

Scott County Board of Supervisors
April 5, 2018 5:00 p.m.

The Board of Supervisors met pursuant to adjournment with Beck, Kinzer, Holst, Earnhardt and Knobbe present. The Board recited the Pledge of Allegiance.

Moved by Earnhardt, seconded by Holst a motion to approve the minutes of the March 22, 2018 Regular Board Meeting and the minutes of the April 3, 2018 Committee of the Whole Meeting. All Ayes.

Moved by Beck, seconded by Kinzer a motion to open a public hearing relative to the Planning and Zoning Commission recommendation on the application of the Scott County Conservation Board to rezone 117 acres, more or less, from Residential Single-Family (R-1) to Agricultural-General (A-G) adjacent to the west side of Scott County Park and east of Scott Park Road. All Ayes.

No one from the public spoke.

Moved by Beck, seconded by Kinzer a motion to close the public hearing. All Ayes.

Moved by Beck, seconded by Kinzer a motion to open a public hearing relative to the Planning and Zoning Commission recommendation on the adoption of a revised Future Land Use Map (FLUM) and related amendments to Chapter 2: Vision, Goals and Objectives of the Scott County Comprehensive Plan. All Ayes.

Tim Huey, Planning and Development Director, said the Planning and Zoning Commission held numerous public hearings in the Board room and out in the County regarding the revised map and had good responses.

Beck observed that due to some public comments made to the Commission that the commission changed some provisions of the FLUM.

Ben Taylor, 2703 Valley Drive, LeClaire, asked the Board if the map presented is the map that takes A-G land in yellow on map to have Bettendorf possibly annex it.

Huey said that was correct.

Knobbe said there are a number of places in the County indicated on the map that before any changes to properties that the owners would go to the adjacent cities for possible annexation.

Taylor asked about an annexation law that requires an 80% vote if land has been previously developed. Also, he asked if there had ever been a property annexed voluntarily by petition of the owner.

Huey said most annexations in Iowa take place by voluntary annexations by property owners of land directly adjacent to the city petitioning a city for annexation. He has not seen any forced annexations in his 20 years at the County. He gave the example of the City of Princeton annexation of the Dollar General property as a voluntary annexation.

Taylor asserted his belief that rezoning agricultural land for residential development would effectively prevent the annexation of that land by an adjacent city due to the requirement of owners of 80% of the land requesting the annexation. He cited already developed areas such as Venwoods 3rd Addition cannot be annexed due to this law.

Supervisor Beck said the map is a planning document to show areas that could be developed.

Huey said the intention of the FLUM is to avoid Taylor's concern.

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

Other items of interest: Taylor told the Board of his concerns with the Preliminary Plat of Venwoods 4th Addition and the developer being able to put in the road before going to the final plat.

Knobbe said at the time last year when it was passed he did not know all the nuances of the law but he understands now.

Taylor also asked the rest of the Board if they were aware of the rules. Each supervisor said no, and Supervisor Kinzer said he thought the preliminary plat was just a document to get the Board going and that the final plat would allow for everything to move forward.

Taylor said that adoption of the preliminary plat had eroded his bargaining position with the developer regarding his concerns with the road design in the plat.

Supervisor Holst said the Board did believe the preliminary plat was just a bookmark and they had to wait for the final plat that was what took place. She also said Taylor was led to believe infrastructure would not take place until the approval of final plat.

Huey said the Taylor's were notified of Planning and Zoning plans and of the public hearing prior to approving and the preliminary plat was unanimously approved with conditions, including storm water management. He assured Taylor that he would be informed when the final plat comes before the Commission.

Taylor expressed dissatisfaction with the planning process and the confusion about how the Board's approval of the preliminary plat led to construction of the road without his concerns being addressed.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes. Knobbe read the proclamation. Pat D'Alessandro, Disaster Leadership Volunteer, accepted the proclamation. She said that the Red Cross had a telethon last week to encourage volunteer participation and has over 600 volunteers. She said the Red Cross is looking for more people to volunteer for this event.

BE IT RESOLVED: 1) That we hereby proclaim April 28, 2018 as the day to *Sound the Alarm* and help educate and protect the residents of our community against home fires and encourage everyone to support the American Red Cross and join in this lifesaving effort. 2) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes. Knobbe read the proclamation. Decker Ploehn, City of Bettendorf, thanked the Board and beloved staff and asked the Board to host a table and participate in a table. He said this weekend is to have a conversation to make the Quad Cities a better place and wants to see everyone in the community participate. He wants participants to register online to capture their emails and to survey them about the process.

Jazmin Newton-Butt, president of LULAC and attorney, said this is to help move the Quad Cities forward as a region and listen to our diverse community.

Rene Gellerman, Q2030 Loaned Executive, said there are 280 hosts so far with the hopes for 400 hosts and 5,000 people participate.

Beck said that this event encourages participation with people you don't already know.

Gellerman said this event is meant to empower people in community and help make change.

Phoehn said this event will happen again in the years to come and is occurring in all sorts of venues in the Quad Cities.

Newton-Butt said a goal is to get people more connected to area and learn about the diversity of the Quad Cities community.

BE IT RESOLVED: 1) That the Board of Supervisors does hereby declare the weekend of April 20 and 21, 2018 as "The Quad Cities Big Table Weekend". 2) That the Board of Supervisors invites all Quad Citizens to participate in this community-wide initiative to further connect our community so that we can become a Cool, Creative, Connected and Prosperous place. 3) This resolution shall take effect immediately.

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

Huey said Supervisor Holst raised a good point when she questioned the points taken for a homestead tax credit on the house. He said the Assessor would deny a homestead credit unless the owner resided in the house. The applicant resubmitted a new Master Matrix to take out those points and added points elsewhere. The site inspection took place with Supervisor Holst in attendance.

BE IT RESOLVED: 1) JT Allens Grove Pork, LLC. in the NE ¼ SE ¼ of Section 32, T80N, R2E (Allens Grove Township) has submitted an application to the Iowa Department of Natural Resources (IDNR) for a State construction permit for the construction of a new confined animal feeding operation at 26413 75th Avenue in unincorporated Scott County. 2) The Scott County Health Department and the Scott County Planning and Development Department have reviewed the State construction permit application and the manure management plan and determined that both appear to be in compliance with the requirements of the Master Matrix, 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 expansion, and the applicant has adequate land for the application of manure originating from this confinement feeding operation available. 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 March 22, 2018 during its regularly scheduled meeting to receive public comments on the 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, and the documentation of publication of the required public notices. The Board will also submit all the written or electronic comments from the general public it received on this application. 6) The Scott County Board of Supervisors would recommend that the State construction permit application of JT Allens Grove Pork, LLC. be approved based on its compliance with the requirements of the Master Matrix, Iowa DNR rules and Iowa Code regulations for such applications. 7) This resolution shall take effect immediately.

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

Earnhardt said this is a wonderful project and that she is glad to see it finished.

BE IT RESOLVED: 1) That the substantial completion date of March 23, 2018 is hereby approved. 2) That the Courthouse Second Floor Clerk of Court Remodel Project and work of Daxon Construction is hereby accepted. 3) This resolution shall take effect immediately.

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

Kinzer stated again that he hopes in the future that the Board would continue to negotiate items that they are able to by law to keep for a good working environment with employees of Scott County.

BE IT RESOLVED: 1) That the terms of the agreement reached between representatives of Scott County and the IBEW Local 204 is hereby approved. That the agreement shall be in effect July 1, 2018 through June 30, 2019. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) The hiring of Joeseeph Cool for the position of Correction Officer in the Sheriff's Office at the entry-level rate. 2) The hiring of Tracey Friederichsen for the position of Correction Officer in the Sheriff's Office at the entry-level rate. 3) The hiring of Danielle Luchner for the position of Correction Officer in the Sheriff's Office at the entry-level rate.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. Three Ayes, with Kinzer and Holst voting Nay.

Holst said she can't support the agreement between Scott County IT and Bi-State taking business away from the private sector.

Kinzer said he has some reservations regarding it and had questions and would not be in support.

BE IT RESOLVED: 1) The information technology services agreement with the Bi-State Regional Commission defining technology services by Scott County IT as well as service and labor rates is hereby approved. 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) The 2018 Slough Bill exemptions as presented to the Board of Supervisors by the Soil Conservation District and the County Assessor's office are hereby approved as follows:

