

Muscatine County Board of Supervisors
Monday, May 22, 2023

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

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

Sheriff Quinn Riess and Muscatine City Police Chief Tony Kies updated the Board on a proposed shared city/county outdoor shooting range and possible decision on a request for a financial commitment by the County. Kies stated the proposed range would be an exclusive facility for City of Muscatine and County Officers for mandatory trainings. Kies stated the financial commitment request is for \$1,000,000 each from City of Muscatine and the County. Kies stated the land being considered is listed for \$43,000 with the cost to be shared between the city and the county. Kies stated if the Board will make a financial commitment, it will allow for the next step to move forward to propose a commitment with the City of Muscatine in a closed session on June 1, 2023, as the City originally committed \$750,000 to the project. Chick requested more detailed information on the costs of the proposed shooting range. Kies stated a closed session is scheduled with the County for June 19, 2023, which will include detailed information on the proposed real estate. Discussion was held with the Board regarding possible funding and the time frame for constructing the shooting range.

On a motion by Sorensen, second by Kirchner, the Board approved a financial commitment of up to \$1,000,000 for a proposed shared city/county outdoor shooting range, subject to acquisition, construction and maintenance agreement for a proposed shared city/county outdoor shooting range project. Ayes: All.

County Attorney Jim Barry held discussion with the Board regarding Ordinance#11-30-20-01 – Ordinance Regulating the Operation of All-Terrain Vehicles (ATV) and Off-Road Utility Vehicles (UTV) in Muscatine County, Iowa, as well as the current restricted Muscatine County roadways. Barry stated in July 2022 the Iowa law was changed relative to ATV and UTV operation and the City of Muscatine has since passed their own ATV/UTV ordinance. Barry stated in review of these changes there are no modifications deemed necessary in the County's Ordinance as there is a Conflict Clause which states the "Ordinance shall allow operation of ATV's and UTV's as the Code of Iowa 2020 currently exists or at any time in the future should be amended by the Iowa Legislature". Barry stated if the Board requests to name fewer or additional paved road limitations as currently stated in the county ordinance, further discussion or action could be necessary. Discussion was held with County Engineer Bryan Horesowsky regarding road access between the city limits and county roads and no recent change in traffic counts. Chick stated he recommends no ATV and UTV operator road restrictions in the county as bicyclists and walkers are allowed on all roads and there is confusion for operators and for law enforcement as to what roads are a direct route or restricted. Riess stated there have been no increase in contact numbers for ATV/UTV operators. Kirchner stated his concern regarding whether operators are aware of the required safety equipment, slow moving sign properly affixed to the unit and the 35 mile per hour speed limit. The Board consensus was to remove road restrictions and to schedule public

hearings, with the first of three readings to begin in June 2023, to remove Appendix A (road restrictions) in the ordinance.

Discussion was held with Horesowsky on uncontrolled intersections, who reviewed and referenced the Manual on Uniform Traffic Control Devices (MUTCD), which includes statewide procedures to evaluate uncontrolled intersections. Barry stated if the Board creates a county policy to analyze uncontrolled intersections that is not established in the MUTCD is problematic. Barry stated the current policy in force is recommended to continue with, from a legal stand point. Barry stated if the Board recommends to control intersections on secondary county roads with placing stop signs, then all uncontrolled intersections should have the traffic studies and evaluations done, not just a small number per year, as discussed in prior meetings.

On a motion was made by Chick, second by Kirchner, to control all secondary road intersections in Muscatine County with allocated funds of \$15,000 from remaining interest funds from American Recovery Plan Recovery Act (ARPA) funds to install stop signs at the needed 14- four-way intersections in the 2023 calendar year and direct the County Engineer increase his budget by \$10,000 for the next four years to complete approximately 25 – three-way intersections each year until complete. Ayes: Chick, Kirchner. Nays: Mather, Sauer, Sorensen. The motion was defeated.

On a motion by Sorensen, second by Kirchner, the Board approved the following utility permit: Liberty Communications, West Branch, Iowa – install new fiber optic cable to be incased in 1-.75 inch and 1–2-inch high-density polyethylene duct by directional bore at 1638 100th Street. Section 6 -T78N-03W. Ayes: All.

On a motion by Sorensen, second by Kirchner, the Board approved the purchase of one 2024 Semi Tractor from RDO Truck Centers, LLC, Davenport, Iowa, in the amount of \$133,000 to replace a semi-tractor that was involved in an accident. With the insurance claim pay-out of \$105,000 applied, there will be a total net amount of \$28,000. Ayes: All.

County Engineer Bryan Horesowsky updated the Board on secondary road projects.

On a motion by Sorensen, second by Mather, the Board approved Ordinance #05-22-23-01 Amending the Muscatine County Zoning Ordinance Relating to Local Meat Lockers and/or Butcher Shops on the third and final reading. Roll Call Vote: Ayes: All.

On a motion by Mather, second by Kirchner, the Board approved a renewal of a Class B Wine, Class C (Carryout Beer), Class E (LE) and Sunday Sales Permit for Casey's Marketing Co., dba Casey's General Store #2472, 1334 Hwy 22, Nichols, IA 52766. Ayes: All.

On a motion by Sorensen, second by Chick, the Board approved the minutes of the May 15, 2023 regular meeting. Ayes: All.

Correspondence:

Sorensen and Mather received eight calls from residents regarding uncontrolled intersections.

Mather had contact from a resident regarding property line and right of way issues. Mather received several compliments regarding Muscatine County Emergency Manager Chris Jasper and his work with the recent river flooding.

Sauer had contact with a resident regarding the road and bridge conditions on 245th Street, Conesville, Iowa.

