

Muscatine County Board of Supervisors  
Monday, September 25, 2017

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

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

On a motion by Sauer, second by Howard, claims dated September 25, 2017 were approved in the amount of \$700,544.03. Ayes: All.

A Public Hearing was called to order by Chairperson Sorensen at 9:01 A.M. on a request from Todd Bermel, Record Owner, to rezone approximately two acres of property located in Fruitland Township from I-2 Heavy Industrial District to R-1 Residential District. Planning and Zoning Administrator Eric Furnas stated this request for rezoning is consistent with the Muscatine County Comprehensive Zoning Plan and the size of the property makes it impossible for I-2 Heavy Industrial use. No one spoke against the rezoning. On a motion by Howard, second by Sauer, the public hearing was closed at 9:05 A.M. Roll call vote: Ayes: All.

On a motion by Howard, second by Sauer, the Board approved an ordinance rezoning approximately two acres of property located in Fruitland Township from I-2 Heavy Industrial District to R-1 Residential District on the first of three readings. Roll call vote: Ayes: All.

On a motion by Mather, second by Sauer, the Board approved Resolution #09-25-17-01 Granting a 60-day Extension for Filing the Final Plat of the Sterner-Weihl 2<sup>nd</sup> Addition. Roll call vote: Ayes: All.

Discussion was held with Josh Spies, Lower Cedar Project Director, regarding the Lower Cedar River Watershed Management Authority. The Board proposed an amendment to the existing 28E agreement addressing appointees to the Authority Board and termination of the Authority. Spies stated no structure is currently in place to amend the 28E agreement and the appropriate time to address proposed amendments is during the first Authority Board meeting which is scheduled for November 14th at the West Branch City Hall. Mather stated an amendment may be tough to accomplish since it would require agreement of the majority of the voting members. Howard stated his concerns regarding the use of tax dollars. Spies stated the Iowa Code does not allow Watershed Management Authorities to have taxing powers. Spies stated Iowa Code would allow non-governmental bodies to participate on a Watershed Management Authority Board as non-voting members only. Spies stated non-governmental bodies such as the Nature Conservancy could act in an advisory capacity, but would have no vote on the Authority Board.

Spies stated in general the formation of a Watershed Management Authority is to address flooding and water quality management issues. Spies stated the Muscatine County Board of Supervisors may want to appoint someone from its Board to be the voting representative who will attend the November 14th Lower Cedar Watershed Management Authority Board meeting at West Branch. Administrative Services Director Nancy Schreiber stated the appointment will be on the October 2, 2017 Board of Supervisors meeting agenda.

On a motion by Howard, second by Sauer, the Chair was authorized to execute a Governor's Traffic Safety Bureau Impaired Driving Countermeasures Grant Contract in the amount of \$41,500. Ayes: All.

On a motion by Sauer, second by Howard, the following utility permit was approved: Muscatine Power and Water of Muscatine – fiber optic conduit from the intersection south of North Isett Avenue and Samuel Clemens Road to the Mark Twain Subdivision. Ayes: All.

Muscatine County Engineer Keith White updated the Board on various road projects.

On a motion by Howard, second by Sauer, minutes of the Monday, September 18, 2017 regular meeting were approved as written. Ayes: All.

Correspondence:

Howard received a call from a school bus driver regarding the edges of the Fruitland road which is currently under construction.

Sauer had some conversations with residents regarding road conditions.

Mather received calls regarding the proposed Lower Cedar Watershed Management Authority.

Sorensen received a call regarding a potential zoning issue near Verde Avenue.

Committee Reports:

Sauer attended a Muscatine County Conservation Board meeting September 18<sup>th</sup>.

Mather attended an Eastern Iowa MH/DS Regional Board meeting September 18<sup>th</sup>.

Howard attended a Veteran's Affairs Commission meeting September 19<sup>th</sup>.

Sorensen attended an Emergency Food and Shelter Board meeting September 20<sup>th</sup>.

Sauer attended a Riverbend Transit Board meeting September 20<sup>th</sup>.

Sauer attended a Muscatine Board of Health meeting September 20<sup>th</sup>.

Howard, Sauer and Mather attended the Farm Bureau Annual meeting at the Wilton Community Center September 19<sup>th</sup>.

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On a motion by Howard, second by Mather, the Board approved Resolution #09-25-17-02 Transferring Land to the Muscatine County Conservation Board. Roll call vote: Ayes: All.

On a motion by Mather, second by Sauer, the Board agreed to allow Muscatine Branching Out Volunteers to use the vacant parking lot across from the Muscatine County Courthouse on Saturday, October 14, 2017 from 8 a.m. to 12 p.m. Ayes: All.

The meeting was adjourned at 9:50 AM.

ATTEST:

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Leslie A. Soule, County Auditor

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Jeff Sorensen, Chairperson

Board of Supervisors

Muscatine County Board of Supervisors  
Monday, October 2, 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 Sauer, the agenda was approved as amended to remove item 10(b). Ayes: All.

Muscatine County Clerk of Court Jeff Tollenaer and District Court Administrator Kathy Gaylord updated the Board on office changes in the Courthouse. Tollenaer informed the Board he is consolidating the clerk's office onto one floor. Tollenaer stated he originally had 12 staff, but has been reduced to 9. Tollenaer stated it is difficult to continue to staff two offices so he is moving the second floor office down to the first floor office. Tollenaer stated two positions vacated through retirement will not be filled. Tollenaer stated he will no longer need the middle room, former Board of Supervisor room, so it could be used for an attorney/client conference room or the Medical Examiner's Office. Tollenaer stated he plans to use the second floor clerk's office for mental health commitments and mandatory family mediations. Sorensen stated the medical examiner office is not used full time and could possibly be shared for use as an attorney/client conference room. In response to a question from Sauer, Tollenaer stated that in 2009 there were 8 employees housed on the first floor, so he should be able to fit 9 employees now. Howard stated the layout of the Courthouse should be reviewed to see if adjustments could be made to better utilize space. District Court Administrator Kathy Gaylord stated there is a trend to establish multi-purpose rooms that can be used, possibly even reserved, for many different County and State purposes.

On a motion by Mather, second by Sauer, the Board approved an ordinance rezoning approximately two acres of property located in Fruitland Township from I-2 Heavy Industrial District to R-1 Residential District on the second of three readings. Roll call vote: Ayes: All.

On a motion by Sauer, second by Mather, minutes of the September 25, 2017 regular meeting were approved as written. Ayes: All.

No correspondence was noted.

Committee Reports:

Sorensen and Howard attended a Bi-State Regional meeting September 27<sup>th</sup>.

Sorensen attended a West Liberty Economic Area Development meeting September 28<sup>th</sup>.

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

Discussion was held regarding a revised unknown owner parcel policy developed via collaborative input from the Auditor's Office, Assessor's Office, Treasurer's Office, Administration Office and reviewed by the County Attorney. Zoning Administrator Eric Furnas expressed concern there could be confusion about land use of the acquired land. Mather stated the language under paragraph 8 should be stronger to include that the interested party should

retain independent legal counsel to help determine the permitted uses for the property. Mather also stated there should also be a disclaimer that nothing in this policy should be construed as legal advice. On a motion by Mather, second by Howard, the Board tabled a revised policy regarding acquisition of unknown owner parcels in Muscatine County pending revisions to address concerns of Zoning Administrator Eric Furnas and Supervisor Mather. Ayes: All.

On a motion by Howard, second by Mather, the Board approved a revised title of the Accountant/HR Assistant class specification in the Administration Office to Accountant/Benefits Coordinator. Ayes: All.

Discussion was held regarding an appointment to the Lower Cedar Watershed Management Authority. Chairperson Sorensen stated a board member may be needed initially for political wrangling, but the Zoning Administrator Eric Furnas, County Engineer Keith White or Conservation Director Curt Weiss would have more technical expertise. Administrative Services Director Nancy Schreiber stated a board member could be appointed for the political wrangling, but then change the appointment to an employee with more expertise later. Mather stated he would like to appoint Sorensen in the beginning, then transition the appointment to Zoning Administrator Eric Furnas. Sorensen stated he has no problem with being appointed, but he would include Furnas in the meetings from the beginning. On a motion by Howard, second by Mather, Chairperson Sorensen was appointed as Muscatine County's representative to the Lower Cedar Watershed Management Authority. Ayes: All.

On a motion by Mather, second by Sauer, the Board accepted the September 2017 payroll claims. Ayes: All.

Administrative Services Director Nancy Schreiber stated the term of Zoning Commissioner Emily Geertz expires November 7<sup>th</sup>, so she will be advertising for applications since she has served two full terms.

The meeting was adjourned at 10:07 A.M.

ATTEST:

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Leslie A. Soule, County Auditor

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Jeff Sorensen, Chairperson  
Board of Supervisors