

Clinton County Board of Supervisors

Jim Irwin, Chairman

Dan Srp, Vice-Chairman

Erin George

Clinton County Administration Building
1900 North Third Street; Clinton, Iowa 52732
563-244-0575 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, September 9, 2024, 9:00 A.M. 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.

- 9:00 a.m.** Review Correspondence & Claims
 Call to Order – Pledge of Allegiance
- 9:15 a.m.** Formal Action & Motions
 Claims Approval

CONSENT AGENDA

- RESOLUTION 2024-235: Adjust property taxes on various mobile home records per Code of Iowa 435.23
- RESOLUTION 2024-236: Authorize various property tax suspensions per Code of Iowa 427.9
- RESOLUTION 2024-237: Authorize various property tax suspensions per Code of Iowa 427.8
- RESOLUTION 2024-238: Authorize a tax sale certificate redemption
- RESOLUTION 2024-239: Home Base Iowa awards – Conway and Ramirez
- RESOLUTION 2024-240: Liquor license – BS General Store
- RESOLUTION 2024-241: Set a public hearing for proposed plans for construction of a County Secondary Road Shed in Delmar
- MOTION: Approve the subcontract with Area Substance Abuse Council

RESOLUTIONS

- RESOLUTION: Transfer of County-owned land to the City of Delmar
- RESOLUTION: Award fog seal contract for project on 245th Street
- RESOLUTION: Approve MOU with the City of Clinton for a box culver replacement on Second Avenue South (230th Street)
- RESOLUTION: Withdraw from opioid PBM litigation

UNFINISHED BUSINESS

GENERAL PUBLIC

DEPARTMENT HEADS, ELECTED OFFICIALS & EMPLOYEES

DISCUSSION WITH POSSIBLE ACTION

1. County Administration Building project update

September 9, 2024

RESOLUTION 2024-235

ADJUSTMENT OF TAXES ON VARIOUS MOBILE HOME RECORDS
PER CODE OF IOWA SECTION 435.23

WHEREAS, the listed Clinton County mobile home records have been purchased from mobile home dealer Scottsman Homes LLC and qualify for a property tax adjustment pursuant to Iowa Code section 435.23:

- PI02735E now owned by Jessica Polen qualifies for an adjustment of \$136.00.
- INFLP76A06421AT now owned by Debra Allen and Matthew Norem qualifies for an adjustment of \$178.00.
- 20901CH53966 now owned by Destenie and Ethan Wilkerson for an adjustment of \$160.00.

THEREFORE, BE IT RESOLVED by the Clinton County Board of Supervisors that Mobile Home taxes for the above referenced parcels shall be adjusted in accordance with Iowa code chapter 435.23 and the County Treasurer is hereby authorized to make adjustment to the Clinton County system accordingly.

Roll Call:

George: Yes No

Srp: Yes No

Irwin: Yes No

Chairperson, Jim Irwin

ATTEST:

County Auditor, Eric Van Lancker

RESOLUTION 2024-236

RESOLUTION TO AUTHORIZE PROPERTY TAX SUSPENSION REQUESTS FOR THE
2023 ASSESSMENT YEAR PER CODE OF IOWA SECTION 427.9

WHEREAS the individuals listed below have petitioned for tax suspensions under provision of Code of Iowa, Section 427.9;