Chick received a call and email from Steve Crackal of Moscow, Iowa regarding issues with his driveway approach from the road to his property.

Kirchner received four calls from residents regarding uncontrolled intersections.

Committee and Meetings Reports:

Sorensen and Mather attended a Housing Council meeting on May 9, 2023.

Sorensen attended an Emergency Management Commission meeting on May 10, 2023.

Sorensen attended an Eastern Iowa Mental Health and Disability Region meeting on May 15, 2023.

Mather attended a 7th Judicial District Department of Correctional Services Board on May 19, 2023.

Sauer attended a Muscatine County Conservation Board meeting on May 15, 2023.

Sauer attended a Riverbend Transit Board meeting on May 17, 2023.

Sauer attended a Muscatine County Board of Health meeting on May 17, 2023.

Sauer and Chick attended a 3D-Printed Home construction in Arbor Commons neighborhood on May 19, 2023.

Chick attended a meeting electronically for Mississippi Valley Workforce Area Board meeting on May 15, 2023.

Chick attended a Mississippi Valley Workforce Area Bi-weekly meeting on May 19, 2023.

Chick attended a Mississippi Valley Workforce CEO onboarding requirement on May 19, 2023.

Kirchner attended a Muscatine County Fair Board meeting on May 18, 2023.

On a motion by Sorensen, second by Mather, the Board approved Resolution #05-22-23-01 Authorizing Early Partial Redemption of General Obligation County Purpose and Refunding Bonds, Series 2016A. Ayes: All.

RESOLUTION #05-22-23-01
AUTHORIZING EARLY PARTIAL REDEMPTION OF GENERAL OBLIGATION
COUNTY PURPOSE AND REFUNDING BONDS, SERIES 2016A

WHEREAS, Muscatine County, Iowa (the “County”) previously issued its \$6,365,000 General Obligation County Purpose and Refunding Bonds, Series 2016A, dated June 28, 2016 (the “2016A Bonds”), a portion of which currently remain outstanding as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>
2023	\$685,000	1.75%
2024	\$550,000	2.00%
2025	\$400,000	2.00%

; and

WHEREAS, pursuant to the resolution authorizing the issuance of the 2016A Bonds, the County reserved the right to call part or all of the 2016A Bonds (the “Outstanding Bonds”) for optional early redemption on June 1, 2022 or on any date thereafter, on terms of par and accrued interest; and

WHEREAS, it has been proposed that the Board authorize the early, partial redemption of the 2024 maturity (the “Callable 2024 Bonds”) of the Outstanding Bonds in the amount of \$405,000 on July 10, 2023 (the “Redemption Date”); and

WHEREAS, it has also been proposed that the Board authorize the full redemption of the 2025 maturity (the “Callable 2025 Bonds”) of the Outstanding Bonds on the Redemption Date.

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

Section 1. The County, as Registrar and Paying Agent for the Outstanding Bonds, is hereby authorized to take all action necessary to call the Callable 2024 Bonds and the Callable 2025 Bonds for early redemption on the Redemption Date (or such other date as determined by the County Treasurer in consultation with bond counsel). The County is further authorized and directed to give notice of such redemption by sending written notice by electronic means or certified mail to the registered owners of the Callable 2024 Bonds and the Callable 2025 Bonds to be redeemed at the addresses shown on the County’s registration books, not less than thirty (30) days prior to the Redemption Date.

Section 2. All resolutions and orders or parts thereof in conflict with the provisions of this resolution, to the extent of such conflict, are hereby repealed.

Section 3. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

PASSED AND APPROVED this 22nd day of May, 2023.

ATTEST:

/s/Tibe Vander Linden
Muscatine County Auditor

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

On a motion by Sorensen, second by Mather, the Board accepted a proposal from Renaissance Historic Exteriors for restoration of the built-in gutter, cornice ledge and steep slate roof and replacement of the low slope roof on the Courthouse. The proposal is for Part I - Built-In Gutter Liner and Cornice Ledge Restoration, \$1,150,000.00; Part II- Steep Slope Slate Roof Restoration, \$574,000.00 and Part III- Low Slope Roof Replacement, \$109,000.00 for a total project proposal of \$1,833,000.00. The project will be funded by ARPA funds in the amount of \$1,000,000 and the remainder from the Capital Projects fund. Ayes: All.

Administrative Services Director Nancy Schreiber reminded the Board that next Monday, May 29, 2023 is the Memorial Day holiday therefore no Board meeting is scheduled. Schreiber stated she will be on vacation starting May 26, 2023, returning on June 12, 2023.

Planning and Zoning Administrator Eric Furnas inquired if his office will oversee the approved courthouse roof project. The Board consensus was to assign the project to Furnas.

Chuck Houseman, 2470 Edgewater Road, Conesville, Iowa (resides with parcel owner, Sharon Phillips), asked the Board for a progress report on the road and bridge conditions on 245th Street, Conesville, Iowa. Sauer stated the process is going forward as the committee is gathering information, options and costs for the project, however there is no report at this time. Houseman requested the amount the taxpayers paid for the FEMA buyout of seven properties after the 2009-2010 flood. Furnas stated the FEMA buyout was a voluntary program with the landowners with funding of 75% from FEMA, 10% from State and 15% from local shares. Houseman stated the County Engineer has done a good job of fixing the road however the bridge has not been repaired or replaced. Houseman asked for a timeline of when a report will be presented. Sauer stated there is no answer as to the timeline.

The meeting was adjourned at 10:38 A.M.

ATTEST:

Tibe Vander Linden
County Auditor

Scott Sauer, Chairperson
Board of Supervisors

May 22, 2023 Board of Supervisor Minutes were amended and approved as amended at the September 18, 2023 meeting.

Tibe Vander Linden
County Auditor