

Muscatine County Board of Supervisors
Monday, March 17, 2025

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. Vice-Chair Chick presiding.

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

A Public Hearing was called to order by Vice-Chair Chick at 9:01 A.M. on the adoption of regulations pertaining to private burial sites in Muscatine County and amendments to the Zoning Ordinance for the regulation of data centers.

County Development Director Eric Furnas held discussion with the Board on the proposed adoption of regulation pertaining to private burial sites in Muscatine County which was approved by the Zoning Commission on May 3, 2024. Furnas stated the Zoning Commission has recommended a definition in the ordinance for land use and to define what zoning districts should be allowed. The Zoning Commission recommended private burial sites be required to obtain a special permit in the R-1 Residential and the A-1 Agricultural District with established requirements. Furnas stated that both of the public hearings today is for additional public input or changes, if recommended. Furnas stated following the public hearing the actual ordinance amendments and the three required hearings will be scheduled. No one from the public spoke for or against the proposed adoption of regulation pertaining to private burial sites in Muscatine County.

On a motion by Sorensen, second by Kirchner, the public hearing was closed at 9:09 A.M. on the proposed adoption of regulation pertaining to private burial sites in Muscatine County. Roll call vote: Ayes: All.

A Public Hearing was called to order by Vice-Chair Chick at 9:10 A.M. on the adoption of amendments to the Zoning Ordinance for the regulation of data centers. Furnas reviewed the definition of the cryptocurrency mining or production installations and data center as a physical facility that uses computing and networking equipment to collect, store and process data, as well as distribute and access resources. It may also include supporting equipment such as batteries, back-up generators and cooling equipment. The Board held discussion regarding the concerns of data centers in regards to electricity usage, water consumption and the risk of fire. Information Services Bill Riley stated a concern with approved data centers using modular power centers. Sorensen stated concerns that the county tax payer may incur costs if nuclear power became a reality within the range of a data center. No one from the public spoke for or against the proposed amendments to the Zoning Ordinance for the regulation of data centers.

On a motion by Sorensen, second by Kirchner, the Board the public hearing was closed at 9:21 A.M. on the amendments to the Zoning Ordinance for the regulation of data centers. Roll call vote: Ayes: All.

A Public Hearing was called to order by Vice-Chair Chick at 9:22 A.M. on proposed

amendments to the Fiscal Year 24/25 Muscatine County Budget.

Budget Administrator Kala Naber held discussion with the Board regarding the Fiscal Year 24/25 Muscatine County Budget. Naber stated budget amendments do not increase taxes but align the current department budgets with the actual expenditures and revenues that are occurring. Naber reviewed the budget proposed amendments by service area.

On a motion by Sorensen, second by Sauer, the public hearing was closed at 9:25 A.M. Roll call vote: Ayes: All.

On a motion by Sorensen, second by Sauer, the Board approved Resolution #03-17-25-01 Amending the Fiscal Year 24/25 Budget. Roll call vote: Ayes: All.

**RESOLUTION #03-17-25-01
AMENDING THE FISCAL YEAR 2024/25 BUDGET**

WHEREAS, the Board of Supervisors has held a Public Hearing pursuant to Chapter 331, Code of Iowa, to amend the Fiscal Year 2024/25 County Budget; and

WHEREAS, the explanation is increased expenditures and increased revenues during the current fiscal year; and

WHEREAS, after consideration of all comments at said hearing, the Board of Supervisors has determined that it will be necessary to amend the Fiscal Year 2024/25 budget; and

WHEREAS, the amendment does not increase the taxes to be collected in the Fiscal Year ending June 30, 2025;

THEREFORE, BE IT HEREBY RESOLVED that the following service area expenditures and revenues of the Fiscal Year 2024/25 County Budget be amended:

PUBLIC SAFETY & LEGAL SERVICES expenditures increased by	\$570,500
PHYSICAL HLTH & SOCIAL SERVICES expenditures increased by	\$9,300
COUNTY ENVIRONMENT expenditures increased by	\$181,305
ROADS & TRANSPORTATION expenditures increased by	\$0
GOV'T SERVICES TO RESIDENTS expenditures increased by	\$0
ADMINISTRATION expenditures increased by	\$25,000
NONPROGRAM expenditures increased by	\$0
CAPITAL PROJECTS expenditures increased by	\$76,520
DEBT SERVICE expenditures increased by	\$0
	<hr/>
	\$862,625
INTERGOVERNMENTAL revenues increased by	\$79,920
LICENSES & PERMITS revenues increased by	\$0
CHARGES FOR SERVICES revenues increased by	\$106,500

USE OF MONEY & PROPERTY revenues increased by	\$900,000
MISCELLANEOUS revenues increased by	\$128,505
LONG TERM DEBT PROCEEDS increased by	\$0
PROCEEDS OF FIXED ASSET SALES increased by	<u>\$0</u>
	\$1,214,925

PASSED AND APPROVED this 17th day of March, 2025.

