

January 17, 2023

Meeting of the Clayton County Board of Supervisors at 600 Gunder Road NE, Elkader, Iowa.

Present: Steve Doepcke, Ray Peterson, and Doug Reimer

Guests: Elwood Moser, Debra Schulte, Ed Van Lennep, Melody Kosobucki, Emily Parker, Brittany Hubanks, Andy Loan, Darla Kelchen, Patti Ruff, Cody Brandel, Samantha Rumph, Wendy Shea, Trisha Wilkins, Justin Williams, Casey Stickfort, and Jennifer Garms

Reimer moved, Doepcke seconded to approve the minutes of the January 10, 2023 meeting. Ayes: Doepcke, Peterson, Reimer. Motion carried.

Doepcke moved, Reimer seconded to approve the claims as presented totaling \$112,611.90. Ayes: Doepcke, Peterson, Reimer. Motion carried.

Debra Schulte provided a program update and made a FY2024 funding request for Clayton County Fair Board.

Reimer moved, Doepcke seconded to approve resolution #5-2023 "Resolution to Lease County-Owned Real Estate." Roll Call Vote: Doepcke-aye, Peterson-aye, Reimer-aye. Motion carried.

RESOLUTION #5-2023
RESOLUTION TO LEASE COUNTY-OWNED REAL ESTATE

WHEREAS, Clayton County owns a parcel of real estate legally described as follows:

SE 1/4 SE 1/4 in Section 6, Township 93 North, Range 4 West except sewage lagoon also known as parcel #22-11-06-476-001; NW 1/4 NE 1/4 in Section 7, Township 93 North, Range 4 West also known as parcel #22-11-07-201-001 except 7 Acres for County Jail; part of NE 1/4 NE 1/4 of section 7, Township 93 North, Range 4 West also known as parcel #22-11-07- 226-001; NW 1/4 SW 1/4 NW 1/4 and SE 1/4 NW 1/4 of Section 8, Township 93 North, Range 4 West also known as parcel # 22-11-08-152-001 and #22-11-08-176-001; ("Scenic Acres Farm") (116.6 Acres more or less of cropland as measured by FSA).

WHEREAS, Clayton County desires to enter into a farm lease of said parcel of real estate.

WHEREAS, the Clayton County Board of Supervisors proposes to accept sealed bids for the parcel with certain conditions to be set by the Board of Supervisors.

WHEREAS, the Clayton County Board of Supervisors reserves the right to reject any or all bids.

WHEREAS, a public hearing on the Board of Supervisors proposal shall be held after which a final determination on the proposal may be made by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CLAYTON COUNTY BOARD OF SUPERVISORS AS FOLLOWS:

1. A public hearing on the aforementioned proposal to lease county-held real estate is hereby scheduled for February 7, 2023 at 10:30 a.m. at the Supervisors Office at 600 Gunder Road, Elkader, Iowa 52043.

Reimer moved, Doepcke seconded to approve resolution #6-2023 "Resolution to Lease County-Owned Real Estate." Roll Call Vote: Doepcke-aye, Peterson-aye, Reimer-aye. Motion carried.

RESOLUTION #6-2023
RESOLUTION TO LEASE COUNTY-OWNED REAL ESTATE

WHEREAS, Clayton County owns a parcel of real estate legally described as follows:

W 1/2 NW 1.44 except S 5 Acres, in Section 7, Township 93 North, Range 4 West also known as parcel #22-11-07-101-001 and #22-11-07-152-001 "Old Landfill Site." 48.9 Acres more or less as measured by FSA.

WHEREAS, Clayton County desires to enter into a farm lease of said parcel of real estate.

WHEREAS, the Clayton County Board of Supervisors proposes to accept sealed bids for the parcel with certain conditions to be set by the Board of Supervisors.

WHEREAS, the Clayton County Board of Supervisors reserves the right to reject any or all bids.

WHEREAS, a public hearing on the Board of Supervisors proposal shall be held after which a final determination on the proposal may be made by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CLAYTON COUNTY BOARD OF SUPERVISORS AS FOLLOWS:

1. A public hearing on the aforementioned proposal to lease county-held real estate is hereby scheduled for February 7, 2023 at 10:45 a.m. at the Supervisors Office at 600 Gunder Road, Elkader, Iowa 52043.

Emily Parker and Melody Kosobucki provided a program update and made a FY2024 funding request for Riverview Center.

The Board received an update regarding public health concerns relating to COVID-19 and the Visiting Nurses' Association in addition to reviewing their departmental budget.

Darla Kelchen provided a program update and made a FY2024 funding request for Clayton County Development Group.

Chairperson Peterson opened a public hearing regarding an amendment to the Zoning Ordinance. The amendment references a change from Agricultural (A-1) to Commercial (C-1) to allow for a parking lot for extra storage for T-N-T Marina and future site for storage building for Marina customers. There was discussion regarding location, ease of customer access, and construction phases. The public hearing was closed. Reimer moved, Doeppke seconded to approve the first reading of Amendment #1-2023 to the Zoning Ordinance (public hearing was January 17, 2023) for change from Agricultural (A-1) to Commercial (C-1) to allow for a parking lot for extra storage for T-N-T Marina and future site for storage building for Marina customers. Ayes: Doeppke, Peterson, Reimer. Motion carried. Reimer moved, Doeppke seconded to waive the second and third hearings of Amendment #1-2023 to the Zoning Ordinance. Ayes: Doeppke, Peterson, Reimer. Motion carried.

The Board reviewed projects to be paid with American Rescue Plan Act funds. Doeppke moved, Reimer seconded to move forward with floor grating for the Maintenance/EMA building in the amount of \$3,100.00 from MB Construction, Inc. Ayes: Doeppke, Peterson, Reimer. Motion carried.

Chairperson Peterson opened the public hearing regarding property interest of railroad right-of-way. Located in Section 36, Township 92 North, Range 4 West. Comments were made relating to the railroad not reverting back to owners in the past, filing quit claim deeds, and ownership. The public hearing was closed. Doeppke moved, Reimer seconded to approve resolution #7-2023 "Property Interest County-Owned Real Estate." Roll Call Vote: Doeppke-aye, Peterson-aye, Reimer-aye. Motion carried.

RESOLUTION #7-2023
PROPERTY INTEREST COUNTY-OWNED REAL ESTATE

WHEREAS, Clayton County acquired a property interest to the following described real estate:

The right of way of the line of railroad now retired between Turkey River Junction and West Union, Iowa, as the same was established across the following lands in Clayton County, Iowa:

Lot Fourteen (14) of Government Lot Five (5) in Section Thirty-six (36), Township Ninety-two (92) North, Range Four (4) West of the Fifth Principal Meridian, Clayton County, Iowa, containing 2.70 acres, more or less, and more particularly described by metes and bounds as follows: Commencing at the Center of Section 36, Township 92 North, Range 4 West of the 5th P.M.; thence N 00°50'-23" E, 872.50 feet along the north-south 1/4 section line of said Section 36; thence N 48°-00'-23" E, 137.28 feet to the Point of Beginning; thence N 46°-27'-57" E, 1070.10

feet; thence N 44°-43'-38" E, 1311.75 feet; thence N 89°-46'-31" W, 70.10 feet along the north line of said Section 36; thence S 44°-43'-38" W, 1261.81 feet; thence S 46°-27'-57" W, 1068.66 feet; thence S 42°-43'-01" E, 50.00 feet to the Point of Beginning. Said described parcel contains 2.70 acres, more or less;

and

Lot Fifteen (15) of Government Lot Five (5) in Section Thirty-six (36), Township Ninety-two (92) North, Range Four (4) West of the Fifth Principal Meridian, Clayton County, Iowa, containing 2.24 acres, more or less, and more particularly described by metes and bounds as follows: Commencing at the Center of Section 36, Township 92 North, Range 4 West of the 5th P.M.; thence N 00°50'-23" E, 872.50 feet along the north-south 1/4 section line of said Section 36; thence N 48°-00'-23" E, 137.28 feet; thence N 42°-43'-01" W, 50.00 feet; thence N 46°-27'-57" E, 352.17 feet to the Point of Beginning; thence N 43°-32'-03" W, 50.00 feet; thence N 46°-27'-57" E, 715.75 feet; thence N 44°-43'-38" E, 1211.91 feet; thence S 89°-46'-31" E, 70.10 feet along the north line of said Section 36; thence S 44°-43'-38" W, 1261.81 feet; thence S 46°-27'-57" W, 716.50 feet to the Point of Beginning. Said described parcel contains 2.24 acres, more or less.

WHEREAS, the property interest has been deemed as surplus and appropriately should revert to the adjoining landowners,

WHEREAS, Edward C. Van Lennep and Alicia A. Van Lennep own the property adjacent to the parcels legally described above,

WHEREAS, in accordance with Chapter 331.361(2) of the CODE OF IOWA, 2022, notice of a public hearing was published in the official papers of Clayton County on January 4, 2023, for a hearing to be held on January 17, 2023,

THEREFORE IT BE RESOLVED by the Board of Supervisors of Clayton County, Iowa, that the Board Chairperson, Ray Peterson, and County Auditor, Jennifer Garms, be authorized to execute a Quit Claim Deed to Edward C. Van Lennep and Alicia A. Van Lennep for said railroad right-of-way.

Doepcke moved, Reimer seconded to approve resolution #8-2023 "Property Interest County-Owned Real Estate." Roll Call Vote: Doepcke-aye, Peterson-aye, Reimer-aye. Motion carried.

RESOLUTION #8-2023
PROPERTY INTEREST COUNTY-OWNED REAL ESTATE

WHEREAS, Clayton County acquired a property interest to the following described real estate:

The right of way of the line of railroad now retired between Turkey River Junction and West Union, Iowa, as the same was established across the following lands in Clayton County, Iowa:

Lot Nineteen (19) of Government Lot Four (4) and Lot Sixteen (16) of Government Lot Five (5) in Section Thirty-six (36), Township Ninety-two (92) North, Range Four (4) West of the Fifth Principal Meridian, Clayton County, Iowa, containing 497 square feet and 4,906 square feet, respectively, more or less, and more particularly described by metes and bounds as follows: Commencing at the Center of Section 36, Township 92 North, Range 4 West of the 5th P.M.; thence N 00°50'-23" E, 968.99 feet along the north-south 1/4 section line of said Section 36 to the Point of Beginning; thence S 26°-42'-58" E, 21.52 feet; thence N 48°-00'-23" E, 76.71 feet; thence N 46°-27'-57" E, 15.99 feet; thence N 30°-56'-02" W, 61.39 feet; thence S 46°-02'-35" W, 27.00 feet; thence S 48°-00'-23" W, 61.16 feet; thence S 26°-42'-58" E, 40.43 feet to the Point of Beginning. Said described parcel contains a total of 5,403 square feet, more or less;

and

Lot Twelve (12) of Government Lot Five (5) in Section Thirty-six (36), Township Ninety-two (92) North, Range Four (4) West of the Fifth Principal Meridian, Clayton County, Iowa, containing 4,193 square feet, more or less, and more particularly described by metes and bounds as follows: Commencing at the Center of Section 36, Township 92 North, Range 4 West of the 5th P.M.; thence N 00°50'-23" E, 872.50 feet along the north-south 1/4 section line of said Section 36; thence N 48°-00'-23" E, 46.28 feet to the Point of Beginning; thence N 48°-00'-23" E, 91.00 feet;

thence N 42°-43'-01" W, 50.00 feet; thence S 48°-00'-23" W, 76.71 feet; thence S 26°-42'-58" E, 51.83 feet to the Point of Beginning. Said described parcel contains 4,193 square feet, more or less.

WHEREAS, the property interest has been deemed as surplus and appropriately should revert to the adjoining landowners,

WHEREAS, Elwood Moser owns the property adjacent to the parcels legally described above,

WHEREAS, in accordance with Chapter 331.361(2) of the CODE OF IOWA, 2022, notice of a public hearing was published in the official papers of Clayton County on January 4, 2023, for a hearing to be held on January 17, 2023,

THEREFORE IT BE RESOLVED by the Board of Supervisors THEREFORE IT BE RESOLVED by the Board of Supervisors of Clayton County, Iowa, that the Board Chairperson, Ray Peterson, and County Auditor, Jennifer Garms, be authorized to execute a Quit Claim Deed to Elwood Moser for said railroad right-of-way.

Samantha Rumph provided a program update and made a FY2024 funding request for the operating fund for the 911 Service Board. Doepcke moved, Reimer seconded to approve up to \$73,195.00 towards the 911 Service Board operating fund for FY2024. Ayes: Doepcke, Peterson, Reimer. Motion carried.

Trisha Wilkins and Wendy Shea provided a program update and made a FY2024 funding request for Northeast Iowa Community Action Corporation (NEICAC).

The Board discussed the implementation of an Education Expense Agreement for a new hire as it related to obtaining a commercial driver's license (CDL).

Reimer moved, Doepcke seconded to approve a letter of support for Motor Mill Foundation for Aureon Grant.

Doepcke moved, Reimer seconded to make the following appointment of citizens to township offices. Ayes: Doepcke, Peterson, Reimer. Motion carried.

- Read Township Trustee (Term Ending 12/31/2026) - Roger Taake
- Sperry Township Trustee (Term Ending 12/31/2026) - Cassie Winters
- Farmersburg Township Trustee (Term Ending 12/31/2026) - Brian Wirkler

The Board worked on the FY2024 County Budget.

/s/ Ray Peterson, Board of Supervisors Chair

Attest: Jennifer Garms, Clayton County Auditor