

Scott County Board of Supervisors
February 18, 2010 5:30 p.m.

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

Moved by Hancock seconded by Minard the approval of the minutes of February 4, 2010 board Meeting.

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

BE IT RESOLVED: 1) That in accordance with Section 321G.9 of the Code of Iowa which provides for the Board of Supervisors to evaluate traffic conditions on all county roads, and on this basis to designate those roads on which snowmobiles may be operated, and to further specify the period of time during which snowmobiles may be operated on these designated roadways, and to place signs warning the public of these operations on the designated routes. 2) That based on the above, it is requested that F58 and Y58 be added to the current routes resulting in a total of 116.22 miles of county roads which have been determined suitable for snowmobile operations and that these roads are specifically designated on the attached map as "Designated Snowmobile Routes" from November 15TH each year to April 1st each year and that said map be placed on file with the County Auditor, and that signs be erected and displayed accordingly. 3) That this resolution shall take effect immediately.

Moved by Minard and seconded by Hancock, that the following resolution be adopted. All ayes

BE IT RESOLVED: 1) That the 28E Intergovernmental Agreement between Scott County, Iowa and the City of Walcott, Iowa for engineering and design of shared bridges on the Walcott city line be approved. 2) That the Chairman be authorized to sign The Agreement on behalf of the Board. 3) That this resolution shall take effect immediately.

Moved by Minard seconded by Liske, that the following resolution be adopted. All ayes

BE IT RESOLVED: As the local governing body responsible for the approval of subdivision plats within its rural jurisdiction, the Scott County Board of Supervisors has on this 18TH day of February considered the Final Plat of LEGACY FARM SUBDIVISION a two (2) lot subdivision, in part of the SW ¼ OF THE SW ¼ of Section 27, 80 North, Range 4 East of the 5th Principal Meridian (Butler Township), Scott County, Iowa, and having found the same made in substantial accordance with the provisions of Chapter 354, Code of Iowa, and the Scott County Subdivision Ordinance, does hereby approve the Final Plat of said subdivision. 2) The Board Chairman is authorized to sign the Certificate of Approval on behalf of the Board of Supervisors and

the County Auditor to attest to his signature. 3) This resolution shall take effect immediately.

Moved by Minard, seconded by Hancock, that the following resolution be adopted. All ayes

BE IT RESOLVED: 1) As the local governing body responsible for the approval of subdivision plats within its rural jurisdiction, the Scott County Board of Supervisors has on this 18th day of February considered the Final Plat of LEAF LAKE ESTATES 2ND ADDITION a three (3) lot subdivision, in part of the NE ¼ SE ¼ of Section 10, 77 North, Range 2 East of the 5th Principal Meridian (Buffalo Township), Scott County, Iowa, and having found the same made in substantial accordance with the provisions of Chapter 354, Code of Iowa, and the Scott County Subdivision Ordinance, does hereby approve the Final Plat of said subdivision. 2) The Board Chairman is authorized to sign the Certificate of Approval on behalf of the Board of Supervisors and the County Auditor to attest to his signature. 3) This resolution shall take effect immediately.

Moved by Hancock and 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 AFSCME, Local 606 is hereby approved. That the agreement shall be in effect July 1, 2010 through June 30, 2011 2) This resolution shall take effect immediately.

Moved by Hancock and 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
None				

TRANSFERS AND PROMOTIONS

Employee/Department	New Position	Salary Change	Effective Date	Remarks
Jeffrey Renkes Auditor	Senior Elections Clerk	\$34,861 - \$37,086	02/02/10	Replaces LaDonna McCollom

LEAVES OF ABSENCE/OTHER

Employee/Department	Position	Effective Date	Remarks
None			

BARGAINING UNIT STEP INCREASES

Employee/Department	Position	Salary Change	Wage Step	Effective Date
Emily Winslow Treasurer	Multi-service Clerk	\$29,515 - \$30,618	Step 4	02/04/10

MERIT INCREASES

Employee/Department	Position	Salary Change	% of Midpoint	Effective Date
Kathy Walsh County Attorney	Office Administrator	\$61,689 - \$63,540 (3.0%)	96.524	11/13/09
Christopher Berry Conservation	Turf Equipment Specialist	\$37,418 - \$38,353 (2.5%)	103.946%	01/11/10
Cindy Henning Sheriff/Jail	Classification Specialist	\$47,215 - \$49,104 (4.0%)	106.725%	01/28/10
Mayra Boyer Health	Lab Technician – P/T	\$16.254/hr - \$17.066/hr (5.0%)*	93.7%	02/02/10
Roland Caldwell Auditor	Operations Manager	\$62,347 - \$65,464 (5.0%)*	93.713%	02/02/10
Joshua Nelson	Park Ranger	\$40,859 - \$41,880	96.055%	02/12/10

