

Scott County Board of Supervisors  
January 26, 2017 5:00 p.m.

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

Moved by Beck, seconded by Knobbe approval of the minutes of the January 12, 2017 Regular Board Meeting and the minutes of the January 24, 2017 Committee of the Whole Meeting. All Ayes.

Moved by Beck, seconded by Holst 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 Beck, 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 2017 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 Beck, seconded by Knobbe that the following resolution be approved. All Ayes.

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-sixth day of January, 2017, that the Scott County Engineer is authorized to purchase the necessary right-of-way for construction and maintenance during the calendar year 2017, using the values computed in accord with the following schedule of allowances: SCHEDULE I - AGRICULTURAL LAND: For land by easement or deed: 3.94 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-sixth day of January, 2017, by the Scott County Board of Supervisors. SECTION XI: This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) That the appointments of the following individuals to the Integrated Roadside Vegetation Management (IRVM) Steering Committee with terms as listed are hereby approved. Area/Org; Person; Term, Governmental; US Fish & Wildlife; Heidi Woeber; Jan 1, 2017 – Dec 31, 2017, Soil & Water; Kyle Bennet; Jan 1, 2017 – Dec 31, 2018, Davenport Clean Water; Amy Kay; Jan 1, 2017 – Dec 31, 2019, Supervisor; Diane Holst; Jan 1, 2017 – Dec 31, 2017, Non-governmental; Land owners; Joyce Singh; Jan 1, 2017 – Dec 31, 2019, Resident; Curtis Lundy; Jan 1, 2017 – Dec 31, 2017, Schools/School Board; Ralph Johanson; Jan 1, 2017 – Dec 31, 2019, Farm/Farm Bureau; Robb Ewoldt; Jan 1, 2017 – Dec 31, 2017, Enviro org/Pheasants Forever; Brian Ritter; Jan 1, 2017 – Dec 31, 2018. 2) This resolution shall take effect immediately.

Moved by Beck, 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, 2017 and January 31, 2018 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 Beck, seconded by Kinzer that the following resolution be approved. Knobbe, Kinzer, Beck and Earnhardt voted Aye, while Holst voted Nay.

BE IT RESOLVED: 1) The City of Davenport has determined the need to improve a public roadway to provide access for the Sterilite Corporation's project located on approximately 160 acres in the Eastern Iowa Industrial Center; and 2) The public roadway improvements are vital to an immediate non-speculative opportunity for permanent job creation which the City of Davenport is pursuing with Sterilite Corporation through the construction of a new facility, where RISE funding is essential to this effort; and 3) The City of Davenport has annexed the majority of the 160 acres, leaving the northern 250 feet within the County jurisdiction; and 4) The public roadway improvements in the area that have been annexed will be dedicated to public use and under the jurisdiction of the City of Davenport which claims responsibility and maintenance for said roadways; and 5) The City and the County will complete a maintenance agreement between the City and the County for the portion of the road that remains within County jurisdiction; and 6) The Scott County Board of Supervisors endorses said roadway project and supports the City of Davenport's application for RISE funding for roadway improvements. 7) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) That General Policy 29 "Disposition of County Property" requires staff to enter property valued at more than \$10,000 to be entered into the Capital Asset System and board approval at time of disposition. 2) That General Policy 43 "Video Surveillance" is a new policy which sets forth the authority and responsibilities regarding onsite cameras. 3) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) The following list of financial institutions to be depositories of the County's funds in conformance with all applicable provisions of Iowa Code Chapter 12C (2007), and Chapter 13 of the Iowa Administrative Rules is hereby approved as follows: Depository Name, Location; Maximum Balance In Effect Under Prior Resolution; Maximum Balance In Effect Under This Resolution, Wells Fargo Bank Iowa, Davenport, Iowa; \$85,000,000.00; \$125,000,000.00, First Midwest Bank, N.A., Davenport, Iowa; \$50,000,000.00, \$50,000,000.00, Northwest Bank & Trust, Davenport, Iowa; \$30,000,000.00; \$30,000,000.00, U S Bank Davenport, Davenport, Iowa; \$30,000,000.00; \$30,000,000.00, Blackhawk Bank & Trust, Princeton, Iowa; \$15,000,000.00; \$15,000,000.00, Quad City Bank & Trust, Bettendorf, Iowa; \$15,000,000.00; \$15,000,000.00, IH Mississippi Credit Union, Davenport, Iowa; \$5,000,000.00; \$10,000,000.00, American Bank & Trust Co., Davenport, Iowa; \$3,000,000.00; \$3,000,000.00, Blue Grass Savings Bank, Blue Grass, Iowa; \$3,000,000.00; \$3,000,000.00, First Central State Bank, Long Grove, Iowa; \$3,000,000.00; \$3,000,000.00, First Trust & Savings, Wheatland, Iowa; \$3,000,000.00; \$3,000,000.00, Liberty Trust & Savings, Durant, Iowa; \$3,000,000.00; \$3,000,000.00, Walcott Trust & Savings, Walcott, Iowa; \$3,000,000.00; \$3,000,000.00. 2) Scott County officials are hereby authorized to deposit County funds in amounts not to exceed the maximum approved for each respective financial institution as set for in Section 1 above. 3) This resolution shall take effect immediately.

Moved by Knobbe, seconded by Holst 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, 2017 are hereby approved: BANKERS by Beck, Hap Volz and Amanda Boyer; by Earnhardt, Susan Daley and Trish Townsend; by Holst, Julie Smith and Joe Slavens; by Kinzer, Tom Messer and Kristal Schaefer; by Knobbe, Tom King and Shawn Stuenkel: CITY PROPERTY OWNERS by Beck, Jay Sommers and Chris Cournoyer; by Earnhardt, Greg Kautz and Marge Stratton; by Holst, Elizabeth Hodges and Jesse Anderson; by Kinzer, Sandra Frericks and Mark Ross; by Knobbe, Mary Kellenberger and Patrick Doyle: FARMERS by Beck, Chuck Brockmann and Lori Rochau; by Earnhardt, Kenneth Tank and Jennifer Ewoldt; by Holst, Keith Steward and Bart VandeWalle; by Kinzer, Mary Frick and Jerry Mohr; by Knobbe, Joni Dittmer and Carrie Keppy: REAL ESTATE by Beck, Jason Purcell and Katie Sommers; by Earnhardt, Lesa Buck and Jeff Heuer; by Holst, Mary Dircks and Lynsey Engels; by Kinzer, Lana Wulf and Thad DenHartog; by Knobbe, Rick Schaefer and Deann Soult. 2) This resolution shall take effect immediately.

Moved by Knobbe, seconded by Beck 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 281360 through 281609 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,218,510.12. 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 \$51,091.17. 3) This resolution shall take effect immediately.

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

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Carol Earnhardt, Chair of the Board  
Scott County Board of Supervisors

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ATTEST: Roxanna Moritz  
Scott County Auditor