

Muscatine County Board of Supervisors
Monday, June 26, 2017

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

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

On a motion by Sauer, second by Howard, claims dated June 26, 2017 were approved in the amount of \$883,828.25. Ayes: All.

A Public Hearing was called to order at 9:02 A.M. by Chairperson Sorensen on proposed changes to Title III, Chapter II Zoning Ordinance, Article 1, Section 3, Definitions to amend the definition of dwelling. Planning and Zoning Administrator Eric Furnas explained this amendment exempts manufactured homes from the perimeter foundation requirement as long as the foundation system maintains visual compatibility with the permanent foundation systems of surrounding residential structures. No one spoke for or against the proposed amendment. On a motion by Sauer, second by Mather, the public hearing was closed at 9:05 A.M. Roll call vote: Ayes: All.

On a motion by Mather, second by Howard, the Board approved an ordinance amending the definition of a dwelling in the Muscatine County Zoning Ordinance on the first of three readings. Roll call vote: Ayes: All.

A Public Hearing was called to order at 9:06 A.M. by Chairperson Sorensen on proposed changes to Title III, Chapter VI Construction Codes and Enforcement to adopt the most recent volumes of the International Building Code, International Residential Code, International Plumbing Code and the International Mechanical Code and various local amendments to these codes. Planning and Zoning Administrator Eric Furnas explained this amendment deals with updating to the most recent international codes. No one spoke for or against the proposed amendment. On a motion by Howard, second by Sauer, the public hearing was closed at 9:12 A.M. Roll call vote: Ayes: All.

On a motion by Mather, second by Sauer, the Board approved an ordinance amending the Muscatine County Construction Codes and Enforcement Ordinance on the first of three readings. Roll call vote: Ayes: All.

On a motion by Howard, second by Sauer, the Board approved Resolution #06-26-17-01 Approval of a Combined Preliminary and Final Plat of J & J Subdivision, a proposed one lot agricultural subdivision containing approximately 27.67 acres in Fruitland Township. Roll call vote: Ayes: Howard, Sorensen and Sauer. Mather abstained based on his representation of the owners of the property in this matter.

The Board reviewed Special Use Permits granted by the Board of Adjustment on June 2, 2017: Case #17-06-01 is an application filed by Kay Y. Maurer, Record Owner, and Dean W. Maurer, Contract Holder and Applicant. This property is located in Moscow Township, in the SW ¼ of

Section 11-T78N-R2W, East of North Isett Avenue, containing approximately 19.27 acres, and is zoned A-1 Agricultural District. This request would allow the Zoning Administrator to issue a Special Use Permit in order for Mr. Maurer to build a dwelling for himself on this property. The Board of Adjustment denied this request because it felt the site was not a suitable site for a rural residence since the proposed residence would be less than 1,250 feet from four existing residences, and increasing residential densities in the A-1 Agricultural District is discouraged. Case #17-06-02 is an application filed by Hafner Land Ltd, by Dean Hafner, Record Owner, and Lee T. Maxwell, Proposed Builder. This property is located in Moscow Township, in the NE ¼ of Section 35-T78N-R2W, at the corner of Hwy. 38 and 150th Street, containing approximately 37 acres, and is zoned A-1 Agricultural District. This request would allow the Zoning Administrator to issue a Special Use Permit in order for Mr. Maxwell to build a one family dwelling on this property after two acres have been split from the property. The Board of Adjustment denied this request because it felt the site was not a suitable site for a rural residence since the proposed residence would be less than 750 feet from three existing residences, and increasing residential densities in the A-1 Agricultural District is discouraged.

Discussion was held with Conservation Director Curt Weiss regarding his request to transfer unexpended FY16-17 budget dollars to the Conservation Reserve Fund to assist with the construction of the shooting range as well as the new ground at Discovery Park acquired from the demolition of the DHS facility. Board consensus was to allow this transfer. Administrative Services Director Nancy Schreiber stated she will have a resolution for Board consideration next week to transfer the FY16-17 remaining budget dollars to the Conservation Reserve Fund.

On a motion by Mather, second by Sauer, the Board approved the following utility permit: CenturyLink – boring cable near Wild Cat Den where it intersects with 181st Street and Verde Avenue to service a house at 3561 181st Street. Ayes: All.

On a motion by Sauer, second by Howard, the Board approved a contract, bond and certificate of insurance for L-(LA-5)—73-70 for construction of a bridge replacement project on Lindle Avenue with the apparent low bidder Iowa Bridge and Culvert in the amount of \$396,176.00. Ayes: All.

County Engineer Keith White updated the Board on Secondary Road Projects.

Discussion was held with County Attorney Alan Ostergren regarding implementation of an Administrative Order regarding Courthouse Security. Ostergren stated the Iowa Supreme Court entered an advisory order regarding Courthouse Security that sets a legal framework for the Counties to develop a policy with the District Court Judges. Ostergren stated it is up to the Court to determine what they want in the form of security and it is the responsibility of the County to implement it. Ostergren stated the Courthouse security committee will work on the details, but the Court will have the final decision on the regulations.

On a motion by Howard, second by Mather, minutes of the June 19, 2017 regular meeting were approved as written. Ayes: All.

Correspondence:

The Board received a letter from Shirley Daum regarding concern of slag on County roads.

The Board received written notice from the Assessor's Office of an appeal and petition filed by Menards to reduce their assessed valuation by more than \$100,000.

Administrative Services Director Nancy Schreiber reported a phone call complaining about residents shooting off fireworks in the County.

Committee Reports:

Howard attended a Muscatine County Veterans Affairs meeting June 20th.

Howard attended a Milestones meeting in Des Moines June 21st.

Mather attended an Eastern Iowa Mental Health/Disability Services Region meeting June 19th.

Sorensen attended a Wilton Development Corporation meeting June 21st.

Sorensen attended a West Liberty Economic Area Development meeting June 22nd.

Sauer attended a Muscatine County Conservation meeting June 19th.

Community Services Directors Mike Johannsen and Kathy Anderson-Noel introduced Eastern Iowa Mental Health/Disability Services Region CEO Lori Elam. Elam updated the Board on her plans regarding development of a Regional Community Plan as required by the passage of Senate File 504, development of HIPAA policies, branding for the region, creation of bylaws, revision of the 28E Agreement, meeting with providers in the entire region and the future of Medicaid and how it affects the region.

On a motion by Mather, second by Howard, the Board approved a 3.5% increase for the County Engineer for FY17/18. Ayes: All.

On a motion by Howard, second by Mather, the Board approved Resolution #06-26-17-02 Transferring \$2,750 from the General Basic Fund to the Historic Preservation Commission Fund. Roll call vote: Ayes: All

On a motion by Howard, second by Sauer, the Board approved Resolution #06-26-17-03 FY 2017/18 Budget Appropriations. Roll call vote: Ayes: All.

On a motion by Mather, second by Sauer, the Board approved Resolution #06-26-17-04 Naming Depositories – Treasurer's Office. Roll call vote: Ayes: All. The following are the maximum allowable balances:

<u>DEPOSITORY</u>	<u>LOCATION</u>	<u>MAXIMUM FUND BALANCE</u>
CBI Bank	Muscatine, IA	\$ 35,000,000
Community Bank	Muscatine, IA	\$ 2,000,000
Farmers & Merchants Savings Bank	Nichols, IA	\$ 2,000,000
First National Bank	Muscatine, IA	\$ 2,000,000
IPAIT	Des Moines, IA	\$ 15,000,000
Midwest One Bank	West Liberty, IA	\$ 5,000,000
South Ottumwa Savings Bank	West Liberty, IA	\$ 15,000,000

The Board scheduled fiscal year-end cash counts with County departments.

Communications and Emergency Management and Communications Director Matt Shook was unable to attend the meeting so the review of various proposals to eliminate obsolete towers will be rescheduled for a future meeting.

The Board recessed at 10:40 A.M. and reconvened at 10:49 A.M.

On a motion by Howard, second by Sauer, the Board went into closed session at 10:50 A.M. pursuant to Chapter 21.5.1(i), Code of Iowa, for a performance evaluation. Roll call vote: Ayes: All. Planning and Zoning Administrator Eric Furnas had requested a closed session. On a motion by Howard, second by Mather, the Board returned to open session at 12:11 P.M. Roll call vote: Ayes: All.

The meeting was adjourned at 12:12 P.M.

ATTEST:

Leslie A. Soule, County Auditor

Jeff Sorensen, Chairperson
Board of Supervisors