

Muscatine County Board of Supervisors
Saturday, May 16, 2015

The Muscatine County Board of Supervisors met in special session at 1:00 P.M. with Howard, Sorensen, Kelly, Sauer and Bonebrake present. Chairperson Kelly presiding.

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

Discussion was held regarding Muscatine County Joint Communications (MUSCOM) and possibly updating of the 28E agreement between Muscatine County and the City of Muscatine. Chairperson Kelly provided a brief overview of the ten year history of MUSCOM. Sorensen stated the current 28E agreement between the City of Muscatine and the County has limited scope and needs to be updated. Sorensen also stated the County should probably have 28E agreements with the outlying cities as well.

Dave Watkins, Moscow, asked what needs to be changed in the current agreement. Bonebrake stated under the current agreement, the County would only buy equipment for the County and the City would have to buy the City's equipment. Watkins stated the smaller cities should be allowed representation on the MUSCOM Board. Kelly stated a proposed new agreement would address the funding issue, allowing the County to fund the purchase of all of the equipment, as well as addressing representation on the Board. Bonebrake stated the current 28E agreement is vague about responsibilities of the MUSCOM Board versus the Directing Board and until they have a document detailed in that area, he is not comfortable moving forward with purchasing new equipment.

Esther Dean, Muscatine, stated the 28E agreement has worked well for the last ten years and questioned why there is a need to make major changes. Kelly stated the current agreement has not worked well in recent years. MUSCOM Manager Lorrie Lacina stated the radio system has not worked well for the last five years and one unified system for all departments would address some of those issues. Kelly stated the development of a new 28E agreement has been in the works for a year and the urgency to move forward has to do with funding and liability issues. Muscatine City Councilmember Tom Spread stated the funding issue is an easy change to the existing 28E agreement, but questioned the need to change anything else. Muscatine County Budget Coordinator Sherry Seright stated in 2009, when MUSCOM funding moving to a countywide fund levy, it resulted in a layer of oversight which is no longer needed.

Howard stated this is not just between the City of Muscatine and the County, everyone needs to be involved. Sorensen stated he wants a system which all entities will support. Lacina stated she supports the User Group with city and rural representation established in the proposed updated 28E agreement. Spread stated everyone who dials 911 deserves a timely response, but 72% of fire calls and 75% of emergency calls go to the Muscatine Fire Department, with 52% of the police calls going to the Muscatine Police Department so he feels the City has some responsibility for oversight. Sorensen stated the people who do the work should control the day to day operations. Muscatine County

Administrative Services Director Nancy Schreiber stated the Emergency Management Commission has final decision regarding the budget.

Spread stated he has seen two versions of the proposed 28E agreement and asked who developed the version being considered. Schreiber stated she and Seright have done most of the work, but it is up to the political entities to decide if it is what they want. Spread suggested developing a working group to develop a 28E agreement acceptable to everyone.

Conesville City Councilmember Sue O'Donnell stated her Council is in agreement they want all communications to work well throughout the County and are in favor of the purchase of the new equipment. O'Donnell stated the Board is trying to get all of the players together to address the issues and move forward. O'Donnell stated a Memorandum of Understanding is probably sufficient for Conesville, but Wilton and West Liberty may want something more formal. Watkins recommended asking the County Attorney whether a 28E or Memorandum of Understanding is more legally binding and which addresses the County's liabilities.

Board consensus was that Chairperson Kelly and Muscatine Mayor Hopkins will work together to appoint a working group of elected officials to hammer out a 28E agreement.

The meeting was adjourned at 2:33 P.M.

ATTEST:

Leslie A. Soule, County Auditor

Kas Kelly, Chairperson
Board of Supervisors

Muscatine County Board of Supervisors
Monday, May 18, 2015

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

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

On a motion by Howard, second by Bonebrake, claims dated May 18, 2015 were approved in the amount of \$1,902,512.74. Ayes: All.

A Public Hearing was called to order by Chairperson Kelly at 9:02 A.M. on a confinement feeding operation permit application from Dodd Brus 135 West Site, Section 21, Fulton Township. Interim Zoning Administrator Steve Boka stated the County scored the application the same as the Department of Natural Resources. Boka stated the County would support the application if ownership concerns are addressed and no further access points to the property are added without the proper permits. No one spoke for or against the application. On a motion by Howard, second by Sauer, the public hearing was closed at 9:10 A.M. Roll call vote: Ayes: All.

