

AUGUST 12, 2024

The Board of Supervisors of Clinton County, Iowa, met at the Clinton County Law Center, Clinton, IA. 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 2024-209 through 2024-215 and three (3) Motions were approved on the Consent Agenda:

RESOLUTION 2024-209

WHEREAS, the Clinton County Maintenance Department has accepted the resignation of Karder White, as a temporary part-time custodian; 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 County Maintenance Department budget, to White. White's last day of work is July 26, 2024.

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

Jim Irwin, Jr., Chairperson

RESOLUTION 2024-210

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 Jon Aytes the amount of \$1,500.00 for the qualified reimbursement for a home purchase closing cost and the amount of \$550 for the qualified reimbursement for job interview expenses for two visits; and

BE IT FURTHER RESOLVED that the Clinton County Auditor be authorized to pay the claim in the amount of \$2,050.00 to Jon Aytes from the General Basic Miscellaneous Fund.

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

Jim Irwin, Jr., Chairperson

RESOLUTION 2024-211

WHEREAS, pursuant to Iowa code section 445.63 the City of Clinton is entitled to abatement of penalty interest, taxes / rates, and charges owed as detailed:

Clinton	8625860000	269 23 AVE N	\$2,038.00
Clinton	8004410000	935 11 AVE S	\$950.00
Clinton	8204930000	265 20 PL	\$13,036.07

THEREFORE BE IT RESOLVED pursuant to Code of Iowa, sections 445.63, taxes, penalty interest, rates, and charges outstanding and billed to the City of Clinton 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 county record for fiscal year 2024-2025 in the same manner.

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

Jim Irwin, Jr., Chairperson

RESOLUTION 2024-212

WHEREAS, Code of Iowa Chapter 425 provides for disabled veteran homestead property tax credits for qualifying properties; and

WHEREAS, the Clinton County Assessor's Office has recommended the approval of applications for the disabled veteran homestead property tax credit as filed in the Clinton County Auditor's Office; now

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that said parcels are allowed the disabled veteran homestead property tax credit per Code of Iowa Chapter 425, effective July 1, 2024.

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

Jim Irwin, Jr., Chairperson

RESOLUTION 2024-213

WHEREAS, Code of Iowa Chapters 425 and 426A provide homestead and military property tax credits for qualifying properties; and

WHEREAS, the Clinton County Assessor's Office has recommended the approval of applications for the homestead and military property tax credit as filed in the Clinton County Auditor's Office; now

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that said parcels are allowed the homestead and/or military property tax credit per Code of Iowa Chapters 425 and 426A, effective July 1, 2024.

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

Jim Irwin, Jr., Chairperson

RESOLUTION 2024-214

WHEREAS, Code of Iowa Chapters 425 and 426A provides homestead and military property tax credits for qualifying properties; and

WHEREAS, the Clinton County Assessor's Office has recommended the disallowance of homestead and military property tax credits from certain parcels as filed in the Clinton County Auditor's Office; now

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that said parcels be disallowed the homestead and/or military property tax credits per Code of Iowa Chapters 425 and 426A, effective July 1, 2024.

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

Jim Irwin, Jr., Chairperson

RESOLUTION 2024-215

WHEREAS, Code of Iowa Chapters 425 and 426A provides homestead and military property tax credits for qualifying properties; and

WHEREAS, the Clinton County Assessor's Office has recommended the removal of homestead and military property tax credits from certain parcels as filed in the Clinton County Auditor's Office; now

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that said parcels be removed from homestead and/or military property tax credits per Code of Iowa Chapters 425 and 426A, effective July 1, 2024.

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

Jim Irwin, Jr., Chairperson

MOTION by Supervisor Srp to approve the final plans for the bridge replacement project on 235th Street (Lincoln Highway) Project No. BROS-CO23(130)—5F-23, bridge Q-1238 over Wapsipicon backwater.

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

Motion carried.

MOTION by Supervisor Srp to authorize the Chairperson to sign Utility Permit Number 9-60 for EI L&P. The Project will include boring single phase primary cable under 140th Avenue and retiring an overhead line. The work will be within the county right-of-way of 140th Avenue Section 03 T82N R01E of the Liberty Township.

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

Motion carried.

MOTION by Supervisor Srp to authorize the Chairperson to sign Utility Permit Number 9-61 for EI L&P. The Project will include boring 3 phase cable under 320th Avenue. The work will be within the county right-of-way of 320th Avenue, located in Section 22 T82N R04E of Washington Township.

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

Motion carried.

