

Muscatine County Board of Supervisors  
Monday, May 20, 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 Mather, the agenda was approved as presented. Ayes: All.

On a motion by Sauer, second by Kirchner, the Board approved claims dated May 20, 2024 in the amount of \$1,995,881.52. Ayes: All.

Planning and Zoning Administrator Eric Furnas held discussion with the Board regarding possible action to approve an ordinance rezoning approximately 8.10 acres in Sweetland Township from A-1 Agricultural District to R-1 Residential District on the first of three readings. The property for discussion is located in Sweetland Township, in the SW1/4 of Section 4-T77N-R1W, Parcel #09-04-300-006. Sorensen stated the land area for discussion is primarily zoned as commercial with anticipated future development. Sorensen stated a concern is the land use restrictions if a R-1 Residential property is permitted. Furnas stated the issues with this proposal, according to the zoning ordinance, are that residential zoning districts are intended to provide regulations for those areas that are designated for subdivisions and the future land base map does not show any additional residential development or expansion. Furnas stated 49% of land in this area is zoned for commercial use and given the C2-Commercial Districts are not necessarily compatible with residential development; the planned and practiced growth practices would strongly suggest the area to have expected commercial growth not residential. Discussion was held with the Board involving concerns with spot zoning, commercial and industrial setbacks, hardship precedence that could be established, variances, and special use permits reviewed on a case by case basis for rural residents.

Jayne Hazen, 6703 51<sup>st</sup> Street South, Muscatine, stated her father, Kevin Phillips, has offered to allow her family to build a house on Parcel #09-04-300-006 in order to build a handicap accessible home for their severely handicapped child. Hazen stated the parcel is generational land that was previously acquired by her grandfather in the 1970's. Hazen stated she works with her sister for their business, K & R, LLC and the business office is located on the parcel and their families spends the weekends riding dirt bikes and four wheelers on the lot. Hazen stated within a half mile radius circle from the parcel there are 22 residential homes, three businesses with two of them having homesteads on them, an ag center and a church. Hazen stated she believes it is an ambitious assumption that the entire area will be commercial lots. Hazen stated if Mr. Sauer wanted to build more storage units on his lot it would likely work out for him to expand his business. Hazen stated her request is so her family would have the same opportunity as other residents have had in that area to live next to their business. Hazen stated by obtaining the parcel from her father it will help curb some of the costs for building a handicap accessible home. Hazen stated by building a handicap home on her father's lot it would save them approximately \$40,000-\$60,000 which would allow money for handicap adaptations needed for her child. Hazen stated living next to her work will be convenient to attend to her child, who does not have childcare available, due to his handicap. Hazen stated she does not want to hinder commercial growth but wants the same opportunity to build a home as the other residents within a half mile have done so.

Furnas provided an explanation on buffering recommendations between R-1 Residential zoning for C-1 and C-2 Commercial zoning districts. Chick questioned if the house was built on the far east corner of the parcel if the commercial setbacks would be affected. Mather questioned if a subsequent owner could then build anywhere on the lot if it were zoned R-1 Residential. Furnas stated yes. Furnas stated the burden is that the adjacent commercial properties to the west would have larger setbacks. Mather questioned how many years the area parcels were re-zoned as commercial and why the Shepherd parcel has a home on the property. Furnas stated the rezoning for the Shepherd parcel and the storage units to the east were rezoned commercial in the past 20 to 25 years. Furnas stated the Shepherd residence has a sunset on it as it was rezoned commercial and the home was a replacement for a farmstead home.

On a motion by Chick, second by Mather, the Board moved to approve an ordinance rezoning approximately 8.10 acres in Sweetland Township from A-1 Agricultural District to R-1 Residential District on the first of three readings. Roll call vote: Ayes: Chick. Nays: Kirchner, Mather, and Sorensen. Sauer abstained from the vote due to owning commercial ground adjacent to the parcel. Motion failed.

On a motion by Sauer, second by Mather, the Board approved the minutes of the May 13, 2024 regular meeting and the amended minutes of the May 8, 2024 special meeting. Ayes: All.

#### Correspondence:

All Supervisors received an email from Jayme Hazen regarding a proposed ordinance rezoning request.

Sauer and Kirchner received a call from Bill Furlong regarding potential land use changes in reference to the upcoming County Comprehensive Plan public hearing to be held in West Liberty on Wednesday, May 22, 2024.

Mather received an email from Planning and Zoning Administrator Eric Furnas regarding the County Comprehensive Plan updates.

Chick had a call from a resident with concerns with Sweetland Road and New Era Road. Chick forwarded the information to County Engineer Bryan Horesowsky.

#### Committee Reports:

Kirchner attended a Lower Cedar Watershed Management Authority meeting on May 14, 2024.

Kirchner attended a MUSCOM meeting on May 15, 2024.

Kirchner attended a Muscatine County Fair Board meeting on May 16, 2024.

Kirchner attended a West Liberty Economic Area Development meeting on May 17, 2024.

Chick attended a Mississippi Valley Workforce Area Board meeting on May 13, 2024.

