

**TENTATIVE AGENDA**  
**SCOTT COUNTY BOARD OF SUPERVISORS**  
**January 4 - 8, 2021**

**Monday, January 4, 2021**

**Organizational Meeting - 8:00 am WEBEX/VIRTUAL ONLY**

See agenda for call in information

**Tuesday, January 5, 2021**

**Committee of the Whole - 8:00 am WEBEX/VIRTUAL MEETING ONLY**

The public may join this meeting by phone/computer/app by using the information below. Contact 563-326-8702 with any questions.

**CALL IN INFORMATION 1-408-418-9388**  
**ACCESS CODE: 146 678 5447 PASS CODE: 1234**

OR you may join via Webex. Go to [www.webex.com](http://www.webex.com) and JOIN meeting. ACCESS CODE: 146 678 5447 PASS CODE: 1234

See the Webex Instructions in packet for a direct link to the meeting.

\_\_\_\_\_ 1. Roll Call: Beck, Croken, Kinzer, Knobbe, Maxwell

\_\_\_\_\_ 2. Public Comment.

**Facilities & Economic Development**

\_\_\_\_\_ 3. Discussion of Public Hearing and presentation of Planning and Zoning Commission's recommendation on and ordinance amendment to adopt new Flood Insurance Rates Maps in accordance with the National Flood Insurance Program and amend certain provisions and sections of Scott County Code Chapter 6, Zoning For Unincorporated Areas related to floodplain regulations. (Item 3)

\_\_\_\_\_ 4. Second and final reading of an ordinance rezoning 35 acres, more or less, from "Agricultural-General (A-G)" to "Single Family-Residential (R-1)" located at 14150 110th Avenue and legally described as part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$  and SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 35 in Blue Grass Township. (Item 4)

**Human Resources**

\_\_\_\_\_ 5. Updates to General Policy 34 "Technology Use". (Item 5)

\_\_\_\_\_ 6. Staff appointments. (Item 6)

**Other Items of Interest**

\_\_\_\_\_ 7. Recognizing January as Slavery and Human Trafficking Prevention Month. (Item 7)

\_\_\_\_\_ 8. Adjourned.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_  
Ayes  
Nays

**Thursday, January 7, 2021**

**Regular Board Meeting - 5:00 pm  
WEBEX/VIRTUAL MEETING ONLY**

The public may join this meeting by phone/computer/app by using the information below. Contact 563-326-8702 with any questions.

**CALL IN INFORMATION 1-408-418-9388  
ACCESS CODE: 146 857 8631 PASS CODE: 1234**

OR you may join via Webex. Go to [www.webex.com](http://www.webex.com) and JOIN meeting. ACCESS CODE: 146 857 8631 PASS CODE: 1234  
See the Webex Instructions in packet for a direct link to the meeting.

**Public Hearing**

- \_\_\_\_\_ 1. Public Hearing related to Planning and Zoning Commission's recommendation on and ordinance amendment to adopt new Flood Insurance Rates Maps in accordance with the National Flood Insurance Program and amend certain provisions and sections of Scott County Code Chapter 6, Zoning For Unincorporated Areas related to floodplain regulations.

## Instructions for *Unmuting Phone Line* during Board Meeting teleconference

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To gain the moderator's attention, **press \*3 from your phone OR the raise hand** icon on computer or mobile device. Phone lines will be placed on mute during the meeting. Participants may unmute their line using the mute icon or \*6 on their phone after being recognized by the Chair.

### Connect via Computer or application:

Host: [www.webex.com](http://www.webex.com) Meeting number: **146 678 5447** Password: **1234**

Link to meeting (click): [Scott County Board of Supervisors Committee of the Whole 01-05-21 8:00 AM](#)

Full Link:

<https://scottcountyiowa.webex.com/scottcountyiowa/onstage/g.php?MTID=e7295bbb34aaec7fd523c7791f5bc3d45>

### Connect via telephone:

**1-408-418-9388** Meeting number: **146 678 5447** Password: **1234**


#### Telephone / Cell Phones Connections:

Telephones lines will be placed on mute during the meeting. Participants may "raise their hand" by using \*3 to gain attention of the host.

When called upon for comments by the Board,



1. The host will then unmute the participant's line at the appropriate time.
2. A user must have his or her own device unmuted.
3. The user may then unmute his or her conference line by keying \* 6
4. After conversation, please lower your hand. (\*3 again)

#### Computer / Application Connections:


If connected via web application or computer, the user should look for the  **Raise Hand** raise hand symbol and click to appear raised so the host may acknowledge you.

1. The host will then unmute the participant's line at the appropriate time.
2. A user must have his or her own device unmuted.
3. The user may then unmute his or her conference line by clicking the microphone symbol.
4. After conversation, please lower your hand. (\*3 again)

You can mute yourself so that everyone can concentrate on what's being discussed.

While you're on a call or in a meeting, select  at the bottom of the meeting window. You'll know it's working when the button turns red, .

If you want to unmute yourself, select . Others can hear you when the button turns gray.

When you're muted and move away from the call controls, the mute button moves to the center of your screen and fades in color  to indicate that you're still muted.

## PLANNING & DEVELOPMENT

600 West Fourth Street  
Davenport, Iowa 52801-1106  
E-mail: [planning@scottcountyiowa.com](mailto:planning@scottcountyiowa.com)  
Office: (563) 326-8643



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To: Mahesh Sharma  
From: Taylor Beswick, Planning & Development Specialist  
Date: December 29, 2020

**Re: Public Hearing for: An Ordinance to Adopt New Flood Insurance Rates Maps In Accordance With the National Flood Insurance Program and Amend Certain Provisions and Sections of Scott County Code Chapter 6, Zoning For Unincorporated Areas Related To Floodplain Regulations**

The Federal Emergency Management Agency (FEMA) has finalized a new Flood Insurance Rate Map (FIRM) for Scott County, Iowa. The map will become effective on March 23, 2021. Prior to the effective date, all jurisdictions must adopt the new FIRM to continue participation in the National Flood Insurance Program (NFIP). Text amendments to sections of the Scott County Code Chapter 6 are being proposed to be in compliance with Iowa Model Floodplain Ordinance Language and Definitions as defined by FEMA and the Iowa Department of Natural Resources (IDNR). Copies of the finalized FIRM and Draft Ordinance Text Amendments can be viewed at: <https://www.scottcountyiowa.gov/planning/planning-zoning-commission/meetings?folder=planning-pz-meetings/2020/20201215>

On October 5, 2018, FEMA provided Scott County with Preliminary copies of the revised FIRM and Flood Insurance Study (FIS) report for Scott County. On June 28, 2019, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) provided Scott County with notice that the 90-day appeal period for the revised Flood Insurance Rate Map (FIRM) of Unincorporated Scott County. Two appeals were submitted by the county, on behalf of two property owners. One resulted in a revision, while the other did not. This is the fifth iteration of a FEMA FIRM update Scott County has gone through since 1978.

Scott County hosted an open house meeting on August 29, 2019 at the Scott County Administrative Center Board Room, 600 West Fourth Street, Davenport, IA. Staff from the Iowa Department of Natural Resources (IDNR), Scott County Planning & Development, and the City of Davenport were available to answer any questions related to the proposed flood map changes. More than 75 citizens of Scott County attended the meeting.

In addition to the adoption of the 2021 FIRM maps, the Scott County Zoning Ordinance required Text amendments to sections of the Scott County Code Chapter 6 are being proposed to be in compliance with Iowa Model Floodplain Ordinance Language and Definitions as defined by FEMA and the Iowa Department of Natural Resources (IDNR).

On December 15, 2020 the Planning & Zoning Commission unanimously recommended adoption of the new flood maps and text amendments. No members of the public participated in the meeting.

Included as enclosures are proposed text amendments, public notice, the Scott County Adopted (Current) Flood Hazard Map, the Scott County Finalized 2021 Flood Hazard Map link, and an overlay comparison of both maps.



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**NOTICE OF SCOTT COUNTY  
SCOTT COUNTY BOARD OF SUPERVISORS PUBLIC HEARING**

**Thursday, January 7, 2021**

**Online/Call-In Access Only Due to COVID-19**

**5:00 P.M.**

**PARTICIPATION OPTIONS:** Please find all virtual participation information on the following page: <https://www.scottcountyiowa.gov/board/board-meetings>

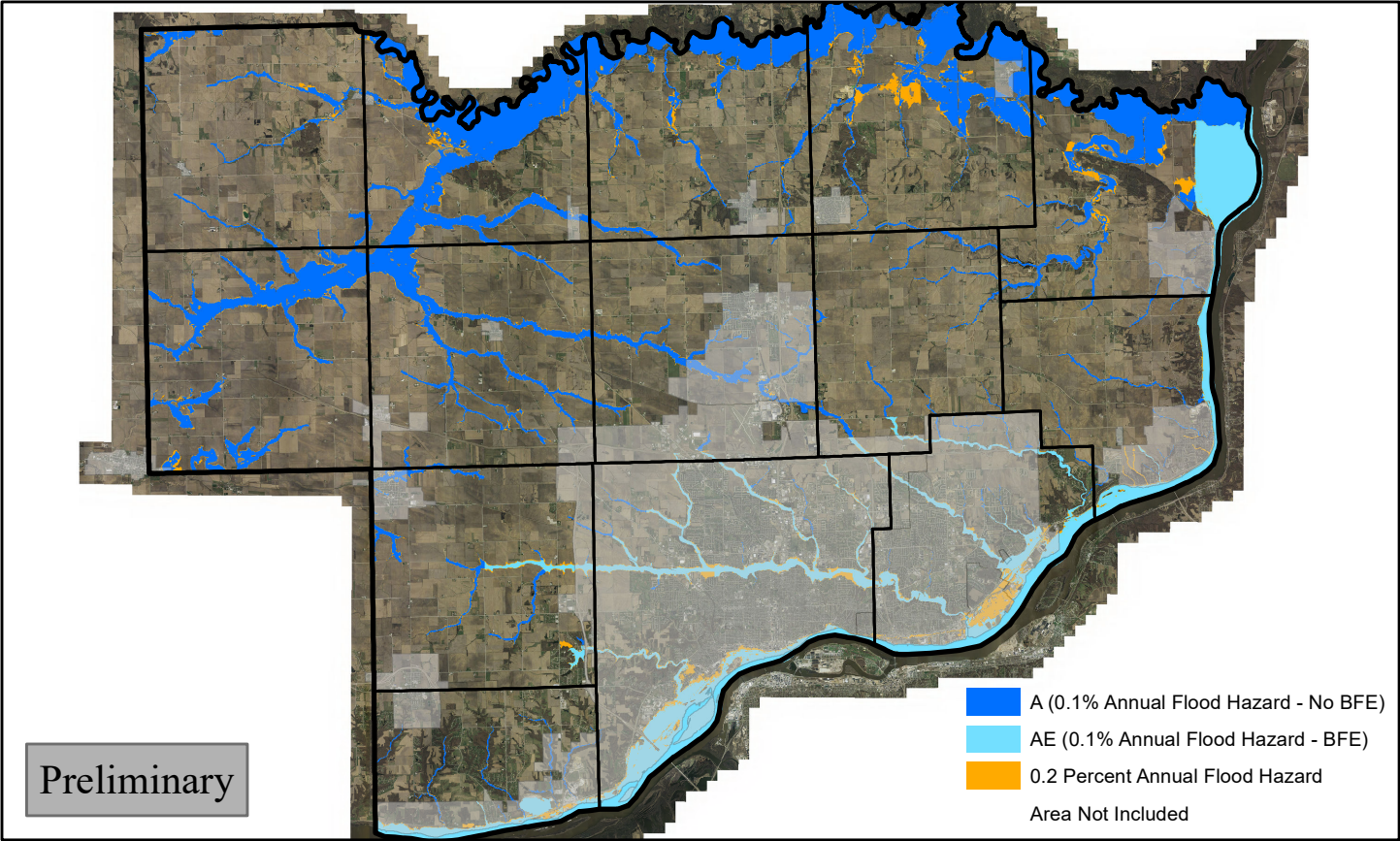
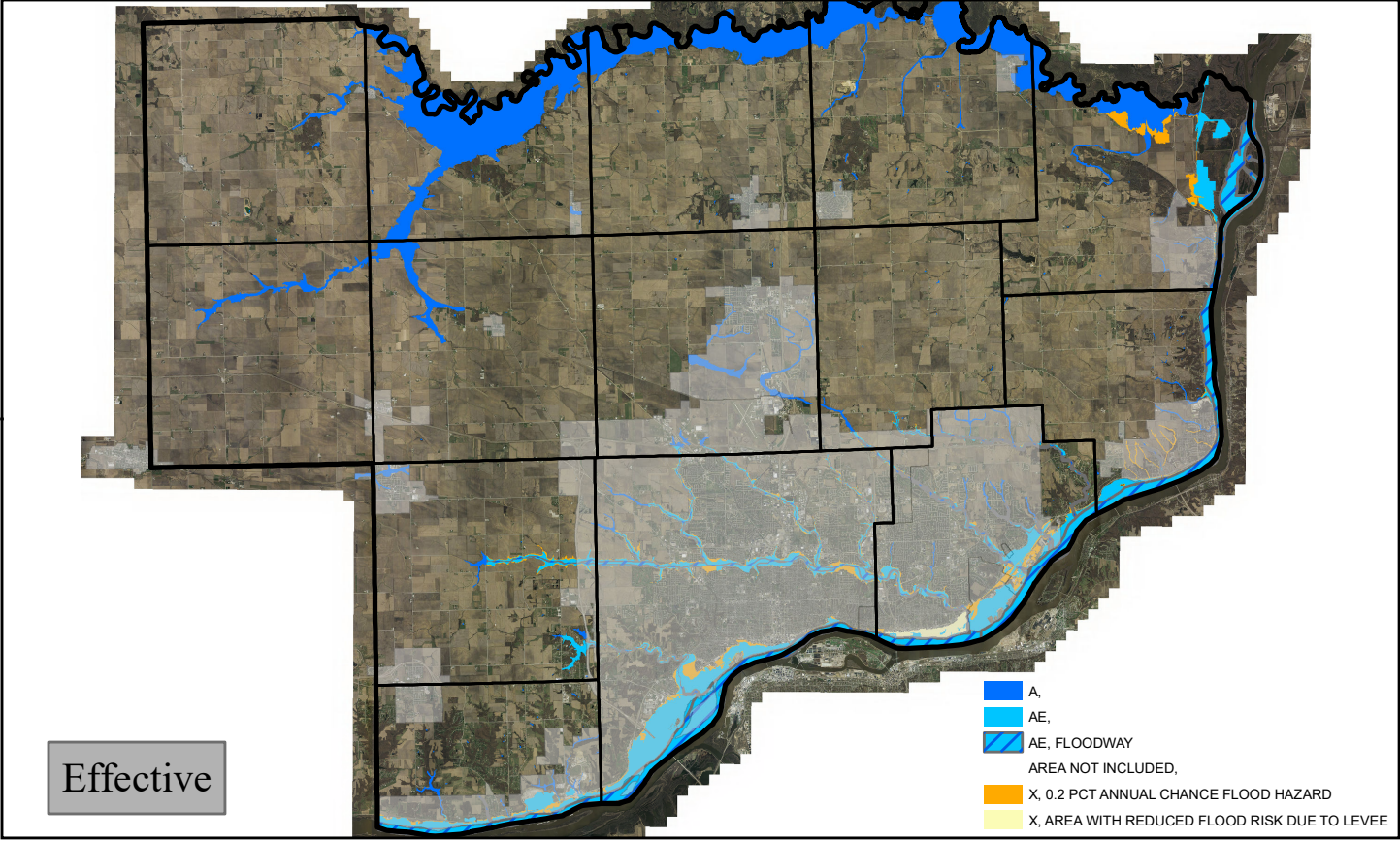
**Public Hearing – An Ordinance To Adopt New Flood Insurance Rates Maps In Accordance With The National Flood Insurance Program And Amend Certain Provisions And Sections Of Scott County Code Chapter 6, Zoning For Unincorporated Areas Related To Floodplain Regulations**

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On December 15, 2020 the Scott County Planning & Zoning Commission held a public hearing and unanimously recommended adoption of the map changes and ordinance amendments.

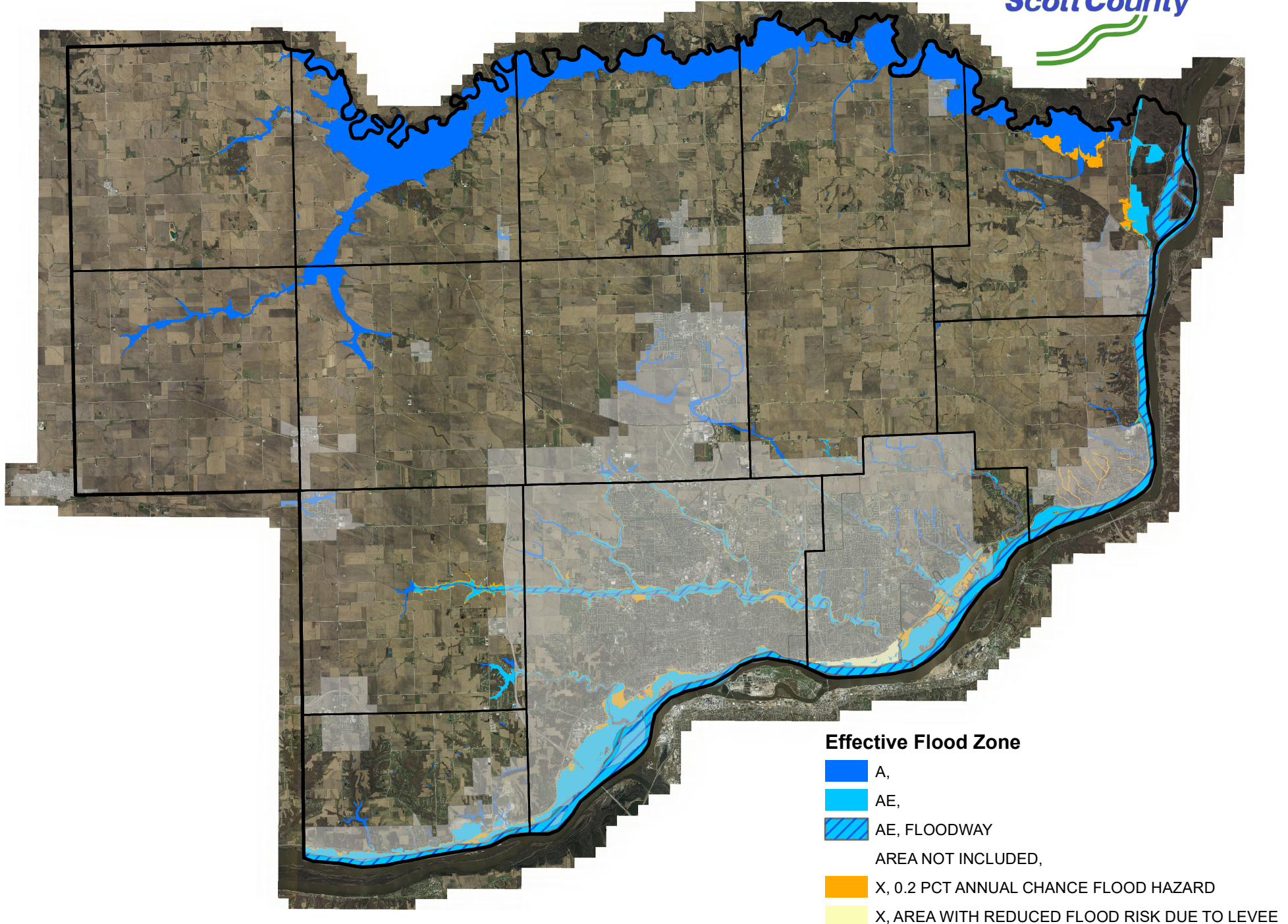


# Preliminary vs Effective Flood Insurance Rate Map





# Effective Flood Insurance Rate Map





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**NOTICE OF SCOTT COUNTY  
PLANNING AND ZONING COMMISSION PUBLIC HEARING**

**Tuesday, December 15, 2020**  
**Online/Call-In Access Only Due to COVID-19**  
**5:00 P.M.**

**PARTICIPATION OPTIONS:**

**Connect Via Phone:**

**1-408-418-9388**      Meeting number: **146 340 2163**      Password: **1234**

**Connect via Computer, or Webex application:**

Host: [www.webex.com](http://www.webex.com)      Meeting number: **146 340 2163**      Password: **1234**

**Link to meeting (click):** [Scott County Planning & Zoning Commission Meeting 12-15-2020](#)

**Full link (copy & paste):**

<https://scottcountyiowa.webex.com/scottcountyiowa/onstage/g.php?MTID=e5508e6d567fc49f4b5d0c892f22b32c0>

**Please find call-in instructions, agenda, and meeting materials here:**

<https://www.scottcountyiowa.gov/planning/planning-zoning-commission/meetings>

**FEMA FLOOD MAPS CAN BE VIEWED HERE:**

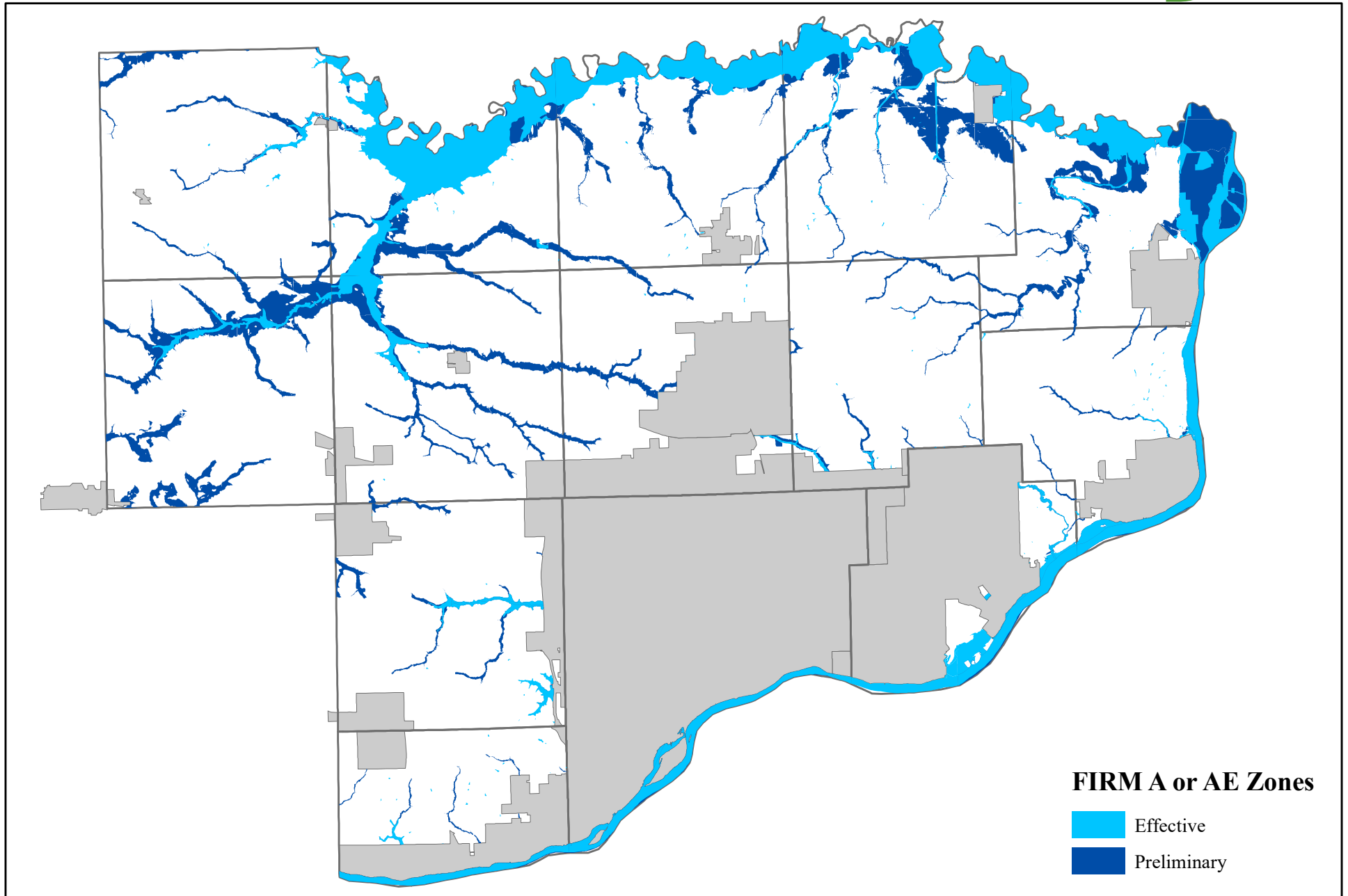
<https://www.arcgis.com/apps/webappviewer/index.html?id=e7a7dc3ebd7f4ad39bb8e485bb64ce44>

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# Flood Insurance Rate Map Changes



SCOTT COUNTY ORDINANCE NO. 21-

AN ORDINANCE TO ADOPT AMENDMENTS TO CHAPTER 6 OF THE SCOTT COUNTY CODE TO ADD AND AMEND CERTAIN DEFINITIONS RELATED TO FLOODPLAIN REGULATIONS AND TO ALSO AMEND CERTAIN SPECIFIC FLOODPLAIN REGULATIONS IN ORDER TO COMPLY WITH THE REQUIREMENTS OF THE NATIONAL FLOOD INSURANCE PROGRAM AS REQUIRED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

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

Section 1 Amend the following sections of Chapter 6, SCOTT COUNTY CODE, 2012.

6-2	SCOPE AND PURPOSE
6-5.	DEFINITIONS
6-8	ESTABLISHMENT OF DISTRICTS AND DISTRICT BOUNDARIES
6-21.	GENERAL PROVISIONS OF THE FLOODWAY, FLOODWAY FRINGE, AND FLOODPLAIN OVERLAY DISTRICTS
6-22. "FW"	Floodway Overlay District
6-23. "FF"	Floodway Fringe Overlay District
6-24. "GF"	General Flood Plain Overlay District
6-30	ZONING BOARD OF ADJUSTMENT PROCEDURES

Section 2. Add the following language to Section 6-2 SCOPE AND PURPOSE

1. Statutory Authority, Findings of Fact and Purpose  
The Legislature of the State of Iowa has in Chapter 335, Code of Iowa, as amended, delegated the power to counties to enact zoning regulations to secure safety from flood and to promote health and the general welfare.
2. Findings of Fact
  - A. The flood hazard areas of unincorporated Scott County are subject to periodic inundation which can result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base all of which adversely affect the public health, safety and general welfare of the community.
  - B. These flood losses, hazards, and related adverse effects are caused by: (i) The occupancy of flood hazard areas by uses vulnerable to flood damages which create hazardous conditions as a result of being inadequately elevated or otherwise protected from flooding and (ii) the cumulative effect of obstructions on the floodplain causing increases in flood heights and velocities.
  - C. This ordinance relies upon engineering methodology for analyzing flood hazards which is consistent with the standards established by the Iowa Department of Natural Resources.
3. Statement of Purpose  
It is the purpose of this Ordinance to protect and preserve the rights, privileges and property of unincorporated Scott County and its residents and to preserve and improve the peace, safety,

health, welfare, and comfort and convenience of its residents by minimizing those flood losses described in Section 3.2.A. of this Ordinance with provisions designed to:

- A. Reserve sufficient floodplain area for the conveyance of flood flows so that flood heights and velocities will not be increased substantially.
- B. Restrict or prohibit uses which are dangerous to health, safety or property in times of flood or which cause excessive increases in flood heights or velocities.
- C. Require that uses vulnerable to floods, including public facilities which serve such uses, be protected against flood damage at the time of initial construction or substantial improvement.
- D. Protect individuals from buying lands which may not be suited for intended purposes because of flood hazard.
- E. Assure that eligibility is maintained for property owners in the community to purchase flood insurance through the National Flood Insurance Program.

Section 3. Amend certain portions of Section 6-8 ESTABLISHMENT OF DISTRICTS AND DISTRICT BOUNDARIES to read as follows:

- D. Flood Plain Overlay Map: The boundaries of the flood plain overlay districts shall be the same as shown on the Flood Insurance Rate Maps, which were issued by the Federal Emergency Management Agency. The Flood Insurance Rate Maps (FIRM) for Scott County and Incorporated Areas, dated March 23, 2021, which were prepared as part of the Scott County Flood Insurance Study, are hereby adopted by reference and declared to be the Official Flood Plain Zoning Map for unincorporated Scott County. The flood profiles and all explanatory material contained with the Flood Insurance Study are declared to be part of this ordinance. These maps are hereby adopted by reference as the Official Flood Identification Maps, together with the accompanying Flood Insurance Study and all explanatory material therein. These maps shall have the same force and effect as if they were all fully set forth or described herein. Subsequent amendments to these maps and Flood Insurance Study shall be adopted through the procedures established herein.

The flood plain overlay districts shall include the corresponding designated areas identified on the Flood Insurance Rate Map as indicated below:

"FW" The designated Floodway on Flood Insurance Rate Map.

"FF" The designated Floodway Fringe on Flood Insurance Rate Map.

"GF" The areas shown on Flood Insurance Rate Map as being within the approximate Special Flood Hazard Area, but for which the floodway and floodway fringe and base flood elevation were not determined by the Flood Insurance Study. The maps are available for review in the office of the Scott County Department of Planning and Development.

Section 4. Add, replace or amend the following definitions in Section 6-5. Insert in alphabetical order and number appropriately.

APPURTENANT STRUCTURE – A structure which is on the same parcel of the property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

BASE FLOOD - The flood having one (1) percent chance of being equaled or exceeded in any given year. (Also commonly referred to as the “100-year flood”).

BASE FLOOD ELEVATION (BFE) – The elevation floodwaters would reach at a particular site during the occurrence of a base flood event.



**BASEMENT:** A story having more than one-half (1/2) of its height below the average grade surrounding the building or any enclosed area of a building which has its floor or lowest level below ground level (subgrade) on all sides. A basement is not counted as a story for height regulation purposes. See also "lowest floor" definition for flood plain requirements.

**DEVELOPMENT:** Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials. "Development" does not include "minor projects" or "routine maintenance of existing buildings and facilities" as defined in this section. It also does not include gardening, plowing, and similar practices that do not involve filling or grading.

**ENCLOSED AREA BELOW LOWEST FLOOR** – The floor of the lowest enclosed area in a building when all the following criteria are met:

- A. The enclosed area is designed to flood to equalize hydrostatic pressure during flood events with walls or openings that satisfy the provisions of 6-23.B(5) of this Ordinance, and
- B. The enclosed area is unfinished (not carpeted, drywalled, etc.) and used solely for low damage potential uses such as building access, parking or storage, and
- C. Machinery and service facilities (e.g., hot water heater, furnace, electrical service) contained in the enclosed area are located at least one (1) foot above the base flood elevation, and
- D. The enclosed area is not a "basement" as defined in this section.

**EXISTING CONSTRUCTION** - Any structure for which the "start of construction" commenced before the effective date of the first floodplain management regulations adopted by the community.

**EXISTING FACTORY-BUILT HOME PARK OR SUBDIVISION** - A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management regulations adopted by the community.

**EXPANSION OF EXISTING FACTORY-BUILT HOME PARK OR SUBDIVISION** - The preparation of additional sites by the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**FACTORY-BUILT HOME** - Any structure, designed for residential use which is wholly or in substantial part, made, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation, on a building site. For the purpose of this Ordinance factory-built homes include mobile homes, manufactured homes, and modular homes; and also include "recreational vehicles" which are placed on a site for greater than 180 consecutive days and not fully licensed for and ready for highway use.

**FACTORY-BUILT HOME PARK OR SUBDIVISION** - A parcel or contiguous parcels of land divided into two or more factory-built home lots for sale or lease.

**FIVE HUNDRED (500) YEAR FLOOD** – A flood, the magnitude of which has a two-tenths (0.2) percent chance of being equaled or exceeded in any given year or which, on average, will be equaled or exceeded at least once every five hundred (500) years.

**FLOOD** - A general and temporary condition of partial or complete inundation of normally dry land areas resulting from the overflow of streams or rivers or from the unusual and rapid runoff of surface waters from any source.

**FLOOD INSURANCE RATE MAP (FIRM)** - The official map prepared as part of (but published separately from) the Flood Insurance Study which delineates both the flood hazard areas and the risk premium zones applicable to the community.

