

Scott County Board of Supervisors

May 3, 2007; 5:30 p.m.

The Board of Supervisors met pursuant to adjournment with Minard, Moritz, Gallin, and Hancock present. Sunderbruch was absent.

The Board recited the Pledge of Allegiance.

Moved by Gallin, seconded by Moritz, approval of the minutes of the April 19, 2007. All Ayes.

Supervisor Minard presented Chairman Hancock with a plaque the Board received by Moody's honoring an upgrade in Scott County's credit rating to AA3. Supervisor Minard stated the County staff does an outstanding job and also appreciates Springsted, Inc. for their work. He added that Scott County could now borrow money at a lower interest rate, thereby saving the taxpayers of Scott County. Chairman Hancock said this was an effort by all and wanted to thank the employees.

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

BE IT RESOLVED 1) That the bid for Project L-907, Box Culvert go to the low bidder Iowa Bridge and Culvert, LC for the total cost of \$148,828.61. 2) That the Chairman be authorized to sign the contract documents on behalf of the Board. 3) This resolution shall take effect immediately.

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

BE IT RESOLVED 1) That the bid for Edgedrain work go to the low bidder Traxler Construction, Inc. in the amount of \$261,101.00. 2) That the Chairman be authorized to sign the contract documents on behalf of the Board. 3) This resolution shall take effect immediately.

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

BE IT RESOLVED 1) That the bid for Shoulder spraying be awarded to the low bidder, Chem-Trol, West Des Moines, Iowa, for a total cost of \$17,363.13. 2) That the Chairman be authorized to sign the contract documents on behalf of the Board. 3) This resolution shall take effect immediately.

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

BE IT RESOLVED 1) That May 22, 2007 be approved for the Letting Date of Project L-207 and L-307 – Resurfacing Projects; as set forth in the statement of estimated costs filed by the County Engineer. 2) That proper Notice of this Letting be published as by law provided.

County Administrator Ray Wierson briefly explained the location and the Macadam process.

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

BE IT RESOLVED 1) That the request from the Quad City Air Show to close Slopertown Road east from 145<sup>th</sup> Avenue to South First Street in Eldridge, and 210<sup>th</sup> Street west from Highway 61 to Airport Entrance on May 31, 2007, June 1, 2, and 3, 2007 be approved. 2) That the Quad City Air Show will work with the Scott County Sheriff's Department to provide the necessary traffic control and safety. 3) This resolution shall take effect immediately.

Moved by Minard, seconded by Moritz, the motion to open a public hearing relative to the Construction Permit Application of Dean Claussen for the expansion of an existing confined animal feeding operation in Section 4 of Lincoln Township. All Ayes.

Chairman Hancock thanked everyone for coming to the meeting and for the written comments. He explained the fact that the County has no authority or local control because the State and Department of Natural Resources (DNR) set the regulations.

Planning and Development Director Tim Huey displayed aerial photographs of the area, including the Lost Grove Lake watershed. He also displayed the Minimum Separation Distances for Expansion of Existing Confined Animal Feeding Operations (CAFOS) and site photos of the proposed expansion area.

Larry Linnenbrink, Environmental Health Coordinator for Scott County, gave the results of the water well study and the Manure Management Plan with the DNR. He said approximately 1.2 million gallons of manure waste will be spread out on 1600 acres throughout several locations in Scott County.

Planning and Development Director Tim Huey stated he had copies of handouts including an article from the Iowa Pork Producers, and a list of contacts and websites for the DNR as well as other related agencies.

Applicant Dean Claussen, 1150 Carriage Place Drive, Bettendorf, told the Board he farms with his father Dale Claussen and this is something he has planned to do since he was little. He stated his plans for the expansion has nothing to do with the coming of Triumph Foods and that he will be moving hogs from his facility to another. He said he will be living on-site and that there are two existing facilities there. Chairman

Hancock asked if he has had any phone calls from anyone concerning this expansion. Mr. Claussen said he has not. Supervisor Moritz asked where he went to school. Mr. Claussen said he graduated from Pleasant Valley High School in 2004 and graduated from Blackhawk College in Kewanee, Illinois, in 2006 with a degree in Agricultural Production.

