

OCTOBER 21, 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 2024-278 through 2024-282 and one (1) Motion were approved on the Consent Agenda.

RESOLUTION 2024-278

WHEREAS, the City of Clinton is entitled to tax abatement pursuant to 445.63 as a result of a judgement in a 657A.10B case EQCV049969 regarding the property described as 428 11 Ave S, Clinton, IA (Parcel 80-5436-0000); and

WHEREAS, the City of Clinton is entitled to tax abatement pursuant to 445.63 as a result of a judgement in a 657A.10B case EQCV049643 regarding the property described as 235 17th Pl, Clinton, IA (Parcel 82-0703-0000); now

THEREFORE BE IT RESOLVED the Board of Supervisors of Clinton County, Iowa, authorizes the Clinton County Treasurer, with certification of Judgment by the Court in favor of the City of Clinton in the above 657A actions filed, to make an entry in the county system abating any outstanding tax liens through tax year 2024.

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

Jim Irwin, Jr., Chairperson

RESOLUTION 2024-279

WHEREAS, pursuant to Iowa code section 445.63 the City of Wheatland is entitled to abatement of penalty interest, taxes / rates, and charges owed as detailed: Wheatland 5402550000 203 Main St S \$864.00

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 Wheatland 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 2024-280

WHEREAS, the Clinton County Assessor's Office has determined a 2023 BLL parcel should have been created for tower valuation; and

WHEREAS, the Clinton County Assessor's Office has informed the Treasurer's office regarding the intention to create the BLL parcel and value such tower; now

THEREFORE BE IT RESOLVED that the Clinton County Board of Supervisors authorizes the Clinton County Treasurer to adjust the 2023 tax bill for the following parcel:

- Created BLL parcel 08-9998-2990 and valued tower with an improvement value of \$338,540. Such tower was incorrectly assessed on parcel 08-0062-0000.

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

Jim Irwin, Jr., Chairperson

RESOLUTION 2024-281

WHEREAS, the Clinton County Assessor's Office has determined a 2023 valuation adjustment is required on parcel 08-0062-0000; and

WHEREAS, the Clinton County Assessor's Office has informed the Treasurer's office regarding the intention to correct the valuation of the parcel; now

THEREFORE BE IT RESOLVED that the Clinton County Board of Supervisors authorizes the Clinton County Treasurer to adjust the 2023 tax bill for the following parcel:

- Parcel 08-0062-0000 remove improvement pricing of \$338,540 for a new total land value of \$34,540. The improvement value should have been priced on its own BLL parcel.

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

Jim Irwin, Jr., Chairperson

RESOLUTION 2024-282

WHEREAS, in accordance with Iowa Code Chapter 26, 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 soliciting public comment on the plans, specifications, form of contract and cost estimate on the Clinton County Law Center Parking Lot Project be scheduled for October 28, 2024, at 10:00 a.m. in the County Law Center Large Conference Room, 241 7<sup>th</sup> Ave. N., Clinton, IA.

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

Jim Irwin, Jr., Chairperson

MOTION by Supervisor Srp to authorize the Chairperson to sign Utility Permit Number 9-61 for EI L&P. The Project will include boring cable under 225<sup>th</sup> street and replacing a utility cabinet on the south side. The work will be within the county right-of-way on 225<sup>th</sup> Street, located in Section 11 T81N R03E of Spring Rock Township.

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

RESOLUTIONS

RESOLUTION 2024-283 discussion: Chairman Irwin said other counties include other equipment in their moratorium on wind turbines. He said he spoke with the County Attorney and reached the conclusion that there should be a moratorium on all operations regarding the wind turbines. George said this is a good idea after reviewing other countries' procedures around the state.

The following resolution was presented and on motion approved:

RESOLUTION 2024-283

WHEREAS, the Clinton County Board of Supervisors shall place a moratorium on applications for Meteorological Towers (MET Towers), Sodar equipment, and any other equipment related to the development of utility-scale wind turbines, and

WHEREAS, the moratorium shall be repealed automatically on December 31, 2024, unless extended before that date by resolution of the Board of Supervisors, now

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the moratorium on applications for MET towers, Sodar equipment, and any other equipment related to the development of utility-scale wind turbines be in effect until December 31, 2024.

Roll Call: George: Yes; Srp: Abstain; Irwin: Yes. Jim Irwin, Jr., Chairperson

The following resolution was presented and on motion approved:

RESOLUTION 2024-284

WHEREAS, the Iowa Department of Transportation (DOT) is planning to rehabilitate State Highway 136 from U.S. 61 east to Delmar (DOT Project Number STP-136-1(116)—2C-23, and

WHEREAS, the DOT has offered to include paving of 50 feet long (excluding the cost to pave 10 feet of shoulder adjacent to Highway 136) county road approach to State Highway 136 (235<sup>th</sup> Avenue) and receive reimbursement for the cost from Clinton County as detailed in Funding Agreement Number 2025-C-020, now

THEREFORE BE IT RESOLVED that the Board of Supervisors of Clinton County, Iowa, shall approve the Iowa DOT Funding Agreement No: 2025-C-020; and

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors be 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 2024-285

WHEREAS, Iowa Code Section 26.3 requires that governmental entities follow the competitive bid process for vertical infrastructure projects with an estimated total cost that exceeds the competitive bid threshold; and

WHEREAS, based on the engineer's cost estimate competitive bids were received for the construction of a new 104 by 45 feet clear span heated building on October 15, 2024, at 10:00 a.m.; and

WHEREAS, the total amount of each bid received is as follows:

Contractor Name	Bid Amount
Hoffmann Construction LLC	\$372,850.00
DM Corporation	\$378,441.78
Clinton Engineering	\$395,460.00
Daxon Construction	\$409,477.00
King-Knutsen Construction	\$433,000.00

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of Clinton County, Iowa, concurs with the County Engineer's recommendation that the contract for said work be awarded to the low bid, as follows:

Hoffmann Construction, LLC	\$372,850.00
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BE IT FURTHER RESOLVED that the Chairperson of the Board of Supervisors be authorized to execute said contracts 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 2024-286

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 intersection of 140<sup>th</sup> Street and 390<sup>th</sup> Avenue is a four-legged intersection with only the northbound leg that is not stop controlled, and

WHEREAS, the County Engineer has received a request from private citizens and the Sheriff's Office to consider converting the intersection to an "All Way" stop-controlled intersection, and

WHEREAS, the County Engineer has reviewed the "All Way" stop intersection warrant according to MUTCD Section 2B.12-17 and that an "All Way" stop intersection could be warranted to control left turn conflicts (crash history warrant is not met) and to remove any driver confusion when approaching the intersection and address the reduced sight distance when crops are present, now

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

1. Stop Sign shall be placed on 390<sup>th</sup> Avenue to stop northbound traffic at the intersection of 140<sup>th</sup> Street and 390<sup>th</sup> Avenue ("ALL WAY" placards will also be installed per MUTCD).

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

Jim Irwin, Jr., Chairperson

The following resolution was presented and on motion approved:

#### RESOLUTION 2024-287

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

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors that the Clinton County Secondary Road Department is authorized to increase the credit limit to \$15,000 for a Clinton National Bank credit card for the purpose equipment repair parts, completing office purchases, registrations for trainings or/and applicable conference transportation costs.

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

Jim Irwin, Jr., Chairperson

#### GENERAL PUBLIC

Kenneth O'Conner lives near Charlotte and questioned towns setting a two-mile setback from their town limits on wind turbines and he wasn't notified. He said he signed the lease agreement two years ago and asked how the Board can now change the rules. He does not think that is legal.

Mike Carberry, Bright Future Iowa, said they are not usually fans of moratorium unless they have a time limit, and something is being accomplished during the moratorium. He said the moratorium the Board just approved does meet those criteria and thanked the Board for its thoughtful action.

#### DEPARTMENT HEADS, ELECTED OFFICIALS AND EMPLOYEES

Clinton County Auditor Eric Van Lancker said in-person absentee voting continues in the cafeteria of the Administration Building and will continue through November 4. He said voting will also be available in DeWitt Wednesday from noon to 6 p.m. and again on Saturday from 8 a.m. to 1 p.m.

County Treasurer Dustin Johnson said they have received up to 19 applications for the position in the Treasurer's Office and it is open until the end of the month. He said one of the larger tax payments he mentioned last week was received this week and it was apparently held up in the mail.

#### DISCUSSION WITH POSSIBLE ACTION

Wage Adjustments for New Employees Completing the Six-Month Probationary Period: Kinney said the last employee they hired did not list his entire experience, and it was attributed to his starting wage on the band. He said his six-month probationary period is completed. He would like to remedy the situation to give credit for the experience. He said the employee has shown proficiency in his duties. County HR Director Allexandria Ellison said when they hire someone, they have a formula to place the employee on the band with information they have at the time. She said it is difficult to tell how their experience will translate in the field, but the current employee's numbers have proven his experience has translated. She does recommend Kinney's proposal be approved. Irwin just wants to make sure these appeals are handled fairly. A resolution to make the wage adjustment will be presented at an upcoming meeting.

Purchase Agreement for a County-Held Tax Sale Certificate on Parcel 8044380000: Johnson said it's standard business but unique because it is a full value offer to the County, so the Board must approve to transfer the certificate. He said this is usually done for cities in the county, but this one is a private individual.

MOTION by Supervisor Srp to authorize the chairman to sign the purchase agreement for parcel 8044380000.

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

Motion carried.

County Administration Building Project Update: Van Lancker and Irwin reported window replacement on the first floor of the east side of the building continues. After that, they will move to the west side of the building on the second floor. The front entry way is expected to be open in four weeks. Johnson said they will start building the workstations in the new Treasurer’s Office and the carpet is expected to be in this week.

The Board of Supervisors adjourned to meet on Monday, October 28, 2024, at the Clinton County Law Center, Clinton, IA.

Eric Van Lancker, County Auditor

Jim Irwin, Jr., Chairperson

-APPROVED-

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County Auditor

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Chairperson