

Scott County Board of Supervisors
July 30, 2015 5:00 p.m.

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

Moved by Hancock, seconded by Earnhardt approval of the minutes of the July 16, 2015 Regular Board Meeting and the minutes of the July 28, 2015 Committee of the Whole Meeting. All Ayes.

Moved by Kinzer, seconded by Hancock a motion to open a public hearing relative to the transfer of a one-acre parcel located in Section 15 of Lincoln Township. All Ayes.

No one from the public spoke.

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

Moved by Earnhardt, seconded by Kinzer approval of the first of three readings of an ordinance to amend Chapter 13-34N of Scott County Code relative to designated speed limits on Scott County Secondary Roads. Roll Call: All Ayes.

AN ORDINANCE TO AMEND CHAPTER 13-34N 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. Under Sec. 13-34N, Add Item No. 5 to read:

Extend the 30 MPH speed limit - On 270th Street north side, westbound lane to the Long Grove city limits.

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 All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.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 Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the purchase for an aluminum box culvert go to the bidder, Illowa Culvert & Supply, Low Moor, Iowa for the total cost of \$50,500.00 be approved. 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 Earnhardt, seconded by Hancock that the following resolution be approved. All Ayes.

BE IT RESOLVED: Scott County holds legal title to the following real estate: One acre in the Northwest corner of the S.W. quarter of Section 16, Township 79 North, Range 4 East of the 5th Principal Meridian (Lincoln Township). 2) Said one acre tract being the tract conveyed for school purposes per Warranty Deed recorded in Book 48 of Land Deeds, Page 532 in the office of the Recorder of Scott County, Iowa. 3) Said one acre tract has not, and will not, be utilized by Scott County for its original purpose, and may therefore be transferred to the estates of the current owners, being Donald H. and Elaine A. Schneckloth, to clear any title issues. 4) A public hearing was held on July 30, 2015 to take public comments on the proposed transfer of the above-described real estate. 5) The Chairman is authorized to sign the Quit Claim Deed. 6) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) Sievers Family Farms LLC in the S½NE¼ Section 32, T80N, R1E (Liberty Township) has submitted an application to the Iowa Department of Natural Resources (DNR) for a construction permit for the expansion of a confined animal feeding operation at 26618 20th Avenue in unincorporated Scott County. 2) The Scott County Health Department and the Scott County Planning and Development Department have reviewed the construction permit application and the manure management plan and determined that both appear to be in compliance with the requirements of Iowa Code Section 459 and Iowa DNR rules. 3) The Scott County Board of Supervisors has determined that there are not any additional objects or locations not included in the application that are within the required separation distances, the soils and hydrology of the site appear to be suitable for the proposed facility, the applicant has adequate land for the application of manure originating from this confinement feeding operation available and there are no apparent drain tiles in the area of the proposed expansion. 4) The Scott County Board of Supervisors published public notice of the receipt of said application, accepted written and electronic comments on the application, and held a public hearing on July 16, 2015 during its regularly scheduled meeting to receive public comments on application. 5) The Scott County Board of Supervisors will submit to the Iowa DNR the written reports it received

from the Scott County Planning and Development and Health Departments on which its determination is based, in addition to any written public comments it receives on this application and the documentation of publication of the required public notice. 6) The Scott County Board of Supervisors would recommend that the construction permit application of Sievers Family Farms LLC be approved based on its compliance with the Iowa DNR rules and Iowa Code regulations for such applications. 7) This resolution shall take effect immediately

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

BE IT RESOLVED: 1) Change Order #4 (for Courthouse Project Phases One and Two) in the amount of \$71,532.32 is hereby approved. 2) That the Director of Facility & Support Services is authorized to sign the Change Order. 3) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) That the bids for two mini-vans to be used as Jail Transport Vans are approved and hereby awarded to Stew Hanson Dodge in the amount of \$41,466.00. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) That the bids for one Class 4 mid-size SUV for the Health Department are approved and hereby awarded to Ericksen in the amount of \$22,693.40. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) That the bids for one Class 5 hybrid car to be used as an inspection vehicle for the Health Department are approved and hereby awarded to Reynolds Ford in the amount of \$21,659.46. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) That the bids for one Class 4 truck to be used as an inspection vehicle for Planning and Development are approved and hereby awarded to Clinton Auto Group in the amount of \$25,092.00. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) That the bid solicited through the Bi-State Purchasing Council for the annual ice melt purchase is approved and hereby awarded to River City Turf in the amount of \$25,498.20. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) That the proposal from Madison National Life for one year long term disability insurance coverage for staff is hereby accepted and approved. 2) That the Human Resources Director is hereby authorized to sign the life insurance contracts for services on behalf of the Board. 3) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the proposal from Minnesota Life for three years life insurance coverage for staff is hereby accepted and approved. 2) That the Human Resources Director is hereby authorized to sign the life insurance contracts for services on behalf of the Board. 3) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) That Human Resources Policy P "Insurance and Deferred Compensation" is hereby modified to change the life insurance annual salary date from July 1 to September 1 to coincide with the contract. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) The hiring of Allison Hart for the position of Operations Manager in the Recorder's Office at the entry level rate. 2) The hiring of Danyel Glazebrook for the position of part-time Clerk II in the Recorder's Office at the entry level rate. 3) The hiring of Andrea L. Glasgow for the position of Attorney I for the County Attorney's office at a starting salary of \$65,000/yr is hereby approved.

