

TENTATIVE AGENDA
SCOTT COUNTY BOARD OF SUPERVISORS
February 1 - 5, 2021

Tuesday, February 2, 2021 Special Board Meeting - 8:00 am WEBEX/VIRTUAL ONLY

The public may join these 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: 146 458 7684 PASS CODE: 1234

OR you may join via Webex. Go to www.webex.com and JOIN meeting.
ACCESS CODE: 146 458 7684 PASS CODE: 1234
See the Webex Instructions in packet for a direct link to the meeting.

- ___ 1. Roll Call: Kinzer, Knobbe, Maxwell, Beck, Croken

- ___ 2. Resolution approving the 28E Intergovernmental Agreement between Scott County, Iowa, the Iowa County Engineers Association Service Bureau, and the following Iowa counties: Buchanan, Cedar, Delaware, Hamilton, Jones, Monroe, and Washington for the contracting of consultant services for preparation and submittal of a 2021 Build Grant Application.

Moved by ___ Second by ___

Kinzer ___ Knobbe ___ Maxwell ___ Beck ___ Croken ___

- ___ 3. Adjourned. Moved by ___ Seconded by ___

Committee of the Whole -
Immediately following the Special Board
Meeting WEBEX/VIRTUAL ONLY

*Use call in information from above
to join the meeting.*

- ___ 1. Roll Call: Kinzer, Knobbe, Maxwell, Beck, Croken

- ___ 2. Recognizing February as "Black History Month" at the February 4th Board Meeting at 5:00 p.m. (Item 2)

Presentation

- ___ 3. Dress for Success Quad Cities - Presentation by Tyla Sherwin - Cole, Executive Director and Marie Gleason, Board of Directors. (Item 3)

- ___ 4. Presentation by representatives of the Iowa Citizens for Community Improvement regarding the need for greater local input in the current Master Matrix approval procedures. (Item 4)

Facilities & Economic Development

- ___ 5. Presentation of Planning and Zoning Commission's recommendation on the final draft of the proposed Subdivision Ordinance revisions. Public Hearing to be held during the February 18, 2021 Board Meeting at 5:00 PM. (Item 5)

- ___ 6. Presentation of Planning and Zoning Commission's recommendation to rezone approximately 72 acres in Winfield Township from Agricultural General (A-G) to Single Family Residential (R-1). Public Hearing to be held during the February 18, 2021 Board Meeting at 5:00 PM. (Item 6)
- ___ 7. County Attorney Office expansion project - Additional Design Fees. (Item 7)

Human Resources

- ___ 8. Staff appointment. (Item 8)

Finance & Intergovernmental

- ___ 9. Juvenile Detention bond referendum development plan. (Item 9)
- ___ 10. Report on Center for Tech and Civic Life grant. (Item 10)
- ___ 11. Auditor's Office update on revised poll worker pay vouchers. (Item 11)

Other Items of Interest

- ___ 12. Discussion of a motion authorizing Chairman Beck to send a letter on behalf of the Scott County Board of Supervisors to Iowa Department of Public Health Interim Director Kelly Garcia requesting she seek FEMA approval for a federally operated mass COVID-19 vaccination site in Scott County. (Item 12)
- ___ 13. Recognition of service for those who served on various Boards and Commissions: Chuck Thompson, Audrae Zoekler, Lisa Charnitz, and Bob Walter.
- ___ 14. Beer/liquor license renewal for Kwik Shop #589 - 1 Grove Road Park View.
- ___ 15. Adjourned. Moved by ___ Seconded by ___

**Special Committee of the Whole -
Immediately following the Committee of the Whole
WEBEX/VIRTUAL**

***Use call in information from above
to join the meeting.***

- ___ 1. Roll Call: Kinzer, Knobbe, Maxwell, Beck, Croken
- ___ 2. Budget Work Session.
- ___ 3. Adjourned. Moved by ___ Seconded by ___

Thursday, February 4, 2021

**Regular Board Meeting - 5:00 pm
WEBEX/VIRTUAL 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: 146 012 4567 PASS CODE: 1234**

OR you may join via Webex. Go to www.webex.com and JOIN meeting.
ACCESS CODE: 146 012 4567 PASS CODE: 1234
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Instructions for *Unmuting Phone Line* during Board Meeting teleconference

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 Meeting number: **146 760 8531** Password: **1234**

Link to meeting (click): [Scott County Board of Supervisors meetings on Tuesday 02-02-21 beginning at 8:00 AM](#)

Full Link:

<https://scottcountyiowa.webex.com/scottcountyiowa/onstage/g.php?MTID=e20aee1b4bb022753e66cabe10c675e3e>

Connect via telephone:

1-408-418-9388 Meeting number: **146 760 8531** 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 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.

SCOTT COUNTY ENGINEER'S OFFICE

950 E. Blackhawk Trail
Eldridge, Iowa 52748

(563) 326-8640
FAX – (563) 328-4173
E-MAIL - engineer@scottcountyiowa.gov
WEB SITE - www.scottcountyiowa.gov



ANGELA K. KERSTEN, P.E.
County Engineer

ELLIOTT R. PENNOCK, E.I.T.
Assistant County Engineer

TARA YOUNGERS
Senior Administrative Assistant

MEMO

TO: Mahesh Sharma
County Administrator

FROM: Angie Kersten, P.E.
County Engineer

SUBJ: Resolution to Enter into a 28E Agreement for Consultant Services

DATE: January 26, 2021

This resolution is to enter into a 28E Agreement with the Iowa County Engineers Association Service Bureau, Buchanan County, Iowa, Cedar County, Iowa, Delaware County, Iowa, Hamilton County, Iowa, Jones County, Iowa, Monroe County, Iowa, and Washington County, Iowa, for the contracting of consultant services for preparation and submittal of a 2021 BUILD grant application.

Back in September, I brought to your attention that the Iowa County Engineers Association (ICEA) Executive Board was soliciting bridge replacement candidates from all 99 counties for a potential 2021 BUILD grant application. A resolution was passed authorizing me to submit our bridge located on Y68 (Scott Park Road) over the Wapsipinicon River Overflow (FHWA #020870) as a candidate and if selected the authority to submit payment to ICEA for Scott County's equal share of consultant fees, not to exceed \$15,000.

ICEA received applications from 68 counties. The ICEA Executive Board put together a BUILD grant committee consisting of county engineers, representatives from the Iowa Department of Transportation (Iowa DOT) Office of Local Systems, and the director of the Iowa County Engineers Association Service Bureau (ICEASB), to select bridges for the grant application.

In December, Scott County was notified that our bridge had been selected along with 7 other county bridges to compete together in a single application for the grant funding. Over the past month, we have been meeting to discuss and compile information for the grant application.

The ICEA BUILD grant committee was also tasked with developing a scope of work and soliciting a professional engineering consultant to prepare our grant application. The committee selected HDR Engineering out of Des Moines to draft the grant application. HDR Engineering was selected based on their history of success with grant application funding, their familiarity of the BUILD grant, and their ability to complete the application in a short time-frame. HDR Engineering is listed as an

approved consultant for emergency work for the Iowa Department of Transportation. In addition, HDR Engineering prepared the grant application for the Competitive Highway Bridge Program federal funding that the Iowa DOT was awarded in 2019. That grant provided partial funding for 4 bridge replacement projects in Scott County.

A 28E Agreement has been drafted by the ICEASB Director and reviewed by Iowa State Association of Counties (ISAC) legal counsel. I have forwarded the agreement to Rob Cusack for his review.

The consulting fee has been negotiated and is detailed in the 28E Agreement. The fee will not exceed \$108,327. Scott County will be responsible for 1/8th of the fee and that cost will not exceed \$13,540.88. Since our bridge is a shared bridge with Clinton County, Clinton County has agreed to reimburse Scott County for 50% of the consulting fee. I recommend executing this 28E Agreement.

28E Agreement
Contracting of Consultant Services for the Preparation and Submittal of the 2021 BUILD Grant Application

This agreement (the Agreement) made and entered into by and between the Iowa County Engineers Association Service Bureau (ICEASB), (hereinafter also referred to as the Contracting Authority), and the following eight (8) county bridge owners: Buchanan County, Iowa; Cedar County, Iowa; Delaware County, Iowa; Hamilton County, Iowa; Jones County, Iowa; Monroe County, Iowa; Scott County, Iowa; Washington County, Iowa, (hereinafter also referred to as the Counties).

WHEREAS, all parties to this Agreement are public agencies as defined by Section 28E.2 and Section 28E.4 of the Code of Iowa, and

WHEREAS, Iowa Code Section 28E.3 provides that any power or powers, privileges or authority exercised or capable to be exercised by a public agency of the State of Iowa may be exercised and enjoyed jointly by a public agency of the State of Iowa having such power or powers, and

WHEREAS, the US Department of Transportation typically makes available, through the Better Utilizing Investments to Leverage Development (BUILD) Transportation Discretionary Grants program or BUILD funding, to qualifying transportation agencies for planning and capital investments in surface transportation infrastructure, such funds are awarded on a competitive basis for projects that will have a significant local or regional impact, and

WHEREAS, the ICEASB desires to select potential county bridge replacement candidates, make application for up to \$25 million in BUILD Grant funding, and to contract Consultant Services to assemble and submit a grant application for the purpose of acquiring said BUILD Grant funding, and

WHEREAS, the ICEASB, as Contracting Authority, is willing and able to enter into a contract and provide contract management and accounting services as agreed to herein, for and between the parties to this Agreement and HDR Engineering, Inc., (Consultant), and

WHEREAS, the Counties and the ICEASB Board of Directors have informed themselves as to this Agreement and the HDR Engineering, Professional Services Agreement, including Exhibit A and Exhibit B, attached to this Agreement and as such becomes part of this Agreement (the "Consultant Contract").

IT IS NOW AGREED, that the ICEASB and the Counties, enter into an Agreement pursuant to Chapter 28E of the Code of Iowa providing for cooperative action to contract for Professional Consultant Services to assemble and submit a BUILD Grant application;

THEREFORE, the parties, in consideration of the mutual obligations and benefits contained herein, agree as follows:

- I. SCOPE OF WORK –
 - A. ICEASB will be the Contracting Authority for the Consultant Contract. The Contracting Authority shall be responsible for contract administration and accounting services between the Counties and the Consultant.
 - B. Each County shall share equally in the costs and be responsible for 1/8th of the total actual cost for all Professional Services rendered, for their respective bridge project defined below:
 1. Buchanan County, Iowa: FHWA Structure Number: 83090; Location: Baxter Ave. over Wapsipinicon River; Preliminary Estimated Construction Cost: \$3,000,000

2. Cedar County, Iowa: FHWA Structure Number: 018490 Location: 290th Street over Cedar River; Preliminary Estimated Construction Cost: \$7,000,000
3. Delaware County, Iowa: FHWA Structure Number: New Location: 230th Ave. over Maquoketa; Preliminary Estimated Construction Cost: \$6,000,000
4. Hamilton County, Iowa: FHWA Structure Number: 026390 Location: Vail Ave. over CCP Railroad; Preliminary Estimated Construction Cost: \$2,800,000
5. Jones County, Iowa: FHWA Structure Number: 207520; Location: Landis Road over Wapsipinicon River; Preliminary Estimated Construction Cost: \$2,720,000
6. Monroe County, Iowa: FHWA Structure Number: 252510; Location: 165th Street over BNSF Railroad; Preliminary Estimated Construction Cost: \$3,750,000
7. Scott County, Iowa: FHWA Structure Number: 020870; Location: Scott Park Road over Wapsipinicon River; Preliminary Estimated Construction Cost: \$2,750,000
8. Washington County, Iowa: FHWA Structure Number: 336060; Location: Dogwood Ave. over Skunk River; Preliminary Estimated Construction Cost: \$6,500,000

- C. ICEASB shall make payment to the Consultant for all Professional Services rendered. After payment is made to the Consultant, the ICEASB shall invoice for reimbursement, from each County for Professional Services rendered. Upon Board of Supervisor approval by each County, reimbursement shall be made to the ICEASB within 30 days of receipt of invoice. Each of the eight (8) counties shall reimburse the Contracting Authority for their 1/8th share within 30 days of receipt of invoice.
 - D. Any change in Scope of Services and associated contract costs required of and requested by the Consultant, must be approved by five of the eight counties that are a party hereto, prior to any additional or change in proposed services being rendered by the consultant and prior to costs being incurred.
 - E. Any dispute regarding the fees for the Professional Services shall be resolved between the disputing County (or Counties) and the Consultant within 30 days of receipt of invoice from ICEASB.
 - F. Eligibility for BUILD funding requires the above listed projects to be obligated for letting to contract by September 30, 2023.
- II. DURATION –
This Agreement shall commence on the date that all parties sign this Agreement and shall continue thereafter until fulfillment of the Professional Services Agreement or until this Agreement is terminated as defined herein, whichever is comes first.
- III. PURPOSE –
The purpose of this Agreement is to cooperatively make application for up to \$25 million in BUILD Grant funding and to contract Professional Services to assemble and submit a grant application for the purpose of successfully acquiring additional bridge funding for County Infrastructure in the State of Iowa through the conditions specified in this Agreement.

- IV. ADMINISTRATION –
ICEASB shall be responsible for the administration of this Agreement.

- V. INDEMNIFICATION –
All parties to this Agreement agree to save and indemnify and keep harmless each other against all liabilities, judgements, costs, and expenses which may in any way come against the other parties or which in any way result from carelessness or neglect of any party or its affiliates, officers, directors, employees, or agent.

- VI. SEVERABILITY –
If any part of this Agreement or the application of this Agreement to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Agreement which can be given effect without the invalid provisions or applications, and to this end, the provisions of this Agreement are declared to be severable.

- VII. NO THIRD PARTY BENEFICIARIES
No third party beneficiaries are intended under this Agreement.

- VIII. TERMINATION –
 - A. This Agreement shall be considered binding upon all parties to this Agreement for the duration of the Consultant Services Contract or until this Agreement is terminated pursuant to the terms of this Agreement.

 - B. This Agreement may be terminated by any party upon written notice to the other parties and approval of five of the eight participating Counties, after payment of all just debts, obligations, and liabilities occurred up to the effective date of termination.

THE EXECUTION OF THIS AGREEMENT BY EACH UNDERSIGNED PARTY SHALL CONSTITUTE ADOPTION OF THIS AGREEMENT. FOR EACH UNDERSIGNED PARTY, SUCH EXECUTION SHALL BE PURSUANT TO AUTHORITY GRANTED BY RESOLUTION ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.

IN WITNESS WHEREOF, each of the parties hereto has executed this agreement as of the date shown opposite its signature below.

**SHORT FORM AGREEMENT BETWEEN OWNER AND
HDR ENGINEERING, INC. FOR PROFESSIONAL SERVICES**

THIS AGREEMENT is made as of this _____ day of _____, 20___, between Iowa County Engineers Association Service Bureau (“OWNER”) a 28E separate legal public entity, with principal offices at 5500 Westown Parkway, Suite 190, West Des Moines, IA 50266, and HDR ENGINEERING, INC., (“ENGINEER” or “CONSULTANT”) for services in connection with the project known as BUILD Grant Support for Iowa Bridge Bundle (“Project”);

WHEREAS, OWNER desires to engage ENGINEER to provide professional engineering, consulting and related services (“Services”) in connection with the Project; and

WHEREAS, ENGINEER desires to render these Services as described in SECTION I, Scope of Services.

NOW, THEREFORE, OWNER and ENGINEER in consideration of the mutual covenants contained herein, agree as follows:

SECTION I. SCOPE OF SERVICES

ENGINEER will provide Services for the Project, which consist of the Scope of Services as outlined on the attached Exhibit A.

SECTION II. TERMS AND CONDITIONS OF ENGINEERING SERVICES

The HDR Engineering, Inc. Terms and Conditions, which are attached hereto in Exhibit B, are incorporated into this Agreement by this reference as if fully set forth herein.

SECTION III. RESPONSIBILITIES OF OWNER

The OWNER shall provide the information set forth in paragraph 6 of the attached “HDR Engineering, Inc. Terms and Conditions for Professional Services.”

SECTION IV. COMPENSATION

Compensation for ENGINEER’S services under this Agreement shall be on the basis of

- cost plus fixed fee. ENGINEER’S fixed fee will be twelve thousand two hundred forty-three Dollars (\$12,243). Cost shall be an amount equal to salary cost times a factor of 2.5081 plus reimbursable expenses. ENGINEER’S not to exceed compensation for services under this agreement shall be \$108,327.

Compensation terms are defined as follows:

Direct Labor Cost shall mean salaries and wages, (basic and overtime) paid to all personnel engaged directly on the Project. The Direct Labor Costs and the factor applied to Direct Labor Costs will be adjusted annually as of the first of every year to reflect equitable changes to the compensation payable to Engineer.

Reimbursable Expense shall mean the actual expenses incurred directly or indirectly in connection with the Project for transportation travel, subconsultants, subcontractors, technology charges, telephone, telex, shipping and express, and other incurred expense.

Cost-Plus-Fixed Fee shall mean Cost plus a Fixed Fee.

Cost, as used in "Cost-Plus-Fixed Fee," shall mean Direct Labor Cost plus Overhead Costs, plus Reimbursable Expense.

Overhead Costs, as used in "Cost-Plus-Fixed Fee," shall mean indirect costs which include payroll and administrative expenses. For this Agreement, overhead costs shall be one hundred fifty point eighty-one percent (150.81%) of Direct Labor Cost.

Fixed Fee shall mean a fixed amount of fee that is added to the Cost in a Cost-Plus-Fixed Fee basis of payment. The sum of Cost and Fixed Fee shall be the compensation for the Scope of Services. The Costs may vary, but the Fixed Fee shall remain the same provided the Scope of Services does not change.

SECTION V. PERIOD OF SERVICE

Upon receipt of written authorization to proceed, ENGINEER shall perform the services within the time period(s) described in Exhibit A.

Unless otherwise stated in this Agreement, the rates of compensation for ENGINEER'S services have been agreed to in anticipation of the orderly and continuous progress of the project through completion. If any specified dates for the completion of ENGINEER'S services are exceeded through no fault of the ENGINEER, the time for performance of those services shall be automatically extended for a period which may be reasonably required for their completion and all rates, measures and amounts of ENGINEER'S compensation shall be equitably adjusted.

SECTION VI. SPECIAL PROVISIONS

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first written above.

Iowa County Engineers Association Service
Bureau

"OWNER"

BY: _____

NAME: _____

TITLE: _____

ADDRESS: _____

HDR ENGINEERING, INC.
"ENGINEER"

BY: Matthew B. Tondl

NAME: Matthew B. Tondl, PE

TITLE: Senior Vice President

ADDRESS: 1917 South 67th Street
Omaha, NE 68106

EXHIBIT A

SCOPE OF SERVICES

Scope of Services

Iowa County Engineers Association

Better Utilizing Investments to Leverage Development (BUILD) Grant Support for Iowa Bridge Bundle

Background

The US Department of Transportation (USDOT) has been authorized and funded with \$1 billion for another round of discretionary grants to help fund surface transportation projects that will have "a significant local or regional impact". In recent years, the program awarding these grants has been called Better Utilizing Investments to Leverage Development, or "BUILD Transportation Grants," replacing the TIGER Discretionary Grant program begun under the American Recovery and Reinvestment Act of 2009. These are highly competitive grants designed to close funding gaps for road, rail, transit and port projects throughout the country.

For the FY 2021 BUILD program, Congress has directed USDOT to ensure that at least \$10 million goes to projects located in or that will directly benefit areas of persistent poverty. As under last year's program, half of the funds are to go to rural projects and the other half to projects in urban areas; and overall, the awards are to be geographically balanced across the country. Awards can range from \$5 million to \$25 million, except for those going to projects affect areas of persistent poverty, for which no minimum grant award is set.

While the Notice of Funding Opportunity (NOFO) has not yet been published, the Consolidated Appropriations Act of 2021 specifies that USDOT must again use the criteria from the 2017 TIGER round. Those criteria were:

- Primary Selection Criteria
 - Safety
 - State of Good Repair
 - Economic Competitiveness
 - Environmental Sustainability
 - Quality of Life
- Secondary Selection Criteria
 - Innovation
 - Partnership

A key element of the BUILD application is the completion of a benefit-cost analysis that shows the economic feasibility and cost-effectiveness of the project. In recent years, USDOT has also looked closely at project readiness, to be assured that the project will be able to expend the federal funds under the required timeframe.

HDR has assisted its clients with numerous successful Federal and State grant applications and, in general, we have found that the following is required for a successful grant application:

1. A complete description of the project: its goals, its purpose and need, and how it will be implemented.
2. Completed engineering and environmental documentation, or a well-articulated plan to complete this documentation.
3. Clear alignment with most of the grant program's Merit Criteria.
4. A readable, complete narrative application.
5. A benefit-cost analysis (BCA) demonstrating positive public economic outcomes.
6. Matching state, local, or private cash contributions (not expense-in-kind contributions), that exceed the proposed federal grant contribution, and preferably funding matches that include private-sector contributions.
7. Expressed, strong, specific, preference for the project, among all the various projects in the state for which applications might be submitted, by one or more Senators or Congressional Representatives, and from the Governor's office.

Scope of Work

This scope is a follow up to conference calls between HDR and the Iowa County Engineers Association (ICEA) on December 16, 2020 and January 21, 2021.

HDR will provide technical support to ICEA to develop a single BUILD grant application for bridge bundling. ICEA will identify one project point-of-contact and one Iowa County staff member as the BUILD grant sponsor and applicant. HDR will work with ICEA and County staff to collect necessary data for use in the benefit-cost analysis (BCA) and grant application, such as traffic data and project cost estimates. It is HDR's understanding that critical data, such as National Bridge Inventory Data (NBI) and cost assumptions, are already available for the project. HDR will develop a BCA model using methods and parameters consistent with USDOT's guidance for conducting BCAs for discretionary grant programs. HDR will conduct the following tasks to assist ICEA in developing its BUILD grant application:

Task 1: Project Management & Coordination

Task 1 covers project management tasks including work progress reporting, financial management, coordination meetings, and schedule management.

At the project kick-off call, HDR will provide ICEA with guidance on USDOT's guidelines for the BUILD Grant Program and probable application review strategy, application development, schedule, criteria, and overall strategy. This task will include meeting / conference calls to discuss various options for the development of the application, as well as providing ICEA with intelligence gathered regarding the BUILD program. Strategies and messages for the grant submittal will be tailored during this discussion.

HDR will use the project kick-off call as an opportunity to facilitate the strategy session on the grant application approach and detailed work plan. The kick-off call will also be used as an opportunity to receive existing documentation related to the project and request other pertinent data and information that ICEA may have.

This coordination effort includes a formalizing of the public benefit categories to be evaluated. Part of this strategy session will involve selecting the various components of the project for inclusion in the scope in order to maximize probability of a grant award. This scope of work assumes that those benefit categories will be:

- Travel time, vehicle operating costs, and emissions impacts associated with bridge detours (due to required weight posted or closed bridges without project improvements),
- Improved safety due to bridge improvements (increased bridge width, improved guardrail protection),
- Residual value benefit and potentially lower rehabilitation costs due to a better state of repair,
- Reduced work zone delays.
- Quality of life improvements due to better/more reliable connections to jobs, health and commerce.

It is estimated that a total of up to 10 coordination meetings, as detailed in the Schedule section in this Scope of Services, will be held to discuss interim deliverables and progress during project development. It is anticipated that up to 3 of the meetings will be held in-person with ICEA and one HDR staff in Des Moines, with other HDR staff participating virtually, and the other meetings held virtually.

Deliverables: Monthly invoices and progress reports, action items from calls/meetings, and quality control-quality assurance.

Task 2: Collect and Review Available Data

ICEA has provided or will provide bridge specific information from Counties, including:

- Existing traffic volumes, including vehicle classification (e.g., percent trucks) on bridges and detour network
- Average travel speeds (on bridges and detour network)
- Projected traffic volumes to interpolate construction year volumes.
- Detour route (or detour distance) for each bridge
- Bridge construction cost estimates and schedule
- Maintenance and rehabilitation costs for different states of repair
- Other associated project costs (e.g. soft costs)
- Work zone delay estimates (with and without bridge bundling)
- Bridge weight limitations, and impact on traffic counts
- Historical crash rates on bridges

HDR will review bridge specific information to confirm completeness for reporting in the grant and traffic and safety analysis.

Task 3. Traffic Operations and Safety Analysis

Safety Analysis

Crash data will be obtained for the past 10-year period for up to 8 bridges identified by ICEA. Crash frequencies and rates will be calculated for identified bridges. Bridge safety analysis will be composed of two factors: 1) Enhancement from the existing bridge to the new bridge and 2) Impacts to safety of travel along a detour. Each element will require a separate analysis method.

Method 1: Highway Safety Manual-based crash prediction methods will be implemented for up to 8 bridges. Factors considered will include lane width, shoulder width, width of adjacent roadway segments, and other geometric and traffic factors.

Method 2: The out-of-distance length and volume of diverted vehicles for up to 8 bridges will be utilized to predict additional crashes induced by the bridge availability (existing load rated bridges, predicted future load rated bridges, or closed bridges) based on Iowa DOT's published average crash rates by facility class. Method 2 will not include additional geometric conditions along the detour route; focusing instead on average crash rates and the added exposure of out-of-distance travel.

Crash prediction results developed using the prior two defined methods will be estimated for up to 4 key years of analysis with annual crash frequency projections by KABCO severity level developed through interpolation.

Operations Analysis

Highway Capacity Manual methods applied via spreadsheet will be utilized to determine a before and after average travel speed for travel through the project limits and via the project detour for up to 8 bridges. The differential between before and after travel times will be applied to the volume of traffic impacted by the project. Daily out-of-distance travel delay will also be calculated for bridge detours using the same HCM-based methods. Before and after travel time analysis will focus on typical day conditions or recurring congestion and will be estimated for each year in the benefit-cost analysis.

Deliverable: Technical Appendix of Traffic and Safety Methodology and Results.

Task 4. Detour and GIS Analysis

HDR will work with ICEA to review existing bridge inventory data for the relevant bridges included in the bundles. This data includes detour routes in the event of bridge posting or closure. ICEA will help refine these distances. HDR may conduct GIS analyses to aid the calculations of distances and consider the proximity and condition of neighboring bridges.

Using the results of these analyses, HDR will evaluate the user impacts of detours in the case of bridge closures or weight restrictions. User impacts will cover travel time,

distance traveled, and vehicle emissions impacts associated with bridge detours. It is assumed that a single vehicle emissions rates from one, representative central Iowa county will be used to estimate emissions impacts.

Deliverable: Predicted detour impacts for the baseline scenario.

Task 5. Benefit-Cost Analysis

BUILD requires the estimation of benefits and costs associated with the proposed project. The Benefit-Cost Analysis (BCA) conducted for this project will include the monetized benefits and costs measured using USDOT guidance, as well as the quantitative and qualitative merits of the project. A BCA provides estimates of the benefits that are expected to accrue from a project over a specified period and compares them to the anticipated costs of the project. Costs include both the resources required to develop the project and the costs of maintaining the new or improved asset over time. Estimated benefits are based on the projected impacts of the project on both users and non-users of the facility, valued in monetary terms.

HDR will update its custom benefit-cost model consistent with USDOT BCA guidance and the BUILD evaluation criteria. HDR will identify and quantify public benefits expected to be derived from the project that demonstrate adherence with the BUILD selection criteria, which will be the same as those from the last BUILD round with some refinements by the new Administration. Net present value for all benefits, as well as a benefit-cost-ratio (BCR) will be calculated as part of the analysis.

The economic analyses will include the following elements:

- **Develop Excel-Based Benefit-Cost Model:**
 - For each of the benefit categories identified logic models will be developed that represent the methodology used to monetize the project benefit.
 - The logic models will be used to create a model in Excel, which will calculate total benefits and costs over a set period (usually 20 or 30 years, following USDOT recommendations in a manner which is transparent and easy for USDOT economists to review.
 - The model will be populated with the most up-to-date information available. HDR will collect model inputs from a variety of sources including ICEA, Iowa DOT, USDOT guidance, and other project documentation. Estimations of travel time and safety benefits will be derived based on the results of Task 4, above.
 - Summary metrics, including NPV (Net present value) and benefit cost ratio will be calculated and easily identifiable.
- **Review Benefit-Cost Results, Test Sensitivity of Results against Key Variables:**
 - Key variables will be flagged for testing and the model will be re-run and results generated based on key material events.

- **Issue Results:**
 - A short document will be prepared with text on estimated costs, benefits, and impacts estimated in the BCA which can be inserted in the project narrative to support the discussion of how the project aligns with the BUILD merit criteria.
 - Methodology, data sources, key assumptions and other information critical to the BCA will be included in a technical appendix.

Deliverables: A document including key paragraphs for input directly into the application narrative; an appendix describing the evaluation approach, data and assumptions used, and results of the analysis including sensitivity testing; an excel-based benefit-cost model for submission to USDOT

Task 6. BUILD Grant Application Preparation

HDR will compile the analysis, develop select graphics, and document strategies that address the grant requirements. HDR will also assist in any additional evaluation of the selected projects and developing content for each of the applicable selection criterion described earlier in this proposal. ICEA (or lead agency) will be responsible for the actual submittal of the grant application on the grants.gov site.

HDR will lead the coordination and narrative development. A detailed schedule of activities will be determined at the NOFO release. Anticipate, minimally a 5-week schedule. HDR application development lead will work directly with Lee Bjerke (ICEA) and Joe Spradling (HDR PM) to coordinate exchanges and timely reviews.

The application narrative will follow USDOT’s recommended structure and approach for describing the project, its costs, funding, benefits, and other factors. The BUILD grant application narrative will include the following project narrative, which typically follows the basic outline below, as per the NOFO (note: may change after release of NOFO):

- I. Cover Page Table (as per template in NOFO)
- II. Project Description
- III. Project Location
- IV. Project Parties
- V. Grant Funds, Sources and Uses of Project Funds
- VI. Selection Criteria - as determined by the NOFO

HDR will provide support for the coordination and requests of project support letters from key project stakeholders to include, but not be limited to city, county, state, and national elected officials, and key stakeholder groups/organizations.

HDR recommends that the technical appendix and other supporting documents be provided on a secure website that USDOT can access, instead of submitting that section as a PDF attachment via Grants.gov. HDR can host this site for up to one year (at cost of \$100) or a partnering agency can assume this responsibility. HDR will coordinate with lead agency for materials to be included.

Deliverables:

- Annotated Outline with detailed schedule and writing assignments
- Designed Word Template for narrative development
- Up to twenty (20) supporting icons and graphics
- Request for support letter and talking points
- Appendix website and hosting fee for up to 1 year
- Completed BUILD Grant Application (Draft and Final)

Key Assumptions:

- It is assumed ICEA will designate a Lead Applicant and has designated as project main point-of-contact, Lee Bjerke. Danny Waid will be copied on all correspondence.
- It is assumed that the lead applicant will be responsible for submitting to HDR one consolidated and reconciled set of edits on draft deliverables.
- It is assumed in FINAL Draft Review of full narrative application and BCA, only critical edits will be accepted.
- It is assumed that all deliverables will be submitted electronically.
- Up to 3 coordination meetings will be conducted in-person at a location in either Des Moines or Ames with one HDR staff and other HDR staff joining virtually.
- Up to eight (8) bridges will be included in the analysis and narrative application.
- It is assumed that ICEA will be responsible for securing and provide access to data and additional supporting evidence such as photos, county narratives on bridges, and media mentions (as available).
- It is assumed lead applicant will initiate request of supporters on behalf of ICEA and coordinate with the HDR team for inclusion in the application.
- It is assumed that the lead applicant will register with www.grants.gov within the first week of NOFO release.
- Lead applicant is responsible for download and completion of the required forms necessary for application.
- Lead applicant is responsible for submittal of application and required forms to www.grants.gov.
- It is assumed the grant application will be developed in a Word template, designed with a unique grant brand for this effort. All authors will use the Word template to assure ease of content transfer into main working document.
- It is assumed any photo assets obtained by HDR from a stock house will be acquired as a single use license and cannot transfer over to ICEA for continue use.
- A project competitiveness review will not be performed to review other projects beyond the up to eight (8) bridges included in the application.

Schedule

HDR will complete the tasks described in this proposal, with a FINAL Draft Application document no later than one week prior to the BUILD grant application submission deadline, assuming that ICEA provides all necessary data, information and documentation to HDR. A proposed breakdown of the activities required to produce the application and a tentative timeframe for their completion is provided on the following page. This schedule assumes a ten-week submittal timeline after receiving notice-to-proceed with work. The NOFO was released on January 19, 2021.

Activity	Timeframe
Notice to Proceed	Week One
HDR requests outstanding data need after assessing existing data sets.	Week One
Coordination Call - Kick-off conference call	Week Two
Safety and BCA Analysis begins	Week Two
Coordination Call - Topics to include: <ul style="list-style-type: none"> • Project Supporters • Key Messaging • Additional resources needed 	Week Three
ICEA transmits remaining project data to HDR	Week Three
Coordination Call – Economic Parameters, Preliminary Traffic and Safety Findings, Grant Outline and Key Messaging	Week Four
HDR submits Draft summary of traffic and safety analysis results	Week Five
Coordination Call - Traffic, Safety & Reliability Results, Document Outline, Discuss Final Economic Approach / Inputs	Week Five
Coordination Call – TBD	Week Six
HDR submits Draft economic analysis results and Draft Grant Application	Week Seven
Coordination Call – ICEA Comments on Draft Economic Analysis results / Document Update	Week Seven
Coordination Call – Narrative Update/Live Look through	Week Eight
HDR submits Final BUILD application narrative and BCA Appendix to ICEA	Week Nine
Coordination Call – Narrative Update/Live Look Through	Week Nine
Coordination Call – FINAL Narrative Live Look Through	Week Ten - Monday
Critical Edits provided to HDR	Week Ten – Wednesday COB
Lead Applicant submits BUILD application to USDOT	Week Ten: (Friday prior to deadline is goal) No Later than 11:59 p.m. EST TBD

EXHIBIT B

TERMS AND CONDITIONS

HDR Engineering, Inc. Terms and Conditions for Professional Services

1. STANDARD OF PERFORMANCE

The standard of care for all professional engineering, consulting and related services performed or furnished by ENGINEER and its employees under this Agreement will be the care and skill ordinarily used by members of ENGINEER's profession practicing under the same or similar circumstances at the same time and in the same locality. ENGINEER makes no warranties, express or implied, under this Agreement or otherwise, in connection with ENGINEER's services.

2. INSURANCE/INDEMNITY

ENGINEER agrees to procure and maintain, at its expense, Workers' Compensation insurance as required by statute; Employer's Liability of \$250,000; Automobile Liability insurance of \$1,000,000 combined single limit for bodily injury and property damage covering all vehicles, including hired vehicles, owned and non-owned vehicles; Commercial General Liability insurance of \$1,000,000 combined single limit for personal injury and property damage; and Professional Liability insurance of \$1,000,000 per claim for protection against claims arising out of the performance of services under this Agreement caused by negligent acts, errors, or omissions for which ENGINEER is legally liable. If flying an Unmanned Aerial System (UAS or drone), ENGINEER will procure and maintain aircraft unmanned aerial systems insurance of \$1,000,000 per occurrence. OWNER shall be made an additional insured on Commercial General and Automobile Liability insurance policies and certificates of insurance will be furnished to the OWNER. ENGINEER agrees to indemnify OWNER for third party personal injury and property damage claims to the extent caused by ENGINEER's negligent acts, errors or omissions. However, neither Party to this Agreement shall be liable to the other Party for any special, incidental, indirect, or consequential damages (including but not limited to loss of use or opportunity; loss of good will; cost of substitute facilities, goods, or services; cost of capital; and/or fines or penalties), loss of profits or revenue arising out of, resulting from, or in any way related to the Project or the Agreement from any cause or causes, including but not limited to any such damages caused by the negligence, errors or omissions, strict liability or breach of contract.

3. OPINIONS OF PROBABLE COST (COST ESTIMATES)

Any opinions of probable project cost or probable construction cost provided by ENGINEER are made on the basis of information available to ENGINEER and on the basis of ENGINEER's experience and qualifications, and represents its judgment as an experienced and qualified professional engineer. However, since ENGINEER has no control over the cost of labor, materials, equipment or services furnished by others, or over the contractor(s) methods of determining prices, or over competitive bidding or market conditions, ENGINEER does not guarantee that proposals, bids or actual project or construction cost will not vary from opinions of probable cost ENGINEER prepares.

4. CONSTRUCTION PROCEDURES

ENGINEER's observation or monitoring portions of the work performed under construction contracts shall not relieve the contractor from its responsibility for performing work in accordance with applicable contract documents. ENGINEER shall not control or have charge of, and shall not be responsible for, construction means, methods, techniques, sequences, procedures of construction, health or safety programs or precautions connected with the work and shall not manage, supervise, control or have charge of construction. ENGINEER shall not be responsible for the acts or omissions of the contractor or other parties on the project. ENGINEER shall be entitled to review all construction contract documents and to require that no provisions extend the duties or liabilities of ENGINEER

beyond those set forth in this Agreement. OWNER agrees to include ENGINEER as an indemnified party in OWNER's construction contracts for the work, which shall protect ENGINEER to the same degree as OWNER. Further, OWNER agrees that ENGINEER shall be listed as an additional insured under the construction contractor's liability insurance policies.

5. CONTROLLING LAW

This Agreement is to be governed by the law of the state where ENGINEER's services are performed.

6. SERVICES AND INFORMATION

OWNER will provide all criteria and information pertaining to OWNER's requirements for the project, including design objectives and constraints, space, capacity and performance requirements, flexibility and expandability, and any budgetary limitations. OWNER will also provide copies of any OWNER-furnished Standard Details, Standard Specifications, or Standard Bidding Documents which are to be incorporated into the project.

OWNER will furnish the services of soils/geotechnical engineers or other consultants that include reports and appropriate professional recommendations when such services are deemed necessary by ENGINEER. The OWNER agrees to bear full responsibility for the technical accuracy and content of OWNER-furnished documents and services.

In performing professional engineering and related services hereunder, it is understood by OWNER that ENGINEER is not engaged in rendering any type of legal, insurance or accounting services, opinions or advice. Further, it is the OWNER's sole responsibility to obtain the advice of an attorney, insurance counselor or accountant to protect the OWNER's legal and financial interests. To that end, the OWNER agrees that OWNER or the OWNER's representative will examine all studies, reports, sketches, drawings, specifications, proposals and other documents, opinions or advice prepared or provided by ENGINEER, and will obtain the advice of an attorney, insurance counselor or other consultant as the OWNER deems necessary to protect the OWNER's interests before OWNER takes action or forebears to take action based upon or relying upon the services provided by ENGINEER.

7. SUCCESSORS, ASSIGNS AND BENEFICIARIES

OWNER and ENGINEER, respectively, bind themselves, their partners, successors, assigns, and legal representatives to the covenants of this Agreement. Neither OWNER nor ENGINEER will assign, sublet, or transfer any interest in this Agreement or claims arising therefrom without the written consent of the other. No third party beneficiaries are intended under this Agreement.

8. RE-USE OF DOCUMENTS

All documents, including all reports, drawings, specifications, computer software or other items prepared or furnished by ENGINEER pursuant to this Agreement, are instruments of service with respect to the project. ENGINEER retains ownership of all such documents. OWNER may retain copies of the documents for its information and reference in connection with the project; however, none of the documents are intended or represented to be suitable for reuse by OWNER or others on extensions of the project or on any other project. Any reuse without written verification or adaptation by ENGINEER for the specific purpose intended will be at OWNER's sole risk and without liability or legal exposure to ENGINEER, and OWNER will defend, indemnify and hold harmless ENGINEER from all claims, damages, losses and expenses, including attorney's fees, arising or resulting therefrom. Any such verification or adaptation will

entitle ENGINEER to further compensation at rates to be agreed upon by OWNER and ENGINEER.

9. TERMINATION OF AGREEMENT

OWNER or ENGINEER may terminate the Agreement, in whole or in part, by giving seven (7) days written notice to the other party. Where the method of payment is "lump sum," or cost reimbursement, the final invoice will include all services and expenses associated with the project up to the effective date of termination. An equitable adjustment shall also be made to provide for termination settlement costs ENGINEER incurs as a result of commitments that had become firm before termination, and for a reasonable profit for services performed.

10. SEVERABILITY

If any provision of this agreement is held invalid or unenforceable, the remaining provisions shall be valid and binding upon the parties. One or more waivers by either party of any provision, term or condition shall not be construed by the other party as a waiver of any subsequent breach of the same provision, term or condition.

11. INVOICES

ENGINEER will submit monthly invoices for services rendered and OWNER will make payments to ENGINEER within thirty (30) days of OWNER's receipt of ENGINEER's invoice.

ENGINEER will retain receipts for reimbursable expenses in general accordance with Internal Revenue Service rules pertaining to the support of expenditures for income tax purposes. Receipts will be available for inspection by OWNER's auditors upon request.

If OWNER disputes any items in ENGINEER's invoice for any reason, including the lack of supporting documentation, OWNER may temporarily delete the disputed item and pay the remaining amount of the invoice. OWNER will promptly notify ENGINEER of the dispute and request clarification and/or correction. After any dispute has been settled, ENGINEER will include the disputed item on a subsequent, regularly scheduled invoice, or on a special invoice for the disputed item only.

OWNER recognizes that late payment of invoices results in extra expenses for ENGINEER. ENGINEER retains the right to assess OWNER interest at the rate of one percent (1%) per month, but not to exceed the maximum rate allowed by law, on invoices which are not paid within thirty (30) days from the date OWNER receives ENGINEER's invoice. In the event undisputed portions of ENGINEER's invoices are not paid when due, ENGINEER also reserves the right, after seven (7) days prior written notice, to suspend the performance of its services under this Agreement until all past due amounts have been paid in full.

12. CHANGES

The parties agree that no change or modification to this Agreement, or any attachments hereto, shall have any force or effect unless the change is reduced to writing, dated, and made part of this Agreement. The execution of the change shall be authorized and signed in the same manner as this Agreement. Adjustments in the period of services and in compensation shall be in accordance with applicable paragraphs and sections of this Agreement. Any proposed fees by ENGINEER are estimates to perform the services required to complete the project as ENGINEER understands it to be defined. For those projects involving conceptual or process development services, activities often are not fully definable in the initial planning. In any event, as the project progresses, the facts developed may dictate a change in the services to be performed, which may alter the scope. ENGINEER will inform OWNER of such situations so that changes in scope and adjustments to the time of performance and compensation can be made as required. If such change, additional services, or suspension of services results in an increase or decrease in the cost of or time required for performance of the services, an equitable adjustment shall be made, and the Agreement modified accordingly.

13. CONTROLLING AGREEMENT

These Terms and Conditions shall take precedence over any inconsistent or contradictory provisions contained in any proposal, contract, purchase order, requisition, notice-to-proceed, or like document.

14. EQUAL EMPLOYMENT AND NONDISCRIMINATION

In connection with the services under this Agreement, ENGINEER agrees to comply with the applicable provisions of federal and state Equal Employment Opportunity for individuals based on color, religion, sex, or national origin, or disabled veteran, recently separated veteran, other protected veteran and armed forces service medal veteran status, disabilities under provisions of executive order 11246, and other employment, statutes and regulations, as stated in Title 41 Part 60 of the Code of Federal Regulations § 60-1.4 (a-f), § 60-300.5 (a-e), § 60-741 (a-e).

15. HAZARDOUS MATERIALS

OWNER represents to ENGINEER that, to the best of its knowledge, no hazardous materials are present at the project site. However, in the event hazardous materials are known to be present, OWNER represents that to the best of its knowledge it has disclosed to ENGINEER the existence of all such hazardous materials, including but not limited to asbestos, PCB's, petroleum, hazardous waste, or radioactive material located at or near the project site, including type, quantity and location of such hazardous materials. It is acknowledged by both parties that ENGINEER's scope of services do not include services related in any way to hazardous materials. In the event ENGINEER or any other party encounters undisclosed hazardous materials, ENGINEER shall have the obligation to notify OWNER and, to the extent required by law or regulation, the appropriate governmental officials, and ENGINEER may, at its option and without liability for delay, consequential or any other damages to OWNER, suspend performance of services on that portion of the project affected by hazardous materials until OWNER: (i) retains appropriate specialist consultant(s) or contractor(s) to identify and, as appropriate, abate, remediate, or remove the hazardous materials; and (ii) warrants that the project site is in full compliance with all applicable laws and regulations. OWNER acknowledges that ENGINEER is performing professional services for OWNER and that ENGINEER is not and shall not be required to become an "arranger," "operator," "generator," or "transporter" of hazardous materials, as defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1990 (CERCLA), which are or may be encountered at or near the project site in connection with ENGINEER's services under this Agreement. If ENGINEER's services hereunder cannot be performed because of the existence of hazardous materials, ENGINEER shall be entitled to terminate this Agreement for cause on 30 days written notice. To the fullest extent permitted by law, OWNER shall indemnify and hold harmless ENGINEER, its officers, directors, partners, employees, and subconsultants from and against all costs, losses, and damages (including but not limited to all fees and charges of engineers, architects, attorneys, and other professionals, and all court or arbitration or other dispute resolution costs) caused by, arising out of or resulting from hazardous materials, provided that (i) any such cost, loss, or damage is attributable to bodily injury, sickness, disease, or death, or injury to or destruction of tangible property (other than completed Work), including the loss of use resulting therefrom, and (ii) nothing in this paragraph shall obligate OWNER to indemnify any individual or entity from and against the consequences of that individual's or entity's sole negligence or willful misconduct.

16. EXECUTION

This Agreement, including the exhibits and schedules made part hereof, constitute the entire Agreement between ENGINEER and OWNER, supersedes and controls over all prior written or oral

understandings. This Agreement may be amended, supplemented or modified only by a written instrument duly executed by the parties.

17. ALLOCATION OF RISK

OWNER AND ENGINEER HAVE EVALUATED THE RISKS AND REWARDS ASSOCIATED WITH THIS PROJECT, INCLUDING ENGINEER'S FEE RELATIVE TO THE RISKS ASSUMED, AND AGREE TO ALLOCATE CERTAIN OF THE RISKS, SO, TO THE FULLEST EXTENT PERMITTED BY LAW, THE TOTAL AGGREGATE LIABILITY OF ENGINEER (AND ITS RELATED CORPORATIONS, SUBCONSULTANTS AND EMPLOYEES) TO OWNER AND THIRD PARTIES GRANTED RELIANCE IS LIMITED TO THE LESSER OF \$1,000,000 OR ITS FEE, FOR ANY AND ALL INJURIES, DAMAGES, CLAIMS, LOSSES, OR EXPENSES (INCLUDING ATTORNEY AND EXPERT FEES) ARISING OUT OF ENGINEER'S SERVICES OR THIS AGREEMENT REGARDLESS OF CAUSE(S) OR THE THEORY OF LIABILITY, INCLUDING NEGLIGENCE, INDEMNITY, OR OTHER RECOVERY.

18. LITIGATION SUPPORT

In the event ENGINEER is required to respond to a subpoena, government inquiry or other legal process related to the services in connection with a legal or dispute resolution proceeding to which ENGINEER is not a party, OWNER shall reimburse ENGINEER for reasonable costs in responding and compensate ENGINEER at its then standard rates for reasonable time incurred in gathering information and documents and attending depositions, hearings, and trial.

19. NO THIRD PARTY BENEFICIARIES

No third party beneficiaries are intended under this Agreement. In the event a reliance letter or certification is required under the scope of services, the parties agree to use a form that is mutually acceptable to both parties.

20. UTILITY LOCATION

If underground sampling/testing is to be performed, a local utility locating service shall be contacted to make arrangements for all utilities to determine the location of underground utilities. In addition, OWNER shall notify ENGINEER of the presence and location of any underground utilities located on the OWNER's property which are not the responsibility of private/public utilities. ENGINEER shall take reasonable precautions to avoid damaging underground utilities that are properly marked. The OWNER agrees to waive any claim against ENGINEER and will indemnify and hold ENGINEER harmless from any claim of liability, injury or loss caused by or allegedly caused by ENGINEER's damaging of underground utilities that are not properly marked or are not called to ENGINEER's attention prior to beginning the underground sampling/testing.

21. UNMANNED AERIAL SYSTEMS

If operating UAS, ENGINEER will obtain all permits or exemptions required by law to operate any UAS included in the services. ENGINEER's operators have completed the training, certifications and licensure as required by the applicable jurisdiction in which the UAS will be operated. OWNER will obtain any necessary permissions for ENGINEER to operate over private property, and assist, as necessary, with all other necessary permissions for operations.

22. OPERATIONAL TECHNOLOGY SYSTEMS

OWNER agrees that the effectiveness of operational technology systems ("OT Systems") and features designed, recommended or assessed by ENGINEER are dependent upon OWNER's continued operation and maintenance of the OT Systems in accordance with all standards, best practices, laws, and regulations that govern the operation and maintenance of the OT Systems. OWNER shall be solely responsible for operating and maintaining the OT System in accordance with applicable industry standards (i.e. ISA, NIST, etc.)

and best practices, which generally include but are not limited to, cyber security policies and procedures, documentation and training requirements, continuous monitoring of assets for tampering and intrusion, periodic evaluation for asset vulnerabilities, implementation and update of appropriate technical, physical, and operational standards, and offline testing of all software/firmware patches/updates prior to placing updates into production. Additionally, OWNER recognizes and agrees that OT Systems are subject to internal and external breach, compromise, and similar incidents. Security features designed, recommended or assessed by ENGINEER are intended to reduce the likelihood that OT Systems will be compromised by such incidents. However, ENGINEER does not guarantee that OWNER's OT Systems are impenetrable and OWNER agrees to waive any claims against ENGINEER resulting from any such incidents that relate to or affect OWNER's OT Systems.