On a motion by Howard, second by Sauer, the Chair was authorized to sign a letter to the Iowa DNR regarding the 135 West Site permit application. Ayes: All.

The Board reviewed a variance granted by the Board of Adjustment on May 1, 2015: Case #15-05-04 is an application filed by Theodore M. Querin, Record Owner and Proposed Lessee, Night Owl Wireless by Andrew Willey. This property is located in Montpelier Township, East of Yellow Avenue and North of 5th Street, in the NE¼ of Section 23-T77N-R1E, containing approximately 10.43 acres, and is zoned R-1 Residential District. This request, if approved, would allow the Zoning Administrator to issue a Variance in order to place a tower that is approximately 150' tall on this property to provide wireless internet access. The Board of Adjustment approved this request. On a motion by Howard, second by Sauer, the Board accepted the variance. Ayes: All.

The Board reviewed Special Use Permits granted by the Board of Adjustment on May 1, 2015: Case #15-05-01 is an application filed by Scott D. and Kathleen A. Eichelberger, Record Owners. This property is located in Seventy-Six Township, in the NE¼ of Section 15-T76N-R3W, East of Jasper Avenue, containing approximately 2.480 acres, and is zoned A-1 Agricultural District. This request would allow the Zoning Administrator to issue a Special Use Permit in order for the Eichelberger's to build a rural residence on this property after a Restrictive Covenant had been signed. The Board of Adjustment approved this request. Case #15-05-02 is an application filed by Robert R. or Beverly A. Feldman, Record Owners and Dusty Feldman, Proposed Buyer/Builder. This property is located in Wapsinonoc Township, South of Hwy 6, in the NW¼ of Section 17 and the NE¼ of Section 18, all in T78N-R3W, containing approximately 96.85 acres, and is zoned A-1 Agricultural District. This request, if approved, would allow the Zoning Administrator to issue a Special Use Permit in order for Dusty Feldman to build a rural residence in the NE ¼ of Section 18 on approximately six acres that is being

proposed to be split from the property. The Board of Adjustment approved this request. Case #15-05-03 is an application filed by Theodore M. Querin, Record Owner and Proposed Lessee, Night Owl Wireless by Andrew Willey. This property is located in Montpelier Township, East of Yellow Avenue and North of 5th Street, in the NE¼ of Section 23-T77N-R1E, containing approximately 10.43 acres, and is zoned R-1 Residential District. This request, if approved, would allow the Zoning Administrator to issue a Special Use Permit in order to place a tower approximately 150' to 165' back from the front property line on this property to provide wireless internet access. The Board of Adjustment approved this request.

On a motion by Sauer, second by Bonebrake, the Board approved a class specification and grade recommendation for a Fines Collection Assistant position (Grade 8) and authorized the County Attorney to fill the position. Ayes: All.

Discussion was held with County Attorney Alan Ostergren regarding his request to eliminate one Office Manager position and authorize two Legal Secretary positions. Ostergren stated that with the change to electronic filing of court documents (EDMS) which began in Muscatine County in February, his office is getting hundreds of additional notifications a day. Ostergren stated his office is notified of every filing, not just the cases with a not-guilty plea. Ostergren stated he would like to change the Office Manager position to a Legal Secretary position. Ostergren stated there would be no effect on his budget as both positions are in the same grade level. Ostergren stated the benefits of EDMS do not outweigh the burden of handling the flow of electronic notifications. Ostergren stated that EDMS was designed to make things easier for the Clerk of Court, not the users of the system. Ostergren stated he is also requesting an additional Legal Secretary to handle the flow of information into his office. Howard asked if there is any possibility of tweaking the system in the future to better handle the work flow. Ostergren responded that in the short to medium term, the chances are zero. Ostergren stated he hopes there would be improvements in the future, but that is not going to happen in the next fiscal year and may be way off in the future. Ostergren stated there is very little his office can do to the process to eliminate the need for a human being to review all of the documents which are transmitted electronically. Sauer asked how many hours on a weekly basis are needed to handle the additional notifications. Ostergren stated the notifications are squeezing out other things which need to be addressed and he is afraid it is more than 40 hours per week, but he does not want to ask for more than one additional person.

