

Muscatine County Board of Supervisors  
Monday, June 26, 2023

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

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

On a motion by Sorensen, second by Kirchner, claims dated June 26, 2023, were approved in the amount of \$681,201.77. Ayes: All.

Discussion was held with County Attorney Jim Barry regarding a draft ordinance to assume jurisdiction and control of certain pioneer cemeteries and/or private burial sites located in Muscatine County. Barry stated the draft ordinance follows the Iowa Code Section 331.325 with definitions included from the 2022 Iowa Code references that are relative to Pioneer and/or Private Burial sites. Barry stated if the ordinance is approved, it will allow the county to assign the responsibility of who will care and maintain the cemeteries. Barry stated if a cemetery is located on private property, the individual owner can take on the responsibility. If the individual owner does not want the responsibility, then the county can assign a public or a private organization to care and maintain the cemetery. Barry stated once the responsibility is identified then an agreement will outline the details of the monument preservation and maintenance. Barry stated the Township Trustees do not have jurisdiction over these cemeteries. Barry stated the Iowa Code allows the option to designate a cemetery commission of up to nine members, but given the difficulty of maintaining members of other commissions it is recommended the Board make the maintenance agreements with the landowners or public/private organizations. Barry stated the agreements could include Township Trustees however the funding will be from the county general fund as a county is not allowed to levy taxes. Barry recommended moving forward with the ordinance to schedule three public hearings with notices sent to the landowners of each cemetery or private burial sites. Barry stated the cost of the maintenance agreements will be a budget estimate for the first year. Discussion held with the Board included questions on property owner's liability, road access, if gravesites can be moved if requested, processes to allow relatives to access a cemetery on private ground, gravestone repair/replacements, weed control, mowing maintenance and fence repair. The Board consensus was to review more specific obligations for gravestone repair/replacements and the requirements for mowing and maintenance. Barry stated he will provide further review and possibly revise the ordinance for the next meeting. Administrative Services Director Nancy Schreiber stated there will also be an agenda item for the July 3, 2023 meeting to set a public hearing if the Board approves the ordinance revisions.

On a motion by Kirchner, second by Sorensen, the minutes of the June 19, 2023 regular meeting were approved as written. Ayes: All.

Correspondence:

Chick was contacted by a resident regarding a question about 46<sup>th</sup> Avenue, Muscatine, Iowa. Chick stated the area is within the city limits.

Kirchner was contacted by two residents regarding the wind farm project in West Liberty, Iowa.

Committee & Meeting Reports:

Sorensen attended an Eastern Iowa Mental Health Region meeting on June 19, 2023.  
Sorensen attended a Local Emergency Planning Commission meeting on June 22, 2023.  
Sauer attended a Conservation Board meeting on June 20, 2023.  
Sauer attended a Riverbend Transit meeting on June 21, 2023.  
Chick attended an Iowa Workforce Development meeting on June 20, 2023.  
Chick attended a Housing Committee meeting on June 21, 2023.

On a motion by Sorensen, second by Chick, the Board approved appointments to the Muscatine County Compensation Commission for the period July 1, 2023 to June 30, 2024. Ayes: All. Administrative Services Director Nancy Schreiber stated there are still vacancies for all four categories – licensed real estate salespersons or brokers; bankers, appraisers, auctioneers, property managers; owners of agricultural property; and owners of city property and stated any recommendations for the commission be referred to her.

On a motion by Sorensen, second by Kirchner, the Board approved the reappointment of Mary Friederichs to the Benefited Fire District #6 Board of Trustees for a three-year term ending June 30, 2026 (has already been approved by the Scott County Board of Supervisors). Ayes: All.

On a motion by Sorensen, second by Mather the Board approved the reappointment of Lisa Johnson and Shane Sawyer to the Muscatine County Veterans Affairs Commission for three-year terms ending June 30, 2026. Ayes: All.

On a motion by Sorensen, second by Chick, the Board authorized the Chair to sign a revised Mississippi Valley Workforce Area Chief Elected Official Shared Liability Agreement. Ayes: All.

On a motion by Sorensen, second by Kirchner, the Board authorized the Chair to sign a contract with Mississippi Valley Workforce Development Board to provides Employer of Record services. Ayes: All.

On a motion by Sorensen, second by Mather the Board approved Resolution #06-26-23-01 FY 2023/24 Budget Appropriations. Roll Call vote: Ayes: All.

