

Muscatine County Board of Supervisors
Monday, June 5, 2017

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

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

Kenneth Irwin, 1988 Geneva Hills Road, Muscatine, addressed the Board regarding his concerns on the status of an inmate currently residing in the Muscatine County Jail. Irwin stated he had wanted to give the person money to buy food and a pillow but did not do so because the jail charges a fee for people to leave money for an inmate. Irwin stated he wanted to be sure inmates did not have to buy their meals. County Sheriff C. J. Ryan stated jail residents are fed three meals a day and also have access to the Commissary to buy personal items or snack foods. Irwin stated he would like to be involved in this inmate's upcoming court case and asked if the Board could direct him on whom to contact. Mather stated he checked the Court's on-line public records and Greg Johnston is listed as the attorney of record for the inmate.

On a motion by Sauer, second by Mather, claims dated June 5, 2017 were approved in the amount of 494,216.42. Ayes: All.

County Engineer Keith White presented the bids for L-(LA-5)—73, 70, a bridge replacement project on Lindle Avenue as follows: Iowa Bridge & Culvert, Washington, Iowa – grand total \$396,176.00 and Brandt Construction, Milan, Illinois – grand total \$468,839.60. White stated he would review the bids, check the math and return later in the meeting with his recommendation.

A Public Hearing was called to order by Chairperson Sorensen at 9:15 A.M. on proposed plans, specifications, form of contract and estimated cost for the Muscatine County Community Services/DHS Parking Lot Reconstruction Project. Brad Roeth, Watersmith Engineering, reviewed the plans, specifications and cost of the project with the Board. Roeth stated he has included a provision in the contract for liquidated damages for noncompliance with the completion schedule at the rate of \$200.00 per day for each calendar day the work remains incomplete. Roeth stated this provision would give the County the ability to enforce penalties if the contractor does not complete the project in the allotted number of days. Roeth asked if the Board wanted to retain this provision in the contract. In response to a question from the Board, Roeth stated weather days would extend the contract without penalty. Howard stated if the provision for liquidated damages is kept in the contract it should have some teeth to it and \$500.00 per day would be more realistic. Sauer stated he agreed the rate should be \$500.00 per day. County Engineer Keith White stated generally liquidated damages are governed by the value of the contract. No one spoke against the project. On a motion by Howard, second by Sauer, the public hearing was closed at 9:29 A.M. Roll call vote: Ayes: All.

On a motion by Howard, second by Sauer, the Board approved Resolution #06-05-17-01 Approving, Plans, Specifications, Form of Contract and Estimated Cost for the Muscatine County Community Services/DHS Parking Lot Reconstruction Project which is to include a provision for liquidated damages at the rate of \$500.00 per day. Roll call vote: Ayes: All.

A Public Hearing was called to order by Chairperson Sorensen at 9:31 A.M. on proposed amendments to the Fiscal Year 2016/17 Muscatine County Budget. No one spoke for or against the proposed budget amendments. Budget Administrator Sherry Seright reviewed the proposed amendments with the Board. On a motion by Howard, second by Bonebrake, the public hearing was closed at 9:40 A.M. Roll call vote: Ayes: All.

On a motion by Howard, second by Sauer, the Board approved Resolution #06-05-17-02 Amending the Fiscal Year 2016/17 Budget. Roll call vote: Ayes: All.

On a motion by Bonebrake, second by Sauer, the Board approved Resolution #06-05-17-03 Fiscal Year 2016/17 Budget Appropriations. Roll call vote: Ayes: All.

Discussion was held with Don Briggs, 130 Emerald Lane, Fruitland, regarding allowing use of ATVs and UTVs on County roads. Briggs stated Louisa County has an ordinance allowing the use of ATVs and UTVs on their secondary roads. Briggs stated the City of Fruitland issues permits to ATV/UTV drivers. Briggs stated he would like Muscatine County to have an ATV/UTV ordinance so citizens may legally drive on secondary roads. In response to a question from the Board, Sheriff Ryan stated Iowa Code Sections 321I.10 and 321.234A govern the use of ATVs and UTVs and the Board may only authorize use on the County's secondary roads. Ryan stated the concern is an increase in accidents due to the disparity of driving speeds since the Iowa Code limits ATVs/UTVs to a speed of 35 mph and regular traffic has a speed limit of 55 mph. The Board thanked Briggs for bringing this matter to their attention.

On a motion by Mather, second by Sauer, the Board affirmed a Memorandum of Understanding between the Iowa Department of Public Health and the Muscatine County Board of Health for 2017 Mosquito Surveillance for \$1,000.00. Ayes: All.

On a motion by Howard, second by Sauer, the Board approved the following utility permits: Windstream Iowa Communications LLC – place a copper cable near Moscow from 1028 Ocean Avenue north to 1001 Ocean Avenue; Eastern Iowa Light & Power – change poles and span an overhead wire to 2412 152nd Street; Eastern Iowa Light & Power – bore under the road south of 2690 Burlington Road to run cable. Ayes: All.

County Engineer Keith White updated the Board on Secondary Road Projects. White requested the Board revisit the road vacations which had been previously tabled. Board consensus was to place this item on a future agenda.

