

Scott County Board of Supervisors  
3/18/2010 5:30 p.m.

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

Moved by Minard, seconded by Liske, the approval of the minutes of March 4, 2010 board meeting. All Ayes.

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

BE IT RESOLVED: 1) That the contract for the Bridge Replacement Project BRS-C082 (40)--60-82 go to the low bidder, Jim Schroeder Construction Inc. for the total cost of \$318,045.96. 3) That the Chairman be authorized to sign the contract documents on behalf of the Board. 3) That this resolution shall take effect immediately.

Minard moved, seconded by Liske a motion to open a public hearing relative to plans and specifications for construction of Juvenile Court Services Project. All Ayes

Gallin moved, seconded by Sunderbruch a motion to close the public hearing. All Ayes

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

BE IT RESOLVED: 1) That the plans and specifications for the Juvenile Court Services construction project as prepared by Bracke Hayes Miller and Mahon Architects are hereby approved. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) That the proposed contract with Bi-State Regional Commission for professional Services relating to the development of a Community Sustainability Plan Gap Analysis is hereby approved in the amount of \$25,200. 2) This resolution shall take effect immediately.

Hancock moved, seconded by Sunderbruch that the following resolution be adopted. All Ayes

BE IT RESOLVED: 1) That Human Resources Policy B. "Equal Employment Opportunity and Affirmative Action" is hereby modified to add "other protected classes"

to comply with the requirements of a state grant. 2) This resolution shall take effect immediately.

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

NEW HIRES

Employee/Department	Position	Salary	Effective Date	Remarks
Teri Bishop County Attorney	Data Clerk / Receptionist	\$27,331	02/22/10	Replaces Gayle McCray
William Cummins III Sheriff	Public Safety Dispatcher	\$36,386	03/16/10	Replaces Todd Malone
Jennifer Collins Sheriff	Public Safety Dispatcher	\$36,386	03/22/10	Replaces Jennifer Soppe

TRANSFERS AND PROMOTIONS

Employee/Department	New Position	Salary Change	Effective Date	Remarks
Melissa Connell Treasurer	Multi-Service Clerk	\$26,582 - \$28,454	03/05/10	

LEAVES OF ABSENCE/OTHER

Employee/Department	Position	Effective Date	Remarks
None			

BARGAINING UNIT STEP INCREASES

Employee/Department	Position	Salary Change	Wage Step	Effective Date
Eric Burton Sheriff	Deputy Sheriff	\$47,091 - \$49,421	Step 4	03/06/10
Frank Sisco Sheriff/Jail	Correction Officer	\$41,371 - \$42,432	Step 6	03/07/10
Greg Frauen Secondary Roads	Truck Driver / Laborer	\$40,789 - \$40,914	Step 5	03/10/10
Jason Shippee Sheriff	Deputy Sheriff	\$47,091 - \$49,421	Step 4	03/12/10

MERIT INCREASES

Employee/Department	Position	Salary Change	% of Midpoint	Effective Date
Will Ripley County Attorney	Attorney I	\$55,011 - \$57,762 (5.0%)*	93.715%	01/12/10
Ashley Lightle Sheriff/Jail	Alternative Sentencing Coordinator	\$41,597 - \$42,013 (1.0%)	110.911%	02/11/10
Dave Donohoo Juvenile Detention	Detention Youth Supervisor	\$39,551 - \$41,133 (4.0%)	104.404%	02/22/10
Amy Thoreson Health	Deputy Director	\$73,932 - \$76,889 (4.0%)	108%	03/03/10

\*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
Lynn McCartney Information Technology	Network Systems Administrator	07/30/09
Kerry VanWaes Sheriff/Jail	Corrections Lieutenant	02/07/10
Craig Hufford Treasurer	Financial Management Supr	02/26/10
Janet Kimmel Community Services	Office Manager	03/09/10
Hana Gerega Auditor	Accounts Payable Specialist	03/21/10

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
None				

Sunderbruch moved, seconded by Liske that the following resolution be adopted.  
All Ayes.