RESOLUTIONS

The following resolution was presented and on motion approved:

RESOLUTION 2024-216

WHEREAS, the Clinton County Supervisors recognizes federal requirements in regard to juvenile detention; and

WHEREAS, based on recommendations from the Clinton County Attorney and Clinton County Sheriff that outside juvenile detention is needed for Clinton County; now

THEREFORE BE IT FURTHER RESOLVED that the Clinton County Board of Supervisors authorizes the Clinton County Board of Supervisors Chairperson to sign a six-month contract, effective July 23, 2024, with Linn County, Iowa, for juvenile detention and diversion services.

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

Jim Irwin, Jr., Chairperson

The following resolution was presented and on motion approved:

RESOLUTION 2024-217

WHEREAS, the City of Delmar, Iowa, ("City") is the owner of the following described real estate ("City Property"):

The South ½ of Lot 10, and all of Lots 11 and 12, Block 5, F.L. Sunderlin's Addition, and Parcel B as created and disclosed by the Plat of Survey of Parcel B, located in the NE ¼ of the NE ¼, Section 16, Township 83 North, Range 3 East of the 5th Principal Meridian, as shown by Plat of Survey recorded on March 18, 2024 as Clinton County Recorder Document No. 2024-01227, all in the City of Delmar, Clinton County, Iowa.

WHEREAS, Clinton County, Iowa, ("County") is the owner of the following described real estate ("County Property"):

Lots 1 and 2, Block No. 26, original Town of Delmar, Iowa, and Commencing at the SE Corner, Lot 2, Block 26 of the original Town of Delmar, Iowa, which point is Point of Beginning; thence South 168 feet more or less to the northerly right of way line of the C & NW Railroad spur track; thence West 150 feet more or less to the southerly right of way line of said track; thence Northwesterly along said right of way 45 feet more or less to the southerly extension of the west line of Ridge Avenue; thence North 184 feet more or less; thence Southeasterly 183 feet more or less to the Point of Beginning; except the right of way owned by the Chicago Northwestern Transportation Company. Containing 0.77 of an acre, more or less.

and

That parcel of property originally platted as Ridge Avenue, bounded by and lying westerly of and adjacent to Block 26 of the original Town of Delmar, Iowa, bounded by and lying south of the Clinton Avenue right-of-way, bounded by and lying easterly of and adjacent to Block 5 in F.L. Sunderlin's Addition, and bounded by and lying northerly of and adjacent to the former Chicago, Milwaukee & St. Paul Railway Company railroad right of way, all located within the original Town of Delmar, Iowa.

WHEREAS, the City has agreed to transfer City Property to the County, reserving a 30' wide Water Main Easement, and the County has agreed to transfer County Property to City, as an equal exchange, with no additional consideration, under and consistent with the terms of a Purchase Agreement between the parties, and

WHEREAS, in accordance with the terms of the "Offer to Buy Real Estate and Acceptance", a copy of same being appended hereto, and by this reference incorporated as if same had been set forth fully verbatim herein, the City has also agreed to grant the County the perpetual use of the existing salt storage structure located on the property being transferred by the County to the City as set forth in the Offer to Buy Real Estate and Acceptance, and

WHEREAS, the Clinton County Board of Supervisors finds that the Chairperson should be authorized to sign the Offer to Buy Real Estate and Acceptance, same including a provision making the final approval of the transaction subject to public comment, if any, after scheduling and holding a public hearing, a public hearing on the proposed transfer being a requirement under the Iowa Code; now

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

SECTION 1: *Offer to Buy Real Estate and Acceptance*: The Chairperson is hereby authorized to execute the Offer to Buy Real Estate and Acceptance on behalf of the Board, final approval of the transaction outlined in the agreement being subject to final Board approval after holding a Public Hearing on the proposed transaction.

SECTION 2: *Public Hearing*: Board will hold a public hearing as part of its regular meeting at 10:00 A.M. the 26th day of August 2024, in the Clinton County Law Center, Large Conference Room, 241 7th Ave. N., Clinton, IA. (As a courtesy and depending on internet capabilities the public may also join the meeting on Zoom by phone by dialing 1-253-215-8782 and entering the access code 9341856401. The public may also join through the internet by following this web address: <https://zoom.us/join> Enter meeting Code: 9341856401 and then password clinton23), for purposes of obtaining public input on the proposed sale of the Property.

SECTION 3: *Publication of Notice*: The County Auditor is directed to publish notice of said public hearing, which publication shall be not less than four (4) nor more than twenty (20) days prior to the date set for said public hearing pursuant to the requirements of Iowa Code §331.361 and 331.305.

SECTION 4: *When Effective*. This Resolution shall be effective upon its passage and approval as provided by law.

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

Jim Irwin, Jr., Chairperson

GENERAL PUBLIC

Judy Buntmeyer, Goose Lake, said she has been a DJ in the entertainment industry and knows the importance of sound. She believes the county residents are in danger if they lose a wired system of the sirens because the cell phone system could go down. She said she knows people without cell phones. She said the wired system is more reliable and is a good part of layering backup systems. She asked the Board to reconsider its support to end the outdoor siren system. She would like to see more studies on reliability of cell towers versus the siren system.

DEPARTMENT HEADS, ELECTED OFFICIALS AND EMPLOYEES

County Auditor Eric Van Lancker reported the EMA has a radiological exercise planned for Wednesday morning. He reminded voters that his office cannot take absentee ballot requests until August 27. He said the filing deadline for township trustees, soil and water and ag extension is August 28 at 5 pm.

Supervisor Srp said he has had some conversations recently about the port authority proposal and the Scott County Board of Supervisors plans to have the discussion on an upcoming meeting agenda.

County Treasurer Dustin Johnson said his office is busy working on tax statements that included several updates from the financial software due to various bugs. He's hoping everything is now updated and accurate and hopes to have them out by the middle of next week.

County Conservation Director Phil Visser reported the annual Catfish Classic is August 25 and registration is scheduled for the night before and the day of the event. He also said the Square Financial Services that Conservation

uses to manage credit card payments was hacked and some people received emails thanking them for their purchase. He said that email is a phishing attack and they are working with the vendor to address the issue. County EMA Director Chance Kness reported Scott County officials will be joining the radiological drill on Wednesday. He said that drill is practiced every eight years. He said he is meeting with the HazMat responders this week for various trainings and planning. He said he is also giving the presentation on the discontinuance of the siren warning system to two more city councils this week.

DISCUSSION WITH POSSIBLE ACTION

ARPA Funding Review: Van Lancker and Budget Director Nicholas Manrique reviewed the ARPA funding projects and timelines. They proposed some funds from projects with lesser costs, have been completed without using all of the assigned funding, are not happening, or have been delayed, be reassigned to the County Administration Building remodel project. They reported this proposal could assign more than \$300,000 toward the remodel project. Supervisor George said it just looks like we are shuffling money to make it look better. Chairman Irwin said there are projects that aren't being done and the funds could be reassigned. Srp said some of the money comes from projects that are completed and there were leftover funds. Van Lancker explained there could also be concerns about projects that are being delayed not making the deadline for the money to be spent. Visser said his board agreed if one of the conservation projects went over budget they would give up some other projects on the list. Johnson said some of the projects were created because there were funds available so if some things don't fit in the budget, it's appropriate to look at if we need to do all of these things. Srp said he supports cleaning up the ARPA list as proposed and looks forward to considering a resolution based on the recommendations.

Administration Building Project Update: Van Lancker and Irwin said the steel work did not start last week on the entry and the general contractor is addressing that. The window contractor is working four, 10-hour days on the project and they will soon have three crews on the project. They said the schedule was discussed and the contractors were reminded of dates in the schedule that had to be met. They said flooring for the Recorder's Office was discussed. An estimate to purchase the flooring for that office is \$30,000 and they would like to have that included in the time and materials contract with Valley Construction. Irwin said replacing the flooring in the Recorder's Office opened the potential for moving the Recorder's Office to the area vacated by the Treasurer's Office requiring everything to be moved just once. Irwin said they met with County Recorder Scott Judd last week about the potential for relocating the office and it may be possible. Van Lancker said he will contact Valley Construction about adding the extra flooring and potential Recorder's Office move onto the current time and materials contract.

10:24 A.M. Anticipated Closed Session with possible action to follow

MOTION by Supervisor Srp to enter a closed session per Code of Iowa 21.5(1)(c) to discuss strategy with counsel in matters that are presently in litigation.

Roll Call: George: Yes; Srp: Yes; Irwin: Yes.
at 10:24 a.m.

Motion carried. The Board entered a closed session

Irwin adjourned the closed session at 10:48 a.m.

The Board of Supervisors approved the following claims be allowed and checks/drafts issued on the various funds in payment thereof:

Vendor	Payable Description	Payment Amount
KINNEY, DOUGLAS	Q1238 TEMP EASEMENT	\$210.00
PEANUT BUTTER INC	AUGUST 2024 PAYMENT WITH ANNUAL FEE	\$7,655.00
	Grand Total:	\$7,865.00
Fund	Expense Amount	
0001 GENERAL BASIC	\$7,655.00	
0020 SECONDARY ROADS	\$210.00	
	Grand Total:	\$7,865.00

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

Motion carried.

I, Eric Van Lancker, Clinton County Auditor, do hereby certify this to be a complete and accurate list of all claims presented to the Clinton County Board of Supervisors on this date. Signed: Eric Van Lancker, Clinton County Auditor

The Board of Supervisors adjourned to meet on Monday, August 19, 2024, at 9:00 a.m.

Eric Van Lancker, County Auditor

Jim Irwin, Jr., Chairperson

-APPROVED-

County Auditor

Chairperson