

Scott County Board of Supervisors

January 13, 2005; 5:30 p.m.

The Board of Supervisors met pursuant to adjournment with Minard, Sunderbruch, Adamson, and Hancock present. Ewoldt was absent.

The Board recited the Pledge of Allegiance.

Moved by Hancock, seconded by Sunderbruch, approval of the minutes of the December 28, 2004 Closed Session and Regular Board Meeting, and the January 3, 2005 Swearing In and Organizational Meeting. All Ayes.

Moved by Hancock, seconded by Adamson, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the County Engineer be authorized to close Scott County Secondary Roads during the 2005 calendar year, as necessary, with the actual dates and times of closure to be determined by the County Engineer as follows:

For Construction: Any project as described in the approved "Scott County Secondary Roads Construction and Farm-to-Market Construction Program" and any supplements thereto.

For Maintenance: Any maintenance project or activity requiring the road to be closed. For any emergency road closure of any route as deemed necessary by the County Engineer

2) This resolution shall take effect immediately.

Moved by Hancock, seconded by Adamson, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) On this thirteenth day of January, 2005, that the Scott County Engineer is authorized to purchase the necessary right-of-way for construction and maintenance during the calendar year 2005, using the values computed in accord with the following schedule of allowances:

SCHEDULE I – AGRICULTURAL LAND:

For land by easement or deed: 4.87 times the assessed valuation per acre as it currently exists at the time an offer is made.

SECTION II – RESIDENTIAL, COMMERCIAL OR INDUSTRIAL LAND:

For land by easement or deed, where such land is classified by the assessor as residential, commercial or industrial for zoning purposes – generally the appraisal method will be used.

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SECTION III – FEDERALLY FUNDED PROJECTS, FARM-TO-MARKET FUNDED PROJECTS, AND SPECIAL PURCHASES – APPRAISAL METHOD:

This section will only be utilized when the following conditions are determined to exist:

1. Where any buildings or special improvements or appurtenances exist on the parcel being taken.
2. Where there are definable damages to the remaining property.
3. Where federal funds or farm-to-market funds are involved requiring the complete appraisal method.
4. Where the parcel being taken is not representative of the total piece.
5. For properties as noted under Section II.

The County Engineer will seek two or more quotes for the service of an appraiser for the review by the Board of Supervisors prior to employment of an appraiser. The appraisal document will serve as the basis for purchase of the parcel.

SECTION IV – BORROW:

For land disturbed by reason of borrow or backslope: The value shall be based on the price per cubic yard of material taken – (\$0.30/cu.yd.). Agreement will also be made for the restoration of the area disturbed for borrow or backslope, either by removing and replacing 8 inches of top soil or by other appropriate measures, in accordance with Section 314.12, 1995 Code of Iowa.

Compensation for crop loss or other land use loss in borrow or backslope areas will be determined based on the rental value for similar land in the area. If crops have been planted, payment will be made to cover tillage cost, seed cost and fertilizer cost based on the pro-rated actual cost incurred. If the crop is harvested before the area is disturbed there will be no compensation for crop loss.

SECTION V – WATER LINES:

For existing privately owned water lines crossing the roadway: The total cost of any alterations required on the line within the new or existing right-of-way will be at the expense of the County.

SECTION VI – FENCES:

For the relocation of functional fences made necessary by the reconstruction of an existing roadway, a new fence will be allowed for all of the same type as the existing right-of-way fence. Allowances are \$25.00 per rod for woven wire, \$16.00 per rod for barbed wire. If no fence exists, no fence payment will be allowed. The length for payment will be the footage required to fence the new right-of-way. For relocating cross fences to the new right-of-way, the length of fence required to be moved shall be compensated at the rate for the same type of right-of-way fence above. For angle points introduced into the fence line by the design of the roadway, an allowance of \$166.00 for a two-post panel and \$260.00 for a three-post panel will be made.

NOTE: All salvage from the existing fence shall become the property of the property owner. Payment for fencing will be withheld until all existing fence has been removed and cleared from the right-of-way. If the fence or any part thereof is not removed at the time of construction, it will be removed by Scott County or its contractor and a penalty of \$3.00 per rod assessed and deducted from the fence payment.

