

Muscatine County Board of Supervisors
Monday, August 8, 2016

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

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

A Public Hearing was called to order by Chairperson Sorensen at 9:01 A.M. on proposed revisions to Title III – Property/Land Use and Development, Chapter II – Zoning Ordinance to add commercial wind energy conversion systems as a permitted special use in A-1 Agricultural District, I-1 Light Industrial and I-2 Heavy Industrial Districts. Planning and Zoning Administrator Eric Furnas discussed the proposed ordinance. No one spoke against the proposed ordinance. On a motion by Kelly, second by Bonebrake, the public hearing was closed at 9:03 A.M. Roll call vote: Ayes: All.

On a motion by Kelly, second by Sauer, an ordinance was approved revising the Title III – Property/Land Use and Development, Chapter II – Zoning Ordinance to add commercial wind energy conversion systems as a permitted special use in A-1 Agricultural District, I-1 Light Industrial and I-2 Heavy Industrial Districts on the first of three readings. Roll call vote: Ayes: All.

A Public Hearing was called to order by Chairperson Sorensen at 9:04 A.M. on proposed revisions to Title III – Property/Land Use and Development, Chapter IV – Flood Plain Management Ordinance. Planning and Zoning Administrator Eric Furnas discussed the proposed ordinance stating the Department of Natural Resources requested a few small changes clarifying minor projects and adopting the new flood plain maps. No one spoke against the proposed ordinance. On a motion by Kelly, second by Sauer, the public hearing was closed at 9:07 A.M. Roll call vote: Ayes: All.

On a motion by Howard, second by Bonebrake, an ordinance was approved revising the Title III – Property/Land Use and Development, Chapter IV – Flood Plain Ordinance on the first of three readings. Roll call vote: Ayes: All.

A Public Hearing was called to order by Chairperson Sorensen at 9:08 A.M. on the proposed sale of County-owned property located at 3500 Harmony Court. Sorensen stated this is the former 15-bed facility off Houser Street which the County has not used for at least 10 years. Sorensen stated the facility has been rented by an independent for profit organization, but the County has decided to no longer be in the landlord business and offered the property for sale. Sorensen stated the County entertained offers and had a successful negotiation to sell the property with an adjacent lot for \$263,000. No one spoke against the proposed sale. On a motion by Kelly, second by Sauer, the public hearing was closed at 9:10 A.M. Roll call vote: Ayes: All.

On a motion by Bonebrake, second by Sauer, the Board approved Resolution #08-08-16-01 Authorizing the Sale of County-Owned Property in the amount of \$263,000. Roll call vote: Ayes: All.

On a motion by Sauer, second by Bonebrake, the Board approved Ordinance #08-08-16-01 Adopting a Commercial Wind Energy Conversion Systems Ordinance on the third and final reading. Roll call vote: Ayes: All.

The Board reviewed a variance denied by the Muscatine County Board of Adjustment on Friday, August 5, 2016. Case #16-08-01 is an application filed by Chad D. Eichelberger, Record Owner. This property is located in Lake Township, South of 205th Street, in the SE $\frac{1}{4}$ of Sec. 28-T77N-R3W, 1878 205th Street, containing approximately 43.34 acres, and is zoned A-1 Agricultural District. This request, if approved, would allow the Zoning Administrator to issue a Variance in order for Mr. Eichelberger to continue his trucking business, Thompson Trucking, at this location. The Board of Adjustment denied the variance because Mr. Eichelberger or his representative was not in attendance to plead their case. Zoning Administrator Eric Furnas stated the applicant must wait six months to reapply after a denied request.

The Board reviewed Special Use Permits granted/denied by the Muscatine County Board of Adjustment on Friday, August 5, 2016. Case #16-08-02 is an application filed by Mildred M. Hora, Record Owner. This property is located in Orono Township, West of Blue Heron Avenue, Part of Parcel A, in the NW $\frac{1}{4}$ of Sec. 5-T76N-R4W, containing approximately 2.42 acres, and is zoned A-1 Agricultural District. This request, if approved, would allow the Zoning Administrator to issue a Special Use Permit in order for Jimmy Hora and his family to place a rural residence (modular/manufactured home) on this property. The Board of Adjustment approved this request. Case #16-08-03 is an application filed by Richard T. or Susan K. Jones, Record Owners and Cynthia Johnson, Applicant. This property is located in Pike Township, at the corner of Hwy 22 and Iron City Avenue, in the NE $\frac{1}{4}$ of Sec. 20-T77N-R3W, containing approximately 4.16 acres, and is zoned A-1 Agricultural District. This request, if approved, would allow the Zoning Administrator to issue a Special Use Permit in order for Ms. Johnson to place an RV camper on the property for use as a Seasonal Recreational Cottage. The Board of Adjustment denied this request because the Record Owners, the Applicant or their representative did not attend the meeting. Case #16-08-04 is an application filed by Dennis P. or Susan K. Boorn, Record Owners. This property is located in Moscow Township, in the NE $\frac{1}{4}$ of Sec. 9-T78N-R2W, at the end of E. Hinkeyville Drive, containing approximately 45 acres, and is zoned A-1 Agricultural District. This request, if approved, would allow the Zoning Administrator to issue a Special Use Permit in order to build a year round residence on this property. The Board of Adjustment denied this request because this area is located in a flood plain, borders a private dirt road and is not a good location for a year round dwelling.

