

Muscatine County Board of Supervisors
Monday, May 10, 2021

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

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

A Public Hearing was called to order by Chairperson Saucedo at 9:01 A.M. on a proposed amendment to the Muscatine County Comprehensive Plan to add language encouraging the creation and use of alternative and renewable energy resources. Planning and Zoning Administrator Eric Furnas stated that one additional sentence has been added by recommendation of the Zoning Board to Chapter 2, Visions, Goals and Policies which is to “encourage the creation and use of alternative and renewable energy resources and consider the economic and environmental benefits for renewable energy when considering the conversion of farmland”. Wendall Krekner, Orion Renewable Energy Group, stated he was on the phone line and available if there are questions. No one spoke for or against the proposed amendments. On a motion by Sorensen, second by Mather, the public hearing was closed at 9:08 A.M. Roll call vote: Ayes: All.

On a motion by Sorensen, second by Mather, the Board approved Resolution #05-10-21-01 Approval and Adoption of an Amendment to the Muscatine County Comprehensive Plan. Roll call vote: Ayes: All.

RESOLUTION #05-10-21-01
APPROVAL AND ADOPTION OF AN AMENDMENT TO THE MUSCATINE COUNTY
COMPREHENSIVE PLAN

WHEREAS, the Muscatine County Zoning Commission has developed a proposed amendment to the Muscatine County Comprehensive Plan to add language regarding alternative and renewable energy resources; and

WHEREAS, following a public hearing by the Muscatine County Zoning Commission on April 9, 2021, the Commission recommends approval of the amendment; and

WHEREAS, the Muscatine County Board of Supervisors held a public hearing on the proposed amendment at their May 3, 2021 meeting, and

WHEREAS, the public hearing was continued to May 10, 2021 to allow ample time for the public to review the proposed amendment language; and

WHEREAS, after careful consideration of public input received, the Muscatine County Board of Supervisors has determined that proposed amendment is an appropriate goal for future development within the County and should be adopted.

NOW, THEREFORE BE IT RESOLVED that the Muscatine County Board of Supervisors hereby approves and adopts the following amendment to Chapter 2, Visions, Goals and Policies, County Goals of the Muscatine County Comprehensive Plan:

- Encourage the creation and use of alternative and renewable energy resources and consider the economic and environmental benefits of renewable energy when considering the conversion of farmland.

PASSED AND APPROVED this 10th day of May, 2021.

ATTEST:

/s/Tibe Vander Linden
Muscatine County Auditor

/s/Santos Saucedo, Chairperson
Muscatine County Board of Supervisors

A Public Hearing was called to order by Chairperson Saucedo at 9:10 A.M. for possible action to approve an ordinance amending Title III of the Muscatine County Code of Ordinances. In discussion with the Board, Furnas presented the proposed amendments:

- (1) add Chapter IX, Utility-Scale Solar Energy Systems, and
- (2) add Section 3.31 Utility-Scale Solar Systems as a special use to Chapter II, Article III A-1 Agricultural District, Section 3, and
- (2) add Section 2.8 Utility-Scale Solar Energy Systems as a permitted use to Chapter II, Article X I-1 Light Industrial District, Section 2.

Peter Moritzburke, Orion Renewable Energy Group, reviewed the proposed highlighted sections within the amendments. Karl Drapeaux, 409 Fenceline Drive, Bluegrass, Iowa, stated he is a local labor leader and heavy equipment operator and he requests that local labor be considered to build solar farms in our area. Mather stated that the statute being proposed is for construction on private land and will not use tax dollars. Gabe Kloster, Invenergy, stated his concerns with the draft ordinance and suggested changes to the language for interconnection agreements, fencing and substations. On a motion by Mather, second by Sauer, the Public Hearing was closed at 9:46 A.M. Roll call vote: Ayes: All.

On a motion by Sorensen, second by Mather, the Board approved an ordinance amending Title III of the Muscatine County Code of Ordinances with the language clarifications discussed today and the highlighted versions recommended by Furnas on the first of three readings. Roll call vote: Ayes: All.

Discussion was held with County Attorney Jim Barry regarding Resolution #05-10-21-02 Authorization to Sue for Animals. Barry stated the Authorization to Sue for Animals Resolution is in response to a search warrant at a residence to remove threatened animals that were taken into custody and housed at the Muscatine Humane Society on May 4, 2021. Barry stated Iowa law allows the County to obtain custody of the threatened animals for 10 days for their safety. Barry stated the County may incur costs up front and then seek recovery from the responsible party. Barry explained that the animals have been assessed by a veterinarian and if the court grants the petition to distribute the animals to the County they will be kept at the shelter and be up for

adoption. On a motion by Sorensen, second by Holliday, the Board approved Resolution #05-10-21-02 Authorization to Sue for Animals. Roll Call Vote. Ayes: All.

**RESOLUTION #05-10-21-02
AUTHORIZATION TO SUE FOR ANIMALS**

WHEREAS, Iowa Code Section 717B Code of Iowa provides that a local entity, either a city or county, may petition the court to determine an animal is threatened, and if so, the court may order what is appropriate for that animal; and

WHEREAS, Iowa Code Section 717B Code of Iowa further provides that a local entity may petition the court to order the owner(s) pay rescue costs of a threatened animal; and

WHEREAS, the Muscatine County Attorney has filed an action to pursue such relief involving 20 dogs, 29 cats, 8 birds, 1 rabbit and 1 guinea pig all allegedly threatened, which were placed at the Muscatine Humane Society on May 4, 2021; and

WHEREAS, the Muscatine County Attorney's Office may pursue a civil legal remedy to this matter as provided in Iowa Code Section 717B with the permission of the Board of Supervisors.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Muscatine County Board of Supervisors that the Muscatine County Attorney is authorized to proceed on behalf of Muscatine County as provided in Iowa Code Section 717B with respect to the 20 dogs, 29 cats, 8 birds, 1 rabbit and 1 guinea pig.

PASSED AND APPROVED this 10th day of May, 2021.

ATTEST:

/s/Tibe Vander Linden
Muscatine County Auditor

/s/Santos Saucedo, Chairperson
Muscatine County Board of Supervisors

On a motion by Sorensen, second by Holliday, the Board approved Resolution #05-10-21-03 Establishing a Temporary Redistricting Commission. Roll call vote. Ayes: All.

**RESOLUTION # 05-10-21-03
ESTABLISHING A TEMPORARY REDISTRICTING COMMISSION**

WHEREAS, the United States Department of Commerce conducts the United States Census every ten years; and

WHEREAS, Iowa Code Section 331.210A requires that a Temporary Redistricting Commission be established to adopt the County's precinct boundaries.

NOW, THEREFORE, BE IT RESOLVED by the Muscatine County Board of Supervisors that the following named individuals shall be appointed to the Muscatine County Temporary Redistricting Commission:

Jeff Chown, Nichols
Fred Grunder, Wilton
Amy Hering, Muscatine
Nicholas Salazar, Muscatine
Lynn Sasmazer, West Liberty

BE IT ALSO RESOLVED that the Commission members will be paid \$25 per meeting and will be reimbursed for mileage to and from meetings at \$0.50/mile plus other necessary expenses incurred in performing their duties.

PASSED AND APPROVED this 10th day of May, 2021.

ATTEST:

/s/Tibe Vander Linden
Muscatine County Auditor

/s/Santos Saucedo, Chairperson
Muscatine County Board of Supervisors

On a motion by Sorensen, second by Sauer, the minutes of the May 3, 2021 regular meeting were approved as written. Ayes: All.

Correspondence:

All Supervisors received an update from Christy Roby-Williams regarding COVID-19.

