

Scott County Board of Supervisors
January 17, 2013 5:30 p.m.

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

Moved by Sunderbruch, seconded by Hancock approval of the minutes of the January 3, 2013 Regular Board Meeting and the January 15, 2013 Closed Session. All Ayes.

Moved by Sunderbruch, seconded by Hancock a motion to open a public hearing relative to the rezoning request from Ed Collins to rezone 4.72 acres in Pleasant Valley Township from C-2 with a landscaping only use condition to C-2 without a landscaping only use condition. All Ayes.

John Cerny, 24639 178th Street, Pleasant Valley, spoke in opposition of the rezoning.

Ed Collins, applicant, 328 Manor Drive, Riverdale, spoke in favor of the rezoning and told the Board that in the future he would like the option of selling small landscaping equipment on the site.

Moved by Sunderbruch, seconded by Hancock a motion to close the public hearing. All Ayes.

Moved by Sunderbruch, seconded by Earnhardt a motion to open a public hearing relative to the State Construction Permit Application for Dennis Kirby, DBA Kirby Farms Inc., at 22293 200th Avenue, Davenport, for the expansion of an existing confined animal feeding operation in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 21, T79N, R4E of Lincoln Township. All Ayes.

Lynda Sharpe, 20523 220th Street, Davenport, spoke in opposition of the expansion. She told the Board of her concerns with the bad odors coming from the operation.

Moved by Sunderbruch, seconded by Hancock a motion to close the public hearing. All Ayes.

Moved by Sunderbruch, seconded by Hancock that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) Dennis Kirby, DBA Kirby Farms, Inc in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 21, T79N, R4E (Lincoln Township) has submitted an application to the Iowa Department of Natural Resources (DNR) for a construction permit for a new building at an existing animal (hog) confinement feeding operation 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 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 January 17, 2013 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, 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 Dennis Kirby, DBA Kirby Farms, Inc. 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 Sunderbruch, seconded by Hancock approval of the first of two readings of an ordinance to amend the Zoning Map by rezoning approximately 5 acres more or less in Section 18, Township 80 North, Range 4 East of the 5th Principal Meridian (Butler) Township, from A-P Agricultural Preservation District to A-F Agriculture Service Floating Zone in unincorporated Scott County with the conditions of the site plan review. Roll Call: Ayes – Minard, Sunderbruch, Earnhardt, Hancock. Nays – Cusack.

AN ORDINANCE TO AMEND THE ZONING MAP BY REZONING APPROXIMATELY 5 ACRES MORE OR LESS IN SECTION 18, TOWNSHIP 80 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN (BUTLER) TOWNSHIP) FROM "A-P" AGRICULTURAL PRESERVATION DISTRICT TO "A-F" AGRICULTURE SERVICE FLOATING ZONE IN UNINCORPORATED SCOTT COUNTY WITH THE CONDITIONS OF THE SITE PLAN REVIEW

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

Section 1. In accordance with Section 6-31 Scott County Code, the following described unit of real estate are hereby rezoned from an "A-P" Agricultural Preservation District to "A-F" Agriculture Service Floating Zone with the conditions:

- 1) A permanent, secure, and lockable front gate must be constructed across the completed driveway entrance of the site.
- 2) The applicant shall install and maintain adequate security lighting for the site. Specifically, all buildings and storage areas shall be lit during nighttime hours,

and all nighttime lighting shall be “full cut-off” in nature as well as designed to minimize light spillover across the property line. A lighting plan must be submitted prior to issuance of a building permit.

- 3) A landscaping plan shall be submitted prior to the issuance of a building permit. The plan must show how general site operations as well as any light spillover will be buffered from nearby properties. Special attention shall be paid to shielding the southern and western boundaries of the site, where the nearest residential properties are located. The landscaping plan shall include at least some evergreens or other non-deciduous plants which will provide buffering during all seasons. The plan may include any combination of plantings that achieve a reasonable buffering of the site during its operation.
- 4) Copies of any state and federal permits required to be held by Crop Production Services for this site shall be submitted to the Scott County Planning and Development Office prior to the issuance of a building permit.

that to wit: the west 600 feet of the south 365 feet of the SW¼SW¼ of Section 18 in Butler Township (T80N, R4E)

Section 2. The County Auditor is directed to record this ordinance in the County Recorder's Office.

