

Scott County Board of Supervisors
July 2, 2013 5:00 p.m.

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

Moved by Hancock, seconded by Sunderbruch approval of the minutes of the June 20, 2013 Regular Board Meeting and the July 2, 2013 Closed Session Meeting. All Ayes.

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

WHEREAS, Dennis Hittle served on the Scott County Zoning Board of Adjustment for eight years, and;

WHEREAS, during his tenure on the Board, he has contributed to the community through his dedication and objectivity, and in honor of his service;

BE IT RESOLVED BY the Scott County Board of Supervisors as follows: 1) That the Board of Supervisors does hereby recognize the efforts of Dennis Hittle and conveys its appreciation for his willingness to volunteer eight years of service and hard work on the Scott County Zoning Board of Adjustment. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) That the bid for Centerline Painting be awarded to the low bidder, KAM Line Highway Markings, Gilbert, IA, in the amount of \$73,121.74. 2) That the Chairman be authorized to sign the contract documents on behalf of the Board. 3) That this resolution shall take effect immediately.

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

BE IT RESOLVED: 1) That the Plans and Specifications for HMA Project L-412, Resurfacing on 275th Street be approved and, 2) That July 16, 2013 be set as the Letting Date for Project L-412 and, 3) That proper notice of this Letting be published as by law provided. 4) That this resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Hancock approval of the first of three readings of an ordinance to amend Chapter 13-34R of the Scott County Code. Roll Call: All Ayes.

AN ORDINANCE TO AMEND CHAPTER 13-34 OF THE SCOTT COUNTY CODE

RELATIVE TO DESIGNATED SPEED LIMITS ON SCOTT COUNTY SECONDARY ROADS.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF SCOTT COUNTY, IOWA:

SECTION 1.

Add to Sec. 13-34R, Add Item No. 11 to read:

R. Scott County

11. 25 MPH - On 1st Av (Vail St-Durant) from the county line to the intersection of F58 (200th St).

SECTION 2.

The County Auditor is directed to keep and maintain a copy of the Ordinance in the County Auditor's office.

SECTION 3. SEVERABILITY CLAUSE

If any of the provisions of the Ordinance are for any reason illegal or void, then the lawful provisions of this Ordinance shall be and remain in full force and effect, the same as if the Ordinance contained no illegal or void provisions.

SECTION 4. REPEALER

All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. EFFECTIVE DATE

This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

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

BE IT RESOLVED: 1) The hiring of Elizabeth Cervantes for the position of Attorney I in the County Attorney's Office at a starting salary of \$60,000/yr is hereby approved. 2) This resolution shall become effective immediately.

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

BE IT RESOLVED: 1) That the County modify its current agreement with Vantage Care Retirement Health Savings (ICMA-RC) (Plan #800970) to match at \$346.15 the County Administrator's bi-weekly payroll deduction in the RHS account in compliance with IRS regulations. 2) That the Human Resources Director is hereby authorized to sign said plan amendments on behalf of the Board. 3) That the County match will be evaluated every year in advance of the first payroll period of the fiscal year. 4) This resolution shall take effect immediately.

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

NEW HIRES

Employee/Department	Position	Salary	Effective Date	Remarks
Jeffrey Wallace	Detention Youth	\$17,978/hr	06/12/13	Roster position
Juvenile Detention	Counselor P/T			
Ashley Donnelly	Deputy Sheriff	\$47,195	07/01/13	Replaces James Schmitz
Sheriff				
Ryan Brophy	Correction Officer	\$35,318	07/08/13	Replaces Elizabeth Froehlich
Sheriff/Jail	Trainee			

TRANSFERS AND PROMOTIONS

Employee/Department	New Position	Salary Change	Effective Date	Remarks
Tiffany Tjepkes	Community Health	\$63,342 - \$66,509	06/17/13	Replaces JaNan Less
Health	Coordinator			

LEAVES OF ABSENCE/OTHER

Employee/Department	Position	Effective Date	Remarks
Starla Potter	Cook		Medical leave through 8/28/13
Sheriff/Jail			

BARGAINING UNIT STEP INCREASES

Employee/Department	Position	Salary Change	Wage Step	Effective Date
None				

MERIT INCREASES

Employee/Department	Position	Salary Change	% of Midpoint	Effective Date
Julie Walton	Attorney II	\$86,296 - \$90,611	114.199%	01/05/13
County Attorney		(5.0%)		
Leslie Ronnebeck	Public Health	\$60,378 - \$62,189	110.81%	06/12/13
Health	Nurse	(3.0%)		

