

Muscatine County Board of Supervisors
Monday, August 28, 2023

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

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

County Attorney, Jim Barry reviewed a service order agreement with Horizon Architecture for the Courthouse Roof Project. Barry stated the contractor for the Courthouse Roof Project has inspected the roof and the highest priority is the clock tower is leaking. Barry stated the bid proposal numbers will be updated to include the clock tower and gutter system repair with an intent to present the entire construction proposal to the Board for review. The service order agreement with Horizon Architecture engages Michael Nolan, AIA, Principal Horizon Architect to participate in the project process so that repairs are assessed and determined if necessary. The specialized service order agreement being presented states the Architect's scope of design services are not to exceed \$11,020. On a motion by Sorensen, second by Mather, the Board approved Service Order 23-003 Agreement with Horizon Architecture for the Courthouse Roof Project. Ayes. All.

Barry reviewed the proposed City of Muscatine and Muscatine County joint training facility and shooting range and a real estate purchase agreement which has been signed by the seller and if approved by both the City of Muscatine and Muscatine County, will be signed. The 20-acre real estate parcel has been determined as the best suited for the joint training facility/shooting range with proximity to town and on a hard surface road. Barry stated there were two properties reviewed before the final decision was made and negotiations were completed with the seller. Barry stated there are very limited areas in the county to consider as an appropriate location for this type of facility. Barry stated the City of Muscatine will consider the agreement at their meeting on September 7, 2023 and the Zoning Commission will hold a public hearing on September 8, 2023, with approval of both meetings contingent to the purchase of the real estate. The City of Muscatine requested Muscatine County approve the agreement before they take possible action on September 7, 2023. Barry stated in Section 23A of the Contingency Provisions there is a correction: to replace "Muscatine County Board of Adjustment" with "Muscatine Zoning Commission" so if the Board acts to approve the agreement, the correction should be made and initialized by the Chair. The real estate purchase price for the 20 acre property is stated as \$21,000 per acre (with the acreage to be determined by the property survey). Planning and Zoning Administrator Eric Furnas stated the county does not have a zoning ordinance for this type of facility however the Iowa Code states any land used as a training facility requires the zoning commission to hold a public hearing. Furnas stated a full packet will be available for the public hearing to be held on September 8, 2023 at 10:00 A.M. Sheriff Quinn Riess stated various in service trainings can be held at the facility and the ability to train and certify will benefit the department as arrangements for out of town training is difficult to schedule.

Ted Dickey, 1701 Tipton Road, stated he owns property on 170th Street near the proposed facility. Dickey stated his concerns as there is an Isaac Walton shooting range within one-half mile of the property being considered. Dickey stated the current shooting range meets three to four times per week. Dickey stated he supports the law enforcement officers need a facility for training however

an additional shooting range in the area he feels is not appropriate. Dickey asked if the wild life in the wooded area behind the proposed property has been considered. Dickey stated he is in favor of an indoor shooting range.

Dave Reed, 2460 155th Street, stated he lives near the Isaac Walton shooting range and initially he was told their range would be used once per week but it has grown to three to four times per week, so whatever is proposed for the new facility will likely be more than first presented. Reed stated the shooting noise travels and another location in the county should be considered.

Dee Ann Reed, 2460 155th Street, stated her concerns with the shooting range noise and the possibility of additional agencies using the facility. Sheriff Quinn Riess stated the range primarily would be used by Muscatine County, City of Muscatine, West Liberty and Wilton law enforcement officers. Riess stated the facility will also be used for in service trainings that do not involve shooting. Reed asked how many times per year the shooting range will be used. Riess stated the Sheriff Department will use the shooting range approximately 12-15 times per year. Reed stated her concerns with the distance the shooting noise travels. Reed commented if the Board and City of Muscatine approve and sign the agreement, if at the public hearing would they listen to the public concerns that may be presented.

Ted Dickey stated the Board already approved \$1,000,000 toward the facility project in a prior meeting. Dee Ann Reed stated her concerns with what she considers a high purchase price of \$21,000 per acre. Reed asked if there was a lower cost option considered and asked why the proposed facility location was not made available to the public earlier.

Dave Reed stated the facility may lower their real estate value. Mather stated Iowa Code allows for closed sessions when considering real estate purchases and it is not an intent to keep the information from the public. Dee Ann Reed questioned if the lighting will be on 24 hours per day/ 7 days a week and if the officers will be allowed to train on their own. Riess stated the facility may have security lights however it will not have 24-hour lighting. Riess stated night training will be held in the fall when sunset is early and stated officers may be allowed to use the facility on their own time. The Board stated the process to search for suitable properties started nearly two years ago with hiring a consultant.

