

The Muscatine County Zoning Commission met at the Environmental Learning Center, Discovery Park, on Thursday, August 3, 2017 at 6 p.m. with Chairperson Tom Harper and board members Emily Geertz, Virginia Cooper, Carol Schlueter, and Clyde Evans present. Eric S. Furnas, Planning & Zoning Administrator and Dixie Seitz, Office Administrator were also in attendance.

Others present for this hearing: John Eichelberger and Alpha Morehouse.

Tom Harper: The hour now being 6 o'clock I will open this public meeting and public hearing of the Muscatine County Zoning Commission. I have a mission statement to read to begin with. The Muscatine County Zoning Commission is a five member group of residents of the County who are appointed by the Muscatine County Board of Supervisors. We serve as non-professionals and without compensation. Our purpose is to advise the Muscatine County Board of Supervisors on managing the growth of the County. This involves reviewing subdivisions, rezoning requests, the use of public property, and reports related to land use policy and long range planning. Recognizing that our decisions will not satisfy everyone, we attempt to base our decisions on what is best for the long term interest of the County. We ask for your input, pro or con, on issues before us in order that we may formulate the best decisions possible. Please take this opportunity to share your thoughts and concerns with us. Our recommendations are not taken lightly by the Board of Supervisors, but the Board of Supervisors, your elected representatives, make the final decisions on all issues. Now the minutes from the last meeting were sent out to all the members. Hopefully you've had a chance to review them. After having done that I will entertain a motion to approve or to amend the minutes as written?

Virginia Cooper: I will make a motion to approve the minutes.

Tom Harper: Is there a second?

Emily Geertz: I'll second the motion.

Tom Harper: A motion has been made to approve the minutes as written and it has been seconded. Any discussion? Hearing none, all those in favor signify by saying Aye (5) Opposed (0). The motion carried. Eric, would you please read the first case?

Eric Furnas: Zoning Agenda Item #1. Alpha L. or Dorette A. Morehouse Trust, Record Owners and White Distribution & Supply, LLC, Proposed Buyer request approval of the preliminary and final plat of the proposed one lot subdivision, WDS Subdivision, Lot 1 containing approximately 4.18 acres. This property is located in Bloomington Township, 3812 Park Avenue West, in the NW¼ of Sec. 24-T77N-R2W, bordering Hwy. 38 and Park Avenue West, containing approximately 10.02 acres and is currently zoned R-1 Residential District.

Tom Harper: Okay, is the applicant here?

John Eichelberger: Yes, I am John Eichelberger and I am the attorney for the White Distribution.

Tom Harper: Okay, and can you please state your request?

John Eichelberger: As Mr. Furnas reported, White Distribution wants to expand its facilities along Hwy. 38 and so they have entered into a contract to purchase approximately four acres of property from the Morehouses. They had to do a subdivision and after that is approved they will annex the property into the City of Muscatine and change from the current R-1 to M-1, which is what the White property is zoned that is within the City of Muscatine currently. Since

part of the property is in the county and it obviously is within two miles of the City of Muscatine, the county and the city both have to approve the subdivision. I would be happy to answer any other questions.

Tom Harper: Eric, any correspondence?

Eric Furnas: No sir.

Tom Harper: Any comments to add?

Eric Furnas: I would just comment that this is more or less only required so that the Morehouse's can establish a piece of ground that can essentially be sold and then annexed into the City of Muscatine. I have received notice of annexation intent from the City of Muscatine already, so staff recommends approval.

Tom Harper: Alright is there anybody here to speak for or against this request? Any discussion on the board?

Carol Schlueter: Will there be another annex to this property or will they just use the one that they have now?

John Eichelberger: Access?

Carol Schlueter: Yeah, I mean access.

John Eichelberger: We do not know what the DOT is going to do. We sort of doubt that the DOT will allow a separate access onto 38. So we are looking to pursue an access off of Park Avenue West. Yeah, to the extent that we'd need one because the property is adjacent to White's other property. They are connected. But if we need a public access, we most likely will go onto Park Avenue West.

Tom Harper: Any other discussion or questions? If not, does someone care to make a motion?

Emily Geertz: I will make a motion to recommend to the Board of Supervisors approval of this proposed subdivision.

Tom Harper: Is there a second?

Carol Schlueter: I'll second it.

Tom Harper: A motion has been made and seconded to recommend to the Board of Supervisors approval of this proposed subdivision. Any further discussion? Hearing none, I will take a roll call vote. Cooper?

Virginia Cooper: Aye.

Clyde Evans: Aye.

Emily Geertz: Aye.

Carol Schlueter: Aye.

Tom Harper: I vote Aye. The motion carries.

John Eichelberger: Thank you very much.

MUSCATINE COUNTY ZONING COMMISSION  
By Eric S. Furnas, Planning & Zoning Administrator

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Others present for this hearing: Bryon Buchele, Mark Westlake, Larry Hetzler, William Phillips, Nancy Phillips, Mark Henning, Louie Broders, Jon Buchele, Robert Streets, Dan Christofferson, Andy Morrison, John Boardman, Mike Schulte, Bob Kenyon, Jolene Sackfield, Jim Petersen, Florence Fix, Steve Rundall, \_\_\_?\_\_\_ Morrison, Robert Wendlandt, Dawn King, Cleo Smith, Hal Sackfield, Bill Hucker, Dorothy Phelps, Chuck Gingerich, Muscatine Pheasant Forever, Cyndi Shield, Steven Shield, Janice Hubbard, Greg Terry, Joe Rieke, David Bakke, Faye Petersen, Nick Kilburg, Joseph Smith, Bob Dean, Deb Elliott, James Goedken, Sarne Moore, Robert Peck, Jesse Shield, Morris Noble, Frank Wagner, Tomeka Petersen, Missy McCollam, Angie Brooke, Dan Shield, Patricia Corriell, Wayne Corriell, Logan Buchele, Keith Elliott, Ken LeClere, Terry McFadon, Virginia Mieke, Lee Whittemore, Heather Whittemore, Wes Drayfahl, Ray Dietrich, Chris Lee and Curt Weiss.

Tom Harper: Alright, Eric will you read the next request?

Eric Furnas: Zoning Agenda Item #2. Muscatine County, Administration Office – FEMA, Record Owner requests approval to permit an Outdoor Shooting Range on this property. The property is located in Pike Township, 1886 170<sup>th</sup> Street, West Liberty, Iowa, in the NE<sup>1</sup>/<sub>4</sub> of Sec. 9-T77N-R3W, Parcel B, containing approximately 25.52 acres and is zoned A-1 Agricultural District. This request was tabled from the July, 2017 hearing.

Tom Harper: Okay and the applicant is here?

Curt Weiss: Yes.

Tom Harper: Please state your name for the record.

Curt Weiss: Curt Weiss and I am the director from the Muscatine County Conservation Board.

Tom Harper: Alright, please give us an update from the last month when it was tabled?

Curt Weiss: I gave you guys a few slides here that was kind of updated. As you recall we were here to ask for a shooting range to be located on that property. It would be a 50 yard, 100 yards and 200 yard range and then a separated 25 yard or less pistol range to the side of it. There was some questions at the last meeting and hopefully we can answer all of those that were brought up. First of all at the last meeting we were still waiting on one permit from the DNR, the flood plain permit, and that has been approved so we do now have the flood plain permits for construction to move forward. There were questions the last time on shooting hours. The Conservation Board met Monday night and we're looking at mimicking the shooting hours of the Matsell Bridge Shooting Range that Linn County has. That one opens at 8 a.m. in the morning and then it has varying times that it closes depending upon daylight savings time and I've got it all listed. But in general the latest that it will be open in the summertime would be 7:30 p.m. and then come wintertime it would close around 4:30 p.m. We are proposing that the range be closed from January 15 through March 15, so there would be two months of no shooting there. The only deviation to some of the hours would be if we had special training for law enforcement officers, you know they also have to do low light qualifications. So there could be a couple of evenings ... now they're not going to be shooting until 10 o'clock at night but there could be

some evenings they might be there until 7 or 8 o'clock at night in the fall or something to do their low light shooting. We would then... Linn County does the same thing, they ...either the Sheriff's Office or the Conservation Board would contact all the landowners and let them know that that would be going on for that night so there wouldn't be any concerns. Fencing was ... there was a concern on fencing last time I guess. FEMA's requirement is that we do not have a fence that will trap debris. So we are looking at just a barbed wire fence. The main thing is that I don't think that we are going to have people fighting to get in there. We just want to be able to have the signage there to keep people from accidentally going in and going in to an active shooting range. So more important than the fence, well the fence is very important but it's going to be the signage that's going to be on that fence to tell people no trespassing, shooting range. Of course we are only going to allow certified shooters to go in there, but we'll have the signage up on all four sides of the range. Turning the range was discussed at the last time. The range is shooting directly east, there are no houses down range for over two miles. There was concern, you know, shooting to the side... well if there is shooting to the side then they are not doing it correctly and they're not following the rules and regulations or the safety training that they would go through. So we looked at possibly turning the range a little bit to the south it would be. The problem that we run into is if we would turn it that way it would make the shooting line closer to the closest house, which would be Phillip's house, so we didn't think that that would be a good thing to do. So instead of being 1,100 feet it could put it at less than 1,000 feet from their house. It also then ... the way the shooting range was designed is to have the berms on the side to deflect noise, if we turn it to the south and there's no berms behind so then that would allow that sound to go back to the Phillip's house, which would be then directly behind it. So it was a consensus of the Conservation Board to leave the range the way it is designed, shooting straight east. Lead shot... there was concerns about lead. All the lead that we will be shooting there, all the shots will be confined in berms. There will be no trap shooting, so there won't be lead spread all over the area like you will see at trap ranges and that. This will make it easier for cleanup. You know there is concern that the lead will get into the soils but I guess from what I can find we are not seeing that as being, you know, we'd look into it a little bit more but we're not seeing that as a real problem. I am just confused, there is a public hunting area that's been there for over 18 years, there's lead spread over that whole area and that's caused no concern for all these years with all of that lead being there. But now that we want to confine the lead and have it in a place that it could be recycled and cleaned up... now it seems like that lead causes the concern. We will be following best management practices for lead. That was in the FEMA agreement and that was in our environmental practice plan that you guys should have all gotten a copy of that. We will be testing for the PH to keep the acidity down. That could be... you know if it's too high because we just have it in those areas just to the back behind the shooting stations, we can do soil amendments there to keep the acidity down and to keep PH where we need to keep it. And then would could have somebody come in and clean it up, we are looking at recommendations from ... the guy that made our plans was every five to 10 years or when needed. We are not going to be generating the amount of lead there like what a trap range does. For example a shotgun shell, 15 shotgun shells would equal a pound of lead, and 22 ammo is 150 of them equals a pound of lead. So, you know, it's a lot easier... a lot more lead is laid down at trap ranges or trap shooting ranges than what a target range is typically. It would be in a place that it could be picked up and recycled. Flooding... that was also mentioned at the last one. What I am finding out from people on the levy commission is if the water hits at 18 feet it goes over the top of that levy. From the records that I could find dating way back into the 1950's there had been two occurrences that the water has went over 18 foot and that was in 2008 and 2016. You know, people on the other side of the river such as Saulsbury Bridge Recreation Area in that time that they showed the records, there had been over 150 floods on that side of the

