

Scott County Board of Supervisors  
January 19, 2012 5:30 p.m.

The Board of Supervisors met pursuant to adjournment with Sunderbruch, Hancock, Earnhardt, Minard, and Cusack present. The Board recited the pledge of allegiance.

Moved by Minard, seconded by Hancock approval of the January 5, 2012 Regular Board Meeting minutes. All Ayes.

Moved by Minard, seconded by Hancock the following resolution that the following resolution be approved. All Ayes.

WHEREAS, the Code of Iowa Section 306.41, provides for the temporary closure of County Secondary Roads for various reasons and purposes.

BE IT RESOLVED: 1) That the County Engineer be authorized to close Scott County Secondary Roads during the 2012 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) That this resolution shall take effect immediately.

Moved by Minard, seconded by Hancock that the following resolution be approved. All Ayes.

WHEREAS: The uniform treatment of landowners in right-of-way is of paramount importance, and,

WHEREAS: Assurance must be given to the Iowa Department of Transportation that Scott County is in compliance with the provisions of the 1970 Uniform Relocation Assistance and Land Acquisition Policies Act,

NOW, THEREFORE BE IT RESOLVED by the Scott County Board of Supervisors on this nineteenth day of January, 2012, that the Scott County Engineer is authorized to purchase the necessary right-of-way for construction and maintenance during the calendar year 2012, using the values computed in accord with the following schedule of allowances:

### SCHEDULE I - AGRICULTURAL LAND:

For land by easement or deed: 5.48 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.

### 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 Nineteenth day of January, 2012, by the Scott County Board of Supervisors.

SECTION XI: This resolution shall take effect immediately.

Moved by Minard, seconded by Cusack that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) LeClaire and Princeton will be developing a bike trail to be connected with the Mississippi Bike Trail of the Quad Cities and that the Scott County Board supports this bike trail and approves the plans and specifications. 2) This resolution shall take effect immediately.

Moved by Minard, seconded by Earnhardt a motion to open a public hearing relative to adoption of a Multi-Jurisdictional Hazard Mitigation Plan for Scott County. All Ayes.

Laura Berkley from the Bi-State Regional Commission and Tim Huey from Scott County Planning and Development made a joint presentation to the Board of Supervisors.

Diane Holst of Eldridge spoke in opposition to the plan.

Moved by Minard, seconded by Earnhardt a motion to close the public hearing. All Ayes.

Moved by Minard, seconded by Hancock that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The Board of Supervisors hereby designates Tuesday, March 13, 2012 as the date for the next auction of tax deed properties. The auction will begin at 10:30 A.M. and will be held in 1<sup>st</sup> Floor Board Room of the Scott County Administrative Center, 600 W 4<sup>th</sup> Street, Davenport, Iowa. 2) Eighteen (18) properties are to be auctioned, as seen in Exhibit A. 3) This resolution shall take effect immediately.

#### Exhibit A

The Scott County Board of Supervisors will hold a public tax deed auction of the following properties for which the county holds the tax deeds on Tuesday, March 13, 2012 at 10:00 A.M. in the 1<sup>st</sup> Floor Board Room of the Administrative Center, 600 West 4<sup>th</sup> Street, Davenport, Iowa. It is an open bid public auction, with bidding starting at \$10.00. Payment in full is expected for any amount under \$250.00 with 10% down required for any amount over \$250.00. Any remaining balance is due in full Friday, March 16, 2012 by 4:00 p.m. Down payments are not refundable for any reason. The Board of Supervisors reserves the right to reject or approve any bid. Quit Claim Deeds will be issued to the winning bidder approximately six weeks after the auction. More information on the properties and the auction can be obtained at the Scott County Planning and Development office at 500 West 4<sup>th</sup> Street or by calling (563) 326-8643.

