

Muscatine County Board of Supervisors
Monday, November 15, 2021

The Muscatine County Board of Supervisors met in regular session at 9:00 A.M. with Holliday, Sauer and Saucedo. Mather electronically attended the meeting. Sorensen was absent. Chairperson Saucedo presiding.

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

On a motion by Sauer, second by Mather, claims dated November 15, 2021 were approved in the amount of \$869,262.19. Ayes: All.

A Public Hearing was called to order by Chairperson Saucedo at 9:01 A.M. on a request to vacate and close a section of 41st Street in Fruitland Township. In discussion with the Board, John Kuhl, Attorney representing Grain Processing Corporation (GPC), stated GPC is appreciative of the support of this vacation project which will help to control access to property that was purchased by GPC. Kuhl stated the cottages on Maple Grove Road, located on the acquired property, were removed by September 2020. Kuhl stated the vacated road will be gated to block access. On a motion by Mather, second by Sauer, the public hearing was closed at 9:05 A.M. Roll call vote: Ayes: All.

On a motion by Holliday, second by Sauer, the Board approved Resolution #11-15-21-01 to vacate and close a section of a secondary road in Sections 15 and 22, T76N, R2W of the 5th Principal Meridian in Muscatine County. Roll Call Vote: Ayes: All.

RESOLUTION #11-15-21-01
RESOLUTION APPROVING A REQUEST TO VACATE AND CLOSE A SECTION OF
A SECONDARY ROAD IN SECTIONS 15 AND 22, T76N, R2W OF THE 5TH
PRINCIPAL MERIDIAN, MUSCATINE COUNTY, IOWA

WHEREAS, the Muscatine County Board of Supervisors held a public hearing at 9:00 a.m. on November 15, 2021, on the proposed vacation and closure of the following road in Sections 15 and 22, T76N, R2W of the 5th Principal Meridian, Muscatine County, Iowa:

41st Street in Fruitland Township

A portion of existing roadway easement, originally established Reeder's Road (now known as 41st Street), recorded in Establishment Record Book "PB", Page 260, in the Office of the Muscatine County Engineer, 60 feet wide over a parcel of land located in part of the Southeast Quarter of Section 15 and part of the Northeast Quarter of Section 22, all in Township 76 North, Range 2 West, of the 5th Principal Meridian, Muscatine County, Iowa, the centerline of which is described as follows:

Beginning at a 5/8"Ø rebar with light blue cap, P.L.S. No. 23526 set at the Northeast Corner of Section 22, Township 76 North, Range 2 West, of the 5th Principal Meridian, Muscatine County, Iowa; thence North 89° 12' 17" West along the north line of said Section 22 and the centerline of originally established Reeder's Road (now known as 41st Street), recorded in Establishment Record Book "PB", Page 260, in the Office of the Muscatine County Engineer and basis of bearings for this survey

being the Iowa Regional Coordinate System, Zone 14 Burlington, a distance of 1528.07 feet to the east line of a parcel owned by Northern Gravel Company located in the Southwest Quarter of the Southeast Quarter of said Section 15, warranty deed for said parcel recorded in Book 84 of Lands, Pages 85 and 86, in the Office of the Muscatine County Recorder. The sidelines of said 60-foot easement to be extended or shortened to meet at angle points and to terminate at the east lines of said Section 15 and Section 22 and the east line of said parcel.

Said easement contains 2.10 acres, more or less, and is subject to all easements and other restrictions of record.

and

WHEREAS, information received at the hearing has been considered by the Muscatine County Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED by the Muscatine County Board of Supervisors that the request to vacate and close the above described road be approved.

Passed and approved this 15th day of November, 2021.

ATTEST:

/s/Tibe Vander Linden
Muscatine County Auditor

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

A public hearing was called to order by Chairperson Saucedo at 9:08 A.M. on a request to vacate and close a section of Keokuk Avenue in Lake Township. In discussion with the Board, County Engineer Keith White stated the presented map indicates the temporary gate closures. John Miller of Lake Township asked if his property taxes will change. White stated the property owners will be taxed accordingly among landowners as a portion of the adjacent road will be acquired by each parcel owner. Miller asked if taxes will change since he is currently paying taxes on a maintained road. White stated the secondary road fund received through property taxes is approximately \$2.00 per \$1,000 to maintain secondary roads, which does not fully cover the cost. White stated a local option sales taxes and the gas tax fund also fund road maintenance. Miller asked if cleaning the road ditches is now his responsibility. Saucedo stated the landowners will own the vacated road and the ditches will be maintained by the property owners. Miller stated the Nature Conservatory owns property at the west border and questioned if they were notified. Saucedo stated the property owners were notified by certified letter of the request to vacate the road. White stated the road closed sign will remain and the gate may be moved if the landowners so choose. On a motion by Mather, second by Sauer, the public hearing was closed at 9:20 A.M. Roll Call Vote: Ayes: All.

On a motion by Sauer, second by Holliday, the Board approved Resolution #11-15-21-02 to vacate and close a section of a secondary road in Sections 11 and 12, T77N, R3W of the 5th Principal Meridian in Muscatine County. Roll Call Vote: Ayes: All.

RESOLUTION #11-15-21-02
RESOLUTION APPROVING A REQUEST TO VACATE AND CLOSE A SECTION OF A
SECONDARY ROAD IN SECTIONS 11 AND 12, T77N, R3W OF THE 5TH PRINCIPAL
MERIDIAN, MUSCATINE COUNTY, IOWA

WHEREAS, the Muscatine County Board of Supervisors held a public hearing at 9:00 a.m. on November 15, 2021, on the proposed vacation and closure of the following road in Sections 11 and 12, T77N, R3W of the 5th Principal Meridian, Muscatine County, Iowa:

Keokuk Avenue in Lake Township

A portion of existing roadway easement, originally established Huber Road (now known as Keokuk Avenue), recorded in Establishment Record Book "B", Page 88, in the Office of the Muscatine County Engineer, varying width over a parcel of land located in part of the Southeast Quarter of Section 11 and part of the Southwest Quarter of Section 12, all in Township 77 North, Range 3 West, of the 5th Principal Meridian, Muscatine County, Iowa, the centerline of which is described as follows:

Beginning at a 3/8"Ø landscape spike, said to be over a concrete monument, found at the East Quarter Corner of Section 11, Township 77 North, Range 3 West, of the 5th Principal Meridian, Muscatine County, Iowa; thence South 0° 51' 56" West along the east line of said Section 11 and the centerline of originally established Huber Road (now known as Keokuk Avenue), recorded in Establishment Record Book "B", Page 88, in the Office of the Muscatine County Engineer and basis of bearings for this survey being the Iowa Regional Coordinate System, Zone 14 Burlington, a distance of 1894.56 feet to a 1/2"Ø rebar with aluminum cap stamped "PLS 11309" found at the southeasterly corner of Auditor Parcel "E" where it intersects with said east line and centerline, said parcel survey recorded as Instrument Number 2019-05840, in the Office of the Muscatine County Recorder. The sidelines of said easement to be extended or shortened to meet at angle points and to terminate at the north lines of said Southeast Quarter and Southwest Quarter and the south line of said Auditor Parcel "E".

Said easement contains 3.82 acres, more or less, and is subject to all easements and other restrictions of record.

and

WHEREAS, information received at the hearing has been considered by the Muscatine County Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED by the Muscatine County Board of Supervisors that the request to vacate and close the above described road be approved.

Passed and approved this 15th day of November, 2021.

ATTEST:

/s/Tibe Vander Linden
Muscatine County Auditor

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

On a motion by Sauer, second by Holliday, the Board approved the following utility permits: Muscatine Power and Water – install 2” orange HDPE pipe at 2579 Pettibone Avenue, Section 22-T76N-R02W; and Mid-America Energy Company of Davenport, Iowa – install transmission 69kV line, replacing existing 3 pole structure with the same design in Section 24, T-78N, R-1W, along the west side of Vail Avenue. Ayes: All.

County Engineer Keith White presented a memo to the Board showing quotes from Krieger’s of Muscatine to purchase two light duty trucks with government fleet rebates from the manufacturers under the GY2022 Capital Purchase Budget. White stated the quoted costs are for one 2022 GMC Sierra 1500 LTD 4 wheel-drive truck at \$37,985 and one 2022 Ford Super Duty F-250 XL 4 wheel-drive truck for \$33,139. White stated the final trades will be determined when vehicles are delivered. White reviewed with the Board the FY2022 Capital Expenditure Request report showing the projects, estimated costs for equipment, and a shed replacement. On a motion by Holliday, second by Sauer, the Board approved the purchase of light duty trucks when delivered to Krieger’s of Muscatine. Ayes: All.

