

AUGUST 28, 2023

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

Resolutions 2023-210 through 2023-212 and 2023-214 through 2023-218 were approved on the Consent Agenda:

RESOLUTION 2023-210

BE IT RESOLVED by the Clinton County Board of Supervisors that Susan K. Alvis, d/b/a BS General Store, has electronically file an application for a Class C Commercial liquor license with endorsements for Sunday Sales, effective October 1, 2023, and 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

RESOLUTION 2023-211

WHEREAS, the Clinton County Conservation Board wishes to end employment of Sam Bloom, Anton Greene, and Blake Leu as seasonal conservation technicians effective August 28, 2023; 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 Conservation General Fund in payment of wages without further order of the Board.

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

Jim Irwin, Jr., Chairperson

RESOLUTION 2023-212

WHEREAS, per the Clinton County Credit Card Policy all departmental credit cards and credit limits must be approved by the Board of Supervisors;

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the Auditor's Office is authorized to complete the required credit card limit increase application with TCM Bank, issued through Clinton National Bank, to increase the Auditor's Office credit card limit to \$6,000.00.

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

Jim Irwin, Jr., Chairperson

RESOLUTION 2023-214

WHEREAS, it is in the best interest of Clinton County to establish and review policies from time to time; and

WHEREAS, the Clinton County Emergency Management Agency has recommended updates to the Run Hide Fight Policy;

WHEREAS, this policy will be available to all County staff on the policy keeping software; now

THEREFORE BE IT RESOLVED that the Board of Supervisors of Clinton County, Iowa, adopts the County Run Hide Fight Policy, dated July 31, 2023.

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

Jim Irwin, Jr., Chairperson

RESOLUTION 2023-215

WHEREAS, the Board of Supervisors recognizes that the County Administration Building is a public building and is open to the public during normal business hours; and

WHEREAS, the Board also recognizes that during times of inclement weather, including excessive heat and periods of extreme cold, that individuals may not recognize that the Administration building is available as a resource to them without further notification; and

WHEREAS, when an Excessive Heat Warning or Wind Chill Warning is issued, or is expected to be issued by the National Weather Service for Clinton County, a press release will be issued by the Emergency Management Agency on behalf of the Board of Supervisors and sent to local media outlets notifying the public of this service; now

THEREFORE BE IT RESOLVED that the Board of Supervisors of Clinton County, Iowa, adopts the Cooling/Warming Center Policy, dated July 20, 2023.

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

Jim Irwin, Jr., Chairperson

RESOLUTION 2023-216

WHEREAS, in accordance with Iowa Code Section 26.12, it is required that a public hearing be held to approve the proposed plans, specifications, form of contract and cost estimate for new construction projects with an estimated cost greater than the competitive quote threshold; now

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that a public hearing for the purpose of approving the plans, specifications, form of contract and cost estimate on the generator project at the Clinton County Administration Building be scheduled for September 18, 2023, at 10:00 a.m.

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

Jim Irwin, Jr., Chairperson

RESOLUTION 2023-217

WHEREAS, the Clinton County Treasurer has recommended a settlement agreement and the Clinton County Board of Supervisors passed Clinton County Resolution 2023-47 pursuant to Iowa Code Section 445 the South Carolina Dialogue Foundation is entitled to abatement of penalty interest, taxes, special assessments, and charges owed as detailed:

	Parcel	80-36060000		
2021 Taxes	\$262,564.00	2022 Special Assessment	\$5528.17	
2022 Taxes	\$260,952.00	2022 Special Assessment	\$382.62	

THEREFORE BE IT RESOLVED, pursuant to Code of Iowa Sections 445, taxes, penalty interest, special assessments, and charges outstanding and billed to the South Carolina Dialogue Foundation shall be abated and the Treasurer is hereby authorized to make amendment to the county records indicating said abated tax for the parcel effective 8/1/2023.

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

Jim Irwin, Jr., Chairperson

RESOLUTION 2023-218

WHEREAS, the City of Clinton was wrongly granted exemption on a purchased property, charges should be adjusted, and the City of Clinton will owe and be billed as detailed: Clinton, City of 80-66550000 \$1,569.95

THEREFORE BE IT RESOLVED, pursuant to Code of Iowa Sections 445.63, taxes and charges outstanding and billed to the City of Clinton shall be adjusted and the Treasurer is hereby authorized to make amendment to the county records indicating said adjusted tax for the parcel as noted effective for the tax year 2022 starting July 1, 2023. No changes to the due dates will be needed.

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

Jim Irwin, Jr., Chairperson

RESOLUTIONS

The following resolution was presented and on motion approved:

RESOLUTION 2023-219

WHEREAS, the Clinton County Board of Supervisors has considered the bids received by the Iowa Department of Transportation (IDOT) on August 15, 2023 for Fog Seal project located on 292nd Street (From State Highway 67 to County Line), Project No. FM-C023(132)--55-23.

WHEREAS, the total amount of each bid was as follows: Dave Schmitt Construction \$118,937.63

THEREFORE BE IT RESOLVED that the Board of Supervisors of Clinton County, Iowa, concurs in the IaDOT's recommendation that the contract for said work be awarded to the low bidder, as follows: Dave Schmitt Construction \$118,937.63

BE IT FURTHER RESOLVED by the Board of Supervisors of Clinton County, Iowa, that, after receiving the necessary contract documents, including but not limited to, the contractor's bond and certificate of insurance (Todd Kinney), the County Engineer for Clinton County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this Clinton County.

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

Jim Irwin, Jr., Chairperson

The following resolution was presented and on motion approved:

RESOLUTION 2023-220

WHEREAS, according to Iowa Code Section 309.17, the Board of Supervisors shall employ one or more licensed civil engineers who shall be known as county engineers, and,

WHEREAS, it is in the best interest of both parties to review the Clinton County Engineer Employment Contract and Agreement annually;

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that said employment contract and agreement be and is hereby approved.

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

Jim Irwin, Jr., Chairperson

The following resolution was presented and on motion approved:

RESOLUTION 2023-221

WHEREAS, the Clinton County Board of Supervisors and the Jackson County Board of Supervisors wish to enter into an agreement to share the services of the Clinton County Engineer, a Registered Professional Engineer as County Engineer pursuant to Iowa Code Section 309.19; and

WHEREAS, the purpose of the agreement is to establish a working mechanism between the participating counties so that the Jackson County Board may utilize the services of Todd Kinney, and

WHEREAS, an Inter-Governmental Agreement has been prepared by the Clinton County and Jackson County Board of Supervisors and presented to the Clinton County Board of Supervisors, said agreement by and between Clinton County, Iowa, and Jackson County, Iowa; each a local government in Iowa, pursuant to Chapter 28E of the Code of Iowa.

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that said agreement be and is hereby approved and the Board of Supervisors and the Board Chairperson be and are hereby authorized to execute said agreement 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 2023-222

WHEREAS, the Wage Study Committee has been appointed to implement the county wage study through Gallagher; and

WHEREAS, the Committee has reviewed Gallagher's recommendations for Wage Appeals for Q1 FY2024; now

THEREFORE BE IT RESOLVED to adjust the following, effective 8/28/2023:

Park Supervisor- B24

Administrative Office Assistant (County Attorney)- B23

Technology Systems Manager- C42

Civilian Assistant Jail Administrator- B24

IT Director- D62

Paralegal- B24

BE IT FURTHER RESOLVED that the Human Resources Director, Ally Ellison, will update the employee handbook and create local access to the banding document to reflect these changes.

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

Jim Irwin, Jr., Chairperson

The following resolution was presented and on motion approved:

RESOLUTION 2023-223

WHEREAS, a letter of support for the installation of a new playground facility at Rock Creek Campground and Marina has been presented; and

WHEREAS, it is the intention of the Clinton County Conservation Board that the playground to be installed will meet all requirements listed under the American with Disabilities Act; now

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the letter of support for the playground at Rock Creek campground and Marina be approved; and

BE IT FURTHER RESOLVED that the Clinton County Board of Supervisors Chairman is authorized to sign said letter of support.

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

Jim Irwin, Jr., Chairperson

Resolution 2023-213 discussion: Susan Dieckman, County resident, said there was a cost-of-living adjustment in July and now there are wages adjustments proposed for some employees of \$10,000 or more. She said it's a huge increase per year for those individuals. She asked why they needed another increase. She said she has to cut back at this time because everything is high and she never got increases this high. She asked if it is in line with other counties and County Treasurer Dustin Johnson said it is not. Johnson said he was part of the wage study committee which spent a lot of time establishing a way to set wages and included a way to appeal. He said he doesn't like requests like this showing up like one did last week. Supervisor Srp asked Johnson why he did not follow the same process. Chairman Irwin said Resolution 2023-196 was approved by him and Srp for a wage adjustment within the IT Department. He said he met with the IT Director and HR Director about how to proceed. He said he compared this matter to another individual in the County in a similar situation. Irwin said this employee deserved the raise as they were offered a similar amount from another company. He said they determined this by looking at similar positions that are currently open. Irwin added the employee did not have years of experience added into his previous wage increase. Johnson said there was lengthy discussion about how to apply years of experience. Johnson asked how any taxpayers would know about that resolution because it was just on the agenda and there was no discussion about it. Irwin said he agreed they should have done it differently and it should have been pulled from the consent agenda for further discussion. Supervisor George said she expressed feelings about the wage adjustment to Human Resources which they could have shared during the meeting, but that opportunity didn't happen. She believed a partial step could have been made, but possibly not that amount. George said she doesn't want to lose a good employee but thought it could have been handled differently. George said the County needs to decide to stick with the wage study or not use it. George said the Board can do better. Srp said he believes there are significant differences between the attorney raise request and this one for the IT Department. He said he was comfortable with the information presented to him before approving the resolution last week. He doesn't believe the IT resolution is what is really being discussed today. Srp said as far as process he believes they had all the information they needed. He said anyone could have pulled that agenda item last week. Srp said since last week he has asked Human Resources to create and follow a process. Srp said it bothers him the way Johnson is handling this by trying to get

his outcome. Srp said now he wonders if they should even use the consent agenda at all. He said we are elected to become informed and become decision makers and not everything is a popularity poll. Srp said the Board has a history of making sound decisions for the County. He said he feels blindsided and this is being used today to string us up for a decision we made. HR Director Ally Ellison said this appears to be a communication issue. She said she spoke with the Supervisors individually and she did not share the same information and then it appeared on the consent agenda without discussion. She said there wasn't anyone acting bad, it was a communication issue. Johnson said he's not interested in affecting the IT resolution. He said he's concerned about the process and it should be more transparent. He's not saying they acted in bad faith. He said the process opens the door for anyone to submit such a resolution. He wanted to protect taxpayers and the Board and wanted to make sure this didn't become standard operation procedure. Srp said he worked with Human Resources last week to address this process. Irwin said as a three-person board they don't discuss things on the agenda until the discussion happens at the Board meeting. They work outside the meeting to discuss the requests with directors so they are prepared for the meeting. Irwin said it was his fault not to pull it from the consent agenda. Ellison said they could have not replaced the position for any less than what the wage adjustment was made for. She said that wasn't recognized in the wage study and it would have been more expensive to hire the position as opposed to retain. Johnson said some of the recommendations that came out of the wage study may have not made it back to the employees. Johnson admitted he did not catch the IT resolution on the agenda until three days later, but he said he didn't think this conversation would have happened if he didn't take his actions on this agenda. Srp said it felt like Johnson wanted to humble the Board and watch it fall on the sword. Johnson said that was not his intention and he apologized. Irwin said he always talks with the department head or elected official for requests outside of the budget. Irwin said he doesn't want to vote on the resolution today without talking more with Johnson about it. Srp said Human Resources has stated details do not support the outcome of the resolution. Johnson said he doesn't have a problem being treated equally he said he just didn't know what the process was. Srp said he told Johnson to reach out to Human Resources to follow the previous process. Srp and Johnson agreed. Srp asked him to speak with Human Resources. Srp said Johnson chose to still put it on the agenda without talking with Human Resources. Johnson said he's prepared to have this discussion at budget time. He added he won't be offended about taking no action and doesn't believe his employees will be either. Johnson said he will follow up with Human Resources for a discussion in the future.

The following resolution was presented and on motion failed:

RESOLUTION 2023-213

WHEREAS, the Board of Supervisors determines pay for county employees; and

WHEREAS, the positions listed are key roles for Clinton County; now

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, to approve the adjustment of salaries and hourly rates, effective August 28, 2023, for the following employees:

Gregg Maxwell	Office Manager	\$80,012.00
Samantha Giuliani	First Deputy	\$74,000.00
Melissa Clay	First Deputy	\$72,000.00
Krystal Vawter	Treasurer Clerk	\$21.50 hourly

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to issue bi-weekly paychecks on the General Basic Fund, Treasurer office without further order of the Board.

Roll Call: George: No; Srp: No; Irwin: No.

Jim Irwin, Jr., Chairperson

Resolution 2023-224 discussion: Irwin said the YWCA wants to adjust the option to provide 35 parking spaces for the program. Srp said he spoke with the YW attorney and County Attorney Mike Wolf and Wolf supported the resolution. He said it doesn't diminish the County's ability to have parking. Srp said he was concerned because during the Law Center construction the city stated the County should pursue additional parking around the site. Srp said Wolf reported to him the option amendment does not jeopardize that agreement. Srp said he heard from the Planning and Zoning committee meeting recently that they are not concerned with the County parking situation in regard to the option. Srp said he understands the need for this program, but there appears to be debate about the site for it. Irwin reviewed how the site was selected from about a dozen sites. Srp said he has concerns about the financial viability of the project. George said the city did not take action last week on the zoning due to a councilman's illness. But she said the things said to the Council was disturbing. She said this is an issue of zoning. She said this is different than the solar project. She said most of the neighbors are against the project. She suggested the Sisters of St. Francis should build it on their property. George said she knows this is about parking, but there is no way shape or form that she will support this project. Srp said he doesn't believe the zoning is an issue for the Board to make. George said she understands that, but she made her statement.

The following resolution was presented and on motion approved:

RESOLUTION 2023-224

WHEREAS, the Clinton County Board of Supervisors (hereinafter “Board”) held a public hearing on Resolution 2022-223 to determine whether Clinton County real property, currently 3 parcels, should be transferred through an Option to Purchase to the Clinton YWCA as part of its National Housing Trust Fund application; and

WHEREAS, the real property is specifically described as follows:

- 630 N. Third Street, Clinton, Iowa 52732: (Lots one (1), two, (2), three (3) and four (4), Block fourteen (14) in North Addition); and
- 608 and 610 North 3rd Street, Clinton, Iowa 52732: The north thirty-two (32) feet of lot five (5) in Block fourteen (14) in North Addition to the Town, now City of Clinton, Iowa; and
- The South eight (8) feet of lot five (5) and the north twenty-three (23) feet of lot (6) in Block fourteen (14), North Addition to the Town, now City of Clinton, Iowa; and

WHEREAS, the Board approved Resolution 2022-237 which permitted the County to enter into an Option to Purchase Agreement (hereinafter “Agreement”). The Agreement contains as follows: “Paragraph 17. Reservation of Parking Spaces. The Seller reserves unto itself the right to use 35 parking spaces on the real estate referred to above.”; and

WHEREAS, for purposes of rezoning, the YWCA requests the Board modify Paragraph 17 of the Agreement to state: “Paragraph 17. Reservation of Parking Spaces. The Seller reserves unto itself the right to use parking spaces on the real estate referred to above when Seller needs overflow parking and if spaces are available in Buyer’s parking lot.”; and

BE IT RESOLVED by the Board the Agreement be modified as requested. The Chair is authorized to sign the modification as required.

Roll Call: George: No; Srp: Yes; Irwin: Yes.

Jim Irwin, Jr., Chairperson

DEPARTMENT HEADS, ELECTED OFFICIALS AND EMPLOYEES

County Auditor Eric Van Lancker discussed the Board’s schedule in light of the Labor Day holiday next week. It was agreed not to schedule a meeting next week unless something timely presents itself. He also gave the Board a heads up that the opioid fund workgroup is considering holding public hearings on September 19 in Clinton and September 26 in DeWitt. Auditors will meet with state officials about SF718 in a couple of weeks.

Srp said the Catfish Classic was this weekend at Rock Creek and was very successful with boats checking in from Lansing, Iowa, to Missouri.

Irwin said he wants to discuss tax bills at the September 11 meeting. He said he’s received several calls during the weekend about them. He said Thursday night at the bandshell in Clinton there is an overdose vigil event.

George said she met with Judge Joel Barrows about the court system in Clinton and will share that information with the group she has been working with to address crime in the County.

Johnson said his office has been active with tax bills now being received.

DISCUSSION WITH POSSIBLE ACTION

Update on Resolution 2023-196: Irwin said this discussion was included in the discussion with Resolution 2023-213.

Clinton Humane Society Funding Request: Irwin said Jennifer Gerdes, Clinton Humane Society Director, had sent the County a proposal for a limited-time deal for the Sheriff’s Office while the County researched a longer-term agreement. George said she likes the current short-term agreement for the per day rate for animals brought in by the County Sheriff’s Office.

MOTION by George to enter into a 90-day agreement with the Clinton Humane Society that the County will pay \$25/day/per animal for up to four days only for animals delivered to the shelter from County Sheriff Deputies.

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

Motion carried.

The Board of Supervisors adjourned to meet on Monday, September 11, 2023.

Eric Van Lancker, County Auditor

Jim Irwin, Jr., Chairperson

-APPROVED-

County Auditor

Chairperson