

Muscatine County Board of Supervisors  
Wednesday, October 25, 2023

The Muscatine County Board of Supervisors met in a special meeting at 7:00 P.M. with Chick, Kirchner, Mather, Sauer and Sorensen present. Chairperson Sauer presiding.

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

County Attorney Jim Barry stated the 245<sup>th</sup> Street Bridge Committee has assembled information to present. Barry stated the information has not been presented to the Board or the public prior to this meeting, other than the analysis reports found on the county website. Barry stated the Committee has spent time working on property valuations; however, that information is not part of the meeting agenda. Barry stated the purpose of this meeting is for County Engineer Bryan Horesowsky to present the analysis report and for the Board and public to ask questions and share ideas. The public attendees will be allowed to make a presentation. Barry stated the intent of the Committee was to not have any other steps to take after tonight's meeting, however the Board may decide additional investigation is necessary.

County Engineer Bryan Horesowsky reviewed the Calhoun-Burns, Inc. Feasibility Analysis Bridge No. 319 over Pike Creek and Supplement to Original Report regarding feasibility of bridge replacement and other impacts report. Horesowsky stated the bridge is located on 245<sup>th</sup> Street, Conesville, Iowa, approximately one mile east of Conesville over Pike Creek in Section 16, T-76N, R-04 W. The existing bridge was built in the 1950's and reconstructed in 1981, but is unclear what work was completed in 1981. The bridge is seven spans, six timber stringer approach spans, one steel I-beam center span and sits on timber piling with high timber abutments. The bridge is 132 feet long and 16 feet wide with a drainage area of approximately nine square miles during normal conditions. The size of the bridge and the significant channel size has water from abutment to abutment because of the flows from the Cedar River during flooding. The bridge has gone underwater during flood events and 245<sup>th</sup> Street east of the bridge experiences flooding during smaller flood events and was underwater for approximately four weeks this year. The bridge is posted at five ton due to the condition of the timber pile and has an estimated remaining life of one year due to the condition of structural elements. Horesowsky stated he will review the four alternate designs for this site presented by Calhoun-Burns, Inc, who work with roughly 70% of Iowa counties. In all the alternates presented, the bridge and road will be maintained at a similar elevation as the existing bridge. Alternate Number 1 is to not replace the bridge and find an alternate access: Alternate Number 2 is to replace the bridge with a railroad flatcar structure with two lengths of flatcars; Alternate Number 3 is to replace the bridge with a 150' X 24' three span box beam bridge and Alternate Number 4 is to replace the bridge with a 150' X 24' continuous concrete slab bridge.

Horesowsky reviewed the alternate report stating Alternate Number 1 would require vacating 245<sup>th</sup> Street from east of the bridge and Edgewater Road. The vacation process would involve a decision by the Board to vacate and then a public hearing date would be set. Any landowners with butting parcels to the right-of-way would have the option to claim damages at or before the public hearing date.

Alternate Number 2; replacement with a railroad flatcar structure with using decommissioned flatcars which are not watertight and with flooding the structural elements will fill with water/sediment creating deterioration and there are no accessible areas for routine inspections. The opinion of probable cost for Alternate Number 2 is \$1,100,000 with an additional pier to be constructed, which is expected to be a costly additional process. Horesowsky stated he follows the analysis report stating Alternate 2 is not recommended for this site.

Alternate Number 3; replacement with a 150' X 24' three span box beam bridge which would use the Department of Transportation (DOT) standard details. Horesowsky stated this type of bridge has been reviewed and suggested as a Louisa County has built this type, however they did not follow DOT standards. Horesowsky stated this bridge type is a fairly new process of construction, however box beams may accumulate moisture and the design is costly. The opinion of probable cost at for Alternate 3 is \$2,095,000.

Alternate Number 4; replacement with a 150' X 24' continuous concrete slab bridge with uses the DOT standard details. Alternate Number 4 consists of 24-inch-thick concrete slab and does not have voids within the concrete elements. Alternate is a tried and true design and is a 75 plus year design life is realistic with a large majority of Muscatine County bridges being this design and the opinion of probable cost is \$1,190,000.