**RESOLUTION #06-26-23-01**  
**FY 2023/24 BUDGET APPROPRIATIONS**

It is hereby resolved that the following amounts itemized by Department will be appropriated for the Fiscal Year beginning July 1, 2023:

01	Board/Administration	734,759
02	Auditor	638,680

03	Treasurer	618,209
04	Attorney	1,367,674
05	Sheriff	3,360,059
06	Jail	7,388,334
07	Recorder	318,946
20	Engineer	14,674,700
22	Conservation Board	1,463,767
24	DHS	45,500
25	Community Services	872,802
28	Medical Examiner	229,971
30	Court Services	185,500
31	Board of Health	413,195
51	General Services	988,281
52	Information Services	895,375
53	Zoning	497,174
60	Mental Health Administration	167,403
99	Nondepartmental	24,926,951
		<hr/>
		\$59,795,733

It is further resolved that all appropriations made pursuant to this RESOLUTION lapse at the close of business on June 30, 2024.

Passed and approved this 26th day of June, 2023.

ATTEST:

/s/Tibe Vander Linden  
Muscatine County Auditor

/s/Scott Sauer, Chairperson  
Muscatine County Board of Supervisors

Administrative Services Director Nancy Schreiber stated two Compensation Board representatives (one female and one male) are required to represent the Board of Supervisors. Schreiber stated in past years the Board has operated with just one representative and the current representative's term will expire on June 30, 2023 and she is not willing to serve a new term. The Compensation Board will meet in January or February 2024. Recommendations for the positions can be referred to her.

Jane Daufeldt, 2223 5<sup>th</sup> Avenue, Muscatine, Iowa, addressed the Board related to the pioneer cemetery and private burial sites in Muscatine County. Daufeldt stated she is a commissioner on the Historic Preservation Board, treasurer of the Muscatine County Genealogy Society and has experience with Greater Muscatine Chamber of Commerce and Industry. Daufeldt stated family tourism is increasing with the interest to research family roots. Daufeldt stated the Muscatine

County Genealogy Society will assist area citizens with research to discover family genealogy. Daufeldt stated her family history goes back to the 1850's in Muscatine County with family members are buried in the Doran Cemetery, which is a pioneer cemetery. Daufeldt stated her personal issues that in past years the north half of the Doran Cemetery was being farmed (the half acre being farmed meant no taxes were being paid on that portion). Daufeldt notified the County and the Township Trustee at that time and nothing could be done as the responsible party could not be identified. Daufeldt stated the access to the Doran Cemetery is through a farm field. Daufeldt stated the Doran Cemetery plot records are not documented and graves have been moved due to the crops being planted. Daufeldt stated the Iowa Gen Web Project has done research and the names of the deceased are documented. Daufeldt stated she is in favor of a cemetery commission so that there is consistency, conformity and knowledge is maintained. Daufeldt stated her interest in the area cemeteries is due to her work with the Historic Preservation Commission and their goal to add historic schools, churches and cemeteries on the MAGIC website. The goal has been to include cemeteries identified with a sign (with QR code) at each location. Daufeldt requested the Board consider allowing a designated agent for a relative to the deceased who is unable to visit and view the pioneer cemeteries. Daufeldt stated a responsible cemetery commission could verify the cemetery boundaries/fencing is accurate. Daufeldt thanked the Board for their support of the Historic Preservation Board's work in identifying the historic schools and churches.

Connie Fuller, 116 North Market Street, Grandview, Iowa, addressed the Board stating she was representing the Eisele/Kisor Cemetery, as she has family members buried there and has visited the cemetery as a young girl with her grandmother. Fuller stated her concern that the access to the cemetery has changed with the new private landowner. Fuller stated she resents the landowner was told to not communicate with her and not allow her to place flags on the veteran's graves, due to their attorney and insurance agent recommending no access. Fuller stated in years past there was a large wrought iron archway with the cemetery name however the archway was stolen. Mather asked if there is access to the cemetery from the north side. Fuller stated in past years she was allowed access from the northside by a landowner however they no longer own the property. Fuller asked if the county could put in an access road at the north side. Fuller asked if the county owns or just maintains other roads. County Engineer Bryan Horesowsky stated the county owns roads through easements. Chick stated the Board is working on the ordinance to follow the Code of Iowa.

Austin Bell, 2570 Burlington Road, Muscatine, Iowa, stating he is a private landowner for the Eisele/Kisor Cemetery. Bell invited all the Supervisors to his property to see the terrain and the road to walk to the cemetery. Bell stated the barn on his property has been there since 1950 and the access road was formerly a logging road. Bell stated to access the cemetery from the northside from Jasper Avenue would require to cross three other landowner's properties and crossing Bell's CRP land. Bell stated with the recent rain, the road is not safe at this time. Bell stated that for Memorial Day, flags were placed on the gravesites. Bell stated his legal counsel advised no access to the cemetery.

The meeting was adjourned at 10:06 A.M.

ATTEST:

---

Tibe Vander Linden  
County Auditor

---

Scott Sauer, Chairperson  
Board of Supervisors