ATTEST:

/s/Tibe Vander Linden
Muscatine County Auditor

/s/Danny Chick, Vice-Chair
Muscatine County Board of Supervisors

On a motion by Sorensen, second by Kirchner, the Board approved Resolution #03-17-25-02 Fiscal Year 24/25 Budget Appropriations. Roll call vote: Ayes: All.

**RESOLUTION # 03-17-25-02
FY 2024/25 BUDGET APPROPRIATIONS**

WHEREAS, a public hearing has been held pursuant to Section 331.434(6), Code of Iowa, regarding proposed increases in expenditure amounts for Fiscal Year 2024/25: and

WHEREAS, the amendment does not increase the taxes to be collected in the Fiscal Year ending June 30, 2025: and

WHEREAS, all comments from the public have been heard;

THEREFORE, BE IT RESOLVED that the following amounts be appropriated as follows:

01 Board/Administration	0
02 Auditor	0
03 Treasurer	0
04 Attorney	0
05 Sheriff	10,000
06 Jail	554,500
07 Recorder	0
20 Engineer	0
22 Conservation Board	145,705
24 DHS	0
25 Community Services	0
28 Medical Examiner	0
30 Court Services	0
31 Board of Health	3,400

51	General Services	0
52	Information Services	25,000
53	Zoning	23,500
60	Mental Health Administration	0
99	Nondepartmental	100,520
	Subtotal Expenditures	<hr/> 862,625
	Transfers	1,866,500
	Total Including Transfers	<hr/> \$2,729,125

It is further resolved that all appropriations made pursuant to this RESOLUTION lapse at the close of business on June 30, 2025.

Passed and approved this 17th day of March, 2025.

ATTEST:

/s/Tibe Vander Linden
Muscatine County Auditor

/s/Danny Chick, Vice-Chair
Muscatine County Board of Supervisors

On a motion by Sauer, second by Sorensen, the Board approved claims dated March 17, 2025 in the amount of \$976,951.53. Ayes: All.

Muscatine County Historic Preservation Commissioners Lynn Pruitt and Bill Koellner held discussion and possible action authorizing the Historic Preservation Commission to purchase and install 12 inch by 18 inch signage to commemorate historic transportation. Pruitt stated at this time there are approximately 25 signs to place in the county at historic ferry crossings where railroads used to travel and also place signage where there were depots. Koellner stated they have received positive comments on the signage they placed for the historic school and churches project. County Engineer Bryan Horesowsky requested the Historic Preservation Commission work with the Engineer's department with the placement of signs. Koellner stated the Commission will work with the department. Koellner stated the "Preserve Iowa Summit", the state's premier conference will be held June 5-7, 2025 at the Merrill Hotel with tours of historic sites.

On a motion by Sorensen, second by Kirchner, the Board authorized the Historic Preservation Commission to purchase and install signage to commemorate historic transportation features throughout Muscatine County. Ayes: All.

On a motion by Sorensen, second by Kirchner, the Board approved Resolution #03-17-25-03 Authorizing Weight Embargoes on Secondary Roads in Muscatine County, Iowa. Roll call vote: Ayes: All.

RESOLUTION # 03-17-25-03
AUTHORIZING WEIGHT EMBARGOES ON SECONDARY ROADS
IN MUSCATINE COUNTY, IOWA

WHEREAS, the Muscatine County Board of Supervisors recognizes that recent weather conditions have caused soft subgrade and surface conditions to develop on some Secondary Roads; and

WHEREAS, Sections 321.236(8), 321.255, 321.471 and 321.473 of the Code of Iowa provide the authority for local authorities to impose restrictions as to the weight of vehicles to be operated on any highway under their jurisdiction and Section 321.463 establishes the penalty for violating said restrictions;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Muscatine County, Iowa, that an embargo be authorized where necessary on the Secondary Roads System for Muscatine County. The County Engineer is directed to restrict all traffic to an 11-ton gross load where deemed necessary on certain sections of the road system and to erect signs to advise the traveling public of these limits, in accordance with Section 321.472. If conditions warrant, the embargo is rescinded by the removal of signs by direction of the County Engineer.