Section 3. Severability Clause. If any of the provisions of this Ordinance are for any reason illegal or void, then the lawful provisions of the Ordinance, which are separate from said unlawful provisions shall be and remain in full force and effect, the same as if the Ordinance contained no illegal or void provisions.

Section 4. Repealer. All ordinances or part of ordinances in conflict with the provisions of the Ordinance are hereby repealed.

Section 5. Effective Date. This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

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

NEW HIRES

Employee/Department	Position	Salary	Effective Date	Remarks
April Mosley FSS	Custodial Worker P/T	\$13.22/hr	01/07/13	Replaces Janice Barnett
Justin Dusil Sheriff/Jail	Correction Officer Trainee	\$34,549	01/22/13	Replaces Rich Hume

TRANSFERS AND PROMOTIONS

Employee/Department	New Position	Salary Change	Effective Date	Remarks
Judy Kelly Treasurer	Multi-Service Clerk	\$35,859 - \$36,837	01/02/13	

LEAVES OF ABSENCE/OTHER

Employee/Department	Position	Effective Date	Remarks
None			

BARGAINING UNIT STEP INCREASES

Employee/Department	Position	Salary Change	Wage Step	Effective Date
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Dennis Hoffmann Sheriff	Bailiff – P/T	\$17.28/hr - \$18.14/hr	Step 2	01/01/13
Willie Moore Sheriff	Bailiff – P/T	\$19.72/hr - \$20.41/hr	Step 5	01/07/13
Rachelle Kunde Sheriff	Deputy Sheriff	\$59,114 - \$59,717	Step 10	01/12/13

MERIT INCREASES

Employee/Department	Position	Salary Change	% of Midpoint	Effective Date
Christopher Still FSS	Maintenance Coordinator	\$46,912 - \$49,258 (5.0%)*	98.793%	01/02/13

*First 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
Lindsay Serrano Sheriff/Jail	Correction Officer	07/29/12
Martin Kearney Sheriff/Jail	Correction Officer	08/12/12
Burt Graham Secondary Roads	Heavy Equipment Operator III	11/30/12
Jane Morehouse Health	Public Health Nurse	01/02/13

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				

TUITION REQUESTS

Employee/Department	Position	Course of Study	Course dates(s)
Raquel Posateri Health	Medical Assistant	Anatomy & Physiology I Black Hawk College	1/14/13 – 4/22/13

Moved by Cusack, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the annual maintenance renewal for GIS software suite with ESRI, Inc. in the amount of \$20,171.92 is hereby approved. 2) That a purchase order shall be issued for said amount for the annual maintenance renewal for GIS software suite in the amount of \$20,171.92 (further described in ESRI, Inc. quote # 25561672). 3) This resolution shall take effect immediately.

Moved by Cusack, seconded by Earnhardt approval of beer/liquor license renewals for Kwik Shop #589, Eldridge and Mt. Joy Amoco, Davenport. All Ayes.

Moved by Cusack, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the appointment of Rich Mohr, Long Grove, Iowa, to the Conservation Board for a five (5) year term expiring on December 31, 2017 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Cusack, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the following appointments for two (2) year terms expiring on December 31, 2014 are hereby approved: Dr. Barb Harre – Medical Examiner, Dr. Camilla Frederick – Deputy Medical Examiner, Dr. Richard Sadler – Deputy Medical Examiner, Denny Coon – Investigator, Brian Jacobsen – Investigator. 2) This resolution shall take effect immediately.

Moved by Cusack, seconded by Sunderbruch 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 250496 through 250764 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,003,382.41. 2) This resolution shall take effect immediately.

Moved by Cusack, seconded by Earnhardt a motion to adjourn. All Ayes.

Larry Minard, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor