

Muscatine County Board of Supervisors
Monday, February 28, 2022

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

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

County Engineer Keith White presented bids for Project L-(CUL22)—73-70, pipe culverts at various locations throughout the county as follows: Peterson Contractors, Inc. - \$386,241.50; Triple B Construction Corp.- \$406,670.00; Steger Construction, Inc. - \$412,649.00; Brandt Construction Co. & Subsidiary - \$442,535.25 and DeLong Construction, Inc. - \$468,873.70. White stated the bids will be fully reviewed for accuracy.

A Public Hearing was called to order by Chairperson Sauer at 9:08 A.M. on the proposed FY22/23 Muscatine County maximum property tax dollars for general county services and rural county services. No one spoke for or against the proposal.

On a motion by Sorensen, second by Mather, the public hearing was closed at 9:09 A.M. Roll Call Vote. Ayes: All.

On a motion by Sorensen, second by Saucedo, the Board approved Resolution #02-28-22-01 Approval of FY22/23 Maximum Property Tax Dollars. Roll Call Vote: Ayes: All. Saucedo thanked Budget Administrator Sherry Seright and the staff for their work on the FY22/23 Budget.

RESOLUTION #02-28-22-01
APPROVAL OF FY22/23 MAXIMUM PROPERTY TAX DOLLARS

WHEREAS, the Muscatine County Board of Supervisors have considered the proposed FY22/23 county maximum property tax dollars for both General County Services and Rural County Services, and

WHEREAS, a notice concerning the proposed county maximum property tax dollars was published as required and posted on county web site,

WHEREAS, a public hearing concerning the proposed county maximum property tax dollars was held on February 28, 2022,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Muscatine County that the maximum property tax dollars for General County Services and Rural County Services for FY22/23 shall not exceed the following:

General County Services - \$13,437,957
Rural County Services - \$2,813,066

The Maximum Property Tax dollars requested in General County Services for FY22/23 represents an increase of 0.82% from the Maximum Property Tax dollars requested for FY21/22.

The Maximum Property Tax dollars requested in Rural County Services for FY22/23 represents an increase of 0.64% from the Maximum Property Tax dollars requested for FY21/22.

Roll Call Vote:

Jeff Sorensen – aye
Nathan Mather – aye
Scott Sauer – aye
Santos Saucedo – aye
Doug Holliday – aye

PASSED AND APPROVED this 28th day of February, 2022.

ATTEST:

/s/Tibe Vander Linden
Muscatine County Auditor

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

A Public Hearing was called to order by Chairperson Sauer at 9:10 A.M. on a proposal to enter into a General Obligation Levee Improvement Loan Agreement in an amount not to exceed \$3,400,000 to finance the Muscatine Louisa Island Levee Project Phase 2.

Stephen Dierickx, 1711 Vail Avenue, addressed the Board with questions on the Muscatine Louisa Island Levee and Drainage District #13 tax levies and projects. Dierickx stated he owns land in a drainage district and was requesting clarification on how the taxes are charged to drainage district parcel owners and county residents. Sorensen updated Dierickx on the current Drainage District #13 pump house project and the Muscatine Louisa Island Levee Project Phases 2 and 3 to raise the levee and harden the incipient point. Sorensen stated a 2013 study disclosed the island would be under 12 feet of flood water within several hours if a breach occurred in the levee. Sorensen stated the Economic Development Agency (EDA) has issued a grant in the amount of \$3,400,000, with a County match of \$3,400,00 to finance the Muscatine Louisa Island Levee Project Phase 2. Sorensen stated the full project cost is estimated at \$12,900,000. Saucedo stated the importance of the Levee Project is to protect industry and well fields along the levee because if the levee were breached, the entire county would be economically affected. Mather stated the State of Iowa has put the obligation to maintain the levee districts and drainage districts with elected trustees for each district. The Board encouraged Dierickx to contact the trustees for his drainage district for more information on revenue and expenditures as they relate to taxes.

On a motion by Saucedo, second by Sorensen, the public hearing was closed at 9:29 A.M. Roll Call Vote. Ayes: All.

