

Muscatine County Board of Supervisors
Monday, February 6, 2017

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

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

Greg Lindle, 1705 Lindle Avenue, addressed the Board on several concerns. Lindle expressed concern that flooding washed out the road and the gravel has not been replaced. County Engineer Keith White stated the bridge is embargoed which keeps the road grader from going down there. White stated the bridge replacement is set for letting in May. Lindle asked the County to contact the Department of Natural Resources (DNR) about the rip rap by Dougherty Bridge that causes his farm to flood. Mather stated the cottages would flood without the rip rap. White stated he can ask the DNR to take a look, but if they say the rip rap needs to be removed, then who is going to solve the problem. Board consensus was for White to gather more information regarding this issue. Lindle also expressed concern that most of the people within a mile of his house died of cancer and he is going to start testing the water. Lindle stated he will report the results back to the Board of Supervisors.

Seventh Judicial District Chief Judge Marlita Greve, District Court Administrator Kathy Gaylord, District Court Assistant Administrator Brian McKenrick and Muscatine County Clerk of Court Jeff Tollenaer addressed the Board regarding judicial branch updates. Chief Judge Greve stated they appreciate the installation of security cameras and Muscatine County Sheriff Deputy Wade being present all day in the Courthouse. Chief Judge Greve stated Deputy Wade is inspecting bags, but would also like to be trained and have use of a wand for hands off searches. Chief Judge Greve stated in FY17, the court budget was reduced \$5,000,000 statewide which caused them to cut travel, communications, postage, and leave all open judge and staff vacancies unfilled. Chief Judge Greve stated only one judge is now serving Muscatine. In response to a question from Mather, Chief Judge Greve stated the Electronic Data Management System (EDMS) has allowed them to be more efficient.

Discussion was held with Zoning Administrator Eric Furnas regarding an appeal to the Iowa Department of Natural Resources (DNR) pursuant to Iowa Code Section 459.304 concerning a construction permit for a proposed Confined Animal Feeding Operation in Orono Township. Furnas stated last December the Doug and Nic Shala site, off Hwy 70, went through a master matrix and there were some issues with a portion of the site being in a floodplain. Furnas stated the DNR said their maps did not show the site in a floodplain. Furnas stated he gave them FEMA's maps, which the DNR now confirms they may have looked at the wrong site. Furnas stated he does not believe the County needs to file an appeal because he believes this is going to be reevaluated by the DNR. Furnas stated an appeal is not going to stop the DNR from issuing the permit. Mather recommended filing the appeal just to make sure the DNR does reevaluate the site. Bonebrake stated he does not feel the County should file an appeal as the site owners are more than cooperative and want to remedy the situation. Howard stated it still protects the County to file the appeal. Bonebrake stated the County does not have to appeal the permit

because the County has the power to stop construction if it violates the Floodplain Management Ordinance. Board consensus was that they can protect the County without the appeal.

On a motion by Bonebrake, second by Howard, a public hearing was set for February 27, 2017 at 9:00 A.M. on a request to rezone approximately 1.16 acres at 2921 Hwy 22 in Sweetland Township from C-1 Commercial District to R-1 Residential District. Ayes: All.

The Board canvassed the Drainage District #1 Election held on January 27, 2017. Results were as follows: For the office of Trustee for a three-year term beginning January 28, 2017 – 5 votes were cast. Travis Perry received 5 votes. Travis Perry was elected.

The Board canvassed the Drainage District #4 Election held on January 27, 2017. Results were as follows: For the office of Trustee for a three-year term beginning January 28, 2017 – 4 votes were cast. Russell Vanacker received 4 votes. Russell Vanacker was elected.

The Board canvassed the Drainage District #5 Election held on January 27, 2017. Results were as follows: For the office of Trustee for a three-year term beginning January 28, 2017 – 4 votes were cast. Mike Meyers received 4 votes. Mike Meyers was elected.

The Board canvassed the Drainage District #10 Election held on January 27, 2017. Results were as follows: For the office of Trustee for a three-year term beginning January 28, 2017 – 6 votes were cast. Gary Hepker received 6 votes. Gary Hepker was elected.

On a motion by Howard, second by Bonebrake, minutes of the January 30, 2017 regular meeting were approved as written. Ayes: All.

Correspondence:

Bonebrake reported a contact regarding opposition to the Bayer acquisition of Monsanto.

Bonebrake reported a contact regarding the animal feeding facility in Orono Township.

Mather reported a contact from Troy Bishop asking for support of Iowa's Water and Land Legacy.

Howard reported a contact regarding septic issues.

Committee Reports:

Howard, Mather and Sauer attended a Muscatine County Conference Board meeting January 31st.

Mather attended an Eastern Iowa MH/DD Regional meeting January 30th.

Mather attended a Bi-State Drug and Alcohol Consortium meeting February 2nd.

Mather attended a Decategorization Board meeting February 3rd.

On a motion by Mather, second by Bonebrake, the Board approved the proposed FY17/18 budget for publication. Ayes: All.

On a motion by Bonebrake, second by Mather, the Board set a public hearing on the proposed FY 17/18 Muscatine County budget for Monday, February 27, 2017 at 9:00 A.M. Ayes: All.

The meeting was adjourned at 10:18 A.M.

ATTEST:

Leslie A. Soule, County Auditor

Jeff Sorensen, Chairperson
Board of Supervisors