BE IT RESOLVED: 1) Iowa Code Section 445.63 states that when taxes are owing against a parcel owned or claimed by the state or a political subdivision of this state and the taxes are owing before the parcel was acquired by the state or a political subdivision of this state, the county treasurer shall give notice to the appropriate governing body which shall pay the amount of the taxes due. If the governing body fails to immediately pay the taxes due, the board of supervisors shall abate all of the taxes. 2) The State of Iowa has requested that the taxes due on parcel #84286411408 owned by the State of Iowa be abated. 3) The County Treasurer is hereby directed to strike the amount of property taxes due on Parcel #84286411408 in accordance with Iowa Code Section 445.63. 4) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) The Scott County Treasurer has determined the collection of the delinquent taxes on Scott County Parcel #021403114-L is administratively impractical. 2) Iowa Code Chapter 445.16 states that if the County Treasurer makes a recommendation to the Board of Supervisors to abate taxes the collection of which is determined to be impractical, the Board of Supervisors shall abate the tax interest and costs. 3) The County Treasurer is hereby directed to strike the penalty and cost of \$1,306.00 for taxes due for 1986 through 2008 on Parcel #021403114-L. 4) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) That the request for the Trimble R8 survey grade GPS unit in the amount of \$26,150 to Precision Midwest, Inc. is hereby approved. 2) That a purchase order shall be issued for said amount for the Trimble R8 survey grade GPS unit (further described in Precision Midwest, Inc. quote dated 02/10/2010). 3) This resolution shall take effect immediately.

Sunderbruch moved, seconded by Hancock that the following resolution be adopted.

BE IT RESOLVED: 1) That the annual maintenance renewal for GIS software suite with ESRI, Inc. in the amount of \$19,730.82 is hereby approved. 1) That a purchase order shall be issued for said amount for the annual maintenance renewal for GIS software suite in the amount of \$19,730.82 (further described in ESRI, Inc. quote # 25402670). 3) This resolution shall take effect immediately.

Sunderbruch moved, seconded by Minard approval of the third and final reading of the following ordinance amending the Code of Scott County, Iowa. Roll Call: All Ayes.

AN ORDINANCE AMENDING THE CODE OF SCOTT COUNTY, IOWA, BY ADDING CHAPTER 38 AS FOLLOWS:

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

SECTION 38-1: PURPOSE; FINDINGS:

The purpose of this Chapter is to protect the public interest, welfare, health and safety within Scott County by prohibiting the consumption of alcoholic beverages by persons under the age of twenty-one (21) at premises located in the County. The Scott County Board of Supervisors finds that the occurrence of social gatherings at premises where alcoholic beverages are served to or consumed by persons under the age of twenty-one (21) is harmful to such persons themselves and a threat to public welfare, health, and safety. The Board of Supervisors further finds that persons under the age of twenty-one (21) often obtain alcoholic beverages at such gatherings and that persons who are in control of such premises know or have reason to know of such service and/or consumption and will be more likely to ensure that alcoholic beverages are not served or consumed by persons under the age of twenty-one (21) at these gatherings. Based on these findings, the Board of Supervisors has deemed it necessary to enact the following regulations in Scott County.

38-2: DEFINITIONS:

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this Chapter, except where the context clearly indicates a different meaning:

**ALCOHOLIC BEVERAGE** means any beverage containing more than one-half of one percent of alcohol by volume including alcoholic liquor, wine, and beer.

**EMERGENCY RESPONDERS** means firefighters, law enforcement officers, emergency medical service personnel, and other personnel having emergency response duties.

**ENFORCEMENT SERVICES** means the salaries and benefits of emergency responders for the amount of time actually spent responding to or remaining at an event, gathering, or party and administrative costs attributable to the incident; the actual costs for medical treatment for any injured emergency responder, and the costs of repairing any damage to equipment or vehicles.

**EVENT, GATHERING, OR PARTY** means any group of three (3) or more persons who have assembled or gathered together for a social occasion or other activity where an underage person has consumed or possessed an alcoholic beverage.

