

Muscatine County Board of Supervisors
Monday, August 27, 2012

The Muscatine County Board of Supervisors met in regular session at 7:00 P.M. with Furlong, Howard, Kelly, Watkins and Sorensen present. Chairperson Kelly presiding.

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

The Board reviewed the following bids for the Muscatine County Courthouse Judge's Chambers and Administration Office remodel project:

	<u>Oak Tree Homes</u>	<u>Hy-Brand Industrial Contractors</u>	<u>North Construction</u>
Remodel	\$25,110.00	\$24,575.00	\$28,150.00
Option 1	584.50	115.00	8,900.00
Option 2	250.50	250.00	475.00
Option 3	517.70	1,170.00	1,200.00
Option 4	567.80	1,075.00	1,297.00
Option 5	<u>1,232.50</u>	<u>\$2,613.00</u>	<u>6,899.00</u>
Total	\$28,263.00	\$29,798.00	\$46,921.00

Budget Coordinator Sherry Seright explained the Options as follows: Option 1 – Skim coat walls to make texture even; Option 2 – Move control to fan by light switch; Option 3 – Paint walls in Judge's old office; Option 4 – Paint walls in Court Reporter's old office; and Option 5 – Paint walls in Courtroom. Kelly stated that the Courtroom was last painted over 20 years ago. Seright recommended including all of the options. On a motion by Watkins, second by Sorensen, the Board accepted a bid from Oak Tree Homes for the Muscatine County Courthouse Judge's Chambers and Administration Office remodel project including Options 1-5 in the amount of \$28,263.00. Ayes: All.

Discussion was held with Muscatine City Health and Housing Coordinator Ken Rogers regarding health and safety issues at the Old Barn. Rogers stated that the City received complaints about wedding receptions and assemblies being held at the Old Barn which has raised concern about safety. Rogers stated maximum occupancy on the upper floor is 49 occupants. Furlong stated the lease does not allow for renting out the facility, but he would consider amending the lease once the group has met City Code requirements. Rogers stated that the City has no problem as long as City Building and Fire Codes are met. Rogers stated that the City has a major issue with the fact that there is currently no second egress from the upper level. Administrative Services Director Nancy Schreiber stated that the County covers the property insurance on the Old Barn, the cost of which is being reimbursed by the Friends of the Old Barn. Schreiber stated that the Friends of the Old Barn carry liability insurance and the lease holds the County harmless on liability issues, but that the County's insurance company wants the Old Barn to be compliant with all City Building Regulations. In response to a question about permits from Kelly, Rogers stated that to his knowledge there has been electrical work done without a permit or

inspection. Kelly stated that she went out this afternoon and it did not appear there were footings for the ramp. Rogers stated there was no permit issued for the ramp. Furlong stated that he commends the Friends of the Old Barn for what they have done, but there probably needs to be changes to the lease to require approval by the County to insure they are following proper regulations. Rogers stated that if the Old Barn is used for its original purpose, the City will not require the restrooms and hard surface parking, etc.

County Attorney Alan Ostergren stated that Friends of the Old Barn has an insurance policy which covers \$1,000,000 per occurrence, but that could be surpassed quickly in the case of an emergency. Ostergren stated the County needs to place it in writing that the wiring has to be permitted and inspected and the second egress installed just to have events limited to 49 occupants. Watkins stated that more liability insurance should also be required. Ostergren will draft a letter to the Friends of the Old Barn for the Board. Furlong stated that language also needs to be added to the lease to address Board approval of building upgrades.

Friends of the Old Barn President David Metz stated that former Maintenance Supervisor Troy Sievert came by regularly to keep up to date on what they were doing. Metz stated that the wheelchair ramp does have footings and that all of the 1920's wiring has been removed and replaced by licensed electricians and brought up to City Code. Metz stated they will add whatever liability insurance the Board requires. Metz stated that the second egress from the upper level will be installed by October 1, 2012. Metz stated that they have had some registered structural engineers volunteer to inspect and certify that the loft will hold a floor load of more than 49 people.

Metz stated that all of the remodeling of the old cottage has been completed which is now ADA compliant. Kelly asked why the remodeling at the cottage happened without talking to the Board when the County owns the building. Metz stated that when he came onboard, he thought they were doing what had been approved.

Metz stated that Friends of the Old Barn are not generating the interest in holding events at the facility, but residents are coming to them asking to hold events. Metz stated their mission is evolving because of what the public is asking for and invited the Board out to tour the facility to see what they have accomplished. Howard stated that in the future they need to keep the Board informed on a regular basis about what is going on. Howard stated that the Board needs to have final approval over changes to the cottage. Watkins stated that if they are going to run the facility as a business, then they need to charge an appropriate amount because taxpayer dollars should not be competing with private entities. Howard appreciates the work that Friends of the Old Barn has done. Sorensen stated they need to call Planning and Zoning when they are beginning a project to make sure they are following regulations.

Gary Sebbert, Friends of the Old Barn, stated that the problem is that it is a Lowden Barn, which is the only one of that type in the World. Sebbert stated it was designed specifically for Muscatine County. Sebbert stated the County has a jewel in this barn. Sebbert stated Friends of Old Barn saved the barn, but that it is awfully hard to take a

1920 barn and make it standard to the current laws. Budget Coordinator Sherry Seright asked if the Board wants to be part of the decision on what egress option is chosen. Board consensus was that they wanted it submitted for approval by the Board. Kelly commended Jordan Elshoff who got his Eagle Scout Award for working on the wheelchair ramp.

Rogers stated that what Friends of the Old Barn has accomplished with the Old Barn exceeded what anyone else would have done, but in the end health and safety have to be considered and without the inspections, they cannot assure that the work was done properly. Rogers stated that Code requires hard surface parking and restrooms, even with an occupancy limit of 49, but the City has looked away because of the historical nature of the Old Barn. Kelly wrapped up the discussion by stating that for the benefit of safety the Barn is closed for all events until the City's issues are resolved.

On a motion by Furlong, second by Howard, the Board approved a preliminary plat of the proposed four lot agricultural subdivision, Miller-Deahr Farm Subdivision, containing approximately 46.74 acres in Bloomington Township. Ayes: All.

On a motion by Howard, second by Watkins, the Board approved Resolution #08-27-12-01 Approval of Final Plat of Miller-Deahr Farm Subdivision. Roll call vote: Ayes: All.

On a motion by Howard, second by Watkins, minutes of the Monday, August 20, 2012 regular meeting were approved as written. Ayes: All.

Correspondence:

Furlong, Howard, Sorensen and Kelly received several contacts regarding Special Olympics funding.

Watkins received a call regarding a problem with the Treasurer's Office.

Furlong received a call regarding a road concern.

Howard received calls regarding the Courthouse trees.

Howard received a call regarding hog confinement concerns.

Committee Reports:

Furlong attended a Muscatine County Fair Board meeting August 23rd.

Howard attended a Conservation Board meeting August 20th.

Sorensen and Kelly attended a Bi-State Regional meeting August 22nd.

Kelly attended a Mental Health Association meeting August 22nd.

Furlong met with farmers on August 21st at a proposed hog confinement site in the Nichols area regarding their hog confinement concerns.

On a motion by Furlong, second by Watkins, the Board accepted the August 2012 payroll claims. Ayes: All.

On a motion by Watkins, second by Sorensen, the Board set a public hearing for Monday, September 10, 2012 at 9:00 A.M. on proposed plans, specifications, form of contract and

estimated cost for the Muscatine County Courthouse Landscape and Accessibility Project. Ayes: All.

The meeting was adjourned at 8:01 P.M.

ATTEST:

Leslie A. Soule, County Auditor

Kas Kelly, Chairperson
Board of Supervisors