Mr. Ross Paustian, 22225 70<sup>th</sup> Avenue, Walcott, spoke in favor of said expansion. He said he and his family have known the Claussen family for many years and have been involved in 4-H together. He feels this is a great opportunity for Mr. Claussen and is sure he would do it right. He drove by the area and felt the location was good.

Mr. Tom Dittmer of 12090 240<sup>th</sup>/LeClaire Rd., Eldridge, echoed Ross Paustian's sentiments and said he also grew up with the Claussen family and said they are a quality family. He felt this was a great way for a 21 year old to start in the business and the Claussens run a good operation and he has the utmost faith that it will be done right.

Ms. Molly Regan of 514 S. River Drive, Princeton, spoke in opposition of the proposed expansion and expressed her concern from the environmental standpoint. She is concerned about air quality, the smells that emanate, and the fact that one cannot control the wind direction. Ms. Regan also expressed concern about the affect the expansion would have on Lost Grove Lake and potential tourism loss. She said she grew up on a farm but all of the hogs were outside and not confined.

Ms. Karen Pacha, 17329 277<sup>th</sup> St., Long Grove, spoke in opposition of the proposed expansion and stated her concern with the proximity to Lost Grove Lake. She said she has nothing against the Claussen family but has issues with the buildings as they age. She also said that Pleasant Valley, Eldridge, and Long Grove are urban areas and this expansion could affect the population. She asked the Board to consider people's investment in their properties. She also felt this could set a precedent and is worried that more of these facilities will be built in Scott County. She asked if the manure waste will be spread on top of the soil or knifed in.

Planning and Development Director Tim Huey answered that the DNR regulations require the waste to either be injected in, or, if spread, disced into the ground within 24 hours of spreading. Mr. Claussen plans to inject the waste from his operation. Director Huey added that the Natural Resources Conservation Services works closely with farmers on conservation practices, including grass filter strips and proper tillage practices. He added that the use of manure lowers the need for petroleum products used in fertilizers.

Ms. Carol Brown of Bettendorf brought an issue of the December 16, 2006 Rolling Stone magazine with an article titled "Boss Hog" and read from the article. She encouraged the Board members to read the article and expressed her concern with the toxicity of manure in the air.

Mr. Thomas Burrell, 19 N. Kuehl Court, Parkview addressed the Board. He said he is not opposed to the expansion but has concerns about property values, long-term implications on what it will do to Parkview and the people's investments in their homes. He has concerns with smells and asked the Board to consider the neighbors.

Mr. Gary Quinby spoke in opposition to the proposed expansion, stating his concern with property values and odors.

Chairman Hancock said from his personal experience the smells have been to a minimum due to modern technology available. He has been to the Dittmer farm and said not one neighbor has had a problem with odors. Chairman Hancock said small farmers cannot make it today, and not all hog farmers are like the hog factories in South Carolina.

Ms. Molly Bergfeld of 27 S. Jacob Dr., Parkview said she grew up in a small town and when there were sales at the sale barn, they had to shut their windows and bring their clothes in off the clothesline. She is opposed to the proposed expansion for the sake of the community and the thousands of visitors that go to Scott County Park every year. She stated she purchased land in Parkview two years ago and her and her family moved in last November. Had she known about the proposed expansion then, she would not have built her home where she did.

Ms. Molly Regan told the audience she had copies of a map from the DNR of the proposed area and a handout entitled "Why CAFO (Concentrated Animal Feeding Operation) Regulation is Necessary".

Mr. Kent Unwin of 112 Park Lane Circle spoke in opposition to the proposed expansion. He read excerpts from an article correlating respiratory illness due to living within a close proximity to hog confinements. He also said he would not have purchased his home in Parkview if he had known then about the proposed expansion.

Ms. Vickie Seddon of 601 N. Scott Park Road, Eldridge, said she was extremely opposed to the proposed expansion. She stated she would not have moved where she did if she had known about this proposed expansion. She said she has a private well and that accidents do happen. She expressed her concern about potential cracks and leaks in the concrete of the manure pit. She also has concerns about the asthma risk to children and who would take care of the roads. She said she cannot find any "pros" and only "cons" to the expansion.