*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
Barry Peck	Engineering Aide II	06/06/13
Secondary Roads		
Mary Thee	Assistant County	06/18/13
HR/Admin	Administrator	

SEPARATIONS

Employee/Department	Position	Hire Date	Separation Date	Reason for Separation
none				

REQUEST TO FILL VACANCIES

Position/Department	Position Status	Starting Date	Previous Incumbent	Recommendation
Community Health Consultant	Vacant 6/17/13	ASAP	Tiffany Tjepkes	Approve to fill
Health				

TUITION REQUESTS

Employee/Department	Position	Course of Study	Course dates(s)
None			

Moved by Earnhardt, seconded by Hancock a motion to suspend the rules to waive the second and third readings of an ordinance to amend Chapter 23 of the Scott County Code entitled Private Sewage Disposal Systems. All Ayes.

Moved by Earnhardt, seconded by Sunderbruch a motion to waive the second and third readings of an ordinance to amend Chapter 23 of the Scott County Code entitled Private Sewage Disposal Systems. Roll Call: All Ayes.

Moved by Earnhardt, seconded by Hancock approval of the first and final reading of an ordinance to amend Chapter 23 of the Scott County Code entitled Private Sewage Disposal Systems. Roll Call: All Ayes.

SCOTT COUNTY ORDINANCE No. 13-03

AN ORDINANCE TO AMEND CHAPTER 23, OF THE SCOTT COUNTY CODE
RELATIVE TO PRIVATE SEWAGE DISPOSAL SYSTEMS.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF SCOTT COUNTY, IOWA:

SECTION 1.

The following is a summary of the substantive changes:

Add new. Section 23-3 DEFINITIONS, "Approved Contractor" means a contractor certified by the National Environmental Health Association or the Iowa Onsite Wastewater Association as a Certified Installer of Onsite Wastewater Systems.

Add new. Sec. 23-5.C. PERMITS REQUIRED, Approved contractors. By July 1, 2014, all private sewage systems in Scott County shall be installed by a contractor approved by the Health Officer.

Change Sec. 23-6.A. FEES, \$210.00 for a permit to construct a private sewage system, \$95.00 for a permit to install or replace pipes, septic tank, distribution box, \$80.00 for a septic tank abandonment.

Add new. Sec. 23-9. A. TIME OF TRANSFER. If the private sewage disposal system is failing; the buyer can forego the inspection.

Add new. Sec 23-9 A. 1. Inspection exemptions. A transfer of real estate are exempt from a Time of Transfer requirements, a. a court order, b. transfer to mortgagee or successor, c. transfer by a fiduciary in the course of administration of a decedent's estate, d. transfer between joint tenants, or tenants in common, e. transfer made to spouse in lineal line of consanguinity, f. transfer to a spouse from a decree of dissolution of marriage, g. transfer in which the transferee intends to demolish the building, h. private sewage disposal system that has not been installed longer than two years, i. partition of property, j. tax sale, k. less than \$500.00, and l. corporations of partnerships.

Add new. Sec. 23-9.2. Inspection criteria. If a private sewage system is failing it shall be renovated to meet current standards.

Add new. Sec. 23-9. 3. Inspection validity. Inspection is good for two years for any transfer.

Change. Sec. 23-9.B.2. Examination application. An application for examination must be received by the department at least 30 prior to the date of the examination.

Add new. Sec. 23-9.D.3. CEU's and 4. Certificate renewal. 3.CEU's. Only those certified inspectors fulfilling the continuing education requirement before the end of each two-year period of March 31 will be allowed to renew their certificates. 4. Renewal fee. A renewal fee of \$300.00 must accompany the renewal application in order to be renewed.

Change. Sec. 23-9.E.2. Obligation of certified inspectors. Following the inspection, the inspection report shall be provided to county environmental health department.

Change. Sec. 23-9.F. Disciplinary actions. Knowingly making misleading information or fraudulent representations in the practice of the certified inspector.

Change. Sec. 23-9.F.2. Disciplinary sanctions. b. Partial revocation or suspension. Revocation or suspension of the practice of a particular aspect of the inspection may be imposed.

Change. Sec. 23-9.H., Procedures for noncompliance with child support order procedures.

Add new. Sec. 23-9.I.6.and a. Discharging systems. An effluent test will meet the NPDES General Permit #4, for CBOD5 and TSS. a. The location of the discharge point shall be reported.

Change. Sec. 23-9. I.9. Inspection reports. Inspection report will be provided the county environmental health department and the person ordering the inspection within 10 days.