Passed and approved this 17th day of March, 2025.

ATTEST:

/s/Tibe Vander Linden
Muscatine County Auditor

/s/Danny Chick, Vice-Chair
Muscatine County Board of Supervisors

County Engineer Bryan Horesowsky updated the Board on secondary road projects and stated he attended the Region 9 Transportation Technical Committee meeting.

Furnas reviewed a variance granted by the Muscatine County Board of Adjustment on March 7, 2025. Case #25-03-01, an application filed by Deven Wilson, Record Owner who requested to allow the Zoning Administrator to issue a variance to allow an accessory structure to be built in the front yard space. The affected property is located in Bloomington Township, in parts of the NE ¼ of Section, 13-T77N-R2W, 2772 180th Street, containing approximately 22.76 acres, and is zoned R-1 Residential District. The Board of Adjustment determined that the accessory structure would not negatively impact the public or surrounding parcels. Due to the property's topography, there are limited flat spots to build. The property is accessed via easement across agricultural property, so it does not have frontage to any public roadway.

On a motion by Sorensen, second by Sauer, the Board accepted a variance for Case #25-03-01 granted by the Muscatine County Board of Adjustment. Ayes: All.

Furnas held discussion with the Board regarding Resolution #03-17-25-04 Approval of the Combined Preliminary and Final Plat of AUR Northland Subdivision. Furnas stated an

application has been filed by Matthew Elam, Record Owner, and AUR Northland LLC, Proposed Buyer, requesting approval of the combined preliminary/final plat of the one lot subdivision, AUR Northland Subdivision. The proposed subdivision would be located in Sweetland Township, in the SW ¼ of Section 19-T77N-R1W, and would contain approximately 3.26 acres. The reasons for allowing the request, the Zoning Commission found that the lot would meet the required lot size for the R-1 Residential District, the property will remain zoned R-1 Residential and the new lot will be used for a Data Center and not a dwelling, the requirement for a subdivision road could be waived.

On a motion by Sorensen, second by Sauer, the Board approved Resolution #03-17-25-04 Approval of the Combined Preliminary and Final Plat of AUR Northland Subdivision. Roll call vote: Ayes: All.

RESOLUTION #03-17-25-04
APPROVAL OF THE COMBINED PRELIMINARY AND FINAL PLAT OF
AUR NORTHLAND SUBDIVISION

WHEREAS, there has been presented before the Board of Supervisors of Muscatine County, Iowa, a dedication and plat of the proposed subdivision “AUR Northland Subdivision”; and

WHEREAS, said plat has heretofore been approved by the Zoning Commission of Muscatine County, Iowa; and

WHEREAS, said dedication and plat fully conform with all laws of the State of Iowa and all ordinances of Muscatine County, Iowa, applicable thereto; and

WHEREAS, the platting of said subdivision is conducive to orderly development within Muscatine County, Iowa, is not in conflict with any extensions of the established road systems of Muscatine County, Iowa, and is in harmony with the comprehensive plan of zoning now in effect within Muscatine County, Iowa; and

WHEREAS, the subdivision of said real estate and the plat thereof were accepted and approved by the Muscatine County Board of Supervisors following a public meeting on March 17, 2025.

NOW, THEREFORE, be it resolved by the Board of Supervisors of Muscatine County, Iowa, as follows:

- Section 1. The said subdivision is hereby designated as “AUR Northland”, a subdivision in Muscatine County, Iowa, and that the descriptions of lots and parcels of land located therein shall be according to the number and designation thereof as set forth on said plat.
- Section 2. The Chairperson of the Board of Supervisors and the Auditor of Muscatine County, Iowa, are hereby authorized and directed to certify this Resolution in order that the same and all other matters material to said subdivision may be recorded in the Office of the Recorder of Muscatine County, Iowa.

PASSED and APPROVED this 17th day of March, 2025.

