

Scott County Board of Supervisors  
April 11, 2024 5:00 p.m.

The Board of Supervisors met pursuant to adjournment with Maxwell, Paustian, Beck and Dickson present. Supervisor Rawson joined online. The Board recited the Pledge of Allegiance.

Moved by Maxwell, seconded by Dickson a motion approving the minutes of the March 26, 2024 Committee of the Whole and tabling the March 28, 2024 Board Meeting. Roll Call: All Ayes.

Moved by Maxwell, seconded by Dickson that the following resolution (74-2024) be approved. Roll Call: All Ayes.

NOW, THEREFORE, BE IT RESOLVED: 1) That the Scott County Board of Supervisors does hereby proclaim the week of April 14-20, 2024 as "National Public-Safety Telecommunicator's Week"; 2) That the Board of Supervisors joins in honoring those whose diligence and professionalism keep our county and citizens safe; 3) This resolution shall take effect immediately.

Chairman Beck read and presented the proclamation. It was accepted by SECC Dispatchers Chantel Mowery, Nicole Rognoni and Matthew Swayne, along with MEDIC employees Charles Gipson, Jonathan Day, Scott Heston and Jill Cawiezell. SECC Assistant Director Tracy Screechfield and MEDIC Director Paul Andorf were also present.

Moved by Maxwell, seconded by Dickson a motion to open a Public Hearing relative to the JT Cleona Pork 2+ LLC, C/O Tom Dittmer State Construction Permit application for expansion of an existing Confined Animal Feeding Operation in Section 5 of Cleona Township. Roll Call: All Ayes.

Brinson Kinzer, Bluegrass, spoke in support of the request. He reviewed they are environmentally conscious, family oriented and good neighbors.

Ben Dittmer, Eldridge, spoke in support of his family's farm. He reviewed his family has been running farms for generations, and they would like to continue to pass them down to their children.

Moved by Maxwell, seconded by Dickson a motion to close the Public Hearing. Roll Call: All Ayes.

Moved by Maxwell, seconded by Dickson a motion to open a Public Hearing relative to the first and final reading to amend the Zoning Ordinance - Chapter 6, Section 6-25 ("FF" Floodway Fringe Overlay District), as required by FEMA in order to address the updated Physical Map Revision (PMR). Roll Call: All Ayes.

No one from the public spoke.

Moved by Maxwell, seconded by Dickson a motion to close the Public Hearing.  
Roll Call: All Ayes.

Moved by Maxwell, seconded by Dickson a motion to open a Public Hearing relative to the proposed FY25 Secondary Roads Annual Budget and 5-Year Construction Program. Roll Call: All Ayes.

No one from the public spoke.

Moved by Maxwell, seconded by Dickson a motion to close the Public Hearing.  
Roll Call: All Ayes.

Moved by Maxwell, seconded by Dickson that the following nine consent agenda items be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) That the request for road closures for the Quad Cities Triathlon to close Y48 (110<sup>th</sup> Avenue) from West Lake Park Gate 5 to F65 (160<sup>th</sup> Street) thence West on F65 (160<sup>th</sup> Street) to Y40 (70<sup>th</sup> Avenue) thence North on Y40 (70<sup>th</sup> Avenue) approximately 2 miles to the turn around on June 15, 2024, are approved. 2) That the Quad Cities Triathlon Race Director will work with the Scott County Sheriff's Office and Scott County Conservation to provide the necessary traffic control and safety. 3) That this resolution shall take effect immediately. (75-2024)

BE IT RESOLVED: 1) That the purchase of furniture and installation from Paragon Interiors for the YJRC project in the amount of \$412,354.15 is hereby approved. 2) This resolution shall take effect immediately. (76-2024)

BE IT RESOLVED: 1) The hiring of Kagan Kakavas for the position of EMT with the MEDIC Department starting at entry level rate. 2) The hiring of Hope Mohr for the position of EMT with the MEDIC Department starting at entry level rate. 3) The hiring of Alex Russell for the position of EMT with the MEDIC Department starting at entry level rate. 4) The hiring of Michelle Goldsmith for the position of part-time Elections Clerk with the Auditor's Office at entry level rate. (77-2024)

BE IT RESOLVED: 1) The hiring of Beth Stoffers for the position of Coordinator of Disability Services with the Community Services Department starting at Step 4 and accruing 2 weeks of vacation annually. (78-2024)

BE IT RESOLVED: 1) The hiring of Jonah Struck for the position of Network Systems Admin with the IT Department starting at Step 2 and accruing 2 weeks of vacation annually 3) This resolution shall take effect immediately. (79-2024)

BE IT RESOLVED: 1) Human Resources Policy T "Travel" is updated to reflect increase to per diem meal allowances and the use of "I-Pass/EZ Pass for tollway expenditures. 2) General Policy 11 "Purchasing" is updated to address costs of receiving quotes versus the process of obtaining quotes in the current marketplace, raising the Board authorization level, when leases must come before the Board of Supervisors and respective dollar threshold, contract renewal guidelines, and special provisions for fleet

management due to market conditions. 3) General Policy 19 “Tax Deed Properties and Auction” is updated to reflect revisions on what organizations are offered tax deed parcels in advance of the public auctions, grant Board of Supervisors ability to set minimum bid price for auction and add an online auction option to dispose of properties not sold at live auction. 4) General Policy 26 “Purchasing Card” is updated to include increased card limits per transaction and per cycle, requests for card issuance by departments, and contact information. 5) This resolution shall take effect immediately. (80-2024)

BE IT RESOLVED: 1) That the appointment of Patrick Dodge to Zoning Board of Adjustment for an unexpired term expiring on May 1, 2027 is hereby approved. 2) This resolution shall take effect immediately. (81-2024)

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 331036 through 331329 as submitted and prepared for payment by the County Auditor, in the total amount of \$2,456,745.63. 2) The Scott County Board of Supervisors approves for payment all EFT payments as submitted and prepared for payment by the County Auditor, in the total amount of \$4,616.65. 3) 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 \$148,683.50. 4) This resolution shall take effect immediately. (82-2024)

A motion to approve an eight (8) month Special Retail Alcohol license for Dixon Memorial Park, 5520 298<sup>th</sup> Street, Dixon, IA.

Moved by Dickson, seconded by Maxwell that the following resolution (83-2024) be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) JT Cleona Pork 2+ LLC, c/o Tom Dittmer in the SE ¼ of the NE ¼ of Section 5, T79N, R1E (Cleona Township) has submitted an application to the Iowa Department of Natural Resources (IDNR) for a construction permit for the expansion of an existing confined animal feeding operation at 25644 20th Avenue in unincorporated Scott County. 2) The Scott County Health Department and the Scott County Planning and Development Department have reviewed the 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 April 11, 2024 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 construction permit application of JT Cleona Pork 2+ LLC, c/o Tom Dittmer 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 Dickson, seconded by Maxwell a Motion to suspend the rules to waive the second reading to amend the Zoning Ordinance- Chapter 6, Section 6-23 ("FF" Floodway Fringe Overlay District), as required by FEMA in order to address the updated Physical Map Revision (PMR). Roll Call: All Ayes.

Moved by Dickson, seconded by Maxwell a Motion to waive the second reading to amend the Zoning Ordinance – Chapter 6, Section 6-23 ("FF" Floodway Fringe Overlay District), as required by FEMA in order to address the updated Physical Map Revision (PMR). Roll Call: All Ayes.

Moved by Dickson, seconded by Maxwell a Motion to approve the first and final reading to amend the Zoning Ordinance – Chapter 6, Section 6-23 ("F" Floodway Fringe Overlay District), as required by FEMA in order to address the updated Physical Map Revision (PMR). Roll Call: All Ayes.

AN ORDINANCE TO ADOPT AMENDMENTS TO CHAPTER 6 OF THE SCOTT COUNTY CODE TO ADD AND AMEND CERTAIN DEFINITIONS RELATED TO FLOODPLAIN REGULATIONS AND TO ALSO AMEND CERTAIN SPECIFIC FLOODPLAIN REGULATIONS IN ORDER TO COMPLY WITH THE REQUIREMENTS OF THE NATIONAL FLOOD INSURANCE PROGRAM AS REQUIRED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

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

Section 1. Amend the following sections of Chapter 6, SCOTT COUNTY CODE, 2022.

6-2 SCOPE AND PURPOSE

6-5 DEFINITIONS

6-21 GENERAL PROVISIONS OF THE FLOODWAY, FLOODWAY FRINGE, GENERAL FLOODPLAIN, AND SHALLOW FLOODING OVERLAY DISTRICTS

6-23. "FF" FLOODWAY FRINGE OVERLAY DISTRICT

Section 2. Amend certain provisions of Section 6-2 SCOPE AND PURPOSE to read as follows:

3. Statement of Purpose - It is the purpose of this Ordinance to protect and preserve the rights, privileges and property of unincorporated Scott County and its residents and to preserve and improve the peace, safety, health, welfare, and comfort and convenience of its residents by minimizing those flood losses described in Section 6.2.2.A. of this Ordinance with provisions designed to:

Section 3. Amend certain provisions of Section 6-5 DEFINITIONS to read as follows:

34. ENCLOSED AREA BELOW LOWEST FLOOR – The floor of the lowest enclosed area in a building when all the following criteria are met:

A. The enclosed area is designed to flood to equalize hydrostatic pressure during flood events with walls or openings that satisfy the provisions of 6.23.3.D.(1) of this Ordinance, and

ADD 51. FLOOD INSURANCE RATE MAP (FIRM) - The official map prepared as part of (but published separately from) the Flood Insurance Study which delineates both the flood hazard areas and the risk premium zones applicable to the community.

