

Muscatine County Board of Supervisors
Monday, August 5, 2013

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

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

On a motion by Howard, second by Sauer, claims dated August 5, 2013 were approved in the amount of \$761,867.15. Ayes: All.

A Public Hearing was called to order by Chairperson Sorensen at 9:03 A.M. on a request from Steven A. Kraklio, Record Owner, to rezone approximately 1.84 acres in Moscow Township from I-2 Heavy Industrial District to R-2 Residential District. The property is located in the SE ¼ of Section 9-T78N-R2W, and more particularly described as follows: 100' railroad right-of-way, 50' South of C-Line, East of 4th Street, Lots 1-4 and 7-10, except right-of-way, Block 4, Henderson Addition. Kraklio stated that the use has been heavy industrial, but there has never really been any heavy industrial business there and he wants to make the property his residence. No one spoke against the rezoning request. On a motion by Kelly, second by Howard, the public hearing was closed at 9:05 A.M. Roll call vote: Ayes: All.

On a motion by Furlong, second by Howard, the Board approved an ordinance rezoning approximately 1.84 acres in Moscow Township from I-2 Heavy Industrial District to R-2 Residential District on the first of three readings. Roll call vote: Ayes: All.

Discussion was held with Medical Examiner Investigator Tom Summitt regarding an Iowa Department of Public Health EMS System Development Grant Application. On a motion by Howard, second by Kelly, the Chairperson was authorized to sign an Iowa Department of Public Health EMS System Development Grant Application. Ayes: All.

On a motion by Sauer, second by Furlong, minutes of the Monday, July 29, 2013 regular meeting were approved as written. Ayes: All.

Correspondence:

Howard reported comments from the public regarding the presentation from Clean Air Muscatine (CLAM) presentation at last week's Board meeting. Furlong received a call regarding a rodent problem on a property located on Echo Avenue.

On a motion by Furlong, second by Howard, the following utility permit was approved: Eastern Iowa Light & Power – bore under Cedar Street near the intersection of Cedar Street and Hwy 61 to service Van Meter, Inc. Ayes: All.

County Engineer Keith White updated the Board on projects on Muscatine County roads.

No committee reports were noted.

Sauer, Sorensen, Howard and Furlong attended the Farm Bureau Annual Meeting on August 1st. Howard met with County Engineer Keith White and Zoning Administrator Jodee Stepleton on July 31st regarding hog confinements and large farm equipment and how they affect County roads. Howard walked Funks Hill with County Engineer Keith White on July 31st.

On a motion by Kelly, second by Furlong, the Board approved Resolution #08-05-13-01 Approving Agreement with the City of Muscatine related to Van Meter, Inc. Urban Renewal Area. Roll call vote: Ayes: All.

On a motion by Furlong, second by Kelly, the Board accepted the July, 2013 payroll claims. Ayes: All.

The Board reviewed applications received from Kenneth R. Noble, Michael R. Simester and Paul F. Wedel to fill a vacancy appointment to the Veterans Affairs Commission.

Administrative Services Director Nancy Schreiber reviewed fund balances with the Board. Schreiber recommended transferring \$300,000 from the General Basic Fund to the Debt Repayment Fund and \$200,000 to the Building Maintenance and Repair Fund. Schreiber stated that after the transfers the County would still be able to maintain a 27 % balance in the General Fund. Board consensus was to return with resolutions for these transfers.

The meeting was adjourned at 9:28 A.M.

ATTEST:

Betty L. Wamback
First Deputy Auditor

Jeff Sorensen, Chairperson
Board of Supervisors

Muscatine County Board of Supervisors
Monday, August 12, 2013

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

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

A Public Hearing was called to order by Chairperson Sorensen at 9:02 A.M. 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, Bloomington Township, stated he was not for more expansion. Furlong stated the Muscatine County Board of Supervisors does not have any control over this, but the Board does have the option to have a public hearing. Furlong stated the Board set the public hearing so people who are in favor of, or against, the application would have a chance to speak. Furlong stated there is a huge lobby made up of members of the Farm Bureau, Pork Producers and Cattlemen's Association which does not want any local control on confinement lot regulations. Howard stated as a Board they are looking into what the Board can do to address the concerns of both sides of this issue. Kelly stated one concern is big equipment and big trucks tearing up the County roads.