On a motion by Sorensen, second by Saucedo, the Board approved Resolution #02-28-22-02 Expressing Intent to Enter Into Loan Agreement and Providing For The Levy of Taxes. Roll Call Vote: Ayes: All.

RESOLUTION #02-28-22-02
EXPRESSING INTENT TO ENTER INTO A LOAN AGREEMENT AND PROVIDING
FOR THE LEVY OF TAXES

WHEREAS, the Board of Supervisors (the “Board”) of Muscatine County, Iowa (the “County”) heretofore proposed to authorize the County to enter into a loan agreement (the “Loan Agreement”) and to borrow money thereunder in a principal amount not to exceed \$3,400,000, pursuant to the provisions of Section 331.402 of the Code of Iowa, for the purpose of paying the costs, to that extent, of undertaking flood control improvements, including strengthening and raising levees and pursuant to law and duly published notice of the proposed action, has held a hearing thereon on February 28, 2022; and

WHEREAS, the County intends to enter into the Loan Agreement in the future and to issue a General Obligation Levee Improvement Note (the “Note”) in evidence of its obligations thereunder and anticipates that principal and/or interest will come due on the Note before July 1, 2023; and

WHEREAS, it is now necessary to make provision for the levy of a debt service property tax in the 2022-2023 fiscal year for the payment of such anticipated principal and interest;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Muscatine County, Iowa, as follows:

- Section 1. The Board hereby determines to enter into the Loan Agreement in the future and orders that the Note be issued at such time, in evidence thereof. The Board further declares that this resolution constitutes the “additional action” required by Section 384.24A of the Code of Iowa.
- Section 2 For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Note, there is hereby ordered levied on all the taxable property in the County a direct annual tax for collection in the fiscal year beginning July 1, 2022, sufficient to produce the net annual sum of \$390,000; provided, however, that at the time the Note is issued, the actual tax levy amounts required to pay the principal of and interest on the Note in each year shall be determined based upon the interest rate or rates at which the Note is issued, and this resolution shall be supplemented by a resolution of the Board of Supervisors to provide for such actual and necessary tax levy amounts.
- Section 3. A certified copy of this resolution shall be filed with the County Auditor, and the County Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the County and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the County and set aside

therein as a special account to be used solely and only for the payment of the principal of and interest on the Note hereby authorized and for no other purpose whatsoever.

Section 4. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

PASSED AND APPROVED this 28th day of February, 2022.

ATTEST:

/s/Tibe Vander Linden
Muscatine County Auditor

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

On a motion by Sorensen, second by Saucedo, the Board approved Resolution #02-28-22-03 Resolution Granting Extension For Filing The Final Plat of David W. Johnson Trust Subdivision. Roll Call Vote: Ayes: All.

**RESOLUTION #02-28-22-03
RESOLUTION GRANTING EXTENSION FOR FILING THE FINAL PLAT OF
DAVID W. JOHNSON TRUST SUBDIVISION**

WHEREAS, the Muscatine County Board of Supervisors approved the preliminary and final plat of the David. W. Johnson Trust Subdivision on September 7, 2021; and

WHEREAS, Article III, Section 1.7 of the Muscatine County Subdivision Ordinance requires recording of the final plat within 90 days of its approval; and

WHEREAS, owing to an additional period of time being needed to file the final plat.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Muscatine County Board of Supervisors:

1. That Steven Kundel, attorney for the David W. Johnson Trust, is granted an additional 90 days to file the final plat and otherwise comply with the subdivision ordinance.

Passed and approved this 28th day of February, 2022.

ATTEST:

/s/Tibe Vander Linden
Muscatine County Auditor

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

Planning and Zoning Administrator Eric Furnas reviewed Change Orders #34, #35 and #36 for additional electrical work completed during the course of the Muscatine County Jail Booking Expansion Project. Furnas stated Crawford Company did not identify or request approval for the additional work prior to execution or bring it to the attention of the Architect or County Representative. Furnas stated Change Order #34 was for work done during demolition when it was discovered there were additional circuits running through the west light pole base serving cameras that needed to stay in operation that were then reworked to keep the circuits operational. Furnas stated Change Order #35 was to rework Phase 1 conduit that was cut and Change Order #36 was to rework Phase 2 conduit that was cut and associated with rework that took place in early December. Furnas recommended the Board deny the change orders.

On a motion by Sorensen, second by Mather, the Board moved to deny Change Order #34 in the amount of \$3,035.59; #35 in the amount of \$4,532.04; and #36 in the amount of \$4,679.57, for the Muscatine County Jail Booking Expansion Project. Ayes: All.

On a motion by Sorensen, second by Holliday, the Board authorized increasing the credit card limit from \$3,000 to \$5,000 for the Zoning Office. Ayes: All.

Furnas addressed the Board regarding a sewer line obstruction at the Muscatine County Jail that occurred on February 25, 2022. Furnas stated General Services Manager Oscar Alvarez and his staff worked to try to clear the obstruction but were unsuccessful. Alvarez notified Swanson Construction Company as the sewer line obstruction could possibly be due to construction debris. Furnas stated Kelly Heating Cooling & Plumbing worked on the line but they were unable to clear the line. Furnas stated the camera images of the line are questionable and hard to read in cloudy water. Furnas stated three holding cells are out of use due to the obstruction. Furnas stated the area was recently under construction with new PCP pipe and concrete.

On a motion by Saucedo, second by Mather, the Board approved the following utility permit: Muscatine Power and Water – installing 1” orange HDPE at a minimum of 30” deep and perpendicular to road at 2326 Box Car Road in Section 32, T76N, R2W. Ayes: All.

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

County Engineer Keith White reported that the bids for Project L-(CUL22)—73-70 had been reviewed and Peterson Contractors, Inc was the low bid. On White’s recommendation, on a motion by Sorensen, second by Mather, the Board approved the bid from PCI in the amount of \$386,241.50 for Project L-(CUL22)—73-70, pipe culverts at various locations throughout the county. Ayes: All.

On a motion by Saucedo, second by Mather, minutes of the February 21, 2022 regular meeting were approved as written. Ayes: All.

Correspondence:

All Supervisors received an email from Jennifer Watkins-Schoenig, Veteran’s Affairs Director with her resignation date of March 9, 2022.

Saucedo had a follow up conversation with County Engineer Keith White regarding the road work near SSAB Iowa Inc., 3864 171st Street, Muscatine, Iowa. Saucedo stated he contacted SSAB Iowa Inc. regarding the road work project.

Saucedo contacted Klingner & Associates and received an email update on the Drainage District #13 Pump Project.

Sauer received an email from David Riggan of Tantara Transportation Corporation regarding a remodel and building expansion. Riggan stated the sprinkler system regulations are costly to small business operators. The Board consensus was to review zoning regulations with Planning and Zoning Administrator Eric Furnas and discuss possible amendments.

Mather had a discussion with a resident regarding road conditions and shared the information with County Engineer Keith White.

Committee & Meeting Reports:

Saucedo attended a meeting with General Services Director Oscar Alvarez and Jeff Schibe of Data Power Technology, LLC regarding the geothermal system for the county buildings on February 24, 2022.

Saucedo attended the West Liberty Economic Area Development (WELEAD) meeting on February 25, 2022.

Saucedo attended a meeting with City of Muscatine and Muscatine Community School District regarding the proposed plans for their American Rescue Funds.

Sauer, Sorensen and Mather attended the Conference Board meeting on February 22, 2022.

Sorensen and Sauer attended a Farm Bureau meeting on February 22, 2022.

Mather attended the Mississippi Valley Workforce Area Board Financial meeting on February 23, 2022.

Sauer attended the Conservation Board meeting on February 21, 2022.

Sauer attended the Bi-State Regional Planning Commission meeting on February 23, 2022.

Sauer stated a flood expert has predicted the area flood risk for Spring 2022 is normal to slightly below normal.

On a motion by Sorensen, second by Saucedo, the Board approved an application for a FY22/23 Iowa Byrne Justice Assistance Grant (JAG) in the amount of \$34,000. Ayes: All.

On a motion by Sorensen, second by Saucedo, the Board accepted the February 2022 payroll claims. Ayes: All.

The meeting was adjourned at 10:27 A.M.

ATTEST:

Tibe Vander Linden
County Auditor

Scott Sauer, Chairperson
Board of Supervisors