23. FORCE MAJEURE

ENGINEER shall not be responsible for delays caused by factors beyond ENGINEER's reasonable control, including but not limited to delays because of strikes, lockouts, work slowdowns or stoppages, government ordered industry shutdowns, power or server outages, acts of nature, widespread infectious disease outbreaks (including, but not limited to epidemics and pandemics), failure of any governmental or other regulatory authority to act in a timely manner, failure of the OWNER to furnish timely information or approve or disapprove of ENGINEER's services or work product, or delays caused by faulty performance by the OWNER's or by contractors of any level or any other events or circumstances not within the reasonable control of the party affected, whether similar or dissimilar to any of the foregoing. When such delays beyond ENGINEER's reasonable control occur, the OWNER agrees that ENGINEER shall not be responsible for damages, nor shall ENGINEER be deemed in default of this Agreement, and the parties will negotiate an equitable adjustment to ENGINEER's schedule and/or compensation if impacted by the force majeure event or condition.

County Signature Block

This agreement was approved by official action of the Buchanan County Board of Supervisors in official session on the _____ day of _____, 20_____.

County Auditor

Chair, County Board of Supervisors

County Signature Block

This agreement was approved by official action of the Cedar County Board of Supervisors in official session on the _____ day of _____, 20_____.

County Auditor

Chair, County Board of Supervisors

County Signature Block

This agreement was approved by official action of the Delaware County Board of Supervisors in official session on the _____ day of _____, 20_____.

County Auditor

Chair, County Board of Supervisors

County Signature Block

This agreement was approved by official action of the Hamilton County Board of Supervisors in official session on the _____ day of _____, 20_____.

County Auditor

Chair, County Board of Supervisors

County Signature Block

This agreement was approved by official action of the Jones County Board of Supervisors in official session on the _____ day of _____, 20_____.

County Auditor

Chair, County Board of Supervisors

County Signature Block

This agreement was approved by official action of the Monroe County Board of Supervisors in official session on the _____ day of _____, 20_____.

County Auditor

Chair, County Board of Supervisors

County Signature Block

This agreement was approved by official action of the Scott County Board of Supervisors in official session on the _____ day of _____, 20_____.

County Auditor

Chair, County Board of Supervisors

County Signature Block

This agreement was approved by official action of the Washington County Board of Supervisors in official session on the _____ day of _____, 20_____.

County Auditor

Chair, County Board of Supervisors

ICEASB Signature Block

This agreement was approved by official action of the ICEASB Board of Directors in official session on the _____ day of _____, 20_____.

ICEASB Executive Director

Chair, ICEASB Board of Directors

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

February 2, 2021

APPROVAL OF 28E INTERGOVERNMENTAL AGREEMENT BETWEEN
SCOTT COUNTY, IOWA, THE IOWA COUNTY ENGINEERS ASSOCIATION SERVICE
BUREAU, BUCHANAN COUNTY, IOWA, CEDAR COUNTY, IOWA, DELAWARE
COUNTY, IOWA, HAMILTON COUNTY, IOWA, JONES COUNTY, IOWA,
MONROE COUNTY, IOWA, AND WASHINGTON COUNTY, IOWA,
FOR THE CONTRACTING OF CONSULTANT SERVICES FOR PREPARATION AND
SUBMITTAL OF A 2021 BUILD GRANT APPLICATION

WHEREAS, the US Department of Transportation typically makes
available, through the Better Utilizing Investments to Leverage
Development (BUILD) Transportation Discretionary Grants program
or BUILD funding, to qualifying transportation agencies for
planning and capital investments in surface transportation
infrastructure, such funds are awarded on a competitive basis for
projects that will have a significant local or regional impact;
and

WHEREAS, the Iowa County Engineers Association Service Bureau
(ICEASB) desires to enter into a 28E Agreement to select
potential county bridge replacement candidates, make application

for up to \$25 million in BUILD grant funding, and to contract Consultant Services to assemble and submit a grant application for the purpose of acquiring said BUILD Grant funding; and

WHEREAS, the Board of Supervisors has determined it is in the County's best interest to sign the 28E Agreement with ICEASB related to the contracting of consultant services for the preparation and submittal of the 2021 BUILD Grant Application.

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

Section 1. That the 28E Intergovernmental Agreement between Scott County, Iowa, the Iowa County Engineers Association Service Bureau, Buchanan County, Iowa, Cedar County, Iowa, Delaware County, Iowa, Hamilton County, Iowa, Jones County, Iowa, Monroe County, Iowa, and Washington County, Iowa, for the contracting of consultant services for preparation and submittal of a 2021 BUILD grant application be approved.

Section 2. That the Chairperson be authorized to sign the Agreement on behalf of the Board.

Section 3. That 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

RESOLUTION

SCOTT COUNTY BOARD OF SUPERVISORS

February 4, 2021

Recognizing February as Black History Month

WHEREAS, in 1976, as Americans celebrated the national bicentennial, President Gerald Ford urged the nation to “seize the opportunity to honor the too-often neglected accomplishments of Black Americans in every area of endeavor throughout our history” and, for the first time, Black History Month was celebrated nationwide; and

WHEREAS, President Ford’s words rang true to the nation, and in that spirit, decades later, we stop to recognize and celebrate the incredible roles African Americans have played in American history, and their many contributions to the wellbeing of our country; and

WHEREAS, the theme of this year’s observance, “*Black Family: Representation, Identity, and Diversity*,” explores the African diaspora, and the spread of Black families across the United States”; and

WHEREAS, throughout American history, the black community has always exhibited an unwavering understanding of the value of family -- as an incomparable source of comfort and strength; and

WHEREAS, this month we honor our African American friend, neighbor and family, their accomplishments and contributions, and together we celebrate the distinct influence they have on the cultural fabric of Scott County.

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

Section 1. That the Board of Supervisors does hereby proclaim February 2021 as Black History Month in Scott County and encourages all citizens to recognize the continuing impact African Americans have in our county and the family value they bring to our community.

Section 2. This resolution shall take effect immediately.



Volunteer Orientation



DRESS FOR SUCCESS[®]
QUAD CITIES

By the end of this orientation, you will have a good understanding of:

- Our Mission
- **Our Organization's History**
- Our Programs
- Our Objectives
- Our Clients
- Available Volunteer Roles



Our mission is to empower women to achieve economic independence by providing a network of support, professional attire, and the development tools to help women thrive in work and life.



OUR MISSION

Dress for Success is Worldwide

Since starting operations in 1997, we have expanded to 160 affiliates in 30 countries, helping over two million women work towards self-sufficiency.



Our HerStory



FOUNDED GLOBALLY

- Founded in 1997 in New York, New York
- More than 150 affiliates in 30+ countries



FOUNDED LOCALLY

- Founded by Regina Haddock in 2011
- We are a 501(c)(3) non-profit organization



TODAY

- We serve the greater Quad City area
- We are a 501(c)(3) non-profit organization

What We Do

Services we provide to women throughout the Quad Cities

These are free programs and services available to any woman in the QC



Career Development Workshops

Our career and professional development workshops are free and available to any woman in the greater Quad Cities area!



1:1 Career Coaching

We offer free, individualized, 1:1 career coaching to women in the QC area who are seeking employment or looking to transition into a new career.



Professional Attire

We provide women who are actively searching for employment with an interview-appropriate outfit!



Professional Attire

COMING SOON! Networking opportunities via our **Professional Women's Group & Empower Hour Program**

How Our Programs Work

STEP 1

A client signs up for one of our group, career development workshops through our website. Clients can take as many workshops as they would like, but in order to be eligible for our suiting program they must take at least one workshop. Most workshops are an hour long and will be offered in-person (post C19) and online.

STEP 2

After a client has completed one career development workshop of their choice, they are eligible for our interview suiting program and 1:1 coaching and will be scheduled for their interview suiting and/or 1:1 coaching session.

STEP 3

Once a client has secured employment, we invite them back to our boutique for an employment suiting and provide them with a capsule wardrobe to start their new job. At this time, they are also eligible to join our **Professional Women's Group**, which provides them with additional professional development and networking resources.

Our Impact

1,700+ WOMEN SERVED

Since 2011

2,250 INTERVIEW & EMPLOYMENT SUITINGS

PROVIDED

Since 2011

400+ WOMEN SERVED ANNUALLY

Throughout the greater QC area

200+ VOLUNTEERS

totaling more than 13,000 hours or 6.5 full-time employees!

- 90% live at survival or below the US poverty level
- Approximately 45% receive some sort of public assistance
- Actively searching for work with no major employment barriers
- Represent all races and ethnicities
- Range in age from 18-77; the majority are ages 18-35
- Are mothers (60%) raising, on average, 2 children (of those, 81% are single mother)
- Are referred by a network of 30+ local agencies that serve women in the QC

The Women We Serve

Career Coaching

One-on-one Career Coaching sessions

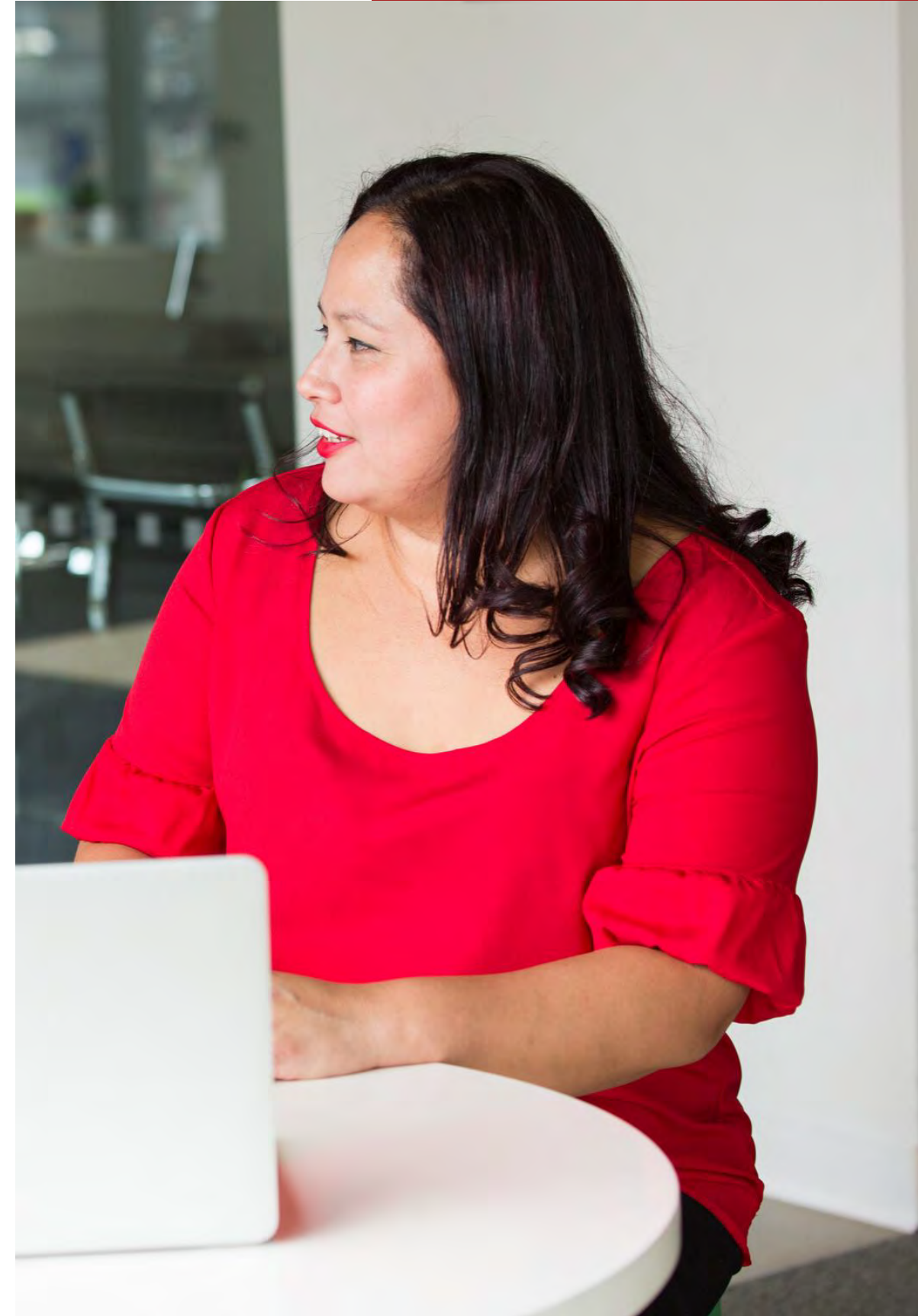
Career coaches work one-on-one with clients through coaching sessions. Requires an ongoing time commitment, roughly 6 hrs./month

Workshop Facilitators

Facilitate our group, career development workshops. Experience with facilitation and/or career development is preferred.

Resume Reviewers

Resume reviewers provide written feedback on resumes in accordance with our best practices and protocols via Word or Google Docs.



Volunteer Roles



Image Coaching

One-on-one assistance with clothing and accessories.

Donation Center Specialist

- Help sort, tag, and log all donations
- Yearly Donation Center staff processes more than 100,000 items
- Essential function to keep boutiques stocked with gorgeous clothes for clients!



Volunteer Roles

Volunteer Roles



Administrative Support

- Welcome clients & guests to boutique
- Answer phone calls and take messages
- Assist with data entry, filing, mailing projects and other light office jobs
- Help keep the boutique area clean and organized

Outreach Events

- Appear at local events, by request, to share mission of Dress for Success Quad Cities and what we do for our clients
- Speak to groups like small businesses,
- churches, referral partners and other
- community groups
- Help engage the community in our events, sign up clients and volunteers, network and build relationships
- Encourage communities to donate – time, money, and clothing



Volunteer Roles



Individual Opportunities

- Fundraising events (spring and fall)
- Assist with programs, ongoing mentor, one-time speaker or flash mentor
- Photography or videography

Group Opportunities

- Donation center assistance: one time or ongoing
- Boutique Sales: before, during, and after sales
- Mock interviews
- Provide job postings

Boutique Sales – Second Chance Sale

- One of our largest fundraisers
- Generates 5% of operating expenses
- Need 70-100 volunteers to help set-up, work at sales, and take down and clean up

No training required, great for all volunteers

- Next sale in March of 2021
- Link to sign up will be sent





Recycle the Runway

- Largest fundraiser of the year normally held at A unique fashion show where local designers are challenged to create a **runway ready fashion from a “no thank you” bag**
- the RiverCenter in Davenport
- Evening includes:
 - Chic cocktail hour
 - Appetizers
 - Silent auction and interactive experiences
 - **And of course.....**

A Fabulous Fashion Show



CONNECT WITH US

WEBSITE

www.dressforsuccessqc.org

FACEBOOK

@dressforsuccessqc

INSTAGRAM

@dressforsuccessqc



Thank You!



- Questions?
- Comments?
- Stay Safe & Healthy!

Presentation on the limitations of the Master Matrix

Tuesday, February 2, 2021

Item #4
2/2/2021

Speakers:

- Claudia Reyes-Fry, Davenport
- Kay Pence, Eldridge

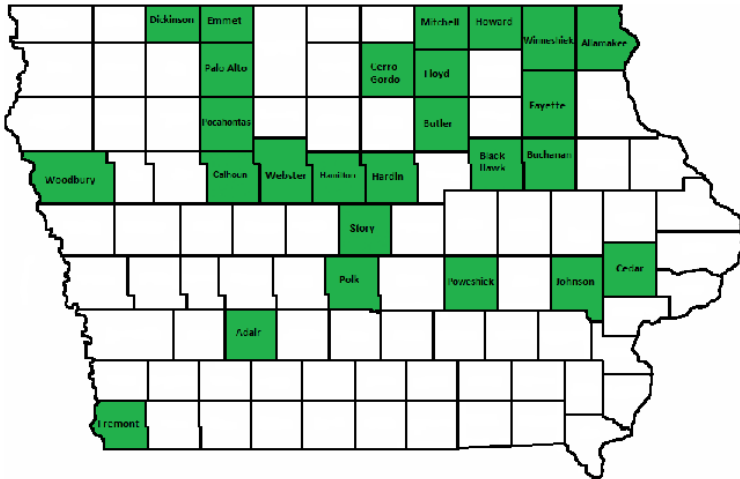
Agenda

1. Introduction
2. The Master Matrix construction evaluation has been the standard practice since 2002
3. Limitations of the Master Matrix
 - a. Consideration of soil topography throughout the state
 - b. Protecting our impaired waterways
 - c. Loopholes in the requirements needed to fill out a Master Matrix
 - d. Separation distances and community input
4. An additional resolution is important and needed
5. Conclusion

Presentation Packet Materials

(in order of reference throughout presentation)

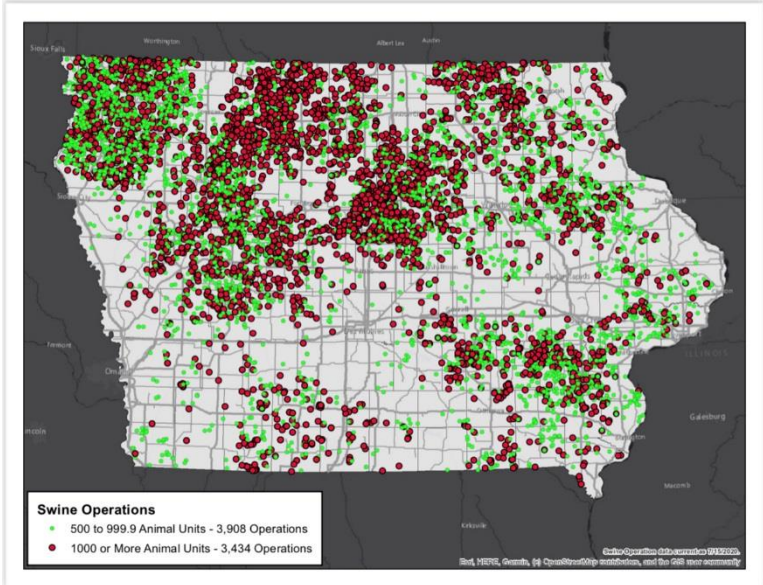
- Page #1: Speaker info, agenda, overview of presentation packet materials
- Page #2: Maps
 - Map of county resolutions
 - Maps of CAFOs (Source: Iowa DNR)
- Page #3-4: Information on Scott County CAFOs
 - Source: State of Iowa: Office of the Chief Information Officer
- Page #5: Snapshot of Iowa's water
 - Iowa impaired waterways (Source: Iowa DNR)
 - Map of contaminated wells (Environmental Working Group)
- Page #6: Letter to the Scott County Board of Supervisors
- Page #7: Sample resolution language
- Page #8: Additional resources



Counties that have passed resolutions calling on the Governor and State Legislature to address the ongoing issues of the Master Matrix.



All Animal Feeding Operations in Iowa (2002)



Swine Operations in Iowa (2020)

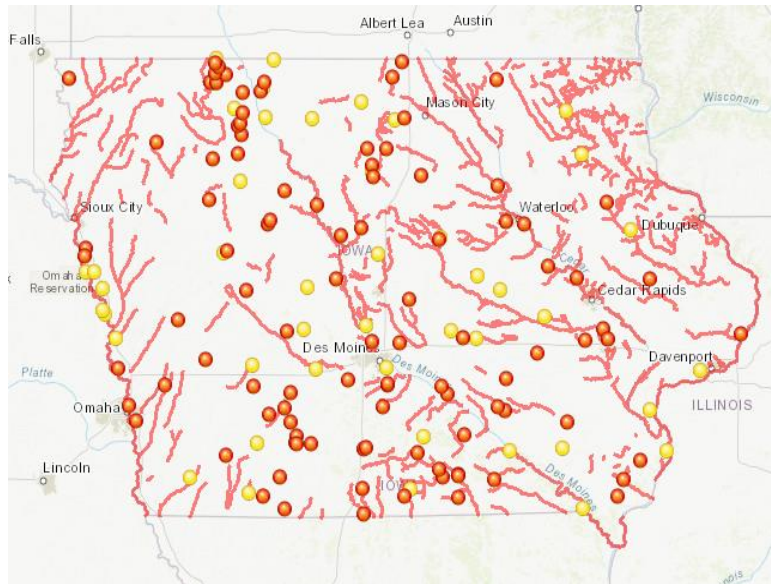
Scott County CAFOs

*Farms holding 1000 Animal Units are required to fill out and submit a Master Matrix

*30% of CAFOs in Scott County (see highlighted below) fall just below that threshold avoiding the need to fill out a Master Matrix sidestepped the recommendation of the county before constructing

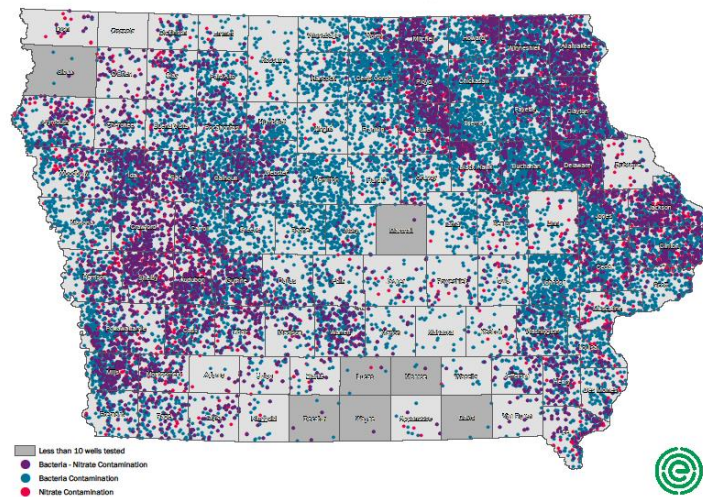
Facility Name	CityName	OperatType	AnimalUnit
Allen's Grove Pork Inc.	Dixon	Confinement	1536
Tom Dittmer Gilt Barn	Eldridge	Confinement	
Hamilton H & S Land Inc.	Le Claire	Confinement	576
Thomas Lahl Farm - Locust Street Pork	Blue Grass	Confinement	1536
Scott Rochau Farm	Davenport	Confinement	1090
Mike Decap	Dixon	Confinement	960
Grandview Farms - Dewulf W/f Site	LongGrove	Confinement	960
Paustian Enterprises (home Farm)	Walcott	Confinement	660
Arlan Engelbrecht	Eldridge	Confinement	
Grandview Farms - Engler W/f Site	LongGrove	Confinement	960
Keppy Farm	Durant	Confinement	768
Kirby Farms Inc.	Davenport	Confinement	2006
Slopertown Farm	Eldridge	Confinement	960
Claussen Family Farms Llc		Confinement	490
Grandview Farms Inc. - Walcott Wean To Finish	Walcott	Confinement	1680
Dean Claussen	Eldridge	Confinement	1456
K3 Co.	Walcott	Confinement	667.4
Lilienthal Jim	NewLiberty	Confinement	1920
Holst Farms Inc.	Le Claire	Confinement	264
Paustian Enterprises (ross Finishing/sow Unit)	Walcott	Confinement	1835.6
329- Jerry Havill	NewLiberty	Confinement	998.400024
T/j Wtf Llc	Eldridge	Confinement	960
Vander Heiden Jeff & Marlon (formerly Pewe Enterprises Inc)	NewLiberty	Confinement	380
Benson Farms Inc.	Le Claire	Confinement	660
Grandview Farms Inc. (home Sow Unit)		Confinement	7375.6
Scott Wolf	NewLiberty	Confinement	1945.6
Kappeler Farms Inc.	Stockton	Confinement	960
Stender Finishing - Paustian	Walcott	Confinement	1200
John Maxwell	Donahue	Confinement	960
I Paustian	Walcott	Confinement	1112
Ross Paustian	Walcott	Confinement	1040
Robert Lilienthal	Paullina	Confinement	960
J2t2 Llc	Stockton	Confinement	1920
Lois Klever Trust	Eldridge	Confinement	140
Brady Claussen	Long Grove	Confinement	960
Robert Badtram	NewLiberty	Confinement	992

Ralfs Finishing	Walcott	Confinement	720
Geurink Farms Inc.	Walcott	Confinement	600
Dean Claussen	Long Grove	Confinement	960
Peeterboldt Farms	Davenport	Confinement	960
Hein Finishing	Stockton	Confinement	960
Golinghorst Inc.	Walcott	Confinement	960
Hermiston Farms - Site 3	NewLiberty	Confinement	960
Terry Ralfs Finishers	Walcott	Confinement	1454
Dixon Site	Dixon	Confinement	992
Jerry Stoltenberg	Walcott	Confinement	872
Ben And Jamie Boeding	Princeton	Confinement	998.4
Jt Allens Grove Pork Llc	Dixon	Confinement	1920
Keppy Maysville	Walcott	Confinement	960
Edwin Maxwell	Walcott	Confinement	400
Larry Goettsch	Eldridge	Confinement	340
Richard Portsman	Blue Grass	Confinement	400
Nieman Farms Inc.	Walcott	Confinement	300
Grandview Frams Inc.	Dixon	Confinement	400
Dennis Kirby	Davenport	Confinement	420
Kundel Farms Corporation	Davenport	Confinement	320
John Maxwell	Donahue	Confinement	280
Kyle Kirby	Davenport	Confinement	480
Jt Allens Grove Pork 2	Dixon	Confinement	960
Witt Bauernhof Llc	Long Grove	Confinement	480
Hg Pork	Walcott	Confinement	720
Glenora Feed Yard Llc		Confinement	4888



Impaired waterways in Scott County (Iowa DNR): Duck Creek, Silver Creek, Robin Creek, Candlelight Creek, Goose Creek, Pheasant Creek, Stafford Creek, Crow Creek, Spencer Creek, Lost Creek, Princeton Refuge, West Lake, Wapsipinicon River, Mud Creek Tributary near Walcott, and the Mississippi River.

