

Muscatine County Board of Supervisors
Monday, January 15, 2024

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

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

On a motion by Mather, second by Sauer, the Board moved to reschedule the public hearing on proposed plans, specifications, form of contract and cost estimate for the Muscatine County Jail Exterior Insulated Metal Panel Installation Project to Monday, January 22, 2024 at 9:00 A.M. Ayes: All.

On a motion by Chick, second by Kirchner, the Board moved to reschedule the public hearing on proposed plans, specifications, form of contract and cost estimate for the Muscatine County Jail Mechanical Penthouse Access Panels and Platform Modification Project to Monday, January 22, 2024 at 9:00 A.M. Ayes: All.

On a motion by Chick, second by Sauer, the Board approved Resolution #01-15-24-01 Establishing a Temporary Moratorium on the Issuance of Special Use Permits for Commercial Wind Energy Conversion Systems. Roll call vote: Ayes: All.

RESOLUTION #01-15-24-01
ESTABLISHING A TEMPORARY MORATORIUM ON THE ISSUANCE OF SPECIAL
USE PERMITS FOR COMMERCIAL WIND ENERGY CONVERSION SYSTEMS

WHEREAS, the size and impact of Commercial Wind Energy Conversion Systems have the potential to create an excessive burden on the County's infrastructure, the environment, wildlife, nearby property owners and a potential to interfere with the operation of Doppler Weather Radar accuracy; and

WHEREAS, Commercial Wind Energy Conversion Systems are a special permitted use in the A-1 Agricultural, I-1 Light Industrial and I-2 Heavy Industrial zoning districts, of the Muscatine County Zoning Ordinance, subject to consideration and action by the Muscatine County Zoning Board of Adjustment; and

WHEREAS, the Muscatine County Board of Supervisors recognizes that Commercial Wind Energy Conversion Systems may affect the character of the surrounding area and the Board desires that all applications for Commercial Wind Energy Conversion Systems be considered consistently within the purpose and intent of the Muscatine County Zoning Ordinance so that the most appropriate uses of land are encouraged throughout unincorporated Muscatine County; and

WHEREAS, the Muscatine County Board of Supervisors desires to explore the possibility of changing the approval requirements for Commercial Wind Energy Conversion Systems considered by the Zoning Board of Adjustment; and

WHEREAS, changing said review requirements would necessitate amendment of the Muscatine County Zoning Ordinance, and;

WHEREAS, Muscatine County is currently in the process of updating the 2014 Muscatine County Comprehensive Plan and said process will involve multiple public input sessions to hear valuable county resident opinions on Commercial Wind Energy Conversion Systems;

NOW, THEREFORE, BE IT RESOLVED that the Muscatine County Board of Supervisors hereby establishes a temporary moratorium on the issuance of any special use permits for Commercial Wind Energy Conversion Systems, expiring at 11:59 p.m. Central Time on Sunday, October 20th, 2024, unless extended by further action of the Board of Supervisors, to allow the above referenced changes to the Muscatine County Zoning Ordinance concerning Commercial Wind Energy Conversion Systems, to be duly considered by the Muscatine County Zoning Commission and the Muscatine County Board of Supervisors; and

BE IT FURTHER RESOLVED that the Muscatine County Board of Supervisors reserves the right to end the moratorium prior to the approved term of the moratorium upon completion of the amendments to the Muscatine County Zoning Ordinance and satisfactory resolution of the issues as determined by the Muscatine County Board of Supervisors; and

BE IT FURTHER RESOLVED that the moratorium approved by this Resolution shall become effective immediately upon adoption of this Resolution.

PASSED AND APPROVED this 15th 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 Sauer, second by Kirchner, the Board approved the minutes of the January 8, 2024, regular meeting. Ayes: All.

Correspondence:

All Supervisors received emails from Mid-American Energy stating 9,500 customers in the Quad City area had no service due to the snow storm over the weekend with nearly all power restored by Sunday evening.

All Supervisors received an email from Bill Brown regarding a gravel road in Cranston, Iowa. The email was forwarded to County Engineer Bryan Horesowsky who has contacted Bill Brown.

Sorensen received an email from Community Services Director Felicia Toppert regarding a proposed change to the substance abuse network in Iowa to combine them in the mental health region to a different government structure.

Kirchner and Chick received a call from Richard and Samira Smith regarding the county wind power ordinance.

Kirchner and Chick received several calls regarding road conditions during the snow event. Kirchner thanked the County Engineer's department for their snow removal work over the weekend. Kirchner forwarded calls and road condition information to County Engineer Bryan Horesowsky throughout the weekend. Horesowsky stated that information from citizens can be helpful as they are not always aware of specific road conditions or hazards during a snow event.

Committee & Meeting Reports:

Sorensen met last week with City of Muscatine Administrator Carol Webb and Nancy Lueck to discuss EMS as an essential service.

The Board reviewed the health/dental fund balance as of December 31, 2023. Administrative Services Director Schreiber pointed out that claims for the current fiscal year have exceeded premiums paid, resulting in a reduction in the fund balance. Schreiber reminded the Board that the county has hired a consultant to review our health, dental, life insurance and long-term disability policies and solicit bids for the Board to consider by early February 2024. Schreiber stated she has requested a quote for an employee paid vision plan for possible coverage for eye glasses and contact lens purchases. Schreiber stated the current health plan includes an annual vision exam.

County Engineer Bryan Horesowsky stated the secondary road crews worked all weekend with snow removal and will continue to work this week to get all roads opened, wing backed and plowed for two lane traffic. Horesowsky thanked his crews for all the additional hours they worked and stated the nice fleet of vehicles the department uses aided in their snow removal efforts.

County Attorney Jim Barry reviewed the US National Resources Conservation Services (NRCS) has requested that the County consent to proposed wetland easements in Muscatine County. Barry stated when Highway F70 was constructed in 1975 from Mulberry Avenue through the Cedar River Valley there was apparently some threat of litigation for possible flooding which generated an easement and release with a land owner north of Highway F70, relative to the raising of the highway and causing more flooding in the area when the river would go out of its banks. County Engineer Bryan Horesowsky was contacted by the NRCS office requesting the county consent to the wetland easements to allow for wetlands preservation. The current easement allowed for an 8-inch elevation to the road. The road has been consumed to that elevation. Barry stated he will draft a letter of consent to NRCS subject to state NRCS is not going to do anything with easements that will make flooding worse and that they are in compliance with the county flood plain ordinance. Barry stated there are two land owners involved with the easement (originally in 1975 there was one land owner but the property has been split to two parcels), however, there are numerous wetland easements in the area. Mather asked what is the purpose of the easements they are seeking. Barry stated the land owner owns the property with NRCS paying a sum of money to the private land owner to place the land in a wetlands easement with the land owner continuing to own the land, transfer the land, use the land subject to the government limitations or restrictions. Barry stated the wetland easements have been placed for quite some time without the county being aware. Mather asked why they need the county's

consent. Barry stated the attorney in Washington D.C. is stating the county's easement and release needs to consent to the government wetlands easement. Planning and Zoning Administrator Eric Furnas reviewed the county flood plain ordinance stating it limits activity in a flood plain with a permit required for dredging, excavating, fill and reconstruction of water ways. Furnas asked if the landowners could request to be released from the 1975 agreement. Barry stated the question could be asked if we get to that point. Kirchner asked if the bridge project on Highway F70 will be impacted. Horesowsky stated he is reviewing the project as there are wetland easements on both sides of the bridge and could present right of way challenges. The Board consensus was to have Barry send the letter of consent as discussed.

The Board recess at 9:34 A.M. and reconvened at 9:45 A.M.

GIS Manager Mark Yerington reviewed the FY24/25 MAGIC budget request stating a new aerial imagery (last done in 2019) will be done in 2024. Yerington stated they will be entering into a new Asri License Agreement with a reduction in cost from \$49,000 to \$39,000. Beacon hosting service has an increase in cost but is reasonable and a benefit to the community. MAGIC server environment will be moved to a hosting environment. Yerington stated there is a parcel administration upgrade expected with conversion and training.

County Attorney Jim Barry reviewed the FY24/25 budget request is primarily cost of living adjustments. Barry stated there is a reduction office expenses due to change in the office case management system. Barry stated the fine collection revenue will be deposited into the general fund and keep a balance of \$10,000. Barry stated fine collection effort has been impacted by legislative action with allowing a temporary restricted license now so delinquent fines do not have to be paid to obtain this license, which has created collection difficulties. Barry stated in fine collections there is legislation for Category B expenses, which are attorney fees and court costs which people can make application to the court and the court can pronounce them indigent and avoid paying these expenses. The system has negatively cut the fine collection revenue as people can avoid the expenses. Chick asked how many employees are in the County Attorney's office. Barry stated there are 11 employees which are five attorneys including himself, four legal secretaries, one fine collections employee and a victim witness coordinator. Sorensen asked if his staffing is sufficient. Barry stated in the future there may be a need for another attorney but not envisioning it to be within the next year. Barry stated unsupervised probations could be improved with monitoring, however additional attorney staff would need to be added as the office workload is already at its max.

County Auditor Tibe Vander Linden reviewed the FY24/25 budget request stating an increase in postage is listed due to House File 718. This is a new required mailing to all property owners by March 20th each year, that informs the parcel owner of the upcoming School, County and City public hearings where proposed property taxation for the next fiscal year will be presented. Vander Linden presented a sample mailing notice to the Board and stated the mailing cost is estimated to be \$10,000. Vander Linden reviewed the proposed budget increases for two new office chairs, election postage for the 2024 Primary and General Elections, election equipment maintenance, additional election workers stipend due to increase in new poll workers/training, new required hotspots/routers for the election laptop upgrade and an additional Express Vote machine. Vander

Linden stated the budget does not include training and travel cost for the expected ArcGIS pro program for the MAGIC parcel administration upgrade as she just learned the upgrade is expected in the next fiscal year. Vander Linden requested to hire an additional clerk position, stating the salary adjustment to hire this position was approved and included in the current FY24 budget however the job duty requirements are now being presented. The hiring request is to hire within the next few weeks to prepare for the upcoming elections and other daily duties in the Auditor's office. Vander Linden noted the additional employee will assist with the real estate work in her office that has increased as well as Iowa Secretary of State has increased requirements with IVoters reconciliation, NCOA cards, training and classes. There will be two additional polls to staff and to equip due to redistricting. The election laptop program for the polls was upgraded and requires increased pre-election work and has created more required training for poll workers. Vander Linden stated an additional 50 poll workers are needed for the upcoming elections. Vander Linden stated the additional employee would also assist with the accounts payable and payroll processes the office is responsible for. Vander Linden stated most of her current staff was hired within the past two years so the knowledge and experience of seasoned employees is now a building process with her staff. Cathy Ribbink, 2nd Deputy Auditor stated her concerns with the real estate duties and how the transfer book work has increased. Ribbink stated the election seasons create a back log with the transfers which affects the Assessor's office. County Assessor Randy Spies stated the real estate transfer back log can become problematic and the recent Equalization Order showed how real estate transfers need to be done timely. Vander Linden asked the Board if her staff can accrue comp hours when working additional hours during elections, tax season and valuation report time. At this time, the staff is paid over-time however the Employee Handbook states employees can accrue up to 40 hours in compensatory time in lieu of overtime pay. Vander Linden would like the Auditor's office to be allowed the same treatment as the other offices. The Board stated they will review the handbook. Sorensen questioned if the technology the county has invested in is utilized to make the real estate processes run more efficiently or if the cost is a waste of money. County Recorder Sarah Heart stated the technology has improved efficiency and without the technology, the Recorder's office would definitely need another employee. Spies stated the technology has improved the counter assistance in the Assessor's office as the MAGIC site has 500,000 annual visitors using the technology.

County Recorder Sarah Hearst reviewed the FY24/25 budget request with no significant changes. Hearst stated real estate recordings are down, they are working more with mortgage and release assignments.

County Treasurer Amy Zybarth reviewed the FY24/25 budget request stating she has not requested salary changes as the county is waiting on the salary study. Zybarth stated her office has had staff changes so the clerks are mostly entry level salaries so the salary budget has come in lower. Zybarth stated she would like to offer higher salaries to get the attention of higher quality candidates when new openings occur and to keep the valued employees. Zybarth stated the public is complimentary of the service they receive from her staff, especially from the contingent county customers that use our county instead of the required scheduling with their own county. Zybarth stated she does not have significant changes in the budget. The increase in postage is due to the post office has had two postage increases in the past year. The department processes a significant number of electronic renewals and car dealership transactions that creates additional postage.

Zybarth stated the interest increase is a positive compared to other years (plus the American Recovery Plan Act fund balance has assisted with receiving an interest rate at 5.5%). Zybarth stated City of West Liberty will be turning in their parking tickets that creates revenue at \$5.00 each. Passport revenue has been increasing with people traveling again.

The Board recess at 11:04 A.M. and reconvened at 11:11 A.M.

Planning and Zoning Administrator Eric Furnas reviewed the FY24/25 budget request with no significant changes. Furnas stated issuing permits for home projects have kept the department busy. Furnas stated the lack of new construction has allowed time to update and replace 911 signs. Well sampling expenditures is covered on the revenue side with grants. Furnas stated he will not be replacing vehicles this year but has increased the maintenance budget \$1,000 to maintain three vehicles. Furnas is waiting for the salary study. Furnas stated the state requires within a year of employment the E1 certification (for home inspections) and E2 certification (for industrial and commercial) with additional plan review required for the industrial/commercial inspections. Furnas stated one or two of his employees will be required to obtain the E2 certification and an Inspector II position may need to be created and compensated for their level of expertise. Furnas stated there is a large decrease in the Ordinance Revision line as it is meant for publications for amending ordinances and hiring Bi-State to review the Comp Plan which will not occur in the upcoming fiscal year as it should be completed in this year.