1. Parcel #E0014-11  
Legal Description: The North  $\frac{1}{2}$  of Lot 24 and the South 20 feet of Lot 25 of Davison and True's Plat  
Address: 1409 Christie Street  
Lot Size: 50 feet x 145 feet
2. Parcel #E0019-26A  
Legal Description: The East 10 feet of Lot 13 in Robert Christies 2<sup>nd</sup> Addition  
Address: 1333 Christie Street  
Lot Size: 60 feet x 10 feet
3. Parcel #F0015-37  
Legal Description: The south 8 feet of the East  $\frac{1}{4}$  of Lot 5 in Block 110 of LeClaire's 8<sup>th</sup> Addition  
Address: Rear of 531 E 15<sup>th</sup> Street  
Lot Size: 8 feet x 40 feet (approximate)
4. Parcel #F0017-39  
Legal Description: Part of Goldbury's Land commencing at a point in the south line in 14<sup>th</sup> Street which point is 72 feet west of the SW corner of Iowa and 14<sup>th</sup> Streets; running thence south 150 feet; thence west 10 feet; thence north 150 feet; thence east 10 feet to the point of beginning.  
Address: Between 325 and 327 E 14<sup>th</sup> Street  
Lot Size: 10 feet x 150 feet
5. Parcel #F0031-09  
Legal Description: The South 30 feet of Lot 2 and the North 30 feet of the West  $\frac{1}{2}$  of Lot 1, Block 93 of LeClaire's 8<sup>th</sup> addition.  
Address: Between 1101 and 1115 LeClaire Street  
Lot Size: 30 feet x 75 and 30 feet x 150 feet
6. Parcel #F0031-34  
Legal Description: Lot 3 in Block 99 of LeClaire's 8<sup>th</sup> Addition  
Address: 418 E 12<sup>th</sup> Street  
Lot Size: 80 feet x 150 feet
7. Parcel #F0036-04  
Legal Description: Part of Lot 29, McHart's Subdivision of Lots 2,3,7,25,26 in Block 138 in LeClaire's 13<sup>th</sup> Addition to the City of Davenport, more particularly described as follows:  
Commencing at the Northwest corner of said Lot 29, thence Southwesterly along the West line of said Lot 29 which is also the East line of Sylvan Avenue, 109.98 feet to the place of beginning, thence East a distance of 62.6 feet parallel with

the North line of said Lot 29 to a point on the East line of said Lot 29 said point being 107.0 feet South of the Northeast corner of said Lot 29, thence South along the East line of said Lot 29, 53 feet to the Southeast corner of said Lot 29, thence West along the South line of said Lot 29, 76.24 feet to the Southwest corner of said Lot 29, thence Northeasterly along the Westerly line of Lot 29, said line also being the Easterly line of Sylvan Avenue a distance of 54.5 feet to the place of beginning,

Address: 1009 Sylvan Avenue  
Lot Size: 54 feet x 76 feet

8. Parcel #F0044-30  
Legal Description: The South half of Lot 7 in Block 126 of LeClaire's 10<sup>th</sup> Addition  
Address: 910 Tremont  
Lot Size: 40 feet x 150 feet
9. Parcel #F0051-07A  
Legal Description: The easterly 3.16 feet of the south 75.25 feet of the east ½ of Lot 3 In Block 80 of LeClaire's 7<sup>th</sup> Addition  
Address: 904 W 2<sup>nd</sup> Street  
Lot Size: 3.16 feet x 75.25 feet
10. Parcel #G0028-18  
Legal Description: Commencing at a point in the North line of West 11<sup>th</sup> Street in said City of Davenport, Iowa which point is 716 feet West from the Southwest corner of Block 5 of McIntosh's 2<sup>nd</sup> Addition to said City of Davenport, Iowa; thence running North 150 feet, more or less, to South line of an alley; thence West along the South line of said alley 60 feet; thence South 150 feet, more or less, to the North line of said West 11<sup>th</sup> Street and thence East on and along the North line of said West 11<sup>th</sup> Street, 60 feet to the point of beginning; the intention being to convey to said grantees the same real estate described in deed of James Quinn and wife to Phereby Kimbal, dated April 16, 1902, and recorded in Book 66 of Town Lot Deeds, page 368 in the office of the Recorder of Scott County , Iowa.  
Address: 530 W 11<sup>th</sup> Street  
Lot Size: 60 feet x 150 feet
11. Parcel#G0052-26  
Legal Description: The East half of Lot 2 in Block 28 in the Original Town now the City of Davenport, Scott County Iowa.  
Address: 716 W 5<sup>th</sup> Street

