

Clinton County Board of Supervisors

Clinton County Administration Building
1900 North Third Street

Tom Determann, Chairman
Jim Irwin, Jr., Vice-Chairman
Dan Srp

P.O. Box 2957
Clinton, Iowa 52733-2957
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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, October 25, 2021, 9:00 A.M. Clinton County Administration Building, Conference Room B, 1900 N. 3rd St., Clinton, IA. The public may join the meeting by phone by dialing 1-408-418-9388 and entering the access code 623839162. The public may also join through the internet by following this web address: <https://globalpage-prod.webex.com/join> Enter meeting Code: 623839162 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
Coronavirus/COVID-19 update

CONSENT AGENDA

- RESOLUTION 2021-288: Resignation – Human Resources
- RESOLUTION 2021-289: Property tax abatement, Code of Iowa Section 445.16
- MOTION: Utility Permit 10-129 for Eastern Iowa Light & Power
- MOTION: Close the County Administration Building to the Public Dec. 15 for staff training

RESOLUTIONS

- RESOLUTION: Home Base Iowa award – Langley
- RESOLUTION: Approve text amendment to the Clinton County Zoning Ordinance
- RESOLUTION: Approve County Courthouse security camera system project

UNFINISHED BUSINESS

GENERAL PUBLIC

DEPARTMENT HEADS, ELECTED OFFICIALS & EMPLOYEES

DISCUSSION WITH POSSIBLE ACTION

1. EMA staffing update
2. HR/County Attorney staffing update
3. Retaining an independent HR legal consultant

October 25, 2021

RESOLUTION 2021-288

RESIGNATION OF JENNIFER LANE FROM THE
ATTORNEY’S OFFICE/HR DEPARTMENT

WHEREAS, the Clinton County HR Director has accepted the resignation of Jennifer Lane as a shared position with the County Attorney’s office as a HR Secretary 1/Secretary 1 Attorney’s Office; now

THEREFORE, BE IT RESOLVED by the Board of Supervisor of Clinton County, Iowa, that the County Auditor be and is hereby authorized to stop issuance of biweekly paychecks for Jennifer Lane. Jennifer Lane’s last day of employment will be October 29, 2021.

Roll Call:

- Srp: Yes No
- Irwin: Yes No
- Determann: Yes No

Chairperson, Tom Determann

ATTEST:

County Auditor, Eric Van Lancker

October 25, 2021

RESOLUTION 2021-289

ABATEMENT OF TAX PURSUANT TO 445.16 CODE OF IOWA
FOR PARCEL 10-13000000 IN THE AMOUNT OF \$474

WHEREAS, pursuant to Iowa code section 445.16 The Treasurer deems it is impractical to pursue collection of the total amount due through the tax sale or personal judgment remedies. The Treasurer recommends that the Board of Supervisors enter into a written agreement, as submitted, with Orren Thompson for the sum of \$300 to be paid and disbursed through apportioning, for CH07-0400 with certificate transfer fee of \$10 to be paid and deposited into the County General Fund:

10-13000000 \$474.00

THEREFORE, BE IT RESOLVED pursuant to code of Iowa sections 445.16 remaining taxes owing shall be abated and the Treasurer is hereby authorized to make amendment to the county records indicating said abated tax for the parcels as noted, and the county Auditor shall update the record for fiscal year 2022-2023 in the same manner.

Roll Call:

- Srp: Yes No
- Irwin: Yes No
- Determann: Yes No

Chairperson, Tom Determann

ATTEST:

County Auditor, Eric Van Lancker

October 25, 2021

MOTION by Supervisor _____ to authorize the Chairperson to sign Utility Permit Number 10-129 for EI L&P to bore underground cable east ditch of 300th Ave in the county right-of-way located in Section 31 T82 R2E of Grant TWP.

Roll Call:

Srp: Yes No

Irwin: Yes No

Determann: Yes No

MOTION: _____

October 25, 2021

MOTION by Supervisor _____ to close the County Administration Building to the public on Wednesday, December 15, 2021, to accommodate County employee training.

