

Muscatine County Board of Supervisors  
Monday, August 14, 2017

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

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

On a motion by Howard, second by Bonebrake, claims dated August 14, 2017 were approved in the amount of \$1,103,334.97. Ayes: All.

Discussion was held with Administrative Services Director Nancy Schreiber regarding a change order for the Muscatine County Community Services Building Parking Lot Project. Brad Roeth, Watersmith Engineering, updated the Board on the parking lot project stating there was an issue with a foundation wall parallel to the building face but in conflict with the proposed parking lot grade for which two options were presented. Roeth stated Option One is to add a curb over the foundation wall and shorten the parking stalls at a cost of \$990.00. Roeth stated Option Two removes the wall to below grade at a cost of \$3,842.00, which would not shorten the length of the parking places. Roeth stated there will be future change orders for relocation of an electrical line for approximately \$4,000 and excavation of a brick cistern for approximately \$1,000. On a motion by Howard, second by Bonebrake, the Board approved Change Order #1(Option 2) from All American Concrete, Inc. for the Muscatine County Community Services Building Parking Lot Project in the amount of \$3,842.00. Ayes: All.

On a motion by Bonebrake, second by Mather, the Board approved contract, bond and certificate of insurance for BROS-C070(63)—8J-70 for a bridge replacement on 110<sup>th</sup> Street near Walcott with the apparent low bidder Iowa Bridge and Culvert, L.C. in the amount of \$198,684.00. Ayes: All.

On a motion by Howard, second by Sauer, the Board approved the following utility permits: two permits from Interstate Power and Light Co. running a gas main from the Columbus Junction lateral near Conesville, then down State 70 to Conesville crossing County roads 255<sup>th</sup> Street and 260<sup>th</sup> Street. Ayes: All.

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

White stated in relation to the approved utility permits referenced above, Chapter 479 of the Code of Iowa charges the Board of Supervisors with inspection new construction of a gas pipeline at the expense of the contractor. White stated he will be coming to the Board with a contract from an independent inspector who would perform the inspection, but wait for payment until the contractor has reimbursed the County.

Discussion was held with County Treasurer Amy Zybarth and County Attorney Alan Ostergren regarding a request to issue stamped drainage warrants. Ostergren stated there is currently a lawsuit against Muscatine-Louisa Drainage District#13(DD#13) regarding an annexation attempt of which the County is a plaintiff along with other entities. Ostergren stated DD#13 has always

been allowed by Code of Iowa to have their own checking account because they own a pumping station. Ostergren stated DD#13 is nearly insolvent right now as far as cash flow. Ostergren stated DD#13 assesses approximately \$175,000 per year between Muscatine and Louisa Counties. Ostergren stated the Muscatine-Louisa Island Levee District trustees loaned money to the DD#13 trustees, which was not lawful, so in the process DD#13 decided to turn their accounts back over to the Muscatine County Treasurer and have Muscatine County maintain the drainage district funds. Ostergren stated DD#13 has paid back approximately \$21,000 of the \$60,000 borrowed from the levee district and there are more outstanding bills. Ostergren stated DD#13 has requested the County essentially loan them the funds, through the issuance of stamped drainage warrants, to cover their outstanding liabilities. Ostergren stated DD#13 has only submitted one audited financial statement since 2009, but the Code of Iowa requires annual financial statements. Ostergren stated the lack of financial statements creates concern over the circumstances of why the County is being asked to issue stamped drainage warrants. Ostergren recommended the County not issue stamped drainage warrants with all of the uncertainties regarding the current financial status of DD#13. Sorensen stated he will not support any financial assistance unless he has an audited financial statement. Howard, Bonebrake and Mather stated they will not support any financial assistance until after the litigation is completed. Board consensus was to not issue stamped drainage warrants for Muscatine-Louisa Drainage District #13.

On a motion by Bonebrake, second by Sauer, the Board approved a renewal application for a Class C Native Wine (WCN), Sunday Sales and Outdoor Service Area Permit for Ardon Creek Vineyard & Winery, LLC, 2391 Independence Avenue, Letts, IA 52754. Ayes: All.

On a motion by Sauer, second by Bonebrake, minutes of the August 7, 2017 regular meeting were approved as written. Ayes: All.

Correspondence:

- Howard reported contacts for and against the proposed shooting gun range.
- Mather reported a contact regarding the proposed shooting range.
- Howard reported a contact concerned about the use of slag on a road near Nichols.
- Sorensen reported a positive contact regarding the use of slag on a road.
- Sauer reported a contact concerned about the potential loss of caseworkers with  
Community Services.

No committee reports were noted.

The Board reviewed the health/dental fund balance as of July 31, 2017.

The meeting was adjourned at 9:53 A.M.

ATTEST:

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Leslie A. Soule, County Auditor

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Jeff Sorensen, Chairperson  
Board of Supervisors