On a motion by Kelly, second by Bonebrake, a public hearing was set for Monday, August 29, 2016 at 9:00 A.M. on a request from Gary M. or Agnes M. Johnson to rezone approximately 21.90 acres located in Sweetland Township from A-1 Agricultural District to R-1 Residential District. Ayes: All.

On a motion by Bonebrake, second by Sauer, the Board approved contracts, bond and certificate of insurance from Manatt's totaling \$266,256.94 for L-(M16-2)—73-70, Seal Coat projects on Bayfield Road, Box Car Road, Burlington Road and Funks Hill Road. Ayes: All.

On a motion by Howard, second by Bonebrake, the Board approved the following utility permit: Eastern Iowa Light and Power – installing new poles along 230th Street from Blue Heron Avenue to Hwy 70 and then west on 231st Street west of Hwy 70. Ayes: All.

On a motion by Kelly, second by Bonebrake, the Board approved the following utility permits: CenturyLink – boring across 231st Street and setting equipment in the right-of-way between Jasper Avenue and High Prairie Road; CenturyLink – placing fiber optic cable and equipment in the right-of-way of Wiggins Road between Stewart Road and Ogilvie Avenue; CenturyLink – placing fiber optic cable in the right-of-way of Seven Springs Road from 215th Street to 231st Street; CenturyLink – placing fiber optic cable and equipment in the right-of-way of Sweetland Road between New Era Road and 180th Street; CenturyLink – placing fiber optic cable and equipment in the right-of-way of 150th Street; CenturyLink - boring across New Era Road; CenturyLink – placing fiber optic cable and equipment in the right-of-way of Sweetland Road between 180th Street and 170th Street; CenturyLink – placing fiber optic cable and equipment in the right-of-way of Burlington Road between Melon Avenue and 285th Street; and CenturyLink – placing fiber optic cable in the right-of-way of 150th Street from Pleasant Prairie Road to Vine Avenue. Ayes: All.

County Engineer Keith White updated the Board on secondary road projects.

On a motion by Sauer, second by Kelly, the Board approved the Muscatine County Treasurer's Semi-Annual Report for the period of January 1, 2016 to June 30, 2016 for publication. Ayes: All.

On a motion by Howard, second by Sauer, the Board approved a renewal application for a Class C Beer and Sunday Sales Permit for Casey's Marketing Co. dba Casey's General Store #2472, 1334 Hwy 22, Nichols, Iowa. Ayes: All.

On a motion by Kelly, second by Howard, minutes of the August 1, 2016 regular meeting were approved as written. Ayes: All.

Correspondence:

- Howard reported a contact requesting the closure of Funks Hill Road.
- Howard reported contacts expressing concern that taxes are too high.
- Howard reported contacts regarding potential historic properties.

Committee Reports:

- Kelly attended a Muscatine Health Association meeting August 3rd.

Kelly, Sorensen and Sauer attended a Farm Bureau Elected Officials Dinner August 4th.

County Engineer Keith White stated he has had discussions with Louisa Generating Station regarding their request for a permit to construct an entrance and haul road on Ogilvie Road just north of the County Line and railroad to enable them to complete multiple projects. White stated they have had good discussions and he is confident they have come to a fair resolution that protects the County's road.

On a motion by Kelly, second by Sauer, the Chairperson was authorized to sign an engineering and consulting services agreement for the Community Services Parking Lot Project with Lutz Engineering and Consulting PLC in an amount not to exceed \$14,500.00. Ayes: All.

The Board reviewed the health/dental fund balance as of June 30, 2016.

The meeting was adjourned at 9:48 A.M.

ATTEST:

Leslie A. Soule, County Auditor

Jeff Sorensen, Chairperson
Board of Supervisors