

Muscatine County Board of Supervisors  
Monday, February 20, 2012

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

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

Sara Sedlacek, candidate for House District 88 introduced herself to the Board.

A Public Hearing was called to order by Chairperson Kelly at 9:04 A.M. for the purpose of instituting proceedings and taking action to enter into a loan in a principal amount not to exceed \$3,000,000 for the purpose of financing the replacement of the HVAC system in the original portion of the County Jail and replacing the HVAC system, repairing structural problems and making improvements to meet requirements of the federal Americans with Disabilities Act at the County Administration Building. Howard asked the newspaper to help clarify what is referred to as the old jail, which is still in operation and connected to the new jail. On a motion by Howard, second by Furlong, the public hearing was closed at 9:08 A.M. Roll call vote: Ayes: All.

A Public Hearing was called to order by Chairperson Kelly at 9:08 A.M. for the purpose of instituting proceedings and taking action to enter into a loan in a principal amount not to exceed \$750,000 for the purpose of financing the replacement of the HVAC system in the County DHS Building. On a motion by Watkins, second by Howard, the public hearing was closed at 9:09 A.M. Roll call vote: Ayes: All.

On a motion by Sorensen, second by Furlong, the Board approved Resolution #02-20-12-01 Expressing Intent to Authorize Loan Agreements and the Issuance of General Obligation County Purpose Notes in an Aggregate Amount not to exceed \$3,750,000 and Providing for the Levy of Taxes to Pay the Same. Roll call vote: Ayes: All.

On a motion by Watkins, second by Howard, the Board approved Resolution #02-20-12-02 Authorizing Weight Embargoes on Secondary Roads in Muscatine County, Iowa. Roll call vote: Ayes: All.

On a motion by Furlong, second by Sorensen, the following utility permit was approved: A 48 strand, fiber optic telephone cable placed along Elder Avenue for approximately 3 miles. Construction will begin at the intersection of 160<sup>th</sup> Street and Elder Avenue and proceed north to the Verizon cell site at 1286 Elder Avenue. Construction will start in Pike Township, Sec. 2, Twn. 77N, and cross the road into Wapsinonoc Township, T77N & 78N, 4W, Sections 23, 26 and 35. Ayes: All.

County Engineer Keith White reported that most of the salt supply had been used this winter. Furlong stated he appreciated the progress crews have made clearing ditches. In response to a question from Howard, White stated that county shares of gas tax funds are

determined by a complex formula. White stated that he was asked by the Engineer's Association to speak with Senator Hahn about the need to support road use tax.

On a motion by Furlong, second by Howard, the Board authorized Maintenance Supervisor Troy Sievert to hire a temporary custodian to cover hours of a full time custodian on extended medical leave. Ayes: All.

On a motion by Watkins, second by Sorensen, the Board approved a bid document for the Muscatine County Courthouse doorway installation project. Ayes: All.

After reviewing cost information from Shive Hattery, Inc. regarding Muscatine County Administration Building repairs, the Board directed Sievert to set up a meeting with Shive Hattery, Inc. within the next few weeks to discuss options.

On a motion by Howard, second by Sorensen, the Board approved 10 special event permits for Ardon Creek Vineyard and Winery, LLC, as requested by Mike Furlong. (Article III, Section 3.26 of the Zoning Ordinance allows native wineries or cider mills as a special use, subject to specific requirements, including Board of Supervisors' approval of any special event at which (1) wine will be sold for onsite consumption and (2) attendance of more than 35 persons is anticipated.) Ayes: All.

The Muscatine County Board of Supervisors met as a Board of Canvassers for the West Liberty Special Election held on Tuesday, February 14, 2012. The Board certified the following results to be a true and correct abstract of the votes cast in the election:

**FOR COUNCILMEMBER UNEXPIRED TERM ENDING DECEMBER 31, 2015** (vote for no more than one) – 74 votes were cast: Joe Elizondo received 20 votes, Jose Zacarias received 54 votes, and there was 1 scattered. Jose Zacarias was elected.

On a motion by Howard, second by Furlong, minutes of the Monday, February 13, 2012 regular meeting were approved as written. Ayes: All.

**Correspondence:**

The Board received 3 letters from the City of Muscatine regarding voluntary annexations of 2.8 acres near Mulberry Avenue and the Bypass, 47 acres near the airport and 16.02 acres at Parkview condos and Irish Ivy subdivision. The meeting will be held February 23<sup>rd</sup> in city council chambers.

Watkins received a call regarding title transfers in the Treasurer's Office. Howard received an email from a man in appreciation of how the Board is handling fiscal management.

Howard received contacts regarding land valuation assessments, weed control responsibility for business owners, layoffs in the Treasurer's office and how this will affect car dealers, property tax changes and clarification on HVAC at the jail facility.

Committee Reports:

Watkins attended the Region 9 Transportation Policy Board meeting February 15<sup>th</sup>.

Kelly attended the Greater Muscatine Chamber of Commerce and Industry meeting February 17<sup>th</sup>.

Furlong attended the Muscatine County Fair Board meeting February 16<sup>th</sup>.

Howard attended a Fruitland City Council meeting February 14<sup>th</sup>.

County Recorder Cindy Gray spoke to the Board regarding the time study performed in the Recorder's Office, stating that her office takes pride in public service. And she would like an opportunity to complete the work flow study. Gray stated that none of her employees can afford to go to a part time position so she would be losing an experienced employee to save the County 15 hours per week. Gray stated that the studies should have been completed before the Board made the decision to cut staff, which is causing undue stress on employees and she would like reassurance that performing the study will not be for nothing. Gray stated she would like clear direction on what needs to be done and get started. Sorensen stated that in business the hours from 8-5 are serving the unemployed and what you need to look at is why the public is coming when they do. Gray stated that she does not believe this was handled properly and would like clear direction. Gray stated that she wants to get going on this and is waiting on Sorensen.

On a motion by Watkins, second by Furlong, the Board approved the re-appointment of Martha Peterson to the Muscatine County Board of Adjustment for a second term ending March 31, 2017. Ayes: All.

In response to a question from Watkins, Administrative Services Director Nancy Schreiber stated that she is working with the County Attorney on the severance package details.

The meeting recessed at 10:15 A.M and reconvened at 10:34 A.M.

On a motion by Watkins, second by Sorensen, the Board went into closed session at 10:34 A.M. pursuant to Chapter 21.5.1(i), Code of Iowa, for a performance evaluation. Roll call vote: Ayes: All. On a motion by Watkins, second by Furlong, the Board returned to open session at 12:38 P.M. Roll call vote: Ayes: All.

The meeting adjourned at 12:38 P.M.

ATTEST:

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Leslie A. Soule, County Auditor

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Kas Kelly, Chairperson  
Board of Supervisors

Muscatine County Board of Supervisors  
Monday, February 27, 2012 – Special Session

The Muscatine County Board of Supervisors met in special session at 10:00 A.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.

Discussion was held with Jeffrey Brown and Jennifer Bennett, representatives from Shive-Hattery, regarding options for long and short term repairs to the Muscatine County Administration Building. After a walking tour of the Administration Building, it was determined that the west wall of the three story portion of the building was the most deteriorated and unsafe. Bennett stated that they would need further investigation to determine how far the damage goes. In response to questions from Board members, Bennett stated that the cost to temporarily shore the walls would not likely be significantly less than fully repairing the walls. In response to a question from Kelly, Bennett recommended repairing one wall at a time. Howard stated that he would need a cost comparison before making a decision to repair or rebuild. Watkins stated that the safety of employees and the public must be considered. Furlong stated that he would like the contractor to be an expert in this type of repair. On a motion by Watkins, second by Furlong, the Board directed Shive-Hattery to proceed with developing a proposal for destructive testing. Ayes: All.

Brown stated that he would have a proposal for destruction testing on a unit price basis back to the Board within a week and estimated the destructive testing could be completed in 4-6 weeks.

Discussion was held regarding possible places to relocate County offices if needed. County Recorder Cindy Gray stated that all department heads should be included in discussions regarding relocation.

