

Scott County Board of Supervisors  
March 21, 2019 5:00 p.m.

The Board of Supervisors met pursuant to adjournment with Knobbe, Croken, Kinzer, Maxwell and Beck present. The Board recited the Pledge of Allegiance.

Chairman Knobbe asked his fellow Supervisors to follow decorum they had all agreed on, and if they wanted to speak he would call upon them and if they wished to speak again he would get back to them when all of the other Supervisors who wanted to speak have been given a chance to speak.

Moved by Beck, seconded by Maxwell a motion to approve the minutes of the March 5, 2019 Committee of the Whole Meeting, the minutes of the March 7, 2019 Regular Board Meeting and the minutes of the March 12, 2019 Special Board Meeting (Election Canvass). All Ayes.

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

BE IT RESOLVED: 1) That the Board of Supervisors appreciates the contributions to our community by the Scott County Health Department in its 50 years of protecting, promoting, and preserving the health of the citizens of Scott County; and 2) That the Board of Supervisors extends their congratulations to the Scott County Health Department on its accreditation by the Public Health Accreditation Board; 3) That the Board of Supervisors recognizes National Public Health Week, and declares April 2, 2019, to be Scott County Health Department Day in Scott County, Iowa. 4) This resolution shall take effect immediately.

Moved by Beck, seconded by Maxwell a motion to open a public hearing relative to the transfer of two County parcels to the City of Princeton. All Ayes.

No one from the public spoke.

Moved by Beck, seconded by Maxwell a motion to close the public hearing. All Ayes.

Supervisor Croken expressed disappointment that a representative of Princeton did not attend the hearing to inform the Board of what use the city intends for the parcel, and that the Board made that expectation clear.

Tim Huey, Planning and Development Director, said he thought the Board wanted him to contact Princeton, and he did not make clear to Princeton the Board's invitation. He said he contacted the city clerk, asking her to forward a message to the mayor and council, and that the clerk responded and said that the city council does not have any plans for the property, but is delighted by the County's offer of the parcel. He said the

same DOT restrictions apply to not transfer the parcel to a private entity and that title must be kept by a public entity and used for a public purpose.

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

BE IT RESOLVED: 1) That the purchase of one aluminum box culvert from Illowa Culvert & Supply, Low Moor, Iowa for the total cost of \$40,500.00 be approved. 2) That this resolution shall take effect immediately.

Moved by Beck, seconded by Maxwell the first of two readings of an ordinance to amend the Zoning Map by rezoning approximately 60 acres in Section 25, Blue Grass Township from Commercial-Light Industrial (C-2) to Residential Single-Family (R-1), all within unincorporated Scott County. Roll Call: Four Nays, with Croken voting Aye.

Kevin Engelbrecht, 717 S 9<sup>th</sup> Street Court, Eldridge, property co-owner, said he does not understand why the Board wants to keep the property commercial when it has been zoned as such for twenty plus years and has not yet been developed. He said he agrees that the property's road front should be commercial. He said the main reason it has not been developed is because it does not have sewer and they came up with the most feasible solution for the property that meets the current market and community needs. He said about 33 percent of taxes would go to Scott County, about \$2,000 per house, and once the sub-division is complete, about \$100,000 per year. He said with two kids per house the development would generate about 100 kids and \$150,000 for the school system. He asked what the Board would do to attract commercial development if commercial zoning is retained.

Dale Grunwald, 409 S Schultz Drive, Long Grove, developer, asked where the employees from Sterilite and the Heinz Kraft plants are going for a new house. He said this property is only eight miles away from those plants. He said the City claims the sub-division is urban sprawl. He said he disagreed because this ground is surrounded by developed areas and that the sub-division is just filling in a gap. He said that he would love to put sewer in but there is no plan for sewer extension by the City for at least twenty years and he will never be able to get commercial on the property without sewer.

Supervisor Maxwell commented that our forefathers had expressed an interest in having the property be C-2, and that today that is what we are looking at, and we do not know what future land development will be.

Supervisor Croken said he was loath to undermine the wisdom of Planning and Zoning. He said he assumed the Commission looked at this very carefully.

Supervisor Kinzer said he would not be supporting the change either due to the fact that it is prime farm ground.

AN ORDINANCE TO AMEND THE ZONING MAP BY REZONING APPROXIMATELY 60 ACRES IN SECTION 25, BLUE GRASS TOWNSHIP FROM COMMERCIAL-LIGHT INDUSTRIAL (C-2) TO RESIDENTIAL SINGLE-FAMILY (R-1), ALL WITHIN UNINCORPORATED SCOTT COUNTY.