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

County Auditor Tibe Vander Linden reported the 2021 City and School Post-Election Audit of Ward 4 (Precincts 7 and 8) and Auditor Certification has been filed. Vander Linden stated the Post-Election Audit was held on November 8, 2021 with a Post-Election Audit Board of three appointed members, one observer, one Auditor staff member and Vander Linden present. Vander Linden reported the results of the audit reflected no change in the results reported on election night.

The Muscatine County Board of Supervisors met as a Board of Canvassers for the city and school elections held Tuesday, November 2, 2021. Vander Linden stated the 1st Tier Canvass held on November 8, 2021 was presented with accurate ballot counts however two uniformed military ballots and one provisional ballot were received timely by the November 8, 2021, 12:00 P.M. deadline. The amended 1st Tier Canvass presented is for Muscatine City Mayor, Councilmember At-Large and Councilmember 2nd Ward and Muscatine School Board Director At-Large with a change in ballot count but no change in election results. Vander Linden stated another amended 1st Tier Canvass is for the Wilton City Mayor and Wilton Council At-Large. Vander Linden stated the Wilton City races should not have been declared a winner as part of the 1st Tier Canvass. Vander Linden stated the ballot count remains the same for the Wilton City Mayor and Wilton Councilmember At-Large as Cedar County had no votes cast in the races. The Board of Canvassers certified the following amended 1st Tier Canvass results to be a true and correct abstract of the votes cast in the elections including the Wilton City Mayor and Wilton Councilmember At-Large races.

CITY OF MUSCATINE

Mayor (two-year term) – there were 3409 votes cast: Brad Bark received 1,834 votes, Diana L. Broderson received 1,239 votes, James G. Edgmond received 258 votes, Chad T. Bishop received 76 votes and there was a scattering of 2 votes. Brad Bark was elected.

Councilmember At-Large (four-year term) – there were 3,260 votes cast: Angela Lewis received 1,793 votes, Kelcey Brackett received 1,453 votes and there was a scattering of 14 votes. Angela Lewis was elected.

Councilmember-2nd Ward (four-year term) – there were 465 votes cast: Jeff Osborne received 189 votes, Josiah Anderson received 143 votes, Alyson Glynn received 132 votes and there was a scattering of 1 vote. Jeff Osborne was elected.

MUSCATINE SCHOOL BOARD MEMBER (four-year term, three positions)– there were 8,482 votes cast: Lindsey Phillips received 2,525 votes, Matt Conard received 2,154 votes, Ken LaRue received 1,907 votes, Toby McCarter received 1,797 votes and there was a scattering of 99 votes. Lindsey Philips, Matt Conard and Ken LaRue were elected.

The Muscatine County Board of Supervisors met as a Board of Canvassers in order to canvass multiple county races for the city and school elections held Tuesday, November 2, 2021 for which Muscatine is the control county. The Board of Canvassers certified the following results to be a true and correct abstract of the votes cast in the elections:

CITY OF WILTON

(Cedar County results have been included)

Mayor (two-year term) – there were 198 votes cast: Keith W. Stanley received 183 votes and there was a scattering of 15 votes. Keith W. Stanley was elected.

Councilmember At-Large (four-year term, two positions) – there were 371 votes cast: Steve L. Owens received 181 votes, Allen W. (Bill) Voss received 116 votes, Michael Rohwer received 68 votes and there was a scattering of 6 votes. Steve L. Owens and Allen W. (Bill) Voss were elected.

LOUISA-MUSCATINE SCHOOL BOARD MEMBER (four-year term, two positions)

(Louisa County results have been included)

There were 899 votes cast: Jeff Riggan received 268 votes, Scott Wilson received 276 votes, Jennifer Rader received 234 votes, Christine Kirk received 116 votes and there was a scattering of 5 votes. Jeff Riggan and Scott Wilson were elected.

WEST LIBERTY SCHOOL BOARD MEMBER (four-year term, two positions)

(Cedar County and Johnson County results have been included)

There were 1,367 votes cast: Rebecca Vargas received 387 votes, Edward A. Moreno received 356 votes, Emily Daufeldt received 319 votes, Jaime Parizek received 289 votes, and there was a scattering of 16 votes. Rebecca Vargas and Edward A. Moreno were elected.

