

Muscatine County Board of Supervisors
Monday, January 22, 2024

The Muscatine County Board of Supervisors met in regular session at 9:00 A.M. with Chick, Kirchner, 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 22, 2024, in the amount of \$369,267.49. Ayes: All.

A Public Hearing was called to order by Chairperson Sorensen at 9:01 A.M. on a proposal to vacate and close Wiggens Road in Fruitland Township.

County Engineer Bryan Horesowsky presented an exhibit with a map of Wiggens Road regarding a land owner's request for a road vacation due to issues with unauthorized access to portions of their property. Horesowsky stated the neighboring landowners have been in favor of the road vacation. Horesowsky does not foresee any issues with this road vacation and has not had any public input.

On a motion by Sauer, second by Kirchner, the public hearing was closed at 9:03 A.M. Roll call vote. Ayes: All.

Mather joined the meeting at 9:04 A.M.

On a motion by Kirchner, second by Sauer, the Board approved Resolution #01-22-24-01 Approving a Request to Vacate and Close Wiggens Road in Fruitland Township. Chick stated his concern with the requested road vacation as 41st Street has already been vacated which only allows Wiggens Road to be the public access road to the river. Chick stated he is familiar with this area and has seen citizens fishing along the river and stated his concern that there will be no public access for safety and river rescue. Sauer asked if there is a public access and a boat landing. Horesowsky stated it is private property on both sides of the road and the road technically extends to the river, per the legal description. Mather stated other than the right-of-way there is no public ground. Mike Caffery, Bayer Crop Science Facility Coordinator stated there are people who leave trash for Bayer employees to clean up. Caffrey stated the area previously had river cabins until the Corp of Engineers removed them. Roll call vote: Ayes: Sauer, Mather, Sorensen, Kirchner. Nay: Chick. Motion carried.

RESOLUTION #01-22-24-01
APPROVING A REQUEST TO VACATE AND CLOSE WIGGENS ROAD IN
FRUITLAND TOWNSHIP

WHEREAS, the Muscatine County Board of Supervisors held a public hearing at 9:00 a.m. on January 22, 2024, on the proposed vacation and closure of Wiggens Road in Fruitland Township, described as follows:

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.

and;

WHEREAS, information received at the hearing has been considered by the Muscatine County Board of Supervisors.

NOW, THEREFORE BE IT HEREBY RESOLVED by the Muscatine County Board of Supervisors that the request to vacate and close the above described roadway be approved.

PASSED AND APPROVED this 22nd day of January, 2024.

ATTEST:

/s/Tibe Vander Linden
Muscatine County Auditor

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

A Public Hearing was called to order by Chairperson Sorensen at 9:10 A.M. on proposed plans, specifications, form of contract and cost estimate for the Muscatine County Jail Mechanical Penthouse Access Panel and Platform Modification Project.

Mike Nolan, Horizon Architecture, reviewed the proposed project stating two access panels would be installed to the mechanical penthouse in order to get access to the geothermal system.

On a motion by Sauer, second by Mather, the public hearing was closed at 9:12 A.M. Roll call vote. Ayes: All.

On a motion by Sauer, second by Kirchner, the Board approved Resolution #01-22-24-02 Approving Plans, Specifications, Form of Contract and Cost Estimate for the Muscatine County Jail Mechanical Penthouse Access Panel and Platform Modification Project. Roll call vote: Ayes: All.

RESOLUTION #01-22-24-02
APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND COST ESTIMATE FOR THE MUSCATINE COUNTY JAIL MECHANICAL PENTHOUSE ACCESS PANEL AND PLATFORM MODIFICATION PROJECT

WHEREAS, the Muscatine County Board of Supervisors has retained Horizon Architecture to provide consulting architectural/engineering services for the Muscatine County Jail Mechanical Penthouse Access Panel and Platform Modification; and

WHEREAS, Horizon Architecture has prepared plans, specifications, form of contract and estimated cost for the project, which documents have been on file and available for public inspection in the Muscatine County Administration Office since Thursday, January 18, 2024; and

WHEREAS, following notice of public hearing published in accordance with the law, a public hearing was held on Monday, January 22, 2024 at 9:00 a.m. in the Muscatine County Administration Building at which members of the public were allowed to be heard on the issue of the Muscatine County Jail Mechanical Penthouse Access Panel and Platform Modification Project, and on the documents prepared in connection therewith.

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

1. That the plans, specifications, form of contract and estimated cost of the Muscatine County Jail Mechanical Penthouse Access Panel and Platform Modification Project are hereby approved.
2. That Muscatine County shall solicit sealed bids for the proposed improvement in accordance with the law.
3. That bids must be received as described in the Notice to Bidders on or before 3:00 p.m. on the 8th day of February, 2024.
4. That bids shall be publicly announced at 9:00 a.m. on Monday, February 12, 2024 at the Muscatine County Board of Supervisors meeting.
5. That the sealed bids must be accompanied by a bid security equal to ten (10) percent of the bid.

PASSED AND APPROVED this 22nd day of January, 2024.

