

Clinton County Board of Supervisors

Jim Irwin, Chairman

Dan Srp, Vice-Chairman

Erin George

Clinton County Administration Building
1900 North Third Street; Clinton, Iowa 52732
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, August 5, 2024, 9:00 A.M. Clinton County Law Center, Large Conference Room, 241 7th Ave. N., Clinton, IA. As a courtesy and depending on internet capabilities the public may also join the meeting on Zoom by phone by dialing 1-253-215-8782 and entering the access code 9341856401. The public may also join through the internet by following this web address: <https://zoom.us/join> Enter meeting Code: 9341856401 and then password clinton23.

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

9:15 a.m. Formal Action & Motions
 Claims Approval

CONSENT AGENDA

- RESOLUTION 2024-201: Disclaim interest on an abandoned property
- RESOLUTION 2024-202: Liquor license – TYCOGA Vineyard & Winery
- RESOLUTION 2024-203: Liquor license – Wide River Winery
- MOTION: Approve a contract for services with the Clinton Humane Society
- MOTION: Utility permit 16-221 for Windstream
- MOTION: Utility permit 16-222 for Windstream

RESOLUTIONS

- RESOLUTION: Authorize the County Attorney to proceed with action to recover the costs of dogs sheltered at the Clinton Humane Society
- RESOLUTION: Approve an agreement for services for evaluation of the utility-scale County ordinance
- RESOLUTION: Adopting Ordinance 2024-05 as a map amendment to the County Zoning Ordinance
- RESOLUTION: Establish a speed zone on 234th Street
- RESOLUTION: Award contract for fog seal project on E-44 and Z-50

UNFINISHED BUSINESS

GENERAL PUBLIC

DEPARTMENT HEADS, ELECTED OFFICIALS & EMPLOYEES

DISCUSSION WITH POSSIBLE ACTION

1. Letter of support letter for ECIA application for a lead-based paint grant for the County
2. Presentation on the future options for outdoor warning systems in the County
3. Road maintenance request from the City of Welton
4. County Engineer services contract with Jackson County
5. Security notification system in the Clinton County Satellite Office in DeWitt
6. County Administration Building project update

August 5, 2024

RESOLUTION 2024 -201

CLINTON COUNTY AUTHORIZATION
TO ENTRY OF ORDERS DISCLAIMING INTEREST
IN IOWA CODE 657A PROCEEDINGS REGARDING ABANDONED PROPERTIES

WHEREAS, Clinton County and the Treasurer for Clinton County, Iowa are named Respondents in Iowa Code 657A proceedings for the following property:

428 11th Avenue S, Clinton, IA, [Parcel 80-54360000] (EQCV049969)

WHEREAS, the Clinton County Attorney requests authorization on behalf of the County to entry of an Order Disclaiming Interest in the above-listed property and Consent to entry of Order awarding title to this property to the City of Clinton; now

THEREFORE, BE IT RESOLVED the Clinton County Board of Supervisors authorizes Clinton County Attorney, Michael Wolf, on behalf of Clinton County to consent to entry of an Order in favor of the City of Clinton in the above 657A action filed awarding title of the above-listed property to the City of Clinton, Iowa, free and clear of any claims, liens, or encumbrances.

BE IT FURTHER RESOLVED the Clinton County Board of Supervisors authorizes the Clinton County Treasurer, upon the entry of Judgment by the Court in favor of the City of Clinton in the above 657A action filed, to make an entry in the county system canceling any tax sale certificates of purchase liens against the property and shall refund tax sale purchase money to the tax sale certificate holder(s) as named (if any) in the 657A action as required pursuant to the provisions of Iowa Code § 657A.10B(6).

Roll Call:

George: Yes No

Srp: Yes No

Irwin: Yes No

Chairperson, Jim Irwin, Jr.

ATTEST:

County Auditor, Eric Van Lancker

August 5, 2024

RESOLUTION 2024-202

RESOLUTION APPROVING LOCAL AUTHORITY FOR A
CLASS C RETAIL ALCOHOL LICENSE FOR TYCOGA VINEYARD & WINERY

BE IT RESOLVED by the Clinton County Board of Supervisors that Carey and Benjamin Arndt, d/b/a TYCOGA Vineyard & Winery, have electronically filed an application for an alcohol license effective September 1, 2024, and said application is hereby approved by the Clinton County Board of Supervisors.

Roll Call:

George: Yes No

Srp: Yes No

Irwin: Yes No

Chairperson, Jim Irwin

ATTEST:

County Auditor, Eric Van Lancker

August 5, 2024

RESOLUTION 2024-203

RESOLUTION APPROVING LOCAL AUTHORITY FOR A LIQUOR LICENSE
FOR THE WIDE RIVER WINERY

BE IT RESOLVED by the Clinton County Board of Supervisors that Wide River Winery has electronically filed a renewal application for native wine on premises liquor license number WCN000058 with endorsements for Outdoor Services and Sunday Sales, effective September 4, 2024. Said application be and is hereby approved by the Clinton County Board of Supervisors.

Roll Call:

George: Yes No

Srp: Yes No

Irwin: Yes No

Chairperson, Jim Irwin

ATTEST:

County Auditor, Eric Van Lancker

August 5, 2024

MOTION by Supervisor _____ to authorize the chairman to execute the contract between the County and the Cliton Humane Society.

Roll Call:

George: Yes No

Srp: Yes No

Irwin: Yes No

MOTION: _____

August 5, 2024

MOTION by Supervisor _____ to authorize the Chairperson to sign Utility Permit Number 16-221 for Windstream to install fiber optics within the county ROW. This Project will be located the county ROW Sections 4, 5, 7, 8, 9, 16, 17, and 18 T82N R3E in the Grant TWP.

Roll Call:

George: Yes No

Srp: Yes No

Irwin: Yes No

MOTION: _____

August 5, 2024

MOTION by Supervisor _____ to authorize the Chairperson to sign Utility Permit Number 16-222 for Windstream to reposition utility poles within the county ROW along 212th Street. This Project will be located the county ROW Section 35 T82N R03E in the Dewitt TWP

Roll Call:

George: Yes No

Srp: Yes No

Irwin: Yes No

MOTION: _____

August 5, 2024

RESOLUTION 2024 - ____

WHEREAS, Iowa Code Section 717B Code of Iowa provides that a local entity, either a city or county, may petition the court to determine an animal is threatened, and if so, the court may order what is appropriate for that animal; and

WHEREAS, Iowa Code Section 717B Code of Iowa further provides that a local entity may petition the court to determine disposition of the animal, as well as order the owner(s) pay rescue costs (transport, boarding, veterinary and other related costs), and associated costs related to the care of a threatened animal; and

WHEREAS, the Clinton County Attorney intends to file such action to determine disposition of two dogs and their related care costs based upon a Clinton Police Department case charged on July 10, 2024, and seeks County affirmation for the action he intends to file in Clinton County District Court pursuant to 717B (note: any claim or charge is merely an accusation and a person is presumed innocent until and unless proven guilty or determined to be responsible by the trier of fact); now

BE IT RESOLVED the Clinton County Board of Supervisors affirms the Clinton County Attorney is authorized to proceed in this action regarding two dogs currently in the Clinton Humane Animal Shelter as provided in Iowa Code Section 717B.

Roll Call:

George: Yes No

Srp: Yes No

Irwin: Yes No

Chairperson, Jim Irwin

ATTEST:

County Auditor, Eric Van Lancker

August 5, 2024

RESOLUTION 2024-_____

RESOLUTION TO ENTER INTO AGREEMENT FOR PROFESSIONAL SERVICES
WITH ORIGIN DESIGN FOR EVALUATING
THE CURRENT COUNTY UTILITY-SCALE ORDINANCE

WHEREAS, there is a moratorium on accepting rezoning applications on utility-scale wind installations in Clinton County until the current utility-scale ordinance language is updated; and

WHEREAS, Clinton County requires professional services in evaluating modifications to the current utility-scale County ordinance language; now

THEREFORE, BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, to approve the Agreement for Professional Services at standard hourly rates (including expenses) as proposed by Origin Design.

Roll Call:

George: Yes No

Srp: Yes No

Irwin: Yes No

Chairperson, Jim Irwin

ATTEST:

County Auditor, Eric Van Lancker

RESOLUTION 2024 - _____

RESOLUTION APPROVING A MAP AMENDMENT TO THE ZONING ORDINANCE OF
CLINTON COUNTY, IOWA

WHEREAS, on the matter herein, the Clinton County Planning and Zoning Commission held a Public Hearing on July 2, 2024, 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 July 29, 2024, 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 August 5, 2024 to consider said amendments;

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

1. The attached ordinance numbered 2024-05 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:

George: Yes No

Srp: Yes No

Irwin: Yes No

Chairperson, Jim Irwin

ATTEST:

County Auditor, Eric Van Lancker

August 5, 2024

ORDINANCE 2024 - 05

AN ORDINANCE AMENDING THE MAP OF THE CLINTON COUNTY ZONING ORDINANCE RELATIVE TO THE ZONING DESIGNATION OF CERTAIN PROPERTY LOCATED IN SECTION 24, TOWNSHIP 81 NORTH, RANGE 4 EAST OF THE 5TH 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 Lot 2 of Steffenhagen Subdivision in Exhibit "A"

within the A-1 (Prime Agricultural) District of Clinton County, Iowa to C-1 (Highway Commercial).

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 5th day of August, 2024 by the Board of Supervisors, Clinton County, State of Iowa.

Erin George

Dan Srp

Chairperson, Jim Irwin
ATTEST:

County Auditor, Eric Van Lancker

August 5, 2024

RESOLUTION 2024- _____

RESOLUTION TO ESTABLISHED REDUCE SPEED ZONE ON 234TH STREET

WHEREAS, the Board of Supervisors of Clinton County, Iowa, realizes that some locations in the County require lower speed limits than those set by state law, and

WHEREAS in accordance with section 321.285, and the residential nature of the area adjacent to 234th Street the County Engineer recommends that a reduced speed limit be established on 234th Street at 25 miles per hour from Elmwood Road (at the northern City Limit of DeWitt) west to the intersection with 280th Avenue right-of-way, and

WHEREAS, the Board of Supervisors of Clinton County, Iowa, has received the County Engineer’s recommendation concerning the speed limit and concurs with said recommendation; now

THEREFORE BE IT RESOLVED that the Board of Supervisors of Clinton County, Iowa, that a reduced speed limit be and hereby set on 234th Street of 25 miles per hour, starting at the northern city limit on Elmwood Road, west on 234th Street approximately 1780 feet to the intersection of 280th Avenue right-of-way.

Roll Call:

George: Yes No

Srp: Yes No

Irwin: Yes No

Chairperson, Jim Irwin

ATTEST:

County Auditor, Eric Van Lancker

August 5, 2024

RESOLUTION 2024-_____

RESOLUTION TO AWARD FOG SEAL CONTRACT ON E-44 AND Z-50
FROM ANDOVER NW TO Z-40 PROJECT NO. FM-C023(139)--55-23

WHEREAS, the Clinton County Board of Supervisors has considered the bids received by the Iowa Department of Transportation (IDOT) on July 16, 2024 for Fog Seal project located on E-44 and Z-50 (From Andover to Z-40), Project No. FM-C023(139)--55-23.

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

ASTECH Corporation	\$105,146.30
Dave Schmitt Construction	\$106,489.50
Farner Asphalt	\$114,684.05

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:

ASTECH Corporation	\$105,146.30
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BE IT FURTHER RESOLVED by the Board of Supervisors of Clinton County, Iowa, that, after receiving the necessary contract documents, including but not limited to, the contractor's bond and certificate of insurance (Todd Kinney), the County Engineer for Clinton County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this Clinton County.

Roll Call:

George: Yes No

Srp: Yes No

Irwin: Yes No

Chairperson, Jim Irwin

ATTEST:

County Auditor, Eric Van Lancker