Change. Sec. 23-13.D. REQUIREMENT WHEN EFFLUENT IS DISCHARGED ABOVE THE GROUND SURFACE. No private sewage disposal system shall discharge to a state-owned natural or artificial lake unless authorized by a NPDES permit.

Change. Sec. 23-17.A. 4. Prohibited wastes. Septic tanks shall not be used to disposal of footing drains.

Change. Sec. 23-18. SECONDARY TREATMENT-SUBSURFACE SOIL ABSORPTION SYSTEMS. Footing drains shall not discharge into or upon the subsurface absorption system.

Change. Sec. 23-35. EFFLUENT SAMPLING. The discharge point of an aerobic treatment system shall be accessible for sampling or sampling port installed in the discharge line. All aerobic treatment units that have an open discharge shall be sampled in accordance with the NPDES permit requirements.

SECTION 2.

The County Auditor is directed to keep and maintain a copy of the Ordinance in the County Auditor's office.

SECTION 3. SEVERABILITY CLAUSE

If any of the provisions of the Ordinance are for any reason illegal or void, then the lawful provisions of this Ordinance shall be and remain in full force and effect, the same as if the Ordinance contained no illegal or void provisions.

SECTION 4. REPEALER

All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. EFFECTIVE DATE

This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

APPROVED this 2nd day of July, 2013

Moved by Earnhardt, seconded by Cusack a motion to suspend the rules to waive the second and third readings of an ordinance to amend Chapter 24 of the Scott County Code entitled Non Public Water Supply Wells. All Ayes.

Moved by Earnhardt, seconded by Hancock a motion to waive the second and third readings of an ordinance to amend Chapter 24 of the Scott County Code entitled Non Public Water Supply Wells. Roll Call: All Ayes.

Moved by Earnhardt, seconded by Cusack approval of the first and final reading of an ordinance to amend Chapter 24 of the Scott County Code entitled Non Public Water Supply Wells. Roll Call: All Ayes.

SCOTT COUNTY ORDINANCE No. 13-04

AN ORDINANCE TO AMEND CHAPTER 24, OF THE SCOTT COUNTY CODE
RELATIVE TO NON-PUBLIC WATER WELL PERMIT

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF SCOTT COUNTY, IOWA:

SECTION 1.

The following is a summary of the substantive changes:

Sec. 24-5. FEES

A. The fee for a permit to construct, reconstruct, or plug a non-public water well shall be payable at the time of application.

Change 1. \$270.00 for a Permit to construct a water well.

Change 2. \$100.00 for a Permit to reconstruct, rehabilitate, or installation of a liner.

SECTION 2.

The County Auditor is directed to keep and maintain a copy of the Ordinance in the County Auditor's office.

SECTION 3. SEVERABILITY CLAUSE

If any of the provisions of the Ordinance are for any reason illegal or void, then the lawful provisions of this Ordinance shall be and remain in full force and effect, the same as if the Ordinance contained no illegal or void provisions.

SECTION 4. REPEALER

All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. EFFECTIVE DATE

This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

APPROVED this 2nd day of July, 2013

Moved by Earnhardt, seconded by Sunderbruch a motion to suspend the rules to waive the second and third readings of an ordinance to amend Chapter 28 of the Scott County Code entitled Ambulance Service. All Ayes.

Moved by Earnhardt, seconded by Sunderbruch a motion to waive the second and third readings of an ordinance to amend Chapter 28 of the Scott County Code entitled Ambulance Service. Roll Call: All Ayes.

Moved by Earnhardt, seconded by Hancock approval of the first and final reading of an ordinance to amend Chapter 28 of the Scott County Code entitled Ambulance Service. Roll Call: All Ayes.

SCOTT COUNTY ORDINANCE No. 13-05

AN ORDINANCE TO AMEND CHAPTER 28, OF THE SCOTT COUNTY CODE
RELATIVE TO AMBULANCE SERVICE.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF SCOTT COUNTY, IOWA:

SECTION 1.

The following is a summary of the substantive changes:

Change title from "AMBULANCE SERVICE" TO "EMERGENCY MEDICAL SERVICES"

Under Sec. 28-3, LICENSES REQUIRED AND EXCEPTIONS: Delete (5), which provided an exception for employers transporting ill or injured employees.

Delete Sec. 28-4, AMBULANCE SERVICE: APPLICATION, LICENSING INSURANCE AND CONFORMANCE

Add new Sec. 28-4, EMERGENCY MEDICAL SERVICE LICENSING: APPLICATION, ISSUANCE, RENEWAL, FINANCIAL, AND INSURANCE.