river. You know, the levy definitely holds the water out on this side of the river. I'm sure there's probably some seep water in that, but we would be building the range with the idea that it could go under water and it would be minimal clean up and no permanent buildings going on this site. Also it was mentioned that the West Liberty Gun Club ... I did get on their website and look on it, they also do safety training for their members, just like what we are proposing to do like Des Moines County does. Members ... once they've had their training may shoot any day. There's not always a range officer on staff. According to their website it's supervised on Saturday and Sunday from 1 until 5 when the general public is welcome and that is when... the reason why they have it supervised is that the general public would not be trained so they need to have somebody there to watch these people and to make sure that they are following the rules and regulations. We would do the same thing if we had a hunter ED class or something like that. We are going to have trained instructors there with them because they are not going to be certified to be on our range. Their gates are locked at the entrance, just like what we are proposing, just like what they have up at Linn County. They do have longer shooting hours. Their shooting hours are 8 in the morning until 10 o'clock in the evening. We did not think that that was appropriate for the neighbors. They are closed three months of the year they are closed December, January and February. Their longest range is 100 yards and we would be offering a 200 yard, so that is something that is not offered in the county. And the other deal that, well keep in mind, their range is located on leased ground, it is owned by the City of West Liberty. And so, you know, at some time in the future they could lose that lease. We did find that out with the Wilton Gun Club, they found that out, it was leased ground and they lost their lease. Other concerns that came up, traffic, dust ... if our numbers are similar to what Des Moines County range is, we could probably be expecting 5 to 10 cars on the average over a year. Now granted there is going to be some days that there will be less than that and weekends there will probably be more than that. But at 3,000 to 4,000 visitors, that's what Des Moines County is showing, I don't think that ours is going to be any different than their attendance because theirs is a well-established range. We do have two different ways people can get in, you know, they can get in there coming down from F70 as well as coming up from Hwy. 22. So it isn't as if all of those cars will be going the same way. It's also something that can be discussed at our safety training and remind the people going there to be courteous of the neighbors, you know, traffic and those sorts of things...to go slow. So we would have the opportunity to use some education on that. We heard some stuff on making the range handicap assessable; we have to do that on all of our parks now. Where we can do it, you know, I mean we have trails and those types of thing handicap assessable. We have handicap assessable fishing access and those kinds of things. This is going to be fairly easy to make some of it or most of it handicap assessable because that it is all flat. Now we will not be able to put any pavement there so... but we can still make it with fine granular gravel that they can still get around on. There's other options on getting them down the range and that. We allow them on some of our wildlife areas now which is very hard to make handicap assessable and we allow people to use golf carts or ATV's that are certified for that. So there is ways that we can work with that and we will be doing that. The other issue was noise and that's why we are recommending using 10 foot side berms instead of 8 foot that the NRA has as their minimum standards. Side berms will deflect some of that noise, just like they do along highways and that. That's why you see those fences or earthen berms along the roadways to deflect the noise. We will also be planting more trees on the north and west side of the range to help reduce the noise and then it will also act as a visual screen that was required in our FEMA agreement that we do that. So we will be doing that if we move forward. I think I answered most of the questions that came up at the last meeting. But I'm here to answer any other questions that you might have. I will bring up one other thing that I forgot to mention, I don't know if you guys caught it. I was talking with the engineering firm

today, I guess on the plans the engineer stamped 1916... or 2016 on the plans instead of 2017. It was just a mistake that he made. I was in contact with him after we got the bill from them and they have one other item that they need to do for us before we will pay that. When I was talking to them they said that they were made aware of that today so we will get that changed. But it really doesn't make any difference but anyway if you did see that on the plans ... it was done here in 2017.

Tom Harper: Alright, was there any other correspondence that was not included in our packet?

Eric Furnas: I don't believe so. We sent you everything up until the time of our office closing today. We printed off everything and we have a file here but also have provided you with a copy of the correspondence.

Tom Harper: Okay, at this time I will open this up for questions and comments. I will advise you that this is a civil meeting and I will not tolerate any disruptions. Anyone who is being disruptive will be warned and once you are warned and you are disruptive again you will be asked to leave. If you have a question or a comment I ask you to please approach the podium up here and please state your name and address for the record.

Janice Hubbard: I have a question, who is paying for all of this? Is this going to affect county taxes? I live... I used to live on 160<sup>th</sup> Street since 1960 something up in that area, so I know ... and I want to know if this is going to affect county taxes to do this.

Eric Furnas: Ma'am can we get your name please?

Janice Hubbard: Janice Hubbard. I live in West Liberty and I'm in Muscatine County.

Eric Furnas: Thank you.

Curt Weiss: Do you want me to answer that?

Tom Harper: Yes please.

Curt Weiss: The Conservation Board currently has \$300,000 sitting in separate accounts that can be used for this construction and this range.

Janice Hubbard: How much is it going to take?

Curt Weiss: Estimated cost, what did I have on there... about \$150,000.

Janice Hubbard: Because I'm retired.

Curt Weiss: Then we also have some private donations that have been offered towards this range at this time.

Janice Hubbard: Because I want to know if it's going to affect taxes here.

Tom Harper: Alright, thank you. Any comments and questions that were taken care of at the last meeting are already part of the public record so we don't need to rehash them. So please confine your questions and comments that are new and pertinent to information that has been given tonight.

Steve Shield: As far as the flood waters, you know, I take care of that levy most of the time.

Tom Harper: Please state your name and address before you speak.

Steve Shield: Steve Shield, 1240 County Heights Lane, West Liberty, Iowa. I talked to my dad... he's the one that sold it to them, the DNR ground. It has broke a minimum of 9 to 10 times since 1950 when he lived there. And it does not have to be 18 feet, it broke at 16.5 and all it takes is one groundhog hole. If you go down to my dad's ... and he had   ?   there, if it breaks at that corner and they will put sand this deep on that corner ... You know they said they got okay in the flood plain but it's in a wetland but they have culverts coming right out of this into the wetlands. It's reconstructed wetlands which there's going to be lead dust and lead. And the water table there... what is it, a foot, two foot? We keep talking about FEMA... well FEMA ... I think I sent that down. They're nothing on gun ranges. It's to protect, respond and migrate all hazards. EPA... have they asked the EPA? No. I asked him to read the EPA manual and he would not do it and I would like to know why you will not read the EPA manual because they would not let it in here! Now I'll stop right now I think but I'll probably be back up.

Jim Petersen: Jim Petersen, 501 N. Clay, West Liberty, Iowa. I've got the map that Curt handed out the last time we had a meeting. Is there any change to the one that you got today but none of us got those? Okay, will you show me on this map where the 50 and the 100 berm is on this map?

Curt Weiss: They aren't shown on that map.

Jim Petersen: Why? How can you build something if it's not with this?

Tom Harper: We're not given working documents at this stage. The building documents are not part of this application.

Jim Petersen: So then how do you know how much it's going to cost if you don't know where they are going to build it or where they are going to get the dirt? They are going by these documents, right?

Tom Harper: We are here to decide whether their application meets the requirements of the Zoning Ordinance. What it costs...

Jim Petersen: Doesn't mean anything to you guys?

Tom Harper: No, who pays for it doesn't matter to us, it is not a part of the ordinance.

Jim Petersen: Oh, okay and one more thing... I was down there Tuesday on my wife's property and my mother-in-law's property... you got my phone call all of you? Jim Petersen? No? Anyway I went down there and their property is on the west side of the fence and I thought well Monday a supervisor or the board members from the Conservation Board said how far it was to the fence or ... it was 75 steps through the weeds and I when I get over there there's four bags of garbage over there and five gallon bucket full of something and a bunch of wood and shingles. I called Curt because I have his phone number and he was going to try and get it picked up and maybe put up a chain so that no one can get in there. Well I went down there again today and parked in the DNR parking lot and walked in and the stuff was still there. Did you ever pick it up Curt?

Curt Weiss: Can I answer that?

Tom Harper: Yes.

Curt Weiss: That ground is not under the management of the County Conservation Board.

Jim Petersen: Oh boy.... okay thank you.

Curt Weiss: So I told my staff when they have time to go over and clean it up but we have many other parks that we are taking care. This is not under our management at this time. (people all talking at the same time)

Tom Harper: Please no discussion out there. If you want to speak come up to the podium.

Tom Harper: Okay, please state your name for the record.