**PARENT** means any person having legal custody of a juvenile: (1) As natural parent, adoptive parent, or step-parent; (2) As a legal guardian; or (3) As a person to whom legal custody has been given by order of the court.

PERSON means any individual, partnership, corporation, or any association of one or more individuals.

PREMISES means any home, yard, farm, field, land, apartment, condominium, hotel or motel room, or other dwelling unit, or a hall or meeting room, park, or any other place of assembly, public or private, whether occupied on a temporary or permanent basis, whether occupied as a dwelling or specifically for a party or other social function, and whether owned, leased, rented, or used with or without permission or compensation.

SOCIAL HOST means any person who aids, conducts, allows, entertains, organizes, supervises, controls, or permits an event, gathering, or party. This includes, but is not limited to: (1) The person(s) who owns, rents, leases, or otherwise has control of the premises where the event, gathering, or party takes place; (2) the person(s) in charge of the premises; or (3) the person(s) who organized the event.

UNDERAGE PERSON means any individual under the age of twenty-one (21).

### 38-3: PROHIBITED ACTS:

It is unlawful for any social host to host an event, gathering, or party on premises when the person knows or reasonably should know that an underage person has consumed an alcoholic beverage, or possessed an alcoholic beverage with the intent to consume it, and the person fails to take reasonable steps to prevent the possession or consumption by the underage person. A social host who hosts such an event, gathering, or party does not have to be present at the time the prohibited act occurs.

### 38-4: EXCEPTIONS:

This Ordinance does not apply to conduct solely between an underage person and his or her parents while present in the parents' household, to legally protected religious observances, and to situations where underage persons are lawfully in possession of alcoholic beverages during the course and scope of employment.

### 38-5: ENFORCEMENT:

The provisions of this Chapter shall be enforced by officers of the Scott County Sheriff's Department. The Scott County Sheriff's Department shall have primary but not exclusive enforcement responsibility for this Chapter.

### 38-6: PENALTY:

A five hundred dollar (\$500.00) civil penalty shall be imposed for a social host's first offense. A seven hundred and fifty dollar (\$750.00) civil penalty shall be imposed for a social host's second offense. A one thousand dollar (\$1,000.00) civil penalty shall be imposed for a social host's third or subsequent offense. In addition, the County may seek reimbursement for enforcement services provided by emergency responders related to the event, gathering, or party. Multiple violations of this Chapter may be considered by the (City/County) for purposes of approving licenses applied for by the

social host, or for any other requirements that are subject to approval by the (City/County).

38-7: REPEALER. All Ordinances or parts of Ordinances in conflict with the provision of this Ordinance are hereby repealed.

38-8: SAVINGS CLAUSE. If any section, provision, sentence, clause, phrase, or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase, or part hereof not adjudged invalid or unconstitutional.

38-9: EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, adoption, and publication as required by law.

PASSED AND APPROVED this 18th day of March, 2010.

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ATTEST:

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Sunderbruch moved, seconded by Hancock a motion approving beer/liquor, casual sales and cigarette licenses and permits. All Ayes.

Sunderbruch moved, seconded by Hancock that the following resolution be adopted. Roll Call: All Ayes.

BE IT RESOLVED 1) The Scott County Board of Supervisors approves for payment all warrants numbered 226564 through 226926 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,046,373.20. 2) This resolution shall take effect immediately.

Sunderbruch moved, seconded by Liske that the following resolution be adopted. All Ayes

BE IT RESOLVED BY: 1) That the appointment of Merlyn Madden, Long Grove, Iowa to Benefited Fire District #4 for a three (3) year term expiring on April 1, 2013, is hereby approved. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED BY: 1) That the appointment of John Schnekloth, Eldridge, Iowa to Benefited Fire District #3 for a three (3) year term expiring on April 1, 2013, is hereby approved. 2) This resolution shall take effect immediately.

Liske moved, seconded by Sunderbruch a motion to adjourn. All Ayes.

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Chris Gallin, Chair of the Board  
Scott County Board of Supervisor

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ATTEST: Roxanna Moritz  
Scott County Auditor