

JULY 21, 2022

The Board of Supervisors of Clinton County, Iowa, met at the Clinton County Fairgrounds in DeWitt, Iowa. Present were Supervisors Irwin and Srp. Chairman Determann was absent from the meeting. Minutes of the previous meeting were read and approved.

10:00 A.M. Review Correspondence and Claims  
Formal Action & Motions

Call to Order – Pledge of Allegiance  
Claims were approved unanimously

CONSENT AGENDA

Resolution 2022-209 through 2022-211 were approved on the Consent Agenda.

RESOLUTION 2022-209

RESOLUTION TO AUTHORIZE PAYROLL AND TITLE  
FOR CARRIE GRAVES FROM THE RECORDER BUDGET

WHEREAS, the Clinton County Recorder 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 Fund, Office of Recorder, to Carrie Graves, as full-time Recorder's Office Clerk II. This will be in effect at an hourly rate of \$18.09 starting July 1, 2022.

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

Jim Irwin, Jr., Vice-Chairperson

RESOLUTION 2022-210

RESOLUTION APPROVING ADMINISTRATIVE PERSONNEL SALARY  
CORRECTION FOR FY23 FOR JAMES MCHUGH

WHEREAS, the previous resolution 2022-177 had a calculation error on James McHugh's salary for FY23; now

BE IT RESOLVED by the Clinton County Board of Supervisors that pursuant to Chapter 331.904 (1), (2), (3), Code of Iowa, the annual salaries for administrative personnel of the various offices FY 2022-2023 are hereby established: James McHugh Assistant County Attorney \$ 81,358.30

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to issue biweekly pay checks in payment of same without further action of this Board.

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

Jim Irwin, Jr., Vice-Chairperson

RESOLUTION 2022-211

RESOLUTION DISBURSING FUNDS TO RIVER BEND TRANSIT

BE IT RESOLVED by the Clinton County Board of Supervisors that the County Auditor be and is hereby authorized to issue checks on the General Basic Fund and Rural Basic Fund to the following listed entities for the amounts detailed, representing the second-half allocation FY 2022: River Bend Transit \$ 3,203.50

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

Jim Irwin, Jr., Vice-Chairperson

RESOLUTIONS

The following resolution was presented and on motion approved:

RESOLUTION 2022-212

PROCLAMATION DECLARING CLINTON COUNTY 4-H WEEK OF JULY 17, 2022

WHEREAS, 4-H is an educational experience for Iowa youth and adults based on their interests and needs and 4-H assists youth define and evaluate their personal goals, identify community needs and develop leadership skills to meet the needs of their community, county, state and world; and

WHEREAS, 4-H is directed toward the development of the total person, their mind through decision making and scientific learning process and learning how to learn in different settings; their body by improving mental and physical health; their social skills through the development of positive self-esteem and increased communication skills; and

WHEREAS, 4-H is a research based learning program, facilitated through the cooperation of the United States Department of Agriculture, Iowa State University and County Extension Councils and is financially supported through private and public money; and

WHEREAS, 4-H is a family and community based youth development program which addresses the issues of youth and families, including those at risk, by supplementing and complementing programs offered by schools and other youth serving agencies. 4-H provides action oriented and practical education experiences for more than 120,000 youth under the leadership of more than 21,000 volunteers; and

WHEREAS, 4-H makes a difference in the lives of individual youth and adults and the communities where they live through these experiences; now

THEREFORE, WE THE CLINTON COUNTY BOARD OF SUPERVISORS DO HEREBY PROCLAIM THE WEEK OF JULY 17, 2022, AS 4-H WEEK IN CLINTON COUNTY, IOWA.

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

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

The following resolution was presented and on motion approved:

RESOLUTION 2022-213

RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO PURSUE ACTION IN REGARDS TO THREATENED ANIMALS PER CODE OF IOWA SECTION 717B

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;

WHEREAS, Iowa Code Section 717B Code of Iowa further provides that a local entity may petition the court to order the owner(s) pay rescue costs of a threatened animal;

WHEREAS, the Clinton County Attorney has filed such action based upon a Sheriff's Office case on behalf of Clinton County and seeks County affirmation for the action he has undertaken in Clinton County v. Travis Michael Graham EQCV048386; now

BE IT RESOLVED the Clinton County Board of Supervisors affirms the Clinton County Attorney is authorized to proceed in this action on behalf of Clinton County as provided in Iowa Code Section 717B.

