TENTATIVE AGENDA SCOTT COUNTY BOARD OF SUPERVISORS January 27 - 31, 2014

Tuesday, January 28, 2014

Committee of the Whole - 8:00 am Board Room, 1st Floor, Administrative Center					
	1.	Roll Call: Hancock, Minard, Sunderbruch, Cusack, Earnhardt			
Facilities	8 &	Economic Development			
	2.	Authorization for County Engineer to make necessary road closures. (Item 2)			
	3.	Policy for Purchase of Right of Way 2014. (Item 3)			
	4.	Discussion of the Final Plat of Lots 1 & 2 of Buena Vista Addition, a two lot residential subdivision, located at 25200 and 25250 Valley Drive and legally described as a replat of Lot 1 and Part of Lot 2 of Sheppard's Addition in part of NW¼ SW¼ of Section 8, Pleasant Valley Township. (Item 4)			
Human F	Res	ources			
	5.	Staff appointments. (Item 5)			
	6.	Discussion of strategy of upcoming labor negotiations with the County's organized employees pursuant to Iowa Code Section 20.17(3) CLOSED SESSION			
Finance	& Ir	ntergovernmental			
	7.	Setting of a public hearing for February 13, 2014 at 5:00 p.m. for an amendment to the County's current FY14 Budget. (Item 7)			
	8.	Authorizing the filing and publication of the budget estimate for FY15 and setting a public hearing for February 13, 2014 at 5:00 p.m. (Item 8)			
	9.	Beer/liquor licenses for Kwik Shop #589 Eldridge, and Mt. Joy Amoco, Davenport and cigarette/tobacco permit for Express Lane Gas & Food Mart of Pleasant Valley.			
Other Items of Interest					
	10.	Appointments to the Condemnation Appraisal Jury. (Item 10)			

11. Recognition of Kent Paustian's years of service on the Planning and Zoning Commission. (Item 11)

Thursday, January 30, 2014

Regular Board Meeting - 5:00 pm Board Room, 1st Floor, Administrative Center

SCOTT COUNTY ENGINEER'S OFFICE

500 West Fourth Street Davenport, Iowa 52801-1106

(563) 326-8640 FAX – (563) 326-8257 E-MAIL - engineer@scottcountyiowa.com WEB SITE - www.scottcountyiowa.com



JON R. BURGSTRUM, P.E. County Engineer

ANGELA K. KERSTEN, P.E. Assistant County Engineer

BECKY WILKISON Administrative Assistant

MEMO

TO: Dee F. Bruemmer

County Administrator

FROM: Jon Burgstrum

County Engineer

SUBJ: Resolution Authorizing Engineer to Make Necessary Road Closures

DATE: January 30, 2014

Resolution authorizing the County Engineer to make necessary road closures in 2014 due to approved construction or maintenance projects on county roads and also any emergency closures as deemed necessary. Other road closures during the 2014 year for activities such as the Quad City Air Show and other community sponsored events will be handled by a separate resolution and are not included in this resolution

THE COUNTY AUDITOR'S SIGNATURE CERT	TIFIES THAT				
THIS RESOLUTION HAS BEEN FORMALLY APPROVED BY					
THE BOARD OF SUPERVISORS ON					
	DATE				
SCOTT COUNTY AUDITOR	•				

RESOLUTION

SCOTT COUNTY BOARD OF SUPERVISORS

January 30, 2014

AUTHORIZATION FOR COUNTY ENGINEER TO MAKE NECESSARY ROAD CLOSURES.

<u>WHEREAS</u>, the Code of Iowa, Section 306.41, provides for the temporary closure of County Secondary Roads for various reasons and purposes.

BE IT RESOLVED by the Scott County Board of Supervisors as follows:

SECTION 1 That the County Engineer be authorized to close Scott County Secondary Roads during the 2014 calendar year, as necessary, with the actual dates and times of closure to be determined by the County Engineer as follows:

For Construction: Any project as described in the approved "Scott County Secondary Roads Construction and Farm-to-Market Construction Program" and any supplements thereto.

For Maintenance: Any maintenance project or activity requiring the road to be closed.

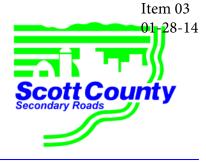
For any emergency road closure of any route as deemed necessary by the County Engineer.

SECTION 2 This resolution shall take effect immediately.

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ANGELA K. KERSTEN, P. E. Assistant County Engineer

BECKY WILKISON Administrative Assistant

JON R. BURGSTRUM, P.E. County Engineer

MEMO

TO: Dee F. Bruemmer

County Administrator

FROM: Jon Burgstrum

County Engineer

SUBJ: Resolution Approving Policy for Purchase of Right of Way 2014

DATE: January 30, 2014

The County Assessor has provided a list of land purchases over the past year and we have determined a multiplier to determine the price of land when right-of-way is purchased by the County. With land prices rapidly increasing this factor is becoming quite significant; accordingly it is important that appropriate prices are being paid.

The factor in 2013 for land by easement or deed was 4.93 times the assessed valuation per acre. The 2014 factor will be 4.94 times the assessed valuation per acre.

THE COUNTY AUDITOR'S SIGNATURE CERTIFIES THAT THIS RESOLUTION HAS BEEN FORMALLY APPROVED BY						
THE BOARD OF SUPERVISORS ON	DATE.					
	DATE					
SCOTT COUNTY AUDITOR						

RESOLUTION

SCOTT COUNTY BOARD OF SUPERVISORS

Policy for Purchase of Right of Way for 2014

January 30, 2014

WHEREAS: The uniform treatment of landowners in right-of-way is of paramount importance, and

WHEREAS: Assurance must be given to the Iowa Department of Transportation that Scott County is in compliance with the provisions of the 1970 Uniform Relocation Assistance and Land Acquisition Policies Act,

NOW, THEREFORE BE IT RESOLVED by the Scott County Board of Supervisors on this thirtieth day of January, 2014, that the Scott County Engineer is authorized to purchase the necessary right-of-way for construction and maintenance during the calendar year 2014, using the values computed in accord with the following schedule of allowances:

SCHEDULE I - AGRICULTURAL LAND:

For land by easement or deed: 4.94 times the assessed valuation per acre as it currently exists at the time an offer is made.

SECTION II - RESIDENTIAL, COMMERCIAL OR INDUSTRIAL LAND:

For land by easement or deed, where such land is classified by the assessor as residential, commercial or industrial for zoning

purposes - generally the appraisal method will be used.

SECTION III - FEDERALLY FUNDED PROJECTS, FARM-TO-MARKET FUNDED PROJECTS, AND SPECIAL PURCHASES - APPRAISAL METHOD:

This section will only be utilized when the following conditions are determined to exist:

- 1. Where any buildings or special improvements or appurtenances exist on the parcel being taken.
- 2. Where there are definable damages to the remaining property.
- 3. Where federal funds or farm-to-market funds are involved requiring the complete appraisal method.
- 4. Where the parcel being taken is not representative of the total piece.
- 5. For properties as noted under Section II.

The County Engineer will seek two or more quotes for the service of an appraiser for the review by the Board of Supervisors prior to employment of an appraiser. The appraisal document will serve as the basis for purchase of the parcel.

SECTION IV - BORROW:

For land disturbed by reason of borrow or backslope: The value shall be based on the price per cubic yard of material taken - (\$0.30/cu.yd.). Agreement will also be made for the restoration of the area disturbed for borrow or backslope, either by removing and replacing 8 inches of top soil or by other appropriate measures, in accordance with Section 314.12, 1995 Code of Iowa. Compensation for crop loss or other land use loss in borrow or backslope areas will be determined based on the rental value for

similar land in the area. If crops have been planted, payment will be made to cover tillage cost, seed cost and fertilizer cost based on the pro-rated actual cost incurred. If the crop is harvested before the area is disturbed there will be no compensation for crop loss.

SECTION V - WATER LINES:

For existing privately owned water lines crossing the roadway:

The total cost of any alterations required on the line within the new or existing right-of-way will be at the expense of the County.

SECTION VI - FENCES:

For the relocation of functional fences made necessary by the reconstruction of an existing roadway, a new fence will be allowed for all of the same type as the existing right-of-way fence. Allowances are \$25.00 per rod for woven wire, \$16.00 per rod for barbed wire. If no fence exists, no fence payment will be allowed. The length for payment will be the footage required to fence the new right-of-way. For relocating cross fences to the new right-of-way, the length of fence required to be moved shall be compensated at the rate for the same type of right-ofway fence above. For angle points introduced into the fence line by the design of the roadway, an allowance of \$166.00 for a twopost panel and \$260.00 for a three-post panel will be made. NOTE: All salvage from the existing fence shall become the property of the property owner. Payment for fencing will be withheld until all existing fence has been removed and cleared

from the right-of-way. If the fence or any part thereof is not removed at the time of construction, it will be removed by Scott County or its contractor and a penalty of \$3.00 per rod assessed and deducted from the fence payment. For the removal of non-functional fences made necessary for the reconstruction of an existing roadway, the County will compensate the owner for his labor and equipment at the following rates:

Woven Wire - \$10.00 per rod

Barbed Wire - \$ 8.00 per rod

NOTE: All salvage from existing fence shall become the property of the owner. Payment for removal of non-functional fences will be withheld until all existing fences has been removed and cleared from the right-of-way. If fence or any part thereof is not removed at time of construction, it will be removed by Scott County or its contractor and the owner will forfeit any payment tendered for the fence.

DEFINITIONS:

<u>Functional:</u> In good state of repair and capable of containing livestock for which the fence was constructed.

<u>Non-functional:</u> In disrepair and incapable of containing the livestock for which the fence was constructed. Compensation for relocating fences of a type other than those described shall be negotiated.

SECTION VII - TREES AND SHRUBS:

For trees and ornamental shrubs which must be removed from the residence areas: compensation will be made on basis of appraisal

by an arborist or by negotiation.

SECTION VIII - INCIDENTAL EXPENSES:

A lump sum of \$50.00 which shall compensate the owner for any out-of-pocket expense incurred as a result of this transaction; i.e., abstracting fees, postage, telephone, etc.

SECTION IX - EASEMENT PRIORITY AGREEMENTS:

Scott County will pay all costs assessed by mortgage holders in executing "Easement Priority Agreements" for the easements obtained under the terms of this policy.

SECTION X:

PASSED AND APPROVED this thirtieth day of January, 2014, by the Scott County Board of Supervisors.

SECTION XI: This resolution shall take effect immediately.

PLANNING & DEVELOPMENT

500 West Fourth Street Davenport, Iowa 52801-1106

Office: (563) 326-8643 Fax: (563) 326-8257

Email: planning@scottcountyiowa.com



Timothy Huey Director

To: Dee F. Bruemmer, County Administrator

From: Brian McDonough, Planning & Development Specialist

Date: January 21, 2014

Re: Presentation of the Planning and Zoning Commission's recommendation regarding

the Final Plat of Buena Vista Addition, a minor subdivision plat located in the NW¹/₄ SW¹/₄ of Section 8 in Pleasant Valley Township, Lot 1 and Part of Lot 2 of

Sheppard's Addition.

At their January 7, 2014 meeting, the Scott County Planning and Zoning Commission voted unanimously (6-0) to recommend approval of the Final Plat of Buena Vista Addition in accordance with staff's recommendation and conditions of approval. The applicant, Craig Windmiller, was the only member of the public present at the meeting, and did not address the Commission.

Staff recommended approval of the Final Plat due to its compliance with the Scott County Zoning Ordinance and Subdivision Ordinance. Staff recommended approval subject to the condition that the City of Bettendorf approve and sign the Final Plat prior to approval by the Board of Supervisors. The staff report also contained a second condition stating that a private covenant be created and recorded addressing the maintenance of the shared access driveway. A copy of this covenant was provided to staff immediately prior to the beginning of the Planning Commission meeting on January 7th, and therefore the Commission waived this condition.

Approval of this Final Plat allows for the finished construction of two (2) attached single-family dwelling units. The sketch plan for this development was unanimously approved by the Planning Commission last May. Several surrounding property owners attended the May meeting and spoke in opposition to the request. Sketch plan and final plat approval occurred separately for surveying purposes. Approval of this request allows each dwelling unit to be located on a separate lot, for transfer of ownership purposes.



PLANNING & ZONING COMMISSION STAFF REPORT



January 7, 2014

Applicant: Windmiller Design and Development

Request: Final Plat Review – Minor Subdivision (Buena Vista Addition)

Legal Description: Pt NW¹/₄ SW¹/₄ of Section 8, Pleasant Valley Township, Lot 1 and Part of

Lot 2 of Sheppard's Addition. Final Plat approval will create new Lots 1

and 2 of Buena Vista Addition.

General Location: 25200 and 25250 Valley Drive

Existing Zoning: Single-Family Residential (R-1)

Surrounding Zoning:

North: Single-Family Residential (R-1)
South: Single-Family Residential (R-1)
East: Single-Family Residential (R-1)
West: Single-Family Residential (R-1)

GENERAL COMMENTS: This is a request for recommendation on Final Plat approval of a minor subdivision. Approval would allow two (2) zero lot line attached single-family dwellings to be located on separate lots. The Sketch Plan for this proposed subdivision was reviewed and recommended for approval by the Commission this past May with the following conditions:

- 1. The City of Bettendorf also review and approve the Final Plat prior to Final Plat approval by the Board of Supervisors;
- 2. The private covenants include provision for maintenance of the shared access driveway;
- 3. The Health Department review and approve the well and onsite waste water treatment system for the dwellings;
- 4. The County Engineer review and approve all drainage and erosion control plans prior to construction;
- 5. All required platting documents be submitted prior to Final Plat approval by the Board of Supervisors.

The property is a 1.87 acre parcel, including road right-of-way, and is being subdivided into two (2) lots to allow for separate ownership of each attached single-family dwelling unit. The new Lot 1 will contain approximately 0.85 acres, and the new Lot 2 approximately 0.83 acres, excluding road right-of-way. The Sketch Plan and Final Plat approval were submitted separately for surveying purposes. Construction began after Sketch Plan approval, and property pins have been set based upon the newly constructed common wall between the two units.



PLANNING & ZONING COMMISSION STAFF REPORT



January 7, 2014

STAFF REVIEW: Staff has reviewed the Final Plat for compliance with the subdivision and zoning ordinances. The subdivision regulations allow a plat to be reviewed as minor if it creates less than five (5) lots and does not involve the extension of any new streets. This plat would comply with those requirements, since both proposed lots have frontage and access onto an existing street. All lot size requirements and setback distances have been met. The Final Plat is identical to the previously approved Sketch Plan in terms of measurements and dimensions. The Final Plat correctly shows the Valley Drive right-of-way adjacent to the property as well as a fifteen (15) foot utility easement and signature blocks for utility companies approval.

Under the International Residential Code, each of the proposed dwelling units is considered a separate building because they are each attached to the ground and have a minimum of two sides open to the outside. The units will meet fire separation requirements, in this case amounting to each building having a one-hour fire rated wall on the side where the buildings meet, with a one-inch air gap between the two walls. It is staff's determination that this proposal is a permitted use in the R-1 zoning district because the units are considered separate, single-family dwellings. The zoning ordinance does not require that single-family dwellings be detached in an R-1 zoning district. Furthermore, the Ordinance does not require that each dwelling unit in an R-1 district be located on a separate lot, but only that the maximum allowed density not be exceeded (either one dwelling unit per 0.69 acres or three dwelling units per acre, via special site plan). In this case, both dwellings would be allowed on the same 1.87 acre parcel, but separate lots will allow for individual transfer of ownership.

Each unit has obtained a separate building permit, and passed rough-in inspections, with a final inspection and certificate of occupancy to following in the coming months. Each unit has an attached three-car garage, with one being a side-loaded garage. Both units will be served by a shared, looped driveway connecting to Valley Drive. The original site plan indicated two turnaround areas which will prevent cars from having to back out onto Valley Drive. Each unit is single-story with a walkout lower level.

Both the Scott County Health Department and the Scott County Engineer were notified for review and comment on the Sketch Plan last May. Since then the Health Department has approved the installation of separate sand filter wastewater treatment systems for each unit.

Verbeke-Meyer Engineering and Surveying has obtained the signatures of all utility companies on the plat, and is awaiting Final Plat approval from the Bettendorf City Council at their January 7, 2014 meeting before obtaining the City's signature on the plat. At that point, the Final Plat will be delivered to Scott County for final signature and recording. Copies of all platting documents have been received.



PLANNING & ZONING COMMISSION STAFF REPORT



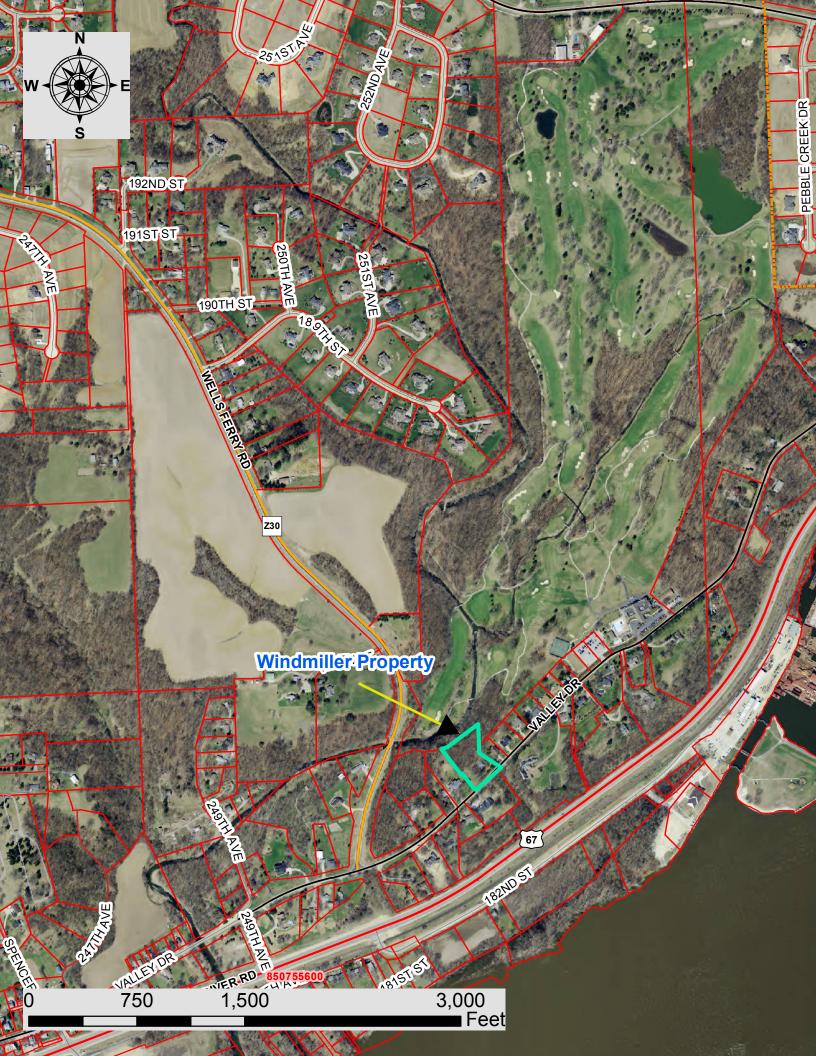
January 7, 2014

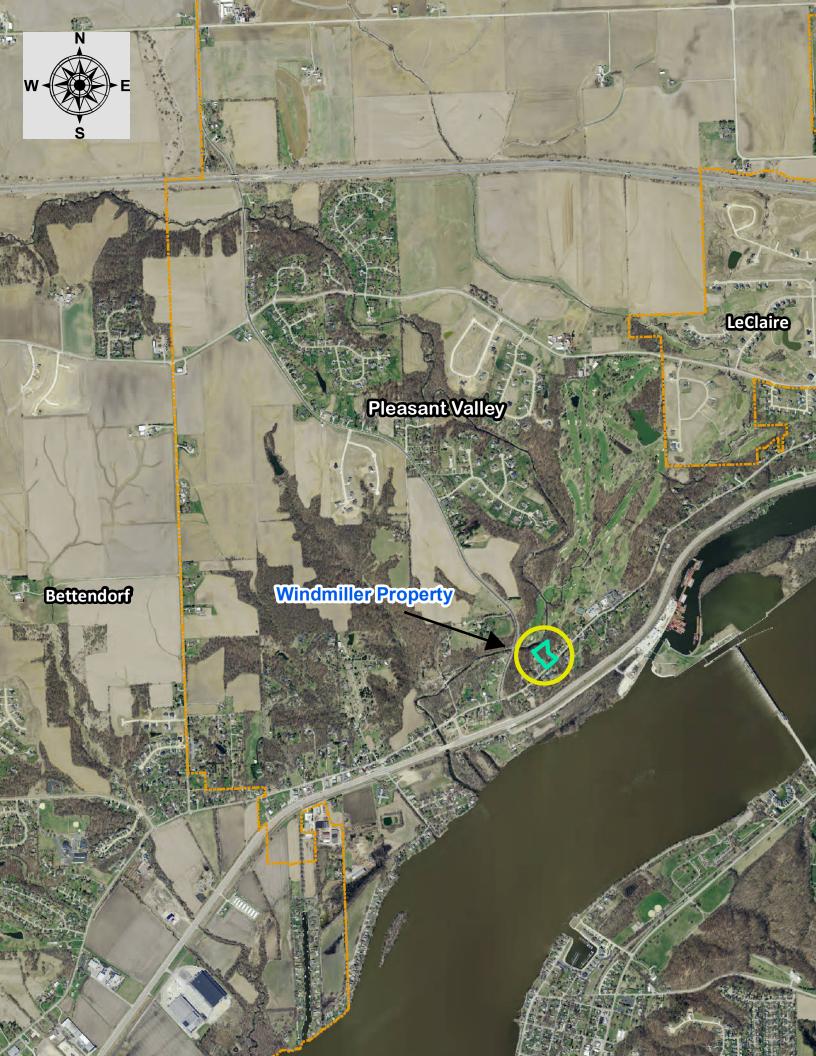
Staff notified neighboring property owners within five hundred feet (500') of the Sketch Plan request back in May. At that meeting, (May 7, 2013) several property owners voiced their concerns and staff received letters objecting to the request.

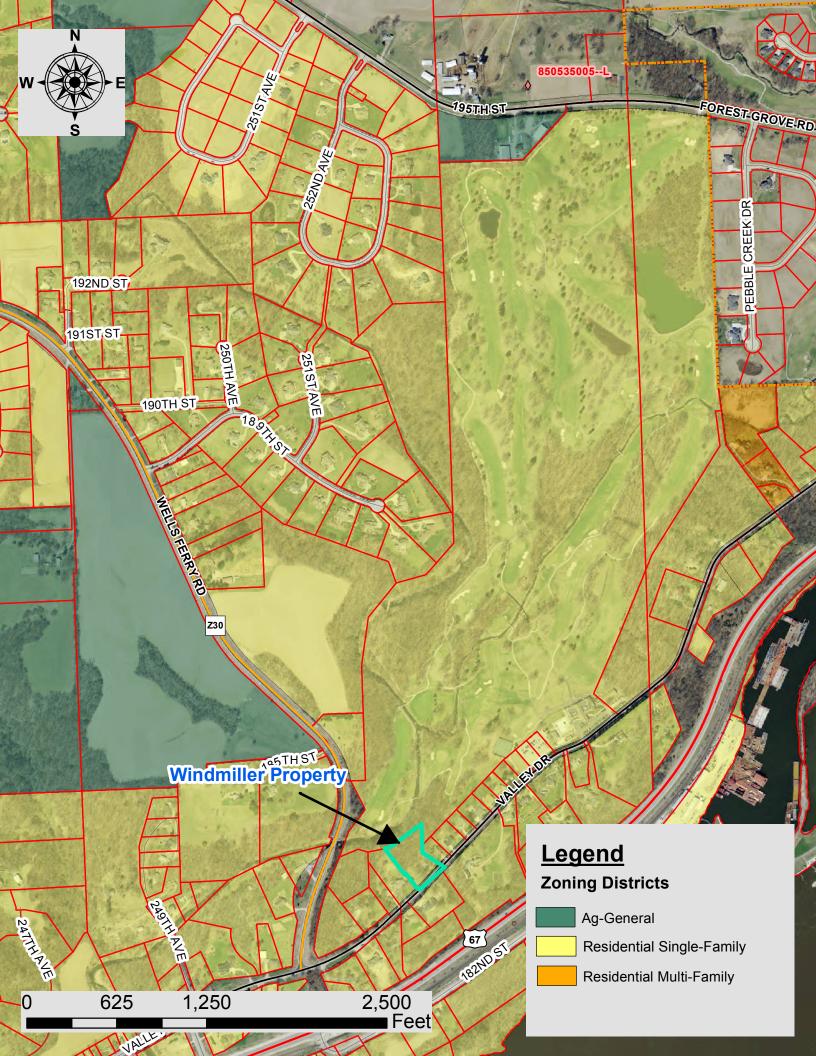
RECOMMENDATION: Staff recommends that the Final Plat of Buena Vista Addition be approved with the following two (2) conditions:

- 1. The City of Bettendorf approve and sign the Final Plat prior to approval by the Board of Supervisors; and
- 2. A private covenant shall be created and recorded addressing the maintenance of the shared access driveway.

Submitted by: Brian McDonough December 31, 2013







CERTIFICATE OF APPROVAL BY SCOTT COUNTY

I, Larry Minard, Chairman of the Scott County Board of Supervisors, do hereby certify that said Board adopted a Resolution on January 30, 2014 in which it approved the Final Plat of **Buena Vista Addition** as follows:

BE IT RESOLVED by the Scott County Board of Supervisors as follows:

Section 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 30th day of January, 2014, considered the final plat known as **Buena Vista Addition**. Said plat is a subdivision being part of the west half of fractional Section 8 in Township 78 North, Range 5 East of the 5th Principal Meridian (Pleasant Valley Township), and being a replat of part of Lots 1 & 2 of W.J. Sheppard's Subdivision, Scott County, Iowa. The Scott County Board of Supervisors, having found said plat to be in substantial compliance with the provisions of Chapter 354, <u>Code of Iowa</u> and the Scott County Subdivision Ordinance, does hereby approve the final plat **Buena Vista Addition**.

Section 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.

Section 3. This Resolution shall take effect immediately.

Signed this 30th day of January, 2014

SCOTT COUNTY, IOWA

BY:	
Larry Minard, Chairman	
ATTESTED BY:	
Roxanna Moritz, Auditor	

THE COUNTY AUDITOR'S SIGNATURE CERTIFIES THAT THIS RESOLUTION HAS BEEN FORMALLY APPROVED BY THE BOARD OF SUPERVISORS ON								
	DATE							
SCOTT COUNTY AUDITOR	-							

R E S O L U T I O N SCOTT COUNTY BOARD OF SUPERVISORS January 30, 2014

APPROVING FINAL PLAT OF BUENA VISTA ADDITION

BE IT RESOLVED by the Scott County Board of Supervisors as follows:

- **Section 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 30th day of January 2014, considered the final plat known as **Buena Vista Addition**. Said plat is a subdivision being part of the west half of fractional Section 8 in Township 78 North, Range 5 East of the 5th Principal Meridian (Pleasant Valley Township), and being a replat of part of Lots 1 & 2 of W.J. Sheppard's Subdivision, Scott County, Iowa. The Scott County Board of Supervisors, having found said plat to be in substantial compliance with the provisions of Chapter 354, Code of Iowa and the Scott County Subdivision Ordinance, does hereby approve the final plat of **Buena Vista Addition**.
- **Section 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.
- **Section 3**. This Resolution shall take effect immediately.

DATE

SCOTT COUNTY AUDITOR

RESOLUTION

SCOTT COUNTY BOARD OF SUPERVISORS

January 30, 2014

APPROVAL OF STAFF APPOINTMENTS

BE IT RESOLVED BY the Scott County Board of Supervisors as follows:

Section 1. The hiring of Gregory Reckman for the position of part-time Detention Youth Counselor at the entry level rate.