Joseph Smith: Joseph Smith, 916 N. Columbus Street, West Liberty, Iowa. I've been there for 32 years. I am a water well contractor from West Liberty we've been in business for 50 years, same location. I plugged the well at this site when it was destroyed and taken over by FEMA. I've been all over the county on construction sites in the last 50 years. I think this boils down to location, location, location... where we're at. I am a member of the Iowa Water Well Association and the Iowa Groundwater Association. Wells in this area have a tendency to flow in the right conditions they will become artesian wells when they are not normally flowing. Not far from this site I've seen water come up out of the ground out of a drilled well that's 140 feet deep. Some wells are sand point wells prone to contamination periodically. Close by there are sand point wells being used. We have a lead issue here and we need to address that before we go very far forward here. Evaluation... have you ever noticed how flat that area is out in there? And do you know why that is? That's a lake bed, prehistoric lake bed called Lake Calvin. It stretches from south of West Liberty to Conesville to Wapello, southeastward. It covers a very fast area. Most soils are sand and gravel, water percolates down quickly, down into the aquifers. I have visited Big Hollow... tell me what type of elevation you have there Chris? It's pretty high isn't it? Its clays, yeah it's clays. Matsell Park... what's the elevation there? High, high up. Why do I address the issue of elevation? Because water flows downhill doesn't it. At the boat ramp at Saulsbury it's four feet higher than where this gun range is going to be. Four feet, yes it is I just measured it today. I'll go quickly. I'm a taxing payer here in the county and you've got over \$300,000 and my taxes keep going up, everybody in here has the same problem. I don't mind... this is a beautiful complex that we are here at right now. On a scale 1 to 10, Mrs. Cooper, what would you rate this complex that we are at? (10) This is a 10, this is a 10. Now what would you rate Big Hollow, Chris? (11) Eleven, I agree with you, why is that? Because it's high, it's in a park. There is a ranger... how far is the park ranger's house from the shooting range? Probably not that far Chris. It's probably right around the corner. Security... we are going to self-police? Why do we need that man over there if we are going to self-police? The roads... it is 13 miles from Saulsbury to the gun range if you are coming down Dougherty Bridge road... 13 miles. Who's paying for that? Who's paying for Curt to drive 13 miles to the gun range, over gravel roads? Whose car is he in? Whose truck? He's going to go slow, but somebody is going to go fast because they don't want to drive on gravel roads. It's a special interest, I'm sorry, but I ride a horse... can you make me a horse range Curt down there so I can ride my horse around or drive my motorcycle or my atv? I'm paying the bills. I don't want to have to pay the bills for this. I think they deserve... you deserve some place to shoot your guns but you deserve a 10. You don't deserve a 1, 2 or 3... a 10. Muscatine County, these people deserve a 10 or an 8. Don't give us a 3 or 4. Give us a 10! My great great grandfather 229 years ago was born in Ireland. He came here as a young man through Canada, New York, Pennsylvania, Ohio and he settled on 160<sup>th</sup> Street south of West Liberty. He started a farm. Five generations of Smith's have farmed there, my uncle farms there now. They are only two miles from the proposed shooting range. Sixteen years it's been... we've waited 16 years for a gun range. We need to wait a little longer because there is someplace in Muscatine County ... there's a person who has

property who will provide a better place. Don't settle for this place. You deserve better. Thank you for this chance to talk.

Chuck Gingerich: My name is Chuck Gingerich, 1666 Iron City Avenue, West Liberty, Iowa and I have property that borders this property and I spoke at the last meeting. I spoke on my own behalf at the last meeting. This meeting I am speaking not only on my own behalf but also for Muscatine County Pheasants Forever. I am been treasurer for the Pheasants Forever for 20 years.

Virginia Cooper: Could you speak into the microphone? I can't hear you, sorry.

Chuck Gingerich: Okay, I am the treasurer for Muscatine County Pheasants Forever I have been for over 20 years. I have talked to our officers other officers, one is here tonight and that is Maury Noble. We have a lot of issues over this. When I was here the last meeting someone asked who is going to manage this. Curt said it's going to be self-managed. First off, it's going to be self-managed? I really can't see a facility like this with that many people going in and out and being self-managed. It just sounds to me like a plan that would not work. Maybe you can explain how it's going to be self-managed, Curt?

Curt Weiss: We are not saying self-managed, we will have staff but we will not have staff there 24 hours a day.

Chuck Gingerich: So it's going to be self-managed when nobody is there.

Curt Weiss: It's like all the other parks we're not there 24 hours a day.

Chuck Gingerich: So your involvement there is not going to be 24 hours a day. What about the rest of the property, the shooting range itself is not going to take up 25 acres, who's going to maintain the property?

Curt Weiss: It will just be kept as a wildlife area.

Chuck Gingerich: Okay that brings up another subject. I have a public hunting area directly behind my farm, directly to the west... oh excuse me it's called a Wildlife Management Area. The only management that I have seen there in the past five years is that they put up a sign saying Wildlife Management Area. They tried to mow it and mow the brush off of it once and then they just leave it. I'm afraid that this is going to be the same thing. It won't be taken care of. I have been Pheasants Forever for a long time and we are volunteers and we depend upon volunteers and it is very very hard to get people involved and to help you. Anyway that is just some of our concerns you know the safety, the dust, the noise, the neighbors that you are going to be right behind. And I couldn't agree more with Joe Smith. We have donated tons of money to kids to help them out. And I just think that this is not the right area, it is poor planning, poor area. And Mr. Harper you had said something the last time about road hunters, I take it you've had problems. (a few) I have lived where I live now for over 20 years and when we had pheasants I would kick road hunters out daily. This is not going to solve the road hunter problem. Shooters go to shooting ranges to shoot targets, road hunters go along the road to shoot animals that's on your property or somebody else's. Anyway that's my concerns and Pheasants Forever concerns as well. I just think it's a good idea but I think it's the wrong area. Thank you.

Nick Kilburg: Good evening, my name is Nick Kilburg, I'm with the Phelan Tucker law firm in in Iowa City. I appreciate the opportunity to address the commission tonight. I just have a few concerns. One of the notes that I heard tonight was about accessibility for handicap users. And I was glad to hear an

acknowledgment that all new facilities have to comply with the American Disabilities Act. Unfortunately I think with some of the restrictions on this property would make the actual compliance impossible. Some of the things that I saw with just a limited review of the proposed plans and the ADA and those concerns are parking, accessibility, shooting positions and the ability to have adequate rest room facilities. The first one of those, parking and accessibility, the ADA requires more than just fine gravel. Section 302.1 requires that flooring and ground surfaces, and I'm quoting here, shall be stable and slip resistant. Gravel doesn't meet that requirement, it's pretty explicit. There are some engineered gravel products that can be used to meet that but mere gravel fill does not cover that, most often you need asphalt or concrete and in my understanding this ground isn't suitable for that. A side concern for that there has to be some side spots that are clearly delineated. I believe the parking is about eight feet, so you have to have a separate spot for them and hopefully not on a gravel parking lot. The second concern was the shooting positions. The National Rifle Association is also very concerned with accessibility and one of the things that is in the ADA is that any shooting facility must have at least one position, shooting position at every facility. And at least 5% of however many shooting spots there are to be equipped with a specialty designed turning area. I believe it has to be at least 60 inches in diameter but could be slightly larger, I'm just quoting off the top of my head there. But again, it requires that same firm stable non-slip surface and that is a real concern here. So they have both the ADA and the NRA that take very seriously. The third is the rest room facilities. It's my understanding that there is a proposal to just use porta potty's here. So there is an ADA provision for that. They require specially designed handicap accessible for... I see you nodding there so I'm guessing that you know what...

Curt Weiss: We have those in all of our parks now.

Nick Kilburg: Great, I'm really glad to hear that. Okay, than I won't worry about that one as much. I just want to bring these things to the commissions attention and as Mr. Smith said it very well, I think this is a great idea, it's just maybe not the right time or the right place for it. But I thought I would just point out some of the accessibility concerns with that. Thank you very much.

Maury Noble: I am Maury Noble, 1351 Iron City Avenue, Atalissa. I moved into this country in '73 and have been in West Liberty ever since. I live on the shores of that prehistoric land that Mr. Smith was talking about. My sand point is down 18 feet and to think about the fact of just where all the lead and all the debris is going from someplace that is about 12 to 14 feet lower than where I live, it's kind of a no brainer. As Chuck mentioned, I have been an officer for over 20 years with Muscatine County Pheasants Forever. We've given an awful lot of money to the Muscatine County Conservation Department. Over the years we have seen it mismanaged, mishandled, not maintained and things not taken care of. And anyone who would really like to see you are welcome to come with me on Saturday and you can take a look at it. We have it documented of stuff that was destroyed, stuff not taken care of, not maintained. Muscatine County Conservation Department has made a history of it. I don't believe that the shooting range is going to be different. Who's going to be picking up all the spent brass down there? It's not going to happen. The issue came up about that levy ... that it has hardly ever broke or hardly ever been over the top of it. No it doesn't go over the levy - it goes through it. That levy has been constructed out of sand ... groundhogs and everything else in the world gives that water a chance to get in. Again, anyone that has any questions about it you are welcome to meet with me Saturday afternoon and I'll drive them down there. The subject was brought up about handicap access, it takes perfectly flat ground to be handicap accessible. I deal with handicap accessibility on a daily or weekly basis. Not only that but the route getting to that to where they are going to shot from

has to have an area that's a minimum of flat ground so that two wheelchairs can pass each other or so they can turn around. Now to say that we are going to make it handicap assessable without knowing the rules is not very forethought. Now again, I have been a member of Pheasants Forever for well over 20 years and an officer and we donated money. We didn't donate money to Muscatine County Conservation Department to build shooting range with no management, no maintenance, no foresight. We donated it for the public to be able to go out and enjoy wildlife. It's not being managed correctly and it hasn't been managed correctly for several years. I've tried to get ahold of Curt down at the office six months ago, 10 months ago... I couldn't get through the secretary to get ahold of him. I don't see that changing if we put a shooting range in. I've hunted this ground down there for a well over 20 years. I've never taken a shot where that ground is at because it is too close to the neighbors. I've had the opportunity and I've thought about it but I've never take the shot on that property and I've had the permission to do it a long time ago. This whole idea is absurd and everyone that has spoken before me has spoken very well and there's not a lot of I can add to it. But I live about five miles away so I don't have a horse in this race. The noise isn't going to bother me. The traffic isn't going to bother me. I figure that Muscatine County will just throw more slag on the road and you know that's always good for flat tires... hell it may be in my best interest. But I wish that everyone would give some real thought to the fact that this is the wrong place for the right idea. The gun club at West Liberty has made offers, they have offered to stretch the range out, and you get some supervision. I remember when we gave the Conservation Department guns so that they could go out and teach gun safety to kids. The gun club at West Liberty donated the space, donated the time, donated the targets, we donated the guns ... of course those guns ... I don't know if they've been seen again. I don't know, I think it's absurd and I wish you would give this some real thought before you turn this over to him for a shooting range. Thank you.

Wes Drayfahl: Wes Drayfahl, 1868 170<sup>th</sup> Street. And I agree with having a shooting range but in a timber somewhere up high. But I came up here to talk about the road and the access into it. If you come in from the east you will probably be okay but that's if it's open at the end of March. Springtime and our road is closed a lot of times right down there, ask the county. They close the road because there are so many frost boils. Right now if you go out there and you step off the road just west of my house you're going to have wet feet. The water is about... other than when it is completely dry in the summer and I mean you've got to have a drought around here, than it might be dry. Other than that than the water is about... can be with the rain that we've got, about a foot there. You drive down there in the spring, there is water in there and there are frost boils. The road is not built for heavy traffic, and plus the dust. Unless they want to build the road up and pave it, well then I'd go for that and no arguments.

Mark Henning: My name is Mark Henning, 2779 150<sup>th</sup> Street in Muscatine. I am with the Wilton Trap Shooting Team. I have been contacted more times than I care to have been about us being affiliated with this range development. I am going to set the record straight, the Wilton trap team has no interest in this range in regards to our team practices or shooting there, we strictly shoot trap. The Muscatine Ike's has hosted us they've been phenomenal to us and have treated our youth outstanding. That being said I have concern with the representation of recreational shooters a little bit. Some things I've seen in the paper in regards to this are kind of portraying the recreational shooter in a bad light, irresponsibility, reckless, dangerous. Usually an organized range and I'm not here to say that this is the right location or anything like that, I just don't want the bad light on the people that participate in this sport. The people that use an organized range are usually your safest shooters out there, they know the protocol. They're very few issues, if ever with an organized range. The problems are usually with the people or shooters that are

throwing out an empty beer can and shooting. The ones that are doing it at are not at an organized range know the protocol. I just wanted to make sure that everyone understands that. I hate to see this boil down into an all-out attack on shooting at gun ranges that carries over in the rest of the community. I think some variation of a gun shooting range would be an asset to our community for our kids to shoot at a safe location. I just want to set the record start, the Wilton trap team youth group is not involved in this at all. I don't care to have the misunderstandings of that in the air I guess.

Jon Buchele: Jon Buchele, 2065 Vail Avenue. I don't envy the decision that you guys have to make tonight because it's not a popular one. Some people will like your decision, some won't. This county needs this range for that man right there for his office. This county needs this range for our youth. In today's society, it's a video games society, they are not outdoors. That's why we have Deep Lakes Park and we have a lake out here. It gives them something to do that is outdoors. We need to get kids involved in outdoor activities. They are not going out and joining organizations like Pheasants Forever. This range can help do that. This range can help do that, it can give them away from the damn TV. I love taking my son out to shooting, so did my father. We love to spend time together. This is a way for kids to get outdoors. We need to be able to teach the kids how to shoot a gun safely, okay, and not shooting at a pop can on the side of the road. I want that man right there and his deputy's to hit whatever the hell they are shooting at, and I want to make sure that they can. I don't want them to poke and hope. Okay, that's all I've got to say. Thank you.

Andrew Foster: I'm Andrew Foster, 612 Jackson. I would hope that you would make your decisions on not hypotheticals and last month a lot of hypotheticals were thrown out and I was glad that it was tabled so that we had the time to do research and actually come with the information. A few of the hypotheticals was brought up last month and again tonight, that it would be trashing and unmaintained because they weren't there 24 hours that it would be magically trashed and there are no evidence of that. All of our parks in Muscatine do not have 24 hours maintenance and they are pristine. There 25 to 30 times more people that use Weed Park on a Sunday and somehow the trash ends up in the garbage can. There is no evidence that we are irresponsible. So to make a decision based on that, where is the evidence of that? If you want to rent the red brick building or the Riverview Center in the City of Muscatine you pick up the key from city hall and you unlock it and lock it up after yourself. There's no supervision, there's no checking up on you and that has been the policy for years. So to magically throw in a hypothetical about how irresponsible people are, there is no evidence of it. Let's talk a walk right now on this trail, there's no piles of trash. There's no evidence of that. Money was another thing that was brought up last time and it was brought up again tonight. Do you know how many projects that are done around Muscatine that are funded by private money? The lights on the bridge, the sprinkler at Kent Stein Park and things that are happening right now, the hospital... the cemetery steps, we raised millions of dollars of local private money for all of that. So again just to throw hypotheticals out there when there's no evidence of it. Alternative location... that was spoke about last month. Again, where ... where is this magical alternative location? There's a member of your board here tonight and they have looked for 20 years, but where is this magical location? Maybe this isn't the best location but where else? So again it is just hypothetical to say that there is just this magical alternative location because there is not, there has been people searching for years. The NRA apply taxes on ammunition specifically to fund shooting ranges and there are also grants that we can apply for to help pay for this. Once this is approved and it gets to the Board of Supervisor's level, they can apply for grants to help pay for it. And again, this is not hypothetical, they can do that. Also they spoke last month about property values and again, we don't have to guess. We went into the Muscatine County Assessor's

Office we don't have to be hypothetical about this. We asked the question of the Muscatine County Assistant Assessor and asked him about the property values surrounding the West Liberty Gun Club and around the Izaak Walton League off of Mulberry. And the property values around both of those have not gone down. So it doesn't matter what anybody says hypnotically, if they think their property values will go down, that's not correct. The assessor says that they have not gone down and that is not true. Regardless of anything else that has been said, first off... if you base all of your decisions based on the neighbors we would never build anything. And everyone that is opposed to this is neighbors and I get that, but this is a County of Muscatine decision and gun range. All of your decisions need to be based on what is best for the county. That's just the flat out weight of any board making decisions, for the better of the county. That's a burden, that's a tough decision. Nobody has said it's not. Your responsibility is for the entire county. You have a moral responsibility and an ethical responsibility to make sure that the officers in Muscatine County are expert marksman. I was in the military for 10 years and I used to train soldiers how to shoot. It's no surprise that the infantry soldiers shoot several rounds downrange so that they can qualify the first time and they qualify as expert. But the cooks, paralegals ... that get to go to the range twice a year, yeah, they don't qualify the first time and they have to go back in line and they certainly don't qualify as experts, they barely qualify. It's just like anything it takes thousands of rounds downrange. We have had three shootings this summer, you want your neighbor, your mom, your brother, your cousin or even yourself or our law enforcement to lose their life because the other person on the other end of the gun, our law enforcement is there to protect us in that situation. The Muscatine County Sheriff's Department has to practice on someone's private property and that individual is getting up in age. His family is not guaranteed that he could use that property if he passes away. So also since this individual is getting up in age he forgets sometimes. There has been times when they are scheduled to go out and shoot and he forgot that they were scheduled. So these guys need to get a place to shoot at their convenience as much as they possibly want to or as much as they possibly can and not at the convenience of an individual property owner. This is irresponsible and I think that you need to make sure that our law enforcement officers have thousands of rows downrange to make sure you have one shot one kill. We have had three shootings this summer, this is no longer hypothetical. You have a responsibility to make sure that they have a range that they can practice at. As far as another location, I'm sorry it just doesn't exist. Maybe it's just the way it is, this is the location that Curt has found after looking for 15 years. Do this for the Muscatine Law Enforcement.

Everyone talking at once.

Steve Shield: Plus this is right out of the EPA, it's says the wetlands is not an option for ranges that want to survive in the future. He has not read the manual because it states everything against it. The EPA manual even tells us how to file suit to get it cleaned up once it's in the water. And his well, I mean ... And the levy don't break if it gets to 16 feet he has water coming out of his well and your well is what? (120') It's a 120 feet deep drilled well it's pushing water right out of the top. In fact we had to put iron pipe in, or your dad did, because the plastic wouldn't hold it in. So let's talk about environmental, I mean the officers have a good place to shot...

Tom Harper: Anybody Else?

Steve Rundall: Steve Rundall, 618 E. 6<sup>th</sup> Street, West Liberty. I own two small businesses of my own and I am pro-gun and pro-range. I happen to be the current chief range officer at the West Liberty Gun Club. I'm here mainly to make sure that the West Liberty Gun Club is represented here. I've heard a lot of people saying that the sheriff's office doesn't have a place to shoot. We

have always been available. If the lines of communication have broken down over the years, I will take some credit for that, that's a part of our job. Just today I let the West Liberty Police Department certify on our range and we don't charge law enforcement as long as their inside of this county. The University Heights Police Department don't have a place to train, we charge them because they are not inside our county. That's my only concern. I just wanted to make sure that our gun club was represented correctly. Thank you.

Sarne Moore: Sarne Moore, 310 W. 5<sup>th</sup> Street, Wilton, Iowa. I am a target shooter. I like to shoot large caliber guns so I need a longer range. I am a member of the Oak Hills Gun Club which has a 200 yard gun range. I frequent the Johnson County DNR gun range two or three times a year with friends. I also have a friend of the Milan gun club which has a 600 yard range. So again, I have to travel to all of these places if I want to shoot. I would like to have a place in Muscatine County where I can take my gun out and show my nieces and nephew and have a safe place to go to. Thank you.

Maury Noble: I'll make this short, I'm sorry. I've heard things said that we need this, that's it's too expensive to go somewhere else. I question what that large caliber gun cost and how much ammunition was shot through it how much that ammunition cost. If you can afford to spend \$100 or \$200 a weekend on ammunition and maybe \$2,000 or \$3,000 on the gun, you can afford to drive to Johnson County. I think that's a no brainer. There's nobody here that enjoys shooting more than I do. I've got eight and nine year old granddaughters and a 14 year old granddaughter that I'll put up clay pigeon busting against anybody and we put some rounds through it. Nobody enjoys shooting more than I do. It's absurd thinking of spending \$5,000 a year on bullets and shells and you can't afford to go to Johnson County to shoot.

Jesse Shield: Jesse Shield, 1922 170<sup>th</sup> Street. I don't think this is a good location for the gun club because of the traffic. I confirmed with the Muscatine County Road Engineer, Keith White, and he said our road has been embargoed for eight years out of the last 10 and that's a fact. The dust will be unreal and dangerous and will be costly for the County Engineering road fund down the road. We should not have to hire lawyers to get justice with our local government. It's our personal dollars against our tax dollars. My family has owned this property for 75 years. We pay our taxes and we still own it today and we deserve more respect than this from our local government. Muscatine County is willing to put our general public tax dollars at risk for their personal interests. The flood plain is no place for a shooting range. EPA says no wetlands, flood plains, concentrated lead, that's what it is. This would be concentrated lead, that's the difference between hunting and the shooting range. It is large amounts of lead in one spot. If I take a shoot at a deer, I can't remember the last time I didn't make sure that I had the perfect shot. We have a guy that's drinking out of a sand point 600 feet away, it looks to me like he's going to be drinking right out of a lead pot. Twenty-two caliber, is that what you are going to shoot at this range? That's a pretty small bullet. That's not much lead in it, you are right. I asked the question to several different realtors about my property. All of them, I never told them what the other guy said and they all said that it would affect property values and would definitely affect the buyers of the property. Somebody with young kids are not going to want to buy it, if I can find a young person that's fine. Curt Weiss said eight foot side berms and 20 foot backstop, that's not very far on a 200 yard range. You can raise a gun just a little bit and you are over the backstop with not very many clicks on the scoop. The NRA has different plans in their plan book, they have a book out. I talked to the NRA today, I am a NRA member. One of those things is 90 degrees off any house is within 2,000 feet. I pay my taxes I should not have to worry about my 10 year old boy drinking the water out of the tap or getting struck by a bullet on my own property. The lead... will be in one spot. In Davenport the EPA is trying to

clean up ... it's a two million dollar clean up right now. Sand is an acidic soil that breaks down lead quicker, that's the soil type in this 25 acres, I've been there 20 years. The Conservation Board and Curt Weiss are supposed to be protecting our land and waters but in this case they are showing ignorance. The West Liberty Gun Club has everything ... six pistols ranges, right Steve? And every high powered rifle except for ... It's \$120 a year, \$60 if you want the responsibility of being a range officer, \$15 for one day if you want to site in all of your guns for non-members and it's supervised. Paved road, five minutes from 911, five to 10 minutes and those guys will be there. Last but not least in the last Conservation meeting I asked him how many people have called him wanting a public range and the one older gentleman in the corner didn't say much but maybe was 120. I think you should read our petition it's been only 18 days. And by the way the well that the guts popped out of that was mine in 2008.

Wes Drayfahl: Wes Drayfahl again. Mr. Sheriff, do you mind shooting at West Liberty? I agree with the guy that said you've got to know where you pointing.

C.J. Ryan: I talked to the one gentleman from West Liberty tonight and I've never shot there, and so now that we have a contact...

Wes Drayfahl: Okay so it is 22 miles from Muscatine, do your officers drive that far in a day's time?

C.J. Ryan: Yeah, a little bit further.

Wes Drayfahl: Okay so that takes care of the officers because I agree, they should practice when they can. Okay, thank you.

C.J. Ryan: We have two separate gun ranges that we utilized, one in Louisa County and one in Muscatine County. (everyone talking at once)

Steve Shield: Steve Shield from West Liberty. So there are people that shoot in West Liberty and this the wrong place, we know that. And I have asked him to read this and he hasn't even read plus (he wasn't at the podium and the machine didn't pick everything up he was saying)

Tom Harper: Okay, this will be the last and final speaker with the hour getting late and we will have to close the public hearing.

Tomeka Petersen: Tomeka Petersen, 916 N. Columbus Street, West Liberty.

Virginia Cooper: Can you speak up?

Tomeka Petersen: Can you hear me now? They have proposed that they will have about 1,000 members that will join this shooting range and I believe that there is about 43,000 people in Muscatine County. So that's about two to three percent of the population. So we are talking about spending quite a bit of money, taxpayer's money to probably maintain it for a long time because as Curt has said he doesn't want to close it so it's going to be a long term project. The other thing that I want to talk about is the difference between a need and a want. A need is clean water you need clean water to live. We are talking about two to three percent of the population that really wants a shooting range. And I know they have been waiting a long long time for it but sometimes when you don't have the right location you just need to wait a little bit longer. I know that they wonder when is this miracle spot going to open up but if you talk to people maybe there are some supporters out there that will have land eventually. I've been reading a lot of minutes for several years of the Conservation Board and I read of many families in Muscatine County that are donating land. You never know maybe some of these families could donate land from a shooting range. I think it's great that they have \$300,000

and it doesn't sound like its tax money. But one thing I haven't seen is a budget, I haven't seen a break down budget of what it's going to take to make this shooting range. The other thing that I'd like to ask Curt is what was his criteria for choosing this site?

Curt Weiss: For one it was public ground. Two is the distance behind the backstop before we have another residence. Those were the two hardest things to find in Muscatine County.

Tomeka Petersen: Okay, I'm curious ... did you guys receive my email that I had sent? Okay with this document and the other two documents in it? Because it talks about criteria for how you select a shooting range at least in regards to lead exposure. It's about range size, soil characteristic, topography, annual precipitation, ground and surface water, vegetation and accessibility. This table here, I don't know if anyone has had a chance to look at it but I recommend that you look at it, it's on page 2-3. It basically says ... it talks about sandy soils, contaminated rain water percolates quickly through sand soils and flat terrain, rain water may pond in areas promoting lead dissolution and contamination. Then it talks about onsite or contiguous surface water bodies. I know you say that the flood plain is not the wetlands but there are wetlands within that 25 acres and it is very close, that's what contiguous means – near. It's very near water. And it says very high potential for contamination when shot fall zone is located over or adjacent to water. This is not an option for successful range location and may be more likely subject to litigation and/or governmental action if lead is deposited into water bodies. So another thing that came to a lot of people's attention when they say the closure plan was the prices for cleaning up the soil periodically and if the range would ever have to close for whatever reasons. What were the projected costs Curt?

Curt Weiss: Close to a million dollars.

Tomeka Petersen: Right, close to a million dollars if it should ever need to close and the periodic cleanup which is to occur every five to 10 years or depending upon how much it's used is \$20,000 to \$30,000. And I know Curt said he's going to bring in some small crew from Illinois to clean up and then you can sell back the lead but on one of these pages it talks about how cleaning up the lead is not an income generating project. And it actually ... you are not going to recycle enough lead to pay for that. Can anyone else come up after me?

Tom Harper: We need to close the public hearing. That will be the last comment. One more and that's it. We will need to close the public hearing and go into our deliberation. So that would be it.

Patricia Corriell: Patricia Corriell, 1541 Kelly Avenue, Atalissa. I bring you tonight a petition that has been signed by 254 neighbors from our area. Everyone who signed this petition to abandon this site wants you to listen to this direction, abandon this site, rethink your options. The West Liberty Gun Club eight miles from Pike Run is a viable alternative, it satisfies the shooters needs, leaving the flora and the ??? and the human residents in the area undisturbed. It's a win for the shooters. It's a win for the gun club. It's a win for our police that we revere. And for your friends across the river who are determined to preserve their way of life we will all be winners. So I would like you to have this petition.

Virginia Cooper: Is that the first time it has officially been submitted, is that correct? (the tape didn't pick up Ms. Corriell's reply)

Tom Harper: Okay, at this time I would like to close the public hearing portion of this meeting. I need a motion to close the hearing.

Carol Schlueter: So moved.

Tom Harper: Is there a second?

Virginia Cooper: Second.

Tom Harper: Okay a motion has been made to close the public hearing and it has been seconded. I need a roll call vote on that. Cooper?

Virginia Cooper: Aye.

Carol Schlueter: Aye.

Emily Geertz: Aye.

Clyde Evans: Aye.

Tom Harper: Aye. The public hearing is officially closed now we will not take any more comments from the public, unless we ask you.

Virginia Cooper: Can I ask a question from someone in the audience?

Tom Harper: Yes.

Virginia Cooper: Because our sheriff is here, I had the same question that the other gentleman did. Why has the sheriff's office not used the West Liberty Gun Club? If it's such a hardship to use a private property for a gun club and the owner is elderly and the owner forgets and it's not always easy... is there a particular reason why you don't use the West Liberty Gun Club or you just don't have an answer to that?

C.J. Ryan: I guess we haven't had a dialog with them in the past. I don't think we've ever had qualifications out there that I can remember. So it was good to make contact with them tonight so we have exchanged emails. But that dialog has just never been.

Virginia Cooper: Okay and then I see there are policeman here, can you be a spokesman and answer that same question or are you just not comfortable with answering that?

Someone: That was my boss.

C.J. Ryan: They're smarter than that.

Virginia Cooper: Oh, you are part of the sheriff's office too? Okay, that's fine I just saw a badge and I just thought that. I guess that just interested me. I was not at the last meeting and I feel like I have very specific questions so I don't want to keep you here any longer. So I will let Clyde go and know that I have questions.

Clyde Evans: We have a pretty wide spectrum of people sitting here tonight. Could anyone raise their hand if you own or no someone that owns land that we could use for a shooting range. Could I see the hands please? I'm not seeing any hands. I have hunted behind your house Jesse, I have shot pheasants and I have shot there for 30 to 40 years. I've shot in West Liberty, I have been a member there for years. I think I renewed my membership one day and the next day the range burned down. So I haven't renewed it since then. I didn't get my money's worth there either. I also know that the Wilton gun club donated \$10,000 to the West Liberty Gun Club in a rebuild effort, which is nice of them. I don't think there is a range around here that I either have haven't shot at or been a member of in the past 40 years. And I don't know of

any safety concerns and problems with anyone and with any neighbors. The Wilton rifle club was the oldest gun range and I think it's been about seven years since it's closed down and not one injury to my knowledge. You can ask others. The safety thing in West Liberty is pretty typical of what's done in all the ranges. I used to go to Oak Hill twice a year to sight in my guns because they had a 200 yard range. There was one that was north of Atalissa, it was a gully place and it probably had about had about a 200 yard range. The Wilton rifle club attempted to buy that and we had an agreement with the landowner and then they had a hearing like this and people like you showed up and the one lady pulled her granddaughter out of school and the kid is crying because she told people that someone was going to shot her horse. Anyway to make a long story short, the landowner turned around and sold the property to someone else. The officers met and decided not to sue for breach of contract. I use to go up on Hwy. 6 just south, they have access to some private ranges, so I can do it but I know a lot of people who can't. I guess the only thing you can do with groundwater is to drill test wells, we can test for lead. I remember shooting at the West Liberty Gun Club and not being able to go there because of the flooding and I'm not sure of what their elevation is compared to here. So you know it's really been a long search for this type of thing to be done. And yeah maybe it's 3% of the county's population but I know the conservation people have tried to find recreation ... and this is one of those times. And I personally feel that is this range doesn't happen that there will never be a public shooting range in Muscatine County, or at least not in my life time.

Virginia Cooper: I don't really have what I feel are hypothetical questions. I've read the FEMA ... oh no I haven't read FEMA ... I couldn't find anything on FEMA relating to shooting range use. FEMA must have just been in contact with you regarding the buyout program at 2010, which I'm not understanding that in the first place but that's a whole other issue. So after reading your stabilization plan, your cleanup plan, the EPA and what else did I read... oh the Department of Energy also has a plan. I have a lot of questions, and I'll start with water. So the EPA's definition of a storm water runoff is generated from rain and snow melt events that flow over land or impervious surfaces. Operation of these sources must be required to obtain a permit before they can discharge storm water. In the Martin Whitacre section of your plan it says managing non-storm water, non-storm water discharges must be identified and monitored to include a description of the measurers ... blah, blah, blah... they're wanting to monitor non-storm water. Then when I get to storm water management, they say storm water management is exempt except for when the site is being built. It doesn't specifically say that any storm water management will follow once the site is built. Since it's been exempted from management regulations my question is if they are concerned about non-storm water discharges why would they not be concerned with storm water management? Because to me, this is a flood zone or am I reading this wrong?

Curt Weiss: I don't know. I guess that would be questions to the DNR.

Virginia Cooper: Okay and that's a question that I would like to have answered before I can feel comfortable.

Curt Weiss: I mean they have given us the permits to do it.

Virginia Cooper: Okay because from everything that I've read, I don't find an answer for that one. Does the site drain to surface water, can you tell me that?

Curt Weiss: Eventually I suppose it would go the ... I don't... it's going to be draining towards the public hunting area... I guess there would be no surface on that. You know it will percolate through the sand before it's going to hit the levy then I guess if it's going to be draining towards the south.

Virginia Cooper: Yeah I had actually saw you had written what direction it drains, towards the Cedar, south towards the Cedar is what you said.

Curt Weiss: Yes and that drains towards the public hunting ground. (people talking at the same time – I did not type up the public's remarks)

Eric Furnas: Virginia I might be able to answer any questions that you have on some of the storm water issues. When you are looking at surface discharge and storm water permitting, NPDES permits typically surrounds soil and erosion control from storm water during a structure in raining activities.

Virginia Cooper: Right because it didn't make sense to me why they would care about one but not the other.

Eric Furnas: Right, so this is not point source discharge issue like ... cooling water from a factory being discharged into the river. The NPDES permits that they are talking about is about construction activity and retaining top soil.

Virginia Cooper: Thank you.

Eric Furnas: So in that instance to answer another question, no there is not a direct discharge into a surface water because soil from this site would have to run clear across the adjacent properties to the next body of water.

Virginia Cooper: Thank you. Which is what?

Eric Furnas: I am presuming the Cedar River or if there's a Pike Run ... but again there is nothing immediately adjacent to this property that would be considered a point source.

Virginia Cooper: My next question to you has to do with lead reclamation but it's also under my water category. So your lead cleanup plan states that experience indicates that the income from recycling lead reclaimed from the pistol ranges or the gun ranges seldom covers the cost of the reclamation. The primary purpose of reclaiming lead though is supposed to be for the environmental regulatory rather than economic. And I believe I talked to Chris about that when I did the tour, we talked a little bit about how often you clean up your site and you reclaim. Your plan predicts a very substantial use of the range and according to this you are saying three to four thousand is what you are expecting. That means that your reclamation amounts would be greater quicker than the five to ten years.

Curt Weiss: Probably not. They would not be because he had in the plan if you read that... he is saying that we should have 5,000 to 10,000 pounds of lead.

Virginia Cooper: Right.

Curt Weiss: But we would probably not generate that much in five years.

Virginia Cooper: It was the three to four thousand?

Curt Weiss: That's the same as what Des Moines County was.

Virginia Cooper: Yeah see I don't have any context for that and that's why I'm asking. And it does talk about making lead reclamation and recycling an ongoing part of the range operation and that it should be done as frequently as it can be justified.

Curt Weiss: A lot of that has to do is if they are willing to come in and claim it. They aren't going to come in and reclaim 1,000 pounds... that just doesn't make sense for them.

Virginia Cooper: Right and you had said that you actually had a hard time of finding someone to do that in at some point in time. And you say reclamation would seem unlikely to occur annually and more likely to take place at intervals most likely five to 10 years based on that 5,000 to 10,000 pounds of your reclaiming goal. So if this would pass the lead cleanup reclamation would be the responsibility of the appointed ESP manager as some point, who I am assuming is going to be a volunteer. That's in your stewardship plan at the tail end... this is what we suggest that you do as disaster preparedness steps and preparing for the future. So I'm not so sure that I would feel comfortable with an ESP manager-volunteer making that decision. I would fear that it would be monetarily based as opposed to environmentally based because ... you know if it's not feasible to pay someone that kind of money to come in and do it then you are going to put it off longer. I would particularly have a problem with that. And I was told... I thought you said that you reclaimed annually, was I wrong?

Chris Lee: No we don't.

Tom Harper: You stated that you do periodically clean ups for safety reasons so that you don't have too much ... and that's just for a small area, you know, top and bottom.

Chris Lee: Correct.

Virginia Cooper: Okay. So when sufficient lead is accumulated to warrant reclamation... that's based on how do you know? How do you know it's 5,000 to 10,000 pounds out there? Have you just been looking at it long enough that you can tell?

Chris Lee: Are you asking me?

Virginia Cooper: I'm asking either of you that can answer the question. Yeah, I don't care.

Chris Lee: It would be visitation estimates times estimated number of shots fired.

Virginia Cooper: Okay.

Chris Lee: Then you would come up with an estimate of lead density in your sand and you...

Virginia Cooper: And you just base that all on a log in?

Chris Lee: ... can also do core sampling. Yes.

Curt Weiss: Those companies are willing to come up and take samples to see if it's worthwhile and they give you an estimate of how much lead you have there.

Virginia Cooper: That's one thing that wasn't clarified in any of this. Let's see here... the stewardship plan says to the extent that practical ... I'm sorry ... to the extent that it's practical with site topography, soil types, vegetation, precipitation, design, etc. to minimize the potential for particles to be carried away by surface runoff. Settling areas and natural runoff pathways allow lead particles in soil to settle from runoff from the ranges. Minimize standing water in areas where lead may be present to minimize the time water is in contact with lead and thus minimize the potential dissolution of lead. This is a flood zone and isn't the whole area kind of a wetland? I mean, this is from your stewardship plan but then the recommendations that talk about standing water during period of times from the EPA.

Curt Weiss: That's why we are talking about they're shooting into these berms. The berms are not going to be ground level. The berms or targets are up off the ground just as you saw down in Des Moines County.

Virginia Cooper: Okay, but the difference is that in Des Moines County they're not prone to floods.

Curt Weiss: But that's what I also brought... we have a concern now for the lead but there's been a public hunting area there for 18 years. That lead is all scattered all throughout that area and there's hundreds if not thousands of pounds of lead that's spread on there through hunting seasons ... so we have no concern about that lead. But now we have a lead that we can recoup.

Virginia Cooper: Well this is concentrated for one thing and for another thing is that hunting ground is not my responsibility and this is. So this is what I am focused on and that's where I'm just trying to get an understanding. And you did say that... go ahead I'm listening...

Curt Weiss: If the lead is in a good state it will crust around it, it isn't when water gets in contact with lead that it isn't like salt and it just dissolves.

Virginia Cooper: I know, I read some of that. And some of the chemistry of how lead changes ... I mean, it was a little bit scientific for me and I had a hard time understanding it, but I have more questions. One of the things in Steven Shields letter that he submitted to all of us... you stated that it flooded twice and there were record floods that broke the levy and Steven Shield's letter reads that the water table is at the surface much of the time and flooding occurs every year, this is verbatim. If the water is at the top of the levy it will be running through the shooting range with seep water. The levy has broken in 2008 and 2016, which is what you had stated. And the levy had broken at least 10 times in the past with major flooding. And then you also have... it's my understanding from doing the onsite tour that you are going to be creating wetlands, new wetlands to find the dirt to make your berms. So you have the whole area is a flood zone and plus you have now additional wetlands that are going to have some water in them and if they get flooded and those concentrated lead areas get spread through the water velocity, which is one of the things in the EPA study ... that there is a possibility that that lead could end up in those wetlands where the migratory birds or other birds are.

Curt Weiss: We will have those big berms in between those levies though with culverts. That lead is not going to get up and float away, it's heavy.

Virginia Cooper: Well but I seen the velocity of the flood waters.

Curt Weiss: But there won't be that velocity there because there are culverts there.

Virginia Cooper: But if the levy's break.

Curt Weiss: It also shows on the engineering and Eric can tell you, we are considered to be in the flood plain not in the floodway. So that means that it is backwater, the water backs up onto there. We are not in the flow of the Cedar River. (someone interrupted from the audience – since the public hearing was closed I did not type it up)

Virginia Cooper: Okay I'm just trying to wrap my head around this... this is a lot of stuff. Okay in the Stewardship Plan, maintaining the effectiveness of the settling... they are called settling areas... as necessary. If not properly maintained these structures will lose their effectiveness in retaining particles as they fill with accumulated soil which will need to be removed periodically. Step 7 of that plan, when the soil is sufficiently dry you are supposed to be grading the range floors to eliminate standing water in area where lead may

be present. Step 8 of that plan, after grading reestablish and maintain vegetative ground cover as appropriate and consistent with other BMP's. And I know that the vegetative ground cover plays a big part in how the lead... you know, all the chemistry of the lead and how it's fused. My question is, do you intend to grade and replant the ground covers after ever flood? It could be frequent and costly. I mean this is in every settling area and this is your stewardship plan and it says that you are going to be doing this. So if it floods three times in a bad year are you going to do that every time?

Curt Weiss: I guess since it's what we would have to do.

Virginia Cooper: Okay and that is a pretty substantial in cost, probably to regrade and do all of that?

Curt Weiss: It's not that large of an area inside of there.

Virginia Cooper: Okay, oh okay.

Curt Weiss: Also with that Stewardship Plan, you've got to realize, he is writing that depending on what we are doing, we do not have lead going on all of the ground. Certain ranges allow shooting at different distances. That is the reason why we are saying that we are only going to do a 50 yard, 100 yard and a 200 yard so they are all shooting into the berms. Some shooting ranges, such as Linn County, allows them to put targets at different ranges and that way their bullets are hitting the ground inside that range. So they've got lead throughout the whole area inside that berm area. We are looking at concentrating the lead in the berms so we don't have that all over the ground.

Virginia Cooper: Okay, thank you.

Carol Schlueter: Can I ask a question?

Virginia Cooper: You must certainly can.

Carol Schlueter: Okay you said you have targets at 50, 100 and 200?

Curt Weiss: Yes in that one range.

Carol Schlueter: So if somebody comes and wants to use the 200 and someone is there just using the 50, the guy for 200 can't shot – right?

Curt Weiss: No, they will be separate. There will be a 50, 100 and 200 so the people in like station one and two can only shoot at 50.

Carol Schlueter: And there's going to be a berm that they can shoot into?

Curt Weiss: That's correct with targets and we will provide the stands, just like Des Moines County does. There will be stands at 100 yards and those people will be at four and five, whatever... and then people can go down to station six, seven and eight and they can shoot at the 200 yard and shot from those stands.

Carol Schlueter: So you are going to have three berms within this one range?

Curt Weiss: Well the 200 yard berm is the last berm and then there will be two other smaller berms inside of there. (talking at the same time)

Tom Harper: Those berms are only the targets and to stop the bullets behind the targets.

Curt Weiss: That's correct. Linn County ended up with... because they weren't shooting into the berms they allowed people to put their targets at different ranges.

Tom Harper: Right to say berms might be a little confusing, it's really a permanent backstop of sorts.

Curt Weiss: That's correct.

Virginia Cooper: Yeah that's confusing, thank you.

Curt Weiss: Yeah, I'm sorry. There's different ways to do those, there are containers or with wood to fill in between or you can do them with fill.

Virginia Cooper: Okay, yeah I did read that that are a lot of designs that they can use for those. Am I the only one here with questions?

Emily Geertz: I just have one question. You had mentioned that you had \$300,000 in separate accounts.

Curt Weiss: Yes we have over \$300,000 in separate accounts.

Emily Geertz: But can you explain what all the accounts are and if any are earmarked for anything and why are they all separate accounts?

Curt Weiss: Well that is up to the Conservation Board to decide how they want to spend that money. But one is the refund which is money that we get from the state each year it amounts to... it depends upon the amount that they set it at, it's usually between \$22,000 to \$30,000 a year that we get. We use that for some of our environmental education program but it could be used for a shooting ranges or land development or land acquisition. We have a reserved fund that the Board of Supervisors has allowed us to establish. All of our user fees go into this reserve fund, we generate \$60,000 to \$70,000 a year in user fees. Those can be used for capital improvement projects on County Conservation Board areas. There was also some money that was designated by the Board of Supervisors to be used for capital improvement projects on our areas, which is set in a county fund but we can go and approach the supervisors to use that money for capital improvement projects. A lot of it we were looking at using down at Deep Lakes Park but it could be used for something like this if the Conservation Board wanted to use it for that. But that would be a decision by the Conservation Board. But they have over \$300,000 setting in separate funds right now that can be used for capital improvement projects.

Carol Schlueter: So there's no other capital improvements that you are thinking about at this time?

Curt Weiss: Oh there's a lot of capital improvement projects that we are looking at.

Carol Schlueter: But it's up to the board's discretion as to what is priority?

Curt Weiss: That's correct.

Carol Schlueter: Okay.

Virginia Cooper: I have another water question. The Stewardship Plan says monitor the PH of surficial... that's a new word for me, surficial soil on the range floors, back stops and other areas where lead may accumulate. Maintain the surficial soil PH between the numbers that they are supposed to be to minimize the potential for most shooting associated metals to enter the groundwater or the surface water in dissolve form. Step 1 - annually measure

the PH of that soil. What I want to know, will this numbers be shared with the public? If this passes and you are...

Curt Weiss: We can – yes.

Virginia Cooper: I didn't know if that was something that you could put out there.

Curt Weiss: All of this is something that is going to have to be set up. There was no sense in us spending staff time to get all this set up if we didn't know if we were going to have a range or not. Yes, I will be dedicating a staff person towards this to do that. Also we don't go out... because we are just going to be shooting into those berms we only have the test the PH in those where the lead is going to be deposited instead of doing it... and I think in his deal he talked about just randomly doing it. But this way we are going to be more concentrated where we are going to be doing it instead of treating the whole range.

Virginia Cooper: Okay, well the remainder of my question may actually be a moot point then because if you are not to that stage and you will have someone else address that you may not be able to answer that but I still would like to just pose that and put them out there so that you know where I am coming from. Also an overall BMP recommendation that the ESP manager, who I am assuming is a volunteer, is expected to keep and maintain annual records as discussed in your Stewardship Plan.

Curt Weiss: I'm not sure why you think that'd be a volunteer? Why that wouldn't be a staff person?

Virginia Cooper: It doesn't say. It doesn't say in the end when you are talking about the Stewardship... so I am assuming.

Curt Weiss: I would probably be looking at having a staff person.

Virginia Cooper: A staff person, okay. Alrighty.

Tom Harper: But the actually official management would still rest with your department?

Curt Weiss: That's correct.

Tom Harper: So you would keep the official record?

Curt Weiss: That's correct, the county is responsible.

Tom Harper: You could us volunteers for supervising but the management has to rest with the Conservation Board?

Curt Weiss: Correct.

Virginia Cooper: But in the BMP 14 it says that you need to produce records that demonstrate the need for the BMP's and they are called internal records of accumulation of bullets, PH and testing records, which is why I asked you if they would be made public because they are in your measuring success section it's called internal records. Which makes it sound like no one else is going to be able to see those gathered results.

Curt Weiss: I don't know why they wouldn't be able to see them.

Virginia Cooper: Okay. BMP 12 of the Stewardship Plan says establish an ongoing program of setting aside an accumulating funds for closure and change of land use if this should become appropriate. My question is, does the MCC

board really intend to establish funds the size of the projected closure cost if not successful in meeting this goal within a period of time from opening? Because that was a substantial amount of money that she had ... or someone else had asked about earlier. And who would cover these costs in the event of the closure that you didn't have this fund set up?

Curt Weiss: That's the reason why we are looking at opening a range, we have no intention of closing the range.

Virginia Cooper: But there is always the possibility that it could get closed. And that's in your Stewardship Plan for a measure of success is stating that you are going to try and have this fund or make this fund available in case you ever need it.

Curt Weiss: We would have funds made available for cleaning up ... periodic clean up but not for a closure plan. The idea is to open a range and to keep it open.

Virginia Cooper: Okay so as part of the MCCB Stewardship Plan Step 5 of measuring success it says establish an ongoing program of setting aside an accumulating funds for closure and change of land use if this should become appropriate. So you are really never going to do that unless...

Curt Weiss: We have no intentions of closing.

Virginia Cooper: Then you shouldn't have that in there. Okay, that's fine. That answered my question. My big question is the BMP Step 6 says determine whether the superficial soil PH on the range is within the recommended values. So before the entire project has started, has the PH even been checked?

Curt Weiss: Not at this time. Until we get ... until we know that we can move forward... because we are spending quite a bit of money already.

Virginia Cooper: So according to everything that I've read the EPA and the Department of Energy... and I couldn't access anything from the NRA because you have to pay to actually look at their plans so I couldn't do anything with that... But it's saying that ... everything is saying if you don't have the right kind of dirt and you have the wrong PH to begin with, you shouldn't even go there. So if we don't even know what we've got to start with how do you know it is okay to go down that road? So before spending any money that would have been the very first thing that I would have checked or even did a plan, I guess. I don't know.

Curt Weiss: Well the gentleman that wrote that plan knew what our soil types were and he is one of the authors of Best Management Practices of Lead and he says that we can put in lime and that to make the PH get to what you want.

Virginia Cooper: Okay I did read that.

