

Muscatine County Board of Supervisors
Monday, December 5, 2011

The Muscatine County Board of Supervisors met in regular session with Furlong, Howard, Watkins, Kelly and Sorensen present. Chairperson Watkins 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 Watkins at 9:01 A.M. to take public comments on a proposal to dispose of approximately 7.28 acres of County-owned real property in Pike Township by sale to Shadybrook Farms, Inc. for \$3,515.00. Keith Barnhart, Shadybrook Farms, Inc., stated that it is a safety issue so that they know who is hunting on the property. No one spoke against the proposed disposal. Administrative Services Director Nancy Schreiber stated all of the surrounding property owners were contacted and only Shadybrook Farms was interested in purchasing the parcel. On a motion by Furlong, second by Kelly, the public hearing was closed at 9:06 A.M. Ayes: All.

On a motion by Kelly, second by Howard, the Board approved Resolution #12-05-11-01 Authorizing Disposition of County-Owned Real Property Located in Pike Township. Roll call vote: Ayes: All.

On a motion by Furlong, second by Howard, the Board approved an RFP for the CDBG Acquisition Demolitions Program. Ayes: All.

On a motion by Kelly, second by Sorensen, the Chair was authorized to sign the HAVA Election Equipment Annual Certification. Ayes: All.

On a motion by Howard, second by Kelly, minutes of the Monday, November 28, 2011 regular meeting were approved as written. Ayes: All.

Correspondence:

Howard received a call from a resident and also spoke with two individuals from the DNR regarding the use of slag on County roads.
Howard received a call regarding union negotiations.

Committee Reports:

Sorensen attended a Regional Workforce Development Investment Board Strategic Planning Session December 1st.
Kelly attended a Muscatine County Decategorization meeting November 29th.

Howard and Sorensen attended the Wilton Economic Development Corporation Business Appreciation Lunch on November 30th. Furlong helped at the Muscatine County Fair Extreme Run and Chili Cook Off Fundraiser on December 4th.

County Assessor Dale McCrea informed the Board of an upcoming appeal to District Court on the Hy-Vee property. McCrea stated that Assessors across the State hired an attorney to handle the case with the State Appeal Board for all of the 99 counties, but Hy-Vee withdrew their appeal and refiled the appeal in District Court. McCrea stated that he anticipates spending approximately \$17,500 to defend the County in this appeal where Hy-Vee is asking for a 43% reduction to the current assessed value resulting in a potential loss of \$99,592 in tax revenue.

Administrative Services Director Nancy Schreiber stated that Hedberg and Sons would like to have the Courthouse Roof Project Certificate of Substantial Completion signed and returned immediately. Maintenance Supervisor Troy Sievert stated that the County would still be holding back the cost of the items not yet completed as well as the standard retainage. The Board approved by consensus for the Chairperson to sign the certificate.

Chairperson Watkins stated that the County received a grant approximately 10 years ago for a loan to West Liberty Foods. Watkins stated that when the loan was paid by West Liberty Foods, the \$125,000 was turned over to the Chamber of Commerce and placed in a revolving loan fund for future economic development. Since there have been no applications, Watkins feels the money should be returned to the County so the County can work with the State to find another use for that money. The item will be placed on next week's agenda for further discussion.

The Board reviewed an application received from Kimberly S. Stuart for a position on the Veterans Affairs Commission.

The Board reviewed draft policies for purchasing, petty cash, lost and found, surplus equipment, administration of state ordered suspensions of property taxes and contract change order policies. The draft policies will be submitted to elected officials and department heads for input.

The Board recessed at 10:51 A.M. and reconvened at 11:01 A.M.

On a motion by Kelly, second by Sorensen, the Board went into closed session at 11:01 A.M. pursuant to Chapter 21.5.1(i), Code of Iowa, for a performance evaluation at the request of the employee. Roll call vote: Ayes: All. On a motion by Furlong, second by Howard, the Board returned to open session at 12:06 P.M. Roll call vote: Ayes: All.

The Board recessed at 12:06 P.M. and reconvened at 1:00 P.M. for a meeting with Elected Officials and Department Heads.

J. R. Schemmel, U.S Department of Labor Wage and Hour Division, gave a presentation on Fair Labor Standards Act: Executive, Administrative and Professional Exemptions.

The meeting was adjourned at 2:39 P.M.

ATTEST:

Laura Perley, First Deputy Auditor

David H. Watkins, Chairperson
Board of Supervisors

Muscatine County Board of Supervisors
Monday, December 12, 2011

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

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

On a motion by Sorensen, second by Kelly, claims dated December 12, 2011 were approved in the amount of \$237,162.86. Ayes: All.

Discussion was held with County Treasurer Jerry Coffman regarding a request to assume driver license duties effective July 1, 2012. Coffman reported that 81 of the 99 counties are currently issuing driver licenses and doing well with the additional duties but only 31 also do commercial license. Board members all stated concerns regarding staffing, parking, space, level of service and cost issues. Board consensus was to discuss the matter again after receiving the report from Shive Hattery regarding building usage and when Coffman can provide a detailed business plan.