Horesowsky stated the analysis report states typical bridge replacement funds used for bridge projects likely will not be available for Alternates 1 and 2. Alternate 3 and 4 use typical Iowa DOT details and meet current AASHTO requirements for loading rails, therefore the use of the county's Federal Aid HBP funding could be utilized. The cost figures in the summary of costs for each alternate do not include costs for environmental and wetland mitigation, permitting cost, potential wetland credits, stream bed credits, environmental protection measures, survey, construction inspection, additional engineering services, right-of-way accusation, potential legal issues, utility relocations and potential landscaping.

Horesowsky stated Alternate Number 4 is the preferred choice by Calhoun-Burns and Associates, Inc. Horesowsky stated the annual federal funding for Muscatine County is currently \$700,000 and next year the amount will be lowered to approximately \$600,000. Mather asked if that is an annual overall funding amount or per bridge project. Horesowsky stated it is not funding per bridge but the counties overall annual funding amount for all bridge projects.

Jerry Carson, 2440 Edgewater Road, Conesville, Iowa, stated the 245<sup>th</sup> Street bridge has been underwater due to floods four times since 1986, as he has lived there since then. Carson stated the original bridge was built in 1900 and was completely taken down and reconstructed in 1981. Carson stated his sister lived by the bridge and watched the reconstruction. Carson stated since the 2008 flood, the road and bridge maintenance has nearly been forgotten. Carson stated approximately two years following the 2008 flood, FEMA allocated funds and the road was repaired at that time. Carson stated there has been no gravel or yearly bridge repairs since approximately 2010, until last year when the road was graveled and is in better shape now. Carson stated his concerns with a road and bridge that has been used for 123 years and impacts multiple people. Carson stated in his research he determined Muscatine County has not vacated a road that

impacts as many people as this one. Carson stated he has not been able to locate any records on the cost of maintenance for the road. Carson stated from 2010 until he recently attended board meetings, he feels the residents have paid tax dollars and received no road or bridge maintenance. Carson asked the Board to do the right thing and put in a new bridge.

Joseph Carson, 2403 Philadelphia Street, Columbus City, Iowa stated for years countless memories have been made along the Cedar River with the 245<sup>th</sup> Street bridge being a lifeline for recreation opportunity. Carson implored the Board to consider the replacement of the bridge with the decision to replace the bridge impacting current citizens and generations to come. Carson stated he wants to be the first to inherit a home located on Edgewater Road and to have a safe access with a reliable bridge.

Austin Conaway, 502 Burlington Street, Conesville, Iowa stated he is the Assistant Fire Chief for Conesville, Iowa and has spent his entire life in the Edgewater Road area with hunting and fishing. Conaway expressed his concerns with the five-ton limit bridge stating he reviewed the weight of their firetruck fleet to determine only one of their fire trucks with only one operator and a 250-gallon tank of water, would be allowed to travel over the five-ton weight limit bridge and commented that a 250-gallon water tank would only extinguish a dumpster fire. Conaway stated residents and anyone on the river is at risk if there is an emergency call as only one ambulance with a driver (no EMT's) would be able to cross the bridge. Conaway noted at this time the river is too low to prime and pump water from the river if a fire truck were to respond to an emergency. Conaway stated replacing the bridge would make a safer situation.

Sharon Phillips, 2470 Edgewater Road, Conesville, Iowa stated the road and the bridge has been ignored for several years. Phillips stated she has had the same LP gas company for the 32 years of living in her home. Phillips stated a couple years ago the company would no longer travel over the bridge to deliver LP gas. Phillips stated for two LP gas deliveries thereafter they brought down two trucks; an empty truck and a full truck to pipe the gas into the empty truck on the other side of the bridge. Phillips stated the company will no longer deliver LP gas. Phillips stated for over 15 years the Board has known the bridge needed work. Phillips stated the area has nice homes and not just fishing cabins.

Dale Maxson, 224 East Orange Street, Letts, Iowa, of the Nature Conservancy since 2013 stated his job involves caring for the ground in the 245<sup>th</sup> Street area which involves conservation grazing, prescribed fires and evasive species management. Maxson stated for the past couple years they have had to scale back on their work because they are unable to take equipment across the bridge and have cancelled prescribed fires because of emergency response concerns. Maxson stated a main access point for the preserve is on 245<sup>th</sup> Street and if there was a medical emergency calling an ambulance would be a concern if they could cross the bridge. Maxson questioned why he did not receive a notice of this meeting. Schreiber stated the notices were mailed on Friday, October 20, 2023 and the Nature Conservancy notice was mailed to the home office in Des Moines, Iowa.

Andy White, cabin owner at 2466 Edgewater Road, resides on farm northwest of Columbus Junction, Iowa. White stated due to the deterioration of the Edgewater bridge they no longer run livestock in the area as was done in the year's past. White has discussed with Dale Maxson of the

Nature Conservancy about rotational grazing but he is unable to get the equipment over the bridge. White stated the Hartsock's have cattle but do not use their property (in the bridge area) for grazing. White supports Alternate Number 4 bridge as a taxpayer, land owner and a livestock owner. White stated in 1995 the county vacated the north road with landowners signing off that the county would maintain the road and the bridge. White stated the county is obligated to take care of the bridge. Chick asked County Attorney Jim Barry and County Auditor Tibe Vander Linden if there is documentation of this agreement. They stated there is no documentation or mention of it in the Board minutes. Kim Carson, 2440 Edgewater Road, Conesville, Iowa stated they have had the signed document; however, it was destroyed in the 2008 flood.

Rod Staats, 2422 Edgewater Road, Conesville, Iowa, cottage owner since 2022 stated at the time of making an offer on the property he asked the prior owner about the 2008 flood and was told the cottage had 54 inches of water in it in 2008. Staats was recently contacted by an outside consultant/appraiser hired by the county and was asked several questions about the purchase price. Staats stated he told the consultant he has invested more than the purchase price in the property with improvements he's made, with county issued building permits. Staats questioned why the county would issue building permits if there was a possibility of the road being shut down. Staats stated he has his property insured but questioned if his insurance company would come after the county if a fire occurred and fire trucks couldn't travel over the bridge. Staats stated he is a taxpayer who recently received notice of a 6% valuation increase and feels his property is not protected for emergency. Staats stated he was not told at time of purchase that the road may be vacated and stated he would not have made the property investment on Edgewater Road if he had been notified of the possibility of the road vacation.

Dusty Buffington, cabin owner at 2484 Edgewater Road, Conesville, Iowa, stated nothing was said to him when he purchased the property or was issued permits to make improvements. Buffington stated for 22 years the bridge reports have shown poor condition. Buffington stated to the Board to do the right thing and replace the bridge.

Dave White, 16327 County Road G40, Columbus Junction, family cabin owner on Edgewater Road. White stated he has served as County Sheriff and had a reputation for being thrifty. White stated the Fox River runs through a large galvanized culvert under Highway 2 between Centerfield and Bloomfield, Iowa. White asked the Board if they have viewed the south end of Cone Lake to see the road with eight twenty-four-inch tubes to allow the water to flow underneath, out of the lake, which is basically a continuation of Pike Creek. White stated if a new bridge is constructed on 245<sup>th</sup> Street the construction will likely take a full season to complete. White stated the abutments to the bridge are probably not bad so if the bridge is removed with big culverts placed and then place the service on top of them, the weight limits would not be an issue and culverts can be replaced when they rot in 50 years. White questioned why there is a big bridge on 245<sup>th</sup> Street when at the south end area there are culverts. White stated a study will be required for environmental permitting for a new bridge so urged the Board to consider economical culverts as he has seen near Bloomfield, Iowa.