Curt Weiss: So he did not have any concerns that we would not meet that. But those are things like I said, we are not going to go and do all of these tests unless we know that we've got the approval to go ahead.

Virginia Cooper: And one of the things that I wasn't understanding well because I had read so much and actually ... I'm really sorry to do this to you guys. That like one of the first things that you do is to test for you soil type. I really appreciate Mr. Smith and his impute because it reiterated everything that I had read but I had a hard time understanding it. So it's saying if it is a sandy soil it is one thing, and if its clay soil it's something else. And your range is at a different height and different topography so it has more clay. Your proposed is more sand but then when you dig and create the shooting range and you

need two soil samples, the top and what you're digging. (someone interrupted from the audience – since the public hearing was closed I did not type it up) So that from what I am reading... that can't be changed with any amount of lime or anything that you put on it. If you've got the wrong kind of soil, you have the wrong kind of soil. So if we don't know what kind of soil we have than that's kind of a problem for me. The Stewardship Plan that you sent me at the very tail end of it says attachment 1, soil PH data and averages... and there was no attachment. So at some point I just wondered if somebody did a soil typing and it just didn't get come as an attachment. I never say it at the end of that and maybe that's not what it meant. Maybe I misread that and it didn't mean that, do you know what I mean?

Eric Furnas: No, we sent you everything that was submitted to us.

Virginia Cooper: Okay and it just looked like something was missing from the end of it.

Curt Weiss: He had given us a graph on how to do soil typing and that, maybe that's what you are talking about.

Virginia Cooper: Okay, maybe that's what it was.

Curt Weiss: But no soil typing was ever taken.

Virginia Cooper: Okay that answers that question. The EPA states the groundwater depth should be considered when developing a lead management plan since as close as the groundwater to the surface the greater the potential for dissolved lead to reach it. Do we know what the groundwater depth is for this site?

Curt Weiss: No not at this time.

Virginia Cooper: Okay. The Stewardship Plan says drainage from the property appears to be generally towards the southeast to the Cedar River. There do not appear to be surface waters or wetlands classifiable as Waters of the United States on the property although a qualified professional should verify this if there is any doubt. So I looked up Waters of the United States, which is a whole other ballgame. But it says Waters of United States means all interstate waters including interstate wetlands, all other waters such interstate lakes, rivers, streams, intermittent streams, mudflats, sandflats, wetlands, sloughs, prairies, pot holes ... which sounds like your road, maybe? So the Stewardship Plan states that there don't appear to be surface waters or wetlands and yet... that classify as that. So at some point has somebody, has a qualified professional verified that there's... I mean Waters of United States is a term. I mean it's a legal term that they use.

Curt Weiss: In order for us to get those flood plain permits we cannot be affecting any of the Waters of the United States. So that's why... there is one little piece of there to the north of us that they thought might qualify as a wetland so we are keeping away from that and doing our diggings in the other areas. The other areas do not fall into that. They do not qualify as a wetland otherwise we would have not gotten our flood plain permits from the Corp.

Virginia Cooper: And I don't understand that because to me they are contradicting things and I can't argue with the Corp, I guess. (people interrupted from the audience – since the public hearing was closed I did not type it up) Okay, my next question has to do with the Stewardship Plan again, maintaining conditions that are not attractive to wildlife and all of that. My question was, how can these efforts make a difference in a flood zone? But if you are telling me that it's not considered a flood zone that that's also a moot point.

Curt Weiss: Well I think what they are talking about there is they don't want to make the inside of the ranges attractive to wildlife. We don't want birds going in there and eating. As you can see on Des Moines County range and the other ranges, they aren't attractive to wildlife. We're not going to have wildlife going into the range and picking at those berms.

Virginia Cooper: No and I guess that my thinking was that if it floods and there is water in there than whether you intended them to be in there or not ... as much as you would like them to stay away but they find that attractive and they go there. Especially since... I don't know...

Curt Weiss: Well I guess it's that hypothetically again. (someone interrupted from the audience – since the public hearing was closed I did not type it up)

Virginia Cooper: Let's see here... I had that... there was one letter that Eric submitted to us, it was a letter of support that stated that it was important and beneficial to have a range for where the National Guard and Reserves has a place to fire their AR 16. And I had actually asked Eric a little bit about what kind guns were going to be used and he said any legal gun, since I missed the last meeting. He said any gun that's legal. My response was listening to a semi-automatic weapon with rapid discharge is very different than the noise that is created by the shooting range, in my neighborhood, which is just bang, bang, bang. In my opinion even a small amount of rapid discharge noise is considered noise pollution and is intolerable for even short lengths of time. If we were to approve this it's my understanding that we can't control or you can't control what kind of weapons are being used, it's anything that is legal.

Curt Weiss: It's kind of like Des Moines County yes. The only one I think that our board has talked about not allowing is the 50 caliber for lack of term, the sniper rifle. They do not allow it up at West Liberty either, but West Liberty does allow all of those other guns I would suspect.

Virginia Cooper: I have a lot of other comments but I'm going to hold those back. One of the other things that I did want to talk a little bit about in the EPA ... the EPA clearly clearly... this is specifically for outdoor shooting ranges the EPA Best Management clearly spells it out of what you should and shouldn't do and we don't have any of those answers, this whole thing doesn't make a whole lot of sense because the starting point would be to find out if the soil type is correct and if it can be manageable before you move any further. I would need to see some of that data. The soil type ... that's all pretty well spelled out. You are creating three new wetlands it says within there. But the last point that I will make has to do with the Shield house and the fact that I... well I don't know if it is a fact but I was told but I don't know for sure but that the Shield house ... because of past floods that it has been built up, you know, like a lot of the cabins along the river, so it's 11 foot in the air. So if it is 11 foot in the air, do the berms ... are the berms high enough? I mean it's not just a standard house. So would the berms protect that? Do those need to be changed for that or how do you work around something like that?

Curt Weiss: The Shield house is not in the direct line of fire. The people would have to be shooting incorrectly for it to go that way and there's timber in the way.

Virginia Cooper: Okay. (someone interrupted from the audience – since the public hearing was closed I did not type it up) Have you considered using those ballistic canopies? I think that's what they are called. Having them over your shooting range, you showed them to us ... help me Eric.

Eric Furnas: I don't know what you are referring to.

Virginia Cooper: So when we did the tour we specifically asked about the canopy's that go over the top...

Eric Furnas: The Des Moines County tour?

Virginia Cooper: Yes. We stood there and asked him about the canopy's that are over the top of the shooter when they are shooting and he talked about the protection of when it ricocheted ... is that not called a ballistic canopy?

Eric Furnas: Your guy from Des Moines County is sitting right there. I don't know what it was called.

Chris Lee: I don't know what the technical name for it is. I know what you are talking about, but I'm not sure of the name.

Virginia Cooper: Yeah that little roof edge over it.

Curt Weiss: Yeah we could look into something like that. We can look at whatever can make that range safe.

Virginia Cooper: Okay, that's it. Thank you. I appreciate your answers. (someone interrupted from the audience – since the public hearing was closed I did not type it up)

Eric Furnas: Mr. Chairman if the floor is going to be opened for unsolicited comments by the audience you need to open the meeting back up.

Tom Harper: Okay, the public hearing is already closed. So you can address any questions in writing to the Board of Supervisors.

Eric Furnas: You can open it back up if you wish. But what I am saying is that if you are going to take comments from the audience than you need to open it back up first.

Carol Schlueter: I have one more question. You made a comment on a lot of money has already spent money on this project. How much money has already been spent on this project and who has paid for it?

Curt Weiss: We paid ... almost \$22,000 has been spent. I believe that Dr. Peddicord was \$10,000, it was \$5,000 for each of his... for the Closure Plan and the Stewardship Plan and then the range design was just under \$12,000 and then just a lot of staff time was involved.

Carol Schlueter: So then does that come out of your budget, the Board of Supervisors budget... who's budget?

Curt Weiss: That's our budget and it's out of some of those special funds.

Carol Schlueter: Okay, thank you.

Tom Harper: Do any of the board members have anything else?

Virginia Cooper: Sorry I won't miss another meeting.

Tom Harper: Alright if there is no other questions, comments or discussion by the board members, let's move onto finish this. I will entertain a motion to approve or to deny this request. Please make the motion in the positive. We are not approving this but just making a recommendation to the Board of Supervisors if we approve of it.

Clyde Evans: Okay, I've listened to quite a number of you that have contacted me. Jason, I think you contacted me about three times and the Petersen's. I know that we have had some good exchanges and I know that I have shared some of the concerns that you have. Yesterday I got an airplane out and flew over your house and all around the range property. Then I sat in a meeting last night with Curt and with most of the stuff that you discussed today we went over it again. So I think it's ... I guess he has been brow beaten ... is a way to put it. But in looking at the range site and the plan I think it's a safe plan and I think it will work. I think it will be good to get the projectiles up off the ground and into the berm and I think it's going to mitigate a lot of the concerns about drifting, it's a solution. This has been studied and we could probably take any one of the objections that you have and say yep that's a good one and it would still be... and like I said, let me see the hands of a person that will give us a site and there is none. So I would like to make a motion that we approve the plan as submitted.

Tom Harper: Is there a second? Is there a second? Is there a second? Okay, hearing none, the motion has died for lack of a second. Does anybody care to make any other motions?

Virginia Cooper: Can I ask a question?

Tom Harper: Yes.

Virginia Cooper: It's my understanding that the questions that I posed tonight probably can't be answered without you spending more money and going to the next level, correct? (someone interrupted from the audience – since the public hearing was closed I did not type it up)

Tom Harper: Well if there is no other motion and no other discussion than I would entertain a motion to close the meeting than with no action.

Clyde Evans: I so move.

Tom Harper: Is there a second?

Carol Schlueter: Second.

Tom Harper: The motion has been made and seconded to close the meeting with no action taken. All in favor of the motion please say Aye (5) Opposed (0). The motion is carried, we are finished.

MUSCATINE COUNTY ZONING COMMISSION  
By Eric S. Furnas, Planning & Zoning Administrator