Mr. Rick Refbord, 105 Parkview Dr., Parkview, spoke in opposition to the proposed expansion. He stated he found the home of his dreams two years ago and is concerned about the devaluation of his property, as well as the health risks in regards to the prevailing winds.

Supervisor Moritz said she was sympathetic to the audience and said Mr. Claussen had a wind study done. She said she went to the Dittmer farm to get a tour

and appreciated the education and thanked Tom Dittmer. She added that the Board has no control of the State regulations. She also said the Rolling Stone article was different from this operation and that Mr. Claussen went to school to do what he is doing.

Chairman Hancock again thanked everyone for attending. He explained that the Board did not have to have a public hearing but they chose to. He told the audience that we live in an agricultural county and Scott County will continue to be an agricultural county.

Supervisor Gallin echoed Chairman Hancock's statements and said that Scott County farmers have set the bar high. She stated she knows the latest technology will be used and that the Iowa DNR holds the farmers to high standards. She said she supports the proposed expansion.

Supervisor Minard also stated his support, saying 5% of the residents of Scott County are in the farming business. He said more and more suburban and urban non-farmers will be moving out to the county, which will mean additional pressure from the non-farmers to increase regulations. He said almost everyone present had a family member from the farming community. He thanked everyone for coming.

Moved by Minard, seconded by Gallin, to close the public hearing. All Ayes.

Moved by Minard, seconded by Gallin, that the following resolution be adopted.  
Roll Call: Ayes – Minard, Moritz, Gallin, Hancock.

BE IT RESOLVED 1) Dean Claussen in the NW ¼ of the SW ¼ of Section 4, Township 79 North, Range 4 East (Lincoln Township) has submitted an application to the Iowa Department of Natural Resources (DNR) for a construction permit for the expansion of an existing confined animal feeding operation at 25319 200<sup>th</sup> 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 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, the applicant has adequate land for the application of manure originating from this confinement feeding operation available and there are no apparent drain tiles in the area of the proposed expansion. 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 May 3, 2007 during its regularly scheduled meeting to receive public comments on 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, in addition to the written public comments it received on this

application and the documentation of publication of the required public notices. 6) The Scott County Board of Supervisors would recommend that the construction permit application of Dean Claussen be approved based on its compliance with the Iowa DNR rules and Iowa Code regulations for such applications. 7) This resolution shall take effect immediately.

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

BE IT RESOLVED 1) That the bid from Derby Industries for 325 detention mattresses for the new jail facility is hereby accepted and approved in the amount of \$31,535.00. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED 1) That the proposal from Davenport Trane Company for a five-year extended warranty and service agreement for the Pine Knoll chiller equipment is hereby approved and accepted in the amount of \$28,630.00. 2) This resolution shall take effect immediately.

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

**NEW HIRES**

Employee/Department	Position	Salary	Effective Date	Remarks
John Gosa Health	Environmental Health Specialist	\$40,082	05/07/07	Replaces Lindsay Golinghorst

**TRANSFERS AND PROMOTIONS**

Employee/Department	New Position	Salary Change	Effective Date	Remarks
Roberta Ramey-Lopez Treasurer	Motor Vehicle Account Clerk	\$29,786 - \$31,658	04/02/07	Replaces Becky Wilkison

**LEAVES OF ABSENCE/OTHER**

Employee/Department	Position	Effective Date	Remarks
None			

**BARGAINING UNIT STEP INCREASES**

Employee/Department	Position	Salary Change	Wage Step	Effective Date
Brent Kilburg Sheriff	Deputy Sheriff	\$39,270 - \$41,038	Step 2	05/15/07
Tony Shay FSS	Maintenance Specialist	\$33,176 - \$34,299	Step 3	05/16/07

