

August 30, 2022

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

Present: Steve Doepcke, Sharon Keehner, and Ray Peterson

Guests: Zach Herrmann, Patti Ruff, Myron Phelps, Mike Tschirgi, Ryan Johnson, Jenna Pollock, Paul Rasmussen, Paula Rasmussen, Steve Holst, Andy Loan, Rowland Jones, Karen Buerger, Kale Miene, and Jennifer Garms

Doepcke moved, Keehner seconded to approve the minutes of the August 23, 2022 meeting. Ayes: Doepcke, Keehner, Peterson. Motion carried.

Keehner moved, Doepcke seconded to approve the claims as presented totaling \$43,502.15. Ayes: Doepcke, Keehner, Peterson. Motion carried.

Doepcke moved, Keehner seconded to approve resolution #27-2022 "28E Agreement Concerning Nuisance Abatement". Roll Call Vote: Doepcke-aye, Keehner-aye, Peterson-aye. Motion carried.

RESOLUTION #27-2022
AUTHORIZING CITY OF MCGREGOR, IOWA AND CLAYTON COUNTY, IOWA
28E AGREEMENT CONCERNING NUISANCE ABATEMENT

WHEREAS, the real estate identified as Clayton County Assessor Parcel ID #34-27-181- 014 & #04-27-327-002 constitute the residential property at 14463 Great River Road, McGregor, Iowa, 52157, ("the Property"), and

WHEREAS, Clayton County Assessor Parcel ID #34-27-181-014 is located in the City of McGregor (City) and Clayton County Assessor Parcel ID #04-27-327-002 is located adjacent to the City corporate limits and in Clayton County (County), and

WHEREAS, City and County have authority to regulate and abate nuisances within their respective jurisdictions, and

WHEREAS, the condition of the Property may constitute a nuisance, and

WHEREAS, City wishes to initiate nuisance abatement procedures with regard to the Property,

WHEREAS, the parties have determined the most efficient way to enforce nuisance abatement procedures with regard to the property is to coordinate and cooperate with regard to nuisance abatement procedures, and

WHEREAS, Iowa Code Chapter 28E authorizes the joint exercise and performance of powers and responsibilities by political subdivisions of this state so as to promote the most efficient use of material and human resources for the public good, and

WHEREAS, City is willing to take responsibility to determine whether a nuisance exists on the property and, if it does, to proceed with abatement.

NOW, THEREFORE, BE IT RESOLVED, in consideration of the mutual covenants hereafter set forth, the parties agree as follows:

The CITY OF MCGREGOR, IOWA AND CLAYTON COUNTY, IOWA 28E AGREEMENT CONCERNING NUISANCE ABATEMENT is hereby approved. The Chairman of the Board of Supervisors shall execute and deliver with attestation by the County Auditor, the CITY OF MCGREGOR, IOWA AND CLAYTON COUNTY, IOWA 28E AGREEMENT CONCERNING NUISANCE ABATEMENT referenced above.

At such time as the CITY OF MCGREGOR, IOWA AND CLAYTON COUNTY, IOWA 28E AGREEMENT CONCERNING NUISANCE ABATEMENT has been approved by Clayton County, Iowa, and signed by the Chairman of the Board of Supervisors with attestation by the Clayton County Auditor, the City of McGregor, Iowa City Clerk shall file a copy of it with the Iowa Secretary of State and the Clayton County, Iowa Recorder's Office.

Keehner moved, Doeppke seconded to approve the 28E Agreement with the City of McGregor regarding property at 14463 Great River Rd. Ayes: Doeppke, Keehner, and Peterson. Motion carried.

Keehner moved, Doeppke seconded to approve the renewal of a Class C Native Wine Permit with Sunday Sales and Outdoor Service for PromiseLand Winery LLC. Ayes: Doeppke, Keehner, and Peterson. Motion carried.

Chairperson Peterson opened a public hearing regarding an amendment to the Floodplain Ordinance. The amendment includes changes as required by the Nation Flood Insurance Program (NFIP). The public hearing was closed. Keehner moved, Doeppke seconded to approve the first reading of the amendment to the Floodplain Ordinance (#2-2022). Ayes: Doeppke, Keehner, Peterson. Motion carried. Doeppke moved, Keehner seconded to waive the second and third hearings of the amendment to the Floodplain Ordinance. Ayes: Doeppke, Keehner, Peterson. Motion carried.

The Board received an update regarding public health concerns relating to COVID-19 and the Visiting Nurses' Association.

The Board had a job description workshop with the County Auditor.

The Board reviewed projects to be paid with American Rescue Plan Act funds. Keehner moved, Doeppke seconded to approve moving forward with the purchase of a backup system for Information Technology. Ayes: Doeppke, Keehner, Peterson. Motion carried.

Chairperson Peterson opened the public hearing regarding bid proposals for the Sheriff's roof project. One bid was received by Allen Roofing Construction in the amount of \$196,500.00 (\$140,100.00 for the lower section and \$56,400.00 for the upper section). Comments were made relating to: cost, pitch of roof, replacing entire roof, warranty, and design. The public hearing was closed. No action taken. The awarding of bids will be placed on the next meeting's agenda.

Chairperson Peterson opened the public hearing regarding rezoning from Agricultural to Riverside Recreational for recreational cabins on 2.45 acres located at 10437 Golden Avenue owned by Paul & Paula Rasmussen. Comments were made relating to: accommodating five park model cabins around a pond for an AirBNB, the Planning and Zoning Commission recommending approval, concerns about traffic along the roadway, and land preparation. The public hearing was closed. Keehner moved, Doeppke seconded to approve the rezoning from Agricultural to Riverside Recreational for recreational cabins on 2.45 acres located at 10437 Golden Avenue owned by Paul & Paula Rasmussen.

The Board discussed the rental of county owned real estate.

The Board attended the countywide safety meeting.

/s/ Ray Peterson, Board of Supervisors Chair
Attest: Jennifer Garms, Clayton County Auditor