Moved by Holst, seconded by Kinzer approval of the final of three readings of an ordinance to amend Chapter 23 of the Scott County Code, "Onsite Wastewater Treatment and Disposal Systems." Roll Call: All Ayes.

**AN ORDINANCE TO AMEND CHAPTER 23, OF THE SCOTT COUNTY CODE
RELATIVE TO ONSITE WASTEWATER TREATMENT AND 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:
Under Sec. 23-6, A. FEES, change items 1, 2, and 5 to read:

1. \$220.00 for a permit to construct a private sewage disposal system.
2. \$100.00 for a permit to install or replace pipes, septic tanks or distribution box.
5. \$85.00 for a septic tank abandonment permit.

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 Holst, seconded by Hancock the approval of the final of three readings of an ordinance to amend Chapter 24 of the Scott County Code, "Nonpublic Water Supply Wells." Roll Call: All Ayes.

AN ORDINANCE TO AMEND CHAPTER 24, OF THE SCOTT COUNTY CODE
RELATIVE TO NONPUBLIC WATER SUPPLY WELLS

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

SECTION 1. Under Sec. 24-5, A. FEES, change items No. 1, 2, and 4 to read:

1. \$280.00 for a Permit to construct a waterwell.
2. \$150.00 for driven (sandpoint) water well permit.
4. \$15.00 for reconstruction, rehabilitation, or installation of 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.

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

BE IT RESOLVED by the Board of Supervisors (the "Board") of the County, as follows:

1) Recitals. (a) The Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the "Regulations") dealing with the issuance of bonds, all or a portion of the proceeds of which are to be used to reimburse the County for project expenditures made by the County prior to the date of issuance. (b) The Regulations generally require that the County, as issuer of the bonds, make a prior declaration of its official intent to issue the bonds for the projects in order for the County to be able to reimburse itself for such prior expenditures out of the proceeds of the subsequently issued bonds and that the bonds be issued and the reimbursement allocation be made from the proceeds of such bonds within a certain period after the payment of the expenditure or the date the project is placed in service; and (c) The County desires to comply with requirements of the Regulations with respect to certain projects hereinafter identified to be financed for the County. 2) Official Intent Declaration. (a) The County proposes to undertake the projects listed on Exhibit A hereto and to make original expenditures with respect thereto prior to the issuance of bonds, notes or other obligations (the "Bonds") and the County reasonably expects to issue the Bonds for such projects in the maximum principal amounts shown on Exhibit A. (b) Other than (i) expenditures to be paid or reimbursed from sources other than the Bonds or (ii) expenditures made not earlier than sixty days prior to the date of this Resolution or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the projects have heretofore been made by the County for which the County will seek reimbursement from proceeds of the Bonds. (c) This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations. 3) Budgetary Matters. As of the date hereof, there are no County funds reserved, allocated on a long term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long term basis or otherwise set aside) to provide permanent financing for the expenditures related to the projects, other than pursuant to the issuance of the Bonds. This resolution, therefore, is determined to be consistent with the County's budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof, all within the meaning and content of the Regulations. 4) Reimbursement Allocations. The County Administrator or Budget Manager shall be responsible for making the "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the Bonds to reimburse the source of temporary financing used by the County to make payment of the prior costs of the projects. Each allocation shall be evidenced by an

entry on the official books and records of the County maintained for the Bonds, shall specifically identify the actual prior expenditure being reimbursed or, in the case of reimbursement of a fund or account, the fund or account from which the expenditure was paid, and shall be effective to relieve the proceeds of the Bonds from any restriction under the bond resolution or other relevant legal documents for the Bonds, and under any applicable state statute, which would apply to the unspent proceeds of the Bonds. Section 5) Repealer. All resolutions, parts of resolutions, or actions of the Board in conflict herewith are hereby repealed, to the extent of such conflict.

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

BE IT RESOLVED: 1) The purchase of a Cisco 5508 wireless controller and professional installation services from Ticomix in an amount not to exceed \$24,481.91 is hereby approved.

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

BE IT RESOLVED: 1) The purchase of two Cisco 5525 firewalls and professional installation services from Ticomix in an amount not to exceed \$41,901.02 is hereby approved.

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

BE IT RESOLVED: 1) The purchase of CommVault backup software maintenance and support from Open Technologies in the amount of \$17,928.65 is hereby approved.

Moved by Hancock, seconded by Earnhardt a motion approving a casual sales license for Brenda Hillebrandt Books. All Ayes.

Moved by Hancock, seconded by Kinzer that the following resolution be approved. Roll Call: Four Ayes; Holst voted Nay.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 270287 through 270585 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,795,034.08. 2) This resolution shall take effect immediately.

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

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

ATTEST: Roxanna Moritz
Scott County Auditor