**FLOOD INSURANCE STUDY (FIS)** – A report published by FEMA for a community issued along with the community's Flood Insurance Rate Map(s). The study contains such background data as the base flood discharge and water surface elevations that were used to prepare the FIRM.

**FLOODPLAIN** - Any land area susceptible to being inundated by water as a result of a flood.

**FLOODPLAIN MANAGEMENT** - An overall program of corrective and preventive measures for reducing flood damages and promoting the wise use of floodplains, including but not limited to emergency preparedness plans, flood control works, floodproofing and floodplain management regulations.

**FLOODPROOFING** - Any combination of structural and nonstructural additions, changes, or adjustments to structures, including utility and sanitary facilities, which will reduce or eliminate flood damage to such structures.

**FLOODWAY** - The channel of a river or stream and those portions of the floodplains adjoining the channel, which are reasonably required to carry and discharge flood waters or flood flows so that confinement of flood flows to the floodway area will not cumulatively increase the water surface elevation of the base flood by more than one (1) foot.

**FLOODWAY FRINGE** - Those portions of the Special Flood Hazard Area outside the floodway.

**HIGHEST ADJACENT GRADE** – The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

**HISTORIC STRUCTURE** - Any structure that is:

- A. Listed individually in the National Register of Historic Places, maintained by the Department of Interior, or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing of the National Register;
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or,
- D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified by either i) an approved state program as determined by the Secretary of the Interior or ii) directly by the Secretary of the Interior in states without approved programs.

**LOWEST FLOOR** - The floor of the lowest enclosed area in a building including a basement except when the criteria listed in the definition of Enclosed Area below Lowest Floor are met.

**MAXIMUM DAMAGE POTENTIAL DEVELOPMENT** – Hospitals and like institutions; buildings or building complexes containing documents, data, or instruments of great public value; buildings or building complexes containing materials dangerous to the public or fuel storage facilities; power installations needed in emergency or other buildings or building complexes similar in nature or use.

**MINOR PROJECTS** - Small development activities (except for filling, grading and excavating) valued at less than \$500.

**NEW CONSTRUCTION** - (new buildings, factory-built home parks) - Those structures or development for which the start of construction commenced on or after June 1, 1977, the effective date of the first floodplain management regulations and Flood Insurance Rate Map adopted by Scott County for unincorporated areas.

**NEW FACTORY-BUILT HOME PARK OR SUBDIVISION** - A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the first floodplain management regulations adopted by the community.

**RECREATIONAL VEHICLE** - A vehicle which is:

- A. Built on a single chassis;
- B. Four hundred (400) square feet or less when measured at the largest horizontal projection;
- C. Designed to be self-propelled or permanently towable by a light duty truck; and
- D. Designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.

**ROUTINE MAINTENANCE OF EXISTING BUILDINGS AND FACILITIES** – Repairs necessary to keep a structure in a safe and habitable condition that do not trigger a building permit, provided they are not associated with a general improvement of the structure or repair of a damaged structure. Such repairs include:

- A. Normal maintenance of structures such as re-roofing, replacing roofing tiles and replacing siding;
- B. Exterior and interior painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work;
- C. Basement sealing;
- D. Repairing or replacing damaged or broken window panes;
- E. Repairing plumbing systems, electrical systems, heating or air conditioning systems and repairing wells or septic systems.

**SPECIAL FLOOD HAZARD AREA (SFHA)** – The land within a community subject to the "base flood". This land is identified on the community's Flood Insurance Rate Map as Zone A, A1-30, AE, AH, AO, AR, and/or A99.

**START OF CONSTRUCTION** - Includes substantial improvement, and means the date the development permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement, was within 180 days of the permit date. The actual start means either the first placement or permanent construction of a structure on a site, such as pouring of a slab or footings, the installation of pile, the construction of columns, or any work beyond the stage of excavation; or the placement of a factory-built home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include



excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

**STRUCTURE** - Anything constructed or erected on the ground or attached to the ground, including, but not limited to, buildings, factories, sheds, cabins, factory-built homes, storage tanks, grain storage facilities and/or other similar uses.

**SUBSTANTIAL DAMAGE** - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred. Volunteer labor and donated materials shall be included in the estimated cost of repair. (OPTIONAL LANGUAGE: Substantial damage also means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred. Volunteer labor and donated materials shall be included in the estimated cost of repair.)

**SUBSTANTIAL IMPROVEMENT** - Any improvement to a structure which satisfies either of the following criteria:

- A. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the assessed value of the structure either (i) before the "start of construction" of the improvement, or (ii) if the structure has been "substantially damaged" and is being restored, before the damage occurred. The term does not, however, include any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions. The term also does not include any alteration of an "historic structure", provided the alteration will not preclude the structure's designation as an "historic structure".
- B. Any addition which increases the original floor area of a building by 25 percent or more. All additions constructed after the effective date of the first floodplain management regulations adopted by the community shall be added to any proposed addition in determining whether the total increase in original floor space would exceed 25 percent.

**VARIANCE (Floodplain regulations)** - A grant of relief by a community from the terms of the floodplain management regulations.

**VIOLATION** - The failure of a structure or other development to be fully compliant with the community's floodplain management regulations.

Section 5. Delete Section 6-21 GENERAL PROVISIONS OF THE FLOODWAY, FLOODWAY FRINGE, AND GENERAL FLOODPLAIN OVERLAY DISTRICTS and replace with a new Section 6-21 GENERAL PROVISIONS OF THE FLOODWAY, FLOODWAY FRINGE, GENERAL FLOODPLAIN, AND SHALLOW FLOODING OVERLAY DISTRICTS as follows:

**A. General Provisions of the Floodplain Overlay Districts**

- 1. Lands to Which Ordinance Apply

The provisions of this Ordinance shall apply to all lands within the jurisdiction of Scott County shown on the Official Floodplain Zoning Map as being within the boundaries of the Floodway, Floodway Fringe, and General Floodplain Districts, as established in this ordinance.

2. Establishment of Official Floodplain Zoning Map

The Flood Insurance Rate Maps (FIRM) for Scott County's unincorporated areas, dated March 23, 2021, which was prepared as part of the Flood Insurance Study for Scott County, are hereby adopted by reference and declared to be the Official Floodplain Zoning Map. The Scott County Flood Insurance Study is hereby adopted by reference and is made a part of this ordinance for the purpose of administering floodplain management regulations.

3. Rules for Interpretation of District Boundaries

The boundaries of the zoning district areas shall be determined by scaling distances on the Official Floodplain Zoning Map. When an interpretation is needed as to the exact location of a boundary, the Scott County Planning Director shall make the necessary interpretation. The Board of Adjustment shall hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the Scott County Planning Director in the enforcement or administration of this Ordinance.

4. Compliance

No structure or land shall hereafter be used and no structure shall be located, extended, converted or structurally altered without full compliance with the terms of this Ordinance and other applicable regulations which apply to uses within the jurisdiction of this Ordinance.

5. Abrogation and Greater Restrictions

It is not intended by this Ordinance to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where this Ordinance imposes greater restrictions, the provision of this Ordinance shall prevail. All other ordinances inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency only.

6. Interpretation

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by State statutes.

7. Warning and Disclaimer of Liability

The standards required by this Ordinance are considered reasonable for regulatory purposes. This Ordinance does not imply that areas outside the designated Floodplain Overlay District areas will be free from flooding or flood damages. This Ordinance shall not create liability on the part of Scott County or any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made there under.

8. Severability

If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

B. Administration

1. Appointment, Duties and Responsibilities of Local Official

A. The Scott County Planning Director is hereby appointed to implement and administer the provisions of this Ordinance and will herein be referred to as the Administrator.

B. Duties and responsibilities of the Administrator shall include, but not necessarily be limited to the following:

- 1) Review all floodplain development permit applications to assure that the provisions of this Ordinance will be satisfied.
- 2) Review floodplain development applications to assure that all necessary permits have been obtained from federal, state and local governmental agencies including approval when required from the Department of Natural Resources for floodplain construction.
- 3) Record and maintain a record of (i) the elevation (in relation to North American Vertical Datum 1988 (ALTERNATIVE LANGUAGE: National Geodetic Vertical Datum 1929) [NOTE: reference Flood Insurance Study for the appropriate datum]) of the lowest floor (including basement) of all new or substantially improved structures or (ii) the elevation to which new or substantially improved structures have been floodproofed.
- 4) Notify adjacent communities/counties and the Department of Natural Resources prior to any proposed alteration or relocation of a watercourse and submit evidence of such notifications to the Federal Emergency Management Agency.
- 5) Keep a record of all permits, appeals and such other transactions and correspondence pertaining to the administration of this Ordinance.
- 6) Submit to the Federal Insurance Administrator an annual report concerning the community's participation, utilizing the annual report form supplied by the Federal Insurance Administrator.
- 7) Notify the Federal Insurance Administration of any annexations or modifications to the community's boundaries.
- 8) Review subdivision proposals to insure such proposals are consistent with the purpose of this ordinance and advise the Board of Adjustment of potential conflict.
- 9) Maintain the accuracy of the community's Flood Insurance Rate Maps when;
  - a. Development placed within the Floodway (Overlay) District results in any of the following:
    - (i) An increase in the Base Flood Elevations, or
    - (ii) Alteration to the floodway boundary
  - b. Development placed in Zones A, AE, AH, and A1-30 that does not include a designated floodway that will cause a rise of more than one foot in the base elevation; or
  - c. Development relocates or alters the channel within 6 months of the completion of the development, the applicant shall submit to FEMA all scientific and technical data necessary for a Letter of Map Revision.
- 10) Perform site inspections to ensure compliance with the standards of this Ordinance.



11) Forward all requests for Variances to the Board of Adjustment for consideration. Ensure all requests include the information ordinarily submitted with applications as well as any additional information deemed necessary to the Board of Adjustment.

2. Floodplain Development Permit

A. Permit Required - A Floodplain Development Permit issued by the Administrator shall be secured prior to any floodplain development (any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, filling, grading, paving, storage of materials and equipment, excavation or drilling operations), including the placement of factory-built homes.

B. Application for Permit - Application shall be made on forms furnished by the Administrator and shall include the following:

1) Description of the work to be covered by the permit for which application is to be made.

2) Description of the land on which the proposed work is to be done (i.e., lot, block, track, street address or similar description) that will readily identify and locate the work to be done.

3) Location and dimensions of all structures and additions

4) Indication of the use or occupancy for which the proposed work is intended.

5) Elevation of the base flood.

6) Elevation (in relation to North American Vertical Datum 1988 [reference Flood Insurance Study for the appropriate datum]) of the lowest floor (including basement) of structures or of the level to which a structure is to be floodproofed.

7) For structures being improved or rebuilt, the estimated cost of improvements and market value of the structure prior to the improvements.

8) Such other information as the Administrator deems reasonably necessary (e.g., drawings or a site plan) for the purpose of this Ordinance.

C. Filing Fee - All applications shall pay a fee based on the fee schedule approved by the Board of Supervisors.

D. Action on Permit Application - The Administrator shall, within a reasonable time, make a determination as to whether the proposed floodplain development meets the applicable standards of this Ordinance and shall approve or disapprove the application. For disapprovals, the applicant shall be informed, in writing, of the specific reasons therefore. The Administrator shall not issue permits for variances except as directed by the County Board of Adjustment.

E. Construction and Use to be as Provided in Application and Plans - Floodplain Development Permits based on the basis of approved plans and applications authorize only the use, arrangement, and construction set forth in such approved plans and applications and no other use, arrangement or construction. Any use, arrangement, or construction at variance with that authorized shall be deemed a violation of this

Ordinance. The applicant shall be required to submit certification by a professional engineer or land surveyor, as appropriate, registered in the State of Iowa, that the finished fill, structure floor elevations, floodproofing, or other flood protection measures were accomplished in compliance with the provisions of this Ordinance, prior to the use or occupancy of any structure.

#### Section 6. Establishment of Floodplain Overlay Districts

The floodplain areas within the jurisdiction of this ordinance are hereby divided into the following districts:

1. Floodway Overlay District (FW) – those areas identified as Floodway on the Official Flood Plain Zoning Map;
2. Floodway Fringe Overlay District (FF) – those areas identified as Zone AE on the Official Flood Plain Zoning Map but excluding those areas identified as Floodway;
3. General Floodplain Overlay District (GF) – those areas identified as Zone A on the Official Flood Plain Zoning Map, and;

The boundaries shall be as shown on the Official Floodplain Zoning Map. Within these districts, all uses not allowed as Permitted Uses are prohibited unless a variance to the terms of this ordinance is granted after due consideration by the Board of Adjustment.

#### Section 7. Delete Section 6.22 and replace with the following:

##### 6-22. "FW" FLOODWAY OVERLAY DISTRICT

1. General Intent: It is the intent of the "FW" Floodway Overlay District that the identified area is designated to carry flood waters and should be protected from developmental encroachment which would increase the flood levels or cause unnecessary threats to personal property or allow unnecessary threats to personal safety. Buildings and structures which impede the free flow of flood waters will not be allowed.

##### 2. Permitted Uses

All development within the Floodway District shall be permitted to the extent that they are not prohibited by any other ordinance (or underlying zoning district) and provided they meet applicable performance standards of the Floodway District.

##### 3. Performance Standards

All Floodway District uses allowed as a Permitted Use shall meet the following standards.

A. No development shall be permitted in the Floodway District that would result in any increase in the base flood elevation. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands.

B. All development within the Floodway District shall:

- 1) Be consistent with the need to minimize flood damage.
- 2) Use construction methods and practices that will minimize flood damage.
- 3) Use construction materials and utility equipment that are resistant to flood damage.

C. No development shall affect the capacity or conveyance of the channel or floodway of any tributary to the main stream, drainage ditch or any other drainage facility or system.

D. Structures, buildings, recreational vehicles, and sanitary and utility systems, if permitted, shall meet the applicable performance standards of the Floodway Fringe District and shall be constructed or aligned to present the minimum possible resistance to flood flows.

E. Structures, if permitted, shall have a low flood damage potential and shall not be for human habitation.

F. Storage of materials or equipment that are buoyant, flammable, explosive or injurious to human, animal or plant life is prohibited. Storage of other material may be allowed if readily removable from the Floodway District within the time available after flood warning.

G. Watercourse alterations or relocations (channel changes and modifications) must be designed to maintain the flood carrying capacity within the altered or relocated portion. In addition, such alterations or relocations must be approved by the Department of Natural Resources.

H. Any fill allowed in the floodway must be shown to have some beneficial purpose and shall be limited to the minimum amount necessary.

I. Pipeline river or stream crossings shall be buried in the streambed and banks or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering or due to the action of flood flows.

Section 8. Delete Section 6.23 and replace with the following

#### 6-23. "FF" FLOODWAY FRINGE OVERLAY DISTRICT

1. General Intent: The intent of the "FF" Floodway Fringe Overlay District is to require special site planning and construction standards to minimize the threats to personal safety and damage to property caused by flooding.
2. Permitted Uses

All development within the Floodway Fringe District shall be permitted to the extent that they are not prohibited by any other ordinance (or underlying zoning district) and provided they meet applicable performance standards of the Floodway Fringe District.

### 3. Performance Standards

All development must be consistent with the need to minimize flood damage and meet the following applicable performance standards. Until a regulatory floodway is designated, no development may increase the Base Flood Elevation more than one (1) foot. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determination.

A. All development shall:

- 1) Be designed and adequately anchored to prevent flotation, collapse or lateral movement.
- 2) Use construction methods and practices that will minimize flood damage.
- 3) Use construction materials and utility equipment that are resistant to flood damage.

B. Residential structures - All new or substantially improved residential structures shall have the lowest floor, including basement, elevated a minimum of one (1) foot above the base flood elevation. Construction shall be upon compacted fill which shall, at all points, be no lower than 1.0 ft. above the base flood elevation and extend at such elevation at least 18 feet beyond the limits of any structure erected thereon. Alternate methods of elevating (such as piers or extended foundations) may be allowed where existing topography, street grades, or other factors preclude elevating by fill. In such cases, the methods used must be adequate to support the structure as well as withstand the various forces and hazards associated with flooding.

All new residential structures located in areas that would become isolated due to flooding of surrounding ground shall be provided with a means of access that will be passable by wheeled vehicles during the base flood. However, this criterion shall not apply where the Administrator determines there is sufficient flood warning time for the protection of life and property. When estimating flood warning time, consideration shall be given to the criteria listed in 567-75.2(3), Iowa Administrative Code.

C. Non-residential structures - All new or substantially improved non-residential structures shall have the lowest floor (including basement) elevated a minimum of one (1) foot above the base flood elevation, or together with attendant utility and sanitary systems, be floodproofed to such a level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood; and that the structure, below the base flood elevation is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to North American Vertical Datum 1988 [NOTE: reference Flood Insurance Study for the appropriate datum]) to which any structures are floodproofed shall be maintained by the Administrator.

D. All new and substantially improved structures:

- 1) Fully enclosed areas below the "lowest floor" (not including basements) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or meet or exceed the following minimum criteria:



a. A minimum of two (2) openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

b. The bottom of all openings shall be no higher than one foot above grade.

c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic entry and exit of floodwaters.

Such areas shall be used solely for parking of vehicles, building access and low damage potential storage.

2) New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

3) New and substantially improved structures shall be constructed with electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities elevated or floodproofed to a minimum of one (1) foot above the base flood elevation).

E. Factory-built homes:

1) All new and substantially improved factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be elevated on a permanent foundation such that the lowest floor of the structure is a minimum of one (1) foot above the base flood elevation.

2) All new and substantially improved factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be anchored to resist flotation, collapse, or lateral movement. Anchorage systems may include, but are not limited to, use of over-the-top or frame ties to ground anchors as required by the State Building Code.

F. Utility and Sanitary Systems:

1) On-site wastewater disposal and water supply systems shall be located or designed to avoid impairment to the system or contamination from the system during flooding.

2) All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system as well as the discharge of effluent into flood waters. Wastewater treatment facilities (other than on-site systems) shall be provided with a level of flood protection equal to or greater than one (1) foot above the base flood elevation.

3) New or replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system. Water supply treatment facilities (other than on-site systems) shall be provided with a level of protection equal to or greater than one (1) foot above the base flood elevation.

4) Utilities such as gas or electrical systems shall be located and constructed to minimize or eliminate flood damage to the system and the risk associated with such flood damaged or impaired systems.

G. Storage of materials and equipment that are flammable, explosive or injurious to human, animal or plant life is prohibited unless elevated a minimum of one (1) foot above the base flood

elevation. Other material and equipment must either be similarly elevated or (i) not be subject to major flood damage and be anchored to prevent movement due to flood waters or (ii) be readily removable from the area within the time available after flood warning.

H. Flood control structural works such as levees, flood walls, etc. shall provide, at a minimum, protection from the base flood with a minimum of 3 ft. of design freeboard and shall provide for adequate interior drainage. In addition, the Department of Natural Resources shall approve structural flood control works.

I. Watercourse alterations or relocations must be designed to maintain the flood carrying capacity within the altered or relocated portion. In addition, the Department of Natural Resources must approve such alterations or relocations.

J. Subdivisions (including factory-built home parks and subdivisions) shall be consistent with the need to minimize flood damages and shall have adequate drainage provided to reduce exposure to flood damage. Development associated with subdivision proposals (including the installation of public utilities) shall meet the applicable performance standards of this Ordinance. Subdivision proposals intended for residential use shall provide all lots with a means of access which will be passable by wheeled vehicles during the base flood. Proposals for subdivisions greater than five (5) acres or fifty (50) lots (whichever is less) shall include base flood elevation data for those areas located within the Floodway Fringe (Overlay) District.

K. Accessory Structures to Residential Uses

1) Detached garages, sheds, and similar structures that are incidental to a residential use are exempt from the base flood elevation requirements where the following criteria are satisfied:

- a. The structure shall be designed to have low flood damage potential. Its size shall not exceed 600 sq. ft. in size. Those portions of the structure located less than 1 foot above the base flood elevation must be constructed of flood-resistant materials.
- b. The structure shall be used solely for low flood damage potential purposes such as vehicle parking and limited storage. The structure shall not be used for human habitation.
- c. The structure shall be constructed and placed on the building site so as to offer minimum resistance to the flow of floodwaters.
- d. The structure shall be firmly anchored to prevent flotation, collapse, and lateral movement which may result in damage to other structures.
- e. The structure's service facilities such as electrical and heating equipment shall be elevated or floodproofed to at least one foot above the base flood elevation.
- f. The structure's walls shall include openings that satisfy the provisions of Section 6-21.3.D. of this Ordinance.

2) Exemption from the base flood elevation requirements for such a structure may result in increased premium rates for flood insurance coverage of the structure and its contents.

L. Recreational Vehicles

1) Recreational vehicles are exempt from the requirements of Section 6-23.3.E(2) of this Ordinance regarding anchoring and elevation of factory-built homes when the following criteria are satisfied:

- a. The recreational vehicle shall be located on the site for less than 180 consecutive days, and,
- b. The recreational vehicle must be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system and is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

2) Recreational vehicles that are located on the site for more than 180 consecutive days or are not ready for highway use must satisfy requirements of Section 6-23.3.E(2) of this Ordinance regarding anchoring and elevation of factory-built homes.

M. Pipeline river and stream crossings shall be buried in the streambed and banks, or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering.

N. Maximum Damage Potential Development – All new or substantially improved maximum damage potential development shall have the lowest floor (including basement) elevated a minimum of one (1) foot above the elevation of the 500-year flood, or together with attendant utility and sanitary systems, be floodproofed to such a level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the 0.2% annual chance flood; and that the structure, below the 0.2% annual chance flood elevation is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to North American Vertical Datum 1988 [NOTE: reference Flood Insurance Study for the appropriate datum]) to which any structures are floodproofed shall be maintained by the Administrator. Where 0.2% chance flood elevation data has not been provided in the Flood Insurance Study, the Iowa Department of Natural Resources shall be contacted to compute such data. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determinations.

Section 9. Delete Section 6.24 and replace with the following:

#### 6-24. "GF" GENERAL FLOOD PLAIN OVERLAY DISTRICT

1. General Intent: The "GF" General Floodplain Overlay District reflects those areas which would be inundated during a 100-year flood, but for which specific flood elevations and floodway and floodway fringe limits have not been established. It is the intent of the "GF" Overlay District to impose the development standards of the FW and FF Overlay Districts after a determination is made to identify the floodway and floodway fringe areas on an individual project basis. Where 100-year flood data has not been provided in the Flood Insurance Study, the applicant for a Flood Plain Development Permit shall contact the Iowa Department of Natural Resources to compute such data. The Department of Natural Resources shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source, as criteria for reviewing new construction, substantial improvements, or other development in the General Flood Plain Overlay District.

#### 2. Permitted Uses

A. All development within the General Floodplain District shall be permitted to the extent that they are not prohibited by any other ordinance (or underlying zoning district) and provided they meet the applicable performance standards of the General Floodplain District.

B. Any development which involves placement of structures, factory-built homes, fill or other obstructions, storage of materials or equipment, excavation or alteration of a watercourse shall be reviewed by the Department of Natural Resources to determine (i) whether the land involved is either wholly or partly within the floodway or floodway fringe and (ii) the base flood elevation. The applicant shall be responsible for providing the Department of Natural Resources with sufficient technical information to make the determination.

C. Review by the Iowa Department of Natural Resources is not required for the proposed construction of new or replacement bridges or culverts where:

1) The bridge or culvert is located on a stream that drains less than one hundred (100) square miles, and

2) The bridge or culvert is not associated with a channel modification that constitutes a channel change as specified in 567-71.2(1)b, Iowa Administrative Code.

3. Performance Standards

A. All development, or portions thereof, to be located in the floodway as determined by the Department of Natural Resources shall meet the applicable provisions and standards of the Floodway Overlay District (Section 6-22).

B. All development, or portions thereof, to be located in the floodway fringe as determined by the Department of Natural Resources shall meet the applicable provisions and standards of the Floodway Fringe Overlay District (Section 6-23).

Section 10. Add the following language to Section 6-30 ZONING BOARD OF ADJUSTMENT PROCEDURES:

Section 6-30.E.

(6) In cases where the variance involves a lower level of flood protection for structures than what is ordinarily required by this Ordinance, the applicant shall be notified in writing over the signature of the Administrator that: (i) the issuance of a variance will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction increases risks to life and property.

(7) All variances granted shall have the concurrence or approval of the Department of Natural Resources.

Section 6-30.

F. Nonconforming Uses

(1) A structure or the use of a structure or premises which was lawful before the passage or amendment of this Ordinance, but which is not in conformity with the provisions of this Ordinance, may be continued subject to the following conditions:

a. If such use is discontinued for six (6) consecutive months, any future use of the building premises shall conform to this Ordinance.

- b. Uses or adjuncts thereof that are or become nuisances shall not be entitled to continue as nonconforming uses.
- c. If any nonconforming use or structure is destroyed by any means, including flood, it shall not be reconstructed if the cost is more than fifty (50) percent of the market value of the structure before the damage occurred, unless it is reconstructed in conformity with the provisions of this Ordinance. This limitation does not include the cost of any alteration to comply with existing state or local health, sanitary, building or safety codes or regulations or the cost of any alteration of a structure listed on the National Register of Historic Places, provided that the alteration shall not preclude its continued designation.
- d. Except as provided in Section 6-30.F(1)b., any use which has been permitted as a Variance shall be considered a conforming use.

#### Section 11. Validity and Severability

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part so declared to be invalid.

#### Section 12. Repealer

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

#### Section 13. Effective Date.

This ordinance shall be in full force and effective after its final passage and publication as by law provided.

Public Hearing \_\_\_\_\_,

First Consideration \_\_\_\_\_,

Second Consideration \_\_\_\_\_,

\_\_\_\_\_  
Tony Knobbe  
Chairman, Board of Supervisors

Attested by: \_\_\_\_\_

Roxanna Moritz  
Scott County Auditor

Published on \_\_\_\_\_.

Prepared by: Scott County Planning and Development, 600 West Fourth Street, Davenport Iowa

SCOTT COUNTY ORDINANCE NO. 21-\_\_\_\_\_

AN ORDINANCE TO AMEND THE ZONING MAP BY REZONING APPROXIMATELY 35 ACRES IN SECTION 35, BLUE GRASS TOWNSHIP FROM AGRICULTURAL-GENERAL (A-G) TO SINGLE FAMILY RESIDENTIAL (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 Agricultural-General (A-G) to Single Family Residential (R-1) to-wit:

The East 913 feet of the NE $\frac{1}{4}$ SE $\frac{1}{4}$  and the North 450 feet of the East 913 feet of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  and the South 115 feet of the North 565 feet of the East 425 feet of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 35, in Township 78 North, Range 2 East of the 5th P.M. (Blue Grass Township).

**Section 2.** This ordinance changing the above described land to Single Family Residential (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.

Approved this \_\_\_\_ day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
Tony Knobbe, Chair  
Scott County Board of Supervisors

\_\_\_\_\_  
Roxanna Moritz, County Auditor



**HUMAN RESOURCES DEPARTMENT**

600 West Fourth Street  
Davenport, Iowa 52801-1030

Ph: (563) 326-8767 Fax: (563) 328-3285  
HR@scottcountyiowa.com



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Date: January 5, 2021  
To: Mahesh Sharma, County Administrator  
From: Mary J. Thee, Human Resources Director/Asst. County Administrator  
Subject: Policy Updates

The proposed updates was discussed with the Department Heads/Elected Officials. Here are the proposed changes to the Administration Policies:

Policy 34 "Technology Use" has been updated to address telework arrangements. At the beginning of the pandemic we quickly shifted to permitting telework arrangements. Because of the nature of our work telework does not lend itself to all county work activities. However during the pandemic the ability to telework has allowed staff to remain safe and still perform valuable work. As the use of telework continues and may in some departments continue for the next six months due to the pandemic or any future needs, we felt it was important to formalize the policy and procedures. The attached form has been used since April, 2020 with a few minor updates. The modifications to the policy set forth the establish practices since April.

## 34. TECHNOLOGY USE POLICY

### POLICY

The Scott County Board of Supervisors authorizes the use of computers / Internet / intranet / e-mail / text messages / telephone system / voice mail / fax transmittals (collectively “technology”) for the support of all the County tasks. It is expected that individuals will use technology to improve their job knowledge, access business related information and communicate with peers in other governmental agencies and the private sector. Employees shall not use technology inconsistent with the mission of Scott County. Every employee has a responsibility to maintain and enhance the public image of the County, and to use technology in a productive manner. The purpose of this policy is to outline accessibility and usage of technology. Guidelines are provided for in this policy to ensure that all employees are responsible, productive technology users and are protecting the public image of the County.

### SCOPE

This policy is applicable to all employees, offices, and departments within Scott County Government.

### ADMINISTRATIVE PROCEDURES

1. Access Request: A user and the user's department head (or designee) must complete and sign a Technology Services Use Request shown as Attachment A and return it to the Information Technology Department (IT) in order for a username to be assigned and to ensure access to the Internet or technology is allowed with a County owned account.
2. Password/Pass Phrase: Employees are responsible for the selection and security of account password(s). Passwords will be at least eight (8) characters in length and should consist of a combination of upper and lower case letters, numbers or symbols. Employees should avoid using variations of the user login or the same password as other accounts. Employees will be required to change the login password every 120 days. Employees will be unable to repeat the previous three passwords. Passwords shall not be shared with others or left in plain sight.
3. Remote Access: An employee that is classified as exempt pursuant to the Fair Labor Standards Act may access a County account from a remote location other than the site designated for that account (e.g., tele~~working~~commuting or checking e-mail while away from the office on business) only with approval of

the employee's department head and only for County business. Non-exempt employees are prohibited from forwarding their County account to a personal account.

4. **Signature Line:** The employee signature line at the bottom of every e-mail message shall include the user's name, title, department and telephone number. The signature line may include the County webpage, employee fax number, or one of the tags attached hereto as Attachment B. The signature line is to remain professional and not include superfluous items.
5. **Security Scans:** The Information Technology Department shall purchase security hardware/software or contract for such services to minimize the potential of malicious files reaching the County network and to reduce the number of spam e-mails. USB Flash drive usage is prohibited unless specifically authorized by your department head.
6. **Compliance Review:** Violations of the Technology Use Policy will be evaluated on a case-by-case basis by the department head, IT Director and Human Resources Director. Violations may result in disciplinary action, and may include referral of a case to the appropriate authorities for civil or criminal prosecution.
7. **Random Audits:** The Information Technology Department may make random internal audits of technology use.
8. **Web Page:** Development of a website or home page for department purposes must be made through the Information Technology Department and the County Webmaster to ensure a uniform County web presentation.

## **I. GENERAL POLICIES**

### ***A. Permitted Use***

The County expects employee use of County technology for business purposes. The County recognizes, however, that employees may, from time to time, use County technology, including the internet and e-mail, for personal use during working hours. Such personal use is permitted provided (1) it does not interfere with the performance of the employee's job duties and obligations; and (2) it does not violate this policy or any other County policy; and (3) it does not interfere with the operation of County technology; and (4) it does not incur additional expense for the County. Non-exempt employees are prohibited from accessing County accounts including Outlook outside of their authorized working hours.

### ***B. Right and Ability to Monitor***

All technology, including the e-mail system, are the property of the County. All electronic data and information, including electronic messages, on or within County technology are

the property of the County. All messages sent through electronic means are public records unless otherwise provided by the Iowa Open Records Act (Chapter 22). The County (or its designated representatives) maintains the right and ability, with or without notice to the employee, to access and review any information contained on County technology, even if protected by private password. Those individuals using County technology have no expectation of privacy in connection with the use of such technology or transmission, receipt, or storage of information through the use of such technology. The County specifically reserves the right to monitor all internet usage, cellular device usage and e-mail either composed or received in the e-mail system. It is possible that e-mail sent from the County can be intercepted; therefore the user should not expect any degree of privacy regarding e-mail messages of any type, including e-mail messages sent or received through a County e-mail account or through a private web-based e-mail account accessed using County technology. Email requiring privacy for any reason including regulatory compliance should be sent/received using end to end encryption as provide by Information Technology.

### ***C. Record Retention***

The IT Department will maintain a copy of all emails sent or received for a period of five (5) years from the date in which they are sent or received, Records may be retained for a longer time period if it is subject to a litigation hold.

## **II. PROHIBITED USES**

The following uses are strictly prohibited:

- Excessive personal use of County technology.
- Using technology to engage in any conduct that violates any federal, state or local law, or any of the County policy, including but not limited to, using County technology to engage in any form of accessing or transmitting through County technology materials viewed as harassing, offensive, obscene or pornographic.
- Engaging in any political activities.
- Revealing your account password(s) to others or allowing use of your account(s) by others. This includes family and other household members when work is being done at home.
- Any commercial use or any use for personal gain.
- Obtaining and/or using another user's passwords.
- Attempting to gain access to files and resources to which you have not been granted permission.
- Making copies of another user's files without their knowledge and consent.
- Stealing, vandalizing or obstructing the use of computing equipment, facilities, or documentation.
- Installing non-work related software on your County computer without the express consent of the Information Technology Department.
- Sending unsolicited e-mail messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (email spam).

- Posting, uploading, or downloading of inappropriate messages, photos, images, symbols, sound files, text files, video files, newsletters, or related materials.
- Violating the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of “pirated” or other software products that are not appropriately licensed for use by the County. In order to protect the County from copyright infringement penalties, only software purchased by the County shall be operated on County owned computer hardware.
- Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which the County or the end user does not have an active license.
- Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws.
- Introducing malicious programs into the network (e.g., viruses, worms, Trojan horses, malware, spyware, etc.).
- Utilization of technology outside of authorized work hours for non-exempt employees.

This list is by no means exhaustive, but attempts to provide a framework for activities which fall into the category of unacceptable use of County technology. Any employee who uses County technology in an inappropriate manner will be subject to discipline, up to and including discharge. Further, any employee aware of any activity by another employee that violates this policy is required to notify their department head and the Information Technology Department immediately. If you are unsure as to an item’s appropriateness, consult the Information Technology Department or Human Resources Department.

### III. TELEWORK PROCEDURES

It is important for county staff to perform work at the established worksite in order to serve the public and fellow staff members. Most County positions do not lend themselves to telework arrangements and require a physical presence at the worksite. The ability to telework is at the discretion of the Department Head/Elected Official and based on ability to perform the majority of duties remotely. Telework does not modify the job duties listed in the employee’s job description, but may result in additional duties at an equal or lower pay scale. Telework may be offered on a temporary or intermittent basis, and may be discontinued at any time at the discretion of the Department Head/Elected Official.

Teleworking allows an employee to work from home or in an approved satellite location for all or part of the employee’s regular work week. Employees and the Department Head/Elected Official must sign the County’s telework agreement attached hereto. Any violations of the parameters set forth in the telework agreement are subject to disciplinary action up to and including termination.

Telework may be an option discussed as a reasonable accommodation through discussions with Human Resources and the Department Head/Elected Official when there is a disability.

An employee on an approved telework agreement must remain available to come to the County worksite within a departmental established time period, if a business need arises. The employee is still expected to request vacation for time off and report any illness and utilize sick leave if unable to perform duties or attending medical appointments.

The Information Technology Department will work with the department to provide necessary technology to perform work remotely. The Information Technology Department will address requests on a case by case basis and may deny the remote use of some equipment. The telework agreement shall list specific equipment and employee responsibility for said equipment. All equipment used remotely shall be specifically assigned to the employee and if not returned upon request or termination, the replacement value shall be deducted from the employee's paycheck. The County will not pay for any internet access required by an employee to perform work remotely. Employees may not utilize a public WIFI connection that isn't utilizing VPN to access county laptops or computers.

Any employee approved for telework that has access to confidential information or HIPPA protected information shall set forth in the telework agreement what arrangements are taking place at the remote worksite to address protection of said information. Confidential or HIPPA related information shall not be performed on personal electronic equipment or utilizing a public WIFI connection that isn't using a VPN connection.

Non-exempt employees that are permitted to telework should only perform work during authorized work hours. Supervisors are responsible for monitoring telework activities pursuant to FLSA standards, as not to create a compensable work event outside of authorized and pre-approved overtime. Additionally supervisors are responsible for assuring productivity of the employee, setting expectations and having regular appointments to discuss work related activities.

#### **IV. COUNTY SOCIAL MEDIA USE**

Social media refers to online tools and services that allow any Internet user to create and publish content. Many of these sites use personal profiles where users post information about themselves. The "social" in social media comes in as these individuals find others with similar interests and interact with them through online communities. Social media allows for the easy sharing and re-purposing of existing content, expanding the reach of your work and enabling others to share it with their friends and networks. Examples of social media services include Facebook, Twitter, LinkedIn, Pinterest, Snapchat, Instagram, blogs, YouTube and Flickr.



The County recognizes that social media use is an important tool to communicate with citizens and hear directly from them. These “conversations” are what makes social media so different from traditional forms of communication. As such many County departments and programs utilize official social media presences, similarly branded to communicate that the information they are communicating is official and reliable. Scott County seeks a unified approach to utilization of social media sites by its departments and elected officials. Social media sites should be reflective of the County’s website and other marketing tools.

Access to social media networks from within the County’s IT infrastructure is limited to individuals performing official County business and to agencies or departments with sufficient information and technology security controls.

Employees who post on behalf of a County department must adhere to the following policies:

- Departments shall only utilize County endorsed social media networks for hosting official County social media sites.
- Employees shall not create social media sites without authorization of the appropriate department head or board/commission with departmental oversight and consultation with the County’s Webmaster.
- Departments with social media sites should assign an employee(s) to be responsible for the content and keeping the information relevant, current and compliant with the comments policy. The County’s PIO and Webmaster should be added as administrators on any social media site in order to be able to address immediate concerns.
- Whenever possible social media sites should link back to the County’s website.
- Employees responsible for social media sites should respect the County’s “collective voice” by remaining professional in tone, complying with this and other county policies and exercise good taste.
- IT shall provide appropriate security access to social media networks to individuals performing official County business within the scope of this policy.
- Employees participating in social media sites shall limit the amount of time spent attending to department’s social media presence to what is needed to post content, evaluate traffic data, review related sites and monitor comments.
- Any articles or documents posted are subject to Iowa Public Records laws. Users shall be notified that public disclosure requests must be directed to the relevant department.

Any County social media site in which the department permits public comments should contain the following language: “Use of this site is subject to the County’s Social Media policy and its user guidelines.”

The following language governs all public comments on social media sites. It will be posted on the County’s website and social media site:

“The purpose of this site is to present matters of public interest in Scott County to its many residents, businesses and visitors. We encourage you to submit your questions, comments, and concerns, but please note this is a **moderated online discussion site and not a public forum**.

Once posted, Scott County **reserves the right to delete submissions** that contain:

- a) profanity and vulgar or abusive language;
- b) personal attacks or threats of any kind;
- c) offensive comments that target or disparage any ethnic, racial, or religious group.
- d) sexual content or links to sexual content
- e) sensitive information (for example, information that could compromise public safety or ongoing investigations)
- f) spam or include links to other sites;
- g) comments not topically related to the particular social medium article being commented upon clearly off topic;
- h) advocate illegal activity;
- i) promote particular services, products, or political organizations/candidates;
- j) infringe on copyrights or trademarks;
- k) use personally identifiable medical information.

Please note that the comments expressed on this site do not reflect the opinions and position of the Scott County government or its officers and employees. If you have any questions concerning the operation of this online moderated discussion site, please contact <insert dept>@scottcountyiowa.com.”

Employees postings on personal social media outside of their professional duties must adhere to the following policies:

•Scott County respects the right of employees to write blogs and use social networking sites and does not want to discourage employees from self-publishing and self-expression. Employees utilizing LinkedIn identifying their County employment are required to reflect appropriate demeanor for a County employee. Employees that maintain a professional blog, contribute to another’s professional blogs, or make comments on blogs or other social media sites must maintain a professional tone and are prohibited from:

- Disclosing County confidential information or making any statements that violate County policies.

- Drafting, creating or accessing any non-professional blog using County technology.

- Representing that you are speaking or acting on behalf of the County, or that you are representing or presenting the view of the County unless specifically authorized by the County.

- Employees are expected to follow the guidelines set forth in this policy and the best practices guidelines to provide a clear line between you as the individual and you as the employee. If you publish content to any website outside of the County and it has something to do with work you do or subjects associated with Scott County, use a disclaimer such as this: "The postings on this site are my own and don't necessarily represent my employer's positions or opinions."

Employees should keep in mind that they are subject to legal action for posting material on a personal blog or social network page that is defamatory to persons; and for posting private information about a coworker's medical or financial affairs. Additionally, the County requires that employees make clear that any views and positions described on a personal blog or social network page are their own and not those of the County.

Also be aware that:

- Your activities may attract media interest in you as an individual, so proceed with care whether you are participating in an official or a personal capacity. If you have any doubts, seek advice from your supervisor or manager.
- State law does not give you unlimited "free speech"; your comments could lead to legal action or discipline depending on the context. When you choose to go public with your opinions you are legally responsible for your commentary. Individuals can be held personally liable for any commentary deemed to be defamatory, obscene (not swear words, but rather the legal definition of "obscene"), proprietary, or libelous (whether pertaining to County staff or individuals). For these reasons, you should exercise caution with regards to exaggeration, colorful language, guesswork, obscenity, copyrighted materials, legal conclusions, and derogatory remarks or characterizations.

**Attachment A**

**TECHNOLOGY SERVICES USE REQUEST**

I hereby request access to Technology Services via a Scott County account.

I am specifically requesting access to the following types of technology services (initial by specific requests):

\_\_\_ Outlook      \_\_\_ Internet      \_\_\_ Social Media sites (list:\_\_\_\_\_)

\_\_\_ Smart phone (exempt employee)      \_\_\_ Smart Phone (non-exempt employee)

My signature below certifies that I have read the Technology Use Policy and Electronic Device policy (if applicable), and that I understand, accept, and will abide by the provisions stated therein. I am also aware that from time to time this policy will be updated and I am expected to be familiar and abide by those updates.

SIGNATURE:\_\_\_\_\_

NAME:\_\_\_\_\_

POSITION:\_\_\_\_\_

DEPARTMENT:\_\_\_\_\_

PHONE:\_\_\_\_\_

DATE:\_\_\_\_\_

SUPERVISOR APPROVAL AND ACKNOWLEDGEMENT IF ISSUING SMART PHONE TO NON-EXEMPT EMPLOYEES:\_\_\_\_\_

DATE:\_\_\_\_\_

DEPARTMENT HEAD APPROVAL: \_\_\_\_\_

DATE:\_\_\_\_\_

INFORMATION TECHNOLOGY ASSIGNED USERNAME(S):

\_\_\_\_\_

**Return this form to the Information Technology Department,  
Attention: Network System Administrators**

## Attachment B

□ Please consider the environment before printing this e-mail.



**Save a tree.**

Please don't print this e-mail unless it's necessary.



Join Scott County in being "Green"; don't print this e-mail unless it's necessary.



Please consider the environment before printing this e-mail.



If you must print this e-mail; be sure to recycle the paper.