DATE

SCOTT COUNTY AUDITOR

RESOLUTION

SCOTT COUNTY BOARD OF SUPERVISORS

January 30, 2014

APPROVING THE SETTING OF A PUBLIC HEARING ON AN AMENDMENT TO THE COUNTY'S CURRENT FY14 BUDGET

BE IT RESOLVED BY the Scott County Board of Supervisors as follows:

Section 1. A public hearing date on an amendment to the County's current FY14 Budget is set for Thursday, February 13, 2014 at 5:00 p.m.

Section 2. The County Auditor is hereby directed to publish notice of said amendment as required by law.

Section 3. This resolution shall take effect immediately.

DATE

SCOTT COUNTY AUDITOR

RESOLUTION

SCOTT COUNTY BOARD OF SUPERVISORS

January 30, 2014

AUTHORIZING THE FILING AND PUBLICATION OF THE BUDGET ESTIMATE FOR FY15 AND SETTING A PUBLIC HEARING

BE IT RESOLVED BY the Scott County Board of Supervisors as follows:

Section 1. All County departmental FY15 budget requests and all authorized agency FY15 funding requests are hereby authorized for filing and publication as the budget estimate for FY15.

Section 2. The Board of Supervisors hereby fixes the time and place for a public hearing on said budget estimate for Thursday, February 13, 2014 at 5:00 p.m. in the Board Room at the Scott County Administrative Center.

Section 3. The Scott County Auditor is hereby directed to publish the notice and estimate summary as required by law.

Section 4. This resolution shall take effect immediately.

DATE

RESOLUTION

SCOTT COUNTY AUDITOR

SCOTT COUNTY BOARD OF SUPERVISORS

January 30, 2014

APPROVING APPOINTMENTS TO THE CONDEMNATION APPRAISAL JURY

BE IT RESOLVED BY the Scott County Board of Supervisors as follows:

Section 1. That the following appointments to the Scott County Condemnation Appraisal Jury for a one (1) year term expiring on December 31, 2014, are hereby approved:

	BANKERS	CITY	FARMERS	REAL ESTATE
EARNHARDT:	Susan Zude	Kenny Guy	Kenneth Tank	Lesa Buck
	Trish Townsend	Marge Stratton	Richard Golinghorst	Jeff Heuer
HANCOCK:	David Nauman	Greg Kautz	John Maxwell	Jacqueline Schwanz
	Peter McAndrews	Jackie McManus	Matt Tobin	Meg Halligan
CUSACK:	Tom Messer	Sandra Frericks	Mary Frick	Lana Wulf
	Kristal Schaefer	Jackie Wilcox	Jerry Mohr	Thad Denhartog
MINARD:	Joe Slavens	Mark Ross	Keith Steward	Lynsey Engels
	Julie Smith	Don Judge	Jennifer Ewoldt	Mary Dircks
SUNDERBRUCH:	Victor J. Quinn	Oscar Hawley	Joni Dittmer	Rick Schaefer
	Susan Daley	Ben Niedert	Carrie Keppy	Natalie Glynn

Section 2. This resolution shall take effect immediately.

DATE

SCOTT COUNTY AUDITOR

RESOLUTION

SCOTT COUNTY BOARD OF SUPERVISORS

January 30, 2014

RECOGNITION OF KENT PAUSTIAN'S 25 YEARS OF SERVICE ON THE PLANNING AND ZONING COMMISSION

WHEREAS, Kent Paustian has served on the Scott County Planning and Zoning Commission since 1989;

WHEREAS, he has served on the Planning and Zoning Commission as a dedicated volunteer without compensation;

WHEREAS, Kent served as Chairman three times in his tenure, 1991, 1992, and 2013;

WHEREAS, he has been fair and open minded in his review and determination on rezonings, amendments and subdivision developments that have come before the Commission for its determination, when often times decisions can be difficult and controversial to determine;

WHEREAS, the Planning and Zoning Commission also plays an integral role in the updates and reviews of the 1980 Development Plan, and more recently the Comprehensive Plan;

BE IT RESOLVED BY the Scott County Board of Supervisors as follows:

Section 1. That the Board of Supervisors wants to offer their sincere appreciation to Kent Paustian for his many years of dedicated service to Scott County;

Section 2. That the Board of Supervisors extends their best wishes to Kent Paustian and wishes him well in future endeavors;

Section 3. This resolution shall take effect immediately.