

# Clinton County Board of Supervisors

Clinton County Administration Building  
1900 North Third Street

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

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[www.clintoncounty-ia.gov](http://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 15, 2021, 9:00 A.M. Clinton County Administration Building, Conference Room B, 1900 N. 3<sup>rd</sup> 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.** Second-Tier Canvass of Votes from the Nov. 2, 2021 City/School Election  
Formal Action & Motions  
Claims Approval  
Coronavirus/COVID-19 update

## CONSENT AGENDA

- RESOLUTION 2021-308: Termination – Maintenance
- RESOLUTION 2021-309: 427.8 property tax suspensions – Various
- RESOLUTION 2021-310: Set a public hearing for a County Zoning Ordinance map amendment

## RESOLUTIONS

- RESOLUTION: Home Base Iowa award – Vegter

## UNFINISHED BUSINESS

### GENERAL PUBLIC

### DEPARTMENT HEADS, ELECTED OFFICIALS & EMPLOYEES

### DISCUSSION WITH POSSIBLE ACTION

1. Solar projects update

**9:45 a.m.** Drainage Districts

The Supervisors will convene as Board of Trustees for Drainage District 7 for 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.

November 15, 2021

RESOLUTION 2021-308

RESOLUTION FOR TERMINATION OF PAYROLL OF  
SUZANNE ZIEGLER FROM THE CLINTON COUNTY MAINTENANCE FUNDS

WHEREAS the Clinton County Facilities Director has issued the termination of Suzanne Ziegler as full time housekeeper; 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 out the Clinton County Maintenance Funds. Suzanne Ziegler's last day of employment was November 5, 2021.

Roll Call:

Srp:            Yes    No

Irwin:         Yes    No

Determann:    Yes    No

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Chairperson, Tom Determann

ATTEST:

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County Auditor, Eric Van Lancker

RESOLUTION 2021-309

RESOLUTION TO AUTHORIZE THE PETITION TO SUSPEND THE 2020 ASSESSMENT YEAR PROPERTY TAXES PER CODE OF IOWA SECTION 427.8 FOR JULIANA WHITENER, KIM DRURY, BEVERLY GRANT, BRIAN FALLESEN, DOROTHY KOEPP AND GREG DYKES

WHEREAS the following individual's have petitioned to suspend their property taxes for the 2020 assessment year under provision of Code of Iowa, Section 427.8:

Juliana Whitener, 115 N 4 <sup>th</sup> Street, Clinton, IA Taxes Currently Suspended: <u>\$3,065.00</u>	Parcel #8003130000 2020 Taxes: <u>\$756.00</u>
Kim Drury, 715 10 <sup>th</sup> Avenue S, Clinton, IA Taxes Currently Suspended: <u>\$1,832.00</u>	Parcel #8037500000 2020 Taxes: <u>\$426.00</u>
Beverly Grant, 315 N 13 <sup>th</sup> , Clinton, IA Taxes Currently Suspended: <u>\$3,334.00</u>	Parcel #8022900000 2020 Taxes: <u>\$1,822.00</u>
Brian Fallesen, 2046 442 <sup>nd</sup> Ave N, Clinton, IA Taxes Currently Suspended: <u>\$11,592.00</u>	Parcel #3204970000/97100 2020 Taxes: <u>\$1,996.00</u>
Dorothy Koepp, 2418 Chancy Street, Clinton, IA Taxes Currently Suspended: <u>\$1,580.00</u>	Parcel #8202860000 2020 Taxes: <u>\$582.00</u>
Greg Dykes, 1606 Middle Rd, Clinton, IA Taxes Currently Suspended: <u>\$18,783.00</u>	Parcel #1017090000 2020 Taxes: <u>\$1,514.00</u>

WHEREAS the eligibility for said suspensions have been verified by Kim Ralston, CAP Director.

BE IT RESOLVED by the Clinton County Board of Supervisors that the above petitioners property tax suspensions [for the collection of taxes, special assessments, and rates or charges, including interest, fees and costs] be and are hereby approved and that the Clinton County Treasurer is authorized to make entry on the records accordingly.

BE IT FURTHER RESOLVED that the property tax suspension under provision 427.8, Code of Iowa is for the 2020 assessment year and all prior years and it is the responsibility of the petitioning taxpayer to reapply for further property tax suspensions.

Roll Call:

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

ATTEST:

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Chairperson, Tom Determann

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County Auditor, Eric Van Lancker

RESOLUTION 2021 - 310

RESOLUTION SETTING A PUBLIC HEARING WITH THE CLINTON COUNTY  
BOARD OF SUPERVISORS

BE IT RESOLVED, that the Clinton County Board of Supervisors will hold a Public Hearing on the 6<sup>th</sup> day of December, 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 5<sup>th</sup> 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

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Chairperson, Tom Determann

ATTEST:

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County Auditor, Eric Van Lancker

November 15, 2021

RESOLUTION 2021-\_\_\_\_\_

RESOLUTION AWARDING CLINTON COUNTY HOME BASE IOWA  
HOME PURCHASE CLOSING COST REIMBURSEMENT TO GAIL VEGTER

**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 Gail Vegter 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 Gail Vegter from the General Basic Miscellaneous Fund.

Roll Call:

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

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Chairperson, Tom Determann

ATTEST:

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County Auditor, Eric Van Lancker

November 15, 2021

RESOLUTION 2021-DD7-01-02

RESOLUTION TO SET PUBLIC HEARING DATE FOR PROJECT COMPLETION REPORT  
CONSIDERATION AND HEAR CLAIMS FOR DAMAGES ON DRAINAGE DISTRICT 7 2021  
MAIN DITCH TREE AND BRUSH REMOVAL PROJECT

WHEREAS, the Clinton County Board of Supervisors acting as Trustees for Drainage District #7 have received the completion of work report from the Clinton County Engineer for the Drainage District #7 2021 Main Ditch Tree and Brush Removal Repair Project, and;

WHEREAS, the Code of Iowa requires that a public hearing be held to consider the completion report, to hear any claims for damages against the contractor and to hear any objections to the completion report by any interested parties.

THEREFORE BE IT RESOLVED by the Board of Supervisors that a public hearing be held at \_\_\_\_\_ on \_\_\_\_\_, \_\_\_\_\_, at the Clinton County Administration Building (Conference Room B), 1900 North 3rd St., Clinton, Iowa.

Roll Call:

Srp:            Yes    No

Irwin:        Yes    No

Determann:    Yes    No

\_\_\_\_\_  
Chairperson, Tom Determann

ATTEST:

\_\_\_\_\_  
County Auditor, Eric Van Lancker

November 15, 2021

RESOLUTION 2021-\_\_\_\_\_

RESOLUTION OF SUPPORT FOR FIBER OPTIC BROADBAND NETWORK EXPANSION

WHEREAS, Iowa Governor Kim Reynolds has designated federal American Rescue Plan Coronavirus State and Local Fiscal Recovery Funds for broadband expansion in Iowa; and

WHEREAS, to distribute these funds, the Office of the Chief Information Officer issued Notice of Funding Availability (NOFA) #007 for the Empower Rural Iowa Broadband Grant Program, and

WHEREAS, on October 25, 2021, the Office issued Notice of Funding Availability #007 which begins the Application Acceptance Window for this NOFA until November 22, 2021, at 5:00 CST; and

WHEREAS, eligible areas for NOFA #007 funding are identified on the State of Iowa Broadband Map Version 4 (Map V4); and

WHEREAS, Clinton County has received notice of Federal funding allocated under the Coronavirus Local Fiscal Recovery Fund established under the American Rescue Plan Act (ARPA) signed into law on March 11, 2021; and

WHEREAS, Sections 602(c)(1) and 603(c)(1) provide that funds may be used to make necessary investments in water, sewer, or broadband infrastructure; and

WHEREAS, the Interim Final Rule published by the Department of the Treasury in 31 CFR Part 35 states that within eligible use categories, local governments have flexibility to determine how best to use its allocated funds to meet the needs of its communities and populations for any allowed use, including broadband infrastructure; and

WHEREAS, the Department of the Treasury has published additional guidance as responses to Frequently Asked Questions (FAQ), most recently on July 19, 2021; and

WHEREAS, the July 19, 2021, FAQ publication Section 6 prescribes additional guidance on how the County can flexibly determine the types of broadband projects, investments, transfers to private entities, and forgivable loans it chooses to make necessary investments in broadband infrastructure; now

THEREFORE BE IT RESOLVED that the Clinton County Board of Supervisors (“Board”) concurs there are broadband service deficiencies in the areas of the county identified on the State of Iowa Broadband Map V4 (Map V4); and

That there is an economic public purpose to facilitate additional broadband infrastructure investments in Map V4 areas of the County currently lacking fiber optic broadband service; and

That a gap in the capital needed for broadband providers to construct fiber optic networks in Map V4 is a barrier to making broadband infrastructure investments, where competitively-priced broadband service fees cannot adequately repay the debt needing to be issued, nor attract the equity at a reasonable rate of return; and

That Department of the Treasury guidance appears to provide that the Board is duly authorized to define the parameters by which it can incentivize necessary investments in broadband infrastructure that reduce providers' funding gap, through transfers, grants, and forgivable loans to private entities; and

That the Board hereby allocates \$\_\_\_\_\_ of its ARPA funding (and \$\_\_\_\_\_ of other County funds) following the development of an incentive program that restricts any County awards to broadband infrastructure projects and providers that meet all the following criteria:

- Demonstrated State Support - Eligible projects receiving County funds are to be constructed, in whole or in part, using funds awarded under NOFA #007 by the State of Iowa.
- High-capacity networks - Any consumer (residential, commercial, anchor institutions) within the County and identified as underserved by the current Empower Iowa Broadband Grant Application (NOFA #007), and by the County, shall have access to both internet upload and download speeds of at least 1 gigabit per second (1 Gbps) utilizing a fiber-to-the-premise network no later than December 31, 2026. Projects must demonstrate how they prioritize first providing wireline (fiber) service, to the most customers, that currently do not have an option at least of 25 Mbps download speed and 3 Mbps of upload speed available at their premise. Preference will be given to fund broadband infrastructure designed to be capable of providing above 1 Gbps-capacity services to currently underserved households and businesses.
- Reliability and Customer Service - The solution should provide consumers with an improved customer experience in all aspects, including response times and minimal service issues, which shall be validated by independent pre-construction and post-construction area customer satisfaction survey and speed test results submitted to the County by December 31, 2026. A local physical presence within the County, staffed by at least one local employee, shall be required of the applicant from the time of County award through December 31, 2029.
- Competitive pricing – Retail rates for services offered shall be deemed affordable if priced competitively with other provider options in the County, documented by the applicant. Providers shall participate in federal and state programs that promote affordable access for lower-income families, particularly households with educational needs. The applicant shall file its rates of services and tiers with the County and may not raise them more than 10% through December 31, 2029.
- Local references of support - Two (2) resolutions of support for County funding by local governments in communities in which the provider currently provides services.

- Refund agreement – The applicant shall agree to reimburse the County any “other county funds” provided if it does not meet the conditions of the program.

Roll Call:

Srp:           Yes    No

Irwin:        Yes    No

Determann:  Yes    No

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Chairperson, Tom Determann

ATTEST:

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County Auditor, Eric Van Lancker