For the removal of non-functional fences made necessary for the reconstruction of an existing roadway, the County will compensate the owner for his labor and equipment at the following rates:

Woven Wire -	\$10.00 per rod
Barbed Wire -	\$ 8.00 per rod

NOTE: All salvage from existing fence shall become the property of the owner. Payment for removal of non-functional fences will be withheld until all existing fences has been removed and cleared from the right-of-way. If fence or any part thereof is not removed at time of construction, it will be removed by Scott County or its contractor and the owner will forfeit any payment tendered for the fence.

DEFINITIONS:

Functional: In good state of repair and capable of containing livestock for which the fence was constructed.

Non-functional: In disrepair and incapable of containing the livestock for which the fence was constructed. Compensation for relocating fences of a type other than those described shall be negotiated.

SECTION VII – TREES AND SHRUBS:

For trees and ornamental shrubs which must be removed from the residence areas: compensation will be made on basis of appraisal by an arborist or by negotiation.

SECTION VIII – INCIDENTAL EXPENSES:

A lump sum of \$50.00 which shall compensate the owner for any out-of-pocket expense incurred as a result of this transaction; i.e., abstracting fees, postage, telephone, etc.

SECTION IX – EASEMENT PRIORITY AGREEMENTS:

Scott County will pay all costs assessed by mortgage holders in executing "Easement Priority Agreements" for the easements obtained under the terms of this policy.

SECTION X:

PASSED AND APPROVED this Thirteenth day of January, 2005, by the Scott County Board of Supervisors.

SECTION XI: This resolution shall take effect immediately.

Moved by Hancock, seconded by Sunderbruch, that the following resolution be adopted. Rural Walcott resident Ross Paustian addressed the Board. All Ayes, except Adamson, who voted Nay.

BE IT RESOLVED 1) Iowa Code Section 459.304(3) (2003) sets out the procedure for a county board of supervisors to adopt a "construction evaluation resolution" relating to the construction of a confinement feeding operation structure. 2) Only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) a recommendation to approve or disapprove a construction permit application for a confinement feeding operation structure. 3) Only counties that have adopted a construction evaluation resolution and submitted a recommendation will be notified by the DNR of the DNR's decision on the permit application. 4) Only counties that have adopted a construction evaluation resolution and submitted a recommendation may appeal the DNR's decision regarding a specific application. 5) By adopting a construction evaluation resolution the Board of Supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2005 and January 31, 2006 and submit a recommendation regarding that application to the DNR. 6) By adopting a construction evaluation resolution the Board of Supervisors shall conduct an evaluation of every construction permit application using the master matrix as provided in Iowa Code Section 459.305. However, the board's recommendation to the DNR may be based on the final score on the master matrix or on other reasons as determined by the board of supervisors. 7) The Scott County Board of Supervisors hereby adopts this Construction Evaluation Resolution in accordance with Iowa Code section 459.304(3) and designates the Scott County Planning and Development Department to receive such applications on behalf of the Board of Supervisors. 8) This resolution shall take effect immediately.

Moved by Hancock, seconded by Sunderbruch, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) The Davenport City Assessor has submitted a written recommendation that the portion of the property taxes paid on an assessment of

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the property described as Parcel #Y0917-12P determined to be erroneous be refunded in accordance with the provisions of Iowa Code 445.60. 2) Iowa Code Chapter 445.60 states that if the Board of Supervisors shall direct the County Treasurer to refund to the taxpayer any tax or portion of tax found to be erroneously paid. 3) The County Treasurer is hereby directed to abate the amount of property taxes due on Parcel #Y0917-12P as calculated by the Scott County Auditor that were based on the portion of the 2003 assessment of the property that the Davenport City Assessor has determined was in error. 4) This resolution shall take effect immediately.

Moved by Hancock, seconded by Adamson, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the bids for a high volume copier are hereby approved as presented and the bid is hereby awarded to Advanced Systems, Inc. in the amount of \$19,686.00. 2) This resolution shall take effect immediately.

Moved by Hancock, seconded by Sunderbruch, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the proposal from Prime Coat Coating Systems for resurfacing eight showers at the Tremont Jail Annex is hereby accepted and awarded in the amount of \$20,635.88. 2) This resolution shall take effect immediately.

Moved by Hancock, seconded by Sunderbruch, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) As the Building Committee designated by the Scott County Public Safety Authority (SCPSA), the Scott County Board of Supervisors recommends the approval of the proposal from Delta Environment for initial excavation, soil removal and replacement as accepted and awarded in the amount of \$22,935.50, and as follows in Sections 2 and 3 below. 2) That the proposal from Delta Environment for excavation and disposal of contaminated soils and ground water is hereby accepted and awarded in the amount of \$20,227.50. 3) That the proposal from Delta Environment for project management and environmental oversight is hereby accepted and awarded in the amount of \$10,163.10. 4) This resolution shall take effect immediately.

