

Muscatine County Board of Supervisors
Monday, January 8, 2024

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

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

On a motion by Sauer, second by Chick, the Board approved claims dated January 2, 2024, in the amount of \$816,501.12. Ayes: All.

Planning and Zoning Administrator Eric Furnas reviewed the county renewable energy ordinances with the Board. The Board consensus was to develop a resolution for discussion and possible action for a nine-month moratorium on construction of new wind turbine farms (until the ordinance is updated) and to not issue a moratorium on the county solar power ordinance.

On a motion by Sauer, second by Kirchner, the Board approved County Recorder's Report of Fees Collected for the quarter ending December 31, 2023 in the amount of \$61,522.50. Ayes: All.

On a motion by Sauer, second by Chick, the Board approved Muscatine County Sheriff's Office – Civil Department's Report of Fees Collected for the quarter ending December 31, 2023 in the amount of \$29,003.32. Ayes: All.

On a motion by Sauer, second by Kirchner, the Board approved County Auditor's Report of Fees Collected for the quarter ending December 31, 2023 in the amount of \$9,004.45. Ayes: All.

On a motion by Sauer, second by Kirchner, the Board approved County Treasurer's Report of Fees Collected for the quarter ending December 31, 2023 in the amount of \$733,580.72. Ayes: All.

On a motion by Sauer, second by Kirchner, the Board approved the minutes as amended of the January 2, 2024 regular meeting. Ayes: All.

Correspondence

All Supervisors received an email from Ronda Staley Meredith requesting a moratorium on wind turbine applications.

Sorensen had several communications with residents regarding ordinances and contacted Louisa and Scott County.

Chick received an email from Gene Hammonds regarding a dispatching concern. Chick contacted Sheriff Riess.

Kirchner received an email from Martha Petersen requesting the phone numbers for Orono Township Trustees to report a Brockway Cemetery concern. Kirchner provided the phone numbers and went to the cemetery to check the concern about a cemetery

fence down.

Kirchner received a message from Gwen Schmitt on Bancroft Avenue with concern on how trees are removed from county ditches. Kirchner contacted County Engineer Bryan Horesowsky with the concern.

Committee Reports.

Sorensen and Chick attended a Housing Council meeting on January 3, 2024.

Chick attended a Mississippi Valley Workforce Area Finance meeting on January 3, 2024.

On a motion by Kirchner, second by Chick, the Board approved Resolution #01-08-24-01 Authorizing the County Sheriff to Close Secondary Roads in Emergency Situations. Roll call vote: Ayes: All.

**RESOLUTION #01-08-24-01
AUTHORIZING THE COUNTY SHERIFF TO CLOSE SECONDARY ROADS IN
EMERGENCY SITUATIONS**

Be it resolved by the Muscatine County Board of Supervisors that the Muscatine County Sheriff is hereby authorized to close secondary roads or portions thereof in Muscatine County in emergency situations to safeguard the traveling public. Such road closures shall be confirmed by the Board of Supervisors at its next regular meeting.

PASSED AND APPROVED this 8th day of January, 2024.

ATTEST:

/s/Tibe Vander Linden
Muscatine County Auditor

/s/Jeff Sorensen, Chairperson
Muscatine County Board of Supervisors

On a motion by Chick, second by Kirchner, the Board approved a hiring request – Sheriff's Office/Jail Corrections Sargent for Tye Hardman (promotion) at Grade 11/Step 9 with a proposed start date of January 13, 2024. Ayes: All.

On a motion by Sauer, second by Chick, the Board approved to re-appoint Dr. Michael Maharry to the Muscatine County Board of Health for a three-year term ending December 31, 2026. Ayes: All.

On a motion by Sorensen, second by Kirchner, the Board approved 2024 appointments as amended to the following Boards and Commissions: Ayes: All.

2023 APPOINTMENTS TO BOARDS AND COMMISSIONS

Bi-State Regional Planning Commission (2)**	Sorensen and Mather
Bi-State Drug and Alcohol Consortium	Mather
City of Muscatine Transportation Zone Commission*	Sorensen
Community Volunteer Nominating Committee	Mather
Decategorization Board	Mather
Eastern Iowa MH/DS Region	Sorensen Chick - alternate
Greater Muscatine Chamber of Commerce and Industry*	Chick
Mississippi Valley Workforce Area Board	Chick
Muscatine County Board of Health (ex-officio)	Sauer
Muscatine County Conservation Board (ex-officio)	Sauer
Muscatine County E911 Service Board	Sorensen
Muscatine County Enterprise Zone Commission*	Sorensen
Muscatine County Fair Board	Kirchner
Muscatine County Flood Control Commission (2)	Chick and Kirchner
Muscatine County/Muscatine City Joint Administration Board (Emergency Management)	Sorensen
Muscatine County REAP Commission	Sauer
Muscatine County Safety Committee	Kirchner
Muscatine County Veterans Affairs Commission (ex-officio)	Mather
Muscatine County Solid Waste Mgmt. Agency	Chick
Region 9 Transportation Policy Board	Sorensen
Seventh Judicial District Dept of Correctional Services Board	Mather
WELEAD (West Liberty Economic Area Development)	Kirchner
Wilton Chamber and Development Alliance	Mather
Muscatine County Joint Communications Commission (standing appointments until Board resolution to change)	Kirchner Sorensen
Housing Council (standing appointment until changed)	Chick, Mather
Grant Collaborative (standing appointment until changed)	Mather
M.A.G.I.C. Board (2-year terms)	Kirchner – term ends 12/31/25 Chick – term ends 12/31/24 Sauer – term ends 12/31/24
River Bend Transit Board of Directors (2-year term) – 3 rd Wed each month – 10 am	
Lower Cedar Watershed Management Authority	Eric Furnas – primary Kirchner - alternate
Bi-State Regional Trails Committee	Chick and Katie Hammond
Examining Board (Assessor)	Sherry Seright
* Board Chair typically serves on these Boards and Commissions	
** Bylaws require Chair to serve on these Boards and Commissions	

County Engineer Bryan Horesowsky updated the Board on secondary road projects. Horesowsky stated the department is preparing for the predicted snow event this week. Citizens are urged to review the snow removal policy on the county website which states the hours for snow removal.

On a motion by Sauer, second by Kirchner, the Board went into closed session at 9:49 A.M. pursuant to Chapter 21.5 (c), Code of Iowa, to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent. Roll call vote: Ayes: All. On a motion by Kirchner, second by Chick, the Board returned to open session at 9:59 A.M. Roll call vote: Ayes: All.

On a motion by Chick, second by Sauer, the Board approved Resolution #01-08-24-02 Setting a Public Hearing on Proposed Road Vacations. Roll call vote: Ayes: All.

RESOLUTION #01-08-24-02
SETTING A PUBLIC HEARING ON PROPOSED ROAD VACATIONS

WHEREAS, a request (or petition, or memorandum from the County Engineer) has been filed with the Muscatine County Board of Supervisors asking that action be taken to vacate and close sections of Muscatine County Secondary Roads, described as follows:

Edgewater Road in Orono Township

All of an existing roadway easement, originally established Lords Ferry Road (now known as Edgewater Road), recorded in Establishment Record Book "PB", Page 254, in the Office of the Muscatine County Engineer, 40 feet wide over a parcel of land located in Sections 15 and 16, Township 76 North, Range 4 West, of the 5th Principal Meridian, Muscatine County, Iowa.

Said easement contains 3.65 acres, more or less, and is subject to all easements and other restrictions of record.