- Lot Size: 40 feet x 150 feet
12. Parcel #G0052-27  
Legal Description: The West half of Lot 2 in Block 28 in the Original Town now the City of Davenport, Scott County Iowa  
Address: 716 ½ W 5<sup>th</sup> Street  
Lot Size: 40 feet x 150 feet
13. Parcel #G0052-34A  
Legal Description: Part of Lot 5 in Block 28 in the Original Town (now City) of Davenport, Scott County, Iowa more particularly described as follows: Commencing 70 feet South of the Northeast corner of said Lot 5; thence South 10 feet; thence West 55 feet; thence North 10 feet; thence East 55 feet to the place of beginning.  
Address: North of 522 Gaines Street  
Lot Size: 10 feet x 55 feet
14. Parcel #H0061-04  
Legal Description: Part of McKenzie's Subdivision more particularly described as: All that part of land lying south of CRI&P RR and East of Davie Street and North of 5<sup>th</sup> Street, except the West 120 feet thereof.(Note: this legal description is inferred from the Auditor/treasurer records.)  
Address: East of 1732 W 5<sup>th</sup> Street  
Lot Size: 35 feet x 159 feet
15. Parcel #K0019-23  
Legal Description: Part of Lots 9 and 10 in Block of Parker's 2<sup>nd</sup> Addition to the City of Davenport, Scott County Iowa, more particularly described as follows: Beginning at a point on the South line of First Street 88 feet West along the South line of First Street, 49.20 feet to the East line of Howell Street; thence South along the East line of Howell Street 80 feet; thence East parallel with First Street, 49.25 feet to the Southwest corner of tract conveyed to Charles F Schick by Raymond H Kuehl and wife by warranty deed recorded in Book151 of Town Lot Deeds, at page 615 in the records of the Recorder's office of Scott County Iowa; and thence North along the West line of said Charles F Schick property 80 feet to the point of beginning. Together with a right of way easement over the West 2 feet of the real estate described in said deed to Charles F Schick for passage way purposes.  
Address: 101 S Howell Street  
Lot Size: 49.2 feet x 80 feet

16. Parcel #L0003-06  
Legal Description: The South 29 feet of the North 100 feet of Lot 4 in Block 13 of Original Town, now the City of Davenport  
Address: 222 Warren Street  
Lot Size: 29.42 feet x 80 feet
17. Parcel #0406191BB  
Legal Description: Lot described as the Bathing Beach in Wildwood's 2<sup>nd</sup> Addition, Government Lot 1 in Section 6, Township 80 North, Range 4 East of the 5<sup>th</sup> P.M., containing 0.8 acres more or less.  
Address: Between 18385 and 18365 317<sup>th</sup> Street  
Lot Size: 129 feet x 275 feet
18. Parcel #9514012212  
Legal Description: Lot 21 in River Highlands Third Subdivision, a Subdivision in part of the NW ¼ of fractional Section 14, Township 79 North, Range 5 East of the 5<sup>th</sup> P.M., Scott County Iowa, except the West 105.00 feet of said Lot 21.  
Address: East of 27070 238<sup>th</sup> Street  
Lot Size: 26 feet x 225 feet.

Moved by Minard, seconded by Hancock that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the grant application to the Iowa State Energy Program for lighting projects at various county buildings is hereby approved. 2) This resolution shall take effect immediately.

Moved by Minard, seconded by Hancock that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the various bids for lighting projects in several county facilities are hereby approved and awarded to Davenport Electric Contracting Company in the total amount of \$175,746.00 contingent on final approval by the Iowa State Energy Program grant. 2) This resolution shall take effect immediately.

Moved by Hancock, seconded by Cusack that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That said Board of Supervisors does hereby recognize the retirement of GARY WEBER and conveys its appreciation for 28 years of faithful service to the Secondary Roads Department. 2) This resolution shall take effect immediately.