ATTEST:

/s/Tibe Vander Linden
Muscatine County Auditor

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

A Public Hearing was called to order by Chairperson Sorensen at 9:13 A.M. on proposed plans, specifications, form of contract and cost estimate for the Muscatine County Jail Exterior Insulated Metal Panel Installation Project.

Nolan reviewed the proposed project stating during the county jail booking area expansion project, completed a few years ago, had insulated panels installed, which have assisted with taking some load off the geothermal system. Nolan stated a project request was submitted to review the rest of the portions of the jail to install insulated metal panels to make it all look and work the same. Nolan stated the proposal is a primary bid to start at the Walnut Street main jail entry with metal panels to wrap around the building to the loading dock and include the mechanical penthouse on 2nd floor. Nolan stated the alternate bid is to add the insulated panels to the 2006 addition of the jail building. The Board held discussion with General Service Manager Oscar Alvarez regarding the load experienced on the geothermal system that occurred summer 2023 due to the extreme outside temperatures and how the set points were raised on the administration building to accommodate the jail. Nolan stated the general intent with the proposed project is to reduce the demand on the geothermal system and keep the interior of the jail at a more acceptable temperature.

On a motion by Sauer, second by Mather, the public hearing was closed at 9:19 A.M. Roll call vote. Ayes: All.

On a motion by Mather, second by Sauer, the Board approved Resolution #01-22-24-03 Approving Plans, Specifications, Form of Contract and Cost Estimate for the Muscatine County Jail Exterior Insulated Metal Panel Installation Project. Roll call vote: Ayes: All.

**RESOLUTION #01-22-24-03
APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND COST
ESTIMATE FOR THE MUSCATINE COUNTY JAIL EXTERIOR INSULATED
METAL PANEL INSTALLATION PROJECT**

WHEREAS, the Muscatine County Board of Supervisors has retained Horizon Architecture to provide consulting architectural/engineering services for the Muscatine County Jail Exterior Insulated Metal Panel Installation; and

WHEREAS, Horizon Architecture has prepared plans, specifications, form of contract and estimated cost for the project, which documents have been on file and available for public inspection in the Muscatine County Administration Office since Thursday, January 18, 2024; and

WHEREAS, following notice of public hearing published in accordance with the law, a public hearing was held on Monday, January 22, 2024 at 9:00 a.m. in the Muscatine County Administration Building at which members of the public were allowed to be heard on the issue of the Muscatine County Jail Exterior Insulated Metal Panel Installation Project, and on the documents prepared in connection therewith.

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

6. That the plans, specifications, form of contract and estimated cost of the Muscatine County Jail Exterior Insulated Metal Panel Installation Project are hereby approved.
7. That Muscatine County shall advertise for sealed bids for the proposed improvement in accordance with the law.
8. That bids must be received as described in the Notice to Bidders on or before 3:00 p.m. on the 8th day of February, 2024.
9. That bids shall be publicly announced at 9:00 a.m. on Monday, February 12, 2024 at the Muscatine County Board of Supervisors meeting.
10. That the sealed bids must be accompanied by a bid security equal to ten (10) percent of the bid.

PASSED AND APPROVED this 22nd day of January, 2024.

ATTEST:

/s/Tibe Vander Linden
Muscatine County Auditor

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

Emergency Manager Chris Jasper stated he participated in a statewide call with Homeland Security and Emergency Management discussing the winter storm that occurred on January 11, 2024 and if it met the criteria of a disaster declaration. The FEMA criteria is that it must be a record snowfall, which Muscatine County and a total of 14 Iowa counties met the criteria. Jasper stated as of January 19, 2024, eight of the 14 counties have declared a storm disaster. Jasper stated the Muscatine County threshold of expenses is set as \$198,000 and if this is met then we can declare and submit to the state. Jasper stated the 14 Iowa counties who have been declared will be required to meet a collective \$5.8 million threshold to receive a possible FEMA reimbursement. The proposed Winter Storm Disaster Declaration states the county suffered from a major winter storm on January 11, 2024 with significant snowfall, blowing and drifting snow, life-threatening wind chills endangering the health and safety of citizens. Jasper stated by declaring this state of emergency, the county may execute emergency funds from all available sources, invoking mutual aid agreements and the application to the State of Iowa for assistance. Jasper stated if the Board approves the declaration it does not require the county to file for reimbursement from FEMA, however, the expenses incurred by the County Engineer's office do meet the threshold of expenses. The compiled expenses from all municipalities (in our county) will determine if we choose to file for reimbursement from FEMA. Jasper stated if the Board approves the winter storm disaster declaration, it could possibly help the other counties who may choose to file for FEMA reimbursement.

On a motion by Chick, second by Mather, the Board approved a Winter Storm Disaster Declaration, with Chris Jasper, Coordinator, Muscatine County Emergency Management Agency.