Conservation (2.5%)
 Jeremy Kaiser Juvenile Detention \$63,538 - \$66,715 93.714% 02/16/10
 Juvenile Detention Director (5.0%)*
 *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
Burton Graham	Heavy Equipment	11/27/09
Secondary Roads	Operator III	
Marvin Henningsen	Heavy Equipment	12/22/09
Secondary Roads	Operator III	
Roma Taylor	Clinical Services	01/01/10
Health	Coordinator	
Linnea Juarez	Clerk II	01/24/10
Conservation		
Denny Coon	Public Health Services	02/08/10
Health	Coord	

SEPARATIONS

Employee/Department	Position	Hire Date	Separation Date	Reason for Separation
Lindsey Ellison	Deputy Sheriff	08/12/09	01/27/10	Voluntary resignation
Sheriff				
Patrick Reyes	Maintenance Worker	07/17/95	02/12/10	Voluntary resignation
FSS				

REQUEST TO FILL VACANCIES

Position/Department	Position Status	Starting Date	Previous Incumbent	Recommendation
Deputy Sheriff	Vacant 1/27/10	ASAP	Lindsey Ellison	Approve to fill
Sheriff				

TUITION REQUESTS

Employee/Department	Position	Course of Study	Course dates(s)
None			

Moved by Liske and seconded by Sunderbruch, that the following resolution be adopted. All ayes

BE IT RESOLVED: 1) That Scott County has been directed by the Iowa Department of Human Services to suspend the collection of property taxes, assessments and rates or charges, including interest, fees, and costs for Cheryl Gharamti, 4420 North Harrison Street, Davenport, Iowa, in the amount of \$930.00 (2008 property taxes due in March 2010) are hereby suspended. 2) That the collection of all property taxes, special assessments, and rates or charges, including interest, fees, and costs assessed against the parcel at 4420 North Harrison Street, Davenport, Iowa remaining unpaid shall be suspended for such time as Cheryl Gharamti remains the owner of such property, and during the period he/she receives assistance as described in Iowa Code Section 427.9. 3) That the County Treasurer is hereby directed to suspend collection of the above stated taxes, assessments, and rates or charges, including interest, fees, and costs, thereby establishing a lien on said property as required by law, with future collection to include statutory interest. 4) This resolution shall take effect immediately.

Sunderbruch moved, Second by Hancock, a motion to open a public hearing relative to the FY11 budget. All Ayes

From the public:

Richard Golinghorst and Diane Holst, both of Rural Scott County, spoke individually in opposition to the way SECC is being budgeted.

Kent Paustian of Rural Scott County spoke about the effects the tax increase will have on his operation.

Minard moved, seconded by Liske, a motion to close the public hearing. All Ayes

Sunderbruch moved, seconded by Hancock, a motion to open a public hearing relative to the budget amendment to the FY10 County Budget. All Ayes

Minard moved, second by Liske, a motion to close the public hearing. All Ayes

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

BE IT RESOLVED: 1) A budget amendment to the current FY10 County Budget as presented by the County Administrator is hereby approved as follows:

<u>SERVICE AREA</u>	<u>FY10 AMENDMENT AMOUNT</u>
Public Safety and Legal Services	\$925,388
Physical Health and Social Services	\$328,255
Mental Health, MR & DD	(\$711,472)
County Environment and Education	\$290,698
Roads and Transportation	(\$110,823)
Government Services to Residents	(\$46,589)
Administration (interprogram)	(\$402,369)
Capital Projects	\$9,716,032

2) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) That the 2009/2010 Amended Budget for the Iowa Department of Transportation submittal be approved. 2) That the Chairman be authorized to sign the Amended Budget on behalf of the Board. 3) That this resolution shall take effect immediately.

Sunderbruch moved, second by Hancock, a motion to approve filing of quarterly financial reports from various county offices. All Ayes.

Sunderbruch moved, second by Liske, approval of first of three readings of an ordinance amending the Code by adding Chapter 38 Social Host ordinance to prohibit underage consumption of alcohol, with amendment. Roll call on amendment: all ayes. Roll call on first reading: all ayes.

CHAPTER 38

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 _____ day of _____, 2010.

Sunderbruch moved, second by Minard, that the following resolution be adopted. All ayes.

BE IT RESOLVED BY: 1) That the appointment of Tom Claussen, Long Grove, Iowa to Benefited Fire District #2 for a three (3) year term expiring on March 10, 2013, is hereby approved. 2) This resolution shall take effect immediately.

Sunderbruch moved, second by Minard, that the following resolution be adopted. All ayes.

BE IT RESOLVED BY: 1) That the appointment of Donald Mark DeWulf, Long Grove, Iowa to Benefited Fire District #4 for the remainder of a three (3) year term expiring on April 1, 2012, is hereby approved. 2) This resolution shall take effect immediately.

Moved by Sunderbruch, second by Liske, 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 225686 through 226225 as submitted and prepared for payment by the County Auditor, in the total amount of \$2,471,905.80. 2) This resolution shall take effect immediately.

Sunderbruch moved, second by Liske, a motion approving beer/liquor, casual sales and cigarette licenses and permits. All ayes.

Moved by Hancock, second by Liske, a motion to Adjourn. All ayes.

Chris Gallin Chair of the Board
Scott County Board of Supervisor

ATTEST: Roxanna Moritz
Scott County Auditor