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

Jim Irwin, Jr., Vice-Chairperson

The following resolution was presented and on motion approved:

RESOLUTION 2022-214

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 November 2, 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 December 6, 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 July 21, 2022 to consider said amendments; and

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

1. The attached ordinance numbered 2022-07 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; Irwin: Yes; Determann: Absent.

Jim Irwin, Jr., Vice-Chairperson

ORDINANCE 2022 - 07

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 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:

DESCRIPTION OF REZONING AREA, being part of the NE 1/4 of the NE 1/4 and part of the NW 1/4 of the NE 1/4 of Section 34, T.83N R.5E. of the 5th P.M. in Clinton County, Iowa, more particularly described as follows: Commencing at the SE corner of the NE 1/4 of the NE 1/4 of said Section 34 being the point of beginning; thence N 89°59'27" W (assumed bearing), 2401.99' along the South line of the said NE 1/4 of the NE 1/4 and the said NW 1/4 of the NE 1/4; thence N 26°56'04" E, 53.31' to the SE corner of Lot 1 of Mohr Subdivision; thence along the East line Lot 1 of Mohr Subdivision for the next seven courses N 26°56'04" E, 198.86'; thence N 11°37'01" E, 495.57'; thence N 06°53'05" E, 62.88'; thence N 22°52'51" E, 43.55'; thence N 39°36'59" E, 98.43'; thence N 47°53'17" E, 117.09'; thence N 21°40'28" E, 217.84' to the centerline of Highway No. 136; thence S 62°20'34" E, 904.31' along said centerline; thence S 20°34'26" W, 183.24'; thence S 62°20'34" E, 150.00'; thence S 71°40'24" E, 100.00'; thence N 20°25'49" E, 187.83' to the centerline of Highway No. 136; thence along said centerline being a curve turning to the left with an arc length of 372.92', with a radius of 954.93', with a chord bearing of S 85°29'09" E, with a chord length of 370.56'; thence

N 83°19'35" E, 461.90' along said centerline; thence along said centerline being a curve turning to the right with an arc length of 70.86', with a radius of 954.93', with a chord bearing of N 85°27'08" E, with a chord length of 70.84' to the East line of the NE 1/4 of the NE 1/4 of said Section 34; thence S 00°23'01" E, 683.91' along said East line to the point of beginning, containing 40.43 acres and subject to easements of record and not of record.

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 PASSED AND ADOPTED this 21<sup>st</sup> day of July 2022 by the Board of Supervisors, Clinton County, State of Iowa.

Signed: Daniel A. Srp; Signed: Jim Irwin, Jr.

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

The following resolution was presented and on motion approved:

RESOLUTION 2022-215

RESOLUTION APPROVING THE FINAL PLAT OF  
HOUSEMAN SUBDIVISION, CLINTON COUNTY, IOWA

WHEREAS, Cheryl and Jeffery Housman have filed subdivision application 4381 requesting preliminary and final approval of a proposed minor subdivision to be known and designated as Housman Subdivision, located in the NE ¼ of the NW¼ of Section 23, Township 81 North, Range 3 East of the 5th P.M. in Clinton County, Iowa, and

WHEREAS, the Clinton County Planning and Zoning Commission held a public meeting on July 12, 2022 in DeWitt, Iowa to consider this application, 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 Housman Subdivision, Clinton County, Iowa, be and the same is hereby approved and the Chair is authorized to sign the final plat prior to recording.

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

Jim Irwin, Jr., Vice-Chairperson

The following resolution was presented and on motion approved:

RESOLUTION 2022-216

RESOLUTION APPROVING THE FINAL PLAT OF  
IMMING ADDITION, CLINTON COUNTY, IOWA

WHEREAS, Scott Imming has filed subdivision application 4379 requesting preliminary and final approval of a proposed minor subdivision to be known and designated as Imming Addition, located in the NW ¼ of the SW¼ of Section 26, Township 81 North, Range 3 East of the 5th P.M. in Clinton County, Iowa, and

WHEREAS, the Clinton County Planning and Zoning Commission held a public meeting on July 12, 2022 in DeWitt, Iowa to consider this application, 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 Imming Addition, Clinton County, Iowa, be and the same is hereby approved and the Chair is authorized to sign the final plat prior to recording.

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

Jim Irwin, Jr., Vice-Chairperson

The following resolution was presented and on motion approved:

RESOLUTION 2022-217

RESOLUTION APPROVING THE FINAL PLAT OF MICHAEL WHITMAN SUBDIVISION, CLINTON  
COUNTY, IOWA

WHEREAS, Michael Whitman has filed subdivision application 4380 requesting preliminary and final approval of a proposed minor subdivision to be known and designated as Michael Whitman Subdivision, located in the NW ¼ of the SW¼ of Section 26, Township 81 North, Range 3 East of the 5th P.M. in Clinton County, Iowa, and

WHEREAS, the Clinton County Planning and Zoning Commission held a public meeting on July 12, 2022 in DeWitt, Iowa to consider this application, 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 Michael Whitman Subdivision, Clinton County, Iowa, be and the same is hereby approved and the Chair is authorized to sign the final plat prior to recording.

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

Jim Irwin, Jr., Vice-Chairperson

The following resolution was presented and on motion approved:

RESOLUTION 2022-218

RESOLUTION SETTING A PUBLIC HEARING ON AUGUST 1, 2022 FOR PROPOSED TEXT AMENDMENT TO THE CLINTON COUNTY ZONING ORDINANCE, CHAPTER IV

BE IT RESOLVED that the Clinton County Board of Supervisors will hold a Public Hearing on the 1<sup>st</sup> day of August, 2022 at 10:30 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 text amendment to the Clinton County Zoning Ordinance updating chapter IV of the Clinton County Zoning Ordinance; 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; Irwin: Yes; Determann: Absent.

Jim Irwin, Jr., Vice-Chairperson

DEPARTMENT HEADS, ELECTED OFFICIALS AND EMPLOYEES

County Auditor Eric Van Lancker reviewed the Board's schedule. He said the Board will meet next August 1, at the County Administration Building at 9 a.m. He also reported that Northeast School District will have a Special Election for a PPEL proposition.

Supervisor Irwin said there are a lot of good things going on around the County and is excited for its future. Irwin said the elected officials in Clinton County stay active with local issues and issues around the State that will benefit the County.

County Treasurer Dustin Johnson reminded fair-goers that his office is open three days a week Tuesday, Wednesday and Thursday in DeWitt. He said they are also working with the Sheriff's Office to take permits back to Clinton for residents.

County Conservation Director Phil Visser reported on projects happening around the parks in the County.

DISCUSSION WITH POSSIBLE ACTION

Letter of Support for the ICEA 22 Bridge Investment Program Grant Proposal: Srp said the County does this support annually.

MOTION by Supervisor Srp to authorize the chairman/vice-chairman to sign the letter of support for the bridge investment program grant proposal.

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

Motion carried.

County Secondary Road Project Update: Donn Holst & Jacob Cline of the Secondary Road Department presented the Board with an update of projects happening around the County.

County Communications Radio Project Update: County Communications Director Eric Dau reported on the new radios that have been distributed to law enforcement and first responders around the County. Dau also provided a report about updating the dispatch counsels that will allow them to have more functionality and safety for first responders.

County Sheriff's Office Update: County Sheriff Bill Greenwalt was called away and was not able to provide a report.

The Board of Supervisors adjourned to meet Wednesday, July 27, 2022 at 9:00 a.m. at the Clinton County Administration Building, Clinton, IA .

Eric Van Lancker, County Auditor

Jim Irwin, Jr., Vice-Chairperson

-APPROVED-

County Auditor

Vice-Chairperson