Primary Owner; Parcel Number; Exempt Type; Exempt Acres; Exempt Value,
BETTY J GANZER TRUST; 030737004; Open Prairies - AG Land; 2.000; \$2,830.00,
BETTY J GANZER TRUST; 030739001; Open Prairies - AG Land; 10.000;
\$12,520.00, BETTY J GANZER TRUST; 030755001; Open Prairies - AG Land; 2.300;
\$3,340.00, BURKE LIVING TRUST; 033405008; Forest Cover – Residential; 4.100;
\$19,520.00, BUTLER DEBRA ANN; 8506555041; Open Prairies – Residential; 2.200;
\$33,000.00, BUTLER DEBRA ANN; 8506555041; Forest Cover – Residential; 2.810;
\$42,150.00, CAROL A KLEMME REV TRUST; 042749005; Forest Cover - AG Land;

3.000; \$3,570.00, CAWIEZELL JOSEPH M; 930201008; Open Prairies – Residential; 2.000; \$10,000.00, CLAEYS ANDREW; 040517001; Forest Cover - AG Land; 7.800; \$3,800.00, CLAEYS ANDREW; 040637001; Forest Cover - AG Land; 10.500; \$1,550.00, CLAEYS ANDREW; 040653004; Forest Cover - AG Land; 3.600; \$990.00, DAVIS J C JR; 9216071022; Forest Cover – Residential; 17.450; \$27,780.00, DOUGLAS E VICKSTROM REV TRUST; 040217001; Open Prairies - AG Land; 10.960; \$13,250.00, DOUGLAS E VICKSTROM REV TRUST; 040233001; Open Prairies - AG Land; 26.060; \$20,620.00, DOUGLAS E VICKSTROM REV TRUST; 040249001; Open Prairies - AG Land; 52.020; \$51,280.00, DOUGLAS E VICKSTROM REV TRUST; 040303002; Open Prairies - AG Land; 7.750; \$5,210.00, DOUGLAS E VICKSTROM REV TRUST; 040303003; Open Prairies - AG Land; 8.200; \$5,100.00, DOUGLAS E VICKSTROM REV TRUST; 040305003; Open Prairies - AG Land; 34.810; \$46,720.00, DOUGLAS E VICKSTROM REV TRUST; 040305004; Open Prairies - AG Land; 3.590; \$550.00, DOUGLAS E VICKSTROM REV TRUST; 040307003; Open Prairies - AG Land; 2.400; \$3,500.00, DOUGLAS E VICKSTROM REV TRUST; 040307005; Open Prairies - AG Land; 3.620; \$1,050.00, DOUGLAS E VICKSTROM REV TRUST; 040307006; Open Prairies - AG Land; 9.300; \$10,250.00, DOUGLAS E VICKSTROM REV TRUST; 040317003; Open Prairies - AG Land; 20.000; \$16,810.00, DOUGLAS E VICKSTROM REV TRUST; 040319003; Open Prairies - AG Land; 31.400; \$41,790.00, DOUGLAS E VICKSTROM REV TRUST; 040321002; Open Prairies - AG Land; 2.100; \$3,070.00, DOUGLAS E VICKSTROM REV TRUST; 040321003; Open Prairies - AG Land; 37.900; \$53,110.00, DOUGLAS E VICKSTROM REV TRUST; 040323002; Open Prairies - AG Land; 16.300; \$22,300.00, DOUGLAS E VICKSTROM REV TRUST; 040323003; Open Prairies - AG Land; 23.700; \$32,910.00, DOUGLAS E VICKSTROM REV TRUST; 040333008; Open Prairies - AG Land; 24.180; \$29,560.00, DOUGLAS E VICKSTROM REV TRUST; 040333010; Open Prairies - AG Land; 1.650; \$1,700.00, DOUGLAS E VICKSTROM REV TRUST; 040333011; Open Prairies - AG Land; 5.150; \$5,590.00, DOUGLAS E VICKSTROM REV TRUST; 040335002; Open Prairies - AG Land; 16.300; \$19,970.00, DOUGLAS E VICKSTROM REV TRUST; 040335003; Open Prairies - AG Land; 23.700; \$30,740.00, DOUGLAS E VICKSTROM REV TRUST; 040337002; Open Prairies - AG Land; 14.300; \$20,510.00, DOUGLAS E VICKSTROM REV TRUST; 040337003; Open Prairies - AG Land; 25.700; \$37,400.00, DOUGLAS E VICKSTROM REV TRUST; 040339002; Open Prairies - AG Land; 37.300; \$42,600.00, DOUGLAS E VICKSTROM REV TRUST; 040339003; Open Prairies - AG Land; 2.700; \$3,970.00, DOUGLAS E VICKSTROM REV TRUST; 040349001; Open Prairies - AG Land; 40.000; \$48,900.00, DOUGLAS E VICKSTROM REV TRUST; 040351002; Open Prairies - AG Land; 15.200; \$18,580.00, DOUGLAS E VICKSTROM REV TRUST; 040351003; Open Prairies - AG Land; 24.800; \$32,350.00, DOUGLAS E VICKSTROM REV TRUST; 040353002; Open Prairies - AG Land; 9.800; \$13,860.00, DOUGLAS E VICKSTROM REV TRUST; 040353003; Open Prairies - AG Land; 30.200; \$42,130.00, DOUGLAS E VICKSTROM REV TRUST; 040355001; Open Prairies - AG Land; 40.000; \$51,830.00, DOUGLAS E VICKSTROM REV TRUST; 040439003; Open Prairies - AG Land; 24.600; \$31,640.00, DOUGLAS E VICKSTROM REV TRUST; 040455005; Open Prairies - AG Land; 34.950; \$44,380.00, EUGENE L JOHNSON FAMILY TRUST; 952333101; Open Prairies – Residential; 11.980; \$47,920.00, EUGENE L JOHNSON FAMILY TRUST; 952335304; Open Prairies –

