

Scott County Board of Supervisors
January 28, 2016 5:00 p.m.

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

Moved by Sunderbruch, seconded by Earnhardt approval of the minutes of the January 14, 2016 Regular Board Meeting and the minutes of the January 26, 2016 Committee of the Whole Meeting. All Ayes.

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

BE IT RESOLVED: 1) That the Board of Supervisors does hereby proclaim February 3, 2016 as Iowa Puppy Mill Awareness Day in Scott County. 2) That the Board of Supervisors encourages its citizens to support efforts to promote responsible dog breeding. 3) This resolution shall take effect immediately.

County Administrator Dee Bruemmer presented the FY17 recommended budget.

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

BE IT RESOLVED: 1) In compliance with Chapter 317.3 of the Iowa Code, the Scott County Weed Commissioner shall be the responsibility of the Scott County Engineer effective immediately. 2) This resolution will certify to the Scott County Auditor and the Secretary of Agriculture that the Scott County Weed Commissioner is the Scott County Engineer. 3) That this resolution shall take effect immediately.

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

BE IT RESOLVED: 1) The Code of Iowa Section 306.41, provides for the temporary closure of County Secondary Roads for various reasons and purposes and that the County Engineer be authorized to close Scott County Secondary Roads during the 2016 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 Emergencies: For any emergency road closure of any route as deemed necessary by the County Engineer. 2) That the County Engineer be authorized to post a reduced speed limit in work zones to ensure the safety of the workers and county employees within the work zones. 3) That this resolution shall take effect immediately.

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

BE IT RESOLVED: 1) 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 twenty-eighth day of January, 2016, that the Scott County Engineer is authorized to purchase the necessary right-of-way for construction and maintenance during the calendar year 2016, using the values computed in accord with the following schedule of allowances: SCHEDULE I - AGRICULTURAL LAND: For land by easement or deed: 4.72 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 twenty-eighth day of January, 2016, by the Scott County Board of Supervisors. SECTION XI: This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) Iowa Code section 459.304(3) (2007) 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, 2016 and January 31, 2017 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 Kinzer, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The hiring of Timothy Nawa for the position of Truck Driver/Laborer in the Secondary Roads Department at the entry level rate. 2) The hiring of Adam Goodall for the position of Truck Driver/Laborer in the Secondary Roads Department at the entry level rate.

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

BE IT RESOLVED: 1) That Human Resources Policy G "Employee Conduct" updates the policy by adding language on ethics and proper purchases. 2) That General Policy 11 "Purchasing" updates the policy by adding language on ethics of purchasing. 3) That General Policy 26 "Purchasing Card" updates the policy by adding language on ethics of purchasing. 4) That General Policy 21 "Posting of Material" updates the policy to provide clearer direction on use of the employee bulletin board and outside requests for links from webpage. 5) That General Policy 1 "Boards of Supervisors' Appointments" updates the Board's lists of appointments. 6) 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 terms of the agreement reached between representatives of Scott County and the Chauffeurs, Teamsters and Helper's Local Union No. 238 is hereby approved. That the agreement shall be in effect July 1, 2016 through June 30, 2019. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) The 2014 property taxes due in March 2016 for Brent Colvin, 3622 May Lane, Davenport, Iowa in the amount of \$433.00 including interest and a special assessment in the amount of \$113.40 are hereby suspended. 2) The County Treasurer is hereby directed to suspend the collection of the above stated taxes thereby establishing a lien on said property as required by law with future collection to include statutory interest, if any. 3) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Earnhardt that the following resolution be approved. Supervisor Holst stated that she disagreed with the national funding source for the following resolution. Four Ayes with Holst voting Nay.

BE IT RESOLVED: 1) That the Board hereby approves a grant in the amount of \$138,000.00 from the Iowa Department of Homeland Security & Emergency Management. 2) That the Board approves receipt of such funding. 3) That the Sheriff is approved to sign such application. 4) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) A public hearing date on an amendment to the County's current FY16 Budget is set for Thursday, February 11, 2016 at 5:00 p.m. 2) The County Auditor is hereby directed to publish notice of said amendment as required by law. 3) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) All County departmental FY17 budget requests and all authorized agency FY17 funding requests are hereby authorized for filing and publication as the budget estimate for FY17. 2) The Board of Supervisors hereby fixes the time and place for a public hearing on said budget estimate for Thursday, February 11, 2016 at 5:00 p.m. in the Board Room at the Scott County Administrative Center. 3) The Scott County Auditor is hereby directed to publish the notice and estimate summary as required by law. 4) 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 following appointments to the Scott County Condemnation Appraisal Jury for one (1) year terms expiring on December 31, 2016 are hereby approved: BANKERS by Earnhardt, Susan Zude and Trish Townsend; by Hancock, David Nauman and Peter McAndrews; by Holst, Julie Smith and Joe Slavens; by Kinzer, Tom Messer and Kristal Schaefer; by Sunderbruch, Victor J. Quinn and Susan Daley: CITY PROPERTY OWNERS by Earnhardt, Kenny Guy and Marge Stratton; by Hancock, Greg Kautz and Mary Kellenberger; by Holst, Elizabeth Hodges and Jesse Anderson; by Kinzer, Sandra Frericks and Mark Ross; by Sunderbruch, Oscar Hawley and Ben Niedert: FARMERS by Earnhardt, Kenneth Tank and Jennifer Ewoldt; by Hancock, John Maxwell; by Holst, Keith Steward and Bart VandeWalle; by Kinzer, Mary Frick and Jerry Mohr; by Sunderbruch, Joni Dittmer and Carrie Keppy: REAL ESTATE by Earnhardt, Lesa Buck and Jeff Heuer; by Hancock, Paula Ruefer and Lisa Carstens; by Holst, Mary Dircks and Lynsey Engels; by Kinzer, Lana Wulf and Thad DenHartog; by Sunderbruch, Rick Schaefer and Natalie Glynn. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Kinzer a motion approving a beer/liquor license renewal for Express Lane Gas & Food Mart #79. All Ayes.

Moved by Sunderbruch, seconded by Holst 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 274042 through 274295 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,065,952.09. 2) The Board of Supervisors approves for payment to Wells Fargo Bank all purchase card program transactions as submitted to the County Auditor for review in the amount of \$57,426.33. 3) This resolution shall take effect immediately.

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

Jim Hancock, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor