

OCTOBER 7, 2024

The Board of Supervisors of Clinton County, Iowa, met at the Clinton County Satellite Office, DeWitt, 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 2024-262 through 2024-263, 2024-265 through 2024-266 and one (1) Motion were approved on the Consent Agenda. Resolution 2024-264 was removed from the Consent Agenda for discussion.

RESOLUTION 2024-262

WHEREAS, the Clinton County Coordinator of Disability Services has accepted the resignation of Case Coordinator of Disability Services, Andra Ehredt, as a full-time employee; now

THEREFORE BE IT AND IT IS HEREBY 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 to Andra Ehredt, effective her last date of employment on October 11, 2024.

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

Jim Irwin, Jr., Chairperson

RESOLUTION 2024-263

WHEREAS, Carolyn Page has resigned from her employment with the County Attorney's Office as part-time Secretary I; now

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the employment of Carolyn Page, with the County Attorney's Office will end effective upon approval of this resolution, and that pay warrants be discontinued at the same time.

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

Jim Irwin, Jr., Chairperson

RESOLUTION 2024-265

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:

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; Srp: Yes; Irwin: Yes.

Jim Irwin, Jr., Chairperson

RESOLUTION 2024-266

WHEREAS, Clinton County and has negotiated terms and conditions of an agreement with The Shredder, a division of Green Resources Management, for document shredding services; and

WHEREAS, said agreement has been reviewed by the County Attorney and he recommends the Board of Supervisors may consider approval of the agreement; now

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that said agreement is hereby approved and the Chairman is hereby authorized to sign the agreement with The Shredder for document shredding services.

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

Jim Irwin, Jr., Chairperson

MOTION by Supervisor Srp to authorize the Chairperson to sign Work in Right-of-Way Permits 6-38 and 6-39 for F&B Communications. The work will consist of boring underground line and install an underground vault. The work will be located along 252nd Avenue, in the county right-of-way, in section 03 T83N R03E of the Bloomfield Township.

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

Motion carried.

RESOLUTIONS

RESOLUTION 2024-264 discussion: County HR Director Alexandria Ellison said the position is temporary while a full-time elections employee is out during the election. She said the position was posted for 10 days and two applied, but one learned they would not be able to work the hours needed. Supervisor George discussed it with Ellison and she is uncomfortable and believes it is inappropriate. County Treasurer Dustin Johnson asked when this discussion happened with the Board. Ellison said because it is temporary it did not come before the Board and she pointed out his position in his department that he is comparing it to, was for a permanent full-time position. She said they followed the same procedure as was done for the temp maintenance positions. She said subscribers to the postings on the website did receive the posting. Srp asked if the process is wrong if that was the concern. Johnson said it seemed like direct recruitment. Van Lancker explained the process his office went through which included talking to about six people his office knew who could fill the unique parameters of the job especially the timing for the temporary duties. He said Irwin was the last one they spoke with. George said this is not about the person's integrity, but she wouldn't want her own spouse working in this office because she doesn't think it is appropriate. She said this does not feel right and it is not personal. Ellison said this is not nepotism according to the County policy. Ellison said this is the proper process to hire a person for this position who is qualified. Srp said there is a case law that establishes who elected officials hire. Johnson asked if it was budgeted and Van Lancker said it was not because they did not know of the long-term absence at budget time. A vote on the resolution was taken and it failed 1-1 with one abstention. Wolf said the Supervisors have a statutory duty to approve this resolution. He said as a consequence of the Board not approving the payroll for this position, his office will have to consider filing a lawsuit against the Board to do their job. He asked the Board to reconsider. Wolf said this is a ministerial function. He said the elements to hire a person properly have been met so ministerially they have to approve whether they like the person or not. This is bigger than any person or any party and as a consequence this county attorney will have to review making the Board of Supervisors do their due diligence. Johnson asked about the conflict of interest as it is the wife of a Supervisor and there are decisions that Supervisors make that affect his office and the Auditor's Office. Srp said we can pick apart every decision in that way. Srp said he spoke with HR and with the County Attorney about the process. Johnson said the perception of a conflict of interest exists. Srp said perception itself is not enough because we have a statutory duty to approve this. Not interested in wasting resources on a lawsuit with everything else going on and especially when everyone involved is of high integrity. Johnson said no problems with the person, but the process does not feel right. George said she goes with her gut on what she feels right. The resolution was approved upon reconsideration with a 2-0 vote with 1 abstention.

