

Muscatine County Board of Supervisors
Monday, April 3, 2017

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

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

Arlene Clark-Cain, 301 S. Columbus Street, Lot 107, West Liberty, stated she was a nurse and flood relief outreach worker for many years and during that time, not one house was torn down because of mold. Clark-Cain asked the Board to consider abating the mold in the cottage, restoring the utilities and leaving the cottage in place until an appropriate bathroom is constructed.

A Public Hearing was called to order by Chairperson Sorensen at 9:09 A.M. on proposed revisions to Title III – Property/Land Use and Development, Chapter II – Zoning Ordinance to add a definition for an outdoor shooting range and add outdoor shooting ranges as a permitted special use in A-1 Agricultural District. Planning and Zoning Administrator Eric Furnas discussed the proposed ordinance stating the amendment requires both the Board of Adjustment and Zoning Commission give extra consideration to nuisance, public safety and range design. In response to a question from Howard, Furnas stated shooting ranges are not currently addressed in the Zoning Ordinances so they need these revisions to establish standards and guidelines. Faye Petersen, 501 N. Clay Street, West Liberty, stated she is not in favor of the proposed revisions to add outdoor shooting ranges as a permitted special use in A-1 Agricultural Districts. Petersen stated she is not interested in more shooting ranges as she is located within one mile of the West Liberty Gun Club shooting range and on days when it is in use, noise can easily be heard. Petersen stated more than noise is the safety issue as years ago an errant bullet went through a picture window and lodged in the wall of an occupied house. Petersen stated she understands there is a proposed shooting range on 170th Street near her family's property and they do not want a shooting range there. William Phillips, 1871 170th Street, West Liberty, stated the proposed range is in his back yard and he is concerned about traffic and wildlife. Phillips stated wildlife will not hang around if there is a shooting range behind him. Howard stated the Board is not discussing a proposed shooting range today, but wording in the Zoning Ordinance is to set parameters for a shooting range if one was proposed. Mather stated this puts regulations on shooting ranges that if they had been in place, the current shooting ranges may not have been a problem. Howard stated there is a lot of interest in sport shooting and there is a deficiency in availability of places to go and shoot for sport. Gerald Rieke, 2684 Samuel Clemens Rd, stated he belongs to several hunting clubs and the first thing you do when joining a gun club is take a safety class. Rieke stated he shoots in timber behind his brother-in-law's house and the deer and wildlife have never left. On a motion by Howard, second by Sauer, the public hearing was closed at 9:35 A.M. Roll call vote: Ayes: All.

On a motion by Howard, second by Sauer, an ordinance was approved revising the Title III – Property/Land Use and Development, Chapter II – Zoning Ordinance to add a definition for an outdoor shooting range and add outdoor shooting ranges as a permitted special use in A-1 Agricultural District. Roll call vote: Ayes: All.