Residential; 1.760; \$8,000.00, HAASE LIVING TRUST; 051951002; Open Prairies – Residential; 3.740; \$14,000.00, HAASE LIVING TRUST; 051951004; Open Prairies – Residential; 1.860; \$28,600.00, HAMILTON MARIANNE; 720249003; Forest Cover - AG Land; 18.100; \$9,740.00, HAMMILL JOHN L JR; 952617406—4; Open Prairies – Residential; 0.200; \$1,000.00, HAMMILL JOHN L JR; 952617406—4; Forest Cover – Residential; 2.800; \$56,000.00, HAWK GREGORY G; 920951002; Forest Cover - AG Land; 7.500; \$10,660.00, HAWK GREGORY G; 920951003; Forest Cover - AG Land; 11.500; \$16,560.00, HENNINGSEN ALAN L; 030533001; Forest Cover - AG Land; 22.300; \$21,120.00, HENNINGSEN ALAN L; 030533001; Open Prairies - AG Land; 19.500; \$24,460.00, HENNINGSEN ALAN L; 030623001; Open Prairies - AG Land; 14.500; \$17,720.00, HENNINGSEN ALAN L; 030623001; Forest Cover - AG Land; 15.000; \$20,090.00, HENNINGSEN ALAN L; 030639001; Forest Cover - AG Land; 22.000; \$28,800.00, HENNINGSEN ALAN L; 030639001; Open Prairies - AG Land; 32.200; \$40,570.00, HILLMANN JON P; 032619002; Forest Cover - AG Land; 15.000; \$21,450.00, JO-DA LLC; 030705001; River & Stream Banks - AG Land; 4.000; \$4,280.00, JO-DA LLC; 030705001; Open Prairies - AG Land; 30.000; \$34,170.00, JO-DA LLC; 030707001; River & Stream Banks - AG Land; 2.000; \$2,340.00, JO-DA LLC; 030707001; Open Prairies - AG Land; 4.300; \$5,740.00, JO-DA LLC; 030707002; River & Stream Banks - AG Land; 22.000; \$16,710.00, JO-DA LLC; 030721001; Open Prairies - AG Land; 2.000; \$840.00, JO-DA LLC; 030721001; River & Stream Banks - AG Land; 6.000; \$4,050.00, JO-DA LLC; 030723002; River & Stream Banks - AG Land; 0.500; \$680.00, MARGUERITE A JOHNSON 2004 TR; 952349201; Forest Cover – Residential; 1.400; \$6,000.00, MARGUERITE A JOHNSON 2004 TR; 952349201; Open Prairies – Residential; 4.600; \$18,000.00, MARTIN FAMILY REVOC TRUST; 952231042; Forest Cover – Residential; 4.200; \$28,670.00, MOELLER BRADLEY D; 022105003; Forest Cover - AG Land; 9.480; \$10,350.00, MOELLER BRADLEY D; 022105003; Open Prairies - AG Land; 17.600; \$23,670.00, MOELLER BRADLEY D; 022107001; Forest Cover - AG Land; 7.000; \$8,900.00, MOELLER BRADLEY D; 022107001; Open Prairies - AG Land; 32.400; \$40,120.00, MOHR RICHARD J; 042007001; Forest Cover - AG Land; 12.020; \$16,230.00, MORRELL JANE E; 021137001; Open Prairies - Residential; 2.000; \$3,000.00, MORRELL JANE E; 021153006; Open Prairies – Residential; 3.320; \$18,750.00, PRAIRIE OAKS LLC; 9516491041; Open Prairies – Residential; 6.600; \$6,000.00, RATHJE TERRY D; 0305370021; Open Prairies - Residential; 4.200; \$16,000.00, RAYMOND E KRAKLIO RESIDUARY TR; 022223001; Forest Cover - AG Land; 0.700; \$240.00, RAYMOND E KRAKLIO RESIDUARY TR; 022239001; Forest Cover - AG Land; 2.000; \$660.00, RICHARD H KUEHL REVOC TR; 942401002; Open Prairies - AG Land; 14.600; \$16,640.00, RYAN LIVING TRUST; 021551001; Forest Cover – Residential; 5.000; \$15,000.00, SCHOEBERL CAMILLE A; 053435108; Forest Cover – Residential; 0.900; \$28,350.00, SCHOEBERL CAMILLE A; 053437101; Forest Cover – Residential; 1.100; \$4,000.00, SLATER JOSEPH L; 031301002; Open Prairies - AG Land; 0.500; \$530.00, SLATER JOSEPH L; 031317004; Open Prairies - AG Land; 1.500; \$1,720.00, STL PROPERTIES LLC; 021633002; Open Prairies - AG Land; 24.870; \$26,620.00, STL PROPERTIES LLC; 021649004; Open Prairies - AG Land; 34.920; \$44,590.00, STL PROPERTIES LLC; 022101002; Open Prairies - AG Land; 12.110; \$14,420.00, STRUNK ANDREW; 910339005; Forest Cover - AG Land; 2.000; \$2,700.00, STRUNK