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 is hereby rezoned from Commercial-Light Industrial (C-2) to Residential Single-Family (R-1) to-wit:

Part of the North Half of Section 25, Township 78 North, Range 2 East of the 5th P.M. being more particularly described as follows:

Commencing, as a point of reference, at the northeast corner of the Northwest Quarter of said Section 25; thence Westerly 660 feet along the north line of the Northwest Quarter of said Section 25; thence Southerly 705 feet to the POINT OF BEGINNING of the tract of land hereinafter described: Thence Easterly 660 feet more or less, to the east line of the Northeast Quarter of the Northwest Quarter of said Section 25; Thence Northerly 94 feet, more or less, along the east line of the Northeast Quarter of the Northwest Quarter of said Section 25 to a point on the southwesterly right of way line of Interstate 280; Thence Southeasterly 311 feet, more or less, along the southwesterly right of way line of Interstate 280; Thence Southeasterly 555 feet, more or less, along the southwesterly right of way line of Interstate 280 to a point on the south line of the Northwest Quarter of the Northeast Quarter of said Section 25; Thence Westerly 500 feet, more or less, along the south line of the Northwest Quarter of the Northeast Quarter of said Section 25 to the east line of the Southeast Quarter of the Northwest Quarter of said Section 25; Thence Southerly 1,325 feet, more or less, along the east line of the Southeast Quarter of the Northwest Quarter of said Section 25 to the south line of the Southeast Quarter of the Northwest Quarter of said Section 25; Thence Westerly 1,325 feet, more or less, along the south line of the Southeast Quarter of the Northwest Quarter of said Section 25 to the west line of the East Half of the Northwest Quarter of said Section 25; Thence Northerly 1,685 feet, more or less, along the west line of the East Half of the Northwest Quarter of said Section 25; Thence Easterly 660 feet, more or less; Thence Northerly 255 feet, more or less, to the point of beginning containing 59.6 acres, more or less.

Section 2. This ordinance changing the above described land from Commercial-Light Industrial (C-2) to Residential Single-Family (R-1) is approved as recommended by the Planning and Zoning Commission.

Section 3. The County Auditor is directed to record this ordinance in the County Recorder's Office.

Section 4. 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 5. Repealer. All ordinances or part of ordinances in conflict with the provisions of the Ordinance are hereby repealed.

Section 6. Effective Date. This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

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

Kinzer said that zoning for the surrounding areas are A-P to the north, A-G to the south, east and west, and R-1 to the west, and asked if this area is right in prime farm ground.

Huey answered no. He said the land has already been rezoned to residential. He explained why the Planning and Zoning Commission recommended approval of the preliminary plat with various conditions. He said that the Long Grove Planning and Zoning Commission recommended approval of the plat and that recommendation will be acted on by the Long Grove City Council at the Council's April meeting.

Kinzer asked what the corn suitability rating for the land is.

Maxwell said it is in the sixties.

Huey said that corn suitability is considered at the rezoning stage and the Commission does not consider it during the planning stage. He said that soil type is considered when looking at the suitability of the soil for building and road construction.

Croken commented that compared to the previous rezoning, the five to six acre lots preserves the rural appeal of the area, in no one's book would it be considered urban sprawl and that he will be voting yes.

BE IT RESOLVED: 1) The Preliminary Plat of MicVic Acres is approved in accordance with the Planning and Zoning Commission's recommendation with the following conditions: 1. The City of Long Grove also approve this plat; 2. That storm water management, erosion and sediment control plans be submitted and approved by the County Engineer in conjunction with the road construction plans; 3. That the road construction plans be submitted and approved by the County Engineer prior to any road construction; 4. That the private covenants to be filed with the Final Plat include a legal mechanism for road and open space maintenance, an ag nuisance waiver & a restriction to not allow further subdivision of the six (6) lots; and 5. The subdivision infrastructure improvements be completed or a surety bond posted prior to Final Plat approval. 2) This resolution shall take effect immediately.

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

Croken said as a minor point, apparently this was not the City of Princeton's request and yet we keep calling it that.

Huey said that the City requested to put up a sign on one of the properties, that the Conservation Department did not want a city sign on County property, but also did not want the property. He said the Conservation Department suggested to Princeton to ask the County for the property and to ask for the second property as well.

Croken said the resolution states this is request is from the City for both parcels. He said this may be a tempest in a teapot but that resolutions ought to be accurate.