Charles Lorensen, 1808 Briarwood Lane, stated that people were very upset that the County bought this building with taxpayer money without inspecting it and now taxpayers have to spend more money to fix the mistake. Lorensen stated that taxpayers are responsible for inspecting property before they purchase and this should not have happened. Lorensen stated that if the County must build another building, he did not want to see an architectural delight, he wanted a functional building. Lorensen said he is perturbed that the Board has staggered terms so there is no way to get rid of an entire board if they make an error. Lorensen stated concern regarding the value of voting. Kelly responded that voting is very important and so is his opinion.

The meeting was adjourned at 11:04 A.M.

ATTEST:

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Leslie A. Soule, County Auditor

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Kas Kelly, Chairperson  
Board of Supervisors

Muscatine County Board of Supervisors  
Monday, February 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.

Former Lead Maintenance Worker Stu Willits stated that he was never in the Administration Building to assess the condition of the building prior to its purchase or remodeling.

Discussion was held with representatives of the Muscatine City and County Historic Preservation Commissions and Muscatine Friends of Historic Preservation regarding future uses and ownership of the Old Sheriff's House/Jail on East 4<sup>th</sup> Street. Watkins stated that the County no longer has a use for the facility and is looking at tearing off the addition and leaving the house or possibly tearing it all down. Watkins stated he would prefer finding someone to take over the building. Furlong stated that the County has more buildings than it needs and no longer has a use for the Old Sheriff's House/Jail, so he would recommend taking it down unless one of the preservation commissions has some ideas for preserving the building and using it. Kelly stated she does not mind taking the addition off, but she is not in favor of demolishing the entire facility. Kelly stated it is a perfect place for lawyer offices, Chamber of Commerce or Historical Societies. Watkins stated he does not have a problem with disposing of the building to an interested group. Furlong stated that the County does not have funding to restore the building. Mike Maharry, President of Friends of Historic Preservation, stated that he is happy to hear that the Board is open to options to preserve the building. Howard asked if Maharry sees any reason to retain the addition to the building. Maharry stated that the addition could be removed without damaging the historic character of the building. Furlong stated that there might have to be quite a few covenants agreed upon if the County were to sell the property. Maharry stated he would advocate the building going to a non-profit entity. Maharry stated they could collaborate with Youth Build, located in the Quad Cities who might be interested in renovating the facility. Budget Coordinator Sherry Seright stated that the County would need a historic preservation non-profit group to work with the Board on restoration projects to enable the County to access historic preservation tax credits. Maharry stated that the removal of the addition could also be funded with tax credits. Kelly asked if Friends of Historic Preservation would be interested in owning the property. Maharry stated they would be interested. Kelly stated the County may still need that space to temporarily house employees if the Administration Building has to be vacated. Board consensus was for Seright to work with Friends of Historic Preservation to develop an agreement for preservation of the Old Sheriff's House/Jail.

Discussion was held regarding an agreement for application of historic preservation tax credits for the Muscatine County Courthouse project. Budget Coordinator Sherry Seright will provide Part 1 of the Application to Friends of Historic Preservation for their review.

Discussion was held with Maintenance Supervisor Troy Sievert regarding fire monitoring options for County buildings. Sievert stated that he would propose sending out a Request for Proposal for a new monitoring contract as the current five year agreement with Simplex is expiring. Sievert stated that the Administration, Community Services and DHS buildings are under a contract through General Services while the Jail has their own contract. The Board directed Sievert to bid the Administration, Community Services and DHS building contracts and include a termination clause should the County decide not to keep the Administration building.

Discussion was held regarding moving the Maintenance Supervisor's Office. Sievert stated that he would like to move his office to the Historic Jail and share the space with the Custodians. Sievert stated the only cost would be connecting that building to the County network. Furlong asked if it would be better to move to the Washington Street facility. Sievert stated that he would be more centrally located at the Historic Jail for easier access to Maintenance as well as Custodial. Information Services Director William Riley stated that it would be more difficult and expensive to connect to the County network at the Washington Street facility. On a motion by Furlong, second by Sorensen, the Board approved moving the Maintenance Supervisor's Office to the Historic Jail. Ayes: All.

On a motion by Watkins, second by Howard, the Board approved a renewal application for a Class B Beer, Sunday Sale and Outdoor Service Permit for the City of Muscatine, dba Muscatine Municipal Golf Course, 1820 Hwy. 38, Muscatine, IA 52761. Ayes: All.

Zoning Administrator Jodee Stepleton reviewed a January 6, 2012 recommendation from the Muscatine County Zoning Commission to deny a request from Michael and Patricia Fowler, Record Owners, to add service of ready to eat foods at their business, Steve's Meat Shop, located at 3881 Hwy. 61, Blue Grass, IA. Stepleton stated that the Zoning Commission denied the request because Fowlers' were asking to become a restaurant which exceeded what the Board had anticipated to begin with. County Attorney Alan Ostergren stated that County Ordinance Article XVII, Section 1, states that the Board can change what the zoning commission decided, affirm it or remand it back to them. Michael Fowler stated that they wanted to add services to their facility because they want to be a year-round facility and they are currently restricted to a small number of items which would not sustain a year-round business. Kelly stated that they were aware of the restrictions in the beginning. Patricia Fowler stated that they asked for additional services because that is what customers are requesting. Kelly stated her concern is safely entering the property from Hwy 61. Patricia Fowler stated that they cannot get a turn lane unless they have 30 vehicles per hour turning into their facility and they only have approximately 15 vehicles per hour. Watkins stated he would affirm what the Zoning Commission decided. Furlong stated he does not like spot zoning and he feels it was originally allowed because of the seasonality and the restrictions. Kelly stated the restrictions stated retail products must be associated with wild game processing. Zoning Administrator Jodee Stepleton stated that the understanding of the Zoning Commission

was that the request was for a seasonal processing operation from October – January. Sorensen feels that the answer should have been no from the beginning. On a motion by Watkins, second by Furlong, the Board denied the request as recommended by the Zoning Commission. Ayes: All.

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

Correspondence:

All board members received a letter from Blaine Teter's Auto Sales regarding Treasurer's Office staff reductions.  
Howard received a call regarding the use of slag on County roads.

Committee Reports:

Kelly attended a DECAT meeting March 21<sup>st</sup>.  
Kelly and Sorensen attended a Bi-State Regional meeting March 22<sup>nd</sup>.  
Furlong attended a West Liberty Economic Area Development meeting March 23<sup>rd</sup>.

Kelly stated she met on March 23<sup>rd</sup> as part of a focus group regarding funding and priorities of the Convention and Visitor's Bureau. Watkins attended a First Responder's Meeting for pipelines on March 22<sup>nd</sup>.

Information Services Director William Riley updated the Board on costs to connect the Engineer and Sheriff Offices to the County network through MP&W or through a wireless connection. Riley stated he would recommend a wireless connection.

Riley stated he looked at the possibility of placing a calendar on the website and he feels that a Google solution would meet the County's needs, but asked for direction from the Board on whether to move forward. Board consensus was not to proceed at this time.

Discussion was held regarding an evaluation of the County's employee handbook as performed by Iowa Negotiation Services, LLC. Administrative Services Director Nancy Schreiber stated that it might make sense to have the company performing the salary study update the employee handbook. Watkins would like to see a list of Counties for which Iowa Negotiation Services, LLC has performed services. Furlong thinks that the employee handbook needs to be updated. Schreiber stated that she will talk to other Counties to see what they have done to update their handbooks.

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

The Board recessed at 8:42 P.M. and reconvened at 8:47 P.M.

On a motion by Watkins, second by Furlong, the Board went into closed session at 8:47 P.M. pursuant to Chapter 21.5(c), Code of Iowa, to discuss strategy with counsel in

matters that are presently in litigation or where litigation is imminent. Roll call vote: Ayes: All. On a motion by Watkins, second by Howard, the Board returned to open session at 9:13 P.M. Roll call vote: Ayes: All.

The meeting was adjourned at 9:13 P.M.

ATTEST:

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Leslie A. Soule, County Auditor

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Kas Kelly, Chairperson  
Board of Supervisors