Iowa's Private Wells Contaminated by Nitrate and Bacteria



Contaminated wells in Scott County (Environmental Working Group)
 Number of wells tested: 877, Number of wells with elevated nitrate: 83, Number of wells with bacteria: 202, Number of wells with elevated nitrate and bacteria: 17

Letter To the Scott County Board of Supervisors:

Agriculture has been and will continue to be a huge part of Iowa's identity. Ever since the Master Matrix was adopted by the Iowa State Legislature in 2002, Scott County has passed the construction evaluation resolution every year, without fail, by the deadline of January 31. Thank you for continuing to pass this year after year.

Even though Iowa's laws on animal agriculture place most of the authority with the State's DNR rather than with county government, we feel that signing on to the construction evaluation resolution yearly keeps us informed of applications that are filed within our county and gives you as county supervisors, and ourselves as county residents, an opportunity to weigh in on proposed CAFOs. Because, as with other issues within the county, staying involved locally is very important.

However, we feel that the Master Matrix construction evaluation only encourages the bare minimum and does not go far enough to protect our communities, soil, water, air, or quality of life. And so, we, residents of Scott County, are asking you to pass an additional resolution petitioning the Governor of Iowa and the Iowa State Legislature to address the failings of the Master Matrix and grant counties stronger authority in the decision making and accountability of CAFO operations.

The Master Matrix lacks the ability to:

- Protect communities due to lax separation distances. Recent examples of this are CAFOs that were either built or expanded near the communities of Maysville and McCausland. Rural communities are also responsible for increased wear and tear on secondary roads and bridges from semi use.
- Evaluate the impact of the local karst topography of eastern Iowa and the fields being spread with liquid manure. This directly impacts the soil's ability to absorb the nutrients from the manure. The excess nutrients run off into our waterways putting them in danger of elevated bacteria and nitrates.
- Address CAFO applications that fall under the threshold of needing a Master Matrix scoring altogether. This is a loophole that allows applicants to avoid accountability and sidestep the approval of the county before constructing.

Scott County has numerous impaired waterways as described in the latest DNR report: Duck Creek, Silver Creek, Robin Creek, Candlelight Creek, Goose Creek, Pheasant Creek, Stafford Creek, Crow Creek, Spencer Creek, Lost Creek, Princeton Refuge, West Lake, Wapsipinicon River, Mud Creek Tributary near Walcott, and the Mississippi River are all impaired. Scott County also has 877 contaminated private wells. There are several programs in place already to improve the quality of water in Scott County, but there needs to be higher accountability to protect the success rate of these programs.

The Master Matrix construction evaluation drafted almost 20 years ago, simply does not go far enough to protect our communities, soil, water, air, or quality of life and needs to be re-evaluated. It is a pass-fail test that is no substitute for local control. We ask that you pass an additional resolution petitioning the Governor of Iowa and the Iowa State Legislature to address the failings of the Master Matrix and grant counties stronger authority in the decision making and accountability of CAFO operations.

Respectfully,

Scott Co Residents

RESOLUTION NO. _____

A RESOLUTION PETITIONING THE GOVERNOR OF IOWA AND THE STATE LEGISLATURE TO ADDRESS THE FAILINGS OF THE MASTER MATRIX

WHEREAS, the Scott County Board of Supervisors, recognize the importance of agriculture within the State of Iowa; and,

WHEREAS, the Scott County Board of Supervisors, has been presented with several applications for permits to construct concentrated animal feeding operations (CAFO) in Scott County, Iowa; and,

WHEREAS, CAFOs in Iowa have proliferated at a rate and number likely unanticipated by the authors of the 2002 Matrix; and,

WHEREAS, the Scott County Board of Supervisors, has attempted to provide pertinent information regarding the siting and expansions of CAFO's in Scott County, Iowa; and,

WHEREAS, the current legislation and regulation applies the use of a Master Matrix that has failed to adequately differentiate between the geography, water sources and other critical considerations throughout different regions within the State; and,

WHEREAS, the failure to properly take into consideration information within the knowledge of local sources and community members, has highlighted the failings of the Master Matrix to protect the air, water, health, "quality of life" and economic interests of the citizens we were elected to represent; and,

WHEREAS, local governments' authority in determining whether a proposed site is suitable for a CAFO is limited to scoring the poorly designed Master Matrix and making a recommendation to the Iowa Department of

NOW, THEREFORE, BE IT RESOLVED BY THE SCOTT COUNTY BOARD OF SUPERVISORS:

1. The Scott County Board of Supervisors do hereby petition the Governor of Iowa and the State Legislature to address the failings of the Master Matrix to protect the air, water, health, "quality of life" and economic interests of the citizens we were elected to represent.

2. The Scott County Board of Supervisors hereby asks the Governor of Iowa and the State Legislature to grant counties stronger authority in the decision making and accountability of concentrated animal feeding operations.

PASSED AND ADOPTED this ___ day of February, 2021.

SCOTT COUNTY BOARD OF SUPERVISORS

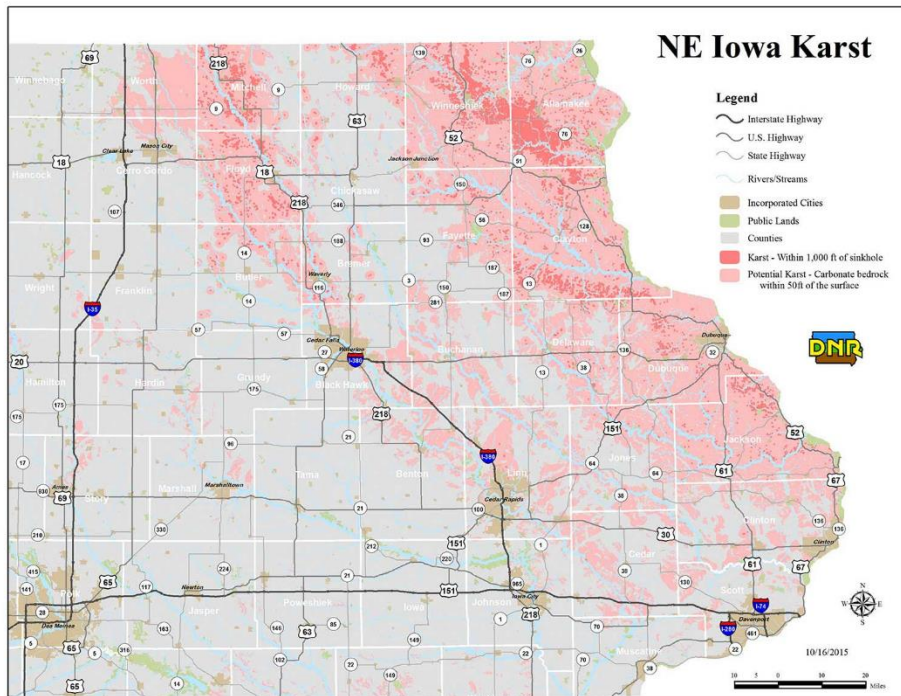
Chairman

Attest: _____

County Auditor

Additional Resources

- Karst & CAFOs
 - <https://www.iowadnr.gov/Environmental-Protection/Land-Quality/Animal-Feeding-Operations/Mapping/Karst-Sinkholes>



- Water treatment costs for nitrate pollution
 - <https://www.ucsusa.org/about/news/rural-iowans-bear-brunt-water-treatment-costs-nitrate-pollution-farms-and-cafos>
- Impacts to roads & bridges
 - https://gctimes.com/news/local/scott-county-takes-aim-at-deficient-bridges/article_63429abf-99b0-5086-a5bb-24957567a296.html?utm_medium=social&utm_source=email&utm_campaign=user-share
- Iowa's Path to Clean Water and Flood Resilient Communities
 - <https://www.cfra.org/publications/iowas-path-clean-water-and-flood-resilient-communities>

PLANNING & DEVELOPMENT

500 West Fourth Street
Davenport, Iowa 52801-1106
E-mail: planning@scottcountyia.com
Office: (563) 326-8643 Fax: (563) 326-8257



Timothy Huey
Director

To: Mahesh Sharma, County Administrator

From: Timothy Huey, Planning & Development Director

Date: January 26, 2021

Re: Presentation of Planning and Zoning Commission's Recommendation on the Final Draft of the proposed Subdivision Ordinance revisions.

Since September, 2018 the Planning Commission has been working on revisions to the Subdivision Ordinance. Since the Scott County Subdivision Ordinance was first adopted in 1979 it has been revised six times for what have generally been minor revisions. The most recent revisions approved in 2008 were those that were recommended with the adoption of the 2008 Comprehensive Plan. Just as rezoning applications are reviewed for compliance with our land use polices in the Comprehensive Plan; proposed minor and major subdivision are also. The purpose of these regulations are stated in Section 9-2 A.-D. and remains essentially unchanged since its first adoption in 1979.

While rezoning applications are generally reviewed for compliance with the land use polices on whether such applications are in a location where development is anticipated and determined to be appropriate (if a preponderance of those policies are met). The Subdivision Regulations review the specific criteria for the layout, design and development standards for subdivisions. In rural Scott County, such subdivisions have historically been for single family residential homes. During subdivision reviews such issues as lot size and configuration, road design and layout, provision for utilities such as water and waste water treatment are addressed; in addition issues such as erosion control, storm water drainage, open space, access to adjacent undeveloped property and other "planning" criteria are evaluated. Additionally, all subdivisions within two miles of any of the cities in Scott County that enforce extraterritorial jurisdiction also have to meet that city's regulations.

Even though the current review of the Subdivision Ordinance was initiated by the County Engineer to address road maintenance issues; the Planning Commission used this as an opportunity to complete a thorough review and revision of the Ordinance.

The attached memos to the Planning Commission summarize the areas of the ordinance that have been reviewed and the recommended additions, deletions and revisions. The attached ordinance text shows the proposed revisions highlighted in **red text** with additions underlined and deletions ~~strikethrough~~.

PLANNING & DEVELOPMENT

600 West Fourth Street

Davenport, Iowa 52801-1106

Email: planning@scottcountyiowa.com

Office: (563) 326-8643

Fax: (563) 326-8257



Timothy Huey
Director

**NOTICE OF SCOTT COUNTY
BOARD OF SUPERVISORS PUBLIC HEARING FOR AN ADOPTION OF
A REVISED AND UPDATED SUBDIVISION ORDINANCE**

Thursday February 18, 2021

Online Access Only Due to COVID-19

5:00 P.M.

PARTICIPATION OPTIONS:

All Board of Supervisors agendas, packets, and meeting participation information can found here:

<https://www.scottcountyiowa.gov/board/board-meetings>

Or call 563-326-8749 for assistance

****VIRTUAL ONLY** **NO PERSONS WILL BE ALLOWED IN ADMIN BUILDING****

Public Hearing – Adoption of Revised and Updated Subdivision Ordinance

Consideration of a proposed ordinance amendment to repeal Chapter 9 Subdivisions of the Scott County Ordinance and adopt a revised and amended Chapter 9 Subdivision Ordinance. The proposed Ordinance adopts amended definitions to gain consistency with Iowa Statewide Urban Design Specifications (SUDAS), among other updates. A draft copy is available for review here:

<https://www.scottcountyiowa.gov/board/board-meetings>

On January 19, 2021 the Scott County Planning & Zoning Commission unanimously recommended approval of the ordinance adoption.

PLANNING & DEVELOPMENT

600 West Fourth Street

Davenport, Iowa 52801-1106

E-mail: planning@scottcountyiaowa.com

Office: (563) 326-8643



Timothy Huey
Director

To: Planning & Zoning Commission

From: Timothy Huey, Planning & Development Director

Date: January 15, 2021

Re: Recommendation for approval of proposed revisions to the Scott County Subdivision Regulations following the Public Hearing.

The current review of the Subdivision Ordinance was initiated by Planning Staff at the request of the County Engineer in mid-2018. The County Engineer recommended that the regulations be amended to clarify:

1. That the current edition of SUDAS was the road design and construction standards required for County subdivision roads. Actually SUDAS was adopted by Scott County in 2011 but the road design and construction standards that were in the subdivision regulations had never been deleted which led to some confusion as to which standards to use.
2. That the Subdivision Ordinance clearly state that all new subdivision roads (except for those in the original Park View CAD) be maintained by a legal entity such as an HOA or road association. And that new subdivision roads would not be accepted onto the County Secondary Road System.

At the same time planning staff recommended the Commission conduct a complete review of the ordinance to update or amend certain sections. In previous memos the following summary of those changes has been provided.

Definitions: The amended definitions of dedication, road & street right of way, and the added definition of road easement, road right of way, and both public & private roads are intended to clarify that dedication of rights or way, access easements or roadways does not require or imply acceptance of such roads or streets onto the County Secondary Road System. These definition changes are also intended to clarify the difference between road right of way and road easement and the ownership of each and that both are acceptable for access to and within new subdivisions.

Submittal of Plats of Survey and Subdivision Plats: This section is recommended to be amended to require the electronic submittal of such documents, which has been the current practice of staff and has become more common over recent years. The amendments are also to make consistent the number and type of paper copies of plats that need to be submitted with the electronic version.

Approval of Preliminary and Final Plat: Currently the Ordinance requires 4/5's vote of the Board of Supervisors to approve a Preliminary or Final Plat for which the Planning Commission had recommended denial. The current draft recommends that a similar provision be added for the Board of Supervisors to deny a Preliminary or Final Plat for which the Planning Commission had recommended approval.

Erosion and Sediment Control Plans: Because such plans really need to be prepared in conjunction with the road and other infrastructure construction plans it has been the practice of staff to waive the requirement that the erosion plans be submitted prior to preliminary plat approval but rather require they be submitted with the construction plans following preliminary plat approval. Also the Soil Conservation District has notified Scott County that they are no longer able to review such plans as required by the

current ordinance. However the Iowa DNR requires an erosion control/grading permit for all projects greater than an acre in size. Standards for such State permits are as strict as or even stricter than County standards. Therefore staff is recommending that the previous reference to the Soil Conservation District review be replaced by a requirement that documentation of the issuance of a State erosion control/grading permit be submitted in conjunction with the erosion control and construction plans.

Standards for Design and Development: Much of this language was moved from the Appendix to this section of the ordinance for clarification and to eliminate redundant requirements. This section is also intended to clarify how the requirements of SUDAS are determined and applied. It lists minimum right of way/road easement widths for residential subdivisions, it identifies the standards for road drainage for both surface drainage and storm sewers. It clearly states that all new subdivision roads must meet SUDAS but will be private with suitable provisions for maintenance. Maintenance of such private roads shall be provided through a homeowners association, deed covenants, or through other legal mechanisms as approved by the Board of Supervisors. This section **does** create an exception for the remaining portions of Park View which are yet to be developed and as those remaining portions are completed, those roads would be put on the County Secondary Road System, as is the rest of Park View streets are.

Character of Development and Easements along Streams: These two sections are recommended to be deleted. They have never been necessary to apply and are essentially addressed elsewhere in the subdivision process.

Ag Nuisance Waiver: This is a provision the Planning Commission has previously, at its discretion, required for many subdivisions over the last 25+ years.

Bonding for Required Improvements: The changes to this section are intended to clarify and delineate that even though subdivision roads will not be accepted onto the County Secondary Road System they are still required to fully meet County road standards and that their construction be secured with a performance bond or other financial surety if the improvements are not completed at the time of Final Plat approval.

Fees: Similar what was done with the re-write of the Zoning Ordinance this amends the ordinance to remove the fee amount from the ordinance and has such fees established by resolution of the Board of Supervisors.

Appendix I: The proposed deletions are for sections that were either moved up into the main body of the Ordinance or are addressed by SUDAS and are therefore redundant to have in the Appendix.

During the course of this review staff believes we have incorporated and addressed most of the concerns, comments or corrections the Commission has brought up. The only significant issue that remains unresolved is how the matter of subdivision road maintenance responsibilities will be addressed. The regulations make clear that the design standards for all roads will be those in the current edition of SUDAS but the Commission appeared to be divided on whether new subdivision roads systems should be added to the county secondary road system or be required to have subdivision roads maintained by a HOA or road association.

Following the Public Hearing staff would recommend the following two alternatives for addressing the issue of road maintenance during the subdivision review process:

Recommend approval of the Revised Subdivision Ordinance with the following changes:

1. Amend Section 9-13 PRELIMINARY PLAT SUBMITTAL (9) to add that the developer include the manner and entity to be responsible for road maintenance and reconstruction following Final Plat approval;

2. Amend Section 9-14 PRELIMINARY PLAT REVIEW AND APPROVAL D. to add that any recommendation to approve a Preliminary Plat shall include the manner and entity to be responsible for road maintenance and reconstruction following Final Plat approval;
3. Amend Section 9-15 FINAL PLAT SUBMITTAL (7) to add the manner and entity to be responsible for road maintenance and reconstruction;
4. Amend Section 9-16 FINAL PLAT REVIEW AND APPROVAL F.(8) to add The developers' statement of the manner and entity to be responsible for road maintenance and reconstruction;
5. Amend Section 9-17 STANDARDS FOR DESIGN AND DEVELOPMENT C.(6) to read Streets and roadways will be built to design standards and specifications established by the current edition of SUDAS.

These proposed changes to the current revised draft are intended leave open the possibility of the County accepting new subdivision roads and to establish whether the roads will be public and maintained by the County or private and maintained by an HOA or road association from the initial submittal of a Preliminary Plat. The discretion of the Board of Supervisors to approve or deny the acceptance of the roads by the County would remain and the authority of the County Engineer to deny acceptance would also remain. These changes would allow the issue of road maintenance to be addressed and established at the very start of the subdivision review process.

The second alternative would be for the Planning Commission to recommend approval of the Revised Subdivision Ordinance as submitted. This would leave in place the statement in Section 9-17 *As of the adoption date of this ordinance, all new subdivision roads, with the exception of new subdivisions in the Community Area Development of Park View, shall be privately maintained roads and suitable provisions for maintenance and upkeep of such private roads shall be provided through homeowners association, deed covenants, or through other legal mechanisms as approved by the Board of Supervisors.*

PLANNING & DEVELOPMENT

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Davenport, Iowa 52801-1106

E-mail: planning@scottcountyiaowa.com

Office: (563) 326-8643



Timothy Huey
Director

To: Planning & Zoning Commission

From: Timothy Huey, Planning & Development Director

Date: September 14, 2018

Re: Discussion of proposed revisions to the Scott County Subdivision Regulations

Two major subdivisions recently approved had requested that the subdivision roads be accepted onto the County Secondary Roads system following approval and filing of the Final Plats. The County Engineer recommended to the Board of Supervisors that the roads remain private and their maintenance be the responsibility of the homeowners association. The Board concurred with that recommendation and approved both plats with the condition that private road maintenance be included in the Restrictive Covenants and that the roads not be accepted onto the County's Secondary Road system. At that time it was the consensus of the Board that Planning Staff should initiate a review of the Subdivision Ordinance with the County Engineer to clarify these road maintenance issues with new subdivisions.

We scheduled the September 18 Planning Commission meeting as a work session to discuss these issues and the proposed ordinance amendments to address them. Staff has also taken this as an opportunity to fully review the regulations to make other changes that are unrelated to road maintenance but can be considered at this same time.

The attached Chapter 9 of the Scott County Code shows the current ordinance edited to reflect the recommended changes. The language to be deleted is shown with a ~~strike through~~ and the added language is shown underlined and in RED typeface. The existing language to remain unchanged is shown in plain typeface. The revisions are summarized as follows:

Definitions: Most of the amended language is to include in the definition of dedication, road, street, right of way and road easement that such dedication does not require or imply acceptance of such roads or streets onto the County Secondary Road System. Other changes are mostly minor in nature and intended to clarify terms used in the ordinance.

Submittal of Plats of Survey and Subdivision Plats: This section is recommended to be amended to allow the electronic submittal of such documents, which has been the practice of staff when requested by the applicant and has become more common over recent years.

Erosion and Sediment Control Plans: Because such plans really need to be prepared in conjunction with the road and other infrastructure construction plans it has been the practice of staff to waive the requirement that the erosion plans be submitted prior to preliminary plat approval but rather require they be submitted with the construction plans following preliminary plat approval. Also the Soil Conservation District has notified Scott County that they are no longer able to review such plans as required by the current ordinance. However the Iowa DNR requires an erosion control/grading permit for all projects greater than an acre in size. Standards

for such State permits are as strict as or even stricter than County standards. Therefore staff is recommending that the previous reference to the Soil Conservation District review be replaced by a requirement that documentation of the issuance of a State erosion control/grading permit be submitted in conjunction with the erosion control and construction plans.

Standards for Design and Development: Much of this language was moved from the Appendix to this section of the ordinance for clarification and to eliminate redundant requirements. The section is also intended to clarify how the requirements of SUDAS are determined and applied. It lists minimum right of way/road easement widths for residential subdivisions, it identifies the standards for road drainage for both surface drainage and storm sewers. It clearly states that all new subdivision roads will be private and suitable provisions for maintenance and upkeep of such private roads shall be provided through homeowners association, deed covenants, or through other legal mechanisms as approved by the Board of Supervisors. This section does create an exception for the remaining portion of Park View which is yet to be developed and as those remaining portions are completed those roads would be put on the County system, as is the rest of Park View.

Character of Development and Easements along Streams: These two sections are recommended to be deleted. They have never been necessary to apply and are essentially addressed elsewhere in the subdivision process.

Ag Nuisance Waiver: This is a provision the Planning Commission has previously, at its discretion, required for many subdivisions over the last 25+ years.

Bonding for Required Improvements: The changes to this section are intended to clarify and delineate that even though subdivision roads will not be accepted onto the County Secondary Road System they are still required to fully meet County road standards and that the construction be secured with a performance bond or other financial surety if the improvements are not completed at the time of Final Plat approval.

Fees: Similar what was done with the re-write of the Zoning Ordinance this amends the ordinance to remove the fee amount from the ordinance and has such fees established by resolution of the Board of Supervisors.

Appendix I: The proposed deletions are for sections that were moved up in the main body of the Ordinance and are redundant to have in the Appendix also.

In Conclusion: These proposed amendments are presented to the Planning Commissions to be discussed at the upcoming work session. This is just the initial step in reviewing any changes to the Subdivision Ordinance. Prior to forwarding any ordinance revisions to the Board of Supervisors the Commission would need to hold a public hearing. Staff has made an effort to notify interested parties in the development community of this work session. With that notification staff has clarified that any public input at the work session would be at the discretion of the Chairman but regardless there would be a Public Hearing at some point and in the meantime staff would forward any written comments we receive to the Commission.

SUBDIVISION ORDINANCE



AS AMENDED FOR UNINCORPORATED SCOTT COUNTY

Adopted November 15, 1979

Amended:

- March 4, 1982**
- December 18, 1986**
- December 17, 1992**
- December 22, 1998**
- April 25, 2002**
- March 11, 2003**
- July 10, 2008**
- February xx, 2021**

**SCOTT COUNTY CODE
CHAPTER 9
SUBDIVISION ORDINANCE**

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APPENDIX I. PROCEDURES FOR CONSTRUCTION PLANS SUBMITTAL & REVIEW, INSPECTION OF THE CONSTRUCTION OF SUBDIVISION IMPROVEMENTS, TESTING STANDARDS, AND OTHER GENERAL CONSTRUCTION PROCEDURES.

Adopted	November 15, 1979
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	December 18, 1986
	December 17, 1992
	December 22, 1998
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	March 11, 2003
	July 10, 2008 (SUDAS adopted)
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SEC. 9-1. TITLE

This Chapter may be known and cited as the "Subdivision Ordinance" of Scott County, Iowa.

SEC. 9-2. PURPOSE

- A. To provide for accurate, clear, and concise legal descriptions of real estate in order to prevent, wherever possible, land boundary disputes or real estate title problems.
- B. To encourage orderly development in unincorporated Scott County and provide for the regulation and control of the extension of public and private improvements and public services; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; to provide for the improvement of land, and the design of subdivisions, consistent with the goals, objectives and policies set forth in the Scott County Development Comprehensive Plan.
- C. To provide for a balance between the land use rights of individual landowners and the economic, social, and environmental concerns of the public when Scott County is reviewing proposed development, or enforcing land use regulations that will enable Scott County to encourage efficient, yet attractive, urban development patterns; to provide for the residential and business needs of the County through new and replatted subdivisions; to preserve the availability of agricultural land; to protect soil from wind and water erosion; and to protect environmentally sensitive areas from degradation.
- D. To ensure that all subdivisions of land in unincorporated Scott County are reviewed in a consistent manner and to ensure that divisions of land do not escape review simply because they occur one division at a time or are performed to accord with legal proceedings, orders or testamentary dispositions.

SEC. 9-3. GENERAL JURISDICTION

Scott County hereby implements the authority granted counties to regulate the division of land as authorized by Chapter 354, Code of Iowa. It shall be unlawful for any person who has equitable or legal title to or any executor or administrator exercising possession or control over real estate located in unincorporated Scott County to divide the parcel of real estate into two or more smaller parcels or lots unless by a plat in accordance with this Chapter. The plat shall be submitted to the Scott County Board of Supervisors or its designee for approval or disapproval.