The following resolution was presented and on motion approved:

RESOLUTION 2024-264

WHEREAS, the Clinton County Auditor is an elected official and the Board of Supervisors does not consider nor appoint personnel for elected officials, but need to authorize payroll for the County Auditor; now

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the County Auditor be and is hereby authorized to issue biweekly paychecks on the General Supplemental Fund, Office of Auditor election budget to Tara Irwin, as a full-time temporary election assistant. This will be in effect at an hourly rate of \$15 with a starting date of appointment of October 7, 2024.

1st Consideration:

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

2nd Consideration:

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

Jim Irwin, Jr., Chairperson

The following resolution was presented and on motion approved:

RESOLUTION 2024-267

WHEREAS, Clinton County and the City of Clinton, Iowa, entered into a 28E Agreement creating a Community Service Coordinator Program, which, if cancelled, requires a written notice; and

WHEREAS, Clinton County is grateful for the City of Clinton and Tammy Johnson's professional administration of this program, the persons and community organizations who benefited from the program, and the mutual benefits obtained throughout the life of this Agreement; and

WHEREAS, while community service can still be ordered through the Court, the circumstances that gave rise to a paid city position no longer exist to justify the present 28E Agreement; now

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, this Agreement is cancelled; and notice of this resolution of cancellation of this Agreement shall be mailed to the City Administrator, City of Clinton, 611 S. 3rd St., Clinton, Iowa 52732; and

THEREFORE BE IT FURTHER RESOLVED by the Board of Supervisors of Clinton County, Iowa, this Resolution shall be recorded with the County Recorder and filed with the Secretary of State.

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

Jim Irwin, Jr., Chairperson

The following resolution was presented and on motion approved:

RESOLUTION 2024-268

WHEREAS, the Clinton County Board of Supervisors is empowered under authority of Section 321.345 of the Iowa Code to designate any intersection as a STOP intersection and erect like signs at one or more entrances to such intersections, and

WHEREAS, the intersections of 234th Street and 282nd Avenue and 234th Street and 284th Ave (8th Avenue) are deemed to warrant a STOP signs. Because 234th Street is considered a through street, and it has a higher daily traffic count than 282nd Avenue and 284th Ave (8th Avenue), the traffic on 282nd Avenue and 284th Avenue (8th Avenue) should be forced to stop when entering onto 234th Street; now

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors concurs with the County Engineer's recommendation that a stop signs be placed at the intersections described below and are declared valid, legal, and enforceable for the safety and welfare of the traveling public:

1. Stop Sign shall be placed on 282nd Avenue to stop northbound traffic at the intersection of 234th Street and 282nd Avenue.
2. Stop Sign shall be placed on 284th Avenue (8th Avenue) to stop northbound traffic at the intersection of 234th Street and 284th Avenue (8th Avenue).

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

Jim Irwin, Jr., Chairperson

DEPARTMENT HEADS, ELECTED OFFICIALS AND EMPLOYEES

Clinton County Auditor Eric Van Lancker reminded the Board its future meetings will return to the County Law Center Large Conference Room.

Supervisor Srp said the CCJCC met last week and discussed the future of the commission. When the commission met last week, they realized they hadn't held a meeting for more than a year. He said the history of the commission was reviewed and talked about issues addressed by the current resource center. He said they will be recommending to the Board that the commission duties end.

Supervisor Irwin said he met with Louisa County officials about the Ports of Eastern Iowa formation as well as the new mental health district assignments. He said the Pioneer Cemetery Commission has completed its stone restoration work. He said the plan for the October 30 wind turbine ordinance meeting is to meet at the Clinton County Satellite Office from 6-9 p.m.

Supervisor George said she and EMA Director Chance Kness are presenting this week at the Charlotte City Council on the outdoor warning sirens. She said the Sheriff's Office is having an event in Clinton on Sunday noon-5 p.m. in partnership with the Downtown Partners Alliance.

County Treasurer Dustin Johnson said some adjustments were made to interest rates on October 1 and there could be one or two more adjustments before the election. But he said there are solid investment returns for the County. He said \$40 million has come in on first-half tax collections and that seems a little behind where he expected to be at this time. County EMA Director Chance Kness said a temporary burn ban is in place for Clinton County as of Saturday morning and it continues until further notice.

DISCUSSION WITH POSSIBLE ACTION

County EMA Vacant Part-Time Medical Examiner Transporter Position Update: Kness said they have had seven ME transporters and recently two have resigned and they would like to replace one of those two at the time. Ellison said they processed a resignation last week and wanted the Board to approve the backfill of that position.

County Pre-Employment Medical Examinations: County HR Director Alexandria Ellison said the County shifted from using rapid drug screens to sending them to a lab. She said it costs \$50 for the labs and \$100 for physical exam and another \$100 for functional screens. She said the County Risk Management Committee discussed eliminating the physical exam but continue with the functional screens as a cost saving measure. She said the functional screens would catch most of what could come up in a potential workers' compensation claim. She said IMWCA would like the county to continue with the physicals. IMWCA said skipping the physical could slow down a claims process. She said the County's pre-employment costs have increased. George said the consensus of the committee is that the physical exam is more than what is needed. Srp said he appreciates risk management committee jobs and they usually ask for more to cover an exposure so when they recommend doing less it carries weight with him. It was decided it will not be included in new pre-hire language in the handbook.

County Treasurer's Office Clerk Job Posting: Johnson said he spoke with the County Recorder about sharing positions and he said having someone proficient in certain jobs would be a concern. He said management of a person would have to be decided and compensation for an employee who learned the extra skills needs to be discussed. He said it would have to be determined how the employee is cross-trained. Irwin said the cross-training conversation is probably not relevant to this position at this time. He said he would support adding a person to the office. Johnson said they would wait until their office location transition is complete before hiring a new person. Srp said he understands the office has been trying to do more with less and that it will be reevaluated through attrition, and he would support the

addition of a position. Johnson said if things were to stay the same, he wouldn't ask for the position, but he believes the cross-county titling will bring more work and revenue to the County. HR will post the position.

County Administration Building Project Update: Van Lancker and Irwin reported work will begin this week on the east side, first floor windows starting on the north end at the Auditor's Office. The second floor in the west wing should be completed this week and move into the Treasurer's Office area. Johnson said electricians are in his office to add more outlets and the entry way is continuing with concrete being poured this week. Irwin said they are also working on insulation in some office walls around HR for sound proofing. He said this week would be a good time to do it since the windows are out. Ellison said they have had instances when people can hear discussions in adjoining offices which causes some confidentiality issues for the HR office.

MOTION by Supervisor Srp to approve the insulation work around the HR office to the lowest estimate.

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

Motion carried.

REPORTS

The 1st Quarter FY2025 Sheriff's Report of Fees and Expenses was presented, approved and filed.

The Board of Supervisors approved the following claim be allowed and draft issued on the fund in payment thereof:

Vendor	Payable Description	Payment Amount
PEANUT BUTTER INC	OCTOBER 2024 PAYMENT	\$5,050.00
	Grand Total:	\$5,050.00
Fund	Expense Amount	
0001 GENERAL BASIC	\$5,050.00	
	Grand Total:	\$5,050.00

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, October 9, 2024, at 6:00 p.m. at the Northeast High School Auditorium, 3690 Hwy 136, Goose Lake, IA.

Eric Van Lancker, County Auditor

Jim Irwin, Jr., Chairperson

-APPROVED-

County Auditor

Chairperson