The Board reviewed a variance with Planning and Zoning Administrator Eric Furnas granted by

the Muscatine County Board of Adjustment on January 5, 2024. Case #24-01-01, an application filed by Terry Westaway, Record Owners, 1292 231st Street, Conesville, Iowa, who requested a Variance to allow a garage to be built in front of the residence. The Board of Adjustment determined that the accessory building would not impair the public in any way. There is limited available space where the garage could be placed due to the topography of the parcel, floodplain, and the location for the septic system. The location would not impact visibility of 231st Street as it would be over 100 feet from the road.

Furnas reviewed a variance for Case #24-01-02, an application filed by Brad Jipp, Record Owner, 1010 Moscow Road, Moscow, Iowa, who requested a Variance to allow an accessory structure to be built in front of the residence. The Board of Adjustment determined that the building would have minimal impact as it would be located approximately 230 feet from the front lot line and farther away from the roadway than an existing barn and several grain bins.

On a motion by Sauer, second by Mather, the Board accepted the two Variances. Ayes: All.

Furnas stated he will hold a meeting with a Duke Energy, a wind energy developer company, who has requested to review the county ordinances and moratorium regarding wind energy.

County Engineer Bryan Horesowsky reviewed the request to purchase one 2024 Light Duty Truck for \$50,380.00, with two potential trades. The truck was budgeted as a capital expenditure for FY24 and will be used for inspections and surveying.

On a motion by Mather, second by Sauer, the Board approved the purchase of one 2024 Light Duty Truck for \$50,380.00 with two trades of Unit 9-2018 Chevy 1500 2wd and Unit 22 – 2009 Ford F-350, with the recommended purchase amount to be \$28,380.00 with the potential net trades. Ayes: All.

Horesowsky updated the Board on secondary road projects.

Sorensen thanked the Secondary Roads crews for their hard work during the recent snow event to plow the roads.

On a motion by Sauer, second by Kirchner, the Board approved the minutes of the January 15, 2024 regular meeting and January 16, 2024 special meeting. Ayes: All.

Correspondence:

Sorensen received a phone call from Duke Energy representative, requesting a meeting to discuss a concern with the county moratorium.

Chick received a call from Don Briggs regarding the Wiggins Road vacation.

Kirchner received calls and texts from citizens regarding the road conditions.

Kirchner received calls and texts from citizens regarding the wind energy moratorium.

Committee & Meeting Reports:

Kirchner attended a Muscatine County Fair Board meeting on January 18, 2024.

Chick attended a Greater Muscatine Chamber of Commerce and Industry (GMCCI) meeting on January 17, 2024 to discuss a potential dry crete company who is considering to place a plant in our area.

Chick attended a GMCCI Board meeting on January 18, 2024.

Sorensen attended Muscatine County Emergency Management Board meeting on January 17, 2024.

Mather attended a Muscatine County Veterans Affairs Commission meeting on January 17, 2024.

Sauer attended a River Bend Transit Board of Directors meeting on January 17, 2024.

Sauer attended a Muscatine County Board of Health meeting on January 17, 2024.

On a motion by Sauer, second by Mather, the Board approved Resolution #01-22-24-04 Reallocating American Rescue Plan Act Funds. Roll call vote: Ayes: All.

RESOLUTION # 01-22-24-04
REALLOCATING AMERICAN RESCUE PLAN ACT FUNDS

WHEREAS, on March 11, 2021, President Biden signed the 1.9 trillion-dollar American Rescue Plan Act to speed up recovery from the economic and health effects of the COVID-19 pandemic and,

WHEREAS, the American Rescue Plan allocated \$8,286,982.00 to Muscatine County and on May 21, 2021 the first half of funds totaling \$4,143,491.00 was received and on June 9, 2022 the second half of the funds totaling \$4,143,491.00 was received and,

WHEREAS, the Muscatine County Board of Supervisors chooses the standard revenue loss allowance of up to \$10,000,000 for government services and,

WHEREAS, the Muscatine County Board of Supervisors allocated \$128,385.00 to the Auditor's Office remodel project on January 24, 2022 and wishes to reallocate these funds to the following projects:

- Courthouse Roof Replacement in the amount of \$20,784.53
- City of Muscatine Indoor Sports Complex in the amount of \$107,600.47

NOW, THEREFORE, BE IT RESOLVED, the Muscatine County Board of Supervisors reallocates American Rescue Plan Act Funds from the Auditor's Office remodel project to the items listed above.

PASSED AND APPROVED this 22nd day of January, 2024.

ATTEST :

/s/Tibe Vander Linden
Muscatine County Auditor

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

Budget Administrator Kala Naber reviewed the Energy Efficiency and Conservation Block Grant (EECBG) stating the proposed grant for \$76,000 would be used to replace three hot water heaters at the county jail with more energy efficient models. Naber stated if the replacement cost of the three water heaters exceeds the \$76,000 grant, Sheriff Quinn Riess has stated commissary funds can be used to pay the balance.

On a motion by Chick, second by Kirshner, the Board authorized the Chair to sign an Energy Efficiency and Conservation Block Grant (EECBG) Program Equipment Rebate terms and conditions. Ayes: All.

The meeting was adjourned at 9:45 A.M.

ATTEST:

Tibe Vander Linden
County Auditor

Jeff Sorensen, Chairperson
Board of Supervisors