

Muscatine County Board of Supervisors
Monday, April 6, 2015

The Muscatine County Board of Supervisors met in regular session at 9:00 A.M. with Howard, Sorensen, Kelly, Sauer and Bonebrake present. Chairperson Kelly presiding.

On a motion by Sorensen, second by Bonebrake, the agenda was approved as presented. Ayes: All.

On a motion by Sorensen, second by Sauer, the Board authorized the Chair to execute an application for the FY2015-16 Iowa/Byrne – Justice Assistance Grant (JAG) Program Contract in the amount of \$143,598.34. Ayes: All.

On a motion by Sorensen, second by Bonebrake, the Board authorized Muscatine County CARES to hang handprints on the walls of the Muscatine County Administration Building in observance of Child Abuse Prevention Month. Ayes: All.

On a motion by Howard, second by Sorensen, the Board accepted the Muscatine County Auditor's Report of Fees Collected for the quarter ending March 31, 2015 in the amount of \$4,589.41. Ayes: All.

On a motion by Sorensen, second by Sauer, the Board accepted the Muscatine County Treasurer's Report of Fees Collected for the quarter ending March 31, 2015 in the amount of \$117,794.21. Ayes: All.

On a motion by Sorensen, second by Howard, the Board accepted the Muscatine County Civil Department's Report of Fees Collected for the quarter ending March 31, 2015 in the amount of \$34,186.84. Ayes: All.

Discussion was held with County Auditor Leslie Soule regarding the method for filling the vacancy created by the retirement of the County Sheriff. Soule stated the Board can either fill the vacancy by appointment or by calling for a special election. Soule stated if the Board chooses to appoint, a special election can still be triggered by a petition submitted to the Auditor's Office with 1,315 signatures within 14 days after the publication of a notice of intent to appoint or 14 days after the appointment. Soule stated if the Board opts to appoint, they must publish a notice of their intent to appoint a County Sheriff to fill a vacancy until November 2016 and the appointment must be made within 40 days after the vacancy occurs. Soule stated that the appointee must be a resident of Muscatine County for 60 days prior to the date of appointment. County Attorney Alan Ostergren stated the Board appointment can be acted on prior to the vacancy with an effective date of May 1, 2015. On a motion by Sorensen, second by Howard, the Board authorized the County Auditor to publish a Notice of Intent to Appoint a County Sheriff. Ayes: All. Soule was directed to publish the Notice of Intent to Appoint a County Sheriff immediately with appointment to be made April 20, 2015, but effective May 1, 2015.

On a motion by Howard, second by Bonebrake, the Board approved Resolution #04-06-15-01 Setting a Public Hearing for Monday, April 20, 2015 at 9:00 A.M. to Amend Resolution #02-16-15-01 Relating to Disposition of Unknown Owner Parcels in Orono Township. Roll call vote: Ayes: All.

On a motion by Sorensen, second by Bonebrake, the Board approved 2014 business property tax credit applications, with the exception of 8 parcels, as recommended by the Auditor's Office. Ayes: All.

On a motion by Howard, second by Sorensen, the Board approved an application for an 8-month Class C Beer, Liquor, Sunday Sales and Outdoor Service Permit for The Chart House, Inc., DBA The Lighthouse, 2142 Water Street, Muscatine, Iowa. Ayes: All.

On a motion by Howard, second by Sorensen, minutes of the Monday, March 30, 2015 regular meeting were approved as written. Ayes: All.

Correspondence:

The Board received correspondence from Dickinson County regarding the Hog Confinement Master Matrix.

Sauer reported a contact regarding a road ditch issue.

Sorensen reported contacts regarding trash service issues related to road embargoes.

Howard reported a contact regarding the current structure of the Zoning Department.

Committee Reports:

Sorensen attended a Wilton Development Corporation meeting April 1st.

Kelly attended a Muscatine Health Association meeting April 1st.

All Supervisors attended the MUSCOM Starcom presentation April 2nd. Kelly interviewed Muscatine Community College Presidential candidates March 31st and April 2nd.

Disaster Services Manager Matt Shook stated a burn ban is in place for Muscatine County.

Discussion was held with Disaster Services Manager Matt Shook regarding hiring a firm to develop a technical RFP at a cost not to exceed \$25,000 for the communications upgrade. Board consensus was direction to develop the RFP should come from MUSCOM, but the County would consider funding the development of the RFP.

On a motion by Bonebrake, second by Sorensen, the Board set a public hearing for Monday, April 20, 2015 at 9:00 A.M. on a confinement feeding operation construction permit application from Pork 360 East Site, Section 16, Bloomington Township. Ayes: All.

On a motion by Howard, second by Sorensen, the Board authorized Kathy Bloomfield as an individual authorized to use the Muscatine County Administration credit card. Ayes: All.

The meeting was adjourned at 10:17 A.M.

ATTEST:

Leslie A. Soule, County Auditor

Kas Kelly, Chairperson
Board of Supervisors

Muscatine County Board of Supervisors
Monday, April 13, 2015

The Muscatine County Board of Supervisors met in regular session at 9:00 A.M. with Howard, Sorensen, Kelly, Sauer and Bonebrake present.