The Board reviewed results of the mold and asbestos testing of the cottage. In response to Arlene Clark-Cain's earlier comments, Sorensen stated the lift station is not functional as it was fed by power from the DHS facility which has been removed. Mather stated running utility lines to the cottage is probably cost prohibitive for a temporary situation. Furnas stated there was a significant amount of mold detected in the cottage and that it is amplifying which means there are conditions present to promote continued mold spore development. Furnas stated the mold present may or may not be hazardous depending on a person's allergy. Furnas stated lack of air exchange in the cottage and significant cracking allowing moisture into the basement may be the culprit for amplifying the mold. Bonebrake stated these test results are after the cottage was bleached by someone. Furnas stated there was some asbestos containing materials in joint compound and ceiling tiles and when coupled with the mold, the results become exponentially concerning. Shelley Maharry, Friends of the Old Barn, apologized on behalf of Friends of the Old Barn for discord that happened at the last meeting stating as a result, there has been some leadership change. Maharry stated Paul Carroll and John Haskins have asked to resign their positions on the Board and she has been elected President with Bob Nikolai serving as Secretary and Treasurer. Maharry stated some additional testing has occurred, but their role is not to be obstructionists and since the Board did not ask them to do their own independent testing, they respect that. Maharry stated based on conversation at the last meeting, she understands the cottage is not a viable option in the long term. Maharry stated if the Board is interested, Friends of the Old Barn would be willing to move the cottage to a new location off site and would develop a plan to move it. Maharry stated if the Board desires to demolish the cottage, Friends of the Old Barn respects that decision as well. Mather thinks that the County may still have some responsibility. Sorensen is concerned with long term exposure. Sorensen asked if the County would abate the mold and asbestos, would Friends of the Old Barn still be interested in moving it. Maharry stated yes as they already have a donor who will pay for the move and a site has been determined. Sauer stated based on the reports, he is not interested in anything but demolishing the cottage. Maharry stated it comes down to the historical factor of the cottage and emotional perspective of saving something. Budget Coordinator Sherry Seright stated the Board has a quote from Environmental Management Services of Iowa, Inc. to abate and remove the building for \$7,940.00. Mather worried about the liability to the County and the moral aspect of letting a building go that we know has potentially dangerous components for a residence. Maharry stated Friends of the Old Barn is ultimately working towards putting together a plan for the Old Barn. Mather asked if the Board decides to demolish the cottage, would Friends of the Old Barn be willing to cancel the lease early in order to accomplish that. Maharry stated yes. Board consensus was for County staff to work with Friends of the Old Barn and Muscatine County Conservation to restore electricity to the Old Barn and Conservation's Maintenance building. Maharry requested Friends of the Old Barn be allowed to remove the toilet and the handicap accessible ramp before demolition. Gary Sebbert, Friends of the Old Barn, asked if the County was going to build a bathroom. Board consensus was that yes the County will be constructing a bathroom and will provide temporary facilities if there is an event before the bathroom is constructed. On a motion by Sauer, second by Howard, the Board accepted a bid from Environmental Management Services of Iowa, Inc. in the amount of \$7,940.00 to abate and demolish the cottage with the opportunity for County Maintenance staff to remove items for Friends of the Old Barn. Ayes: All.

On a motion by Bonebrake, second by Sauer, minutes of the March 27, 2017 regular meeting were approved as written. Ayes: All.

Correspondence:

Howard reported a call concerned about a domestic animal treatment case north of Muscatine.

All Supervisors received an email regarding the Old Barn.

Committee Reports:

Howard attended a Milestones Area Agency on Aging meeting March 28th.

Bonebrake attended a Muscatine County Solid Waste Commission meeting March 29th.

County Engineer Keith White updated the Board on Secondary Road projects.

On a motion by Sauer, second by Mather, the Board approved a FY18 Care for Yourself Grant application in the amount of \$31,750.00 subject to affirmation by the Muscatine County Board of Health. Ayes: All.

Discussion was held regarding a request from Hannah Howard, Muscatine Branching Out, for use of Muscatine County property at the corner of 5th Street and Mulberry Avenue on April 29, 2017 for residents to pick up their pre-purchased trees from their Spring Tree Sale. On a motion by Mather, second by Bonebrake, the Board approved a request from Muscatine Branching Out for use of Muscatine County property at the corner of 5th Street and Mulberry Avenue on April 29, 2017 with allowance for trees to be dropped off after 5:00 P.M. on April 28, 2017. Ayes: All. Hannah Howard stated Muscatine Branching Out would also like to provide assistance with replanting trees on the Courthouse grounds lost in the March 6, 2017 storm. Board consensus was for Muscatine Branching Out to work with Scott Sauer and Sherry Seright to develop a plan for future Board consideration.

Discussion was held regarding the following bids presented by AJ Associates for a water treatment system for the Muscatine County Jail: Crawford Company - \$11,355.00; Hometown Plumbing and Heating - \$20,414.00; and RIVO, Inc. - \$11,520.00. On a motion by Howard, second by Bonebrake, the Board accepted the low bid from Crawford Company in the amount of \$11,355.00 for a water treatment system for the Muscatine County Jail. Ayes: All.

On a motion by Mather, second by Bonebrake, Emily Geertz was appointed to the Muscatine County Zoning Commission for a 5-year term ending March 31, 2022. Ayes: All.

On a motion by Bonebrake, second by Sauer, the Board accepted the March 2017 payroll claims. Ayes: All.

The meeting was adjourned at 10:54 A.M.

ATTEST:

Betty L. Wamback
First Deputy Auditor

Jeff Sorensen, Chairperson
Board of Supervisors