Moved by Hancock, seconded by Earnhardt that the following resolution be approved. All Ayes.



BE IT RESOLVED: 1) That the terms of the agreement reached between representatives of Scott County and the Bailiff's Association is hereby approved. That the agreement shall be in effect January 20, 2012 through June 30, 2014. 2) That the terms of the agreement reached between representatives of Scott County and the Public Professional and Maintenance Employees Local 2003 is hereby approved. That the agreement shall be in effect July 1, 2012 through June 30, 2015. 3) This resolution shall take effect immediately.

Moved by Hancock, seconded by Cusack a motion approving personnel actions as presented by the County Administrator as noted in the following table. All Ayes.

**BARGAINING UNIT STEP INCREASES**

Employee/Department	Position	Salary Change	Wage Step	Effective Date
Chad Cribb Sheriff	Sergeant	\$64,854 - \$66,144	Step 4	01/02/12
Joseph McDonough Sheriff/Jail	Deputy Sheriff	\$55,141 - \$56,264	Step 7	01/03/12
Jason Wenzel Sheriff/Jail	Correction Officer Trainee	\$33,862 - \$34,445	Step 2	01/05/12
James Schmitz Sheriff/Jail	Correction Officer	\$38,542 - \$40,331	Step 4	01/06/12
Debra Harris Sheriff/Jail	Correction Officer	\$47,133 - \$47,840	Step 9	01/09/12

**MERIT INCREASES**

Employee/Department	Position	Salary Change	% of Midpoint	Effective Date
Joshua Sabin Conservation	Park Ranger	\$43,997 - \$45,537 (3.5%)	100.39%	12/01/11
Kurt Ossmann Auditor	Official Records Clerk P/T	\$18.132/hr - \$18.403/hr (1.5%)	102.181%	12/29/11
Kimberly Shepherd County Attorney	Attorney I	\$73,573 - \$73,744 (.266%)	115%	01/02/12

\*First 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
Chad Cribb Sheriff	Sergeant	08/20/11
Jeffery Renkes Auditor	Sr. Elections Clerk	12/06/11
Trent Singleton Sheriff/Jail	Correction Officer	01/03/12
Jerry Brundies Sheriff	Assistant Jail Administrator	01/05/12
Deb Harris Sheriff/Jail	Correction Officer	01/09/12

**SEPARATIONS**

Employee/Department	Position	Hire Date	Separation Date	Reason for Separation
Gary Weber	Shop	03/07/83	01/13/12	Retirement

<b>Secondary Roads</b>	Supervisor			
<b>Linda Bladel-Gentz</b>	Clerk III	01/03/89	03/30/12	Retirement
<b>Treasurer</b>				

**REQUEST TO FILL VACANCIES**

<b>Position/Department</b>	<b>Position Status</b>	<b>Starting Date</b>	<b>Previous Incumbent</b>	<b>Recommendation</b>
<b>Shop Supervisor</b>	Vacant 1/13/12	ASAP	Gary Weber	Approve to fill
<b>Secondary Roads</b>				
<b>Clerk III</b>	Vacant 3/30/12	4/2/12	Linda Bladel-Gentz	Approve to fill
<b>Treasurer</b>				

**TUITION REQUESTS**

<b>Employee/Department</b>	<b>Position</b>	<b>Course of Study</b>	<b>Course dates(s)</b>
<b>Janet Kimmel</b>	Office	Managerial Decision Support Systems	01/17/12 – 05/12
<b>Community Services</b>	Manager	University of Illinois	

Moved by Cusack, seconded by Hancock that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 242480 through 242754 as submitted and prepared for payment by the County Auditor, in the total amount of \$784,965.96. 2) This resolution shall take effect immediately.

Moved by Cusack, seconded by Hancock a motion to adjourn. All Ayes.

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Tom Sunderbruch, Chair of the Board  
Scott County Board of Supervisors

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ATTEST: Roxanna Moritz  
Scott County Auditor