ATTEST:

/s/Tibe Vander Linden
Muscatine County Auditor

/s/Danny Chick, Vice-Chair
Muscatine County Board of Supervisors

On a motion by Sorensen, second by Kirchner, the Board re-appointed Janelle Spies on the Muscatine County Zoning Board of Adjustment for a five-year term ending March 31, 2030. Ayes: All.

Furnas requested a Board consensus to contact Terry Goerd, E-2 Commercial Electrical Inspector, to begin the contracting process with him, as there is no one currently within the zoning staff with this required commercial industrial inspector license. The Board consensus was to allow Furnas to start the contracting process/paperwork with Goerd.

On a motion by Sorensen, second by Sauer, the Board approved to name the Budget Administrator acting Budget and Administrative Services Director with placement at Grade 18 Step 5, effective today March 17, 2025. Ayes: All.

On a motion by Sorensen, second by Sauer, the Board approved Resolution #03-17-25-05 Suspending the Collection of Taxes. Roll call vote: Ayes: All.

**RESOLUTION #03-17-25-05
SUSPENDING THE COLLECTION OF TAXES**

WHEREAS, notice from the Director of Human Services has been received regarding the eligibility of Mervin Preston, Muscatine, Iowa, (the ‘recipient’) for medical and facility care; and

WHEREAS, as such recipient of such assistance is deemed to be unable to contribute to the public revenue pursuant to Section 427.9, Code of Iowa; and

WHEREAS, the recipient is the owner of property described as follows:

Address: 4605 Concert St, Muscatine, IA 52761
Parcel No: 0918201960/WS300840
Legal Description: 18-77-1W Bldgs on Leased Land Lot 213 Ripleys/70AA45435 1998
FRSN Mobile Home WS300840 05 Gry Ripleys

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

1. That the County Treasurer is hereby ordered to suspend the collection of all taxes, including special assessments, rates or charges, interest, fees and costs for the current year and those unpaid from prior years. As long as the petitioner is authorized by DHS no interest accrues during suspension but payments can be made.
2. If the parcel is sold, passes by bequest or inheritance to any person other than the spouse or minor child of the petitioner, all taxes and special assessments become due and payable by the next semi-annual installment date. Interest at the rate of 1 ½% per month will start on the next delinquency date after the suspended taxes become due.

Passed and approved this 17th day of March, 2025.

ATTEST:

/s/Tibe Vander Linden
Muscatine County Auditor

/s/Danny Chick, Vice-Chair
Muscatine County Board of Supervisors

On a motion by Sauer, second by Sorensen, the Board approved a renewal application for a Class C Retail Alcohol License and Outdoor Service Permit for West Liberty Golf & Country Club, 1248 Country Heights Lane, West Liberty, Iowa. Ayes: All.

On a motion by Kirchner, second by Sauer, the Board approved a renewal and ownership change application for a Special Class C Retail Alcohol License and Outdoor Service Permit for Muscatine Municipal Golf Course, 1820 Hwy 38, Muscatine, Iowa. Ayes: All.

On a motion by Sorensen, second by Kirchner, the Board approved the minutes of the March 10, 2025 regular meeting. Ayes: All.

Correspondence:

Chick and Sorensen received an email from Emergency Management Director Chris Jasper regarding the delivery of Drainage District #13 pumps.

Chick received a phone call from Ron McConnaha regarding the annual Tax Budget Statement he received.

Kirchner received a phone call from a resident regarding solar energy questions and asked if he could address the Board sometime in the future.

Committee & Meeting Reports:

Chick attended a Greater Muscatine Chamber of Commerce and Industry Finance Committee meeting on March 11, 2025.

Chick attended a Mississippi Valley Workforce Area Board Operations meeting on March 12, 2025.

Sorensen attended a Greater Muscatine Chamber of Commerce and Industry Advocacy Meeting on March 11, 2025.

Furnas updated the Board on the County Courthouse Roof project stating the top of the roof is finished and the upper-level scaffolding will be coming down this week.

Emily Daufeldt, 1176 Davis Avenue, West Liberty, Iowa, addressed the Board with a handout stating her thoughts and concerns on the impact of proposed solar energy farms and levels of PFAS (per and polyfluoralkyl substances).

The meeting was adjourned at 10:30 A.M.

ATTEST:

Tibe Vander Linden
County Auditor

Nathan Mather, Chair
Board of Supervisors