

Clinton County Board of Supervisors

Clinton County Administration Building
1900 North Third Street

Shawn Hamerlinck, Chairman
Tom Determann, Vice-Chairman
Daniel Srp

P.O. Box 2957
Clinton, Iowa 52733-2957
Telephone: (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, February 13, 2017, 9:00 A.M.; Clinton County Administration Building, Conference Room B, 1900 N. 3rd St., Clinton, IA.

9:00 a.m. Review Correspondence & Claims
Call to Order – Pledge of Allegiance

9:15 a.m. Formal Action & Motions

CONSENT AGENDA

- RESOLUTION 2017-28: Authorize Auditor's Office to adjust a wage increase in the County Attorney's Office
- MOTION: Utility permit number 16-188 for Windstream Communications of Iowa

RESOLUTIONS

- RESOLUTION: Order the closing of the Old Highway 30 bridge over the main channel of the Wapsipinicon River between Calamus and Wheatland.
- RESOLUTION: Approve payment of certain claims for the Law Enforcement Center project
- RESOLUTION: Set a public hearing to solicit comments on the proposed Clinton County Fiscal Year 2018 Budget

UNFINISHED BUSINESS

GENERAL PUBLIC

DEPARTMENT HEADS, ELECTED OFFICIALS & EMPLOYEES

DISCUSSION WITH POSSIBLE ACTION

9:30 a.m. Annual Review with the Seventh Judicial District
The Supervisors will receive an update from Seventh Judicial District Chief Judge Marlita A. Greve and Court Administrator Kathy Gaylord.

10:00 a.m. Drainage District
The Supervisors will receive an update on a repair request from Drainage District #15.

11:00 a.m. Clinton County Conference Board
The Supervisors will participate in the County Conference Board to consider the County Assessor Office budget.

February 13, 2017

RESOLUTION 2017-28

WHEREAS, The Clinton County Attorney 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;

BE IT RESOLVED by the Clinton County Board of Supervisors of Clinton County, Iowa, that the County Auditor be and is hereby authorized to adjust the salary of James McHugh to \$63,421 to be paid biweekly on the General Basic Fund, Office of the County Attorney, to be effective January 1, 2017.

Roll Call:

Srp: _____

Determann: _____

Hamerlinck: _____

Chairperson, Shawn Hamerlinck

ATTEST:

County Auditor, Eric Van Lancker

CLINTON COUNTY ENGINEER

Clinton County Administration Building
1900 North Third Street
P.O. Box 2957
Clinton, Iowa 52733-2957
563-244-0564
Fax: 563-243-3739

February 13, 2017

Windstream Communications Inc.
Attn: Kristle Hill
11101 Anderson Dr., Suite 100
Little Rock, AR 72212
501-748-7628

Subject: Permit #16-188 WO#: 713479030-00002

Please find enclosed one signed copy of your requested permit for construction within the county right-of-way. This permit was approved based on the following stipulation:

- Windstream Communications shall bore all utility work within County ROW at a minimum depth of 36-inches.
- Cable shall be bored under culverts. This stipulation applies to all culverts located with the county right-of-way.
- Windstream Communications shall not place guy wires within 10 feet of the edge of shoulder.

Please call 24 hours before construction and keep one copy of the permit and construction plans at the job site. As built plans or a letter stating that the above permitted utility has been constructed as permitted will be required within sixty (60) days of construction.

As built plans or a letter stating that the above permitted utility has been constructed as permitted will be required within sixty (60) days of construction.

Please submit the \$100 permit fee (PAID, #909224) made payable to the Clinton County Engineer's Office. Should you have any questions, please call the office at the above listed number. Thank you.

Sincerely,

Elliott Pennock, EIT
Assistant County Engineer

**CLINTON COUNTY
BOARD OF SUPERVISOR
MOTION**

February 13, 2017

Motion by Supervisor _____ to authorize the Chairperson to sign
Utility Permit Number 16-188 is for Windstream Communications of Iowa to place a
new pedestal on the north side of 260th Street in Section 24 of T81N-R5E in Camanche
Township.

Roll Call:

Srp: _____

Determann: _____

Hamerlinck: _____

Motion _____

**APPLICATION FOR APPROVAL OF CONSTRUCTION
WITHIN CLINTON COUNTY RIGHT-OF-WAY**

This is a Permit Application for telecommunications, electric, gas, water, earthwork, drainage and other miscellaneous work within county ROW. The applicant agrees to comply with the following permit requirements. Compliance shall be determined by the sole discretion of the County Engineer as deemed necessary to promote public health, safety and the general welfare. These requirements shall apply unless waived in writing by the County Engineer prior to installation.