Moved by Hancock, seconded by Schaefer, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the RFP solicitation for "Owner's Representative" services is hereby approved and the bid date hereby set for January 31, 2005 at 2:00 p.m. 2) This resolution shall take effect immediately.

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Moved by Adamson, seconded by Hancock, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the terms of the agreement reached between representatives of Scott County and the Secondary Roads Council is hereby approved. That the agreement shall be in effect July 1, 2005 through June 30, 2009. 2) This resolution shall take effect immediately.

Moved by Adamson, seconded by Hancock, the motion approving personnel actions as presented by the County Administrator. All Ayes.

NEW HIRES

Employee/Department	Position	Salary	Effective Date	Remarks
Debra Olesen Health	Resource Assistant	\$23,753	12/27/04	Replaces Jane Fogle
Linda Devlin Health	Resource Specialist	\$25,112	01/04/05	Replaces Bonnie Harksen

TRANSFERS AND PROMOTIONS

Employee/Department	New Position	Salary Change	Effective Date	Remarks
Matt Winslow Conservation	Equipment Mechanic	\$25,112 - \$26,728	12/17/04	Replaces Randy Trudell
George Jolly Juvenile Detention	Detention Youth Supervisor	No change	01/09/05	Fills new full-time position created by Board resolution dated 11/18/04

BARGAINING UNIT STEP INCREASES

Employee/Department	Position	Salary Change	Wage Step	Effective Date
Manuel Gonzales Sheriff/Jail	Custodian/CO	\$22,693 - \$23,379	Step 2	01/06/05
Rachelle Kunde Sheriff	Deputy Sheriff	\$44,782 - \$45,698	Step 7	01/12/05
Matt Hogan FSS	Maintenance Specialist	\$35,963 - \$37,066	Step 7	01/13/05

MERIT INCREASES

Employee/Department	Position	Salary Change	% of Midpoint	Effective Date
Jeff Raney FSS	Custodial Coordinator	\$28,813 - \$30,254 (5.0%)*	93.715%	11/12/04
Rebecca Badtram Sheriff	Public Safety Dispatcher	\$30,933 - \$32,480 (5.0%)	89.25%	12/01/04
Tim Hobkirk Conservation	Equipment Mechanic	\$30,204 - \$30,959 (2.5%)	98.454%	12/17/04
Jane Morehouse Health	Public Health Nurse	\$43,714 - \$45,025 (3.0%)	99.898%	01/02/05

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* First or second review following appointment or promotion. Salary adjusted 5% if not above 95% of midpoint & employee receives rating of 3 or better.

BONUS

Employee/Department	Position	Effective Date
Mark Kendall FSS	Maintenance Coordinator	10/21/04
John Valliere Conservation	Golf Course Pro/Mgr	11/04/04
Barb Vance Treasurer	Operations Manager	12/23/04
Rita Harkins County Attorney	Case Expeditor	01/12/05

SEPARATIONS

Employee/Department	Position	Hire Date	Separation Date	Reason for Separation
Sheryl Northcutt Sheriff	Public Safety Dispatcher	10/20/03	12/16/04	Voluntary resignation
Danny Antle Sheriff	Deputy Sheriff	04/05/04	12/24/04	Voluntary resignation

REQUEST TO FILL VACANCIES

Position/Department	Position Status	Starting Date	Previous Incumbent	Recommendation
Deputy Sheriff Sheriff	Vacant 12/24/04	ASAP	Danny Antle	Approve to fill
Park Maintenance Worker Conservation	Vacant 12/17/04	ASAP	Matt Winslow	Approve to fill
Public Safety Dispatcher Sheriff	Vacant 12/16/04	ASAP	Sheryl Northcutt	Approve to fill

TUITION REQUESTS

Employee/Department	Position	Course of Study	Course dates(s)
Rebecca Wilkison Treasurer	Motor Vehicle Account Clerk	Principles of Accounting I Scott Community College	1/24/04 – 5/20/04

Moved by Sunderbruch, seconded by Hancock, the approval of the first of three readings of an ordinance to place restrictions on the method of sale of multiple ingredient products containing pseudoephedrine. Scott County Attorney William Davis and Davenport resident Les Miller addressed the Board. Roll Call: Ayes - Minard, Sunderbruch, Adamson, Hancock.

