

Muscatine County Board of Supervisors  
Monday, January 24, 2022

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

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

On a motion by Sorensen, second by Saucedo, the Board approved claims dated January 24, 2022 in the amount of \$410,869.01. Ayes: All.

Discussion was held with County Attorney Jim Barry regarding Resolution #01-24-22-02 Authorizing Muscatine County Attorney To Proceed On Behalf of Muscatine County With Respect To Animals. Barry stated the Resolution is in response to a search warrant at a residence to remove 28 dogs and one cat taken into custody and housed at the It Takes a Village Animal Rescue on January 19, 2022. Barry stated the County had 10 days to take action and initiate a suite to recover maintenance costs and any attorney's fees related with the action, which is filed as a civil action and is separate from any criminal charge which may be filed. On a motion by Sorensen, second by Saucedo, the Board approved Resolution #01-24-22-01 Authorizing Muscatine County Attorney to Proceed on Behalf of Muscatine County With Respect To Animals. Roll Call Vote: Ayes: All.

**RESOLUTION #01-24-22-01**  
**AUTHORIZING MUSCATINE COUNTY ATTORNEY TO PROCEED**  
**ON BEHALF OF MUSCATINE COUNTY WITH RESPECT TO 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 if 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 28 dogs and 1 cat, which were placed with It Takes a Village Animal Rescue on January 19, 2022; 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 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 28 dogs and 1 cat.

PASSED AND APPROVED this 24<sup>th</sup> day of January, 2022.

ATTEST:

/s/Tibe Vander Linden  
Muscatine County Auditor

/s/Scott Sauer, Chair  
Muscatine County Board of Supervisors

The Board canvassed the Drainage District #2 Election held on January 15, 2022. Results were as follows: For the office of Trustee for the three-year term beginning January 22, 2022 – 2 votes were cast. Mike Walker received 2 votes. Mike Walker was elected.

The Board canvassed the Levee District #17 Election held on January 15, 2022. Results were as follows: For the office of Trustee for the three-year term beginning January 22, 2022 – 3 votes were cast. Keith Barnhart received 3 votes. Keith Barnhart was elected.

Planning and Zoning Administrator Eric Furnas reviewed a quote from Kelly Heating, Cooling and Plumbing in the amount of \$3,318.25 to install a proper floor basin mop sink and hose connection to a janitor closet. On a motion by Sorensen, second by Saucedo, the Board accepted a quote from Kelly Heating, Cooling and Plumbing for additional plumbing work to install a proper floor basin mop sink and hose connection to a janitor closet at the Muscatine County Jail in the amount of \$3,318.25. Ayes: All.

Furnas reviewed Change Order #29 for the Muscatine County Jail Booking Expansion Project in the amount of \$5,017.02. Furnas stated the change order addresses the replacement of the exterior sally port walk door panel as it was discovered to be badly corroded on the bottom edge during reinstallation. On a motion by Sorensen, second by Mather, the Board approved Change Order #29 for the Muscatine County Jail Booking Expansion Project in the amount of \$5,017.02. Ayes: All.

Furnas reviewed Change Order #30 in the amount of \$176.20 for a door bottom edge sensor safety device to prevent the door from contacting and damaging vehicles in the event a vehicle pulls through while the door is closing. On a motion by Sorensen, second by Mather, the Board approved Change Order #30 for the Muscatine County Jail Booking Expansion Project in the amount of \$176.20. Ayes: All.

Furnas reviewed Change Order #31 in the amount of \$556.79 for door head equipment modifications to fit the headspace dictated by structural steel elevations and existing roof tie-ins for each coil door. On a motion by Sorensen, second by Saucedo, the Board approved Change Order #31 for the Muscatine County Jail Booking Expansion Project in the amount of \$556.79. Ayes: All.

On a motion by Saucedo, second by Holliday, the Board approved the following utility permit: Eastern Iowa Light and Power, Wilton, Iowa – relocate pole for box culvert construction and place new poles and anchors at the back of new right-of-way on 150<sup>th</sup> Street, Sections 30 and 31 – T78N-RO1W for project L-(WI-4) –73-70. Ayes: All.