Roll Call:

Srp: Yes No

Irwin: Yes No

Determann: Yes No

MOTION: _____

October 25, 2021

RESOLUTION 2021-_____

RESOLUTION AWARDED CLINTON COUNTY HOME BASE IOWA
HOME PURCHASE CLOSING COST REIMBURSEMENT TO MICHAEL LANGLEY

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 Michael Langley 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 Michael Langley from the General Basic Miscellaneous Fund.

Roll Call:
Srp: Yes No
Irwin: Yes No
Determann: Yes No

Chairperson, Tom Determann

ATTEST:

County Auditor, Eric Van Lancker

RESOLUTION 2021 - _____

RESOLUTION APPROVING A TEXT 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 August 24, 2021 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 September 13, 2021 to consider said amendment and to hear comments for and against; and

WHEREAS, the Clinton County Board of Supervisors held a second public hearing and second reading of the proposed text amendments on October 18, 2021 to consider said amendment and to hear comments for and against; and

WHEREAS, the Clinton County Board of Supervisors held a third reading of the proposed text amendment on October 25, 2021 to consider said amendment;

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

1. The attached ordinance numbered 2021-02 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:

Srp: Yes No

Irwin: Yes No

Determann: Yes No

Chairperson, Tom Determann

ATTEST:

County Auditor, Eric Van Lancker

ORDINANCE 2021 – 02

AN ORDINANCE AMENDING THE TEXT OF THE CLINTON COUNTY ZONING ORDINANCE TO UPDATE THE ZONING DISTRICTS AND REMOVE SPECIAL EXCEPTION USES FROM THE A-1, AR-1, C-1, C-2, M-1, AND M-2 ZONING DISTRICTS AND SECTION IV.

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:

- I. Amend Chapter III Zoning Districts / Maps / Uses, by adding the following section 3.6.10 Renewable Energy Overlay District (RE):

3.6.10 RE Renewable Energy Overlay District

- A. Purpose.** The RE Renewable Energy Overlay District is intended to allow for the orderly development of utility scale solar and wind farm energy projects. This section establishes an overlay district that serves the following purposes:
 - 1. To encourage and support the development and use of alternative and renewable energy resources.
 - 2. To encourage development that conforms to the goals, objectives and Master Plan that pertains to the area in which the development is proposed.
 - 3. To encourage sustainable and energy efficient development which aims to strengthen the global response to the threat of climate change.
- B. Geographic Location.** The renewable energy overly district shall be geographically located in the areas currently zoned A-1 (Prime Agriculture), AR-1 (Agricultural Recreation), C-1 (Highway Commercial), C-2 (Rural Support Commercial), M-1 (Limited Industrial), or M-2 (General Industrial).
- C. Permitted Uses.** Uses allowed in the renewable energy overlay district shall include commercial wind energy conversion systems and utility scale solar installations.
- D. Rezoning Application.** A commercial wind energy conversion system and utility scale solar installation requires an application to rezone the area to be used to renewable energy overlay district pursuant to Section 9.3.2 of the ordinance. Such application shall include the requirements listed under Section 4.2.16 or 4.2.18, for commercial wind energy conversion system or utility scale solar installation, respectively.
- E. Additional Requirements.** Additional requirements within this chapter and other county ordinances shall apply to the development in the renewable energy overlay district, including but not limited to, the supplementary conditions listed in chapter IV of this ordinance.

