

Muscatine County Board of Supervisors
Monday, April 13, 2020

The Muscatine County Board of Supervisors met in regular session at 9:00 A.M. via a Go To Meeting with Holliday, Sauer, Sorensen, Mather and Saucedo present. Chairperson Sorensen presiding.

On a motion by Saucedo, second by Mather, the agenda was approved as presented. Roll call vote: Ayes: All.

Ed Askew, 2952 155th Street, expressed concern regarding statements made by an employee on social media. Askew asked if the County had a written policy for County employees on what may be posted online or through the media. Administrative Services Director Nancy Schreiber stated the County does not have written policies regarding postings online or through any media. Askew suggested the County develop a written policy.

Henry Marquard, 108 Eagle Watch Road, also expressed concern regarding comments made by a County employee. Marquard stated the County Board needs to consider what restrictions it should put on an employee's comments.

Mather stated these are personnel matters being discussed, so the Board should not make any comments without talking to the County Attorney.

On a motion by Saucedo, second by Sauer, the Board approved Resolution #04-13-20-01 to Vacate Unused Secondary Road Right-of-Way Adjacent to New Era Road in Sweetland Township. Roll call vote: Ayes: All.

RESOLUTION #04-13-20-01
RESOLUTION TO VACATE UNUSED SECONDARY ROAD RIGHT-OF-WAY
ADJACENT TO NEW ERA ROAD IN SWEETLAND TOWNSHIP

WHEREAS, the Muscatine County Board of Supervisors recognizes that certain road right-of-way easements are no longer used for Secondary Roads purposes; and

WHEREAS, Section 306.10 of the Code of Iowa provides that the agency which has control and jurisdiction over a highway system, shall have power, on its own motion, to alter or vacate and close any such highway: and

WHEREAS, Section 306.11 of the Code of Iowa provides that a hearing is not required if the proposed vacation is of part of a road right-of-way held by easement and will not change the existing traveled portion of the road or deny access to the road by adjoining landowners; and

WHEREAS, the following described section of road right-of-way is no longer used or needed:

VACATION OF EXCESS ROADWAY EASEMENT Adjacent to NEW ERA ROAD

A portion of existing roadway easement along New Era Road, originally established Barsh's Relocation of Pine Mill Road, recorded in Establishment Record Book "B", Page 20, in the Office of the Muscatine County Engineer, located in the Northeast Quarter of the Northeast Quarter of Section 21, Township 77 North, Range 1 West, of the 5th Principal Meridian, Muscatine County, Iowa, described as follows:

All of the existing roadway easement of New Era Road, located in the Northeast Quarter of the Northeast Quarter of Section 21, Township 77 North, Range 1 West of the 5th Principal Meridian, Muscatine County, Iowa, lying North of Auditor's Parcel "J" as shown in Plat of Survey recorded as Instrument Number 2020-00370, in the Office of the Muscatine County Recorder.

And,

A portion of existing roadway easement along New Era Road, originally established Barsh's Relocation of Pine Mill Road, recorded in Establishment Record Book "B", Page 20, in the Office of the Muscatine County Engineer, and shown as "R.O.W. to be vacated" in Plat of Survey recorded as Instrument Number 2020-00370, in the Office of the Muscatine County Recorder, and located in the Northeast Quarter of the Northeast Quarter of Section 21, Township 77 North, Range 1 West, of the 5th Principal Meridian, Muscatine County, Iowa, described as follows:

A parcel of land located in the Northeast Quarter of the Northeast Quarter of Section 21, Township 77 North, Range 1 West of the 5th p.m., Muscatine County, Iowa.

Commencing at the Northeast Corner of Section 21; thence South $00^{\circ}11'11''$ West 236.21 feet along the East line of the Northeast Quarter of Section 21 to the previous centerline of New Era Road; thence North $80^{\circ}08'36''$ West 20.29 feet along said previous centerline to the point of beginning; thence South $00^{\circ}11'11''$ West 44.82 feet; thence South $86^{\circ}29'46''$ West 975.69 feet; thence South $87^{\circ}49'35''$ West 187.24 feet to the previous centerline of New Era Road; thence North $66^{\circ}29'57''$ East 346.79 feet along said previous centerline to the beginning of a 716.20 foot radius curve concave southerly whose 411.11 foot chord bears North $83^{\circ}10'41''$ East; thence easterly along said curve and previous centerline an arc distance of 416.97 feet; thence South $80^{\circ}08'36''$ East 441.41 feet along said previous centerline to the Point of Beginning, containing 2.87 acres.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Muscatine County, Iowa, that the above described sections of road be ordered vacated and closed.