Discussion was held with County Engineer Keith White regarding acceptance of a bid for microsurfacing on multiple roads throughout the county: Fort Dodge Asphalt Company, Inc.- \$330,829.66; Asphalt Surface Technologies Corporation - \$397,696.70; and Microsurfacing Contractors, LLC- \$597,780.95. White recommended the board accept the apparent low bid from Fort Dodge Asphalt Company, Inc. On a motion by Sorensen, second by Holliday, the Board accepted the bid from Fort Dodge Asphalt Company, Inc. for L-(M22-2)—73-70 Microsurfacing on multiple roads throughout the county in the amount of \$330,829.66 and authorized County Engineer Keith White to execute the contract. Ayes: All.

On a motion by Sorensen, second by Saucedo, the Board approved to set a letting date for February 28, 2022 at 9:00 A.M. for L-(CUL22)—73-70 Pipe Culverts at various locations throughout the county. Ayes: All.

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

White stated a snow mobile club contacted the department with interest in constructing snow mobile bridges in the right-of-way's in Cedar, Scott and Muscatine County. White stated more information is expected and discussion with the County Attorney regarding liability issues will be addressed.

Information Services Director Bill Riley reviewed the FY22/23 Information Services budget requests regarding cyber security services. Saucedo requested costs for multi-year contracts if available that may result in reduction of contract costs. The Board consensus was to accept the cyber security monitoring services and agreements requests as presented in the FY22/23 Information Services budget.

On a motion by Sorensen, second by Mather, the Board approved the minutes of the January 17, 2022 regular meeting and the January 18, 2022 special meeting. Ayes: All.

Correspondence:

All Supervisors received emails from Public Health Director, Christy Roby-Williams. regarding COVID-19 updates.

All Supervisors received an email from Information Services Director Bill Riley regarding FY22/23 budget requests for cyber security services.

Saucedo received an email from Greater Muscatine Chamber of Commerce and Industry and Community Foundation of Greater Muscatine regarding hosting a second year housing summit proposed for Spring 2022.

Saucedo received an email from MidAmerican Energy regarding a renewable megaproject approval named Wind Prime.

Saucedo received an email from Wilton Development Corporation and Wilton Community School District regarding a large donation to the Maker Space project. Saucedo contacted Community Foundation of Greater Muscatine Grant Writer inquiring if any grants are available for Maker Space program.

Saucedo received a call from West Liberty Index regarding American Rescue Plan Act funding requests.

Holliday received an email from Wilton Development Corporation regarding the Maker Space proposed project for Wilton Library.

**Committees and meetings:**

Saucedo attended a housing group meeting on January 19, 2022.

Holliday attended a Wilton Development Corporation meeting on January 19, 2022.

Holliday attended a Muscatine County Fair Board meeting on January 20, 2022.

Holliday stated the fairgrounds will host the WMT Great Eastern Iowa Tractorcade on June 12 to June 15, 2022.

Sauer attended Muscatine County Conservation Board meeting on January 17, 2022.

Sauer attended River Bend Transit Board of Director meeting on January 19, 2022.

Sauer attended Muscatine County Board of Health meeting on January 19, 2022.

Mather attended Muscatine County Veterans Affairs Commission meeting on January 20, 2022.

Sorensen attended the State Mental Health and Disability Services Board meeting on January 20, 2022.

Discussion was held with the Board for possible action to approve Resolution #01-24-22-02 Encumbering American Rescue Plan Act (ARPA) funds for the first installment of \$4,143,491 on hand. On a motion by Sorensen, second by Saucedo, the Board approved Resolution #01-24-22-02 Encumbering American Rescue Plan Act Funds. Roll Call Vote: Ayes: All.

**RESOLUTION # 01-24-22-02  
ENCUMBERING AMERICAN RESCUE PLAN ACT FUNDS**

WHEREAS, on March 11, 2021, President Biden signed the 1.9 trillion-dollar American Rescue Plan Act to speed up recovery from the economic and health effects of the COVID-19 pandemic and,

WHEREAS, the American Rescue Plan allocated \$8,286,982.00 to Muscatine County and on May 21, 2021 the first half of funds totaling \$4,143,491.00 was received and,

WHEREAS, the Muscatine County Board of Supervisors chooses the standard revenue loss allowance of up to \$10,000,000 for government services and,

WHEREAS, the Muscatine County Board of Supervisors has held public meetings to review requests and has determined which best qualify for the American Rescue Plan Act and,

WHEREAS, based on the distribution guidelines from the US Department of Treasury, the following projects have been approved for the use of said funds:

Auditor record books conversion to electronic images available online in an amount not to exceed \$90,000.00

Recorder record books conversion to electronic images available online in an amount not to exceed \$90,000.00

Auditor's office remodel in an amount not to exceed \$128,385

Assistance to Muscatine Legal Services for additional cases in an amount not to exceed \$19,000

Upgrade to Jail servers in an amount not to exceed \$50,000

Community Foundation new physicians' clinic in an amount not to exceed \$875,000

Community Foundation neighborhood revitalization project (Mulberry corridor) in an amount not to exceed \$875,000

Lower Cedar Watershed Plan Implementation Partnership in an amount not to exceed \$100,000 (\$25,000/year over 4 years)

WTC Communications rural fiber to home in an amount not to exceed \$100,000

Muscatine Power and Water rural fiber project #2 in an amount not to exceed \$100,000

Phase 3 (harden overflow) of the Muscatine Louisa Island Levee Project in an amount not to exceed \$1,700,000

NOW, THEREFORE, BE IT RESOLVED, the Muscatine County Board of Supervisors encumbers American Rescue Plan Act Funds for the items listed.

PASSED AND APPROVED this 24th day of January, 2022.

ATTEST:

/s/Tibe Vander Linden  
Muscatine County Auditor

/s/Scott Sauer, Chair  
Muscatine County Board of Supervisors

Discussion was held with the Board regarding the process to replace the retiring County Engineer Keith White. Administrative Services Director Nancy Schreiber requested Board direction on whether the County Engineer job description needs revisions and if the employment contract should remain with the requirement to establish residency in Muscatine County and remain in effect as long as the Engineer is employed by Muscatine County. Board consensus was to use the current job description and continue with the Muscatine County residency requirement but include a flexible time frame to move to Muscatine County. The Board agreed the job posting should be posted internally and externally.

Jerry Carson, 1113 Colton Street, Columbus Junction, Iowa, expressed his concerns with the bridge on 245<sup>th</sup> Street over Pike Creek between Blue Heron Avenue and Edgewater Road. Carson stated he owns property along the Cedar River area and is concerned with the condition of the 40-year-old bridge with missing handrails, poor structure and questionable weight limits. Carson stated bridge traffic has increased since the Nature Conservancy built a parking lot and holds

outdoor events with bus traffic. Carson stated his concern is with inadequate bridge repair, road maintenance, no snow removal and access for first responders for the residents. Carson requested the Board review the condition of the bridge.

Gene Hammons, 1870 Elder Avenue, Nichols, Iowa stated he delivered a Second Amendment Sanctuary sample resolution on January 3, 2022 with no further discussion or action from the Board. Saucedo stated the Board has received various email and text messages from citizens in favor of the resolution. Mather stated he wants the citizens who have contacted the Board to understand the sample resolution does not make the county a sanctuary county that resists federal laws, but it states the county will respect and promote the second amendment rights which the U.S. Constitution already ensures. The Board consensus was to present the resolution at the February 7, 2022 Board meeting for discussion and possible action.

The meeting was adjourned at 10:47 A.M.

ATTEST:

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Cathy Ribbink  
Elections/Real Estate Administrator

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Scott Sauer, Chairperson  
Muscatine County Board of Supervisors