Barbara Andersen, 2448 Prairie Rose Ridge, Muscatine, stated she lives in the neighborhood of Briman Prairie which is approximately three-fourths of a mile as the crow flies, from the Deahr confinement lot. Andersen stated she can already smell hogs when outside her house. Andersen stated the proposed expansion will make the smell worse. Andersen stated she talked with the Environmental Services Division of the Department of Natural Resources and was told there is nothing the DNR can do as long as the confinement lot meets requirements for waste disposal and watershed. Andersen asked if there is something that could be done from a Zoning perspective. Andersen stated it is difficult to get people to move to Muscatine because of the problems with air quality. Howard stated Muscatine is unique because it has a blend of agriculture, factory and business interests. Howard stated it is difficult to make changes because this is an agricultural state. Furlong stated the only way this will be changed is if local legislatures and concerned people stand up and tell the State Legislature a change is needed. Sorensen recommended Andersen send letters to Senator Brace and Representative Lofgren. Howard stated it is important for the public to know the Board is investigating a way for the citizens and the Board to have a say in this matter.

Melissa Goldman, 2465 Dewberry Ridge, Muscatine, stated lower property valuation is a concern. Goldman stated she is surprised the confinement lot is allowed to be so close to residences. Goldman asked if the County has a way to track these confinement lots. Sorensen stated the County has manure management plans on file and there are stringent rules which must be followed. Goldman stated these confinement lots are not farms with hogs, but hog factories and the farmers with hogs are being put out of business. Goldman stated if property valuations drop, then the tax base will drop. Goldman stated there are

nuisance and trespassing laws which have been used successfully in Iowa. Goldman stated it is not that they do not want confinement lots, but that the producers should be thoughtful in where the lots are placed. Zoning Administrator Jodee Stepleton stated the new expansion does not involve construction, but Deahr is adding approximately 337 more animals during the year. Sauer stated the problem is the power of lobbying groups. Sorensen stated local producers are building expensive, state of the art facilities to try and reduce the smell. On a motion by Furlong, second by Howard, the public hearing was closed at 9:33 A.M. Roll call vote: Ayes: All.

On a motion by Kelly, second by Furlong, the Board approved an ordinance rezoning approximately 1.84 acres of property located in Moscow Township from I-2 Industrial District to R-2 Residential District (Kraklio request) on the second of three readings. Roll call vote: Ayes: All.

Discussion was held with Vic Amoroso, A&J Associates, regarding Change Authorization Request #7 for the Muscatine County DHS Office Building HVAC Design Project. Amoroso stated the contractor was concerned that on the South side of the building the concrete floor planks only had three inches which are load bearing. Amoroso stated they had consulted an engineer and he had determined reinforcement in this area is needed. On a motion by Howard, second by Sauer, the Board approved Change Authorization Request #7 for the Muscatine County DHS Office Building HVAC Design Project in the amount of \$7,390.87. Ayes: All.

Amoroso updated the Board on various projects.

Discussion was held with Sheriff Dave White regarding a proposed revised class specification and grade placement for a Civil Office Assistant position. White stated originally this was to be a part-time position, however, since they have lost their Administrative Sargent and their part-time window person, it was decided to make this a full time position. White stated this position would take over the Sex Offender Registry, take care of window traffic and the normal civil duties, which are very technical in nature. On a motion by Furlong, second by Howard, the Board approved a revised class specification for the Civil Office Assistant position, along with a grade change recommendation on the revised class specification from Grade 4 to Grade 7. Ayes: All.

White updated the Board on the Muscatine County Jail current and projected inmate count.

On a motion by Furlong, second by Kelly, the Board authorized White to fill a vacant full-time Civil Office Assistant. Ayes: All.

On a motion by Kelly, second by Sauer, minutes of the Monday, August 5, 2013 regular meeting were approved as written. Ayes: All.

Correspondence:

All Board members received e-mails and telephone calls concerning hog confinement lots.

Kelly received a call regarding the Durant High School Girls Softball Team. The Board congratulates the team on winning the Iowa State Softball Championship.

Howard received contacts regarding remodeling at the Muscatine County Jail.

Howard received a call from a Cedar County Board of Supervisor member regarding the possibility of a meeting to discuss joint County projects.

Committee Reports:

Sorensen attended a Muscatine County Safety and Health Committee meeting August 7th.

Kelly attended a Muscatine Community Health Association meeting on August 7th.

Kelly attended a Seventh Judicial District meeting on August 9th.

Sorensen, Howard, Sauer and Kelly attended an Eastern Iowa MH/DS Region Board meeting August 6th. Sorensen directed Administrative Services Director Nancy Schreiber to put a resolution on the agenda for next week's meeting regarding reaffirming the seven guiding principles of the Eastern Iowa MH/DS Region.

Sorensen directed Schreiber to put on the August 26, 2013, Board of Supervisors meeting agenda discussion and possible action regarding demolition of the 1909 era Old Jail Building.

Discussion was held regarding an appointment to the Veterans Affairs Commission. Sorensen stated that Muscatine County had received three really good, well qualified applicants for the position and he would like to thank them for their interest. On a motion by Howard, second by Sauer, the Board appointed Paul Wedel to the Veterans Affairs Commission for a 3-year term ending June 30, 2016. Ayes: All.

On a motion by Howard, second by Kelly, the Board approved Resolution #08-12-13-01 Transferring \$300,000 from the General Basic Fund to the Debt Repayment Fund. Roll call vote: Ayes: All.

On a motion by Kelly, second by Sauer, the Board approved Resolution #08-12-13-02 Transferring \$200,000 from the General Basic Fund to the Building Maintenance and Repair Fund. Roll call vote: Ayes: All.

The Board reviewed health/dental fund balances as of July 31, 2013.

The meeting was adjourned at 10:21 A.M.

ATTEST:

Leslie A. Soule, Auditor

Jeff Sorensen, Chairperson
Board of Supervisors

Muscatine County Board of Supervisors
Monday, August 19, 2013

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

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

On a motion by Howard, second by Sauer, claims dated August 19, 2013 were approved in the amount of \$1,233,640.54. Ayes: All.

On a motion by Furlong, second by Howard, the Board approved Ordinance #08-19-13-01 Rezoning Certain Real Property in Moscow Township, Muscatine County, Iowa, From I-2 Heavy Industrial District Zoning Classification to R-2 Residential District Zoning Classification on the third and final reading. Roll call vote: Ayes: All.

On a motion by Furlong, second by Sauer, the Board approved Resolution #08-19-13-01 approval of the Report and Recommendations for the Eastern Iowa Mental Health and Disability Services Region. Roll call vote: Ayes: All.

On a motion by Furlong, second by Sauer, the Board approved 2013 homestead tax credit and/or military tax exemption applications, with the exception of 52 homestead applications, as recommended by the Assessor's Office. Ayes: All.

On a motion by Howard, second by Sauer, minutes of the Monday, August 12, 2013 regular meeting were approved as written. Ayes: All.

Correspondence:

Furlong, Howard, Sorensen and Sauer received calls regarding hog confinements including a request from a resident for the Board to send a letter to the DNR not supporting hog confinements.

Sorensen reported a contact regarding a potential use of the Old Jail.

Sauer reported a positive contact regarding the use of slag on County roads.

Sauer reported a contact regarding road culverts on Vail Avenue.

The Board received a letter from Ken Hyman resigning from the Zoning Commission effective immediately.

Committee Reports:

Furlong attended a West Liberty Economic Area Development meeting August 15th.

Howard attended a Muscatine County Search and Rescue meeting August 14th.

Howard attended a Fruitland City Council meeting August 13th.

County Engineer Keith White updated the Board on projects on Muscatine County roads.

Sheriff Dave White reported that the Sheriff's Patrol needs a covered area for their vehicles so he constructed one in the parking lot, but it took up too much room so they are considering moving it into the yard in front of the Sheriff's Office. Howard stated he was not sure it would look very good in the front yard. White stated snow removal has to be taken into consideration because the vehicles have to be able to get out in the winter. The Board will stop out and evaluate the situation.

On a motion by Furlong, second by Howard, the Administrative Services Director was authorized to sign a conflict waiver letter from Dorsey & Whitney LLP. Ayes: All.

Howard stated that he had discussed hog confinements with the Iowa DNR who referred him to the Wisconsin DNR who has had some success with hog confinement issues and he is in the process of gathering information from them.

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

ATTEST:

Leslie A. Soule, County Auditor

Jeff Sorensen, Chairperson
Board of Supervisors