KIM MARTIN; 910339004; Open Prairies - AG Land; 5.000; \$7,620.00, TAYLOR BENJAMIN JOHN; 850705002; Forest Cover - AG Land; 3.400; \$2,200.00, TOBIN LIVING TRUST; 033303001; Forest Cover - AG Land; 0.500; \$730.00, TOBIN LIVING TRUST; 033305001; Forest Cover - AG Land; 14.500; \$19,690.00, TOBIN LIVING TRUST; 033307001; Forest Cover - AG Land; 24.500; \$24,920.00, TOBIN LIVING TRUST; 033319001; Forest Cover - AG Land; 8.200; \$7,730.00, TOBIN LIVING TRUST; 033321001; Forest Cover - AG Land; 28.100; \$23,050.00, TOBIN LIVING TRUST; 033323001; Forest Cover - AG Land; 39.200; \$44,090.00, TOBIN LIVING TRUST; 033401002; Forest Cover - AG Land; 1.000; \$230.00, TOBIN LIVING TRUST; 033417001; Forest Cover - AG Land; 9.000; \$6,030.00, WAPSI WILLIE ACRES LLC; 021533002; Forest Cover – Residential; 91.000; \$136,500.00, YOUNGERS CONNIE R; 042749004; Open Prairies – Residential; 6.190; \$24,000.00, Exempt Acres Total: 1,434.75; Exempt Value Total: \$2,047,730.00. 2) This resolution shall take effect immediately.

Moved by Earnhardt, 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 290252 and 290271 through 290542 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,082,292.50. 2) This resolution shall take effect immediately.

Other items of interest: Beck and Earnhardt summarized their recent trip to Washington D.C. He said they were able to meet and have good discussions with the legislators from both Iowa and Illinois, Department of Commerce officials, Department of Transportation officials, and Department of Defense officials regarding the Rock Island Arsenal.

Earnhardt spoke of the great conversations and relationships made during the visits and the good meeting with the Secretary of Defense and gave the concerns with the JAG Grant. She also spoke of the relationships with people from Iowa at the White House who were very helpful.

Earnhardt also gave an update of the Eastern Iowa Mental Health Regional Crisis meeting and handed out copies of their approved budget. She said the Region CEO, Lori Elam, would be coming soon to the Board of Supervisors with updates and where the region is going in year three and give a more detailed explanation of budget.

Earnhardt also spoke of the wonderful job Dave Donovan did with the Regional Disaster Readiness Conference that had 500 attendees, and that she learned a lot about this area's opioid drug problems and the need for a team that can help those affected.

Moved by Kinzer, seconded by Beck at 6:03 p.m. a motion to adjourn. All Ayes.

Tony Knobbe, Chairman of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor