

MARCH 25, 2024

The Board of Supervisors of Clinton County, Iowa, met. Present were Supervisors Irwin, Srp and George. Minutes from 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 Approval

CONSENT AGENDA

Resolutions 2024-73 through 2024-78 and two (2) Motions were approved on the Consent Agenda:

RESOLUTION 2024-73

WHEREAS, the Clinton County Sheriff has accepted the resignation of Hailey Hall, as a full-time correctional officer; now

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the County Auditor be and is hereby authorized to stop issuance of biweekly paychecks on the General Basic Fund, Office of the Jail, to Hailey Hall. Hall's last day of work is March 28, 2024, with accrued benefits to be paid out until March 28, 2024.

Roll Call: George: Yes; Srp: Yes; Irwin: Yes.                                              Jim Irwin, Jr., Chairperson

RESOLUTION 2024-74

WHEREAS, the Board of Supervisors of Clinton County, Iowa, having adopted "Regulations for Non-Union County Personnel" applicable to the employment of non-union personnel, and

WHEREAS, it is necessary to make certain changes in the regulation as to the appointment of non-union employees, now

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the following changes are made: Accept the retirement of Robert Schafer as a Maintenance II with the Clinton County Conservation Board, effective March 30, 2024.

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to stop issuance of bi-weekly paychecks on the Conservation Maintenance General Fund –Salaries of Regular Employees to Robert Schafer.

Roll Call: George: Yes; Srp: Yes; Irwin: Yes.                                              Jim Irwin, Jr., Chairperson

RESOLUTION 2024-75

WHEREAS, pursuant to Iowa code section 427.1(8)(a) the L'Arche Clinton is entitled to abatement of taxes owed as detailed:

0830	8618880000	703 Eclipse Lane	\$1017.00
0850	8811310107	750 Hawks Pointe Lane	\$2248.00
0744	8011410000	404 S. 1 <sup>st</sup> St.	\$2089.00

THEREFORE BE IT RESOLVED, pursuant to Code of Iowa sections 427.1(8)(a), taxes owing shall be abated and the Treasurer is hereby authorized to make amendment to the county records indicating said abated tax for the parcel as noted.

Roll Call: George: Yes; Srp: Yes; Irwin: Yes.                                              Jim Irwin, Jr., Chairperson

RESOLUTION 2024-76

WHEREAS, the following individuals have petitioned to suspend their property taxes for the 2022 assessment year under provision of Code of Iowa, Section 427.8:

Gary Vance	800 19 <sup>th</sup> Avenue N, Clinton, IA	Parcel #8620670000
Taxes Currently Suspended:	\$2,923.00	2022 Taxes: \$464.00
Sherry Stahl (Buckley)	538 7 <sup>th</sup> Avenue S, Clinton, IA	Parcel #8019880000
Taxes Currently Suspended:	\$8,915.00	2022 Taxes: \$52.00

WHEREAS, the eligibility for said suspension has been verified by Kim Ralston, CAP Director; now

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; and

BE IT FURTHER RESOLVED that tax suspension under provision of Section 427.8, Code of Iowa is for the 2022 Assessment Year and all prior years, and it is the responsibility of the petitioning taxpayer to reapply for further tax suspension.

Roll Call: George: Yes; Srp: Yes; Irwin: Yes.                                              Jim Irwin, Jr., Chairperson

RESOLUTION 2024-77

WHEREAS, pursuant to Code of Iowa Section 309.67, the Board of Supervisors of Clinton County, Iowa, is charged with the duty of establishing policies and methods to properly maintain the Secondary Road System, and

WHEREAS, it is necessary to make certain changes in current policies and establish new policies, now  
THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the following  
policy be created as an approved Secondary Road Department Policy and Procedure effective March 25, 2024:

1. Snow fence and Windbreak Policy

Roll Call: George: Yes; Srp: Yes; Irwin: Yes.

Jim Irwin, Jr., Chairperson

RESOLUTION 2024-78

BE IT RESOLVED by the Clinton County Board of Supervisors that Brophy Creek Farm, LLC, 3653 240<sup>th</sup> St.,  
DeWitt, has electronically filed an application for a liquor license effective April 1, 2024. Said application be and is  
hereby approved by the Clinton County Board of Supervisors.

Roll Call: George: Yes; Srp: Yes; Irwin: Yes.

Jim Irwin, Jr., Chairperson

MOTION by Supervisor Srp to approve the final plans for the fog seal on E-44/Z-50 (Andover north to Z-40 north of  
Andover) Project No. FM-CO23(139) --55-23.

Roll Call: George: Yes; Srp: Yes; Irwin: Yes.

Motion carried.

MOTION by Supervisor Srp to authorize Kim Ralston, Community Assistance Programs Director to be the Board of  
Supervisors Authorized Signatory for the Iowa Department of Health and Human Services FY 25 County Substance  
Abuse Programs grant.

Roll Call: George: Yes; Srp: Yes; Irwin: Yes.

Motion carried.

RESOLUTIONS

Resolution 2024-79 discussion: County Facilities Director Corey Johnson said value engineering can't begin before a  
contract is signed. Supervisor Srp said the County has been talking about this project for a long time and doesn't see  
anything getting less expensive. Chairman Irwin explained the second lowest bidder is being recommended because of  
the schedule they submitted. Supervisor George said she is not willing to support the project at the amount that was  
bid and hoped to know how much value engineering could be done. Irwin said this project will need to be done and  
the ARPA money is available today and funds may not be able later.

The following resolution was presented and on motion approved:

RESOLUTION 2024-79

WHEREAS, the Clinton County Board of Supervisors has considered the contract bids for the remodel project  
at the Clinton County Administration Building at 1900 N 3<sup>rd</sup> St. in Clinton, Iowa; and

WHEREAS, the bids received is as follows:

Tricon Construction	\$3,748,000.00
Valley Construction	\$3,839,000.00
Point Builders	\$3,894,000.00
Bruce Construction	\$4,034,000.00
Portzen Construction	\$4,199,000.00

WHEREAS, Clinton County requested the two apparent low bidders prepared project schedules and the bid  
documents require the County and contractor agree to a project schedule before construction; and

WHEREAS, the project schedule submitted by Valley Construction is agreeable to the County and the project  
schedule submitted by Tri-Con is not; and

WHEREAS, Clinton County has discretion to determine the bid that will provide the best results; now

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, the bid be awarded to  
Valley Construction for the bid amount of \$3,839,000.00 which is recommended by Clinton County 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: George: No; Srp: Yes; Irwin: Yes.

Jim Irwin, Jr., Chairperson

The following resolution was presented and on motion approved:

RESOLUTION 2024-80

WHEREAS, the Clinton County Board of Supervisors has considered the mowing bids for the property at 2007  
Manufacturing Drive, Clinton, Iowa; and

WHEREAS, the bid received is as follows:

Matt's Lawn Care & Snow Removal	\$45.00
Dean Burmeister	\$60.00
J & T Bowman Lawn	\$125.00

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, the bid be approved to Matt's Lawn Care & Snow Removal for the bid amount of \$45.00 which is recommended by Clinton County 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: George: Yes; Srp: Yes; Irwin: Yes.

Jim Irwin, Jr., Chairperson

The following resolution was presented and on motion approved:

RESOLUTION 2024-81

WHEREAS, the Clinton County Board of Supervisors has considered the mowing bids for the property at 226 11<sup>th</sup> St., DeWitt, Iowa; and

WHEREAS, the bid received is as follows:

Matt's Lawn Care & Snow Removal	\$25.00
J & L Lawn Care & Landscaping	\$40.00
J & T Bowman Lawn	\$125.00

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, the bid be approved to Matt's Lawn Care for the bid amount of \$25.00 which is recommended by Clinton County 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: George: Yes; Srp: Yes; Irwin: Yes.

Jim Irwin, Jr., Chairperson

The following resolution was presented and on motion approved:

RESOLUTION 2024-82

WHEREAS, the Clinton County Board of Supervisors desires to dispose of articles listed below;

Quantity	Description
3	Used office desks
4	Used filing cabinets
2	Used office chairs
12	Used conference room plastic seat and back chairs
8	Used wood folding tables

WHEREAS, the Board of Supervisors wishes to gift said property to the Rediscover Recovery Community Center, Clinton; now

THEREFORE BE IT RESOLVED that the Clinton County Board of Supervisors do hereby approve the above articles for disposition.

Roll Call: George: Yes; Srp: Yes; Irwin: Yes.

Jim Irwin, Jr., Chairperson

DEPARTMENT HEADS, ELECTED OFFICIALS AND EMPLOYEES

County Auditor Eric Van Lancker reminded the Board of its tax levy public hearing tomorrow at 10 a.m.

County Treasurer Dustin Johnson reported April 1 is the last business day of March for the Treasurer's Office due to offices being closed on Friday. DOT investigator hosted a training on how to spot suspicious car titles.

DISCUSSION WITH POSSIBLE ACTION

Medical Examiner Investigator/Transporter Discussion

The following resolution was presented and on motion approved:

RESOLUTION 2024-83

WHEREAS, the Medical Examiner of Clinton County has taken a temporary leave of absence; and

WHEREAS, Medical Examiner Services must be covered and the Scott County Medical Examiner is willing to temporarily cover Medical Examiner Services; and

WHEREAS, the Clinton County Board of Supervisors has determined that this is the best course of action for temporary services for Clinton County; now

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the Board Chairman be authorized to sign an agreement extension with Scott County for temporary Medical Examiner Services with an end date of December 31, 2024.

Roll Call: George: Yes; Srp: Yes; Irwin: Yes.

Jim Irwin, Jr., Chairperson

Liability Claim for Damaged Fence: County Engineer Todd Kinney reviewed the claim to show what was pushed and allegedly damaged a fence.

MOTION by Supervisor Srp to authorize ICAP to settle the claim for the adjuster's suggested amount.

Roll Call: George: Yes; Srp: Yes; Irwin: Yes.

Motion carried.

Communication Commissioner Update: Chairman Irwin said Communications Director Eric Dau is resigning his position. Sheriff Bill Greenwalt, Chairman of County Communications Commission, said there were tough decisions to make in that meeting involving a temporary position. He said the commission voted to temporarily appoint Lt. Scott Reyhons in the Sheriff's Office to oversee the Communications Center until a new solution for the vacancy is addressed. Dau thanked the County for allowing him to serve in the Communications Center. Dau said for the success of the next person, the leadership of the organization should be reviewed as there are too many people to answer to.

Review of the County Wind Energy Ordinance: Irwin said this discussion came about due to a recent Board of Adjustment meeting that turned into a discussion of possible wind turbine development in the north central portion of Clinton County. County P&Z Director Thomas Barnes said the wind turbine section of the ordinance was updated in 2008. He said there are no limits on turbine height, but it does include setbacks. Srp said a lot has changed in the industry since 2008 and this section likely should be updated. George asked for this to be on the agenda because of discussions she's had with other county supervisors from across the state. Barnes said he has had discussions with other counties and Clinton County's ordinance appears to be pretty thorough. He said other counties look toward our ordinance for guidance. Irwin said the first solar operation approved in Clinton County took nine months to get in place. He said there is time to review the ordinances and make changes in the ordinance as needed. Srp said timelines need to be set for this review and parameters on who is working on the updates. Irwin said the County Attorney said we cannot do an indefinite moratorium and that a start date should be set, and it shouldn't exceed 90 days. Srp said there will be several opportunities for the public to share their thoughts about the ordinances and any further projects. Mary Bartel owns farms in Clinton and Jackson counties. She said it's very hard to find positive comments about the betterment of life from these wind farms. She asked the Board to consider public safety as well as the decommissioning of the turbines. Bartels also has concerns about the County roads that would be used for the operations. Srp said he appreciates the questions, and it is difficult to answer until the actual permit is filed. Bartels thanked the Board for reviewing the ordinance and talking with other counties about their experiences. Mike Carberry, Bright Future Iowa, said the County board has been thoughtful about how to proceed with these matters and their decommissioning plans have been solid. He recommends that counties find ordinances from other counties that are working well and put them in their ordinances with their local spin. Carberry said to watch out of those ordinances as some are written to not include wind turbines in their county. Irwin said the Board worked over the first solar project pretty hard and came out with the best result they could. Srp would like Barnes to point out areas to the Board where things should be considered in the ordinance. Landon and Alyssa Rorah, are farmers and he is on the volunteer fire department in Delmar. They thanked the Board for their consideration of having meetings in the affected area. He is concerned about landowners' rights near these projects due to the noise and vibration. He said they live in the county for its natural sounds and not a constant noise and vibration. He is also concerned with turbines affecting weather radars for public safety. He said there is also an effect on livestock due to the constant noise and vibration. They also raised concerns about the bat population and location of the proposed operation near the Maquoketa Caves. Thomas Bean, Iowa Land and Liberty Coalition, offered resources for industry standards that can be used when the Board reviews its ordinances. Lee Good, landowner near the proposed tower, said the population may not be dense there, but the people who live there should still be considered. Irwin mentioned he would discuss what would be needed for a moratorium with the County Attorney

Annual Audit Firm Recommendation: Van Lancker said RFPs were sent to 10 firms and three submitted proposals. He said the committee reviewed and discussed the submissions and recommends the Board engages with Eide Bailly LLP for auditing services.

The following resolution was presented and on motion approved:

RESOLUTION 2024-85

BE IT RESOLVED that the agreement between Clinton County and Eide Bailly LLP of Dubuque, Iowa, for auditing services for Clinton County for fiscal years ending June 30, 2024, June 30, 2025, and June 30, 2026, be and is hereby approved and the Chairman be authorized to sign, to receive and place on file with the County Auditor.

Roll Call: George: Yes; Srp: Yes; Irwin: Yes.

Jim Irwin, Jr., Chairperson

Clinton County Community Student Loan Assistance Program Review: Van Lancker said at least one Supervisor and some employees have suggested that the County include its employees in the student loan assistance program. Van Lancker reviewed what other partners in the Peanut Butter Student Loan administration are doing for their employees. Srp said if it is being used as retention is there a retention problem in the County to address. Johnson said this would be outside the original scope of the project and significant change to the expenditure line and it may not be fair to the positions that don't require a college or two-year degree or more.

10:06 A.M County Employee Health Benefits Plan Review

Representatives of True North reviewed the County health benefits plan.

MOTION by Supervisor Srp to authorize True North to increase County stop-loss to \$85,000 as recommended.

Roll Call: George: Yes; Srp: Yes; Irwin: Yes.

Motion carried.

The following resolution was presented and on motion approved:

RESOLUTION 2024-84

WHEREAS, it is in the best interest of Clinton County to annually review and renew benefits; and

WHEREAS, Wellmark has provided a contract renewal for the Health Insurance Benefits for the 2025 plan year; now

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the Chairman is authorized to sign said renewal document.

Roll Call: George: Yes; Srp: Yes; Irwin: Yes.

Jim Irwin, Jr., Chairperson

The Board of Supervisors adjourned to meet on Tuesday, March 26, 2024, at 10:00 a.m. for a Public Hearing on the proposed FY2025 Clinton County Property Tax Levies.

Eric Van Lancker, County Auditor

Jim Irwin, Jr., Chairperson

-APPROVED-

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County Auditor

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Chairperson