Chick attended a Greater Muscatine Chamber of Commerce and Industry Economic Development meeting on May 15, 2024.

Chick attended a Mississippi Valley Workforce Area CEO meeting on May 16, 2024.

Sorensen attended a Muscatine County Joint Communications Commission meeting on May 15, 2024.

Mather attended a Decategorization Board meeting on May 13, 2024.

Sauer attended a Riverbend Transit Board of Directors meeting on May 15, 2024.  
Sauer attended a Muscatine County Board of Health meeting on May 15, 2024.

On a motion by Mather, second by Sauer, the Board authorized the Chair to sign an amendment to the ARPA grant agreement, with the City of Muscatine for the Indoor Sports Complex, to extend the expenditure deadline from June 30, 2024, to December 31, 2024. Chick stated he is in support of the project but is not in favor of using ARPA funds. Ayes: Kirchner, Sorensen, Sauer and Mather. Nay: Chick. Motion passed.

On a motion by Chick, second by Kirchner, the Board authorized the County Attorney to sign a settlement agreement and release with Rusbel Calderon. Mather abstained to vote due to a possible conflict of interest. Ayes: Kirchner, Chick, Sorensen and Sauer. Nays: 0. Motion passed.

Tara Hogan, 104 Pine Street, Fruitland, Iowa, stated she is the Union Steward for the AFSME Council 61, Local 606, representing union members in response to the county's recent counter proposal submitted on May 14, 2024. Hogan stated the union representative, James Sindler, gave the initial proposal in writing on or about April 12, 2024 and again on May 10, 2024. The union membership asked for an 8% wage increase across the board and implementation of step increases to honor the longevity of employees. Hogan stated over the course of several months, Sindler has repeatedly reached out to Administrative Services Director Nancy Schreiber and the county's representation, Ann Smisek, for the purpose of rescheduling wage reopener negotiations, only to be told the county would prefer to extend the existing contract. Hogan stated as of May 10, 2024, we still had not received a counter proposal, proposed meeting date or any other form of progression from the county, at which time, James drafted an email grievance to all Board of Supervisor members, Schreiber and Smisek, voicing our frustration. Hogan stated on May 14, 2024, we received a counter offer of 3.25% wage adjustment to the current scale, step advancements continued at 1% at a time and a payment in December 2024 for employees at top scale as of July 1, 2024. Hogan stated the total cost of this proposal is 4.28%. Hogan stated as a union we feel this counter offer is not acceptable as our union members are significantly underpaid including but not limited to nursing staff. Hogan stated that currently there is only one full-time RN Nurse who yields \$58,000.00 per year. Hogan stated the county has paid two different staffing agencies more than \$160,000.00 for contracted nurses since September 2023 and our food service members are the lowest paid members with one of them being employed for 13 years, yet only is paid \$40,000.00 annually. Hogan stated the records clerk has been employed for nearly 25 years and her annual salary is right under \$40,000.00. Hogan stated cost of living, housing, groceries, utilities and health insurance have all significantly increased so our current salaries do not keep up with the rising cost of inflation. Hogan stated the employees receive IPERS and decent health insurance, it is becoming increasing impossible for county employees to save for retirement or their savings. Hogan stated the employees are dedicated and value their service to the county, however, the rising cost of living have led many of us to consider other means of employment. Hogan stated we are respectfully requesting relief from the county which will likewise promote retention and recruitment of new employees. Hogan thanked the Board for their time.

Eric Lindle, Muscatine County Jail Correctional Officer and Union Steward for Teamsters Union 238. Lindle stated the jail correctional officers' are dedicated to their position and strive day in and day out to fulfill our duties, which makes the community safer. Lindle stated correctional officers have a wide variety of skills ranging from de-escalating tactics for hostile or suicidal inmates, searching for drugs/weapons, processing court paperwork, responding to medical emergencies and dangerous situations. Lindle stated the jail houses local inmates in addition to housing for several other counties and federal inmates from three districts. Lindle stated the county has made millions of dollars with housing federal inmates; however, the county has used the funds on other things and not reinvesting in their employees, which is very disappointing. Lindle stated the number of federal inmate assaults on correctional officers has risen each year and yet this is not recognized by the Board. Lindle stated the union and the citizens have witnessed the board consistently raise the wages for certain positions in the county but have failed to address the wages for correctional officers, deputies and jail administrative support staff. Lindle stated Administrative Services Director Nancy Schreiber makes approximately an annual salary of \$139,130.44, which is currently more than the Iowa Governor makes. Lindle stated they find this appalling considering that some employees are struggling to find adequate support for our families at this time. Lindle stated businesses such as Kwik Star, Walmart, and Panda Express have increased their starting wages to a few dollars less than our starting wage and our staff puts their lives on the line every day. Lindle stated the Board has offered a 3.25% wage increase which is shocking to say the least, as it does not cover the cost of inflation over the past four years when other businesses have increased wages. Lindle stated the previous governor passed legislation which allowed language to be removed from the union contract which then prevented the union from bargaining with the county. Lindle stated once the legislative change was in place, the county took away the longevity pay and all other contract language, which no other Iowa county near us has done. Lindle stated we are asking the Board to reconsider the offer and show us we are valued for our training, years of service and dedication. Lindle thanked the Board for their time and consideration.

Mike Channon, Corporal with Muscatine County Sheriff's office, stated today we address a significant concern that affects not only our members but the entire community of Muscatine County. Channon stated there have been growing frustrations with delays and communication failures in our negotiation process. Channon stated in no means does this letter or our opinion of our unit reflect negatively on the job performance of Sheriff Riess, as he is doing a great job. Channon stated approximately one month ago, the county suggested an extension to our union contract and we agreed to consider the extension provided that it includes fair adjustments, a 10% pay increase and a reduction of from the top step from fourteen years to ten years. Channon stated while dropping the steps would not affect the county financially next year at all. Channon stated the proposal was based on your own salary study which highlighted our deputies are underpaid compared to much smaller counties like Cedar and Louisa County, where the cost of living and occupational demands are much lower. Channon stated the counter offer we received was a mere 3.25% which falls short and feels dismissive of the contributions our members make, especially in light of the rise in inflation since 2020 which has severely affected our members' living standards. Channon stated the counties budget shows all non-bargaining employees are slated to receive a 5% wage increase and bargaining employees are offered 3.25%, why the difference? Channon stated our willingness to engage has been met with a lack of urgency by the county administration, most troubling has been the role of

the unelected Administrative Services Director Nancy Schreiber. Channon stated in these negotiations, essential details about our position were not fully communicated to the Board, leading to further delays in mismanagement in the negotiation process and consequently members of our union have lost all confidence in her ability to do her job on behalf of the county. Channon stated given these challenges we find ourselves compelled to insist on further adjustments to reflect the economic reality our members face. Channon stated we urge the Board take a more direct role with the on-going issues with HR Management which has severely impacted our confidence in the negotiation process and delays and excuses will no longer be tolerated. Channon stated we are prepared to take all necessary legal measures to expedite these positions toward a fair resolution and resolve these issues cooperatively but we stand ready to protect our members' interest and with all available resources. Channon stated let us proceed with urgency and seriousness this matter warrants to insure our deputies are acknowledged for their dedication but are compensated fairly reflected by the findings of your own salary study. Channon stated on March 12, 2024, the county posted a job opening for a Building and Zoning Environmental Inspector position with a salary range of \$48,991 to \$59,583 and then again on May 16, 2024, the county re-posted the same position with a salary range of \$59,280 to \$65,568. Channon stated the position was re-posted with a 21% salary increase due to the salary study. Channon stated the Board is offering a 21% salary increase for the posted position but is offering our union members 3.25% when the salary study shows we are 11% down. Channon thanked the Board for addressing these pressing issues.

Chick stated he has been friends with Channon for 10 years and asked Channon if he has ever given any indication on where he personally stands on union negotiations or where the Board stands on union negotiations in their personal conversations? Channon stated never.

County Engineer Bryan Horesowsky updated the Board on secondary road projects. Horesowsky stated last week he attended a County Engineers Association meeting. Horesowsky stated the meeting addressed the Iowa DOT grants for a new safety action plan grant and an upcoming meeting has been scheduled for October 22, 2024. to discuss the "Safe Streets for All" grant. Horesowsky also stated the Region 9-STGB projects will be discussed at a meeting later this week for the ranking of road projects.

Furnas gave an update on the courthouse roof project as he attended a pre-construction meeting last week. Furnas stated within the next two weeks, scaffolding will be set up and the courthouse lawn sprinkler system will be mapped with flags. Furnas stated he had a meeting with Sheriff Quinn Riess and Captain Matt McCleary and discussed restricting access to some of the sidewalks leading to the courthouse to account for public safety and discussed the possibility of re-opening the Third Street entrance for public access. The courthouse roof project is projected to last all summer. Mather asked if there have been any updates with potential courthouse security improvements. Sauer stated Riess was to report back to the Board but no updates have been stated. Chick asked if there are any updates on the sewer issues at M & W Mobile Home Park. Furnas stated contractors have been contacted to replace a sewer section, currently there are no issues with the sewer.

County Auditor Tibe Vander Linden announced today is the deadline to submit an Absentee Ballot Request form by 5:00 p.m. if you are requesting to have your Primary Election ballot mailed. Vander Linden stated today is also the Pre-Voter Registration deadline, however, you can register to vote on

election day or during the early voting process as Iowa allows for election day voter registrations. Vander Linden stated early voting will continue in the Auditor's office Monday through Friday until June 3<sup>rd</sup> at 4:30 P.M. and the office will be open on Saturday, June 1, 2024 from 7:00 A.M. to 3:00 P.M. for early voting. Vander Linden stated absentee voting has been a low count as of today with 24 mailed ballots and a total of 82 absentee ballots.

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

ATTEST:

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Tibe Vander Linden  
County Auditor

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Jeff Sorensen, Chairperson  
Board of Supervisors