II. Amend Ordinance 2008-02 by deleting the Special Exception Uses in the following sections:

- Section 3.6.1.D.20
- Section 3.6.2.D.18
- Section 3.6.5.D.6
- Section 3.6.6.D.5
- Section 3.6.7.D.5
- Section 3.6.8.D.10

III. Amend Ordinance 2016-03 by deleting the Special Exception Uses in the following sections:

- Section 3.6.1.D.21
- Section 3.6.2.D.19
- Section 3.6.5.D.7
- Section 3.6.6.D.6
- Section 3.6.7.D.6
- Section 3.6.8.D.11

IV. Amend Ordinance 2008-02 by deleting reference to Board of Adjustment in the below sections and replacing it with Board of Supervisors:

- Section 4.2.16.A.11
- Section 4.2.16.A.12
- Section 4.2.16.A.13
- Section 4.2.16.C.4

V. Amend Ordinance 2008-02 by deleting reference to Special Exception Use in section 4.2.16.D and replacing the following:

- Ordinance Map Amendment

VI. Amend Ordinance 2016-03 by deleting in its entirety Section 4.2.18.A and replacing it with the below:

- A. **Major site plan required:** A site plan shall be submitted and reviewed as part of the approval of a utility scale solar installation.

VII. Amend Ordinance 2016-03 by deleting in its entirety Section 4.2.18.B and replacing it with the below:

- B. **Additional information:** The following information shall be submitted on the site plan or in narrative form, supplied by the utility scale solar installation owner, operator or contractor installing the structure(s), and reviewed as part of the approval of a utility scale solar installation:

1. Number, location and spacing of solar panels/arrays.
2. Planned location of underground or overhead electric lines.
3. Project development timeline.
4. Operation and maintenance plan.
5. Decommissioning plan.

VIII. Amend Ordinance 2016-03 by deleting references to Board of Adjustment in the below sections and replacing it with Board of Supervisors:

- Section 4.2.18.C.1
- Section 4.2.18.C.2

IX. Amend Ordinance 2016-03 by adding the following section 4.2.16.F:

F. Avoidance and Mitigation of Damages to Public Infrastructure.

- 1. Roads.** Applicants shall identify all roads to be used for the purpose of transporting Solar panels, substation parts, Construction Material, and/or equipment for construction, operation or maintenance of the Utility scale solar installation and obtain applicable weight and size permits from the impacted Road Authority(ies) prior to construction.
- 2. Existing Road Conditions.** Applicant shall conduct a pre-construction survey, in coordination with the impacted local Road Authority(ies) to determine existing road conditions. The survey shall include photographs and a written agreement to document the condition of the public facility. The applicant is responsible for on-going road maintenance and dust control measures identified by the Clinton County Engineer during all phases of construction. Applicant shall enter into a Road Use and Repair Agreement with the Road Authority prior to construction.
- 3. Drainage System.** The Applicant shall be responsible for reasonably prompt repair of damage to public drainage systems stemming from construction, operation or maintenance of the Utility Scale Solar Installation.
- 4. Required Financial Security.** The applicant shall be responsible for restoring or paying damages as agreed to by the applicable Road Authority(ies) sufficient to restore the road(s) and bridges to preconstruction conditions. Financial security in a manner approved by the Clinton County Attorney's Office shall be submitted covering up to 100% of estimated cost for repairs as agreed to by the applicant and such Road Authority(ies). This requirement may be waived by the Board of Supervisors by recommendation from the Clinton County Engineer.

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.

October 25, 2021

PASSED AND ADOPTED this 20th day of September, 2021 by the Board of Supervisors, Clinton County, State of Iowa.

Dan Srp

Jim Irwin

Chairperson, Tom Determann

Clinton County Board of Supervisors

ATTEST:

County Auditor, Eric Van Lancker

October 25, 2021

RESOLUTION 2021-

RESOLUTION TO REPLACE THE COURTHOUSE SECURITY CAMERA SYSTEM

WHEREAS the Clinton County Board of Supervisors, based on the recommendation of the Clinton County I.T. Director and Facilities Director, wish to enter into an agreement with Tri-City Electric to upgrade the Clinton County Courthouse Security Camera System for \$24,250.00; now

THEREFORE BE IT RESOLVED, the Clinton County Board of Supervisors authorizes IT Director Paul Banowetz to sign the agreement with Tri-City.

Roll Call:

Srp: Yes No

Irwin: Yes No

Determann: Yes No

Chairperson, Tom Determann

ATTEST:

County Auditor, Eric Van Lancker