week. He said a door in the Sheriff's Office needs to be replaced, but the company that originally made the door has gone out of business. He also said the Board should start thinking about what to do with parking at the Administration Building when that project begins.

County Engineer Todd Kinney said there are two fractured critical bridges in the County that have been inspected. He met with the inspectors on Friday who recommended the bridges be closed until capacity can be determined. Kinney said the bridge between Calamus and Wheatland is closed now. Kinney expects the recommendation from the inspectors this week. He said if it has to be closed that it be classified as a level C road which would be gated and only appropriate loads would be allowed on the bridge. He said a permanent solution needs to be determined for the properties the bridge serves.

Irwin said he has received a response from Soil and Water on their budget request for the next fiscal year.

Supervisor Srp reported the Conservation Board will move forward with park superintendent positions instead of officers. He said Conservation will work with the Sheriff's office to provide law enforcement for the parks.

Chairman Determann mentioned the Naeve processing project in the City of Camanche which includes County property tax forgiveness from the County.

#### DISCUSSION WITH POSSIBLE ACTION

YWCA Funding Request: County EMA Director Chance Kness said the County is still waiting for a response from FEMA in regards to this request.

County Building Space Utilization: Supervisor Irwin said he and Corey Johnson met with the County offices in the upstairs suite in regards to the new leases. Irwin said a security issue recently presented itself as an issue that needs to be resolved. CAP employees said it's not just about the line of site, but also people being able to walk around and they also need privacy for some clients. Srp and Determann suggested that a couple of options be brought to the Board to consider.

County Law Center Invoice: Srp said he was contacted by the Sheriff about paying the invoice for the Law Center sign. The Board decided previously not to pay the amount in full and there is a \$2,500 balance outstanding. Srp said the issues with the sign have been added to errors and omissions list with the architect. Srp said the \$2,500 has been invoiced twice since the Board decision. Irwin said he replied to RK Graphics explaining the reason for not paying the \$2,500 because the needs of the County were not met. Determann said the sign still does not meet the needs of the County. Irwin said he has not received a response from RK Graphics at this time. Srp said RK Graphics built the sign to specs and then repaired it at the request of the build team. Determann said he can't believe the design included exposed wires. Srp said he agrees with that, but other aspects were specific to the design. Srp said he's concerned additional invoices have been submitted to the Board and not discussed. Srp doesn't want to see the County in a collections proceeding over the design which is claimed against the architect. Irwin said the builder should have brought those concerns to the County during the construction process. Determann said it was shoddy workmanship and they should have come to the County with concerns. Determann said he'll look at the specs and then look into it further. Srp said the Sheriff's Office was considering paying it within their budget.

UP Railroad Blocked Crossing: Srp reported he had received information from a city councilman in Calamus about prolonged blocking of railroad crossings by the UP. Councilman Lance Goetsch said during the last two weeks there have been a lot of stopped trains on the tracks and those blockages are for long periods of time. He said he reached out to the railroad with no response. Goetsch said one day one crossing was blocked from 8 a.m. to past 5 pm. He said there was another that lasted a day and a half. Goetsch said he reached out to the County for any assistance it could provide. He said Wheatland is also having an issue on the west side of town there. Goetsch said the railroad said it is not getting calls complaining about the situation. Srp said when residents call UP they need to reference the crossing number on the sign by the crossing.

FY22 Budget Work Session: The Board reviewed the proposed FY22 budget work session.

#### 10:04 A.M. Area Substance Abuse Council Update

Candace Seitz, ASAC Prevention Specialist, reported this is the second year for the grant to address electronic nicotine devices. She said it appears that nicotine use has declined. Seitz said she has consulted with Clinton Middle School students about how they get their information. She said she has had to provide information in different ways during the last year. Seitz said they started with Zoom meetings, but are not getting back into the classrooms.

MOTION by Supervisor Srp to support the JAG application for ASAC.

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

The Board of Supervisors adjourned to meet on Monday, March 8, 2021.

Eric Van Lancker, County Auditor

Tom Determann, Chairperson

-APPROVED-

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County Auditor

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Chairperson