Moved by Sunderbruch, seconded by Hancock, that the following resolution be adopted. All Ayes.

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BE IT RESOLVED 1) That the appointment of Vern Harvey, Bettendorf, to the Beautification Foundation for a one (1) year term expiring on December 31, 2005 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Hancock, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the appointment of Logan Peitscher, Bettendorf, Iowa, to the Benefited Fire District #1 for a three (3) year term expiring on January 10, 2008 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Hancock, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the appointment of Celia Rangel, Davenport, Iowa, to the Bi-State Regional Commission for a three (3) year term expiring on December 31, 2007 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Hancock, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the appointment of J.H. Sunderbruch to the Board of Health for a three (3) year term expiring on December 31, 2007 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Hancock, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the appointment of Charles V. Richardson, Bettendorf, Iowa, to the Building Board of Appeals for a five (5) year term expiring on December 31, 2009 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Hancock, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the appointment of John Rushton, Davenport, to the Citizens' Advisory Board of the Mental Health Institute for a one (1) year term expiring on December 31, 2005 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Hancock, that the following resolution be adopted. All Ayes.

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BE IT RESOLVED 1) That the appointment of Leone Bredbeck, Davenport, Iowa, to the Conservation Board for a five (5) year term expiring on December 31, 2009 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Hancock, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the appointment of Jack Hill, Long Grove, and C. Ray Wierson, Davenport, to the Davenport Hospital Ambulance Corporation (D.H.A.C.) Board for a one (1) year term expiring on December 31, 2005 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Hancock, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the appointment of Steve Lindquist, Davenport, to the Great River Bend Services, Inc. for a one (1) year term expiring on December 31, 2005, is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Hancock, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the appointment of Dr. Barb Harre, Davenport, as the Scott County Medical Examiner for a two (2) year term expiring December 31, 2006 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Hancock, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the appointment of Tim Huey, Davenport, as designated representative for Mississippi Valley Welcome Center for a one (1) year term expiring on December 31, 2005 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Hancock, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the appointments of Katherine Ion, Princeton and Carolyn Scheibe, Eldridge, to the Planning and Zoning Commission for five (5) year terms expiring on January 10, 2010, are hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Hancock, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the appointment of Tim Huey, Davenport, Iowa, to the Quad City Riverfront Council for a one (1) year term expiring on December 31, 2005 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Hancock, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the appointment of Roger Kean, Davenport, Iowa to the Resource Conservation and Development (RC&D) Council for a one (1) year term expiring on December 31, 2005. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Hancock, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the appointment of Tim Huey, to the Scott County Watershed Cabinet for a one (1) year term expiring on December 31, 2005 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Hancock, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the appointment of Cheryl Rigdon, Davenport, and Mary Dubert, Scott County Community Services Director, to the Iowa East Central T.R.A.I.N. Board for a one (1) year term expiring December 31, 2005 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Hancock, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the appointment of Sandy Brock, Davenport, Iowa, to the Vera French Community Mental Health Center Board for a one (1) year term expiring on December 31, 2005 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Adamson, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the North Scott Press, the Quad-City Times and the Bettendorf News are hereby appointed as Scott County's Official newspapers for a one year period ending on December 31, 2005, subject to meeting all requirements as stated in the Iowa Code. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Hancock, the motion approving the beer permit for Mt. Joy Amoco, rural Davenport, Iowa, contingent upon meeting certain

requirements set forth by the Scott County Board of Supervisors, requirements which are subject to separate approval of the offices of Sheriff, Attorney, Health Director, and Building Inspector. The Scott County Auditor is directed to hold any application which has not received the requisite approvals. All Ayes.

Moved by Sunderbruch, seconded by Hancock, the resolution approving warrants numbered 177397 through 177750 as submitted and prepared for payment by the County Auditor in the total amount of \$1,553,089.26 and the purchase card transactions in the total amount of \$21,608.32. Roll Call: Ayes - Minard, Sunderbruch, Adamson, Hancock.

There was a presentation on the proposed hotel in downtown Davenport by Isle of Capri officials.

Moved by Minard, seconded by Hancock, the Board adjourn until 11:30 a.m., Wednesday, January 19, 2005, subject to prior call by the Chairman. All Ayes.

Larry Minard, Chairman of the Board
Scott County Board of Supervisors

ATTEST: Karen L. Fitzsimmons
Scott County Auditor

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