All Supervisors received an email from Conservation Director Curtis Weiss stating the Deep Lakes cabin reservations are taking place for two available cabins.

All Supervisors received an email from County Engineer Keith White on bridge project updates.

Sorensen and Sauer received a phone call from a resident in West Liberty with issues on a civil matter.

Saucedo received an email from Trails Committee to apply for COVID funds by June 1, 2021.

Saucedo and Holliday received an email from Liberty Communications on the permit process.

Holliday received a call from resident regarding the draft solar ordinance.

Holliday received information from Rural Electric Cooperative on removing poles on 180th Street and placing underground service.

Committee & Meeting Reports:

Mather attended a Muscatine Community Health Association meeting.

Saucedo attended a Housing Council meeting in conjunction with Iowa Economic Development Association meeting held in Des Moines with Debi Durham on

May 6, 2021.

Sauer attended the Department of Natural Resources Forest Management Presentation and Long Range 25 Year plan for Wild Cat Den on May 4, 2021.

Holliday met with Muscatine County Fair Board for a work day to clean, repair and paint the grandstand on May 8, 2021. Holliday reported Spoil MRIA Late Model car races are scheduled for May 15, 2021.

On a motion by Sorensen, second by Mather the Board approved Resolution #05-10-21-04 Transferring Funds from the Rural Services Fund to the Secondary Roads Fund. Roll call vote: Ayes: All

**RESOLUTION # 05-10-21-04
TRANSFERRING FUNDS FROM THE RURAL SERVICES FUND TO THE
SECONDARY ROADS FUND**

WHEREAS, it is desired to authorize the Auditor periodically to transfer sums from the Rural Services Fund to the Secondary Roads Fund; and

WHEREAS, said transfers must be in accordance with Sections 331.429 and 331.432 of the Code of Iowa.

NOW, THEREFORE, BE IT RESOLVED by the Muscatine County Board of Supervisors that the Auditor is authorized to transfer \$1,060,000 from the Rural Services Fund to the Secondary Roads Fund.

PASSED AND APPROVED this 10th day of May, 2021.

ATTEST:

/s/Tibe Vander Linden
Muscatine County Auditor

/s/Santos Saucedo, Chairperson
Muscatine County Board of Supervisors

On a motion by Sorensen, second by Holliday, the Board approved a request to hire Jeff Long as a Groundskeeper in General Services at Grade 6/Step 15 with proposed salary of \$18.03 per hour. Ayes: All.

Administrative Services Director Nancy Schreiber reviewed the proposed health and dental plans for the next three years, noting that the current Plan A will be eliminated due to low participation, Plan B will become Plan 1, Plan C will become Plan 3 and a new Plan 2 will be added. On a motion by Sorensen, second by Mather, the Board authorized the execution of the Wellmark third party administration documents for FY21/22. Ayes: All

On a motions by Sorensen, second by Sauer the Board approved to set the FY21/22 health and dental premiums as recommended. Ayes: All.

On a motion by Sorensen, second by Sauer the Board set the health insurance annual enrollment and dental insurance open enrollment periods for FY21/22 from May 19, 2021 to June 2, 2021. Ayes: All.

Schreiber stated there are tentative union agreements with all four union contracts and the contracts will be presented for approval within the next few weeks.

County Engineer Keith White updated the Board on the secondary roads projects.

In discussion with the Board, Schreiber and Barry stated they received an email update regarding the Recovery Act and the permitted use of the funds. Schreiber stated that she is still waiting for more specific information from the U.S. Treasury.

Jessica Brackett, 301 West 2nd Street #4, Progress Muscatine, asked if the Board packet for each meeting is being place on the website. Schreiber stated that the packet will be available on the website for future meetings once the Information Services team has completed the necessary steps.

The meeting was adjourned at 10:29 A.M.

ATTEST:

Tibe Vander Linden
County Auditor

Santos Saucedo, Chairperson
Board of Supervisors