Jerry Murphy, owner of property on the north side of the 245<sup>th</sup> Street bridge and owns another property on Edgewater Road, Conesville, Iowa stated placing box culverts would be a cheaper

solution and would allow john boats for hunting and fishing to travel to the river. Murphy stated he would allow the county to go through his property to complete work as he lives next to the bridge. Horesowsky stated due to environmental issues with the U.S. Army Corps of Engineers (Corps) it would not be allowed as the U.S. Environmental Protection Agency (EPA) oversees the Corps so federal funds would not be approved. Mather asked Horesowsky if the report gave an analysis of environmental permitting. Horesowsky stated the report did include information with regards to wetland habitat to call for extra studies and to mitigate which could involve purchasing additional wooded wetland credits. Sorensen questioned how woodland credits are determined and purchased. Horesowsky there is little experience with woodland credits and challenging to find information on the credit process as it is new and not an established process, plus the laws change with each federal administration. Sorensen stated a presentation he recently attended stated woodland credits are being sold at \$70,000 per credit and they are purchased through a bank. Murphy stated \$1,007,000 was spent to pretty up Mulberry Avenue in Muscatine, so let's spend some money to build a bridge.

Pam Green, cabin owner at 2490 Edgewater Road, Conesville, Iowa stated her family bought a cabin on the Iowa River but lost the cabin as it was on leased ground as the property owner wanted to do something different with the ground. Green stated she was thrilled to purchase and own her own property on Edgewater Road and has invested \$70,000+ in materials, not labor included, as little improvements were made after the 2008 flood by the prior owner. Green stated her family is a four-generation family who has been active with hunting and fishing and she intends to pass down the cabin to the next generation. Green stated she owns timber near the cabin that is used for hunting, so her cabin is used nearly all year. Green stated the timber is used by mushroom hunters. Green stated there is no longer livestock grazing or tree removal which has impacted income for some land owners. Green stated her concern with emergency response for land owners and also people on the river in kayaks or boats who may need medical attention. Green stated in her opinion, the most reasonable option would be one that could be paid over several years. Green stated maybe 30 years ago this bridge was a want, 20 years ago it was a need and now it is a need that hasn't been met by using FEMA money the county received and tax payer money we have paid.

John Weikert, 2075 290<sup>th</sup> Street, Washington, Iowa, part of the Green family, stated he is the road superintendent for 29 years with Washington County. Weikert questioned if the elevation of the bridge could be raised up and use the railroad flatcar bridge option. Weikert stated the deterioration mentioned would not be an issue if no flood water was able to get in the railcar bridge. Weikert stated in Washington County there are two railroad flatcar bridges that are elevated with no maintenance on the bridge and the county engineer chose this option because of the lower cost. Weikert stated one of the bridges serves only two people and is a one lane bridge, although standards have changed and two-lane bridges are required. Weikert stated the other railcar bridge is a two-lane bridge over Cricket Creek, near the Fox River and both bridges are inspected by Calhoun-Burns with no weight limit changes made during bridge inspections. Weikert stated specification were used when purchasing the railcars so that damaged cars were not selected. Weikert stated the engineers from Calhoun-Burns hate the railcar bridge option. Weikert stated the engineer from Buchanan County has 32 railcar bridges in the county. Sauer questioned what the length of life of a railcar bridge would be if it is not submerged in flood water but is still in the

weather elements of hard rain, snow and dust. Weikert recommended to raise the bridge above the 500-year flood mark. Horesowsky stated raising the elevation of the bridge increases the cost as the span is increased, dirt approaches to the bridge are longer lengths which creates possible right-of-way issues and environmental issues. Sorensen stated the cost difference between Alternate 2 and 4 is \$90,000, so the construction costs are not what is driving the cost but other ancillary costs.

Matt Storm, 507 Burlington Street, Conesville, Iowa, property owner on Cedar River bottom, stated Alternate 1 cost on the report at \$133,000 and property value of parcel owners who would have damage came to \$869,501.00 so together the amounts are pretty close to \$1,000,000. Storm stated other costs that may occur if the bridge is shut down would be litigation, demolish cabins and the demolition material would need to be hauled away but there will be no bridge to travel over. Storm stated he is a tax payer and doesn't want things taken away from other tax payers. Storm stated the bridge has not been taken care of years and the Board should consider the tax payer funds that were not spent on bridge maintenance.

