

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
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, November 8, 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 2021-297: Appointment – Veteran Affairs
- RESOLUTION 2021-298: Appointment – Jail
- RESOLUTION 2021-299: Appointment – Communications
- RESOLUTION 2021-300: Appointment – County Board of Adjustments
- RESOLUTION 2021-301: Abatement of property tax per Code of Iowa 445.16
- RESOLUTION 2021-302: Award County Satellite Office snow removal contract
- RESOLUTION 2021-303: Set a public hearing for a County Zoning Ordinance map amendment
- RESOLUTION 2021-304: Approve enforcement agreement with the Iowa Alcoholic Beverages Division
- MOTION: Utility permit 6-27 for F&B Communications

RESOLUTIONS

- RESOLUTION: Approving a map amendment to the County Zoning Ordinance (Ordinance 2021-03)
- RESOLUTION: Approving a map amendment to the County Zoning Ordinance (Ordinance 2021-04)
- RESOLUTION: Authorize additional staff for the County Jail

UNFINISHED BUSINESS

GENERAL PUBLIC

DEPARTMENT HEADS, ELECTED OFFICIALS & EMPLOYEES

DISCUSSION WITH POSSIBLE ACTION

1. Opioid litigation update
2. Solar projects update

9:45 a.m. Drainage Districts

The Supervisors will convene as Board of Trustees for Drainage Districts 7 and 21 for project updates and possible action.

10:30 a.m. Broadband study and grants update

The Supervisors will receive an update on the County-wide broadband study and broadband improvement grants.

1:30 p.m. Canvass of the votes from the Nov. 2 City/School Election

The Supervisors will make official the results of the Nov. 2 City/School Election.

November 22nd

RESOLUTION 2021- 297
RESOLUTION TO HIRE JOSEPH RAAYMAKERS
AS DIRECTOR OF COUNTY VETERAN AFFAIRS

WHEREAS, The Board of Supervisors of Clinton County, upon recommendation from the Clinton County Veterans Affairs Commission, has recommend Joseph Raaymakers for the position of Director of Veterans Affairs of Clinton County; now

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County Iowa, to approve the appointment of Joseph Raaymakers to full-time exempt position as the Director of Veterans Affairs with three weeks of vacation to be available upon hire with a start date of November 22, 2021; and

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to issue bi-weekly paychecks in accordance with this resolution without further action of the Clinton County Board of Supervisors.

Roll Call:

Srp: Yes No

Irwin: Yes No

Determann: Yes No

Chairperson, Tom Determann

ATTEST:

County Auditor, Eric Van Lancker

November 8, 2021

RESOLUTION 2021- 298

RESOLUTION TO AUTHORIZE PAYROLL TO START FOR
ZACHARY SIMONS FROM THE JAIL BUDGET

WHEREAS, the Clinton County Sheriff is an elected official and the Board of Supervisors does not consider nor appoint personnel for elected officials, but need to authorize payroll for the County Auditor; now

THEREFORE, BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa that the County Auditor be and is hereby authorized to issue biweekly paychecks on the General Basic Fund, Office of Jail to Zachary Simons, as a full-time Civilian Correctional Officer. This will be in effect at an hourly rate of \$19.30 during the probationary period of 6 months, then increasing to \$21.44. Zachary Simon's starting date of employment with the Sheriff's Office will be November 15, 2021. This is subject to the terms and conditions of the Sheriff's Bargaining Unit agreement without further action of this Board.

Roll Call:

Srp: Yes No

Irwin: Yes No

Determann: Yes No

Chairperson, Tom Determann

ATTEST:

County Auditor, Eric Van Lancker

November 8, 2021

RESOLUTION 2021- 299

RESOLUTION TO AUTHORIZE PAYROLL TO START FOR TAD BARTELS
FROM THE COMMUNICATIONS BUDGET

WHEREAS, the Clinton County Communications Commission has authorized the hiring of additional staff and the Board of Supervisors does not consider or appoint personnel for the Communications Commission, but needs to authorize payroll for the County Auditor. Clinton County Communications Director Eric Dau desires to appoint Tad Bartels as a Telecommunicator for the Clinton County Communications Commission; now

THEREFORE, BE IT RESOLVED by the Clinton County Board of Supervisors of Clinton County, Iowa that the County Auditor be and is hereby authorized to issue biweekly paychecks on the Communications Commission Budget, to Tad Bartels, as a full-time Telecommunicator. This will be in effect at an hourly rate of \$18.46 during the first 6 months of employment, then increasing to \$20.77 for the next 6 months of employment, and the increasing to \$23.08 after 1 year of employment. Bartels' starting date of employment with the Clinton County Communications Commission will be November 8th, 2021. This is subject to the terms and conditions of the Clinton County Communications Commission Bargaining Unit agreement without further action of this Board.

Roll Call:

Srp: Yes No

Irwin: Yes No

Determann: Yes No

Chairperson, Tom Determann

ATTEST:

County Auditor, Eric Van Lancker

November 8, 2021

RESOLUTION 2021 - 300

BE IT RESOLVED that the Clinton County Board of Supervisors or Clinton County, Iowa, hereby order the following appointment:

Clinton County Board of Adjustments (Five-Year Term)

Christopher Frame

Roll Call:

Srp: Yes No

Irwin: Yes No

Determann: Yes No

Chairperson, Tom Determann

ATTEST:

County Auditor, Eric Van Lancker,

November 8, 2021

RESOLUTION 2021- 301

ABATEMENT OF TAX PURSUANT TO 445.16 CODE OF IOWA

WHEREAS, pursuant to Iowa code section 445.16 it is impractical to pursue collection of the total amount due through the tax sale or personal judgment remedies. Requesting the abatement for the following Buildings on Leased Land:

80-99982600 \$13,901.00

THEREFORE, BE IT RESOLVED pursuant to code of Iowa sections 445.16 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 2021-2022 in the same manner.

Roll Call:

Srp: Yes No

Irwin: Yes No

Determann: Yes No

Chairperson, Tom Determann

ATTEST:

County Auditor, Eric Van Lancker

November 8, 2021

RESOLUTION 2021 - 302

RESOLUTION TO AWARD THE CLINTON COUNTY SATELLITE OFFICE SNOW
REMOVAL CONTRACT TO AEJ ENTERPRISES LLC

WHEREAS: The Clinton County Board of Supervisors has considered bids for snow removal at the County Satellite Office; and

WHEREAS: the bid received is as follows:

AEJ Enterprises

Snow removal from sidewalks 1/2" - 6" \$45

Snow removal from parking lots 1/2 " - 6" \$65

7" or more % per inch _____ 0% _

Salt sidewalks per application \$35

Salt parking lot per application \$65

Hauling snow - loader per hour \$75

Hauling snow - tandem dump truck per hour \$75

THEREFORE, BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the proposal be approved for AEJ enterprises as recommended by the Facilities Director Corey Johnson; and

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Supervisors be authorized to sign the proposal on behalf of Clinton County, Iowa.

Roll Call:

Srp: Yes No

Irwin: Yes No

Determann: Yes No

Chairperson, Tom Determann

ATTEST:

County Auditor, Eric Van Lancker

RESOLUTION 2021 - 303

RESOLUTION SETTING A PUBLIC HEARING FOR NOVEMBER 29 AT 9:45 A.M. FOR A COUNTY ZONING ORDINANCE MAP AMENDMENT

BE IT RESOLVED, that the Clinton County Board of Supervisors will host a Public Hearing on the 29th day of November, 2021, at 9:45 a.m. in Conference Room B at the Clinton County Administration Building, 1900 North 3rd Street, Clinton, Iowa 52732 for the purpose of soliciting public comment on a proposed map amendment to the Clinton County Zoning Ordinance changing the designation of certain property in Section 34, Township 83 North, Range 5 East of the 5th P.M. from A-1 (Prime-Agriculture) to R-1 (Suburban Residential); and

BE IT FURTHER RESOLVED, the Clinton County Board of Supervisors authorizes Planning and Zoning Director Thomas Barnes to prepare and submit the proper Public Hearing notice to the appropriate media outlets.

Roll Call:

Srp: Yes No

Irwin: Yes No

Determann: Yes No

Chairperson, Tom Determann

ATTEST:

County Auditor, Eric Van Lancker

November 8, 2021

RESOLUTION 2021- 304

RESOLUTION TO AUTHORIZE THE SHERIFF TO SIGN AN AGREEMENT WITH THE
IOWA ALCOHOLIC BEVERAGES DIVISION (ABD)

WHEREAS, the Clinton County Sheriff's Office desires to enter into an agreement with the Iowa Alcoholic Beverages Division for the purpose of providing and funding tobacco, alternative nicotine and vapor product enforcement activities to the county; and

WHEREAS, the Sheriff desires the Clinton County Board of Supervisors to authorize the signing of said agreement effective November 8, 2021;

THEREFORE, BE IT RESOLVED by the Clinton County Board of Supervisors that the Clinton County Sheriff is hereby authorized to sign the agreement, which has been reviewed and approved by the Clinton County Attorney.

Roll Call:

Srp: Yes No

Irwin: Yes No

Determann: Yes No

Chairperson, Tom Determann

ATTEST:

County Auditor, Eric Van Lancker

November 8, 2021

MOTION by Supervisor _____ to authorize the Chairperson to sign Utility Permit Number 6-27 for F&B Communications to bore underground communications line in the west ditch of 130th Avenue and under the road and into the east ditch in the county right-of-way located on the border of Sections 03 and 04 of T81N R1E in the Spring Rock TWP.

Roll Call:

Srp: Yes No

Irwin: Yes No

Determann: Yes No

MOTION: _____

RESOLUTION 2021 - _____
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 October 5, 2021 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 November 1, 2021 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 November 8, 2021 to consider said amendments; and

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

1. The attached ordinance numbered 2021-03 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 - 03

AN ORDINANCE AMENDING THE MAP OF THE CLINTON COUNTY ZONING ORDINANCE RELATIVE TO THE ZONING DESIGNATION OF CERTAIN PROPERTY LOCATED IN SECTION 25, TOWNSHIP 81 NORTH, RANGE 3 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:

A portion of the south one-half of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and a prortion of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ all of section 25, township 81 north, range 3, east of the 5th P.M. Clinton County Iowa, described as follows:

Beginning at the south corner of section 25, township 81 north, range 3, east of the 5th P.M., Clinton County, IA; thence S88°08'34"W, along the south line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said section 25, a distance of 186.96 feet, to the intersection with the center line of 274th Avenue; thence N09°23'47"W along said centerline, 627.48 feet; thence N84°17'14"E 269.08 feet, to a point on the east line of said SE $\frac{1}{4}$ to the of the SW $\frac{1}{4}$; thence N01°54'08"W, along said east line 25.00 feet, to the northwest corner of the south one-half of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ if said section 25; thence N87°38'56"E, along the north line of said south one-half, 246.22 feet, thence S19°09'16"E, 222.04 feet; thence S63°17'14"E, 395.80 feet; thence S62°47'35"E, 242.01 feet; thence S05°16'14"E, 138.34 feet, to a point of the south line of said south one-half of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence S87°33'58"W, along the said south line, 879.15 feet, to the point of beginning. Said rezoning parcel contains 11.69 acres, and is subject to easement and restriction of record.

within the AR-1 (Agricultural Recreational) 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.

November 8, 2021

PASSED AND ADOPTED this 8th day of November, 2021 by the Board of Supervisors, Clinton County, State of Iowa.

Dan Srp

Jim Irwin

Chairperson, Tom Determann

ATTEST:

County Auditor, Eric Van Lancker

RESOLUTION 2021 - _____
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 October 5, 2021 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 November 1, 2021 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 November 8, 2021 to consider said amendments; and

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

1. The attached ordinance numbered 2021-04 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 - 04

AN ORDINANCE AMENDING THE MAP OF THE CLINTON COUNTY ZONING ORDINANCE RELATIVE TO THE ZONING DESIGNATION OF CERTAIN PROPERTY LOCATED IN SECTION 22 and 23, TOWNSHIP 82 NORTH, RANGE 3, 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:

A parcel of land located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 22 and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 23, all in township 82 north, range 3, east of the 5th P.M., clinton county Iowa, more particularly described as the follows: Beginning at the NW corner of said section 23; thence N89°33'10"E, 663.09 feet, along the north line of the NW $\frac{1}{4}$ of said section 23; thence S0°07'23"W, 1330.65 feet to a point on the south line of said NW $\frac{1}{4}$ NW $\frac{1}{4}$; thence S89°22'07"W, 664.92 feet, along said south line, to the SW corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$; thence S0°12'03"W 330.00 feet, along the east line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said section 22 thence N89°45'17"W, 570.22 feet, thence N2°47'09"W 1663.84 feet, to a point on the north line of the NE $\frac{1}{4}$ of said section 22; thence S89°52'02"E, 656.91 feet, along said north line, to the point of beginning, containing 43.71 acres more or less, subject to the county road easement as shown. Basis of bearing: The north line of the NW $\frac{1}{4}$ of said section 23 is assumed to bear N89°33'10"E for the purpose of this description.

within the A-1 (Prime Agriculture) 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.

November 8, 2021

PASSED AND ADOPTED this 8th day of November, 2021 by the Board of Supervisors, Clinton County, State of Iowa.

Dan Srp

Jim Irwin

Chairperson, Tom Determann

ATTEST:

County Auditor, Eric Van Lancker

November 8, 2021

RESOLUTION 2021-

RESOLUTION TO AUTHORIZE HIRING ADDITIONAL STAFF IN THE JAIL

WHEREAS, the Clinton County Sheriff desires to hire four (4) full-time Civilian Correctional Officers and one (1) full-time Deputy Sheriff, all of which will report to the jail;

THEREFORE, BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa that the County Sheriff is hereby authorized to proceed in hiring for the positions.

Roll Call:

Srp: Yes No

Irwin: Yes No

Determann: Yes No

Chairperson, Tom Determann

ATTEST:

County Auditor, Eric Van Lancker