No plat shall be recorded, no lots sold, and no land dedicated to the County unless and until approved as herein provided.

SEC. 9-4 INTERPRETATION, CONFLICT AND SEVERABILITY

- A. In their interpretation and application, the provisions of this ordinance shall be held to be uniformly applicable minimum requirements. More stringent provisions may be required if it is demonstrated that different standards are necessary to promote the public health, safety and welfare.

- B. Where this Chapter conflicts with another law or administrative rule of the State or Federal Government, the provision of the ordinance, law, or rule with the greater restrictive impact shall apply. The subdivider and property owner shall divide their real estate in compliance with the stricter standard that affects their property.

Where this Chapter differs with private easements, covenants, or restrictive agreements, the more restrictive standard shall govern. If such private property restrictions impose lesser requirements on the subdivision or division of land, the provisions of this Chapter, or applicable State and/or Federal law, shall control.

- C. The provisions of this ordinance are separable. If a section, sentence, clause, or phrase of this ordinance is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the remaining portions of this ordinance.

SEC. 9-5. DEFINITIONS

For the purpose of this Chapter, certain terms and words are hereby defined. Words used in the present tense shall include the future, the singular number shall include the plural, and the plural the singular; the word "shall" is mandatory, the word "may" is permissive.

1. A.A.S.H.O. American Association of State Highway Officials.
2. ALIQUOT PART. A fractional part of a section within the United States public land survey system, only the fractional parts one-half, one-quarter, one-half of one-quarter, or one-quarter of one-quarter shall be considered an aliquot part of a section.
3. A.S.T.M. American Society for Testing Materials.
4. AUDITOR'S PLAT. A subdivision plat required by either the Auditor or the Assessor, prepared by a surveyor under the direction of the Auditor or the Assessor. Such plats are intended to clarify property tax descriptions for the purposes of assessment and taxation.
5. BOARD. Scott County Board of Supervisors
6. BUILDING SETBACK LINE. A designated front, side or rear property setback line which may be shown on a plat between a common property line of an adjacent property and/or public right-of-way line and/or private road or access easement line. No buildings or structures may be erected closer to the dedicated right of way or road easement unless otherwise permitted in the Zoning Ordinance.
7. COMMISSION. The Scott County Planning and Zoning Commission.
8. COUNTY. The unincorporated portions of Scott County, Iowa.

9. COUNTY ENGINEER. The Scott County Engineer or any of the assistants designated to act for the County Engineer in carrying out the duties prescribed by the Code of Iowa and the County Code.
10. CUL-DE-SAC. A dead-end street permanently closed to through-traffic, being terminated by a vehicular turnaround, generally circular in shape or with provisions for vehicle turnaround approved by the County Engineer.
11. DEDICATION OF RIGHTS OF WAY. A grant to the public, Scott County, or other ~~municipality~~ private entity of title in fee simple to land or other real property and improvements within the area shown on the plat for road, street and pedestrian access, public and private utilities and storm water drainage. Dedication of rights of way to the public shall not require nor imply acceptance of roads and streets within such rights of way onto the Scott County Secondary Road System for maintenance.
12. DIRECTOR. The Scott County Planning Director, the individual designated by the Board of Supervisors to administer this Chapter.
13. DIVISION. The division of a tract or parcel of land into two parcels of land by conveyance or for tax purposes. The conveyance of an easement, other than a public highway, shall not be considered a division for the purpose of this chapter.
14. EASEMENT. An authorization by a property owner for the use by another and for a specified purpose, of a designated part of his property.
15. ENGINEER. The registered engineer employed by the proprietor of a subdivision to prepare the design plans and specifications and to oversee the construction of all engineering improvements shown on the approved final plans and the requirements of Chapter 9 of the County Code.
16. FINAL PLAT. The graphical representation of the subdivision of land and accompanying legal documents and certificates which meet the requirements of this Chapter and comply with Chapters 355 and 354, Code of Iowa, and when approved by the Board of Supervisors ~~will~~shall be recorded in the office of the Scott County Recorder.
17. FLAG LOT. A lot shaped like a flag attached to a flagpole, where the buildable portion of the lot is connected to a street by a narrow strip or stem of land used as the driveway.
18. I.D.O.T. Iowa Department of Transportation.
19. IMPROVEMENTS. Addition of any facility or construction on land necessary to prepare land for building sites, and including road paving, drainage ways, sewer, water mains, wells, and other works-utilities and appurtenances.
20. LABORATORY. Any materials testing laboratory which is approved by the County Engineer.

21. LOT. A parcel of land occupied or intended for occupancy by one (1) primary building together with its accessory buildings, including the open spaces required by this Chapter and the Zoning Ordinance, and having its principal frontage upon a street or road.
22. LOT OF RECORD. A lot which is part of a subdivision, recorded in the Scott County Recorder's Office as of the adoption date of the amended Subdivision Ordinance adopted by the Board of Supervisors on March 4, 1982. For lots not part of a recorded subdivision, a lot is any parcel or tract of land recorded in the Scott County Recorder's Office prior to January 1, 1978, the adoption date of Scott County's first subdivision regulation.
23. MAJOR PLAT. All subdivisions not classified as minor plats, including but not limited to subdivisions of five (5) or more lots, or any size plat requiring any new street or extension of public facilities, or the creation of any public improvements.
24. MINOR PLAT. Any subdivision or re-subdivision containing not more than four (4) lots fronting on an existing street, not involving any new street or road, or extension of municipal facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property.
25. MUTCD. Manual on Uniform Traffic Control Devices for Streets and Highways, as adopted by the Iowa Department of Transportation per 761 of the Iowa Administrative Code (IAC), Chapter 130.
26. OUTLOT. A lot which is too small, too irregular, or inaccessible to allow development ~~the construction of a house or business building~~; or the remaining area of a large parcel from which one or more smaller lots have been subdivided which is not intended to be developed until further subdivided. An outlot may also be created for open space or stormwater drainage purposes and owned by the developer, owner's association or an adjacent property owner.
27. OWNER. Any person, or legal entity, having legal or equitable title to or sufficient proprietary interest in the land sought to be subdivided under these regulations.
28. PERFORMANCE BOND. A surety bond or cash deposit made out to the Board of Supervisors in the amount equal to the full cost of the improvements which are required by this regulation, said cost being estimated by the County Engineer and said surety bond or cash deposit being legally sufficient to secure to the County that the said improvements will be constructed in accordance with this Chapter.
29. PERSON. "Person" as used herein means individuals, executors, trustees, partnerships, corporations, firms and associations of whatever form.
30. PLANNING AND ZONING COMMISSION. The Scott County Planning and Zoning Commission.

31. PLAT OF SURVEY. Graphical representation of the ~~sub~~division of land including a complete and accurate description of the lot or parcel, prepared by a registered land surveyor.
32. PRELIMINARY PLAT. A study, including drawings, indicating the proposed manner of layout and construction of a subdivision and its proposed improvements, which is submitted to the Board of Supervisors, the Planning and Development Department, and other applicable county departments for approval.
33. RE-SUBDIVISION. Any division of land which has previously been included in a plat of record, including auditor's plats and subdivisions. In appropriate context, it may be a verb referring to the act of preparing a plat of previously subdivided land.
34. RIGHT-OF-WAY LINE. The boundary of an ~~easement area dedicated to the public, Scott County, other municipality or private entity, which may or may not follow the property line.~~ Typically located along the boundaries of roadways, parallel to the front property line. Whether labeled as right of way, access easement or road easement it is the line from which building setbacks are determined and measured.
35. ROAD (ROADWAY, STREET, HIGHWAY). All land ~~between~~ within right-of-way lines or within road or access easements dedicated to or intended for the county or city public or private use perpetually and restricted to transportation, storm water drainage and utilities. Includes public and private roadways and road or access easements, but excludes private driveways and parking areas that are not in areas designated as easements.
36. ROAD OR ACCESS EASEMENT. An area shown on the plat where the ownership or fee title of the property within the easement is retained by the adjacent property owner(s) but is an area designated and reserved for the purpose of providing public or private access for roadways, sidewalks, bike trails, public and/or private utilities and storm water drainage. Whether labeled as right of way, access easement or road easement it is the line from which building setbacks are determined and measured.
37. ROAD, PRIVATE. Private roads may be within dedicated rights of way but generally are constructed within road and/or access easements. Private roads may or may not be open to public use for access to and through a subdivision. Private roads may also be restricted for the exclusive and private use of the adjacent land owners for which said easements are retained. Maintenance of private roads are the responsibility of the adjacent property owners or the Private Road Association designated for such maintenance responsibilities at the time the subdivision is recorded. This excludes private driveways and parking areas that are entirely contained on private property and not designated with any easements.
38. ROAD, PUBLIC. Public roads and streets generally are constructed within public rights of way and are intended to be open to public use and adjacent residents for access to and through a subdivision. Public roads may be maintained by Scott County or some other legal mechanism or entity as determined at the discretion of the Board of Supervisors.

39. ROAD RIGHT OF WAY. The area shown on a plat that is to be dedicated by fee title ownership to the public, Scott County, other municipality or legal entity for the purpose of providing public access for roadways, sidewalks, bike trails, public and private utilities and storm water drainage. Maintenance of roads within right of way is to be determined by the County Engineer and the Board of Supervisors.

~~BB. SOIL CONSERVATION DISTRICT. The Scott County Soil Conservation District.~~

40. STREET. See ~~Subsection Z above~~ definition for ROAD.

41. SUBDIVIDER. Any person, firm, corporation, partnership, association, or trust, who shall lay out, or cause to be laid out, for the purpose of transfer of ownership or building development, any subdivision or part thereof, as herein defined.

42. SUBDIVISION. The repeated or simultaneous division of a lot, tract or parcel of land into three or more lots or tracts, for immediate or future sale, transfer or building development. The following shall also be considered subdivisions within the meaning of this ordinance: (1) divisions of property via probate procedures; and (2) divisions of property upon applications for court orders, including but not limited to judgments of foreclosure and equitable distributions of property pursuant to dissolution of marriage proceedings. The term includes re-subdivision and when appropriate to the context shall relate to the process of subdividing or the land subdivided.

43. SUDAS. Iowa Statewide Urban Design Manual and Specifications with General Supplemental Specifications, current edition at the time of submittal of the Preliminary Plat.

44. SURVEYOR. A registered land surveyor who engages in the practice of land surveying pursuant to Chapter 355, Code of Iowa.

45. TRACT. A aliquot part of a section, a lot within an official plat, or a government lot.

46. TRAFFIC SURFACE. The wearing or exposed surface of a roadway used by vehicular traffic. Traffic surface may include prepared shoulders, but the width is measured between the edge of the surfaced area intended for vehicular traffic.

47. TWENTY-EIGHT E AGREEMENT. An agreement between the County and one or more ~~incorporated areas~~ organizations or municipalities, pursuant to Chapter 28E, Code of Iowa and which may stipulate the standards, procedures and jurisdictional area over which both the County and the incorporated ~~area or~~ municipality have a right of review of proposed subdivisions.

SEC. 9-6. EXEMPTIONS

A. The division of land for agricultural purposes into parcels of forty (40) acres or more not involving any new road, street, easement or other dedication, shall not be considered a subdivision as defined above and shall be exempt from the requirements of this Chapter.

- B. Boundary line adjustments to parcels will not be considered a subdivision if the access is not affected, the new lot created is permanently attached to the existing lot for development purposes, and no new residential building right is created.
- C. Auditor's Plat, as prescribed in Chapter 354, Code of Iowa is exempt from the subdivision review process but still must comply with the Plat of Survey approval process.

SEC. 9-7. PLATS IN UNINCORPORATED AREAS WITHIN TWO MILES OF THE CORPORATE LIMITS OF CITIES ~~(OR INCORPORATED AREAS)~~

For subdivisions located in the unincorporated area of Scott County but within two miles of the City limits of a municipality which has established an area of subdivision review outside of its corporate limits, the following shall apply:

- A. When the subdivision regulations of the municipality are the same as those adopted by the County, then both the County Board of Supervisors and the respective municipality shall have jurisdiction and review over the proposed subdivision.
- B. When the proposed subdivision is located within two miles of the limits of a municipality, and that municipality has adopted different subdivision regulations than the County, the review of the subdivision shall be pursuant to the terms of an agreement made between the County and the municipality pursuant to Chapter 28E, Code of Iowa. The agreements shall stipulate the standards and procedures to be used for the review of proposed subdivisions located in the area of overlapping jurisdictions between the County and the municipality. If no Chapter 28E agreement exists between the County and the municipality, the subdivision shall meet the most restrictive standards of both ordinances.
- C. Where the proposed subdivision is located in overlapping areas of review of two municipalities, the provisions of Chapter 354, Code of Iowa apply. The County shall also review the proposed subdivision to ensure compliance with this Chapter.
- D. The developer of such plat is encouraged to apply for concurrent review by the municipality and Scott County. The Board of Supervisors will review the plat only after the Final Plat has been reviewed and approved by the applicable municipality. After final approval by the Board, the subdivision plat ~~may~~ shall be recorded in the Office of the Scott County Recorder.

SEC. 9-8. SUBDIVISION CLASSIFICATION

Any proposed subdivision or re-subdivision shall be classified as a minor subdivision or a major subdivision before the review procedure begins.

- A. Plat of Survey (a division of land, not part of a subdivision, into two parts or an Auditor's Plat) need only be reviewed by the person designated by the Planning and Development Department.

- B. A minor subdivision need only provide a sketch plan for Commission review prior to submitting a Final Plat in accordance with Sections 9-15 et seq.
- C. A major subdivision ~~should~~shall start with a sketch plan as described in Section 9-12, proceed with the full Preliminary Plat review, file a detailed engineering design construction plans and specifications, and finally submit the Final Plat for approval.

SEC. 9-9. PLAT OF SURVEY SUBMITTAL

- A. A land owner who splits off a lot, tract, or parcel of land from a lot of record or aliquot part for the first time shall prepare a plat of survey for the Director of Planning and Development. Information on the plat shall include everything required in Chapters 355 and 354, Code of Iowa, including the following:
 - (1) The name of the proprietor.
 - (2) An accurate description of each parcel.
 - (3) The total acreage of each parcel.
 - (4) The total acreage of any portion lying within a public or private road right-of way or access easement.
 - (5) The current zoning district classification.
 - (6) The plat of survey shall be at a scale ~~of not less than one (1) inch to one hundred (100) feet~~ that is clearly stated and graphically illustrated.
 - (7) A signed and dated statement of the surveyor, stating that the plat of survey complies with Chapter 355, Code of Iowa.
 - (8) An approval block entitled: "MEETS SUBDIVISION AND ZONING ORDINANCE REQUIREMENTS, SCOTT COUNTY PLANNING AND DEVELOPMENT DIRECTOR (date)".

Filing fee based on the fee schedule approved by resolution of the Board of Supervisors.

- B. The remaining portion of the lot of record shall not require a new survey, unless required by the Scott County Auditor. When the Director, or designee finds the Plat of Survey complies with subdivision and zoning ordinances, the Director shall sign the approval block and return to the surveyor who shall forward the plat to the Recorder's Office for recording. The Director's review shall be completed within three working days.

SEC. 9-10. MINOR PLAT SUBMITTAL

- A. The subdivider shall prepare a sketch plan and a location map to provide the Director and planning staff, applicable County departments, and the Commission with enough

information to review and approve the minor plat. After the Commission has reviewed and established such conditions as deemed necessary to comply with the zoning and subdivision ordinances, the subdivider shall prepare a Final Plat as required in Sections 9-15 et seq. At the discretion of the Planning Director the sketch plan and Final Plat review may be combined into one step, provided all requirements of each procedure are met and all applicable filing fees are paid.

B. Sketch Plan: ~~Eleven (11) copies~~ Two (2) large format copies of the sketch plan, drawn to a scale ~~of not less than one (1) inch to one hundred (100) feet, that is appropriate and graphically illustrated~~ and one (1) copy of the plan reduced to fit an 11 x 17 inch page shall be filed with the Planning and Development Department. Additionally, the sketch plan in digital format, preferably as a PDF or other machine-readable format accessible by the County I.T. system, shall be submitted. The sketch plan shall include the following (if applicable):

- (1) A legal description and total acreage of the property being platted and acreage for each lot minus the public road right-of-way and acreage for that portion lying within the public or private road right-of-way.
- (2) Existing contour intervals of not more than five (5) feet with a minimum of two (2) contours per plat. If the site is level, this should be indicated on the sketch plan. Drainage arrows shall be drawn showing the direction of flow of surface water.
- (3) Location of existing property lines, surface features such as buildings, road, railroads, tree cover, existing easements, zoning and similar items on or adjacent to the development.
- (4) Locations of proposed property lines, easements, lot areas, and proposed contours, if the landscape will be changed.
- (5) Location of all adjoining subdivisions, streets, and surface features.
- (6) The title, in bold letters at the top right corner, under which the proposed subdivision will be recorded, with the name and address of the owner and subdivider; also north arrow, scale, and date.
- (7) A location map showing the relationship of proposed subdivision to the surrounding area encompassed by a two-mile radius.
- (8) Filing Fee based on the fee schedule approved by resolution of the Board of Supervisors.

C. Review Procedure: After all materials, information and fees have been filed, the Planning and Development staff shall establish a review date with the Planning and Zoning Commission at least fifteen (15) days and not more than thirty (30) days from the date of filing. The Planning and Development staff shall notify by ordinary first class mail all property owners of record within five hundred (500) feet of the proposed subdivision. The

Commission shall review the sketch plan and applicable materials along with technical comments from the general public, County Engineer, Health Officer, ~~Soil Conservationist (if necessary)~~ and the Planning and Development staff.

- D. Within thirty (30) days of Commission review, the Commission shall either approve or disapprove the sketch plan. If necessary for approval, the Commission may attach such conditions as are necessary to meet the guidelines of the Scott County ~~Development Comprehensive~~ Plan. If the Commission disapproves the sketch plan, a statement setting forth the reasons for disapproval shall be given to the subdivider. The subdivider may refile a sketch plan which meets Commission approval or may appeal the Commission's decision to the Board of Supervisors.
- E. Status of Commission's Decision: Upon approval of the ~~minor plat sketch plan~~, the subdivider may proceed with preparation of the Final Plat as required in Section 9-15 et seq. If the subdivider does not file a Final Plat and applicable materials within three (3) months of Commission approval, or authorized extension thereof, the ~~minor plat sketch plan~~ shall become null and void. After the expiration of the three (3) month time period or the extension, the subdivider will be required to re-file the ~~minor plat sketch plan~~ pursuant to Sec. 9-10(A)-(B) for a new review by the Commission.

SEC. 9-11. MAJOR PLAT SUBMITTAL

Any land to be subdivided or replatted in which five (5) or more lots will be created, or any size subdivision requiring a new internal road, extension of municipal facilities, or common facilities shall be considered a major plat and shall comply with the procedures of Section 9-12 et seq.

SEC. 9-12. SKETCH PLAN DISCUSSION (MAJOR PLAT)

Prior to the filing of a Preliminary Plat of a Major Plat, ~~it is recommended that~~ the subdivider shall submit a sketch plan to the Planning and Development staff along with other pertinent material relating to the proposed subdivision in order ~~to avail himself of the advice and assistance of said for staff to review and provide comments on the proposed development.~~ This may include information relative to the site and conditions of the site, existing community facilities and utilities on and adjacent to the site, number and size of lots proposed, etc. It is suggested that for the maximum benefit, the sketch plan material and review procedures should include at a minimum:

- A. Location Map: Location map should show relationship of the proposed subdivision to the streets and other community facilities serving it.
- B. Sketch Plan: The sketch plan should show in simple sketch form proposed layout of streets, lots, and other features in relation to existing conditions.
- C. The developer is encouraged to meet with appropriate County staff (and city staff if applicable) to review the various elements of the proposal. The Planning and Development Department will provide written comments to the developer within two (2) weeks of the meeting unless unusual complications arise. For major plats, there is no fee for staff review at the sketch plan stage.

D. At the discretion of the Planning Director or the request of the applicant such sketch plan may be submitted for the review of the Planning and Zoning Commission following the procedures in Section 9-10.(B-E) which does include payment of the required sketch plan fee.

SEC. 9-13. PRELIMINARY PLAT SUBMITTAL

Following sketch plan review of a Major Plat, the subdivider ~~shall~~ may prepare a Preliminary Plat and shall file the plat and other required material with the Director in an application for Preliminary Plat approval. The application for Preliminary Plat approval shall include the following:

A. Plat: ~~Eleven (11) Two (2) large format~~ Two (2) large format copies of a plat, drawn to a scale ~~of not less than one (1) inch to one hundred (100) feet~~ by a surveyor ~~that is appropriate and graphically illustrated,~~ and one (1) copy of the plat reduced to fit a 11 x 17 inch page. Additionally, the Preliminary Plat in digital format, preferably as a PDF or other machine-readable format accessible by the County I.T. system shall be submitted. The plat shall include the following information:

- (1) The complete legal description of the property to be platted including descriptive boundaries of the subdivision and total acreage of the subdivision.
- (2) Existing contour intervals of not more than five (5) feet, provided, however, that a minimum of two (2) contours shall be shown on any plat. Contour intervals of less than five (5) feet may be required at the Planning and Development staff's discretion.
- (3) The location of property lines, easements, and all such surface features as buildings, railroads, utilities, water courses, major tree cover, and similar items on or adjacent to the development. Also, the location and size of such sub-surface features as the nearest storm and sanitary sewers, water mains, culverts, gas mains, above and below ground electric transmission lines or cables, cable TV lines and drain tiles.
- (4) A vicinity map at a scale of not more than one thousand (1000) feet to the inch shall be shown on or accompany the proposed plat. This map shall show how streets and roads in the proposed subdivision will connect with existing and proposed streets and roads in neighboring subdivisions or undeveloped property to produce the most advantageous development of the entire area; the expected ultimate development of all contiguous property under the control of the subdivider; and the location of any nearby parks, schools, or other public facilities that might be affected by the proposed subdivision.
- (5) All existing adjacent subdivisions, streets and individual tracts and parcels together with the names of record owners of land immediately adjoining the proposed subdivision and between it and the nearest existing streets or roads.

- (6) The title in bold type at the top right corner, under which the proposed subdivision is to be recorded, with the name and address of the owner and subdivider; also north arrow, scale, date, name and address of surveyor.
- (7) Sites for schools, parks or playgrounds proposed by the subdivider for public or private use.
- (8) The zoning districts for the subdivision and the adjacent properties.
- (9) The location, width and dimensions of all streets and grounds proposed to be dedicated for public use.
- (10) The location and width of proposed utility easements.
- (11) The manner of providing water supply and sewage treatment facilities.
- (12) ~~Filing fee based on the fee schedule approved by resolution of the Board of Supervisors. Cost Estimate: Two (2) copies of a detailed cost estimate for installing all new improvements prepared by the subdivider's engineer for the purpose of determining an amount of the performance bond.~~

SEC. 9-14. PRELIMINARY PLAT REVIEW AND APPROVAL (MAJOR PLAT)

- A. Distribution: Immediately upon the filing of copies of the Preliminary Plat materials and filing fee, one (1) copy of the plat shall be retained by the Director for the Planning and Zoning Commission file, one (1) copy shall be used for review by the Director, seven (7) copies shall be reserved for the Planning and Zoning Commission members, and one (1) reduced copy shall be sent to each of the following County officials or departments for their review: County Engineer, Assessor, Auditor and Board of Health.
- B. Review by County Officials: Within fifteen (15) days of receipt of the materials from the Director, the several County officials or departments shall complete their reviews of the Preliminary Plat materials and shall submit their written comments to the Director. The Director in turn, shall send his and their technical review and comments to the subdivider and to the Planning and Zoning Commission for its consideration at its next meeting.

Note: The Soil Conservation Service has indicated they can no longer review erosion and sediment control plans and have requested this section be removed from the Ordinance.

- ~~C. Review by Soil Conservation District: The Preliminary Plat shall not be approved unless it includes a complete plan for soil erosion and sediment control, developed in accordance with the technical standards and specifications of the Scott County Soil Conservation District and approved by the Scott County Soil Conservation District. The subdivider shall attach a statement to the erosion and sediment control plan certifying that construction and/or development will be performed in accordance with the plan. Within thirty (30) days of the receipt of the materials from the Director, the Soil Conservation District shall notify~~

~~in writing the Subdivider and the Director that the erosion and sediment control plan has been either: 1) approved, 2) approved subject to modification, or 3) disapproved. If disapproved, the Soil Conservation District shall submit to the Director with a copy to the subdivider, a statement setting forth reasons for disapproval, and indicating in what way this plan fails to conform to the technical standards and specifications of the Soil Conservation District. In addition, the Soil Conservation District may submit written comments on the other material submitted for its review.~~

~~The date of approval of the erosion and sediment control plan by the Soil Conservation District shall be its effective date. Any improvements pursuant to the development of the land from that date forward shall be undertaken in conformance with the plan.~~

~~The subdivider and subsequent landowners shall be liable for the successful implementation and completion of this plan. A performance bond as described in Section 9-18 will be required. Any changes in the plan will require approval of the Director and Soil Conservation District.~~

- C. Public Hearing: Upon receipt of the preliminary plat, the Director shall initiate the steps necessary to hold a public hearing before the Commission. Notice shall be given by publication in a newspaper in general circulation in the County and by written notification to all property owners of record within five hundred (500) feet of the subject property. The Planning and Zoning Commission shall hold the public hearing before recommending to the Board of Supervisors. At the discretion of the Commission, a public hearing may be required for the review of the Final Plat.
- D. Recommendation by Planning and Zoning Commission: The Planning and Zoning Commission shall review the Preliminary Plat and applicable materials and the technical review comments at its next meeting. Within forty-five (45) days after date of receipt the Planning and Zoning Commission shall recommend to the Board of Supervisors that the Preliminary Plat be approved, approved with conditions, or disapproved. The subdivider may agree to an extension of the time by the Planning and Zoning Commission for a period not to exceed sixty (60) days. If the Planning and Zoning Commission recommends disapproval, a statement setting forth reasons for disapproval shall be submitted to the Board of Supervisors and to the subdivider.
- E. Approval or Rejection by Board of Supervisors: The Board of Supervisors shall approve or disapprove the Preliminary Plat at a regular meeting within thirty (30) days after receipt of a recommendation from the Planning and Zoning Commission. If the Board of Supervisors does not act within thirty (30) days, the Preliminary Plat shall be deemed to be disapproved. If the Planning and Zoning Commission did not recommend approval for the Preliminary Plat, the Board of Supervisors may approve said Preliminary Plat and accept the public areas and easements thereof only by a four-fifths (4/5) vote of the entire membership of the Board of Supervisors. If the Planning and Zoning Commission recommends approval of the Preliminary Plat, the Board of Supervisors may deny the Preliminary Plat only by a four-fifths (4/5) vote of the entire membership of the Board of Supervisors and with the Board stating the basis for such denial.

F. Duration of Approval: Approval of the Preliminary Plat shall be effective for twelve (12) months: except, however, the Board of Supervisors, upon written request of the subdivider and advice of the Director, may grant an extension of time. If the Final Plat, which may be just a part of the Preliminary Plat, is not filed with the Director within twelve (12) months, or authorized extension thereof, all previous approvals of the Preliminary Plat shall become null and void.

G Status of Approval: Upon approval of the Preliminary Plat by the Board of Supervisors, the subdivider may proceed with the preparation of the Final Plat and detailed construction drawings and specifications for the improvements required under this Chapter, and may install these improvements when approved by the Director and County Engineer.

The approval of the Preliminary Plat by the Board of Supervisors is not revocable if the Final Plat conforms in every respect with the Preliminary Plat as approved by the Board of Supervisors. The Final Plat may be disapproved by the Board of Supervisors if it contains changes from the Preliminary Plat not agreed upon during the Preliminary Plat review stage.

SEC. 9-15. FINAL PLAT SUBMITTAL (MINOR AND MAJOR PLATS)

Following approval of the sketch plan of a Minor Plat or the Preliminary Plat of a Major Plat, the subdivider may prepare a Final Plat and other material required to file for final approval. The Final Plat shall comply with the specific requirements of Chapter ~~409A~~ 354, Code of Iowa. The application for final approval shall include the following:

A. Plat: Two (2) large format copies of the plat, made from an accurate survey by a surveyor drawn to a scale ~~of not less than one (1) inch to one hundred (100) feet by a surveyor that is appropriate and graphically illustrated~~, and one (1) copy of the plat reduced to fit an 11 x 17 inch page. Additionally, the Final Plat in digital format, preferably as a PDF or other machine-readable format accessible by the County I.T. system, shall be submitted. The plat shall include the following information:

- (1) The boundaries of the property, the lines of all proposed streets with their width, and any other areas intended to be dedicated to public use. The boundaries shall be accurately tied to the nearest congressional US Public Land Survey System land corner and also to the GPS Control Monuments that are part of Scott County's network of GPS survey control.
- (2) The lines of adjoining roads and streets with their width and names.
- (3) All lot lines, ~~building setback lines~~, lot and block numbers and building setback lines from road right of way and/or road easement in accordance with the Zoning Ordinance ~~and easements~~, with figures showing their dimensions.
- (4) All dimensions, both linear and angular, necessary for locating boundaries of the subdivided area, or of the lots, streets, easements, and building line setbacks, and

any other similar public or private uses. The linear dimensions shall be expressed in feet and decimals of a foot.

- (5) Radii, arc and chords, points of tangency, central angles for all curvilinear streets, and radii for rounded corners.
 - (6) Title, in bold print at top right of plat, and complete legal description of property subdivided, showing its location and extent, points of compass, date, scale of plat, and certification and name of surveyor who prepared and is responsible for monumentation.
 - (7) The accurate outline of all property which is offered for dedication for public and/or private use with the purpose indicated thereon, and of all property that may be reserved by deed covenant for the common use of the subdivision property owners and/or owners association.
 - (8) Signed statements of ~~telephone and power~~ all affected utilities officials agreeing to the utility easements.
 - (9) Signed statement of surveyor that the plat complies with Chapter 355, Code of Iowa.
- B. Additional Materials for Major Plat submittals: Two (2) copies of the following material shall also be submitted prior to or in conjunction with the Final Plat:
- (1) Detailed Engineering Design-Construction Plans and Specifications in accordance with SUDAS current adopted edition Plan and profiles of all ~~dedicated~~ streets, ~~one hundred (100) feet horizontal scale, and ten (10) feet vertical scale recommended~~. Profiles shall show proposed location, size and grade of all utilities including conduits, sewers, pipelines, etc., to be placed underground in the road right-of way. Profiles of east and west streets shall be drawn so that the west end of the profile shall be at the left side of the drawing and profiles of north and south streets shall be drawn so that the south end of the profile shall be at the left end of the drawing. For details see ~~Appendix I, Section V of this Chapter~~ SUDAS current adopted edition. All engineering design documents shall be prepared by or under the direct personal supervision of a duly licensed professional engineer under the laws of the State of Iowa.
 - (2) Erosion and Sediment Plan: Two (2) copies of the plan for reducing erosion and controlling sediment on the subdivision site during and after construction, prepared in accordance with this Chapter and the standards and specifications of the Iowa Department of Natural Resources. The erosion and sediment control plan shall include as a minimum the following information for the entire tract of land, whether or not the tract will be developed in stages:
 - a Such soils information and interpretations pertaining to the site as may be available from the Soil Conservation District;

- b. Plans and specifications of soil erosion and sedimentation control measures to be applied to the site in accordance with the official standards and specifications of the Iowa Department of Natural Resources;
 - c. A timing schedule indicating the anticipated starting and completion dates of the development sequence and the time of exposure of each area prior to the completion of effective erosion and sediment control measures; and
 - d. A Copy of the Iowa Department of Natural Resources NPDES General Permit #2 which includes a Stormwater Pollution Prevention Plan.
- (3) Percolation Test: All proposed lots ~~will~~ may have an acceptable percolation test or a design prepared by a registered professional engineer for an innovative or alternate sewage treatment and disposal system as reviewed and approved by the Scott County Health Department.
 - (4) Performance Bond and Approved Cost Estimate: Two (2) copies of a detailed cost estimate for installing all new improvements prepared by the subdivider's engineer for the purpose of determining an amount of the performance bond. (if applicable).
 - (5) Filing fee based on the fee schedule approved by resolution of the Board of Supervisors.

SEC. 9-16. FINAL PLAT REVIEW AND APPROVAL

- A. Distribution: Immediately upon filing of ~~nine~~ the required copies of the Final Plat and additional materials, one (1) copy of the plat shall be retained by the Director for the Planning and Zoning Commission file, one (1) copy shall be used for review by the Director, and one (1) copy shall be provided to each Planning and Zoning Commission member. Reduced copies of the plat along with necessary materials shall be sent to the County Engineer, Assessor, Auditor and Board of Health for review and comments.
- B. Review by County Officials: Within ten (10) working days of receipt of materials from the Director, the several County officials or departments shall complete their reviews of the plat materials and shall submit their written comments to the Director.
- C. Public Hearing: Before recommending approval of a Final Plat, the Planning and Zoning Commission may at its discretion hold a public hearing which would have been a condition of Preliminary Plat approval. Notice of which shall be given by publication in a newspaper in general circulation in the county and by written notification to all property owners within five hundred (500) feet of the subject property.
- D. Recommendation by Planning and Zoning Commission: The Planning and Zoning Commission shall review the Final Plat and application materials and the technical review comments, including information on the status of implementation of the erosion and sediment control plan, at its next meeting and within thirty (30) days shall recommend to

the Board of Supervisors that the Final Plat be approved or disapproved. If the Planning and Zoning Commission recommends disapproval, a statement setting forth reasons for disapproval shall be submitted to the Board of Supervisors and to the subdivider.

- E. Approval or Rejection by Board of Supervisors: The Board of Supervisors will receive the Final Plat materials and all attachments required by Chapter 354, Code of Iowa, and within sixty (60) days review the Commission's recommendation. The Board shall act to either approve or disapprove the Final Plat within thirty (30) days after receipt of the plat from the Director, except, however, the Board of Supervisors, upon written request of the subdivider and advice of the Director, may grant an extension of time to act on the Commission's recommendation on the Final Plat. If the Planning and Zoning Commission did not recommend approval of the Final Plat, the Board of Supervisors may approve the Final Plat and accept the public areas and easements thereon only by a four-fifths (4/5) vote of the entire membership of the Board of Supervisors. If the Planning and Zoning Commission recommends approval of the Final Plat, the Board of Supervisors may deny the Final Plat and not accept the public areas and easements thereon only by a four-fifths (4/5) vote of the entire membership of the Board of Supervisors and stating the basis for such denial.
- F. Final Plat Attachments: As required by Chapter 354.11, Code of Iowa, the following signed documents shall be submitted to the Planning and Development Department within sixty (60) days of the Planning and Zoning Commission recommendation, prior to the review by the Board of Supervisors:
- (1) Proprietors' statement of consent and dedication of land for public use.
 - (2) Mortgage holders' or lien holders' statement of consent or substitute affidavit and bond, if applicable.
 - (3) Attorney's opinion letter.
 - (4) Certificate of County Treasurer.
 - (5) Surveyor's Certificate.
 - (6) Restrictive or Protective Covenants/Homeowners Association documents, if applicable.
 - (7) Performance bond, if applicable.
- G. Status of Approval: Approval by the Board of Supervisors authorizes the filing of the Final Plat with the County Auditor and Recorder, in accordance with the provisions of existing statutes and following procedures as required by the Auditor and Recorder, and acknowledges the acceptance of the layout and design of all roads, streets, alleys, easements, parks or other areas reserved for or dedicated to the public along with the required surety bonds or checks guaranteeing that the improvements required herein shall be installed. Acceptance of the dedication of roads and streets to the public shall not require

nor imply acceptance of such roads and streets onto the Scott County Secondary Road System for maintenance.

- H. Duration of Approval: Approval of the Final Plat may become null and void if the plat is not recorded within sixty (60) days of Board of Supervisors approval. After said period of sixty (60) days, the Director shall place on the agenda of the Commission the Final Plat to consider whether it should be nullified or granted an extension. The subdivider shall be notified of the hearing and provided time to explain why the Final Plat was not recorded within sixty (60) days. After a hearing, the Commission shall recommend to the Board of Supervisors to either nullify or extend the recording time for the Final Plat. The Board shall review the recommendation and act to either nullify or grant an extension.
- I. Appeal of disapproval: If the plat is disapproved or approved subject to condition(s) by the Board of Supervisors, the applicant has the right to appeal, subject to the provisions of 354, Code of Iowa, to the District Court within twenty (20) days after the date of the denial of the application or the date of the receipt by the applicant of the requirements for approval of the subdivision.

SEC 9-17 STANDARDS FOR DESIGN AND DEVELOPMENT

No Minor, ~~or~~ Preliminary **or Final** Plat shall be approved by either the Planning and Zoning Commission or the Board of Supervisors unless it conforms to the Scott County **Development Comprehensive** Plan, the Land Use Policies, and the Scott County Zoning Ordinance. Such minor, preliminary and final plats shall also conform to the following applicable minimum standards and requirements:

- A. Large Lot Subdivision: Whenever the area is divided into lots of such size that there are indications that the lot will eventually be re-subdivided into small building lots, consideration shall be given to the street and lot arrangement of the original subdivision so that additional minor streets can be opened which will permit a logical arrangement of small lots.
- B. Relation to Adjoining Street System: The arrangement of streets in new subdivisions shall make provision for the continuation of the principal existing streets in adjoining subdivisions, or for a proper intersection with said streets in the new subdivision shall connect therewith, or their proper projection where adjoining property is not subdivided insofar as they may be necessary for public requirements. The width of such streets in new subdivisions shall not be less than the minimum street widths established herein. The street arrangement shall also be such as to cause no hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it.

The platting of half streets shall not be permitted.

- C. Street: (See SUDAS for design specifications).

Note that many of these design standards listed below were previously listed in the Appendix I, others design standards previously listed in the Subdivision Ordinance and Appendix are now addressed with SUDAS.

- (1) All improvements including but not limited to roadway, stormwater, sanitary sewers, water mains, utilities, sidewalks, traffic control, erosion and sediment control shall be designed in accordance with the SUDAS Design Manual and Specifications. Roadway design elements shall meet or exceed the criteria established in the “Preferred” table listed in SUDAS. For designs where this is not practical, values between the “Preferred” and “Acceptable” tables may be utilized, with approval of the County Engineer. The width of the traffic surface for major thoroughfares shall conform to the designated by the Board of Supervisors upon recommendation of the County Engineer.
- (2) Right-of-way and road easement widths
The following minimum widths of right-of-way or easement shall be required:
 - a. Local residential streets:
 - i. Curb and gutter – fifty (50) feet
 - ii. Open ditch – fifty (50) feet with fifteen (15) foot utility and drainage easements adjacent to both sides of the road easement
 - b. Arterial and Collector Streets:
 - i. The subdivider’s engineer shall submit the proposed roadway cross-section to the County Engineer for review. The County Engineer will determine the necessary right-of-way width required to properly maintain all roadway elements.
 - c. Shared driveways serving four (4) lots or less:
 - i. Open ditch – forty (40) feet with a ten (10) foot utility and drainage easement adjacent to one side of the road easement.
- (3) Road and Roadway Drainage:
 - a. Grades shall be thoroughly compacted before placing any base or surface materials. The County Engineer may require compaction with moisture and density control. The developer shall be responsible for providing process control sampling, testing, and inspection. All testing documents shall be submitted to the County Engineer for review and approval prior to placing any base or surface material.
 - b. All street construction shall be centered on the right-of-way.
 - c. If the outlet for surface drainage is outside the boundaries of a subdivision, the developer shall also provide drainage easements and/or flowage agreements from the abutting property owners to said approved outlet.
 - d. Driveways in open ditch sections shall be constructed in accordance with SUDAS design and specifications for curb and gutter sections and shall have a minimum width at the right-of-way line of ten (10) feet. Drive culverts shall be of the size required (minimum 15” diameter) and a minimum length of twenty-four (24) feet. Driveway fore slope shall be a minimum of 10:1 for driveways without a drainage structure and 6:1 where there is a drainage structure.
 - e. Streets which are not projected to exceed four (4) lots shall be constructed with a minimum six (6) inch rock base and two (2) inch asphalt surface. In certain

cases (favorable soils) the County Engineer may allow an eight (8) inch rock base with a seal coat surface. Subgrade preparation shall be required in accordance with SUDAS. The County Engineer may require compaction with moisture and density control. The developer shall be responsible for providing process control sampling, testing, and inspection. All testing documents shall be submitted to the County Engineer for review and approval prior to placing any base or surface material.

- f. Sanitary sewers and water mains shall be placed on opposite sides of the pavement near the right-of-way line or as approved by the County Engineer. Before placement of the pavement, house connections for the sanitary sewer and water mains shall be extended to the property a minimum of 10 feet beyond the right-of-way line onto private property.
- g. All roads and streets to have traffic control signs and street name signs in accordance with the MUTCD.
- h. All street crossings by utility service lines shall be placed prior to construction of the road on street base and surface courses and, if possible, prior to grading the sub-base. All utility appurtenances such as transformers, pedestals and cabinets shall be placed outside the road right-of-way. Utility poles, if permitted, shall be located at or outside the right-of-way and shall have the required lines clearances.
- i. All dead-end streets shall terminate in a circular cul-de-sac, designed in accordance with SUDAS, with a one hundred (100) foot diameter right-of-way. If a street is to be extended at a later date a temporary easement and a temporary turn-around will be required. In some cases an alternate type of turn-around may be used if approved by the County Engineer.
- j. All entrances onto County roads will require a County permit from the County Engineer's office (both street and driveway approaches).

- (4) Subdivisions with only one access shall not contain over thirty (30) residential lots unless streets within such subdivision are extended to the boundary of adjoining undeveloped property to allow for future connection and additional access; in which case such subdivision shall not contain more than fifty (50) residential lots until such time as a second access is provided. Cul-de-sacs or dead end streets designed to be permanently closed shall not be more than thirteen hundred twenty feet (1,320') in length, when measured from centerline of the nearest intersecting street (other than the intersection of another cul de sac) and the center radius of cul de sac turn around that is most distant from the subdivision entrance. ~~All dead-end streets shall terminate in a circular right-of-way or cul-de-sac with a minimum easement or right-of-way diameter of one hundred (100) feet or other equally suitable provision for vehicular turning space. When a street is to be terminated at the boundary of the subdivision temporarily, until adjacent land is to be subdivided, a temporary circular right-of-way or cul-de-sac shall be provided. The surfacing required for such a temporary circular right-of-way or cul-de-sac shall be established by the County Engineer~~

(5) It shall be the responsibility of the Board of Supervisors upon recommendation of the Planning and Zoning Commission to assign street names to new roads in Scott County as follows:

- a. The developer may propose street names or numbers to the Commission. The official street designation shall comply with the standards of Section 8-4 County Code. The final plat shall show the assigned street name or number prior to recording. The residence or business address will not be assigned until a building permit is issued.
- b. All new subdivisions shall be required to comply with the Rural Address System as adopted in Chapter 8 of the County Code.
- c. Subdivision property owners on private roads and streets are responsible for the purchase, installation, and maintenance of road identification markers at private subdivision road intersections within their subdivision. The specifications for the markers shall be in accordance with the Iowa MUTCD as specified in Section 8-2(6) and Section 8-7 of the County Code. Only those names/numbers assigned in the Property Numbering Map(s) are allowed on private roadway intersections. Any other roadway designations are in violation of this Chapter and must be removed within a reasonable time period.

~~(6) The intersection angle of road center lines shall be between eighty (80) and one hundred (100) degrees.~~

~~(7) Road intersections with center line offsets of less than one hundred fifty (150) feet shall be prohibited.~~

~~(8) Intersections of more than two (2) roads at a point shall be prohibited.~~

~~(6) Streets and roadways will be built to design standards and specifications established by the current edition of SUDAS as approved by the Board of Supervisors (see SEC. 9-19 and Appendix I). Roads to be dedicated to the county will meet the specifications and standards of the Board of Supervisors and the County Engineer. Private streets are permitted and must meet the standards as described in SEC. 9-19. As of the adoption date of this ordinance, all new subdivision roads, with the exception of new subdivisions in the Community Area Development of Park View, shall be privately maintained roads and suitable provisions for maintenance and upkeep of such private roads shall be provided through homeowners association, deed covenants, or through other legal mechanisms as approved by the Board of Supervisors.~~

~~(7) Proper access shall be given to all lots from a dedicated or recorded or private street right of way, road or access easement. The Policy and Regulations for Entrances to~~

Primary Roads of the Iowa Department of Transportation are herewith adopted by reference and made a part of this Chapter, and violation of the aforesaid Policy and Regulations is a violation of this Chapter and subject to the penalties contained herein with the same force and effect as if said Policy and Regulations were contained herein. Said Policy and Regulations are on file in the Office of the County Engineer.

- (8) Access from lots to county and state roads shall be made via subdivision roads whenever possible.
- (9) The subdivider's engineer shall certify that the sight distance at all proposed intersections, both internally and at the county road intersection, meet the current adopted edition of SUDAS design manual and specifications Appendix I Section VI, B 12. and 13 of this Chapter.
- D. Utility Easements: Easements of not less than ~~ten (10) seven and one half (7-1/2)~~ feet in width shall be provided on all property lines or right-of-way lines, where necessary for poles, wires, conduits, storm and sanitary sewer pipe, gas water, telephone, cable TV or other utilities.
- ~~E. Blocks: No block should be longer than one thousand three hundred twenty (1,320) feet.~~
- E. Lots:
- (1) The lot arrangement and design shall be such that all lots will provide satisfactory and desirable building sites properly related to topography and the character of adjacent development.
 - (2) All side lot lines shall be substantially at right angles or radial to street center lines unless the Planning and Zoning Commission shall agree that a variation to this requirement will provide for better street and lot arrangement. Double frontage lots shall be avoided except where essential to provide separation of residential development from major traffic arteries or to overcome specific disadvantages of topography.
 - (2) The minimum dimensions for lots shall be in accordance with the bulk regulations of the Zoning Ordinance for the district within which the subdivision is located; provided, however, ~~that the minimum depth for a lot shall be one hundred (100) feet and~~ that the depth of a lot shall not exceed three (3) times the width, unless it is a flag lot.
 - (4) Flag lots are permitted if the stem is at least twenty (20) feet wide from the street to the buildable portion of the lot. The stem must be located where it is reasonable to construct a private drive from the street to the principal building. The buildable portion must meet the minimum area requirements for that particular zoning district.
 - (5) Corner lots shall be of such width as to permit the maintenance of all yard requirements as required by the Zoning Ordinance.

(6) All lots at street intersections shall have a radius of not less than twenty-five (25) feet at the street corner. A greater radius shall be required for intersections involving one or more major streets. A cut-off or chord may be substituted for the circular arc.

F. **Front Building Lines:** Front Building lines shall be shown on all lots intended for residential, commercial or industrial use. Such building lines shall not be less than the minimum yard requirements of the Zoning Ordinance for the district within which the property is located. **Corner and double frontage lots shall show a front building line parallel to all street right of way or road easement lines.**

G. **Sanitary Sewers:** Subdivisions containing less than thirty (30) lots may install septic systems or other approved on-site treatment systems using County Health Department standards. Subdivisions containing thirty (30) or more lots when median lot size is less than one (1) acre shall provide for common sanitary sewage treatment using the administrative rules of the Iowa Department of Natural Resources. Subdivisions containing more than thirty (30) lots when 90% or more of the lots are greater than 1 acre in size may install septic systems in lieu of the common treatment using County Health Department standards. Lots where septic systems are proposed shall provide adequate space for two (2) septic fields, the second field to act as a back up when the first field fails.

H. **Storm Water Management:** The developer shall design stormwater management facilities in accordance with SUDAS. Stormwater management infrastructure shall be designed to manage the quantity and quality of stormwater runoff generated within and exiting the development site. The developer shall utilize best management practices that promote on-site storage and infiltration to limit the amount of impervious areas and discharge from the development site.

All lots and internal streets shall be adequately drained. Storm water runoff shall be controlled through enclosed storm sewers or overland drainage. Detention facilities sufficient to capture the runoff of a 24-hour, one hundred (100) year storm calculated at a rate that would be generated from post-development impervious area shall be placed in the subdivision. The release rate of storm water out of the detention facility shall be restricted so as not to exceed the volume produced by a five (5) year storm when measured at the pre-developed flow rates. The velocity of the water leaving the subdivision shall be reduced so as not to cause erosion.

Drainage easements or common outlots may be required, but the land shall remain privately owned. Drainage easements along common lot lines twenty (20) feet wide, generally ten feet on either side of the common lot line shall be shown on the plat. Areas of natural drainage of ten (10) square miles or more may require fifty (50) feet or more of width for drainage easements.

Suitable provisions for maintenance and upkeep of common stormwater facilities shall be provided through homeowners association, deed covenants, or through other similar provisions as approved by the Board of Supervisors. A drainage easement is required

where storm water from a subdivision crosses an adjacent property to reach a natural stream or public drainage facility.

Enclosed storm sewers require County Engineer approval before construction of the subdivision begins. Submittal of the stormwater facility design and approval by the County Engineer does not constitute a formal review of all design calculations or relieve the design engineer from their obligation to meet the above listed requirements. The County Engineer's approval is solely to acknowledge that a design plan was submitted by a duly licensed professional engineer under the laws of the State of Iowa and all required documents have been submitted.

- I. Water: Subdivisions containing fifteen (15) or more lots that are located within ½ mile of a public water utility shall extend water service from such utility when determined to be feasible. Subdivisions containing five (5) or more lots shall provide for a common water supply using the administrative rules of the Iowa Department of Natural Resources. Subdivisions containing fewer than five (5) lots may have private wells which meet the County Health Department standards. Once the development is complete, the restrictive covenants will provide for the common water system to be turned over to a homeowners' association or quasi-public organization. The association or organization would own, operate, and maintain the common water system.
- ~~K. Character of Development: The Board of Supervisors shall have the right to agree with the subdivider regarding the type and character of development that will be permitted in the subdivision, and may require that certain minimum regulations regarding this matter be incorporated in deed restrictions. Such regulations shall be intended to protect the character and value of the surrounding development and shall also tend to secure the most appropriate development of the property being subdivided.~~
- ~~L. Easements Along Streams: Whenever any stream or major surface water course is located in an area that is being subdivided, the subdivider shall, at his own expense, make adequate provisions for protecting the channel so that it will properly carry the surface water. If the stream or water course drains an area in excess of ten (10) square miles, an application shall be made directly to the Iowa Department of Natural Resources. For drainage areas less than ten (10) square miles, any changes in the stream or water course as a result of the subdivision shall be approved by the Board of Supervisors during the subdivision review process. The subdivider also shall provide and dedicate to the Board of Supervisors an easement along each side of the stream, such easement shall be for the purpose of widening, improving or protecting said streams. The width of such easement shall be adequate to provide for any necessary channel relocation and straightening, but in no case shall such easement be less than fifty (50) feet on either side of stream centerline.~~
- J. Protection of Natural Vegetation Cover: Whenever a wooded site is to be developed no more than fifteen percent (15%) of the naturally occurring canopy-tree cover shall be removed due to surface earth grading, roadway construction, building site clearance, or any other construction activity associated with subdivision site improvement. Whenever removal of more than fifteen percent (15%) of the naturally occurring vegetation cover is

deemed necessary and unavoidable a mitigation replanting measure shall be implemented. Such mitigation shall require re-establishment of one (1) native tree of a similar specie to those removed for every three trees of three (3) inch caliper or greater removed or fatally damaged.

Environmentally sensitive and primitive areas should be avoided to the greatest extent possible. Such areas include slopes in excess of 25%, native forest growth, native prairie grass, and wetlands. If development is proposed for such an area, the subdivider shall present a protection plan to the Planning and Zoning Commission.

K. Open Space Requirements: In all residential subdivisions of fifteen (15) lots or more there shall be a minimum area of ten thousand (10,000) square feet plus an additional two thousand (2,000) square feet for each lot over fifteen (15), dedicated or reserved as usable, common open space land. The land need not be contiguous, but no parcel dedicated or reserved for common open space shall be less than ten thousand (10,000) square feet in size. Common open space land shall be clearly designated on the subdivision plan as to character of use and development, be intended for the private use of the residents of the subdivision, and shall not include:

- i. Areas reserved for the exclusive use or benefit of an individual tenant or owner;
 - ii. Dedicated streets, common wells, sewer treatment facilities, open drainage ditches, drainage storage areas, other public rights-of-way, and other areas deemed unsuitable open space;
 - iii. Vehicular drives, parking, loading, and storage areas.
- (1) Suitable provisions for maintenance and upkeep of open space shall be provided through homeowners association, deed covenants, or through other similar provisions as approved by the Board of Supervisors.
 - (2) Large lot subdivisions, provided that at least ninety percent (90%) of all lots have lot areas of 1½ acres or more shall be exempted from the open space requirements of this provision provided that adequate deed restrictions shall limit subsequent lot resubdivisions. Exemptions may be provided if close to an existing public park or for personal hardships.
 - (3) Additional guidelines for determining open space:
 - (a) May include environmentally sensitive land such as stream beds, marshes, and steep slopes; however, a minimum of fifty percent (50%) of the land must be level ground that is contiguous and suitable for active recreation;
 - (b) The length is not more than five (5) times the width;
 - (c) Be easily accessible to all property owners within the subdivision;
 - (d) May include land in a high power transmission line easement, but only a maximum of twenty percent (20%) of the open space requirement.

- (4) Bikeways may be included in the designated open space, but follow these construction standards:
- (a) Right-of-way at least twelve (12) feet wide; and,
 - (b) A paved surface at least eight (8) feet wide, three (3) inches thick, on a well drained subsoil base. As an incentive, the lands designated for a bikeway shall count double towards fulfilling the minimum open space requirement, provided that at least ten thousand (10,000) square feet of other open space has been set aside for active and passive use. The bikeway need not comply with the guidelines of Section 9-17 (O) (3).

L. Perimeter Fences: Any subdivision boundary adjoining an existing agricultural land use will be fenced with a lawful or a tight fence, as determined by the Board of Supervisors, to prevent livestock and horses from entering the other property. Where no fence exists or where an existing is in need of repair, the cost will be assigned to the developer. Future repair and maintenance will be done by the agricultural land owner with the cost prorated according to length of fence between the homeowners association and the agricultural land owner.

M. Protecting Integrity of Drainage Tile: The subdivider shall design and construct the subdivision to protect the integrity of existing draining tile. If an operating drainage tile is not discovered until construction has begun, work shall stop until a new layout for the drainage tile has been engineered which is acceptable to the affected agricultural land owner. Differences between the developer and agricultural land owner will be decided by the Board of Supervisors.

N. Ag Nuisance Waiver. The Commission may recommend to the Board of Supervisors that an agricultural nuisance waiver be included within the restrictive covenants if determined to be applicable. Such waiver would restrict property owners within such subdivision from filing lawsuits for private nuisance against legitimate agricultural operations in the vicinity of the subdivision.

SEC. 9-18. IMPROVEMENTS OR BOND REQUIRED

Before the Final Plat of any area shall be approved by the Board of Supervisors and recorded, the subdivider shall make and install the improvements described in this section. In lieu of final completion of the minimum improvements required before the plat is finally approved, the subdivider shall post a completion obligation bond, a set-aside letter from the bank, or comparable financial commitment, approved by the County Attorney and County Treasurer, with the Board of Supervisors, which will ensure to the County that the improvements will be completed by the subdivider. A detailed engineering estimate of cost for all improvements shall be prepared by the subdivider's engineer and shall bear the seal of a registered professional engineer. This will be used by the County Engineer for review and determination of the bond amount. The amount of the bond shall not be less than the estimated cost of the improvements and the amount of the estimate must be approved by the County Engineer. If the improvements are not completed the County may use the bond or any portion thereof to complete same. For plats located in unincorporated areas within two (2) miles of the corporate limits of a municipality, the Planning and Zoning Commission and

Board of Supervisors may waive the requirements of this section provided they are satisfied that the subdivision regulations of the municipality governing the area within which the subdivision is located or the terms of a Chapter 28E agreement, if applicable, are sufficient to ensure adequate conformance with these regulations.

SEC. 9-19. REQUIRED IMPROVEMENTS

The minimum improvements installed or for which bond is posted in any subdivision, before a final plat is approved shall be based on the total number of lots in the proposed subdivision plus any additional lots anticipated for any of the remaining adjacent unplatted land. The following subsections shall apply:

- A. All new subdivision streets which will eventually serve five (5) or more lots will be constructed according to the standards and procedures as established by the Board of Supervisors. ~~When the majority of the lots are sold to homeowners, the homeowners association may decide whether or not to dedicate the road and road right of way to the County.~~ The roads will be constructed with an adequately compacted sub-soil base and proper drainage. The County Engineer will inspect and approve the sub-soil base and drainage before the base course is laid. The traffic surface will be built to the standards ~~listed below in SUDAS~~ and based on projected traffic counts for the subdivision as eventually completed. The paved portion shall meet standards equal to or greater than ~~current SUDAS standards. Statewide Urban Design and Specifications (SUDAS) Manual and current Iowa Department of Transportation specifications.~~
- ~~(1) Local residential road standards (projected average daily traffic count under 250 vehicle trips) will depend upon the storm water drainage system. Underground: Right of way fifty (50) feet, street width twenty six (26) feet wide back to back including four (4) inch roll curb and gutter. Open ditch: Right of way sixty (60) feet, street width twenty two (22) feet wide with no curb; shoulders four (4) feet wide. (See Appendix I to this Chapter for further details).~~
- ~~(2) Sub-collector road standards (projected average daily traffic count over 250 vehicle trips) will depend upon the storm water drainage systems. Underground: Right of way fifty (50) feet; street width thirty (30) feet wide back to back including four (4) inch roll curb and gutter. Open ditch: Right of way seventy (70) feet; street width twenty four (24) feet wide with no curb; shoulders four (4) feet wide. (See Appendix I to this Chapter for further details).~~
- B. All new subdivision streets which are not projected to serve more than four (4) lots shall be designed and constructed to provide year round access for motorized vehicles. The County Engineer must approve the plans for the road, cross section, shoulders and ditches before road construction begins. ~~In no case shall~~ The traffic surface shall be a minimum of eighteen (18) feet in width and consist of no less than six (6) inch coarse aggregate base with a two (2) inch fine aggregate surface with a dust retardant surface. The County Engineer may require a soil test of the sub-soil along the planned road bed. The right-of-way or access easement width will be forty (40) feet minimum with a ten (10) foot utility and drainage easement adjacent to one side of the road easement. Two (2) foot shoulders

will be constructed on either side of the traffic surface. Suitable turnaround area for emergency vehicles shall be provided as determined by the County Engineer.

- C. The subdivider shall construct sanitary and storm water sewers according to the standards and specifications of Sections 9-17 (H), 9-17 (I), ~~and Appendix I to this Chapter~~ and the Iowa Department of Natural Resources regulations and provide a sanitary sewer connection to each lot. Health Department regulations do not permit installation of septic tanks on lots less than fifteen thousand (15,000) square feet in area. Where permitted, the subdivider shall furnish reports from the County Health Department and the engineer testing the lots, stating that the proposed lots have been tested and found suitable for primary sewage treatment. Approval from the Iowa Department of Natural Resources is required for a common water supply or sewage treatment system serving fifteen (15) or more dwelling units or twenty-five (25) or more persons. The County Health Department must approve a water supply or sewage treatment system serving fewer units or people.
- D. Permanent monuments shall be set in each corner of the perimeter of the subdivision and at the corner of each block within the subdivision and at the corner of each lot, in accordance with Chapter ~~409A~~ 354, Code of Iowa. All monuments shall be made of permanent material, sensitive to a dip needle and at least thirty (30) inches long, and shall conform with standard specifications of the County Engineer.
- E. The subdivider will provide the water mains and lines in accordance with the provisions of this Chapter and other State and County regulations.
- ~~(1) No water mains or lines of the central water tight system or sewer lines, except a stub end from said lines, shall be installed underneath the normal traveled portion of any street. The same to be located in an appropriate place as approved by the County Engineer.~~
- ~~(2) No street shall be maintained by Scott County unless and until a workable agreement has been entered into between the Board of Supervisors and the subdivider which will appropriately set forth the responsibility for payment of all costs by the subdivider or persons acquiring land therein for the maintenance of water and sewer utilities installed in accordance with this Chapter; and further providing for payment to the County for any damage caused to roads which may occur by reason of maintenance of water and sewer lines.~~
- F. All internal traffic control signs shall be placed by the developer in accordance with the Iowa MUTCD as part of the road and street construction; i.e., regulatory, warning, etc.
- G. The Board of Supervisors and Planning and Zoning Commission may require that all utility lines except electric lines of nominal voltage in excess of 15,000 volts, be installed underground. The subdivider shall be responsible for making the necessary arrangements with the utility companies for installation of such facilities. Said facility lines shall be installed in such a manner so as not to interfere with other underground utilities. The location of all utilities within the road and street R.O.W. shall be approved by the County Engineer and shown on the engineering plans. Underground utility lines which cross underneath the right-of-way of any street, or way shall be installed prior to the

improvements of any such street, or way in the subdivision. Incidental appurtenances, such as transformers and their enclosures, pedestal mounted terminal boxes, meters and meter cabinets may be placed above ground but shall be located so as not to be unsightly or hazardous to the public. If overhead utility lines or wires are permitted, the electrical utility shall have the right to determine overhead line routing. In their determination on whether or not to require underground utilities, the Board of Supervisors and Planning and Zoning Commission may consider the recommendations of the utility company on such matters as soil, topography, or other conditions which make most installations within the subdivision unreasonable or impractical.

- H. The subdivider shall provide an acceptable trust agreement or covenant within the deed restriction for adequate continuous maintenance of the subdivision roads, street signs, entry structures (if applicable), parks, sanitary and storm sewers, water supply system, and common facilities by the lot owners of the subdivision.
- I. All plans, specifications, installation and construction required by this Chapter shall be subject to review, approval and inspection ~~in accordance with Appendix I of this Chapter~~ by the County Engineer or ~~his~~ an authorized representative in accordance with the current adopted edition of SUDAS.
- (1) The County may require contracts for all public improvements to be executed on forms furnished and approved by the County Attorney and the Board of Supervisors.
 - (2) The subdivider shall furnish the County Engineer with a construction schedule prior to commencement of any and/or all construction, and shall notify the County Engineer, not less than forty-eight (48) hours in advance of readiness for required inspection. The subdivider shall reimburse the County for the costs expended for all inspection services and tests furnished and conducted by or on behalf of the County.
 - (3) The subdivider shall pay the County Engineer's office the standard rate for reviewing plans and specifications, inspecting and testing new roads and storm sewer systems, and any additional costs directly associated with installing the subdivision improvements.
- J. The subdivider shall be responsible for the installation and/or construction of all improvements required by this Chapter, and shall warrant the design, materials and workmanship of such improvements' installation and construction for a period of two (2) years from and after completion to the legal entity responsible for road maintenance within such subdivision. Such warranty shall be by bond or other acceptable collateral; and shall be subject to review by the County Attorney; shall assure the expedient repair or replacement of defective improvements under warranty; and shall indemnify the County and the legal entity responsible for road maintenance within such subdivision from all costs or losses resulting from or contributed to such defective improvements.

SEC. 9-20. VARIATIONS AND EXCEPTIONS PERMITTED

Whenever the tract proposed to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in this Chapter would result in substantial hardships or injustices, the Board of Supervisors upon recommendation of the Planning and Zoning Commission may modify or vary such requirements to the end that the subdivider is allowed to develop the property in a reasonable manner; provided, however, that all such variations and exceptions granted hereunder shall be in harmony with the intended spirit of this Chapter and granted with the view toward protecting the public interest and welfare. Any variance recommended by the Planning and Zoning Commission is required to be entered in writing in the minutes of the Planning and Zoning Commission and the reasoning on which the departure was justified shall be set forth and forwarded to the Board of Supervisors with the Commission's recommendation on the Preliminary Plat. Notice of the Public Hearing before the Commission for such variations and exceptions shall be included with the notice for the Public Hearing of the Preliminary Plat.

SEC. 9-21. LIMITATIONS

In no case shall any street standard variation or modification be more than a minimum easing of the requirements. In no case shall it have the effect of reducing the traffic capacity of any street or be in conflict with the Zoning Ordinance and Map.

SEC. 9-22. APPROVAL REQUIRED

Such variances and waivers may be granted by the affirmative vote of ~~three-four~~-fifths ($4/5$'s) of the members of the Board of Supervisors.

SEC. 9-23. CONDITIONAL APPROVAL

In granting variances and modifications, the Board of Supervisors may require such conditions as will, in its judgment, secure substantially the objectives of the requirements so varied or modified.

SEC. 9-24. AMENDMENTS

Any regulation or provision of this Chapter may be changed and amended from time to time by the Board of Supervisors; provided however, that such changes and amendments shall not become effective until after study and report by the Planning and Zoning Commission and until after a public hearing has been held, a public notice of which shall have been given in the official newspapers in compliance with State law.

SEC. 9-25. ENFORCEMENT

No plat of any subdivision shall be entitled to be recorded in the County Recorder's office or have validity until it shall have been approved in the manner prescribed herein. The Director shall not issue building permits or certificates of occupancy for any structure located in any subdivision, the plat of which has been prepared after November 15, 1979, but which has not been approved in accordance with the provisions contained herein.

SEC. 9-26. MUNICIPAL INFRACTION

Whoever, being the owner or agent of the owner of any land located within the unincorporated area of Scott County, knowingly or with intent to defraud, transfers or sells by reference to or exhibition of or by other use of a plat of subdivision of such land before such plat has been approved by the Board of Supervisors, shall be liable for the penalties outlined in the municipal infraction Chapter 29 of the County Code.

SEC. 9-27. FEES

All applications shall pay a fee based on the fee schedule approved by resolution of the Board of Supervisors.

~~A. Plat of Survey filing fee: twenty dollars (\$20).~~

~~B. Minor Plats: Prior to the Planning and Zoning Commission considering the Sketch Plan and Final Plat, the subdivider shall deposit with the Planning and Development Department the following fees:~~

~~— Sketch Plan one hundred dollars (\$100);~~

~~— Final Plat fifty dollars (\$50).~~

~~C. Major Plats: Prior to the Planning and Zoning Commission considering the Preliminary Plat and Final Plat, the subdivider shall deposit the following fees:~~

~~— Preliminary Plat one hundred fifty dollars (\$150)~~

~~— Final Plat one hundred dollars (\$100); plus five dollars (\$5) per lot.~~

APPENDIX I

CONSTRUCTION STANDARDS, SPECIFICATIONS, PLANS AND GENERAL CONSTRUCTION PROCEDURES PROCEDURES FOR CONSTRUCTION PLANS SUBMITTAL & REVIEW, INSPECTION OF THE CONSTRUCTION OF SUBDIVISION IMPROVEMENTS, TESTING STANDARDS, AND OTHER GENERAL CONSTRUCTION PROCEDURES.

I. GENERAL PURPOSE:

It is the intent of this Appendix to lay down and more clearly define the details, procedures and requirements for the plans, standards, specifications, inspections, and construction of subdivision plats covered in the main body of the County Subdivision Ordinance (Chapter 9 of the County Code).

II. ORDER OF PROCEDURE:

The following steps, which will be explained in more detail in subsequent sections and which are also covered in the main body of the County Subdivision Ordinance, will be followed in considering any subdivision.

- A. Sketch plan - optional.
- B. Preliminary plat.
- C. Engineering plans and specifications.
- D. Final plans, specifications, covenants, dedication, and final plat.
- E. Site grading and construction - interim inspections.
- F. Final inspection and approval of construction.
- G. Two year maintenance - construction warranty bond.
- H. Final reinspection.

IV. PRELIMINARY PLAT - PLAN:

The Preliminary Plat - Plan shall contain the information required under Section 9-13 of the Code and any other topographic features that may have an effect on the development and its design. Streets should be arranged to provide for a continuous circuit for travel and provide for two access points whenever possible; the right is reserved to reject "dead-end" streets or roads. The preliminary plat shall be subject to all the requirements of Section 9-17 of the Code, **SUDAS** and any other engineering criteria deemed appropriate and applicable.

The purpose of the preliminary plat is to provide for a review of the geometrics and general layout, safety of access points to county roads, the suitability and practicality of the proposed development, the compatibility with the surrounding area, the existence of any special topographical and/or soil problems, the need for any special design and plan requirements and other items affecting the development of the final plat.

V. FINAL PLAT - ROAD PLANS:

After approval of the preliminary plan, the final construction plans shall be prepared by the developer's (owner's) engineer. These final plans shall contain detailed engineering drawings and specifications on all the proposed improvements and contain all the items under Section 9-15 of the Code and SUDAS. Additional information and engineering computations may be required to document and verify final design criteria. The plans and specifications shall be detailed enough to be used as construction plans for building the improvements within the subdivision. The final plans and specifications shall comply with the requirements and specifications given in this Appendix, SUDAS and in conformance with any additions or changes required by the Board of Supervisors or the County Engineer.

The road and drainage plans shall be drawn on plan and profile sheets measuring twenty-two inches by thirty-four inches (22" x 34"). The scale shall not be less than one (1) inch equals one hundred (100) feet horizontally and one (1) inch equals ten (10) feet vertically (recommend one (1) inch equals fifty (50) feet horizontally and one (1) inch equals five (5) feet vertically). The percent grades and length of vertical curves shall be shown as well as elevations every one hundred (100) feet for the finished surface grade. The storm drainage plans (surface and underground) shall be superimposed on the road plans along with grades and elevations. The road and drainage plans shall also include the water and sanitary sewer locations and grades. The plans shall also include a typical cross section or cross sections to which the streets are to be built with all necessary widths, depths and types of material to be used in their construction. The Engineer, in special cases, may require a complete soils survey by a competent soils engineer. If so required, a copy of the soil survey shall be attached to and made a part of the plans and specifications, including any and all recommendations by the soils engineer. The completed plans must bear the seal of the engineer.

~~VI. SPECIFICATIONS AND REQUIREMENTS:~~

~~Previous specifications listed in Appendix I now addressed by adoption of SUDAS or moved to SEC 9-17 Standards for Design and Development.~~

VI. INSPECTION OF ROADWAY CONSTRUCTION:

After the final ~~plat~~ plans and specifications are approved all construction shall be done in accordance with said plans and specifications in accordance with the provisions of this Appendix and the Subdivision Ordinance itself. The County Engineer, or a designated third party will inspect all phases of the construction of the streets and storm sewers. Regularly scheduled inspections will be required at each of the following stages and approval from the County Engineer's office will be required before proceeding to the next stage of construction.

A. Preliminary site inspection - upon receipt of preliminary plat.

- B. Plans and specifications site inspection – upon receipt of engineering plans and specifications.
- C. Site grading and installation of underground storm sewer, sanitary sewer, water mains and other utilities.
- D. Subgrade inspection - during construction of the grading and compacting of the subgrade to the required typical cross section and the grades shown on the engineering plans.
- E. Base inspection - during construction of asphalt or aggregate base placement and compaction.
- F. Asphalt surface or concrete surface inspection -during construction of placing asphalt or concrete surface (also shoulder gravel for ditch section).
- G. Final construction inspection - upon completion of all construction work including final soil erosion control, placement of signs and all other requirements associated with final plans.
- H. ~~Reinspection after two (2) years after date noted in Item G above (two year warranty on maintenance requirement).~~

It will be the responsibility of the owner, developer or the engineer to notify the County Engineer's office at least two (2) days in advance of the time desired for any inspections. The County Engineer will schedule the required inspection as expeditiously as possible. It is desirable that the developer and his engineer be present at these inspections to discuss problems and remedies.

The County Engineer may allow a certified third party inspection services for the above described work. The certified inspection services shall include submittal of all observation notes, material testing results, material certifications and other inspection related documents. All costs associated with the third party inspection services shall be borne by the developer.

VII. APPROVAL OF FINAL PLAN CONSTRUCTION:

After all construction has been completed, a certification from the developer and his engineer stating that all work has been completed in conformance with the final approved engineering plans and specifications as well as the requirements herein, will be required. This letter should also contain the request for the final inspection noted in Section VII-G previously. If the work is not complete and satisfactory, the developer or his engineer will be notified as to the deficiencies and a reinspection will be made upon being notified that all deficiencies have been corrected.

Core samples will be taken to verify base and surface thicknesses and quality by a commercial testing company.

When all plat procedures have been completed satisfactorily, the final plat will be recommended by the County Engineer for Board approval or construction bond release. Prior to the final construction approval and/or construction bond release, the subdivider/owner shall furnish the warranty (two years) as required in Section 9-19 (J) of the Code to the legal entity responsible for road maintenance.

If the construction is being done under the bonding procedures noted in the Subdivision Ordinance, partial releases may be requested and allowed by the County Engineer as specific items of work are completed.

Record samples and cores may be required by the County Engineer and tested to ascertain that the materials and workmanship comply with the requirements noted herein.

VIII. ENGINEERING INSPECTION, TESTING AND ADMINISTRATIVE COST

The subdivider/owner shall reimburse the County Engineer's office (Secondary Roads Department) for the cost expended for all inspection services, testing and related administrative expenses furnished and conducted by or on behalf of the County Secondary Road Department. Adequate records and documentation will be kept by the Secondary Roads Department to provide for an accounting of these costs. As-built plans shall be submitted both to the County Engineer's office and to the legal entity which will own and be responsible for maintenance of the improvements. Copies of all inspection reports and testing results shall also be provided to both parties.

~~IX. ACCEPTANCE OF STREETS INTO COUNTY SYSTEM FOR MAINTENANCE~~

~~Upon completion of all previous requirements, all roads and streets designated in the plat as public roads and streets will be recommended by the County Engineer to the County Board for acceptance to the County Roads and Street System. Upon approval by the Board the County Secondary Road Department will start maintaining these public roads and streets.~~

~~Any roads and streets not designated as public will not be maintained by the Secondary Road Department.~~

~~X. GRAPHS OF ROAD CROSS SECTIONS AND LAYOUTS AND STORMWATER MANAGEMENT SYSTEMS~~

PLANNING & DEVELOPMENT

600 West Fourth Street
Davenport, Iowa 52801
E-mail: planning@scottcountyiaowa.com
Office: (563) 326-8643



Timothy Huey
Director

To: Mahesh Sharma, County Administrator

From: Taylor Beswick, Planning & Development Specialist

Date: January 26, 2021

Re: Discussion of Public Hearing and presentation of Planning and Zoning Commission's recommendation on the application of Alan and Erin Rubach to rezone 72 acres, more or less, located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36 in Winfield Township and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ excluding The East 555 feet of the South 800 feet of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36 in Winfield Township ([Parcel# 033605003](#), [Parcel# 033607005](#)).

