

Muscatine County Board of Supervisors
Monday, August 7, 2017

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

On a motion by Mather, second by Sauer, the agenda was approved as written. Ayes: All.

Faye Petersen, 501 N. Clay St, West Liberty, spoke in opposition to the proposed gun range.

Kerry Gruenhagen, 20319 70th Avenue, Walcott, requested the Board amend the Lower Cedar Watershed Authority 28E Agreement to require action to renew the Authority every 5 years rather than allowing it to exist perpetually. Gruenhagen also pointed out that the Authority is a potential taxing authority through the Soil and Water Conservation Commission. Sorensen will follow up with members of the Lower Cedar Watershed Authority.

On a motion by Bonebrake, second by Sauer, the Chairperson was authorized to execute a Memorandum of Understanding for the FFY 2017 Justice Assistance Grant Direct Award in the amount of \$17,533.00. Ayes: All.

On a motion by Bonebrake, second by Sauer, the Board approved a contract, bond and certificate of insurance for the parking area of the new cold storage building from Heuer Construction Co. in the amount of \$121,026.80. Ayes: All.

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

The Muscatine County Board of Supervisors met as a Board of Canvassers for the Fruitland City Local Option Use Change Special Election Public Measure A held on Tuesday, August 1, 2017. The Board certified the following results to be a true and correct abstract of the votes cast in the election: Yes Votes: 94; No Votes: 20; Total Votes: 114. Public Measure A was adopted.

On a motion by Sauer, second by Mather, the Board approved a renewal application for a Class C Beer and Sunday Sales Permit for Casey's Marketing Co. dba Casey's General Store #2472, 1334 Hwy 22, Nichols, Iowa. Ayes: All.

On a motion by Bonebrake, second by Sauer, minutes of the July 31, 2017 regular meeting were approved as written. Ayes: All.

Correspondence:

Bonebrake, Sauer, Sorensen and Mather reported contacts regarding the proposed shooting range.

Committee Reports:

Sauer attended a Muscatine County Conservation Board meeting July 31st.

Sorensen attended a Regional Workforce Development Board meeting August 1st.

Mather attended a Muscatine Health Association meeting August 2nd.

Sorensen attended an opening conference meeting with the State Auditors August 1st. Sauer attended the Zoning Board meeting August 3rd. Mather and Howard attended a Farm Bureau meeting August 3rd.

The meeting was adjourned at 9:36 A.M.

ATTEST:

Leslie A. Soule, County Auditor

Jeff Sorensen, Chairperson
Board of Supervisors

Muscatine County Board of Supervisors
Monday, August 14, 2017

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

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

On a motion by Howard, second by Bonebrake, claims dated August 14, 2017 were approved in the amount of \$1,103,334.97. Ayes: All.

Discussion was held with Administrative Services Director Nancy Schreiber regarding a change order for the Muscatine County Community Services Building Parking Lot Project. Brad Roeth, Watersmith Engineering, updated the Board on the parking lot project stating there was an issue with a foundation wall parallel to the building face but in conflict with the proposed parking lot grade for which two options were presented. Roeth stated Option One is to add a curb over the foundation wall and shorten the parking stalls at a cost of \$990.00. Roeth stated Option Two removes the wall to below grade at a cost of \$3,842.00, which would not shorten the length of the parking places. Roeth stated there will be future change orders for relocation of an electrical line for approximately \$4,000 and excavation of a brick cistern for approximately \$1,000. On a motion by Howard, second by Bonebrake, the Board approved Change Order #1(Option 2) from All American Concrete, Inc. for the Muscatine County Community Services Building Parking Lot Project in the amount of \$3,842.00. Ayes: All.

On a motion by Bonebrake, second by Mather, the Board approved contract, bond and certificate of insurance for BROS-C070(63)—8J-70 for a bridge replacement on 110th Street near Walcott with the apparent low bidder Iowa Bridge and Culvert, L.C. in the amount of \$198,684.00. Ayes: All.

On a motion by Howard, second by Sauer, the Board approved the following utility permits: two permits from Interstate Power and Light Co. running a gas main from the Columbus Junction lateral near Conesville, then down State 70 to Conesville crossing County roads 255th Street and 260th Street. Ayes: All.

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

White stated in relation to the approved utility permits referenced above, Chapter 479 of the Code of Iowa charges the Board of Supervisors with inspection new construction of a gas pipeline at the expense of the contractor. White stated he will be coming to the Board with a contract from an independent inspector who would perform the inspection, but wait for payment until the contractor has reimbursed the County.

Discussion was held with County Treasurer Amy Zybarth and County Attorney Alan Ostergren regarding a request to issue stamped drainage warrants. Ostergren stated there is currently a lawsuit against Muscatine-Louisa Drainage District#13(DD#13) regarding an annexation attempt of which the County is a plaintiff along with other entities. Ostergren stated DD#13 has always

been allowed by Code of Iowa to have their own checking account because they own a pumping station. Ostergren stated DD#13 is nearly insolvent right now as far as cash flow. Ostergren stated DD#13 assesses approximately \$175,000 per year between Muscatine and Louisa Counties. Ostergren stated the Muscatine-Louisa Island Levee District trustees loaned money to the DD#13 trustees, which was not lawful, so in the process DD#13 decided to turn their accounts back over to the Muscatine County Treasurer and have Muscatine County maintain the drainage district funds. Ostergren stated DD#13 has paid back approximately \$21,000 of the \$60,000 borrowed from the levee district and there are more outstanding bills. Ostergren stated DD#13 has requested the County essentially loan them the funds, through the issuance of stamped drainage warrants, to cover their outstanding liabilities. Ostergren stated DD#13 has only submitted one audited financial statement since 2009, but the Code of Iowa requires annual financial statements. Ostergren stated the lack of financial statements creates concern over the circumstances of why the County is being asked to issue stamped drainage warrants. Ostergren recommended the County not issue stamped drainage warrants with all of the uncertainties regarding the current financial status of DD#13. Sorensen stated he will not support any financial assistance unless he has an audited financial statement. Howard, Bonebrake and Mather stated they will not support any financial assistance until after the litigation is completed. Board consensus was to not issue stamped drainage warrants for Muscatine-Louisa Drainage District #13.

On a motion by Bonebrake, second by Sauer, the Board approved a renewal application for a Class C Native Wine (WCN), Sunday Sales and Outdoor Service Area Permit for Ardon Creek Vineyard & Winery, LLC, 2391 Independence Avenue, Letts, IA 52754. Ayes: All.

On a motion by Sauer, second by Bonebrake, minutes of the August 7, 2017 regular meeting were approved as written. Ayes: All.

Correspondence:

Howard reported contacts for and against the proposed shooting gun range.
Mather reported a contact regarding the proposed shooting range.
Howard reported a contact concerned about the use of slag on a road near Nichols.
Sorensen reported a positive contact regarding the use of slag on a road.
Sauer reported a contact concerned about the potential loss of caseworkers with
Community Services.

No committee reports were noted.

The Board reviewed the health/dental fund balance as of July 31, 2017.

The meeting was adjourned at 9:53 A.M.

ATTEST:

Leslie A. Soule, County Auditor

Jeff Sorensen, Chairperson
Board of Supervisors

Muscatine County Board of Supervisors
Monday, August 21, 2017

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

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

A Public Hearing was called to order by Chairperson Sorensen at 9:02 A.M. on proposed plans, specifications, form of contract and cost estimate for the Muscatine County Community Services Building Exterior Window and Door Replacement Project. Michael Nolan, Horizon Architecture, stated all exterior windows and some exterior doors will be replaced with a low cost maintenance and energy efficient product at an estimated cost of \$281,000. Nolan stated the windows are over 100 years old and not repairable. Nolan stated the new windows will have a 25-50 year life span, but properly installed should last much longer. Nolan stated the County should be able to save about 20% on utility bills. Howard stated the County has invested a lot of money into this building and he is losing interest in continuing to invest in this building. Sorensen stated for a 100 year old building, the exterior is in excellent condition and the previous roof and chiller replacements were normal maintenance items which he would expect to replace over time. Mather stated he would like the energy costs over the next two years to determine the savings. On a motion by Mather, second by Sauer, the public hearing was closed at 9:15 A.M. Roll call vote: Ayes: All.

On a motion by Sauer, second by Mather, the Board approved Resolution #08-21-17-01 Approving the Plans, Specifications, Form of Contract and Cost Estimate for the Muscatine County Community Services Building Exterior Window and Door Replacement Project. Roll call vote: Ayes: Mather, Sorensen and Sauer. Nay: Howard.

Discussion was held with Community Services Director Kathy Anderson-Noel regarding a closure date for the Muscatine County Community Services Case Management Program. Anderson-Noel stated AmeriHealth Caritas Iowa is in the process of transitioning all of case management to case managers employed by AmeriHealth Caritas Iowa. Anderson-Noel stated the County's accreditation has been extended to September 30, 2017. Anderson-Noel proposed continuing case management services through September 30th and retaining employees through October 13th to allow for an orderly transition. Howard stated the plan has a lot of merit and it makes sense to have an exit plan. On a motion by Howard, second by Sauer, the Board approved closing case management services on September 30, 2017, with an ending employment date of October 13, 2017. Ayes: All. The Board thanked the case management employees for their service.

On a motion by Howard, second by Mather, the Board approved Resolution #08-21-17-02 Approval of Combined Preliminary and Final Plat of WDS Subdivision. Roll call vote: Ayes: All.

The Board reviewed a variance granted by the Muscatine County Board of Adjustment on Friday, August 4, 2017. Case #17-08-02 is an application filed by HJR Real Estate Holdings,

LLC by Wayne Johanson, Member, and Levi Lemon, Applicant. This property is located in Sweetland Township, in the SW¼ of Sec. 30-T77N-R1W, Parcel C, 3006 River Road, containing approximately 21.4 acres, and is zoned I-1 Light Industrial District. This request, if approved, would allow the Zoning Administrator to issue a Variance in order to have a plant nursery on the property, including the growing of plants and trees. The Board of Adjustment approved the Variance. On a motion by Howard, second by Sauer, the Board accepted the variance. Ayes: All.

The Board reviewed Special Use Permits granted by the Board of Adjustment on August 4, 2017: Case #17-08-01 is an application filed by Harriet Jane Wilkinson, Record Owner of Wilkinson Cottage Sites and Michael K. Boom, Applicant. This property is located in Goshen Township, in the SE¼ of Section 25-T78N-R3W, along Cedarview Drive, containing approximately 31.34 acres, and is zoned A-1 Agricultural District. This request would allow the Zoning Administrator to issue a Special Use Permit in order for Mr. Bloom to place a travel trailer on Site No. 10 in the Wilkinson Cottage Site for seasonal use only. The Board of Adjustment approved this request.

Information Services Director Bill Riley was unable to attend the meeting due to a storm related issue with the Administration Building phone system.

On a motion by Sauer, second by Mather, the Board approved an agreement with French-Renecker-Associates, Inc. for professional services for onsite inspection of a gas pipeline at an estimated cost of \$36,000 which will be reimbursed by Alliant Energy. Ayes: All.

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

Discussion was held with Deputy Assessor Delaine Clark, Muscatine County Assessor's Office, regarding 2017 homestead tax credits and/or military tax exemptions the Assessor recommended be allowed and disallowed. On a motion by Sauer, second by Howard, the Board allowed 2017 homestead tax credits as recommended by the Assessor. Ayes: Howard, Sorensen and Sauer. Mather abstained due to his legal representation of some of the property owners. On a motion by Sauer, second by Mather, the Board disallowed 2017 homestead tax credits and military tax exemptions as recommended by the Assessor. Ayes: All.

On a motion by Mather, second by Sauer, minutes of the August 14, 2017 regular meeting were approved as written. Ayes: All.

Correspondence:

All Supervisors received a letter regarding the proposed shooting range.
Howard reported a contact complimenting the Board on doing a good job.

Committee Reports:

Howard attended a Muscatine County Veterans Affairs meeting August 15th.
Howard attended a Muscatine County Emergency Management meeting August 16th.
Howard attended a Milestones Area Agency on Aging meeting August 17th.
Sorensen attended a Wilton Development Corporation meeting August 16th.

Sauer attended a Riverbend Transit Board meeting August 16th.
Sauer attended a MUSCOM meeting August 16th.
Sauer attended a Muscatine County Fair Board meeting August 17th.

On a motion by Mather, second by Sauer, a fireworks permit for Jacob Swift was approved.
Ayes: All.

The meeting was adjourned at 9:55 A.M.

ATTEST:

Leslie A. Soule, County Auditor

Jeff Sorensen, Chairperson
Board of Supervisors