Applicant Name: Windstream Iowa Communications, Inc.

Street Address: 11101 Anderson Dr, Suite 100

City, State & Zip Code: Little Rock, AR 72212

Contact Person: Kristle Hill - Kristle.E.Hill@windstream.com

1. **Location Plan.** An applicant shall file a completed location plan as an attachment to this Permit Application. The location plan shall set forth the location of the proposed utility and/or construction on the secondary road system and include a description of the proposed installation.
2. **Written Notice.** At least 10 working days prior to the proposed construction, an applicant shall file with the County Engineer a written notice stating the time, date, location and nature of the proposed construction. Permits will be issued for a maximum period of one year.
3. **Inspection.** The County Engineer may provide a full-time inspector during the installation of utility lines and construction within ROW to insure compliance with this permit. The inspector may have the right, during reasonable hours and after showing proper identification, to enter any installation site in the discharge of the inspector's official duties, and to make any inspection or test that is reasonably necessary to protect the public health, safety and welfare.
4. **Inspection Fees. (Utility Permits Only)** Upon approval of the application by the Board of Supervisors, the permit will be issued by the County Engineer upon payment of the required prepaid \$100.00 permit fee made payable to the County Treasurer's office. Inspection fees may be required by the County Engineer and paid by the applicants. The applicant shall pay actual costs directly attributable to the installation inspection conducted by the County Engineer.
5. **Requirements.** The installation inspector shall assure that the following requirements have been met:
 - A) Construction signing shall comply with the Manual on Uniform Traffic Control Devices.
 - B) Depth – (Add additional depth if ditch has silted to the thickness of the deposited silt.) The minimum depth of cover shall be as follows:

Telecommunications.....	36"	Electric.....	48"
Gas.....	48"	Water.....	60"
Sewer.....	60"		

- C) The applicant shall use reference markers in the right-of-way ("R.O.W.") boundary to locate line and changes in alignment as required by the County Engineer. A permanent warning tape shall be placed one (1) foot above all underground utility lines.
 - D) All tile line locations shall be marked with references located in the R.O.W. line.
 - E) No underground utility lines shall cross over a crossroad drainage structure without written approval.
 - F) Residents along the utility route shall have uninterrupted access to public roads. An all-weather access shall be maintained for residents adjacent to the project.
 - G) A joint assessment of the road surfacing shall be made by the applicant and the Road Maintenance Superintendent both before and after construction. After construction, granular surfacing shall be added to the road by the applicant to restore the road to its original condition excluding tile crossings. After surfacing has been applied, the road surface shall be reviewed by the Road Maintenance Superintendent once the road has been saturated, to determine if additional surfacing on the roadway by the applicant is necessary.
 - H) All damaged areas within the R.O.W. shall be repaired and restored to at least its former condition by the applicant or the cost of any repair work caused to be performed by the County will be assessed against the applicant.
 - I) Areas disturbed during construction which present an erosion problem shall be rectified by the applicant in a manner approved by the County Engineer.
 - J) All trenches, excavations, and utilities that are knifed shall be properly tamped.
 - K) All utilities shall be located between the bottom of the backslope and the bottom of the foreslope, unless otherwise approved in writing by the County Engineer prior to installation.
 - L) Paved road utility crossings shall be bored. The depth below the road surface shall match the minimum depth of cover for the respective utility.
6. Non-Conforming Work. The County Engineer may suspend the installation at any time if the applicant's work does not meet the requirements set forth in this Permit.
 7. Emergency Work. In emergency situations, work may be initiated by an applicant without first obtaining a permit. However, a permit must be obtained within fourteen (14) days of initiation of the work. All emergency work shall be done in conformity with the provisions of this ordinance and shall be inspected for full compliance.
 8. County Infraction. Violation of this permit is a county infraction under Iowa Code Section 331.307, punishable by a civil penalty of \$100 for each violation. Each day that a violation occurs or is permitted to exist by the applicant constitutes a separate offense.
 9. Hold Harmless. The utility company shall save the County harmless of any damages resulting from the applicant's operations. A copy of a certificate of insurance naming the County as an additional insured for the permit work shall be filed in the County Engineer's office prior to installation. The minimum limits of liability under the insurance policy shall be \$1,000,000.

- 10. Permit Required. No applicant shall install any lines unless such applicant has obtained a permit from the County Engineer and has agreed in writing that said installation will comply with all ordinances and requirements of the County for such work. Applicants agree to hold the County free from liability for all damage to applicant's property which occurs proximately as a result of the applicant's failure to comply with said ordinances or requirements.
- 11. Relocation. The applicant shall, at any time subsequent to installation of utility lines, at the applicant's own expense, relocate or remove such lines as may become necessary to conform to new grades, bridge construction, alignment or widening of R.O.W. resulting from maintenance or construction operations for highway improvements.

1/26/2017

DATE SUBMITTED

Windstream Iowa Communications, Inc.

NAME OF APPLICANT OR COMPANY

Kristle Hill

BY

APPROVAL:

DATE

COUNTY ENGINEER

APPROVAL: **Required for Franchise Utility Permit Applications Only**

DATE

CHAIRPERSON, BOARD OF SUPERVISORS

RESOLUTION # 2017-_____

February 13, 2017

WHEREAS, the Board of Supervisors have the power to alter, or vacate and close any highway under their jurisdiction in accordance with Iowa Code Section 306.10 and the Board of Supervisors after consultation with the County Engineer have determined that the following county bridge described herein should be closed to the traveling public due to the minimal load carrying capacity and severely deteriorated condition of the bridge:

***Bridge Location and Description:** Bridge located on 235th Street over the Wapsipinicon River east of the City of Wheatland. Federal Highway Administration Structure Number 121690 [County Bridge Number Q-1157] located in the southeast quarter of section 11 of Spring Rock Township.*

WHEREAS, a public hearing was held on January 23, 2017 regarding the closure of the structure, and

WHEREAS, No claims for damages have been received by the Board of Supervisors and that the subject bridge warrants closure.

THEREFORE BE IT RESOLVED that the following described bridge be closed upon proper installation of required signage per the Manual for Uniform Traffic Control Devices:

***Bridge Location and Description:** Bridge located on 235th Street over the Wapsipinicon River east of the City of Wheatland. Federal Highway Administration Structure Number 121690 [County Bridge Number Q-1157] located in the southeast quarter of section 11 of Spring Rock Township.*

Roll Call:

Srp: _____

Determann: _____

Hamerlinck: _____

Shawn Hamerlinck, Chairman

ATTEST:

County Auditor, Eric Van Lancker

February 13, 2017

RESOLUTION 2017-_____

WHEREAS, Clinton County voters approved a proposition to issue General Obligation Bonds not to exceed \$22,000,000 for the purpose to pay for the costs of designing, constructing, equipping and furnishing a jail, sheriff’s office, 911/communications center and emergency management agency office and demolition of the existing facility; and

WHEREAS, the Clinton County Board of Supervisors have deemed it best practice to review each claim for payment for said project; and

WHEREAS, the appropriate Clinton County officials have reviewed the claim(s) listed below and recommend payment; and

WHEREAS, the following list of claims have been submitted for payment on said project:

VENDOR	AMOUNT	INVOICE DATE
Samuels Group	\$51,300.00	January 31, 2017
Shive Hattery, Inc.	\$355,389.89	February 6, 2017

BE IT RESOLVED by the Clinton County Board of Supervisors that said claims have been duly reviewed and approved for payment; and

BE IT FURTHER RESOLVED the County Auditor is authorized to make said payments within the standard claim payment process from the Capital Projects Fund.

Roll Call:
 Srp: _____
 Determann: _____
 Hamerlinck: _____

 Chairman, Shawn Hamerlinck

ATTEST:

 County Auditor, Eric Van Lancker

February 13, 2017

RESOLUTION 2017 - ____

WHEREAS, the fiscal year 2017-2018 budget for Clinton County is to be certified by March 15 of each year per Iowa Code 331.434 (7); and

WHEREAS, it is required per Iowa Code 331.434 (3) and Iowa Code 331.434 (4) to set a time and place for a public hearing on the fiscal year 2017-2018 budget to allow taxpayers to present objections to or arguments in favor of any part of the budget; now

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that a public hearing be held on Wednesday, March 1, 2017, at 9:30 a.m. in the Board of Supervisors Room, Clinton County Administrative Building, 1900 N. Third Street, Clinton, Iowa, for the aforementioned purpose; and

BE IT FURTHER RESOLVED that the County Auditor is hereby directed to cause a publication to be made of a notice of the meeting in the official county newspapers and that such publication to be not less than 10 nor more than 20 days before the date of the public meeting on the fiscal year 2017-2018 budget.

Roll Call:
Srp: _____

Determann: _____

Hamerlinck: _____

Chairman, Shawn Hamerlinck

ATTEST:

County Auditor, Eric Van Lancker