White stated he reviewed the bids for L-(LA-5)—73, 70, a bridge replacement project on Lindle Avenue and recommended the Board accept the apparent low bid from Iowa Bridge & Culvert. On a motion by Bonebrake, second by Mather the Board accepted the bid from Iowa Bridge & Culvert in the amount of \$396,176.00. Ayes: All.

County Sheriff C. J. Ryan updated the Board on the jail prisoner population. Ryan stated as of today there are 10 Clinton County prisoners, 93 Federal prisoners, 10 Johnson County prisoners and 69 Muscatine County prisoners residing at the jail. Ryan stated the Johnson County prisoner count has been declining which is why prisoners are now being accepted from Clinton County.

Ryan stated the overall prisoner count is exceeding expectations. In response to a question from Howard regarding policing in Fruitland, Ryan stated although Fruitland is primarily the responsibility of the Muscatine City Police Department it is tied closely with the Muscatine Island and Sheriff Deputies frequently patrol the island roadways, including the Fruitland area.

On a motion by Bonebrake, second by Sauer, the Board approved Resolution #06-05-17-04 Assigning Tax Sale Certificate. Roll call vote: Ayes: All.

On a motion by Bonebrake, second by Sauer, the Board approved Resolution #06-05-17-05 Assigning Tax Sale Certificate. Roll call vote: Ayes: All.

On a motion by Bonebrake, second by Sauer, the Board approved Resolution #06-05-17-06 Assigning Tax Sale Certificate. Roll call vote: Ayes: All.

On a motion by Sauer, second by Bonebrake, the Board approved 13 special event permits for events to be held in 2017 on May 28th, June 2nd, June 17th, June 30th, July 1st, July 14th, July 22nd, August 11th, August 25th, September 1st, September 15th, September 23rd and September 29th at Ardon Creek Vineyard as requested by Mike Furlong. Ayes: All.

On a motion by Howard, second by Sauer, the Board approved renewal of an Iowa Retail Cigarette/Tobacco/Nicotine/Vapor Permit for Casey's Marketing Company, dba Casey's General Store #2472, 1334 Hwy 22, Nichols, IA 52766. Ayes: All.

On a motion by Howard, second by Sauer, the Board approved renewal of an Iowa Retail Cigarette/Tobacco/Nicotine/Vapor Permit for Reif Oil Co., dba Stewart Road Fast Break, 2418 Stewart Road, Muscatine, IA 52761. Ayes: All.

On a motion by Bonebrake, second by Sauer, minutes of the May 22, 2017 regular meeting and the June 1, 2017 special meeting were approved as written. Ayes: All.

Correspondence:

Sauer received a call regarding a concern about large truck traffic sharing the road with bicycle riders on North Mulberry Avenue.

Sorensen received a contact regarding a County Jail inmate.

Sorensen received an email announcing Sandee Buysse-Baker as the new director of WeLead.

Howard received a contact regarding traffic speeds on the Cedar-Muscatine Road.

Mather received an email asking if there is a policy on lowering the County's carbon footprint.

Committee Reports:

Sauer attended a Muscatine County Joint Communications Commission meeting May 31st.

Sauer attended a Muscatine County Fair fundraiser and auction June 2nd.

Budget Administrator Sherry Seright updated the Board on an email received from Friends of the Old Barn regarding an open house at the barn on June 20th. Seright stated Friends of the Old Barn had questions concerning parking and removal of a barricade. Conservation Director Curt Weiss stated he would contact Shelly Maharry, Friends of the Old Barn, to work out the details for the open house.

On a motion by Howard, second by Mather, the Board approved a Master Agreement and Service Order for the Muscatine County Community Services/DHS Window Replacement Project with Michael Nolan, Horizon Architecture. Ayes: All.

On a motion by Mather, second by Sauer, a public hearing was set for Monday, June 26, 2017 at 9:00 a.m. on a proposed amendment to the definition of a dwelling in the Muscatine County Zoning Ordinance and proposed amendments to the Construction Codes and Enforcement Ordinance. Ayes: All.

On a motion by Mather, second by Howard, the Board approved a revised class specification and grade recommendation for the Community Services Director/Disability Services Coordinator position. Ayes: All.

On a motion by Bonebrake, second by Howard the Board approved the promotion of Kathie Anderson-Noel to the Community Services Director/Disability Services Coordinator position (Step 15) effective immediately. Ayes: All.

On a motion by Howard, second by Bonebrake the Board accepted Community Services Director Michael V. Johannsen's resignation effective June 30, 2017. Ayes: All.

Administrative Services Director Nancy Schreiber informed the Board Dave Watkins' term on the Compensation Board expires June 30, 2017. Schreiber stated Watkins does not want to be appointed for an additional term therefore the Board will need a new appointee. Schreiber stated in order to keep the Board's two appointments gender balanced a male appointee should be considered.

The meeting was adjourned at 11:05 A.M.

ATTEST:

Leslie A. Soule, County Auditor

Jeff Sorensen, Chairperson
Board of Supervisors