BE IT RESOLVED: 1) Iowa Code 331.361 allows the transfer of real property by a county to another unit of local government for a public purpose. 2) The City of Princeton has requested Scott County transfer title to Parcels 05421102-5 & 053553006. 3) Scott County held a public hearing on the transfer of these two parcels and determined it to be in the public interest. 4) The Board hereby approves the transfer of deeds to these two parcels to the City of Princeton and the Chairman is authorized to sign the deeds. 5) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) That the bids for the Jail flooring replacement project are hereby approved and awarded to Paragon Commercial Interiors Inc. in the amount of \$28,506.17. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) That said Board of Supervisors does hereby recognize the retirement of Cindy Henning and conveys its appreciation for 14 years of faithful service to Scott County. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) That said Board of Supervisors does hereby recognize the retirement of Calvin Kelso and conveys its appreciation for 30 years of faithful service to Scott County. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) That said Board of Supervisors does hereby recognize the retirement of Tammy Burns and conveys its appreciation for 29 years of faithful service to Scott County. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) That said Board of Supervisors does hereby recognize the retirement of Barb McCollom and conveys its appreciation for 33 years of faithful service to Scott County. 2) This resolution shall take effect immediately.

Maxwell commented that we appreciate all four of the employees' years of service, we are fortunate for their service and that Scott County is a better place because of them.

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

BE IT RESOLVED: 1) That the table of organization for the Health Department be increased by 0.8 FTE to allow for the addition of a 0.8 FTE grant covered for the new position of Maternal, Child & Adolescent Health Nurse (total 0.8 FTE). The position shall be placed at a salary range 27. 2) It is understood that if grant funding is not available this position will be eliminated. 3) This resolution shall take effect immediately.

Moved by Maxwell, seconded by Beck that the following resolution opposing Senate Study Bill 1045 and Senate File 184 passed by the Senate Committee on Transportation be approved. All Ayes.

Croken said he will certainly support this resolution. He also suggested that each Supervisor call every member of the Scott County delegation about this issue. He said that this is a threat to public safety that the County is not equipped to respond to and that more aggressive action is appropriate.

Beck said there will be a legislative forum Saturday at Central High School where this could be addressed in person.

Maxwell said he already talked to many of the legislators that represent the County about the Supervisors' intent.

BE IT RESOLVED: 1) That the Board of Supervisors strongly urges all Iowa lawmakers to vote in opposition to this legislation. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) A public hearing date on an amendment to the County's current FY19 Budget is set for Thursday, May 16, 2019 at 5:00 p.m. 2) The County Auditor is hereby directed to publish notice of said amendment as required by law. 3) This resolution shall take effect immediately.

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

Croken said as a note of clarification to the wording "resolution relating," this is a declaration of intent to bond and that needs to be clear in the minutes.

BE IT RESOLVED: 1) Recitals. The Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the "Regulations") dealing with the issuance of bonds, all or a portion of the proceeds of which are to be used to reimburse the County for project expenditures made by the County and blended component unit Scott Emergency Communication Center ("SECC") prior to the date of issuance. The Regulations generally require that Scott County, as issuer of the bonds, and SECC, make a prior declaration of its official intent to issue the bonds for the projects in order for County to be able to reimburse itself for such prior expenditures out of the proceeds of the subsequently issued bonds and that the bonds be issued and the reimbursement allocation be made from the proceeds of such bonds within a certain period after the payment of the expenditure or the date the project is placed in service; and The County desires to comply with requirements of the Regulations with respect to certain projects hereinafter identified to be financed for SECC. 2) Official Intent Declaration. The County proposes to undertake the projects listed on Exhibit A hereto and to make original expenditures with respect thereto prior to the issuance of bonds, notes or other obligations (the "Bonds") and Scott County reasonably expects to issue the Bonds for such projects in the maximum principal amounts shown on Exhibit A. Other than (i) expenditures to be paid or reimbursed from sources other than the Bonds or (ii) expenditures made not earlier than sixty days prior to the date of this Resolution or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the projects have heretofore been made by the County or SECC for which the County or SECC will seek reimbursement from proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations. 3) Budgetary Matters. As of the date hereof, there are no County funds reserved, allocated on a long term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long term basis or otherwise set aside) to provide permanent financing for the expenditures related to the projects, other than pursuant to the issuance of the Bonds. This resolution, therefore, is determined to be consistent with the County's budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof, all within the meaning and content of the Regulations. 4) Reimbursement Allocations. The Director of Budget and Administrative Services shall be responsible for making the "reimbursement allocations" described in the Regulations by directing the Treasurer, being generally the transfer of the appropriate amount of proceeds of the Bonds to reimburse the source of temporary financing used by SECC to make payment of the prior costs of the projects. Each allocation shall be evidenced by an entry on the official books and records of SECC maintained for the Bonds proceeds, shall specifically identify the actual prior expenditure being reimbursed or, in the case of reimbursement of a fund or account, the fund or account from which the expenditure was paid, and shall be effective to relieve

the proceeds of the Bonds from any restriction under the bond resolution or other relevant legal documents for the Bonds, and under any applicable state statute, which would apply to the unspent proceeds of the Bonds. 5) Recognition of SECC Resolution. The County recognizes SECC passed a confirming resolution of recitals, intent and budgetary matters at the February 21, 2019 board meeting. 6) Repealer. All resolutions, parts of resolutions, or actions of the Board in conflict herewith are hereby repealed, to the extent of such conflict.

EXHIBIT A Description of Projects; Acquiring, constructing, improving and equipping a global radio system for multiple jurisdictions, including without limitation radio equipment, towers, antennas, transmission lines, DC power plant, alarm systems and other equipment and infrastructure necessary for the system. Maximum Amount of Bonds Expected to Be Issued for Projects; \$10,000,000.

Moved by Maxwell, 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 297227 through 297476 as submitted and prepared for payment by the County Auditor, in the total amount of \$858,343.43. 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 \$132,408.62. 3) This resolution shall take effect immediately.

Under other items of interest, Knobbe reported that he has asked staff for their help in lining up some visits with some of the authorized agencies. He also said he has asked each Supervisor to spend some time getting to know and visiting various departments within the County.

David Farmer updated the Board on FY19 revenues as of March 15, 2019. He said the form was changed to reflect the FY19 amended budget. He said that the Gaming Revenue estimate went from \$670,000 to \$680,000. He said Recorder Revenue is \$70,000 below estimate. He said the Road Use Tax was flat, with the estimate increasing by about \$5,000. He said the Local Option Sales Tax estimate was rolled back from \$4,750,000 down to \$4,700,000 and even though it is off by \$19,000, that it is better than the \$4,400,000 in FY18. He said County Interest Income to the General Funds was rolled down from \$700,000 to \$550,000 to reflect that interest income that is allocated across different funds, including the Secondary Roads, the Capital and Debt Services. He said overall interest income is almost \$600,000 more than in FY18. He said Building Permits are off by about \$12,000 but will hopefully pick up in March due to the spring building season. He said Sheriff Revenue for services is up to about \$1.164 million. He also highlighted that Attorney Fine Collection stayed at \$400,000, and said a contract clause allows for payment of a higher percentage on fine collection in the last six months based on the previous six months collection, and once it reaches a certain plateau in collections the County will start to retain more money overall. He also pointed to a summary of over/under budget year-to-date dollars in the General Fund, Capital Fund and Secondary Roads Fund.



Croken asked who manages the County investments.

Farmer said the Treasurer has that responsibility and the financial management supervisor in the Treasurer's office works with our local bank plus a couple of other banks to manage the investments. He said they have done some investing recently to maximize the cash on hand for overnight daily market rates and that the primary bank is Wells Fargo but they are always evaluating investment partners. He also said that the primary responsibility of the Treasurer is the safety of the investment.

Farmer said that the February average daily jail population was 299 which was down 6.67 from January.

Croken said that, from the 7<sup>th</sup> Judicial District, the reimbursement from the time of the government shutdown has arrived.

Knobbe said the Quad Cities was not in the cut in the USDA selection process of looking for a home for two of their divisions. He said this was a coordinated effort of all of the communities, the Chamber of Commerce and the Roosevelt Group consultants. He said they were successful in getting legislation enacted that says the government shall not rent space if there is existing space, like at the Arsenal, and that now they are talking to the delegation to say that applies to all federal entities, not just the military.

Maxwell thanked Knobbe for his efforts.

Beck said that the Mental Health Board recently met and updated the Board on the work being done.

Kinzer said he is reaching out to the Health and Secondary Roads departments for their hazard mitigation plans on behalf of the Lower Cedar Watershed Board.

Moved by Beck, seconded by Maxwell at 5:41 p.m. a motion to adjourn. All Ayes.

---

Tony Knobbe, Chairman of the Board  
Scott County Board of Supervisors

---

ATTEST: Roxanna Moritz  
Scott County Auditor