Administrative Services Director Nancy Schreiber stated the additional staff person with benefits would cost approximately \$46,000. Kelly asked if this person had to be a legal secretary. Ostergren stated he considered a receptionist, but his office would not get the same increase in function as someone with a legal secretary background who could handle the notifications much more efficiently. Sauer asked where the funding would come from. Schreiber stated a budget amendment would have to be done in FY15/16 with the money coming from the County's carryover. Howard stated it is very early in the process to consider adding another staff member. In response to a question from Kelly, Ostergren stated his office is receiving approximately 500 notifications per day. Sauer suggested comp/overtime be tracked for a month or two to see what the labor need really is in this situation. Kelly suggested starting the process of writing a job description while tracking the comp time hours. Schreiber stated there is already an approved job

description and if the Board approves Ostergren's other request, they will be advertising for an opening so he would already have a pool of applicants to choose from. On a motion by Bonebrake, second by Sauer, the Board eliminated the Office Manager position and authorized filling one Legal Secretary position in the County Attorney's Office. Ayes: All. Ostergren will return with more data regarding the other Legal Secretary position.

Discussion was held with County Sheriff C. J. Ryan regarding bids received for a copier lease. Ryan presented the following bids: Marco - \$449.30/month; and Advanced Business Systems - \$417.00/month. On a motion by Bonebrake, second by Sauer, the Board authorized the County Sheriff to execute a copier lease with Advanced Business Systems at a cost of \$417.00 per month for 60 months. Ayes: All.

Discussion was held with County Sheriff C. J. Ryan regarding bids received for the replacement of the current security camera recording system at the Jail. Ryan stated there have been problems with the current surveillance system at the Jail due to sections failing which cannot be fixed. Ryan stated the current system is 19 years old and is at the end of its life. Ryan presented the following bids: FSS Incorporated - \$48,957.95 plus \$3,600 for additional storage; Communications Engineering Company - \$68,604.72 plus \$15,000 for additional storage; and Woodman Controls Company - \$80,050.00 plus \$52,450 for additional storage. On a motion by Sauer, second by Howard, the Board accepted a bid from FSS Incorporated for replacement of the current security camera recording system at the Jail in the amount of \$52,557.95. Ayes: All.

On a motion by Sauer, second by Bonebrake, minutes of the May 11, 2015 regular meeting were approved as written. Ayes: All.

No correspondence was noted.

No committee reports were noted.

Kelly attended a Ribbon Cutting for International Friendship Park on May 15th. Howard met with Administrative Services Director Nancy Schreiber, Interim Zoning Administrator Steve Boka and Muscatine City Administrator Gregg Mandsager regarding the future of Planning and Zoning on May 13th.

County Engineer Keith White updated the Board on construction projects.

On a motion by Howard, second by Bonebrake, the Board appointed Roger Strong, Sr. to the Veterans Affairs Commission to fill a vacancy of a term ending June 30, 2017. Ayes: All.

On a motion by Howard, second by Bonebrake, the Board approved Resolution #05-18-15-01 Transferring \$720,000 from the Rural Services Fund to the Secondary Roads Fund. Roll call vote: Ayes: All.

On a motion by Sauer, second by Howard, the Board approved hiring requests for two Corrections Sergeants (Grade 10, Step 15) and a Corrections Lieutenant (Grade 12, Step 8) at the Jail. Ayes: All.

On a motion by Bonebrake, second by Sauer, the Board approved a revised Planning and Zoning Administrator class specification and grade recommendation (Grade 16) with authorization to proceed with steps to fill the position. Ayes: All.

Howard stated he was pleased with Saturday's meeting, but was unhappy with the attendance. Howard stated the County is trying to get the entire County involved and he would like to have seen more in attendance, but those in attendance were appreciated and helpful. Howard gave a special thank you to Mayor Hopkins and Councilman Spread for attending the meeting.

The meeting was adjourned at 10:43 A.M.

ATTEST:

Leslie A. Soule, County Auditor

Kas Kelly, Chairperson
Board of Supervisors