A: Application: Application for an emergency medical service license authorizing the licensee to provide emergency medical services within Scott County shall be made on such forms as may be described, prepared, or prescribed by the Health Officer.

1. Each prospective licensee and each present licensee wishing to provide a new type of emergency medical service, to establish a new base of operation, or to expand a designated service area, shall make a written application for a license to the Health Officer. Applicants shall complete the required forms, and submit same to the Health Officer not less than sixty (60) days prior to the requested effective date of the license.
2. Proof of Insurance coverage as specified under 28.5(D) below shall be submitted with the application forms.
3. Evidence of financial responsibility as required by 28.5(D) below shall be submitted with the application forms.
4. The application shall address the following subjects:
 - a. Response Time.
 - b. Ambulance Design.
 - c. Equipment Provided on Ambulances.
 - d. Duplication of Service, if any.
 - e. Estimated increased benefit to the public health and safety.
 - f. Communications capability.
 - g. Capability to provide rescue service
 - h. Such other relevant information as the Health Officer shall deem necessary to determine compliance with this Chapter.

B: Licenses:

1. Shall not be transferable.
2. Shall be issued only when it is determined that:
 - a. Public health and safety requires addition of the proposed emergency medical service.
 - b. Currently licensed services' emergency response capability will remain viable with the addition of the emergency medical service.
 - c. Each emergency medical service, its vehicles, equipment and premises designated in the application have been certified as provided for herein.
 - d. The applicant is a responsible and proper person to conduct or work in such a service.
 - e. Only duly certified and licensed employees are utilized.
 - f. All requirements of this Chapter, and all other applicable laws and ordinances, have been met.

C. License Renewal: The procedure and criteria for the renewal application of a license shall be the same as the initial application for a license as stated in 28.5(A), except that requirement (3) applies only to evidence of financial responsibility due or not timely submitted according to the schedule in Section 28.5(D)(4) at the time of application.

D. Insurance and Financial Requirements:

Each emergency medical service shall:

1. Carry adequate comprehensive liability insurance covering Scott County, Iowa, as named insured. It shall also carry workers' compensation insurance as required by the laws of the State of Iowa.
2. Submit Certification of Insurance issued by the carrier to the Health Officer.
3. Confirm that every insurance policy required hereunder extends for the period to be covered by the license. The insurer shall be obligated to give not less than thirty (30) days written notice to the Health Officer and to the insured before any cancellation or termination thereof earlier than its expiration date. The cancellation or other termination of any such policy shall automatically revoke and terminate the license, unless another insurance policy complying with the provisions of this section shall be provided and be in effect at the time of such cancellation or termination.
4. Furnish to the Health Officer financial statements at the level of assurance indicated by licensure documents: compilation, review, or audit. Requirements for financial statements shall be based on, but not be limited to, the following criteria:
 - Financial model (non-profit or for-profit)
 - Staffing model (volunteer or paid staff)
 - Projected number of calls per year
 - Total yearly budget

Quarterly financial statements shall be submitted within sixty (60) days from the end of the previous quarter. An annual financial statement of the previous year's operation shall be submitted within one hundred twenty (120) days from the end of the previous year.

Financial statements shall be reviewed to determine whether financial conditions exist which would affect a licensed provider's ability to continue to effectively provide emergency medical services. If additional information is necessary to make a determination, providers shall submit the required information within thirty (30) days.

F. Hold Harmless:

The emergency medical service licensee shall hold harmless from and indemnify Scott County, Iowa and/or members of the Scott County Board of Supervisors, the Scott County Board of Health, and their employees against all claims, suits, actions, costs, defense fees, expenses, damages, judgments or decrees,

incurred by reason of any person or persons or property being damaged or injured by the licensee or any agent or employee of a licensee, whether by negligence or otherwise.

Delete Sec. 28.5, DESIGNATION OF AMBULANCE SERVICE AREAS

Add new Sec. 28.5, CONFORMANCE TO EMERGENCY MEDICAL SERVICE PLAN:

- A. Communication: Every emergency medical service shall have direct communication with SECC by means of equipment in all emergency services vehicles, and mobile equipment for all on-duty or on-call staff for timely response to calls for service. This requirement shall become effective on July 1, 2014.
- B. System Standards: (Reserved)
- C. Education: (Reserved)
- D. Data collection and use: (Reserved)
- E. Quality Improvement: (Reserved)

Change Sec. 28-6, STANDARDS FOR AMBULANCE (VEHICLE) DESIGN to read: Sec 28-7, STANDARDS FOR EMERGENCY MEDICAL VEHICLE DESIGN.