PASSED AND APPROVED this 13th day of April, 2020.

ATTEST:

/s/Leslie A. Soule, County Auditor
Muscatine County Auditor

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

County Engineer Keith White updated the Board on secondary road projects.

On a motion by Sauer, second by Saucedo, the Board approved the Muscatine County Recorder's Report of Fees Collected for the quarter ending March 31, 2020 in the amount of \$56,535.62. Roll call vote: Ayes: All.

On a motion by Mather, second by Saucedo, minutes of the April 6, 2020 regular meeting were approved as written. Roll call vote: Ayes: All.

Correspondence:

Mather, Saucedo, Sorensen and Holliday reported contacts regarding comments made by a county employee.

Holliday reported a contact regarding filling the County Attorney vacancy.

Saucedo reported a contact with concerns as to whether the County has enough protection against ransomware.

Committee Reports:

Mather attended a Seventh Judicial District meeting electronically April 10th.

Sorensen attended a Mississippi Valley Workforce Authority meeting electronically April 6th.

Sorensen attended a Regional Workforce Board meeting electronically April 8th.

County Auditor Leslie Soule stated polling places were being temporarily combined for the Primary Election to be held June 2, 2020 due to COVID-19. Soule strongly encouraged voters to consider voting absentee by mail for this election. Soule stated there will be six polling sites open on Election Day. Soule stated the sites and precinct assignments are posted on the Auditor's page on the County's website. In response to Mather, Soule confirmed the Secretary of State will be sending absentee request forms to every registered voter later in April.

Information Services Director Bill Riley stated he is actively reviewing ransomware all the time and looking for ways to improve the County's protection.

Emergency Manager Brian Wright updated the Board on flooding issues and COVID-19.

On a motion by Mather, second by Saucedo, the Board approved a proposal from Tallgrass Archeology LLC for the Muscatine County Survey of Country Schools and Churches in the amount of \$14,000. Roll call vote: Ayes: All.

On a motion by Holliday, second by Saucedo, the Board approved a revised class specification for the Maintenance Foreman and Fleet Manager positions with a grade change recommendation on the revised class specifications from Grade 13 to Grade 14 and placed the current Maintenance Foreman at a Grade 14, Step 15 with the position remaining eligible for overtime and the current Fleet Manager at a Grade 14, Step 14 but the position will become exempt and no longer be eligible for overtime. Roll call vote: Ayes: All.

Discussion was held with County Auditor Leslie Soule regarding the method for filling the vacancy created by the resignation of the County Attorney. Soule stated the Board can either fill the vacancy by appointment or by calling for a special election. Soule stated if the Board chooses to appoint, a special election may still be triggered by a petition submitted to the Auditor's Office with 1,499 signatures within 14 days after the publication of a notice of intent to appoint or 14 days after the appointment. Soule stated if the Board opts to appoint, a notice of intent to appoint a County Attorney to fill a vacancy until November 2020 must be published and the appointment must be made within 40 days after the vacancy occurs. Soule stated that the appointee must be a resident of Muscatine County at the time of appointment. Soule stated the Board appointment may be acted on prior to the vacancy with an effective date of May 2, 2020. Sorensen stated he would lean towards holding a special election. Mather stated he would normally agree, but due to safety concerns with the coronavirus and the cost of a special election, he would like to appoint until November. Sorensen, Sauer, Saucedo and Holliday all stated they would be agreeable to appointing. Sorensen stated he would like to see a temporary appointment made until November of another attorney in the County Attorney's Office. Board consensus was for Administrative Services Director Nancy Schreiber to proceed with talking to the County Attorney's office to see if there are any attorneys interested in the appointment. Schreiber will place the item back on next week's agenda for further consideration.

Administrative Services Director Nancy Schreiber provided a COVID-19 update stating precautions taken by the County seem to be working well and the County is still meeting the needs of the public.

The meeting was adjourned at 9:56 A.M.

ATTEST:

Leslie A. Soule, County Auditor

Jeff Sorensen, Chairperson
Board of Supervisors