WEST LIBERTY SCHOOL PUBLIC MEASURE QD

(Cedar County and Johnson County results have been included)–Shall the following public measure be adopted? To approve the question of continuing to levy and impose a voter approved physical plant and equipment, property tax and income surtax? There were 717 votes cast: 470 votes were cast “YES” in favor of the public measure and 247 votes were cast “NO” against the question. West Liberty School Public Measure QD was adopted.

WILTON SCHOOL BOARD MEMBER (four-year term, two positions)

(Cedar County results have been included)

There were 417 votes cast: Tara Oien received 215 votes, Robert Metzger received 194 votes and there was a scattering of 8 votes. Tara Oien and Robert Metzger were elected.

**WILTON SCHOOL PUBLIC MEASURE QE
(Cedar County results have been included)**

Shall the following public measure be adopted? To adopt a Revenue Purpose Statement specifying the use of revenues the Wilton Community School District will receive from the State of Iowa Secure an Advanced Vision for Education Fund? There were 238 votes cast: 190 votes were cast “YES” in favor of the public measure and 48 votes were cast “NO” against the question. Wilton School Public Measure QE was adopted.

Discussion was held with Administrative Services Director Nancy Schreiber regarding the change in ownership for Ardon Creek Vineyard & Winery, LLC dba Ardon Creek Vineyard & Winery stating the change is from 75% ownership held by Mike Furlong and 25% ownership held by Chad Furlong to 100% ownership to Chad Furlong. On a motion by Sauer, second by Holliday, the Board approved a change of ownership application for Ardon Creek Vineyard & Winery, LLC dba Ardon Creek Vineyard & Winery, 2391 Independence Avenue, Letts, Iowa. Ayes: All.

On a motion by Sauer, second by Holliday, minutes of the November 8, 2021 regular meeting were approved as written. Ayes: All.

Correspondence:

All Supervisors received updates from Public Health Director Christy Roby-Williams with COVID updates.

All Supervisors received an email from Mississippi Valley Workforce Development Board.

Saucedo received an email from Muscatine City Administrator Carol Webb regarding the Transfer Station action items with costs and utilization from county residents.

Saucedo received an email from Jim Thompson, Iowa Economic Development Association in regards to West Liberty housing downtown district. Saucedo connected Thompson with the Economic Director for West Liberty Economic Area Development (WELEAD).

Saucedo received an email from Josh Millard, U.S. District Representative for Iowa Congresswoman Miller-Meeks for potential discussions for items desired in Muscatine County.

Committee & Meeting Reports:

Saucedo attended a quarterly meeting with West Liberty Economic Improvement Board on November 12, 2021.

Saucedo and Sorensen attended a meeting with Drainage District #13 on November 10, 2021. Saucedo stated County Attorney Jim Barry, Muscatine City Finance Director Nancy Leuck, two members from Iowa Homeland Security, Louisa County Board of Supervisor members and the Louisa County Engineer were in attendance. Saucedo stated the meeting discussions included potential legislation concerns.

In discussion with the Board, Administrative Services Director Nancy Schreiber and Sheriff Quinn Riess reviewed the prospect of eliminating two part-time Diversion Officer positions and authorize

one full-time Diversion Officer position at the Muscatine County Jail. Schreiber stated the proposed salary to fill one full-time Diversion Officer with benefits is less at \$63,200 than the current budget for two part-time Diversion Officers at a cost of \$74,100. Schreiber stated the Diversion Officer positions are paid by the Commissary fund. On a motion by Sauer, second by Holliday, the Board approved to authorize one full-time Diversion Officer position and eliminate two part-time Diversion Officer positions at the Muscatine County Jail. Ayes: All.

On a motion by Sauer, second by Holliday, the Board approved re-appointment of Brad Akers to the Muscatine County Zoning Committee for a five-year term ending November 7, 2026. Ayes: All. Sauer thanked Brad Akers for his continued service with the Muscatine County Zoning Committee.

On a motion by Mather, second by Sauer, the Board set a public hearing for Monday, December 6, 2021 at 9:00 A.M. on a request from Bret and Briana Simon to rezone approximately 3.44 acres in Wapsie Township from A-1 Agricultural District to R-1 Residential District.

County Engineer Keith White stated in reference to today's road vacation hearings, according to the Iowa Code only landowners with a residence affected by a vacated road, can make a request. White stated landowner, Terry Holliday of Lake Township has been in contact with White and his requests are being reviewed.

The meeting was adjourned at 10:09 A.M.

ATTEST:

Tibe Vander Linden
County Auditor

Santos Saucedo, Chairperson
Board of Supervisors