Add new Sec. 28-6, DISPATCH AND EXCLUSIVE SERVICE AREAS

SECC shall be responsible for dispatch of ambulances and crews for emergency events, according to the system that is in force at the time of request for services. Such system may employ, but not be limited to, Medical Priority Dispatch System™ methodology, global positioning system information, computer aided dispatch methodology, fractile response time analysis, and demand/geographic analysis.

The ability to provide non-emergency and inter-facility transport services within an Exclusive Service Area significantly offsets the costs associated with providing emergency medical service to the citizens of Scott County and is an important component of the financial solvency, clinical and operational performance, and stability of the emergency medical system.

All emergency, non-emergency, and inter-facility transfers shall be provided by the emergency medical service assigned to the area in which the transfer originates.

The geographical areas within Scott County described in Appendix B shall comprise Exclusive Service Areas assigned to individual emergency medical services serving Scott County.

In assignment of Exclusive Service areas, the following factors shall be considered:

- A. size of population to be served,
- B. effect of a proposed service's assignment on currently licensed emergency medical service providers,
- C. geographic locations of the proposed service,

- D. proposed service's record of response time,
- E. proposed service's record of activation time,
- F. proposed service's level of licensure or certification, and
- G. other factors relevant to providing efficient and effective emergency medical services to the population as determined by the Health Officer.

Notwithstanding the defined Exclusive Service Areas, dispatch by the Scott Emergency Communications Center according to the system in force at the time of request for services shall constitute for any call shall constitute compliance with this section.

Any dispatch method employed by SECC or its assigns shall use patient benefit as the primary factor in determining response criteria.

SECTION 2.

The County Auditor is directed to keep and maintain a copy of the Ordinance in the County Auditor's office.

SECTION 3. SEVERABILITY CLAUSE

If any of the provisions of the Ordinance are for any reason illegal or void, then the lawful provisions of this Ordinance shall be and remain in full force and effect, the same as if the Ordinance contained no illegal or void provisions.

SECTION 4. REPEALER

All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. EFFECTIVE DATE

This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

APPROVED this 2nd day of July, 2013

Moved by Cusack, seconded by Earnhardt approval of the second of three readings of an ordinance to amend Chapter 17 of the Scott County Code entitled Alarm Systems. Roll Call: All Ayes.

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

BE IT RESOLVED by the Scott County Board of Supervisors as follows: 1) The 2013 Slough Bill exemptions as presented to the Board of Supervisors by the Scott County Assessor's office, and the Davenport City Assessor's office and as subsequently approved by the Davenport and Bettendorf City Councils are hereby approved as follows:

District	Parcel Number	Name	Type	Exempt Acres	Exempt Value
City/Davenport	X3501-01	Genesis Systems	Open Prairie	7.00	125,450
City/Davenport	Y0423-14	Robert & Elaine Kuehl	Open Prairie	3.00	6,600
City/Davenport	Y3337-04A	Shirley Perry	Open Prairie	5.00	9,845
City/Davenport	S3123-03A	John Carillo	Open Prairie	6.60	4,686
City/Davenport	31703-13, 31703-14, 3187-01	Lillian Voss	Forest Cover	18.27	7,072
City/Davenport	S3021-0LA	David R. Bierl	Open Prairie	2.30	
City/Davenport	S3021-0LA	David R. Bierl	Forest Cover	5.65	3,980
City/Bettendorf	8414172032	Chad Miller	Forest Cover	4.90	27,900
Totals				52.72	185,533

2) The City and County Assessor shall process these exemptions as required by law. 3) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) The purchase of Citrix software maintenance and support for 340 XenDesktop/ 4 XenServer application delivery platform in the amount of \$29,820 is hereby approved. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) That the appointment of Lisa Charnitz, Davenport, Iowa to the Compensation Board for a four (4) year term expiring on June 30, 2017 is hereby approved. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) That the appointment of Mike Duffy, Davenport, Iowa to the Compensation Board for a four (4) year term expiring on June 30, 2017 is hereby approved. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) That the appointment of John Maxwell, Donahue, Iowa to Benefited Fire District #5 for a three (3) year term expiring on July 19, 2016 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Cusack, seconded by Earnhardt 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 254008 through 254284 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,376,199.21. 2) This resolution shall take effect immediately.

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

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

ATTEST: Roxanna Moritz
Scott County Auditor