Chad Holladay, 1571 N. Isett Avenue, stated his concern with possible shooting allowed up to 12 hours per day as he already deals with the Isaac Walton shooting range noise. Holladay stated he is a current sponsor of the Wilton trap team and supports law enforcement. Holladay requested the Board research more property locations.

Dickey asked the Board if the prior law enforcement shooting ranges could be improved to include viable facility option. The Board stated they are unable to improve the prior ranges as purchasing property in another county and/or improving private property for this use is not allowed.

Todd Kraklio, 2505 155th Street, stated his land is adjacent with the proposed property for the facility. Kraklio stated he has owned his property for 15 years and has listened to the current shooting range noise. Kraklio stated he believes his property being adjacent puts him at stake as his tiling is tied into the proposed property tiling.

Kraklio stated his concerns with the Nature Conservancy property located nearby as the ground water is in danger of lead where ducks, geese and the Illinois mud turtle (an endangered species) have their habitat. Kraklio stated the public access to the Nature Conservancy is on his property by using his driveway by foot traffic only. Kraklio stated his grandchildren will live within 20 acres of the shooting range. Kraklio stated he supports law enforcement but requested the facility be placed at a different location instead of on prime farm ground. Kraklio stated he will attend the public hearing and will have a prepared statement. Kraklio stated Charlie Lewis is a neighbor who owns property with an intent to build a house and stated his concerns as to whether zoning could deny Lewis a permit to build a house if the facility is nearby. Furnas stated whether the facility is approved or not, there is no guarantee of a permit to build a home being accepted, as the area is zoned A-1 Agricultural. Mather questioned if hunting is allowed on the Nature Conservancy. Chick stated it is very limited hunting and only with requests.

Carla Clevenger, 2516 150th Street, stated she lives next to the Nature Conservancy. Clevenger stated her concerns with no berm on the property and that livestock may get out and wander during the shooting times. Riess stated a berm will be built on the property.

Chick asked if the Board could table this agreement until more research is conducted. The Board discussion was to proceed with the possible action to approve and the public hearing scheduled for the Zoning Commission. Dee Ann Reed asked if the public hearing packet will be made available prior to the hearing. Administrative Services Director Nancy Schreiber stated the draft purchase agreement is currently available on the county website as part of the Board of Supervisors agenda packet for today's meeting.

On a motion by Sorensen, second by Kirchner, the Board approved a real estate purchase agreement with J & S Deahr Farms, LLC, subject to approval by the Muscatine City Council and execution of a 28E agreement between the City of Muscatine and Muscatine County. Ayes: 4-0. Mather abstained due to client conflict.

On a motion by Mather, second by Sorensen, the Board approved the minutes of the August 21, 2023 regular meeting. Ayes: All.

Correspondence:

All Supervisors received an email from a resident who had concerns with a hog confinement that was recently discussed and approved.

All Supervisors received an email from West Liberty City Clerk, Lee Gertz, regarding a notice of voluntary annexation of four acres west of West Liberty.

Sorensen received an email from Aaron Steffens, Moscow, Iowa with opposition to the proposed training facility and shooting range.

Sauer received a text message from a citizen with questions regarding the shooting range.

Committee & Meeting Reports:

Sorensen attended an Eastern Iowa Mental Health Board meeting on August 21, 2023.

Sorensen and Sauer attended a Bi-State Regional Planning Commission meeting on August 23, 2023.

Sauer attended a Muscatine County Conservation Board meeting on August 21, 2023.

Chick attended Mississippi Valley Workforce Area Board meeting on August 21, 2023.
Kirchner attended a workshop held by the Lower Cedar Watershed Management Authority on August 22, 2023.

Kirchner attended a Muscatine County Fair Board meeting on August 24, 2023.

Mather attended the Battle for the Liberty Rodeo at the Muscatine County fairgrounds on August 26, 2023.

Kirchner announced the last sprint car race for the season will be held at the West Liberty raceway on September 2, 2023.

County Auditor Tibe Vander Linden presented a job description for a position named as Administrative/Elections Clerk which will replace the current 2nd Deputy position. A new 2nd Deputy Auditor will be named from a currently held position. On a motion by Sorensen, second by Chick, the Board approved an Administrative/Elections Clerk position for the Auditor's office with the class specification of Grade 8. Ayes: All.

On a motion by Sorensen, second by Mather, the Board accepted the August 2023 payroll claims. Ayes: All.

Jerry Carson, 2440 Edgewater Road, asked the Board for an update on the possibility of fixing the 245th Street bridge. Administrative Services Director Nancy Schreiber stated the last correspondence received indicated the committee will receive the appraisal this week and if received, it will be discussed at the September 11, 2023 board meeting.

The meeting was adjourned at 10:12 A.M.

ATTEST:

Tibe Vander Linden
County Auditor

Scott Sauer, Chairperson
Board of Supervisors