## TEMPORARY TELEWORK AGREEMENT

This Agreement is effective between \_\_\_\_\_ (hereinafter "the employee") and \_\_\_\_\_  
Department/Office (hereinafter "the department"). The parties agree as follows:

### Scope and Duration of Agreement

1. This Agreement shall become effective as of \_\_\_\_\_ and shall remain in full force and effect until \_\_\_\_\_, unless modified or rescinded by the department.
2. The term "office workplace" is the official work site of the department, which is the usual and customary location of the department's offices or an alternate location as set forth in the terms and conditions of this agreement.
3. The employee agrees to perform his/her assigned duties for the department as a "teleworker." The employee agrees that teleworking is for a temporary period and may be terminated at any time at the discretion of the department.
4. Other than those duties and obligations expressly imposed on the employee under this Agreement, the duties, obligations, responsibilities and conditions of the employee's employment with the department remain unchanged as a result of entering into this Agreement. The employee's salary and participation in employee pension, benefits, and County-sponsored insurance plans shall remain unchanged so long as the hours worked remain unchanged.

### Termination of Agreement

5. The employee's participation as a teleworker is available only to employees deemed eligible at the department's discretion and approved and/or provided resources through the Information Technology Department. There exists no right to telework. The department may terminate the employee's participation as a teleworker, upon written notice of five (5) working days, unless the department director states in writing that conditions exist requiring less than five (5) days. The department will not be held responsible for costs, damages or losses resulting from terminating this Agreement. This Agreement is not a contract of employment and will not be construed as such.

### Compensation

6. The employee agrees that work hours, overtime compensation, and vacation schedules will conform to existing policies and procedures during the term of this Agreement. The employee will be paid in accordance with state law, Scott County policies/rules and applicable collective bargaining agreements. Unless expressly provided for in this Agreement, the employee will not be entitled to any compensation for the use of the employee's home as an office, employee's furniture, equipment or supplies used in the employee's home, transportation for commuting to and from the official work site, picking up or delivering work-related materials, or for any other employment-related activity or duty, or any home costs for utilities incurred in the performance of the employee's work-related duties.
7. The employee shall not work overtime for which additional compensation might be due without supervisory approval in advance. If the employee works overtime that has been approved in advance, the employee will be compensated in accordance with applicable laws, rules or collective bargaining agreements. By signing this Agreement, the employee agrees that failing to obtain proper approval for overtime work may result in removal from telework or appropriate disciplinary action. The employee must obtain supervisory approval before taking leave, in accordance with established procedures. By signing this Agreement, the employee agrees to follow established procedures for requesting and obtaining approval of leave.
8. Teleworkers must report to their official work site on scheduled telework days if requested by the supervisor or department head/elected office holder. A request by the supervisor or department head/elected office holder or the employee to report to the official work site shall not be construed as a termination of the telework arrangement. The employee's travel to the official work site is considered commute time, not hours of work, unless the employee is called into the official work site unexpectedly during the scheduled hours of a telework day.



## **Leave**

9. Regulations regarding leave remain unchanged under the Telework Program. Leave must be requested and approved in accordance with existing practices, laws, regulations and county and departmental policy.
10. Supervisor or department head/elected office holder must clearly articulate the rules for use of leave and the leave approval process. Telework employees are expected to adhere to the same policies and procedures as non-telework employees.
11. Employees at a telework site who experience an emergency (e.g., power outage) must contact their manager. Employees may be directed to report to the official work site or another approved telework site to complete their workday.

## **Equipment and Supplies**

12. The employee is responsible for the safekeeping of all department equipment and supplies located in the off-site work location.
13. The employee agrees that all equipment, software and supplies provided by the department for use at the telework site are to be used only for department business and may be used only by the employee or other persons authorized by proper management authority.
14. The department, at its sole discretion, may choose to purchase related office supplies for use by the employee while teleworking. This decision shall rest entirely with the department. The decision to discontinue use of such equipment shall rest entirely with the department.
15. In the event of equipment failure or malfunction, the employee agrees to immediately notify the department and cooperate to effect immediate repair or replacement of such equipment. The employee is responsible for returning inoperable equipment to the department for repair. In the event of delay in repair or replacement, or any other circumstance under which it would be impossible for the employee to telework, the employee understands that the employee may be assigned other work, or this Agreement may be temporarily suspended at the department's discretion.
16. All equipment supplied by the department will be inventoried and accounted for to the department by an inventory list signed by the employee.
17. The employee will not modify or alter any equipment nor relocate it without prior approval by the department. The employee will ensure that all County owned equipment is used only by department-authorized personnel to conduct department work.
18. The employee agrees that all County owned data, software, equipment, and supplies must be properly protected and secured. Department-owned data, software, equipment and supplies must not be copied in violation of law or the department's (or Scott County's) licensing agreements with its vendors. The employee will comply with all applicable policies and instructions regarding conflicts of interest and confidentiality. The employee agrees that, on termination of employment, this agreement or at the direction of the department, the employee will return all property belonging to the department in the employee's possession or control of the department to the office work site.
19. Furniture, lighting, electrical and telephone services and household safety equipment incidental to the use of the County owned equipment, software and supplies shall be appropriate for their intended use and shall be used and maintained in a safe condition, free from defects and hazards.

## **Workspace and Inspections**

20. The employee agrees to designate a workspace within the employee's telework site and maintain this workspace in a safe condition, free from hazards and other dangers to the employee and County equipment. The telework site must be free from distractions and disturbances from children, pets, family members and others during work hours. The telework site is subject to inspection and approval by the department.
21. Unless otherwise agreed, a minimum of twenty-four (24) hours advance notice must be given before management may inspect the employee's telework site to ensure that Information systems and sensitive information protection measures are in place at the telework site. Such inspections shall be conducted during the employee's normal working hours. If the employee refuses a telework site inspection, the manager may immediately terminate the

employee's telework agreement and the employee must surrender all County-owned equipment and supplies and return to the official work site.

22. As equipment is specifically assigned to the employee, if it is not returned upon request or termination the replacement value shall be deducted from the employee's paycheck.
23. The department shall set forth phone communication needs and expectations with the employee.
24. The employee agrees that the department will not be responsible for moving the employee's personal furniture or household belongings, nor for making any improvements or modifications to the employee's home in order to create the telework site. The department will install, if necessary and agreed to, work-related equipment at the department expense upon the employee's first entry in the Telework Program. If the employee changes from one telework site to another, the cost of terminating service at the former location and establishing service at the new location will be the responsibility of the employee, unless the department determines that it would be in the department's best interest to pay such costs.

### **Work Performance**

25. The employee is responsible for maintaining and communicating availability (presence), appropriate levels of production, and quality of work while teleworking. Inadequate availability, work production and/or work quality may be cause for modification or termination of the employee's participation in teleworking. In such instance, the employee may, without right of appeal, be required to return to work at the official worksite.

### **Liabilities**

26. The employee's and the department's liability and respective obligations shall be governed by Iowa law.

### **Responsibilities of Teleworkers**

27. Inform management when unable to perform work due to illness or personal situations for which paid leave is authorized, or in extenuating circumstances, when leave without pay may be appropriate.
28. Accurately report time and attendance. The employees must submit their time and attendance in accordance with existing policy making certain to appropriately code their hours of telework.
29. Contact the official work site to retrieve messages and to request from management approval of a change in telework site.
30. Meet organizational requirements regarding communication and availability (presence).
31. Protect all county equipment by securing unattended laptops or other equipment whether it is in the office, home or while on travel.
32. Protect and store confidential physical and electronic information in a manner to maintain confidentiality and immediately report information system security incidents.
33. Report any work-related accidents.

### **Amendments**

34. This Agreement may be modified, amended or terminated at any time by written notification from the department to the employee, as necessary, to ensure that the operating needs of the department are met.

### **Disclaimer**

35. Nothing contained in this Agreement conveys nor is it intended to convey upon the employee a contract of employment.

## Terms and Conditions of Telework Agreement

**Name of Employee:**

**Name of Department:**

**Statement as to the benefit to the County as a result of the telework arrangement:** Employee teleworking arrangement is in accordance with the Novel Coronavirus (COVID-19) Temporary Employment Policy.

**Duties to be performed by Employee:** Employee's duties shall be consistent with those required at the worksite, with any modification to those duties as separately communicated by management to the employee.

**Telework site:**

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Business Phone

**Work days and duty hours at the telework site:**

**Telework conditions specific to this agreement:**

**Equipment provided to support telework:**

I affirm by my signature below that I have read this entire Agreement and that I understand and agree to its entire content. I also affirm that I have been made aware of the following: the responsibilities for documenting time, attendance, approval of leave requests and provisions governing the approval of overtime and compensatory time; performance requirements and measurement; proper use and safeguard of government property; maintenance of records; and standards of conduct.

_____ Employee's Signature	_____ Employee's Printed Name	_____ Date
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_____ Supervisor's Signature	_____ Supervisor's Printed Name	_____ Date
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_____ Department Head/Designee Signature	_____ Dept. Head/Designee's Printed Name	_____ Date
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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 7, 2021

#### APPROVING CHANGES TO GENERAL POLICY 34 "TECHNOLOGY USE"

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

Section 1. General Policy 34 "Technology Use" revises the policy to address modifications to the telework procedures.

Section 2. This resolution shall take effect immediately.

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 7, 2021

### APPROVAL OF STAFF APPOINTMENTS

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

Section 1. The hiring of Jessica Thiese for the position of Multi Service Clerk in the Treasurer's Office at the entry level rate.

Section 2. The hiring of Alan Sabat for the position of Office Assistant in the Facility & Support Services Department at the entry level rate.

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

DATE

SCOTT COUNTY AUDITOR

## RESOLUTION

### SCOTT COUNTY BOARD OF SUPERVISORS

January 7, 2021

#### Recognizing January as Slavery and Human Trafficking Prevention Month

**WHEREAS**, the United States was founded upon the principle that all people are created with the unalienable right to freedom, and added the 13th Amendment to the Constitution making slavery illegal; and

**WHEREAS**, human trafficking is modern-day slavery, claiming millions victims worldwide, and found in the United States most often in the form of sexual exploitation, forced labor, involuntary servitude, and debt bondage; and

**WHEREAS**, this horrific crime, which denies human dignity and freedom, and fuels organized crime, exists in every community, and

**WHEREAS**, even though awareness of this crime is growing, human trafficking continues to go unreported due to its isolating nature, the misunderstanding of its definition, and the lack of awareness about its indicators; and

**WHEREAS**, increased community education on how to identify victims of human trafficking along with increased knowledge of local resources and services for those affected by these criminal actions can help restore freedom and dignity to identified survivors, as well as help diminish the number of future victims; and

**WHEREAS**, fighting human trafficking is a shared responsibility, the efforts by our local community to promote the yearly observance of "Human Trafficking Prevention Month" in January enact one of the examples of the continuous commitment in the United States and with the Iowa Network Against Human Trafficking & Slavery to increase awareness of and to actively eradicate human trafficking; and

**WHEREAS**, Scott County joins Braking Traffik, a program of Family Resources, in their dedication to providing community outreach and education, legislative advocacy, and comprehensive services to survivors of human trafficking.

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

- Section 1. That the Board of Supervisors does hereby declare the month of January as Slavery and Human Trafficking Prevention month;
- Section 2. This resolution shall take effect immediately.