Discussion was held with County Sheriff Dave White regarding a proposed five- or six-year service contract with Simplex Grinnell for components of the Muscatine County Jail. White reported that they now have a contract for 24 hour a day response and are looking to cut it to 40 hours per week response and which would be a substantial savings. White stated that there had been issues in the past with the computer that controls the systems and have since resolved the issues and negotiated a backup computer at no charge if the contract was accepted. Board consensus was for further investigation before proceeding.

White reported that as the inmate population has increased, it has become a real problem giving every inmate the required hour of outdoor time. They have already had a fence company divide the outdoor recreational area into three areas to accommodate separation issues but when the ground is covered in snow, they can't use it. White requested permission to have the fence company put a roof over this area at a cost of approximately \$25,000. On a motion by Furlong, second by Sorenson, the Board directed White to move forward by soliciting bids for ten days then call a special meeting to accept a bid. Ayes: All.

White stated that when an employee is assaulted by an inmate it should be considered not the employee's fault for the safety bucks program. The Board will send the information the Safety Committee for consideration.

On a motion by Kelly, second by Sorensen, the Board accepted the following variance granted by the Board of Adjustment on December 2, 2011: Case #11-12-02 is an application filed by Triple J of Wilton LLC, Record Owners by Sherry Campbell. This property is located in Wilton Township, at 2795 120th St., Wilton, Iowa, in the SE ¼ of

Sec. 12-T78N-R2W, containing approximately 39 acres, and is zoned A-1 Agricultural District. This request, if approved, would allow the Zoning Administrator to issue a Variance in order for Ms. Campbell to open a chiropractic office in the existing one family dwelling located at 2795 120th St., Wilton, Iowa. Ayes: All.

On a motion by Furlong, second by Kelly, the following utility permits were approved: Eastern Iowa Light and Power – plow Evans Ave. electric cable, bore across road from Cedar-Muscatine Rd to Hwy 6; Windstream Communications – place a buried copper 25 pair 24 gauge copper telephone cable along Verde Ave. ; Interstate Power and Light Co., An Alliant Energy Company – ½" PE2406 commercial gas service to building north of 3802 Tipton Rd./ from existing gas main on east side of road; Mediacom – burying fiber optic cable north side of 122nd St. between Hwy 38 and 2681 122nd St.. Ayes: All.

County Engineer Keith White updated the Board on various road construction projects stating that Taylor Ave. is complete except for seeding, which can't be done until spring due to dates set by State and Federal guidelines. The Board directed Budget Coordinator Sherry Seright to add language regarding State and Federal exclusions in the County bidding policies.

Howard asked what responsibility the County has at maintaining drainage ditches, White stated the County is not responsible, the Drainage Districts are.

Discussion was held with Maintenance Supervisor Troy Sievert regarding providing office space in the Courthouse for the Medical Examiner's Office. Watkins stated that there are still other issues to settle with space in the Courthouse. County Attorney Alan Ostergren stated that the Medical Examiner needs a secure space to keep files, a computer and be able to meet with families. Board consensus was to provide the small office behind the first floor library.

Kelly stated concern regarding a shelf being removed and the pop machine being moved in the Courthouse.

On a motion by Howard, second By Kelly, minutes of the Monday, December 5, 2011 regular meeting were approved as written. Ayes: All.

Correspondence:

Howard received a complaint from a veteran regarding transportation scheduling.

Howard spoke with a resident regarding landowner rights for hunting.

Howard received a call regarding slag.

Committee Reports:

Sorenson attended a Muscatine County Safety and Health Committee meeting December 7th.

Kelly attended a Muscatine Community Health Association meeting December 7th.

Kelly attended a 7th Judicial District meeting December 9th.

Watkins attended a Greater Muscatine Chamber of Commerce and Industry meeting regarding Blue Zone designation December 9th.

Budget Coordinator Sherry Seright reported that the County may be eligible for up to \$325,000 in grant funds for the Courthouse remodeling and Doug Steinmetz would take care of filing the necessary paperwork at a cost of \$8,000. Board consensus was to proceed.

On a motion by Furlong, second by Howard, the Board appointed Kimberly Stuart to the Muscatine County Veterans Affairs Commission for a term ending June 30, 2014. Ayes: All.

On a motion by Kelly, second by Furlong, the Board appointed Susan Streets as a Medical Examiner Investigator for Muscatine County. Ayes: All.

On a motion by Furlong, second by Howard, the Board requested that CDBG funds currently held in a Housing Development Revolving Loan Fund be returned to the County and discuss with the State how it may be used for other economic development purposes without violating the state rules. Ayes: All.

The Board reviewed the health/dental fund balance as of November 30, 2011.

The Board recessed at 10:53 A.M. and reconvened at 11:03 A.M.

On a motion by Furlong, second by Kelly, the Board went into closed session pursuant to Chapter 21.5(c), Code of Iowa, to discuss strategy with counsel in matters that are in litigation or where litigation is imminent. Roll call vote: Ayes; All.

On a motion by Furlong, second by Howard, the Board returned to open session at 11:29 A.M. Roll call vote: Ayes: All.

The meeting was adjourned at 11:35 A.M.

ATTEST:

Laura Perley, First Deputy Auditor

David H. Watkins, Chairperson
Board of Supervisors