

Muscatine County Board of Supervisors
Monday, July 28, 2014

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

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

A Public Hearing was called to order at 7:02 P.M. by Chairperson Howard on disposition of unknown owner parcels in Muscatine County. Administrative Services Director Nancy Schreiber stated Dougherty Estates believed the Goshen Township parcels belonged to them and that Muscatine County had inadvertently reinforced that belief when it issued building permits to Dougherty Estates on these parcels. Schreiber stated the Board of Supervisors agreed to waive the unknown owner parcel policy to allow for Dougherty Estates to acquire these parcels with \$958.00 abated in taxes, penalty and interest on back taxes. First Deputy Auditor Betty Wamback explained many of these unknown owner parcels were old river bed and when the maps were upgraded, the new parcels created by the shifting river were designated as unknown owner and an unknown owner policy was developed for handling the disposition of unknown owner parcels. Wamback stated that a legal description that refers to a Government Lot does not automatically give a person the ground when the river moves, but if the deed had said to the river bank, then the parcel would have gone to them. Furlong stated he is willing to make an exception because the County had already issued building permits on these parcels. Schreiber stated the County behaved as if this land belonged to Dougherty Estates. Greg Lindle, 1705 Lindle Avenue, stated he is in favor of transferring the property to Dougherty Estates, but would like the same treatment for the unknown parcels adjacent to his property which are to be discussed later in the meeting. No one spoke against the disposition of unknown owner parcels. On a motion by Furlong, second by Sorensen, the public hearing was closed at 7:12 P.M. Roll call vote: Ayes: All.

On a motion by Kelly, second by Sauer, the Board approved Resolution #07-28-14-01 Relating to Disposition of Unknown Owner Parcels in Goshen Township. Roll call vote: Ayes: All.

Discussion was held regarding a request from Sons of Silence Motorcycle Club for a letter of understanding for a fundraiser to be held on August 23, 2014 at 2097 US Hwy 61 S, Muscatine. Leah Geertz, representing Sons of Silence, stated the fundraiser is being held for English River Outfitters. County Attorney Alan Ostergren stated that the intention in developing the letter of understanding is that if there is a zoning violation, the County will not treat it as a violation. Ostergren stated the County does not issue permits for people to have a party and the Board can decide whether or not they want to sign the letter of understanding. County Auditor Leslie Soule stated that a liquor license application has been filed by English River Outfitters. Furlong stated that the letter protects the Sons of Silence as long as they do what is outlined in the letter and it would approve a one-time event only. Howard stated he has a problem with the letter because it

says that the County knows they are not in compliance. Howard stated he feels the Board would be setting a precedent in signing the letter of understanding. Board consensus was that the Sons of Silence should move forward with the event without the signed letter. Ostergren stated the intent in writing the letter is to allow this one time event and then hopefully they will come back and ask for rezoning to allow for a permanent establishment if that is what they intend to do in the future. Chuck Geertz, Founder and President of English River Outfitters in Washington, IA, stated the fundraiser is to help veterans coming back from Iraq and Iran. Geertz stated they have a lodge south of Washington, IA and have helped 1,000 veterans and their families. County Auditor Leslie Soule stated that there is a box that has to be checked that the premises are zoned properly before the Alcoholic Beverages Division will allow local endorsement of a liquor license. Ostergren agreed that Soule could check the box inferring that they would be within compliance for zoning for this event if the Board of Supervisors approves the liquor license when it comes before them. A motion by Furlong, seconded by Kelly, authorizing the Chair to sign a letter of understanding regarding a fundraiser to be held by the Sons of Silence Motorcycle Club on August 23, 2014 at 2097 Hwy 61 S, Muscatine failed on a roll call vote. Roll call vote: Ayes: Furlong and Kelly. Nays: Sorenson, Sauer and Howard.

Discussion was held regarding unknown owner parcels adjacent to land owned by George and Virginia Lindle and Richard and Phyllis Lindle south of 155th Street in Muscatine County. Greg Lindle, 1705 Lindle Avenue, stated when his parents bought the property, they assumed it was theirs just like Dougherty Estates. Lindle stated they want the same consideration as Dougherty Estates because it is the other half of the same property. Furlong stated the difference is there was no action taken by this Board issuing building permits to acknowledge that the County believed the property belonged to the Lindles. Board direction was to follow the unknown owner policy for disposition of these parcels.

Discussion was held regarding water flow and drainage issues on North Lindle Avenue with Greg Lindle. Lindle stated they would like a couple of culverts under Saulsbury Road, but would like to postpone this discussion in order for County Engineer Keith White to be able to attend. Further discussion was postponed until a future Board meeting.

Discussion was held with County Attorney Alan Ostergren regarding a proposal for providing prosecution services to the City of Muscatine and for diversion of mental health and substance abuse commitments. Ostergren stated if the Board of Supervisors approves his proposal, he is scheduled to appear at a Muscatine City Council meeting on August 11th. Ostergren stated the City of Muscatine has enacted a comprehensive set of ordinances providing for criminal violations for traffic and other offenses and is in need of a prosecutor to provide these services. Ostergren stated that if the City accepts this proposal, the City would compensate the County \$40,000 per year for the County Attorney's Office to provide those services. Ostergren stated there were 203 mental health/substance abuse committals last year. Ostergren stated that the Code of Iowa says the Clerk of Court is to provide commitment alternatives, but they have not had the mechanism available to them to provide that service, so no one is trying to screen these

cases to see if the commitment is really necessary. Ostergren stated he would like someone in his office to help get the person outside treatment rather than being fully committed. Ostergren stated that if he could divert 30 cases per year, the savings to the County would be between \$90,000 and \$180,000. Ostergren stated he would use funds the Board has designated for an intern to help fund this position. Ostergren stated the cost for an entry level attorney is approximately \$75,000, less \$40,000 from the City of Muscatine and \$10,000 from his budgeted intern line item, equals an unbudgeted cost to the County of \$25,000 with potential savings of \$65,000 to \$165,000. Community Services Director Mike Johannsen was in favor of the proposal stating diversion programs and crisis stabilization are core services that Muscatine County does not currently provide. Johannsen stated this will help get people in the correct category at the very beginning of the process and Clinton and Jackson Counties do this already. Kelly stated she is in favor of this proposal and saving dollars is the bonus. Howard stated the number one benefit is to the residents. Sauer asked what happens if the program does not cash flow the way Ostergren planned. Ostergren stated his plan is to start the hiring process contingent on an agreement with the City and be prepared to start the position by mid-September which should allow the program to break even by the end of the fiscal year. Sorensen asked what the impact would be on jail inmate numbers. Ostergren stated providing more appropriate treatment early on would be a positive, but it will be difficult to put a number on that. Furlong likes that the County is working with the City of Muscatine on this and potentially getting treatment early on rather than waiting for a full committal. On a motion by Kelly, second by Sorensen, the Board approved the program as presented and subject to approval by the City of Muscatine. Ayes: All.

On a motion by Furlong, second by Sorensen, the Board approved the hiring of Laura Millage as the Fines Collection Coordinator at \$31,219 (Grade 9, Step 2) for the County Attorney's Office. Ayes: All.

Ostergren updated the Board on the status of electronic document filing with the courts.

On a motion by Sorensen, second by Kelly, minutes of the Monday, July 21, 2014 regular meeting were approved as written. Ayes: All.

Correspondence:

All Supervisors received an email from Gerald Johnson not in support of a proposed variance in Whispering Pines on next week's agenda.

Committee Reports:

Kelly attended a Mental Health Regionalization meeting July 21st.

Sauer attended a Muscatine County Conservation meeting July 21st.

Howard and Furlong attended a Bi-State Regional meeting July 23rd.

Sorensen attended an Iowa Workforce Development meeting July 22nd.

Furlong attended a Muscatine County Solid Waste Agency meeting July 24th.

Howard and Kelly attended the Unity Point Ground Breaking July 23rd.

Discussion was held regarding applications received from Brandy Wedekind, Allen Kilberger, Paula Williamson, Ronald Miller and Kimberly Dickens for two vacant positions on the Veterans Affairs Commission. George Alt, Chairperson; Paul Wedel, Commissioner; and Jen Watkins-Schoenig, Director recommended Brandy Wedekind, Allen Kilberger and Paula Williamson for positions. The Board of Supervisors received an email that Ronald Miller had withdrawn his application. Furlong stated that two applicants do not live in Muscatine County and he thinks the Board needs to look inside the County. Howard stated he agrees and is willing to wait another month until the 90 days have passed for finding qualified female applicants in order to make the Commission gender balanced. Kelly stated that she has had a conversation with Arlene Murray, Department President for the State of Iowa Ladies Auxiliary to the VFW, who is going to provide her with a list of female veterans living in Muscatine County. Sorensen agrees with wanting residents from Muscatine County, but they also need active applicants who are willing and interested to serve. Sauer agrees with looking for applicants that reside in Muscatine County and felt it was a shame that the two recommended females did not reside in Muscatine County. Board consensus was to wait until the 90 days has expired before making a decision.

On a motion by Kelly, second by Sorensen, the Board approved and authorized the Chair to execute the July 1, 2014 through June 30, 2016 agreement regarding the Muscatine County Sheriff's Office Deputy Sheriff Unit between Muscatine County and Chauffeurs, Teamsters & Helpers, Local Union #238. Ayes: All.

On a motion by Kelly, second by Furlong, the Board approved and authorized the Chair to execute the July 1, 2014 through June 30, 2017 agreement regarding the Muscatine County Sheriff's Office Jail Support Unit between Muscatine County and AFSCME, Iowa Council #61. Ayes: All.

On a motion by Sorensen, second by Sauer, the Board accepted July 2014 payroll claims. Ayes: All.

The meeting was adjourned at 8:52 P.M.

ATTEST:

Leslie A. Soule, County Auditor

Robert E. Howard, Chairperson
Board of Supervisors