On a motion by Sorensen, second by Bonebrake, the agenda was approved as presented. Ayes: All.

On a motion by Howard, second by Sorensen, claims dated April 13, 2105 were approved in the amount of \$454,522.14. Ayes: All.

On a motion by Sorensen, second by Bonebrake, the Chairperson was authorized to sign a letter to FEMA regarding the 3-year monitoring requirement for open space HMGP DR-1763 #39 (Muscatine County Property Acquisition). Ayes: All.

The Board reviewed the following Special Use Permit granted by the Muscatine County Board of Adjustment on April 3, 2015: Case #15-04-02 is an application filed by Robert M. Lucas Jr. and Ruthanne Lucas, Record Owners. This property is located in Cedar Township, 1570 231st Street, Letts, East of 231st Street, in the SE¼ of Section 1-T76N-R4W, containing approximately 38.49 acres, and is zoned A-1 Agricultural District. This request would allow the Zoning Administrator to issue a Special Use Permit for the owners to construct a 12' X 16' Seasonal Recreational Cottage on their property. The Board of Adjustment approved this request.

The Board reviewed a variance granted by the Muscatine County Board of Adjustment on April 3, 2015: Case #15-04-01 is an application filed by Timothy J. or Pamela A. Gray, Record Owners. This property is located in Montpelier Township, 3686 Dismore Road, in the SE ¼ of Sec. 21-T77N-R1E, containing approximately 0.45 acres and is zoned A-1 Agricultural District. This request, if approved, would allow the Zoning Administrator to issue a Variance to allow the owners to rebuild their existing garage that is currently six (6') feet from the front lot line, rather than the required 50 foot setback. The Board of Adjustment approved this request. On a motion by Howard, second by Sauer, the Board accepted the variance. Ayes: All.

On a motion by Howard, second by Sorensen, the Board set a public hearing on Monday, April 27, 2015 at 7:00 P.M. to discuss and possibly approve the proposed Fringe Area Policy Agreement between Muscatine County and the City of Nichols. Ayes: All.

On a motion by Sorensen, second by Sauer, the following utility permit was approved: Eastern Iowa Light & Power – bore a cable across Tipton Road at 1944 N. Tipton Road. Ayes: All.

County Engineer Keith White updated the Board on Secondary Road projects.

On a motion by Howard, second by Sorensen, the Board accepted the Muscatine County Recorder's Report of Fees Collected for the quarter ending March 31, 2015 in the amount of \$44,188.13. Ayes: All.

On a motion by Howard, second by Sorensen, minutes of the Monday, April 6, 2015 regular meeting were approved as written. Ayes: All.

Correspondence:

Kelly reported a contact requesting the Board take a stand on hog confinements.
Howard reported a contact regarding the future of MUSCOM and the upcoming communications upgrade.

Committee Reports:

Kelly attended a Seventh Judicial meeting April 10th.
Howard attended a Muscatine Search and Rescue meeting April 8th.

Howard attended the 2015 Muscatine FFA Awards banquet on April 9th.

County Recorder Sarah Bodman informed the Board she is thankful for the Board allowing the purchase of a new recording system. Bodman stated the system has streamlined a huge amount of work and she feels she does not need to fill the part-time clerk position at this time as they are doing well with the staff they have. Bodman stated she may reconsider and request a seasonal employee when they get busy during boating season.

On a motion by Howard, second by Sorensen, the Board went into closed session at 9:21 A.M. pursuant to Chapter 21.5(c), Code of Iowa, to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent. Roll call vote: Ayes: All. On a motion by Sorensen, second by Howard, the Board returned to open session at 10:22 A.M. Roll call vote: Ayes: All.

The meeting was adjourned at 10:23 A.M.

ATTEST:

Betty L. Wamback
First Deputy Auditor

Kas Kelly, Chairperson
Board of Supervisors

Muscatine County Board of Supervisors
Monday, April 20, 2015

The Muscatine County Board of Supervisors met in regular session at 9:00 A.M. with Howard, Bonebrake, Sauer, Kelly and Sorensen present. Chairperson Kelly presiding.

On a motion by Sorensen, second by Howard, the agenda was approved as presented. Ayes: All.

A Public Hearing was called to order at 9:02 A.M. by Chairperson Kelly to take public comment on a construction permit application for a confinement feeding operation from Michael Deahr, Pork 360 East Side in Bloomington Township. Richard Sneddon, 1845 North Mulberry Avenue, stated he was against the hog confinement because there is already one big confinement lot and two smaller ones. Sneddon stated there are approximately 10,000 hogs in this area and that they have tilled the field and incorporated the manure close to a creek. Sneddon stated he is concerned that there will be the same situation as they have in Des Moines with nitrates in the well water. Kelly stated that the confinement is under a manure management plan. Kelly stated that Deahr's request is not to increase the number of hogs, but is to remodel the existing facility to give the hogs more room. On a motion by Sorensen, second by Howard, the public hearing was closed at 9:07 A.M. Roll call vote: Ayes: All. Administrative Services Director Nancy Schreiber stated since the Board has signed a Master Matrix Resolution the DNR has requested a recommendation and comments from the Board on the application.

A Public Hearing was called to order at 9:08 A.M. by Chairperson Kelly on disposition of unknown owner parcels in Muscatine County. No one spoke against the disposition of unknown owner parcels. Schreiber stated this in regards to parcels that have previously been through the public hearing process. Schreiber stated there has been a slight change in the legal description of the parcels and the approval of Resolution #04-20-15-01 will allow that change. On a motion by Sorensen, second by Sauer, the public hearing was closed at 9:09 A.M. Roll call vote: Ayes: All.

On a motion by Howard, second by Sorensen, the Board approved Resolution #04-20-15-01 Amending Resolution #02-16-15-01 Relating to Disposition of Unknown Owner Parcels in Orono Township. Roll call vote: Ayes: All.

Discussion was held with Greg Jenkins, Greater Muscatine Chamber of Commerce and Industry, regarding Resolution #04-20-15-02. Jenkins stated in June, 2014 the State of Iowa put forward initiatives to welcome back veterans from their service. Jenkins stated part of the initiatives is to certify communities as Home Based Iowa Communities. Jenkins stated there will be an incentive package for recently returning veterans to help them recognize that Muscatine County is a good place to live. On a motion by Sorensen, second by Sauer, the Board approved Resolution #04-20-15-02 Supporting the Home Base Iowa Initiative. Roll call vote: Ayes: All.

On a motion by Sauer, second by Bonebrake, the following utility permits were approved: Interstate Power & Light – change gas main service to 2241 Burlington Road, 1936 Tipton Road and 1659 Bancroft Avenue. Ayes: All.

County Engineer Keith White updated the Board on various construction projects.

Discussion was held regarding the possible appointment of a Muscatine County Sheriff. Cyle Geertz, Mayor, City of Nichols, stated some of the citizens of Nichols asked him to speak to the Board on their behalf. Geertz stated there are people in Nichols who are interested in signing a petition in support of a Special Election. Sorensen stated the choice of the Board is to appoint someone to the position or to hold a Special Election. Sorensen stated only one person, Chief Deputy C. J. Ryan, has expressed an interest in the position to him and a Special Election would cost the taxpayers up to \$19,000. Sorensen stated the Board looked at both options and his opinion would be to appoint the Chief Deputy to Sheriff. Howard stated it makes sense to appoint someone in which the Board has confidence. Geertz stated it is not the candidate that is the issue, but it is the process. Kenneth and Lois Irwin, 1988 Geneva Hills Road spoke in favor of appointing Ryan. On a motion by Sorensen, second by Howard, the Board appointed Chief Deputy C. J. Ryan as Muscatine County Sheriff, effective May 1, 2015 upon the retirement of Sheriff Dave White. Ayes: All.

Ryan stated he appreciated everyone's comments during today's meeting and the input from the Board. Ryan thanked Sheriff White for his service to Muscatine County and for his faith in recommending Ryan to succeed him. Ryan also thanked the Board for the appointment.

On a motion by Sorensen, second by Bonebrake, the Board disallowed 11 additional 2014 business property tax credit application parcels, as recommended by the Auditor's Office. Ayes: All.

On a motion by Howard, second by Sorensen, minutes of the April 13, 2015 regular meeting were approved as written. Ayes: All.

Correspondence:

- Bonebrake reported a call regarding a Dougherty Bridge issue.
- Bonebrake reported a contact regarding the rules on embargoed roads.
- Sauer reported a call regarding slag on a road on the East side of the County.
- Sauer reported a call regarding permit procedures on an embargoed road.
- Sauer reported a call regarding blockage of a culvert on 41st Street due to beaver activity.
- Sorensen, Howard, Bonebrake and Sauer reported contacts regarding Muscom.
- Sorensen, Howard and Sauer reported contacts regarding the Sheriff appointment.

Committee Reports:

- Bonebrake and Sauer attended a MUSCOM meeting April 16th.
- Sauer attended a River Bend Transit meeting April 15th.

Sauer attended a Muscatine County Fair Board meeting April 16th.
Sorensen attended a Muscatine Convention and Visitor Bureau meeting
April 13th.
Sorensen attended a Wilton Development Corporation meeting April 15th.
Sorensen attended a Region 9 Transportation meeting April 16th.
Kelly attended a MAGIC meeting April 13th.

Howard attended a Fruitland City Council meeting April 14th. Kelly attended a MUSCOM meeting April 16th.

The Board directed Administrative Services Director Nancy Schreiber to schedule a meeting on an upcoming Saturday at the Muscatine County Discovery Center and to invite the various City Councils and Mayors of the municipalities in Muscatine County, and also, Fire Departments and the Muscatine County Attorney. The Board consensus is the intent of the meeting will be to finalize a 28-E agreement for MUSCOM.

The meeting was adjourned at 10:04 A.M.

ATTEST:

Betty L. Wamback
First Deputy Auditor

Kas Kelly, Chairperson
Board of Supervisors