County Engineer Bryan Horesowsky reviewed the FY24/25 budget request and the state revenue requirements with an increase of \$160,000 from rural services to meet the minimum requirement or there will be a reduction of state funding. All Systems Permit (over size load permits) revenue is ever changing with the legislature (the funds to be used for bridge inspections). Bridge Replacement (Federal) revenue will most likely be \$0 for FY24 as a bridge project has been held up. Horesowsky stated he anticipates a significant carry over of FY24 projects and the funding into FY25. Horesowsky stated salaries under the engineering budget show a 12% increase due to potential pay raises and the potential of two employees getting professional licenses. Horesowsky stated his employees watch the other county's salaries so he looking forward to the salary study report. Engineering supplies has a large decrease as large budget items will be purchased this year. Bridge inspection budget has increased from \$16,000 to \$43,000, due to inspections being more challenging the next four years as inspectors anticipate increased time documenting information in a federal program. Horesowsky stated the union will likely request substantial salary raises with the upcoming negotiations in FY25. Horesowsky reviewed the rock and salt price increases. Asphalt Concrete budget is increased due to maintenance. P.C.C. budget is a maintenance project for Vail Avenue for major road patching. Pave markings budget is a decrease as it is an off year for markings. Road clearing has an increase as there is more time spent by the crews and can depend on if there is a mild winter. Horesowsky reviewed the capital expenditures with replacing two tandem trucks (with trades), snow equipment for two tandem trucks, one motor grader (with trade), one light duty truck (with trade), compactor (with trade) and medium duty truck with tilt body (with trade). Horesowsky decreased the fuel budget as fuel prices are lower than budget time last year. Chick requested a list of the current vehicle fleet list. Horesowsky will provide a fleet list.

Recess at 12:03 P.M. Reconvened at 1:04 P.M.

Information Services Director Bill Riley reviewed the FY24/25 budget request with an increase in metro area network and internet service due to taking servers out of Community Services and Conservation departments and providing a gig service over the leased lines which will consolidate servers (with the exception of the County Attorney's office). Riley reviewed service agreements and servers budget line items. Tyler Annual Maintenance and copier maintenance has increased. Riley stated the Microsoft agreement is not expected to decrease as we are concentrating on moving away from using the box version for more offices and moving to Microsoft Office 365 and explained the Vulnerability Management and MDR item is a managed detection and response for vulnerability and patching. Riley stated a request for a Hyper V server would replace the SOEZ Nutanix server in order to begin a transition away from Nutanix due to high subscription costs. Riley reviewed the reimbursement detail report which reports the number of units per department for equipment, software and licenses. Chick asked if Riley has hired an additional employee that he requested during last year's budget and the salary was approved. Riley stated he is waiting for salaries to be updated with the expected salary study before he posts the position as other counties are posting similar positions that list a starting salary that Krissy Channon is currently paid, who is topped out at her grade/step.

Administrative Services Director Nancy Schreiber and Budget Administrator Kala Naber reviewed the General Services FY24/25 budget request stating there are increases for utilities and building maintenance but other budget items do not have significant changes. Sorensen asked if the lights have been converted to LED lighting with discussion regarding the possible utility cost savings if all lights were converted.

Chick expressed his concern regarding the salary study that the board is waiting on and asked how budget decisions can be made at this time. Schreiber stated the consultant is working on the salary study however Schreiber finds it unlikely the information will be returned in time to be included for the FY 25 budget decisions.

Chick reviewed the Capital Projects item for the law enforcement shooting range and asked if this project has been discussed further. The Board discussion was held to state there have been no further commitments made other than the county's prior commitment of \$400,000 to the land portion of the proposed project. Chick asked if pioneer cemetery maintenance are going to be budgeted for. Naber stated the pioneer cemeteries will be discussed during the Non-Departmental budget discussions as there is a proposed budget for cemetery maintenance. Chick asked for clarification on the courthouse roof project budget and funding. Naber stated the project is scheduled for this fiscal year however it is likely to cross into the next fiscal year so the funding is also listed for FY24/25.

The meeting was adjourned at 2:05 P.M.

ATTEST:

Tibe Vander Linden
County Auditor

Jeff Sorensen, Chairperson
Board of Supervisors