

May 7, 2018

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

Present: Gary Bowden and Ray Peterson

Absent: Ron McCartney

Guests: Sarah Moser, Eli Garms, Mike Tschirgi, Steve Holst, Rafe Koopman, Patti Ruff, Sandy Howard, Alex Grasso (by phone)

Engineer Rafe Koopman's recommendations, presented by Eli Garms, for the 2018 Contract Rock Program were to award bids to the lowest bidders as follows:

Engineer Rafe Koopman read aloud the apparent lowest bids as follows:

Division 1: CJ Moyna & Sons	\$8.8500/ton	\$316,299.00/area
Division 2: Bard Materials	\$8.1900/ton	\$156,674.70/area
Division 3: Bruening Rock Products	\$8.9399/ton	\$223,229.30/area
Division 4: CJ Moyna & Sons	\$8.9500/ton	\$235,832.50/area
Division 5: Bard Materials	\$8.4900/ton	\$300,461.10/area
Division 6: River City Stone	\$7.6400/ton	\$229,352.80/area

The total amount for the project is \$1,461,849.40.

Peterson moved to accept the recommendations of Engineer Rafe Koopman and to award the bids to the lowest bidder in all Divisions for the 2018 Contract Rock Program. Bowden seconded. Ayes: Bowden, Peterson. Motion carried.

Peterson moved to approve a contract with Vogel Traffic Services for pavement marking for \$33,512.50 and authorize the chairman to sign. Bowden seconded. Ayes: Bowden, Peterson. Motion carried.

Peterson moved to approve the claims as presented. Bowden seconded. Ayes: Bowden, Peterson. Motion carried.

Peterson moved to approve the minutes of the April 30, 2018 meeting. Bowden seconded. Ayes: Bowden, Peterson. Motion carried.

Alex Grasso, joined by phone, discussed an \$8,000.00 insurance settlement surrounding an incident occurring on or about April 2, 2017 when a person damaged a county-owned vehicle used by the Sheriff's Department. Peterson moved to approve resolution #21-2018 "Resolution Approving Release and Settlement Agreement". Bowden seconded. Roll Call Vote: Bowden-aye, Peterson-aye, McCartney-absent. Motion carried.

**RESOLUTION #21-2018
RESOLUTION APPROVING RELEASE AND SETTLEMENT AGREEMENT**

WHEREAS, on or about March 16, 2018, Clayton County ("the County") filed a lawsuit against James E. and Susan E. Steen in the Iowa District Court in and for Clayton

County to recover property damages stemming from an April 2, 2017 accident causing damage to the County's property, and

WHEREAS, the County through its legal counsel has negotiated a settlement that resolves this matter, and

WHEREAS, the County finds that the settlement of this matter is in the best interest of the County,

NOW, THEREFORE, BE IT RESOLVED, that the County authorizes the Chair of the Board of Supervisors, Gary Bowden, to sign the Release and Settlement Agreement to resolve this matter.

This Resolution shall take immediate effect.

The Board of Supervisors and Jennifer Garms, County Auditor, met as a Board of Canvassers, as provided by law, and canvassed the election returns from the special election held May 1, 2018. The result of said canvass is as follows:

Public Measure B: Shall the following public measure be adopted?

Summary: To authorize a change in the use of the one percent (1%) local sales and services tax in the City of Strawberry Point effective October 1, 2018.

YES	Received one hundred fifty-six (156) votes
NO	Received seventy-six (76) votes
TOTAL	Two hundred thirty-two (232) votes

The public measure needed a 50% majority for passage. Public Measure B passed.

For Council Member of the City of North Buena Vista - To Fill Vacancy (Elect 1):

James Ludovissy	Received twenty-nine (29) votes
Robert J. Ludovissy	Received thirty-five (35) votes
Scattering	Zero (0) votes
Total	Sixty-four (64) votes

Robert J. Ludovissy was duly elected to serve the remainder of the two year term.

The Board reconvened as the Board of Supervisors.

Peterson moved to approve the canvass of the Special Election held May 1, 2018. Bowden seconded. Ayes: Bowden, Peterson. Motion carried.

Peterson moved to approve the claims for the canvass as presented. Bowden seconded. Ayes: Bowden, Peterson. Motion carried.

Auditor Jennifer Garms discussed with the Board a proposed budget amendment for FY2018. Peterson moved to publish the notice for public hearing for the FY2018 budget amendment in the official newspapers on May 16, 2018 with the hearing to take place at 10:30 AM on May 30, 2018. Bowden seconded. Ayes: Bowden, Peterson. Motion carried.

Peterson moved to approve resolution #22-2018 "Set Public Hearing Date to amend Hazardous Substances Ordinance, and repeal and replace Overnight Parking/Snow Removal, Individual Sewage Disposal System, Plugged Abandoned Well, Nonpublic Water Well, and Private Water Well Construction Ordinances". Bowden seconded. Roll Call Vote: Bowden-aye, Peterson-aye, McCartney-absent. Motion carried.

RESOLUTION #22-2018
SET PUBLIC HEARING DATE TO AMEND HAZARDOUS SUBSTANCES
ORDINANCE, AND REPEAL AND REPLACE OVERNIGHT PARKING/SNOW
REMOVAL, INDIVIDUAL SEWAGE DISPOSAL SYSTEM, PLUGGED
ABANDONED WELL, NONPUBLIC WATER WELL, AND PRIVATE WATER
WELL CONSTRUCTION ORDINANCES

WHEREAS, Clayton County has a hazardous substances ordinance, an overnight parking/snow removal ordinance, an individual sewage disposal system ordinance, a plugged abandoned well ordinance, a nonpublic water well ordinance, and a private water well construction ordinance.

WHEREAS, Clayton County desires to amend and/or repeal and replace said ordinances.

WHEREAS, the Clayton County Board of Supervisors proposes to accept amendment to the hazardous substances ordinance and repeal and replace overnight parking/snow removal ordinance, individual sewage disposal system ordinance, plugged abandoned well ordinance, nonpublic water well ordinance, and private water well ordinance.

WHEREAS, a public hearing on the Board of Supervisors proposal shall be held on the aforementioned proposal 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:

A public hearing on the aforementioned proposal to amend the hazardous substances ordinance; repeal and replace overnight parking/snow removal ordinance, individual sewage disposal system ordinance, plugged abandoned well ordinance, nonpublic water well ordinance, and private water well ordinance is hereby scheduled for May 30, 2018 at 11:00 AM at the Supervisors Office at 600 Gunder Road, Elkader, Iowa 52043.

Attest:

Gary Bowden
Chairman, Board of Supervisors

Jennifer Garms
Clayton County Auditor