

Muscatine County Board of Supervisors  
Monday, April 27, 2015

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

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

On a motion by Howard, second by Sorensen, claims dated April 27, 2015 were approved in the amount of \$1,384,987.43. Ayes: All.

A Public Hearing was called to order at 7:02 P.M. by Chairperson Kelly on a proposed Fringe Area Policy Agreement between Muscatine County and the City of Nichols. Attorney Amber Freyermuth, Stanley, Lande & Hunter, stated the agreement has already been approved by the Zoning Commission. Freyermuth stated the City of Nichols is looking for a way to be involved in the process. Freyermuth stated with this agreement, if there is a request for a zoning change or to create a subdivision, Nichols would be notified and given the opportunity to have their procedures followed in tandem with the County's procedures. Kelly stated the Board has received several comments from people who are concerned about the fringe area. Kelly stated most of their concern is that no one understands the agreement and there was not sufficient notice before the public hearing to allow people to educate themselves about the fringe area. Kelly requested that the Board wait until next week before approving the agreement to give the community more time to understand the fringe area agreement.

Muscatine County Interim Zoning Administrator Steve Boka stated this has been in discussions for over a year. Boka stated this is a policy meant to set the framework for cooperation between the City of Nichols and Muscatine County in the two mile radius around the corporate limits of Nichols. Boka stated the agreement provides for three separate mutual reviews of land use - subdivisions, rezoning requests and voluntary annexations. Boka stated there is a clause in the agreement that deals with the right to farm and there will be no farming changes as a result of this agreement. Howard stated this is a beneficial agreement to the City and the residents within the fringe area because the County and the City will be in agreement on setting up roads and utilities. In response to a question from Kelly, Boka stated there was public notice published in the newspaper inviting citizens to the Zoning Commission meeting and to tonight's Board of Supervisors meeting in order to ask questions or express concerns about the agreement. Sorensen stated this agreement makes sense and he did not feel the process should be held up since the public could talk with a Supervisor or call the Zoning Office if there are questions. No one spoke against the agreement. On a motion by Howard, second by Sorensen, the public hearing was closed at 7:17 P.M. Roll call vote: Ayes: All.

On a motion by Howard, second by Sorensen, the Board approved Resolution #04-27-15-01 Authorizing Execution of a Fringe Area Policy Agreement Between Muscatine County and City of Nichols. Roll call vote: Ayes: All.

Muscatine County Conservation Director Curt Weiss updated the Board on various Conservation projects and grants.

Discussion was held with Weiss regarding a proposed Musser Park to Wiggins Road trail. Weiss stated the proposal is for a hard surface separated trail and not a shared road trail which will go through Deep Lakes Park. In response to a question from Bonebrake, James Edmond, City of Muscatine Engineer, stated he has walked the route and believes there will be no conflict with utilities. Randy Hill, City of Muscatine Public Works Department, stated there will be signage and gates where the trail crosses roads. Weiss stated the Conservation Board needs Board of Supervisor approval to proceed with the proposed trail plan. Board consensus was to add an item for discussion and possible action on the proposal to next week's agenda.

On a motion by Sorensen, second by Sauer, the Board approved Resolution #04-27-15-02 Suspending the Collection of Taxes. Roll call vote: Ayes: All.

On a motion by Howard, second by Sorensen, minutes of the April 20, 2015 regular meeting were approved as written. Ayes: All.

Correspondence:

Kelly, Sauer, Howard and Sorensen reported several contacts regarding the Nichols Fringe Area agreement.

Sorensen and Howard reported contacts regarding the recent Sheriff appointment. Howard reported a contact stating the Board was doing a good job.

The Board received a notice from the City of Walcott that they are in the process of amending the urban renewal plan for the Consolidated Walcott Urban Renewal Area.

The Board received notice that the City of Fruitland has received a petition for Voluntary Annexation by Patricia and Leroy Bartenhagen.

Committee Reports:

Sauer attended a Muscatine County Conservation Board meeting April 20<sup>th</sup>.

Sorensen attended a Muscatine County Solid Waste Management Agency meeting April 23<sup>rd</sup>.

Kelly attended an Eastern Iowa MH/DS Region meeting April 20<sup>th</sup>.

Kelly attended a Greater Muscatine Chamber of Commerce and Industry meeting April 24<sup>th</sup>.

Kelly and Howard attended a Bi-State Regional meeting April 22<sup>nd</sup>.

Howard attended a Bi-State Regional Finance meeting April 27<sup>th</sup>.

On a motion by Howard, second by Sorensen, the Board set a public hearing on proposed FY 14/15 budget amendments for Monday, June 8, 2015 at 9:00 A.M. Ayes: All.

On a motion by Bonebrake, second by Sorensen, the Board set a public hearing on a confinement feeding operation construction permit application from Dodd Brus, 135 West Site, Section 21, Fulton Township for Monday, May 11, 2015 at 9:00 A.M. Ayes: All.

On a motion by Sorensen, second by Howard, William Tharp was re-appointed to the Muscatine County Board of Adjustment for a five-year term ending March 31, 2020. Ayes: All.

On a motion by Sauer, second by Sorensen, Greg Keller was re-appointed to the Muscatine County Building Board of Appeals for a three-year term ending December 31, 2017. Ayes: All.

On a motion by Howard, second by Bonebrake, the Board accepted April 2015 payroll claims. Ayes: All.

Administrative Services Director Nancy Schreiber updated the Board on various Boards and Commissions.

Discussion was held with Schreiber regarding the position of Muscatine County Zoning Administrator. Schreiber stated Boka's interim position was originally for 90 days and up to \$15,000. Schreiber stated the \$15,000 has been exceeded and Boka is at the 90 days. Schreiber stated they are still working on updating the Zoning Administrator job description and filling the position on a regular basis. Board consensus was to continue to utilize Boka's services until the situation has been resolved.

The meeting was adjourned at 8:00 P.M.

ATTEST:

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Betty L. Wamback  
First Deputy Auditor

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Kas Kelly, Chairperson  
Board of Supervisors