**MERIT INCREASES**

Employee/Department	Position	Salary Change	% of Midpoint	Effective Date
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Tim Lane Sheriff	Lieutenant	\$58,968 - \$60,147 (2.0%)	107.411%	02/21/07
Jacqueline Chatman Juvenile Detention	Detention Youth Supervisor	\$38,209 - \$40,119 (5.0%)	112.083%	03/19/07
Pam Bennett Sheriff	Office Manager	\$44,299 - \$45,628 (3.0%)	113.114%	04/23/07
Eric Bradley Health	Environmental Health Specialist	\$42,086 - \$44,190 (5.0%)*	93.712%	05/08/07
Lori Robinson Information Technology	Programmer / Analyst I	\$50,251 - \$52,764 (5.0%)*	96.898%	05/13/07

\*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
Patricia Reynolds Administration	Budget Coordinator	04/18/07

#### SEPARATIONS

Employee/Department	Position	Hire Date	Separation Date	Reason for Separation
Susan Velthoff Health	Public Health Nurse	03/12/07	04/12/07	Discharged

#### REQUEST TO FILL VACANCIES

Position/Department	Position Status	Starting Date	Previous Incumbent	Recommendation
Public Health Nurse Health	Vacant	ASAP	Susan Velthoff	Approve to fill

#### TUITION REQUESTS

Employee/Department	Position	Course of Study	Course dates(s)
Neika Harms Juvenile Detention	Detention Youth Supervisor	Statistics Gang Research Western Illinois University	6/07 – 7/07
Neika Harms Juvenile Detention	Detention Youth Supervisor	Research Methodology Public Personnel Law Western Illinois University	8/20/07 – 12/14/07

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

BE IT RESOLVED 1) That the FY2007 Amendment to County Agreement between the Center for Alcohol & Drug Services, Inc. (CADS) and Scott County is hereby approved for an additional \$33,760.00 for the provision of treatment to inmates while they reside in the Scott County Jail through the In-house Jail-based Substance Abuse Treatment program. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED 1) That the FY2008 Contractual Agreement between the Center for Alcohol & Drug Services, Inc. (CADS) and Scott County is hereby approved for five different service areas as follows:

Prevention	\$ 40,000*
Detoxification, Evaluation and Treatment	\$277,128
Inmate Substance Abuse Treatment	\$130,000**
Criminal Justice Client Case Management	\$ 68,000**
Jail Based Assessment and Treatment	<u>\$ 45,013</u>
	\$560,141

\*\$30,000 County funds, \$10,000 State funds

\*\*Funding is on a reimbursement basis not to exceed amount listed.

2) This resolution shall take effect immediately.

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

BE IT RESOLVED 1) The annual property tax statement purchase for the County Treasurer's Office from Mail Services in the low bid amount of approximately \$11,578 is hereby approved. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED 1) The assessment of election costs for School Board (PPEL) Special Elections totaling \$40,772.08.

<b>ELECTION</b>	<b>AMOUNT</b>
Davenport School Board	\$26,801.72
North Scott School Board	6,405.65
Pleasant Valley School Board	7,564.71
<b>TOTAL</b>	<b>\$40,772.08</b>

2) This resolution shall take effect immediately.

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



BE IT RESOLVED 1) That the appointment of Dave Oberbroeckling, Davenport, Iowa to the Airport Zoning Commission for a three (3) year term expiring on May 27, 2011 is hereby approved. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED 1) That the appointment of Myron Lensch, Davenport, Iowa to the Veteran Affairs Commission for a three (3) year term expiring on May 31, 2010 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Moritz, seconded by Minard, the motion approving the beer permit for Argo General Store, rural LeClaire, Iowa, contingent upon meeting certain requirements set forth by the Scott County Board of Supervisors, requirements which are subject to separate approval by the offices of Sheriff, Attorney, Health Director, and Building Inspector. The Scott County Auditor is directed to hold any application which has not received the requisite approvals. All Ayes.

Moved by Moritz, seconded by Gallin, the resolution approving warrants numbered 199793 through 200163 as submitted and prepared for payment by the County Auditor in the total amount of \$1,972,158.47 and the purchase card transactions in the total amount of \$44,446.86. Roll Call: Ayes - Minard, Moritz, Gallin, Hancock.

County Administrator Ray Wierson reminded the Board of several upcoming meetings.

Moved by Gallin, seconded by Moritz, the Board adjourn until 12:00 noon, Friday, May 4, 2007, 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: Karen L. Fitzsimmons  
Scott County Auditor