Akiti, Semadin & Salije	1505 6 th Avenue S, Clinton, IA	8812110000
Asaadi, Mohammad H	123 Lawrence St, Clinton, IA	8010100000
Austin, Todd	1823 Middle Rd, Camanche, IA	10-16850000
Bailey, Russell	1804 23 rd Avenue S, Clinton, IA	8010630000
Bates, (Thompson)Amy	2509 Garfield St, Clinton, IA	8616240000
Cheramy, Cathi	331 6 th Avenue N, Clinton IA	8049540000
Davis, Yvonne	2345 N 5 th Street, Clinton, IA	8625210000
Dodge, Debra	539 2 nd Ave S, Clinton, IA	8018550000
Douglass, Elizabeth	2129 Garfield St, Clinton, IA	8615500000
Edfors, Barbie L	410 10 th Ave S, Clinton, IA	8056370000
Fallesen, Connie	419 Main Ave, Clinton, IA	8625170000
Flood, Sheila	257 16 th Place, Clinton, IA	8208060000
Foster, Laura	104 10 th Ave N, Clinton, IA	8402290000
Froeming, Cheryl	1516 Prospect Ave, Clinton, IA	80-06060000
Gibson, Krista & David	247 Myra Place, Clinton, IA	8061790000
Houston, Jerry	2523 Garfield, Clinton, IA	861620000
Huskey, Roger & Brenda	347 23 rd Place, Clinton, IA	8202360000
Jenkin, Carol	1322 15 th Ave S, Clinton, IA	8043570000
Just, Kymber	430 8 th Ave S, Clinton, IA	80-17670000
King, Ruth	238 3 rd Avenue S, Clinton, IA	8013270000
Kinney, Andrew	2916 HWY 67, Camanche, IA	2201930000
Kramer, Pamela	717 6 th Avenue S, Clinton, IA	80-26080000
Larson, Kim	1520 27 th Ave S, Clinton, IA	80-06520000
Law, Lawrence & Shirley	302 22 nd Ave N, Clinton, IA	8625560000
McDanel, Clair & Carolyn	1844 Deer Creek Rd, Clinton, IA	3210270000
Matyasse, Jean	4010 W 3 rd St, Camanche, IA	1020100000
Mitchell, Randy	318 2 nd Ave S, Clinton, IA	80-15060000
Morrow, Wade L	723 S 6 th St, Clinton, IA	8020320000
Putman, Melinda	1806 Pershing Blvd, Clinton, IA	86-07420000
Renkes, Kathi L	655 7 th Avenue S, Clinton, IA	8024720000
Risdal (Little), Beth	5000 Lincolnway,#141,Clinton, IA	INFLT55A70702AU13
Ross, Kevin & Emily	803 5 th Avenue S, Clinton, IA	8027120000
Schmoll, Todd & Kathleen	425 4 th Avenue N, Clinton, IA	8035370000
Schnitzler, Johnson G	2512 McKinley St, Clinton, IA	86-16160000
Schreiner, Mary Ellen	2515 Pershing, Clinton, IA	86-13080000
Schulz, Doug A.	Welton Barker St, Delmar, IA	6600643400
Short, Ricky James	711 4 th Street, DeWitt, IA	2007090000

Simms, Tammy	3014 Garfield St, Clinton, IA	8602960000
Simons, Teresa	205 Lincoln Ave, Delmar, IA	0400370000
Smith, Mary Anne	2422 Pershing Blvd, Clinton, IA	8605390000
Stauffer, Larry Jr.	735 15 th Ave S, Clinton, IA	80-35150000
Stich, Minnie	710 9 th Ave S, Clinton, IA	80-36620000
Thompson, Sandra E.	3015 N 2 nd Street, Clinton, IA	86-03590000
Walker, George	514 1 st Ave, Clinton, IA	8053090000
Walton, Willie R	226 17 th Place, Clinton, IA	8206520000

WHEREAS, the Iowa Department of Human Services has verified their continued eligibility for said property tax suspensions; now

BE IT RESOLVED by the Clinton County Board of Supervisors that these 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 the County Treasurer shall make entry on her records accordingly, all under provision of Section 427.9, Code of Iowa; and

BE IT FURTHER RESOLVED that tax suspension under provision of Section 427.9, Code of Iowa is for the 2023 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 No

Srp: Yes No

Irwin: Yes No

Chairperson, Jim Irwin

ATTEST:

County Auditor, Eric Van Lancker

RESOLUTION 2024-237
RESOLUTION TO AUTHORIZE PROPERTY TAX SUSPENSION REQUEST PER CODE OF IOWA SECTION 427.8 FOR VARIOUS PROPERTIES

WHEREAS the following individuals have petitioned to suspend their property taxes for the 2023 assessment year under provision of Code of Iowa, Section 427.8:

heat

- Jody Sweely, 646 8th Avenue S, Clinton, IA Parcel #8024640000
Taxes Currently Suspended: \$5,314.00 2023 Taxes: \$942.00
- Richard Geronzin, 644 7th Avenue S, Clinton, IA Parcel #8024930000
Taxes Currently Suspended: \$0.00 2023 Taxes: \$302.00
- Myrna Kruse, 1900 Camanche Ave, Clinton, IA Parcel #8208250000
Taxes Currently Suspended: \$1668.00 2023 Taxes: \$778.00
- Kathy Jensen, 2830 Cleveland St, Clinton, IA Parcel #8601360000
Taxes Currently Suspended: \$0.00 2023 Taxes: \$1,894.00
- Sherry Buckley (Stahl), 538 7th Ave S, Clinton, IA Parcel #8019880000
Taxes Currently Suspended: \$8,967.00 2023 Taxes: \$222.00
- Joseph F Wilden, 1512 27 Avenue S, Clinton, IA Parcel #8006510000
Taxes Currently Suspended: \$0.00 2023 Taxes: \$1,178.00
- Hephzibah Cameron, 1206 3rd St, Camanche, IA Parcel #1000440000
Taxes Currently Suspended: \$0.00 2023 Taxes: \$2,612.00
- Donna Otten, 1215 8th Ave N, Clinton, IA Parcel #8028600000
Taxes Currently Suspended: \$19,308.00 2023 Taxes: \$1,566.00
Assessed Property Value: \$104,500.00
- Gary Vance, 800 19th Ave N, Clinton, IA Parcel #8620670000
Taxes Currently Suspended: \$3,367.00 2023 Taxes: \$520.00
- Patricia & Michael Wiese, 338 23 Place, Clinton, IA Parcel #8209640000
Taxes Currently Suspended: \$0.00 2023 Taxes: \$874.00
- Gregory Dykes, 1606 Middle Rd, Camanche, IA Parcel #1017090000
Taxes Currently Suspended: \$24,728.00 2023 Taxes: \$2,076.00
Assessed Property Value: \$152,680.00

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 2023 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 No
- Srp: Yes No
- Irwin: Yes No

ATTEST:

Chairperson, Jim Irwin

County Auditor, Eric Van Lancker

RESOLUTION 2024-238

RESOLUTION TO AUTHORIZE A TAX SALE CERTIFICATE REDEMPTION
PER CODE OF IOWA 447.9 AND A PROPERTY TAX SUSPENSION
PER CODE OF IOWA 427.9 FOR TOBY G FOLEY, CLINTON

WHEREAS Toby G Foley has petitioned for a Tax Sale Certificate Redemption under provisions of Code of Iowa, Section 447.9, and a Property Tax Suspension under provisions of Code of Iowa, Section 427.8 on the following described property:

Address: 627 9th Avenue S

Parcel #: 8036850000

Taxes Currently Suspended: \$0.00

Taxes: \$2,056.00

WHEREAS eligibility for said 447.9 tax sale certificate redemption and 427.8 property tax suspension has been verified by Kim Ralston, CAP Director; now

BE IT RESOLVED by the Clinton County Board of Supervisors that the redemption of the tax sale certificate 23-00172 is approved as the applicant has paid the interest and costs due to the holder(s) of the Tax Sale Certificate to the Clinton County Treasurer. Additionally, the Clinton County Board of Supervisors approves the payment of the interest due to the Tax Sale Certificate holder. The County Treasurer is authorized to make entry on this record accordingly; and

WHEREAS eligibility for the 427.9 Property Tax Suspension has been verified by HHS; and

BE IT FURTHER RESOLVED by the Clinton County Board of Supervisors that the property tax suspension [for the collection of taxes, special assessments, and rates or charges, including interest, fees and costs] be and is hereby approved for the 2023 assessment year and all prior years, and that the County Treasurer is authorized to make entry on the records accordingly, all under provision of Section 427.9, Code of Iowa.

Roll Call:

George: Yes No
Srp: Yes No
Irwin: Yes No

Chairperson, Jim Irwin

ATTEST:

County Auditor, Eric Van Lancker

September 9, 2024

RESOLUTION 2024-239

RESOLUTION AWARDED CLINTON COUNTY HOME BASE IOWA
HOME PURCHASE CLOSING COST REIMBURSEMENTS
TO DONALD CONWAY & JEREMY RAMIREZ

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 Donald Conway and Jeremy Ramirez 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 Donald Conway and Jeremy Ramirez from the General Basic Miscellaneous Fund.

Roll Call:

George:	Yes	No
Srp:	Yes	No
Irwin:	Yes	No

Chairperson, Jim Irwin

ATTEST:

County Auditor, Eric Van Lancker

September 9, 2024

RESOLUTION 2024-240

RESOLUTION APPROVING LOCAL AUTHORITY
FOR A LIQUOR LICENSE FOR BS GENERAL STORE

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 21, 2024, and said application be and is hereby approved by the Clinton County Board of Supervisors.

Roll Call:

George: Yes No

Srp: Yes No

Irwin: Yes No

Chairperson, Jim Irwin

ATTEST:

County Auditor, Eric Van Lancker

September 9, 2024

RESOLUTION 2024-241

RESOLUTION TO SET PUBLIC HEARING FOR
SECONDARY ROAD DEPARTMENT DELMAR SHED CONSTRUCTION

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 said County Secondary Road Department Delmar Shed Construction Project be scheduled for September 23, 2024, at 10:00 a.m. in the Board of Supervisors Room.

Roll Call:

George: Yes No

Srp: Yes No

Irwin: Yes No

Chairperson, Jim Irwin

ATTEST:

County Auditor, Eric Van Lancker

September 9, 2024

Motion by Supervisor _____ to authorize the Chairperson of the County Board of Supervisors to sign the Subcontract for prevention services between Clinton County and the Area Substance Abuse Council

Roll Call:

George: Yes No

Srp: Yes No

Irwin: Yes No

Motion _____

September 9, 2024

RESOLUTION 2024 - ____

RESOLUTION APPROVING EXECUTION OF OFFER TO BUY REAL ESTATE
AND ACCEPTANCE WITH CITY OF DELMAR FOR THE TRANSFER
OF COUNTY-OWNED REAL ESTATE

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.

and

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.

and

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 held a public hearing on August 26, 2024 to solicit public comment on the proposed transfer as required under the Iowa Code.

THEREFORE BE IT RESOLVED, the Clinton County Board of Supervisors authorizes the Chairperson to sign the Offer to Buy Real Estate and Acceptance.

Roll Call:

George: Yes No

Srp: Yes No

Irwin: Yes No

Chairperson, Jim Irwin

ATTEST:

County Auditor, Eric Van Lancker

September 9, 2024

RESOLUTION 2024-_____

RESOLUTION TO AWARD FOG SEAL CONTRACT ON 245TH STREET FROM DEWITT CITY LIMITS TO US 30 PROJECT NO. FM-C023(138)--55-23

WHEREAS, the Clinton County Board of Supervisors has considered the bids received by the Iowa Department of Transportation (IDOT) on August 20, 2024 for Fog Seal project located on 245th Street (From City of DeWitt to US 30), Project No. FM-C023(138)--55-23; and

WHEREAS, the total amount of each bid was as follows:

Farner Asphalt	\$76,880.80
Dave Schmitt Construction	\$76,949.20

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:

Fahrner Asphalt	\$76,880.80
-----------------	-------------

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 No

Srp: Yes No

Irwin: Yes No

Chairperson, Jim Irwin

ATTEST:

County Auditor, Eric Van Lancker

September 9, 2024

RESOLUTION 2024-_____

RESOLUTION TO APPROVE MEMORANDUM OF UNDERSTANDING
WITH THE CITY OF CLINTON FOR SECOND AVENUE SOUTH (230th STREET)
REINFORCED CONCRETE BOX CULVERT REPLACEMENT PROJECTS

WHEREAS, the City of Clinton and Clinton County desire to enter into a Memorandum of Understanding (MOU) concerning the replacement of two reinforced concrete box culverts on 2nd Avenue South (230th Street) and;

WHEREAS, the responsibilities of each participating agency are set forth in the attached MOU agreement; now

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the MOU agreement be and is hereby approved and the chairperson and county auditor be and are hereby authorized to execute said MOU agreement on behalf of Clinton County, Iowa.

Roll Call:

George: Yes No

Srp: Yes No

Irwin: Yes No

Chairperson, Jim Irwin

ATTEST:

County Auditor, Eric Van Lancker

September 9, 2024

RESOLUTION 2024-

RESOLUTION WITHDRAWING FROM THE
PHARMACY BENEFIT MANAGERS OPIOID LITIGATION

WHEREAS, Clinton County, Iowa is included with a large number of counties' involved in opioid litigation; and

WHEREAS, the court advised county's legal counsel that counties who did not meet the litigation hold requirements, run the risk to be held financially liable if they continue to proceed with litigation with PBMs after September 10, 2024; and

WHEREAS, the Clinton County Attorney advises the Clinton County Board of Supervisors that Clinton County cannot meet the court requirement of proof of a litigation hold to proceed against pharmacy benefit managers (PBMs); now

THEREFORE BE IT RESOLVED that the Clinton County, Iowa, Board of Supervisors approves Clinton County, Iowa's withdrawal from the PBM litigation to avoid running the risk of having to pay costs in the future.

Roll Call:

George:	Yes	No
Srp:	Yes	No
Irwin:	Yes	No

Chairperson, Jim Irwin

ATTEST:

County Auditor, Eric Van Lancker