114. START OF NEW CONSTRUCTION: Includes substantial improvement, and means the date the development permit was issued, provided the actual start of construction, repair, re-construction, rehabilitation, addition, placement, or other improvement, was within 180 days of the permit date. The actual start means either the first placement or permanent construction of a structure on a site, such as pouring of a slab or footings, the installation of pile, the construction of columns, or any work beyond the stage of excavation; or the placement of a factory-built home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

Section 4. Amend certain provisions of Section 6-21 GENERAL PROVISIONS OF THE FLOODWAY, FLOODWAY FRINGE, GENERAL FLOODPLAIN, AND SHALLOW FLOODING OVERLAY DISTRICTS to read as follows:

B(1)(b)9.c Development relocates or alters the channel

ADD B(1)(b)9.d Within 6 months of the completion of the development, the applicant shall submit to FEMA all scientific and technical data necessary for a Letter of Map Revision

Section 5. Amend certain portions of Section 6-23 "FF" FLOODWAY FRINGE OVERLAY DISTRICT to read as follows:

3.C. Non-residential structures - All new or substantially improved nonresidential structures shall have the lowest floor (including basement) elevated a minimum of one (1) foot above the base flood elevation, or together with attendant utility and sanitary systems, be floodproofed to such a level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood; and that the structure, below the base flood elevation is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to North American Vertical Datum 1988) to which any structures are floodproofed shall be maintained by the Administrator.

3.D.3. New and substantially improved structures shall be constructed with electric meter, electrical service panel box, hot water heater, heating, air

conditioning, ventilation equipment (including ductwork), and other similar machinery and equipment elevated (or in the case of non-residential structures, optionally floodproofed to) a minimum of one (1) foot above the base flood elevation.

ADD 3.D.4. New and substantially improved structures shall be constructed with plumbing, gas lines, water/gas meters, and other similar service utilities either elevated (or in the case of non-residential structures, optionally floodproofed to) a minimum of one (1) foot above the base flood elevation or designed to be watertight and withstand inundation to such a level.

3.K.1(f) The structure's walls shall include openings that satisfy the provisions of Section 6-23.3.D (1) of this Ordinance.

3.L.2 Recreational vehicles that are located on the site for more than 180 consecutive days or are not ready for highway use must satisfy requirements of Section 6-23.3.E of this Ordinance regarding anchoring and elevation of factory-built homes.

#### Section 6. Validity and Severability

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part so declared to be invalid.

#### Section 7. Repealer

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

#### Section 8. Effective Date.

This ordinance shall be in full force and effective after its final passage and publication as by law provided.

Moved by Maxwell, seconded by Dickson that the following resolution (84-2024) be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The FY25 Secondary Road's Budget as presented by the County Administrator and as reviewed and considered by this Board is hereby adopted in the amount of \$20,882,000. 2) The total amount of service area:

Service Area	Amount
Roads & Transportation	10,452,000
Capital Projects	<u>10,430,000</u>
Total Secondary Roads Budget	\$20,882,000

3) The Secondary Roads FY25 capital budget and FY25-29 capital program is hereby adopted. 4) The County Auditor is hereby directed to properly certify the budget as adopted and file with the records of her office and that of the State Department of Management as required by law. 5) This resolution shall take effect immediately.

County Administrator Mahesh Sharma spoke on the Quad Cities Chamber economic development advisory council workshop, where they discussed funding, the advisory committee, and future economic development. He also attended an Intergovernmental meeting with the cities of Davenport and Bettendorf, met with the Genesis Hospitals

President and Unity Point Hospitals Executive Officer to discuss the regions healthcare needs, and attended the Waste Commission executive committee meeting. He also attended with Chairman Beck, a Transportation and Infrastructure Symposium lunch, where they presented keys to the Big seven, five Cities and two Counties, and a piece of the old I-74 bridge, to Ray Lahood, retired United States Secretary of Transportation.

Supervisor Dickson reviewed the Regional Development Authority meeting which included presentations by Salvation Army, Iowa Legal Aid, Riverbend Foodbank, Mississippi Valley Workforce Development and TMBC at the Lincoln Center.

Supervisor Beck reviewed a Bix press conference, they reviewed this is the fiftieth year of the Bix run and this year they are adding a senior route. He also attended a meeting with Scott County Emergency services association and reminded of upcoming joint meetings with Planning and Zoning, and the Board of Adjustment.

Moved by Maxwell, seconded by Dickson at 5:37 p.m. a motion to close the meeting to discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property. Iowa Code Section 21.5(1)(j). Roll Call: All Ayes.

Moved by Paustian, seconded by Maxwell at 6:48 p.m. a motion to convene in open session. Roll Call: All Ayes.

Moved by Paustian, seconded by Maxwell at 6:48 p.m. a motion to adjourn. All Ayes.

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Ken Beck, Chair of the Board  
Scott County Board of Supervisors

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ATTEST: Kerri Tompkins  
Scott County Auditor

A video recording of the meeting is available on the Scott County website at:  
<https://www.scottcountyiowa.gov/board/board-meetings>.