Bob Muller, property owner on the northwest corner of 245<sup>th</sup> Street and Edgewater Road, Conesville, Iowa and resides in North Liberty, Iowa stated he uses his property for recreation. Muller asked the Board where and when the meeting will be held when discussion is held regarding a decision. Sauer stated a meeting date has not been set. Muller asked how the group will be notified. Barry stated impacted parties will be notified in accordance with the statute to everyone affected by a decision, required by law. Barry stated the term impacted parties may be something to investigate on who it covers and the Iowa Code makes provisions on who can file a claim. Muller questioned the process if the road is vacated and if a dollar amount is needed to be filed at the public hearing. Barry stated a claim would need to be filed and anticipates to list a dollar amount. Schreiber stated by law, the county will publish notice of public hearing in the Muscatine Journal, West Liberty Index and Wilton-Durant Advocate no more than 20 days and no less than four days before a public hearing and the agenda will be posted in the county building and on the county website. Staats asked where a notice will be mailed as he resides in Florida six months of the year. Barry stated the notice will be sent to the registered owner of the land and the designated address on file. Barry stated he cannot advise what claim to submit and in what form. Barry stated if he was advising the county it would be to submit a written monetary claim with justification for damages. Muller asked Sauer how the property values will be established. Barry stated the county has engaged an appraiser to appraise the properties and impacted properties so that we have a baseline for review of damage claims and negotiate damage claims. Muller asked if the appraisal will be made available and Barry stated no.

Chick stated he has spent time in the Edgewater Road area and he thinks negligence has led to the deterioration of the bridge that should never have happened. Chick stated there are 10 cabins and some are full-time residents, access to the conservatory, Cone Lake and the river serves more purpose than just for the residents. Chick stated he tried to do research on-line regarding road vacations in Iowa and most of his findings were road vacations are at the direction of property owners requesting a private lane with no public access and to maintain on their own. Chick stated his road vacation research shows there is typically an alternate route established for property owners, even if it is driving several miles. Chick stated in this case, if this road is shut down, all

access will be shut down to the properties. Chick stated in his opinion, he is recommending Alternate 4 and the bridge be added to the Five-Year Plan and placed on the front of the list.

Sharon Phillips stated the county has not spent money on the road or the bridge and questioned where the tax dollars have been spent. Sorensen stated 8% of property tax dollars each year is spent on road maintenance and for 22 years the Board has tried to find funding for the bridge. Mather stated the current annual property tax dollars from the area residents is approximately \$8,800 with the prior year collective tax dollars at \$6,800. Mather stated over the past 20-22 years, the tax taxes paid (assuming a generous \$6,000 per year), calculates to \$120,000-\$130,000 collected overall with 8% for roads equaling \$10,000. Sorensen stated the county cost for maintaining one mile of road is \$6,300 therefore \$10,000 would maintain 1.5 miles of road over one year. Mather stated the Board is called upon to balance and if the Board decides to approve Alternate 4, the question is now what now has to come off the list of projects.

Kim Carson, 2440 Edgewater Road, Conesville, Iowa, stated the bridge has been in service for 120 years with the 1981 bridge project as a complete tear down with photos they have to prove the tear down and reconstruction. Carson stated in 1995 Edgewater Road was vacated and property owners signed a document that the county would maintain 245<sup>th</sup> road and bridge, which they are trying to locate from another resident, as their document was lost in the 2008 flood. Carson stated since the 2008 flood, maintenance to the road stopped. Carson thanked Horesowsky for improving the road with gravel and mowing the sides this past year. Carson stated dereliction of duty, negligence of taking care of road, modified services or fire and ambulance, LP gas delivery withheld, REC trucks will not travel over the bridge, building permits have been issued within the past year, loss of income because of no livestock grazing, no timber logging and the Nature Conservancy's work reduced. Carson stated if the bridge is put on the Five-Year Plan, the 245<sup>th</sup> Street bridge should be at the top of the list. Carson stated most of the residents own legacy property and the land should be their legacy to pass down to their children and grandchildren. Carson thanked the Board for listening to them and stated she is looking forward to being notified of the public hearing.

On a motion by Sorensen, second by Chick, the meeting was adjourned at 8:45 P.M.

ATTEST:

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Tibe Vander Linden  
County Auditor

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Scott Sauer, Chairperson  
Board of Supervisors