

January 22, 2009

Scott County Board of Supervisors

January 22, 2009; 5:30 p.m.

The Board of Supervisors met pursuant to adjournment with all members present.

The Board recited the Pledge of Allegiance.

Moved by Gallin, seconded by Sunderbruch, the approval of the minutes of the January 8, 2009 Regular Board Meeting. All Ayes.

Moved by Minard, seconded by Gallin, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the County Engineer be authorized to close Scott County Secondary Roads during the 2009 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) This resolution shall take effect immediately.

Moved by Minard, seconded by Sunderbruch, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) By the Scott County Board of Supervisors on this Twenty-second day of January, 2009, that the Scott County Engineer is authorized to purchase the necessary right-of-way for construction and maintenance during the calendar year 2009, using the values computed in accord with the following schedule of allowances:

SCHEDULE I – AGRICULTURAL LAND:

For land by easement or deed: 5.43 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 alternations 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 have 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 that 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-second day of January 2009, by the Scott County Board of Supervisors.

**SECTION XI:** This resolution shall take effect immediately.

Moved by Gallin, seconded by Minard, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) 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, 2009 through June 30, 2010. 2) This resolution shall take effect immediately.

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

**NEW HIRES**

Employee/Department	Position	Salary	Effective Date	Remarks
Sean Johnson Juvenile Detention	Detention Youth Supervisor P/T	\$15.59/hr	12/31/08	Part-time roster
Seth Bibens Sheriff/Jail	Correction Officer Trainee	\$30,618	01/19/09	Replaces Gary Nolan
Roland Caldwell Auditor	Operations Manager	\$57,508	02/02/09	Replaces Alex Mongiat

**TRANSFERS AND PROMOTIONS**

Employee/Department	New Position	Salary Change	Effective Date	Remarks
Chad Cribb Sheriff	Sergeant	\$52,936 - \$58,074	01/02/09	Replaces Chuck Barton
Kurt Krambeck Secondary Roads	Heavy Equipment Operator III	\$39,416 - \$40,726	01/07/09	Replaces Jim Jamison
Rachel Dittmer Sheriff/Jail	Correction Officer	\$31,138 - \$34,840	01/14/09	Promo from Trainee Status

**LEAVES OF ABSENCE/OTHER**

Employee/Department	Position	Effective Date	Remarks
None			

**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
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Lori Robinson IT	Programmer Analyst II	\$58,499 - \$60,839 (4.0%)	104.804%	11/13/08
Christopher Berry Conservation	Equipment Mechanic	35,185 - \$36,241 (3.0%)	101.413%	01/11/09
Cindthia Levetzow Health	Resource Assistant P/T	\$12.978/hr - \$13.627/hr (5.0%)*	89.25%	01/31/09
Donna Welty Health	Resource Assistant	\$26,995 - \$28,345 (5.0%)*	89.25%	02/04/09

\*First or second 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
Kevin Broders Sheriff/Jail	Corrections Sergeant	01/01/09

**SEPARATIONS**

Employee/Department	Position	Hire Date	Separation Date	Reason for Separation
Theresa Hodges Sheriff/Jail	Correction Officer Trainee	09/29/08	01/28/09	Voluntary resignation

**REQUEST TO FILL VACANCIES**

Position/Department	Position Status	Starting Date	Previous Incumbent	Recommendation
Public Safety Dispatcher Sheriff	Vacant 1/23/09	ASAP	Amy Lueders	Approve to fill
Truck Driver/Laborer Secondary Roads	Vacant 1/7/09	ASAP	Kurt Krambeck	Approve to fill

**TUITION REQUESTS**

Employee/Department	Position	Course of Study	Course dates(s)
Brianna Boswell Health	Community Dental Consultant	Oral Medicine & Treatment Planning Minnesota State University	1/12/09 – 5/8/09
Raquel Posateri Health	Medical Assistant	Psychology Ethics Sociology Black Hawk Community College	3/24/09 – 5/19/09 Study unlimited 2/21/09 – 2/28/09

Moved by Liske, seconded by Gallin, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) In that Cedar, Clinton, Muscatine, and Scott Counties participate in an agreement regarding Mental Health Advocate Services pursuant to statutory authority under Chapter 28E of the Code of Iowa; 2: And that such 28E Agreement provides that Cedar, Clinton, Scott and Muscatine Counties agree to share in the revised percentage of expenses of the Mental Health Advocate as outlined in the Agreement (Attachment A); 3) Therefore, the revised 28E Agreement for Mental Health

Advocate Services is approved and the Chairman is authorized to sign the Agreement.  
4) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Minard, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) The purchase of ESRI Software Maintenance in the amount of \$14,237.80 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Gallin, that the following resolution be adopted. All Ayes. Veterans Affairs Director Dave Woods read the resolution in its entirety:

***WHEREAS***, *the Scott County Board of Supervisors and all the citizens of Scott County support our troops fighting for freedom and democracy in Operation Iraqi Freedom; and*

***WHEREAS***, *The Scott County Board of Supervisors expresses their deepest sympathies to the family of Army Staff Sgt. Nathan M. Cox, of Davenport, Iowa for Staff Sgt. Cox's ultimate sacrifice in service to our country; and*

***WHEREAS***, *the citizens of Scott County are indebted to SSG. Cox, and his family, and*

***WHEREAS***, *the citizens of Scott County are steadfast in our support of all the brave men and women who are serving our country,*

***BE IT FURTHER RESOLVED BY*** *the Scott County Board of Supervisors as follows: 1) That the Board of Supervisors wants to offer their sincere appreciation and support of our troops and their families, and extends their condolences to SSG. Cox's family; 2) In honor of the memory of Army Staff Sgt. Nathan Cox, the County Courthouse flag was flown at half-mast on Friday, October 3, 2008. 3) This resolution shall take effect immediately.*

Chairman Hancock extended his sympathies on behalf of the Board and thanked everyone for attending.

Moved by Sunderbruch, seconded by Gallin, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the following appointments to the Scott County Condemnation Appraisal Jury for a one (1) year term expiring on December 31, 2009, are hereby approved:

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	<u><b>BANKERS</b></u>	<u><b>CITY</b></u>	<u><b>FARMERS</b></u>	<u><b>REAL ESTATE</b></u>
GALLIN:	Steven Suiter Kenneth Tank Richard Blanche	Robert Spring Ron Lieby Richard Glover	Jack Schinckel Gene Newell Richard Golinghorst	Mary Schricker Donald Marple Caroline Ruhl
HANCOCK:	Rod Christie Veola McGowan Jim Tiedje	Pam Mettee Arliss Whisler Robert Simonton	John Maxwell Gary Mehrens Matt Tobin	Jeff Weindruch Robert Schwartz Tom Williams
LISKE:	Marlin Volz Kristal Schaefer Joe Chambers	Cathy Voelkers Sandra Frericks Jackie Wilcox	Mary Frick Jerry Mohr Harlan Meier	Terry Dell Paula Ruefer
MINARD:	John Nagle John McFedries Joe Slavens	Bruce Bleke Don Judge Chet Robbins	Jim Schneckloth Otto Stender Keith Steward	Dick McNamara Mary Dircks Randy Peters
SUNDERBRUCH:	Victor J. Quinn Susan Daley Tom Andresen	Oscar Hawley Duncombe Brooke Bob Petersen	Joni Dittmer Jerry Vollbeer Dale Paustian	Rick Schaefer Chuck Messmer, Sr. Ben Niedert

2) This resolution shall take effect immediately.

Moved by Sunderbruch, seconded by Gallin, the resolution approving warrants numbered 216157 through 216536 as submitted and prepared for payment by the County Auditor in the total amount of \$1,433,700.26 and the purchase card transactions in the total amount of \$31,780.91. Roll Call: Ayes - Minard, Sunderbruch, Gallin, Hancock, Liske.

County Administrator Bruemmer reminded the Board of upcoming meetings.

Supervisor Minard discussed an upcoming gathering with Congressman Braley.

Moved by Gallin, seconded by Liske, the Board adjourn until 8:00 a.m., Friday, January 30, 2009, subject to prior call by the Chairman. All Ayes.

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

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ATTEST: Roxanna Moritz  
Scott County Auditor