

Clinton County Board of Supervisors

Erin George, Chairperson

Jim Irwin, Vice-Chairperson

Dan Srp

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, March 24, 2025, 9:00 A.M. Clinton County Administration Building, Conference Room B, 1900 N. 3rd St., 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 2025-62: Appointment – Attorney’s Office
- RESOLUTION 2025-63: Resignation – Jail
- RESOLUTION 2025-64: Disclaim interest in abandoned property 82-07780000
- RESOLUTION 2025-65: Disclaim interest in abandoned property 80-56180000

RESOLUTIONS

- RESOLUTION: Award Low Boy truck quote for Secondary Roads
- RESOLUTION: Release of data/records to Iowa Department of Health and Human Services
- RESOLUTION: Revoke Zoning permit application #4480
- RESOLUTION: Extend Moratorium on applications related to utility-scale wind installations
- RESOLUTION: Extend Moratorium on applications of MET towers, Sodar equipment and other equipment related to development of utility-scale wind turbines

UNFINISHED BUSINESS

GENERAL PUBLIC

DEPARTMENT HEADS, ELECTED OFFICIALS & EMPLOYEES

DISCUSSION WITH POSSIBLE ACTION

1. Mental Health

9:30 a.m. Public Hearing with Possible Action

The Clinton County Board of Supervisors will conduct a public hearing to solicit public comment on the Clinton County Secondary Road Department Five Year Construction Program.

9:45 a.m. FY 2026 budget discussion — The Supervisors will discuss the previously presented proposed budgets and other budget-related issues including, but not limited to, budget presentations scheduled for a future date, various tax levies, fund balances, the current FY2025 budget in its entirety, the past FY2024 budget in its entirety, capital projects (in progress and proposed), ARPA funds, LATC funds, various state and federal grants, wages, employee health benefits, IPERS, FICA, union contracts, library funding, outside agency funding, economic development funding, any pending or anticipated litigation, office supplies, computers and other related technologies, copier leases and other office equipment leases, leases on any other equipment, all previous annual audits, staffing levels, the County Conservation Board, the County 911 Board, the County Emergency Management Commission, building operational expenses (including, but not limited to, internet, electrical, water, sewer, etc.) project revenues for the current FY2025 budget and previous FY2024 budget, grant applications, special projects, records archiving, existing and potential 28E agreements, the County Five-Year Secondary Road plan, roadside weed spraying, drainage districts, disposition of County-owned property, employee trainings, mileage rates, vehicle and equipment purchases and repairs, contracts for services, etc.

March 24, 2025

RESOLUTION 2025-62

RESOLUTION TO HIRE T. SCOTT HENRY, TEMPORARY SUMMER LEGAL INTERN, FOR COUNTY ATTORNEY'S OFFICE, EFFECTIVE MAY 27, 2025

WHEREAS, the Clinton County Attorney is an elected official and the Board of Supervisors does neither consider nor appoint personnel for elected officials, but needs to authorize payroll for the County Auditor; and

WHEREAS, the Clinton County Attorney's Office plans to employ a 40-hour per week, temporary summer legal intern who will be licensed by the Iowa Supreme Court to practice under the supervision of the county attorney; and

WHEREAS, the Clinton County Attorney has approved the application of T. Scott Henry as a summer intern law student (University of Iowa Law Student L-2) which meets standard qualifications to practice in magistrate court; now

THEREFORE, BE IT RESOLVED by the Board of Supervisors to approve the hiring of T. Scott Henry for 40 hours per week, at \$20.00 per hour for up to 12 weeks, starting on May 27, 2025 (subject to licensing by the Iowa Supreme Court).

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized to issue biweekly paychecks from the County Attorney's General Basic Fund in payment to T. Scott Henry without further action of this Board.

Roll Call:

Srp: Yes No

Irwin: Yes No

George: Yes No

Chairperson, Erin George

ATTEST:

County Auditor, David Troester

March 24, 2025

RESOLUTION 2025-63

RESOLUTION ACCEPTING THE RESIGNATION OF
CORRECTIONAL OFFICER CASSANDRA KNUDTSON FROM THE JAIL
BUDGET

WHEREAS, the Clinton County Sheriff has accepted the resignation of Cassandra Knudtson.

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 General Basic Fund, Office of the Jail to Cassandra Knudtson. Cassandra's last day is March 26, 2025.

Roll Call:

Srp: Yes No

Irwin: Yes No

George: Yes No

Chairperson, Erin George

ATTEST:

County Auditor, David Troester

March 24, 2025

RESOLUTION 2025-64

CLINTON COUNTY AUTHORIZATION
TO ENTRY OF ORDERS DISCLAIMING INTEREST
IN IOWA CODE 657A PROCEEDINGS REGARDING ABANDONED PROPERTY

WHEREAS, Clinton County and the Treasurer for Clinton County, Iowa, are named Respondents in Iowa Code 657A proceedings for the following property:

1806 Camanche Avenue, Clinton, IA, [Parcel 82-0778-0000] (EQCV050484)

WHEREAS, the Clinton County Attorney requests authorization on behalf of the County to entry of Orders Disclaiming Interest in the above-listed properties and Consents to entry of Orders awarding title to these properties to the City of Clinton; now

THEREFORE, BE IT RESOLVED the Clinton County Board of Supervisors authorizes Clinton County Attorney, Michael Wolf, on behalf of Clinton County to consent to entry of Orders in favor of the City of Clinton in the above 657A actions filed awarding title of the above-listed properties to the City of Clinton, Iowa, free and clear of any claims, liens, or encumbrances.

BE IT FURTHER RESOLVED the Clinton County Board of Supervisors authorizes the Clinton County Treasurer, upon the entry of Judgments by the Court in favor of the City of Clinton in the above 657A actions filed, to make an entry in the county system canceling any tax sale certificates of purchase liens against the properties and shall refund tax sale purchase money to the tax sale certificate holder(s) as named (if any) in the 657A action as required pursuant to the provisions of Iowa Code § 657A.10B(6).

Roll Call:

Srp: Yes No

Irwin: Yes No

George: Yes No

Chairperson, Erin George

ATTEST:

County Auditor, David Troester

March 24, 2025

RESOLUTION 2025-65

CLINTON COUNTY AUTHORIZATION
TO ENTRY OF ORDERS DISCLAIMING INTEREST
IN IOWA CODE 657A PROCEEDINGS REGARDING ABANDONED PROPERTIES

WHEREAS, Clinton County and the Treasurer for Clinton County, Iowa are named Respondents in Iowa Code 657A proceedings for the following property:

437 9th Avenue S, Clinton, IA, [Parcel 80-5618-0000] (EQCV050437)

WHEREAS, the Clinton County Attorney requests authorization on behalf of the County to entry of Orders Disclaiming Interest in the above-listed properties and Consents to entry of Orders awarding title to these properties to the City of Clinton; now

THEREFORE, BE IT RESOLVED the Clinton County Board of Supervisors authorizes Clinton County Attorney, Michael Wolf, on behalf of Clinton County to consent to entry of Orders in favor of the City of Clinton in the above 657A actions filed awarding title of the above-listed properties to the City of Clinton, Iowa, free and clear of any claims, liens, or encumbrances.

BE IT FURTHER RESOLVED the Clinton County Board of Supervisors authorizes the Clinton County Treasurer, upon the entry of Judgments by the Court in favor of the City of Clinton in the above 657A actions filed, to make an entry in the county system canceling any tax sale certificates of purchase liens against the properties and shall refund tax sale purchase money to the tax sale certificate holder(s) as named (if any) in the 657A action as required pursuant to the provisions of Iowa Code § 657A.10B(6).

Roll Call:

Srp: Yes No

Irwin: Yes No

George: Yes No

Chairperson, Erin George

ATTEST:

County Auditor, David Troester

March 24, 2025

RESOLUTION 2025-_____

RESOLUTION TO AWARD LOW BOY TRUCK QUOTE

WHEREAS, the following quotations were received on March 18, 2025, for a new low boy truck cab and chassis, and

Dealer	Ascendance Truck	GATR Truck
Manufacturer	International	Maack
Model	LT625	Pinnacle
Base Price	\$138,000.00	\$150,627
Trade Value	\$3,000	\$5,000

WHEREAS, the County Engineer has reviewed the quotes with the Shop Manager and recommends that the quote be awarded Ascendance Turck for the purchase of one new International LT 625 model truck, and

THEREFORE BE IT RESOLVED that the County Engineer be authorized to execute said purchase agreement on behalf of Clinton County, Iowa.

Roll Call:

Srp: Yes No

Irwin: Yes No

George: Yes No

Chairperson, Erin George

ATTEST:

County Auditor, Dave Troester

March 24, 2025

RESOLUTION 2025-__--

RESOLUTION REGARDING THE CUSTODIAN OF THE INFORMATION IN
COMMUNITY SERVICES NETWORK AND RELEASE OF DATA/RECORDS TO
IOWA DEPARTMENT OF HEALTH AND HUMAN SERVICES

IN that the Iowa Department of Health and Human Services (IHHS) is requesting all records in the Community Services Network (CSN) as part of the Behavioral Health Re-Alignment;

AND that Clinton County is the custodian of the records in the Community Services Network (CSN) as the staff in the Community Services Department has entered the data into the system over the years;

THEREFORE, as the custodian of the records, the IHHS request to release the records is approved and the Chairman is authorized to sign the Data Release Form.

This resolution shall take effect immediately.

Roll Call:

Srp: Yes No

Irwin: Yes No

George: Yes No

Chairperson, Erin George

ATTEST:

County Auditor, David Troester

RESOLUTION 2025-__

RESOLUTION TO REVOKE ZONING PERMIT APPLICATION

WHEREAS, Zoning Permit Application #4480 Clinton County, Iowa was approved for an A-1 zoning district (Prime Agricultural District) on August 14, 2024 for what has come to be understood to be a data-mining business; and

WHEREAS, at the time Permit #4480 was filed it was the understanding of the Zoning Administrator that the applicant was working with utilities and concluded it was a permitted as utilities are a permitted structure, #7, in the A-1 zoning district; and

WHEREAS, on March 12, 2025 Supervisor Irwin brought this to the attention of the Clinton County Attorney, who reviewed the application for Permit #4480 for the new business site in the A-1 zoning district. The Clinton County Attorney recommends this permit be revoked for the following reasons:

- The facility is not a UTILITY, but would be sited right beside the substation located at the site
- The facility is a new business site, NOT a utility substation; instead it will be “working with the utility”
- A-1 Permitted Principal Uses & Structures found at 3.6.1.B. of Clinton County’s Zoning Ordinance does not provide for this new business as a permitted use
- The law provides if the record reveals lack of compliance with an ordinance, “the deficiency is deemed jurisdictional and reliance will not bar revocation. This is so, [the Iowa Supreme Court has] held, because the zoning officer was without authority to grant the permit in the first place.” City of New Hampton v. Blayne-Martin Corp. 594 NW2d 40 (Iowa 1999) (citing City of Lamoni v. Livingston, 392 NW2d 506 (Iowa 1986)); now

WHEREAS, Zoning Permit Application #4480 Clinton County, Iowa approved on August 14, 2024 should be revoked as it is not a legally permissible business (what has come to be understood to be a data-mining business) in an A-1 Prime Agricultural District; and

WHEREAS, Zoning Permit Application #4480 Clinton County, Iowa affirms, in part, above the applicant’s signature line the following: “I agree that all construction and uses will comply with the Clinton County master Plan, Zoning Ordinance, Subdivision Regulations, and Flood Plain Ordinance. All provisions of laws and ordinances governing this occupancy will be complied with whether specified or not. The granting of the permit does not presume to give authority to violate or cancel the provision of any state or local law, ordinance or regulation. **Violation of any of these ordinance or laws shall result in revocation of the permit** (emphasis added); the application of any penalties listed in the Zoning Ordinance and any building under construction or constructed which is in violation may be required to be removed.”; now

THEREFORE, BE IT RESOLVED by the Board of Supervisors, acting on behalf of Clinton County given Clinton County’s unique responsibility for county zoning decisions, approves the Clinton County Zoning Administrators revocation of Zoning Permit Application #4480

for the reasons articulated in this Resolution, and with reservation of additional reasons for which Clinton County may use in any litigation based upon revocation.

Roll Call:

Srp: Yes No

Irwin: Yes No

George: Yes No

Chairperson, Erin George

ATTEST:

County Auditor, David Troester

RESOLUTION 2025 - ____

RESOLUTION EXTENDING THE MORATORIUM ON APPLICATIONS TO REZONE TO THE RENEWABLE ENERGY OVERLAY DISTRICT RELATED TO UTILITY-SCALE WIND INSTALLATIONS

WHEREAS, the Clinton County Board of Supervisors shall extend the moratorium on applications to rezone to the Renewable Energy Overlay District related to utility-scale wind installations according to section 4.2.16 of the Clinton County Zoning Ordinance, and

WHEREAS, the extension on the moratorium shall be repealed automatically on June 30, 2025, 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 to rezone to the Renewable Energy Overlay District related to utility-scale wind installations be extended until June 30, 2025.

Roll Call:

Srp: Yes No

Irwin: Yes No

George: Yes No

Chairperson, Erin George

ATTEST:

County Auditor, Dave Troester

RESOLUTION 2025 - ____

RESOLUTION EXTENDING A MORATORIUM ON THE APPLICATION OF MET TOWERS,
SODAR EQUIPMENT, AND ANY OTHER EQUIPMENT RELATED TO THE
DEVELOPMENT OF UTILITY-SCALE WIND TURBINES

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 June 30, 2025, 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 June 30, 2025.

Roll Call:

Srp: Yes No

Irwin: Yes No

George: Yes No

Chairperson, Erin George

ATTEST:

County Auditor, Dave Troester