And also,

245th Street in Orono Township

All of an existing roadway easement, originally established Thomas Boggs Road (now known as 245th Street), recorded in Establishment Record Book "B", Page 2, in the Office of the Muscatine County Engineer, varying width (60 feet and 40 feet) over a parcel of land located in Section 16, Township 76 North, Range 4 West, of the 5th Principal Meridian, Muscatine County, Iowa, lying easterly of the following described Point of Beginning:

Commencing at a concrete monument with broken top found at the West Quarter Corner of Section 16, Township 76 North, Range 4 West, of the 5th Principal Meridian, Muscatine County, Iowa; thence North 0° 47' 06" East along the west line of said Section 16, basis of bearings for this survey being the Iowa Regional Coordinate System, Zone 14 Burlington, a distance of 4.02 feet to the present centerline of originally established Thomas Boggs Road (now known as 245th Street), recorded in Establishment Record Book "B", Page 2, in the Office of the Muscatine County Engineer; thence South 89° 33' 28" East 415.00 feet along said centerline, to the Point of Beginning.

Said easement contains 4.51 acres, more or less, and is subject to all easements and other restrictions of record.

WHEREAS, a public hearing was previously set for Wednesday, January 17, 2024 at 6:00 p.m.; and

WHEREAS, the Board of Supervisors has received a request from an attorney representing the majority of affected landowners to delay the public hearing for three months.

NOW, THEREFORE BE IT HEREBY RESOLVED that the hearing on the proposed vacation will be held at the Environmental Learning Center, 3300 Cedar Street, Muscatine, Iowa, at 6:00 p.m. on Wednesday, April 17, 2024, in accordance with Iowa Code Chapter 306.

PASSED AND APPROVED this 8th day of January, 2024.

ATTEST:

/s/Tibe Vander Linden
Muscatine County Auditor

/s/Jeff Sorensen, Chair
Muscatine County Board of Supervisors

On a motion by Chick, second by Kirchner, the Board approved Resolution #01-08-24-03 Setting a Public Hearing on Proposed Road Vacation. Roll call vote: Ayes: All.

RESOLUTION #01-08-24-03
SETTING A PUBLIC HEARING ON PROPOSED ROAD VACATION

WHEREAS, a request (or petition, or memorandum from the County Engineer) has been filed with the Muscatine County Board of Supervisors asking that action be taken to vacate and close sections of Muscatine County Secondary Roads, described as follows:

Wiggins Road in Fruitland Township

All of an existing roadway easement, originally established Wiggins Road (now known as Wiggins Road), recorded in Establishment Record Book "A", Page 99, in the Office of the Muscatine County Engineer, 40 feet wide over a parcel of land located in Section 27, Township 76 North, Range 2 West, of the 5th Principal Meridian, Muscatine County, Iowa, lying easterly of the following described Point of Beginning:

Commencing at a cut "X" in the concrete pavement found in the centerline of Wiggins Road at the Southwest Corner of the Northeast Quarter of the Southwest Quarter of Section 27, Township 76 North, Range 2 West, of the 5th Principal Meridian, Muscatine County, Iowa; thence North 89° 50' 55" East along said centerline and the south line of said Northeast Quarter of the Southwest Quarter, basis of bearings for this survey being the Iowa Regional Coordinate System, Zone 14 Burlington, a distance of 62.86 feet to the intersection with the easterly right of way of Pettibone Avenue and Point of Beginning.

Said easement contains 1.09 acres, more or less, and is subject to all easements and other restrictions of record.

WHEREAS, a public hearing was previously scheduled for Wednesday, January 17, 2024 at 7:00 p.m. in conjunction with another road vacation public hearing; however, the other public hearing has been re-scheduled to April 17, 2024 at the request of the affected property owners and a special evening meeting for this requested vacation is unnecessary.

NOW, THEREFORE BE IT HEREBY RESOLVED that the hearing on the proposed vacation will be held in the Board of Supervisors Office, Muscatine County Administration Building 414 E. 3rd St., Muscatine, Iowa, at 9:00 a.m. on Monday, January 22, 2024, in accordance with Iowa Code Chapter 306.

PASSED AND APPROVED this 8th day of January, 2024.

ATTEST:

/s/Tibe Vander Linden
Muscatine County Auditor

/s/Jeff Sorensen, Chair
Muscatine County Board of Supervisors

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

ATTEST:

Tibe Vander Linden
County Auditor

Jeff Sorensen, Chairperson
Board of Supervisors