On January 19, 2021, the Planning and Zoning Commission recommended approval of this rezoning in accordance with staff's recommendation, voting 5-1. The dissenting vote, Commissioner Maxwell, cited her opposition to agricultural land being developed and the applicant is requesting to rezone too much land for one house. No members of the public spoke for or against the request at the meeting.

The applicant states the rezoning will allow them to build one single-family dwelling in the immediate future and market the remainder of the rezoned property for residential development in the long term future. The applicant has submitted a letter to the Board of Supervisors to be included with this rezoning request.

Currently, 55 acres of the property is pasture/timber and the remainder is tilled crop land in agricultural production. The request does not include a 2.8 acre single family residence addressed 26880 Scott Park Road. The request also does not include a 5.5 acre tract, more or less, located to the northwest of the intersection of 267th Street and Scott Park Road, otherwise described as part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36 in Winfield Township. The 5.5 acre tract is shown on the Future Land Use Map (FLUM) as future commercial. The remaining property is shown on the FLUM as future residential.

The zoning request area has frontage on 267th Street and Scott Park Road, both adequately constructed, paved County roads. In addition, the development has good access to US-61 via 267th Street. Roughly 76% (55 acres) of the land requested to be rezoned is on marginal or poor agricultural land. The marginal agricultural land is made up of sloping wooded timber which the applicants actively plant and harvest.

The area to be rezoned is near the city limits of Long Grove and adjacent to the census designated place of Park View. Any future development would be adjacent to commercial and residential areas mixed use developments, thus it would not be seen as encouraging urban sprawl. Park View Water & Sanitary did comment that any potential future development on the property requested to be rezoned could be handled by their sewer and water capacity. An agreement between a future developer and Park View Water & Sanitary District would be required.

There is concerns that an old farm landfill site exists somewhere in the wooded area of the property. Staff could not find evidence of this, but the commissioners agreed to recommend one condition on the rezoning approval related to the landfill/dump sites.

The Commission determined that the request met a preponderance of the criteria of the land use policies for rezoning the property to R-1 to create one new development right.

PLANNING COMMISSION RECOMMENDATION: To approve the request to rezone 35 acres, more or less, from “Agriculture-General (A-G)” to “Single Family-Residential (R-1)” with one (1) condition based on its compliance with a preponderance of the criteria of the Revised Land-Use Policies

1. Any development or subdivision require an environmental review to determine the location of historic dumpsites.

Vote: Recommended for Approval: (5-1); (Maxwell voting no)

PLANNING & DEVELOPMENT

600 West Fourth Street

Davenport, Iowa 52801-1106

Email: planning@scottcountyiowa.com

Office: (563) 326-8643

Fax: (563) 326-8257



Timothy Huey
Director

**NOTICE OF SCOTT COUNTY
BOARD OF SUPERVISORS PUBLIC HEARING FOR AN APPLICATION
TO REZONE FROM “A-G” TO “R-1”**

Thursday, February 18, 2021

Online Access Only Due to COVID-19

5:00 P.M.

PARTICIPATION OPTIONS:

All Board of Supervisors agendas, packets, and meeting participation information can found here:

<https://www.scottcountyiowa.gov/board/board-meetings>

Or call 563-326-8749 for assistance

****VIRTUAL ONLY** **NO PERSONS WILL BE ALLOWED IN ADMIN BUILDING****

Public Hearing: Rezoning – Agricultural-General District (A-G) to Single-Family

Residential District (R-1): Application from owner Alan & Erin Rubach to rezone 72.05 acres, more or less, from A-G to R-1. The location of the requested area to be rezoned is north of 267th Street and west of Scott Park Road. The rezoning request does not include the dwelling addressed 26880 Scott Park Road or a 7 acre area located on the northwest corner of the intersection of 267th Street and Scott Park Road. The land requested to be rezoned is legally described as the NW¹/₄NE¹/₄ of Section 36 in Winfield Township and the NE¹/₄NE¹/₄ excluding The East 555 feet of the South 542 feet of the NE¹/₄NE¹/₄ of Section 36 in Winfield Township ([Parcel # 033605003](#), [Parcel # 033607005](#)).

The applicant states the intended use of the property after an approved rezoning would be to build one house for the applicants to reside in. Rezoning of all 72 acres allows more options for siting of a house and the remaining land will continue be in the Conservation Reserve Program (CRP).

On January 19, 2021 the Scott County Planning & Zoning Commission recommended approval of the rezoning with a vote of 5 – 1.



PLANNING & ZONING COMMISSION

STAFF REPORT

January 19, 2021



- Applicant:** Alan & Erin Rubach DBA Winters Hollow LLC
- Request:** Rezone 72.05 acres, more or less, from Agricultural General (A-G) to Single Family Residential (R-1)
- Address:** Adjacent to but not including, 26880 Scott Park Road, Eldridge
- Legal Description:** 72.05 acres, more or less, located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36 in Winfield Township and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ excluding The East 555 feet of the South 542 feet of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36 in Winfield Township ([Parcel # 033605003](#), [Parcel # 033607005](#)).
- General Location:** Northwest of the intersection of Scott Park Road and 267th Street; 1/3 mile east of the incorporated city limits of Long Grove, Iowa; across Scott Park Road to the west from unincorporated census designated place of Park View, Iowa.
- Existing Zoning:** Agricultural-General (A-G)
- Future Land Use Map:** Yes, Residential
- Proposed Zoning:** Single-Family Residential (R-1)
- Surrounding Zoning:**
- North:** Agricultural-Preservation (A-P)
 - South:** Agricultural-General (A-G)
 - East:** Community Area Development District (Park View)
 - West:** Agricultural-General (A-G)/Single Family Residential (R-1)

GENERAL COMMENTS: This request is to rezone 72.05 acres, more or less, from Agricultural General (A-G) to Single Family Residential (R-1). The applicant states the rezoning will allow them to build one single-family dwelling in the immediate future and market the remainder of the rezoned property for residential development in the long term future. Currently, 55 acres of the property is pasture/timber and the remainder is tilled crop land in agricultural production. The request does not include a 2.8 acre single family residence addressed 26880 Scott Park Road. The request also does not include a 5.5 acre tract, more or less, located to the northwest of the intersection of 267th Street and Scott Park Road, otherwise described as part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36 in Winfield Township. The 5.5 acre tract is show on the Future Land Use Map as future commercial.



PLANNING & ZONING COMMISSION

STAFF REPORT

January 19, 2021



STAFF REVIEW: Staff has reviewed this request for its adherence to the Scott County Zoning Ordinance and to the Scott County Land Use Policies. Any proposed changes in zoning in the rural unincorporated area of the county should comply with a preponderance of the applicable Scott County Land Use Policies:

1. *Is the development in compliance with the adopted Future Land Use Map?*

The area to be rezoned is shown on the Future Land Use Map (FLUM) as future residential. This area has been shown on the FLUM since its adoption in 1998. The request area to be rezoned is currently zoned Agricultural-General (A-G) and has been since the adoption of the 1981 Scott County Zoning Ordinance.

The rezoning request meets this criteria.

2. *Is the development on marginal or poor agricultural land?*

Of the 72.05 acres, more or less, request to be rezoned, 55 acres is currently pasture/timber and contains soil with a Corn Suitability Rating (CSR) of less than 50. The remaining 17 acres contains soil with a CSR of more than 70 and is currently tilled land in agricultural production. Thus, 76% of the land requested to be rezoned is on marginal or poor agricultural land.

The rezoning request meets a preponderance of this criteria.

3. *Does the proposed development have access to adequately-constructed, paved roads?*

The area to be rezoned has frontage along 267th Street and Scott Park Road, both adequately-constructed, paved County roads.

The rezoning request meets this criteria.

4. *Does the proposed development have adequate provision for public or private sewer and water services?*

The property is not currently served by public sewer or public water. Any further development must comply, or continue to comply, with State and County health regulations for on-site wastewater treatment. The current development proposal is for one single-family dwelling to be constructed, pending the approval of the rezoning. If additional subdivision takes place, adequate provision for public or private sewer and water would be reviewed in the platting stage. The County Health Department did not have any comments or concerns regarding the proposal.

Park View Sanitary and Water District is adjacent to the proposed rezoning site. Staff reached out to the Operations Manager for the district and he responded with the



PLANNING & ZONING COMMISSION

STAFF REPORT

January 19, 2021



following comments regarding the rezoning application and potential for future residential development hooking up to Park View Water & Sanitary District:

“Dear Taylor,

26880 Scott Park Road, Eldridge, is not a current customer of the Park View Water & Sanitary District.

As for the Rubach rezoning request, at this time, and assuming all plotted but undeveloped/empty lots within the Park View Water & Sanitary District service area are developed and occupied residentially, and then adding a generous development value of 1.5 residences/acre to the proposed development, at 3 people per residence, the Park View Water & Sanitary District looks to estimate a total average demand of 198,764 Gallons Per Day, with a maximum demand of 304,456 GPD to the water system.

Park View Water & Sanitary District is currently midway through the construction of a water treatment plant that, upon completion in June, 2021, will have a minimum production capacity of 387,000 GPD and a maximum production capacity of 501,000 GPD.

The Park View Water & Sanitary District is also currently in the beginning of a Lagoon Improvement Project that, upon completion in October, 2021, will have the capacity to accept an Average Dry Weather flow of 0.492 MGD and an average BOD loading of 850 lbs/day. With the same capacity assumptions as above, the ADW flow is anticipated to be 0.19782 MGD, and the average BOD loading is anticipated to be 603 lbs/day. Both are within the design limits of the permit.

Should the Board of the Park View Water & Sanitary District be requested by the proposed development to provide water and sanitary utility services, and accept the request, the water and sewer utility can incorporate the development population while maintaining capacity and treatment requirements in our water and sewer utilities.

Thank you.

Sincerely

Brent A. Earley
Operations Mgr.
Park View Water & Sanitary District”



PLANNING & ZONING COMMISSION

STAFF REPORT

January 19, 2021



The rezoning request meets this criteria.

5. *Is the area near existing employment centers, commercial areas and does not encourage urban sprawl?*

The area to be rezoned is near the city limits of Long Grove and adjacent to the Census Designated Place of Park View. Both Long Grove and Park View have a mixture of residential and commercial land uses. Since the proposal is adjacent to mixed use developments, as stated above, it would not be seen as encouraging urban sprawl.

The rezoning request meets this criteria.

6. *Is the proposed development located where it is least disruptive to existing agricultural activities?*

The intent of the Scott County land use policies is not only to limit or prevent the conversion of prime agricultural land for development, but also to prevent the incursion of non-farming neighbors into agricultural areas. The area to be rezoned is near other commercial light industrial, and residential, and thus would cause little added disruption to existing agricultural activities.

The rezoning request meets this criteria.

7. *Does the area have stable environmental resources?*

The property mostly made up of sloping wooded areas with some flat agricultural land located on the eastern 1/3 of the property. The Subdivision Regulations define environmentally sensitive areas as areas with slopes in excess of 25%, native forest growth, native prairie grass and wetlands. The regulations also require that when a wooded site is developed, no more than 15% of the naturally occurring tree canopy cover shall be removed. Initial plans for development include one single family home located on the eastern half of the property. Future subdivision of the property would review this criteria during the platting stage.

The rezoning request meets this criteria.

8. *Is the proposed development sufficiently buffered from other less intensive land uses?*

Agricultural land exists to the north and south of the area proposed to be rezoned. Park View and timberland exist to the east and west of the property. The need for buffering this proposed residential development from adjacent farmland would be reviewed in conjunction with the subdivision review.

The rezoning request meets this criteria.

9. *Is there a recognized need for such development?*

The adopted land use policies do recognize that there is a need for providing



PLANNING & ZONING COMMISSION

STAFF REPORT

January 19, 2021



opportunities for a variety of housing types in Scott County.

The rezoning request meets this criteria.

10. *Will the property be developed in an efficient manner that is also supportive of energy conservation?*

Due to the size of the area to be rezoned it would appear that this request meets this policy to some degree.

The rezoning request meets this criteria.

Public Comment & Department Review

Staff has mailed notification to the adjacent property owners within five hundred feet (500') of this property of this hearing. Two signs has also been placed on the property stating the date and time this request would be heard by the Planning and Zoning Commission. Staff has received comment from two members of the public who are opposed to the rezoning due to their belief that development should occur in the cities.

Staff has also notified the County Engineer, County Health Department, Bi-State Regional Commission, and the City of Long Grove for review and comment.

RECOMMENDATION: Staff recommends that the rezoning of this property from Agricultural-General (A-G) to Single-Family Residential (R-1) be approved based on its compliance with a preponderance of the criteria of the Revised Land-Use Policies.

Submitted by:
Taylor Beswick, Planning & Development Specialist
January 14, 2021



PLANNING & DEVELOPMENT

600 West Fourth Street

Davenport, Iowa 52801-1106

Office: (563) 326-8643

Fax: (563) 326-8257

Email: planning@scottcountyiowa.com

Timothy Huey, Director

Rezoning Petition

Date 12/11/ 2020

Dear Scott County Planning and Zoning Commission Members:

Alan and Erin Rubach, owners of the below described real estate, petition the Planning and Zoning Commission to consider re-zoning this property from Agricultural General to Single family residential. For the request to the Commission, please find the attached 13 copies of the plat/site plan and the filing fee of \$200.

Number of acres to be re-zoned: 72.05

Legal Description (Attach separate sheet if necessary)

The north half of the Northeast Quarter of Section 36 exempting that part thereof conveyed by
Warranty Deed from Peter Thomas and wife H.E. Ficke, recorded in Book 54 of Land Deeds, at page
604, records of the Scott County, Iowa, subject to existing public highways. Excluding the very south
east portion of the east section that is 700ft East to west (starting from north scott park road) and
500ft (from 267th st to where property 033607004 starts).

Statement of Intended Use: The intended new use of the property would include the following:
Initially we plan to build one house on the property for us to reside in. We would like to plan for the
future and rezone the remainder of the property to have different building site options for us
personally and for future sale/development. The attached map shows where the initial house site
should be.

How Will Such Use Comply With the Scott County Plan and Land Use Policies?

This will comply with Scott county land use policies by encouraging growth in an area marked on the
future land use map for residential development on marginal farm ground. It is located next to a city
and has access to public services. The property has access on two sides to paved roads. The area is
lacking in larger lots and larger lots that do come for sale in the area sell quickly, thus there is a
demand for properties over 3 acres which would be how we would plan to develop it. Making lots



PLANNING & DEVELOPMENT

600 West Fourth Street

Davenport, Iowa 52801-1106

Office: (563) 326-8643

Fax: (563) 326-8257

Email: planning@scottcountyiowa.com

Timothy Huey, Director

over 3 acres would allow for natural drainage areas to be maintained and have a much smaller environmental impact.

Respectfully submitted,

Signature

Alan C. Rubach

Name of Applicant (printed)

4388 Southfield Place

Mailing Address

Bettendorf, IA 52722

City / State / Zip

262-492-8707

Phone

Signature

Erin E. Rubach

Name of Owner (if different from applicant)

Mailing Address

City / State / Zip

563-340-4254

Phone

Received by _____
Zoning Staff



Serving local governments in Muscatine and Scott Counties, Iowa;
Henry, Mercer, and Rock Island Counties, Illinois

MEMORANDUM

OFFICERS:

CHAIR
Ken "Moose" Maranda

VICE-CHAIR
Bob Gallagher

SECRETARY
Jeff Sorensen

TREASURER
Vacant

MUNICIPAL REPRESENTATIVES:

City of Davenport
Mike Matson, Mayor
Rick Dunn, Alderperson
Pat Peacock, Alderperson
Randy Moore, Citizen

City of Rock Island
Mike Thoms, Mayor
Dylan Parker, Alderperson

City of Moline
Stephanie Acri, Mayor
Mike Waldron, Alderperson

City of Bettendorf
Bob Gallagher, Mayor

City of East Moline
Reggie Freeman, Mayor

City of Muscatine
Diana Broderson, Mayor

City of Kewanee
Gary Moore, Mayor

City of Silvis; Villages of
Andalusia, Carbon Cliff,
Coal Valley, Cordova, Hampton,
Hillsdale, Milan, Oak Grove,
Port Byron, and Rapids City
Duane Dawson, Mayor, Milan

Cities of Aledo, Colona, Galva,
Geneseo; Villages of Alpha,
Andover, Annawan, Atkinson, Cambridge,
Keithsburg, New Boston, Orion,
Sherrard, Viola, Windsor, and Woodhull
Dave Holmes, Mayor, Woodhull

Cities of Blue Grass, Buffalo,
Eldridge, Fruitland, LeClaire,
Long Grove, McCausland,
Nichols, Princeton, Riverdale,
Walcott, West Liberty, and Wilton
Marty O'Boyle, Mayor, Eldridge

COUNTY REPRESENTATIVES:

Henry County
Kippy Breeden, Chair
Shawn Kendall, Member
James Thompson, Member

Mercer County
Vacant

Muscatine County
Jeff Sorensen, Chair
Santos Saucedo, Member

Rock Island County
Richard "Quijas" Brunk, Chair
Jeff Deppe, Member
Ken "Moose" Maranda, Member
Elizabeth Sherwin, Citizen

Scott County
Ken Beck, Chair
Brinson Kinzer, Member
John Maxwell, Member
Jazmin Newton, Citizen

PROGRAM REPRESENTATIVES:

Ralph H. Heninger
Jerry Lack
Nathaniel Lawrence
Marcy Mendenhall
Rick Schloemer
Bill Stoermer
Jim Tank

Executive Director
Denise Bulat

TO: Timothy Huey, Director
Scott County Planning & Development

FROM: Brandon Melton, Senior Planner

DATE: January 14, 2020

RE: Rezoning of 72.05 acres in Winfield Township, Scott County, Iowa.

This memorandum is being submitted in response to a rezoning review request from Scott County, Iowa. The hearing date is scheduled for Tuesday, January 19, 2021 at 5:00 p.m. The applicants, Alan and Erin Rubach, are requesting a rezoning of 72.05 acres, more or less, from Agricultural-General District (A-G) to Single-Family Residential (R-1).

The property is a 72.05-acre tract, more or less, north of 267th Street and west of Scott Park Road, and may be accessed by either facility. The rezoning request does not include the dwelling addressed 26880 Scott Park Road or a 7 acre area located on the northwest corner of the intersection of 267th Street and Scott Park Road. The land requested to be rezoned is legally described as part of the NW¼NE¼ of Section 36 in Winfield Township and the NE¼NE¼ excluding the East 555 feet of the South 542 feet of the NE¼NE¼ of Section 36 in Winfield Township (Parcel # 033605003, Parcel # 033607005).

Having reviewed the information relevant to the proposed rezoning and map amendment, the following items were ascertained. The July 2018 Zoning and Land Use Map for Scott County, Iowa, shows the property has a future land use designation primarily of residential but also includes some commercial on the southeast corner of the property near the intersect of 267th St and Scott Park Rd. The rezoning request is consistent with that plan.

The property has access to Scott Park Rd. to the east, a paved road, as well as access to 267th St. to the south, also a paved road. The property is adjacent to Park Grove city limits and within 1 mile of Long Grove city limits. The 2008 Scott County Comprehensive Plan contains a listing of the County's goals, land use objectives and land use policies that are to be used as part of the land development review process. The request appears to be consistent with the Plan.

The property is located outside of the Quad Cities Metropolitan Planning Organization (MPO) Area. The boundary encompasses areas where urban development is expected to occur within a thirty year horizon. There are no long range transportation projects programmed/scheduled in the vicinity of the property. The proposed rezoning is not anticipated to significantly impact regional industrial development.

The proposed rezoning is near to Scott County Park. As there is residential development already adjacent to the park, it is not likely that additional development will have a significant impact on the recreational resource.

The property is not located in a flood hazard area, high earthquake incident area, or an airport restricted zone. The proposed rezoning is not expected to have an impact on historic or cultural features, wetlands, wildlife refuges, Indian mounds or forest preserves. According to the 2018 Scott County Hazard Mitigation Plan, the property and vicinity have a high incidence of thunderstorms which contain frequent cloud to ground lightening, high winds, hail, tornados, and flash flooding.

Should you have any questions regarding this response, please contact me at (309) 793-6300 x1148.

Rezoning Petition

Date 12/11/ 2020

Dear Scott County Planning and Zoning Commission Members:

Alan and Erin Rubach, owners of the below described real estate, petition the Planning and Zoning Commission to consider re-zoning this property from Agricultural General to Single family residential. For the request to the Commission, please find the attached 13 copies of the plat/site plan and the filing fee of \$200.

Number of acres to be re-zoned: 72.05

Legal Description (Attach separate sheet if necessary)

The north half of the Northeast Quarter of Section 36 exempting that part thereof conveyed by Warranty Deed from Peter Thomas and wife H.E. Ficke, recorded in Book 54 of Land Deeds, at page 604, records of the Scott County, Iowa, subject to existing public highways. Excluding the very south east portion of the east section that is 700ft East to west (starting from north scott park road) and 500ft from 267th st to where property 033607004 starts).

Statement of Intended Use: The intended new use of the property would include the following:

Initially we plan to build one house on the property for us to reside in. We would like to plan for the future and rezone the remainder of the property to have different building site options for us personally and for future sale/development. The attached map shows where the initial house site should be.

How Will Such Use Comply With the Scott County Plan and Land Use Policies?

This will comply with Scott county land use policies by encouraging growth in an area marked on the future land use map for residential development on marginal farm ground. It is located next to a city and has access to public services. The property has access on two sides to paved roads. The area is lacking in larger lots and larger lots that do come for sale in the area sell quickly, thus there is a demand for properties over 3 acres which would be how we would plan to develop it. Making lots over 3 acres would allow for natural drainage areas to be maintained and have a much smaller environmental impact.

Respectfully submitted,

Signature 	Signature 
Alan C. Rubach	Erin E. Rubach
Name of Applicant (printed)	Name of Owner (if different from applicant)
4388 Southfield Place	
Mailing Address	Mailing Address
Bettendorf, IA 52722	
City / State / Zip	City / State / Zip
262-492-8707	563-340-4254
Phone	Phone

Received by _____

Zoning Staff

To the Members of the Board:

We have invested a significant amount of time and money over the last four years into the conservation and beautification of this property and have no intention of having it developed. We have removed around 5 acres of scrub trees (black locusts, white poplar, box elder, etc-invasive non-native species as recommended by the state forester) and planted around 1,200 native deciduous trees in their place. We have a current CRP contract to plant around 1,500 more over the next 2 years and are actively maintaining other CRP contracts we have entered into since we bought this farm. We have invested in farm equipment including a tool cat (similar to a skid steer) among other things to maintain the CRP and tree plantings. We finally have enough equipment that we will be able to take on the entire next tree planting project on our own. We spend at least 8 hours a week on the farm working to maintain the planted trees, prairie and equipment during the spring, fall and summer. Despite this, we are not considered farmers by the county's standards and do not have the ability to put a house up on the land in the current zoning.

We have an ideal building site (as marked on our proposal) as well as other options should our location run into problems. We are concerned if we only rezone a few acres, we will have to go through this process again to get our site approved. We are concerned about road access being approved and a well being able to be dug in our location. There are lots of hills on our farm that will make drainage and putting in a driveway and building a bit of a challenge. We have two children aged 2 and under and do not have a lot of extra time to go through this process every time we run into a problem with the build site. We had soil samples taken by the USDA office for a wetland project we were hoping to put in (we do not have the correct soil types needed) and no waste was found with those samples taken to 12+ feet. We were informed that no dump site occurred on our farm and haven't seen signs of one. That being said, we want our home built on clean ground and should anything be found on our build site, we would need to move locations.

The other intent to have this all zoned residential is for a family member to be able to build a single family home in the future should that be their desire in the next 5-10 years. We will not be selling any more than a couple acres to anyone besides a family member. There are no specific plans at this time for a second home, we had simply hoped to have the option should the need arise.

We were informed that rezoning to R1 gives us options for ONE single home and nothing else. This rezoning does not give us the ability to have a large development put in place (which is fine by us as this is not our intent). This only gives us the ability to move our build site should we run into a problem.

For these reasons, we are hoping you will consider approving our application. We have and will continue to remain stewards for this land.

Please feel free to contact us directly should you have any other questions or concerns.

Sincerely,

Alan and Erin Rubach
(563)340-4254
ErinRubach@gmail.com

Public Comment Received: Rubach Rezoning A-G to R-1 Application

Larry Koile

Resident of Long Grove

Opposed to the rezoning of more Agricultural land for Residential Development. He believes the development should be directed to the cities.

PO Box 73

Long Grove

Site Photo 1 / 6 : Scott Park Rd & 267th Street



Rubach Rezoning A-G to R-1

Site Photo 2 / 6 : West Along 267th St



Rubach Rezoning A-G to R-1

Site Photo 3 / 6 : West from 270th St & Scott Park Rd



Rubach Rezoning A-G to R-1

3

Site Photo 4 / 6 : North From 267th St



Rubach Rezoning A-G to R-1

4

Site Photo 5 / 6: North Across Property, Along 267th St



Rubach Rezoning A-G to R-1

Site Photo 6 / 6 : South View From Scott Park Rd



Rubach Rezoning A-G to R-1

Scott County Rubach - "A-G" to "R-1" Rezoning - 1930 Aerial
Scott County, Iowa

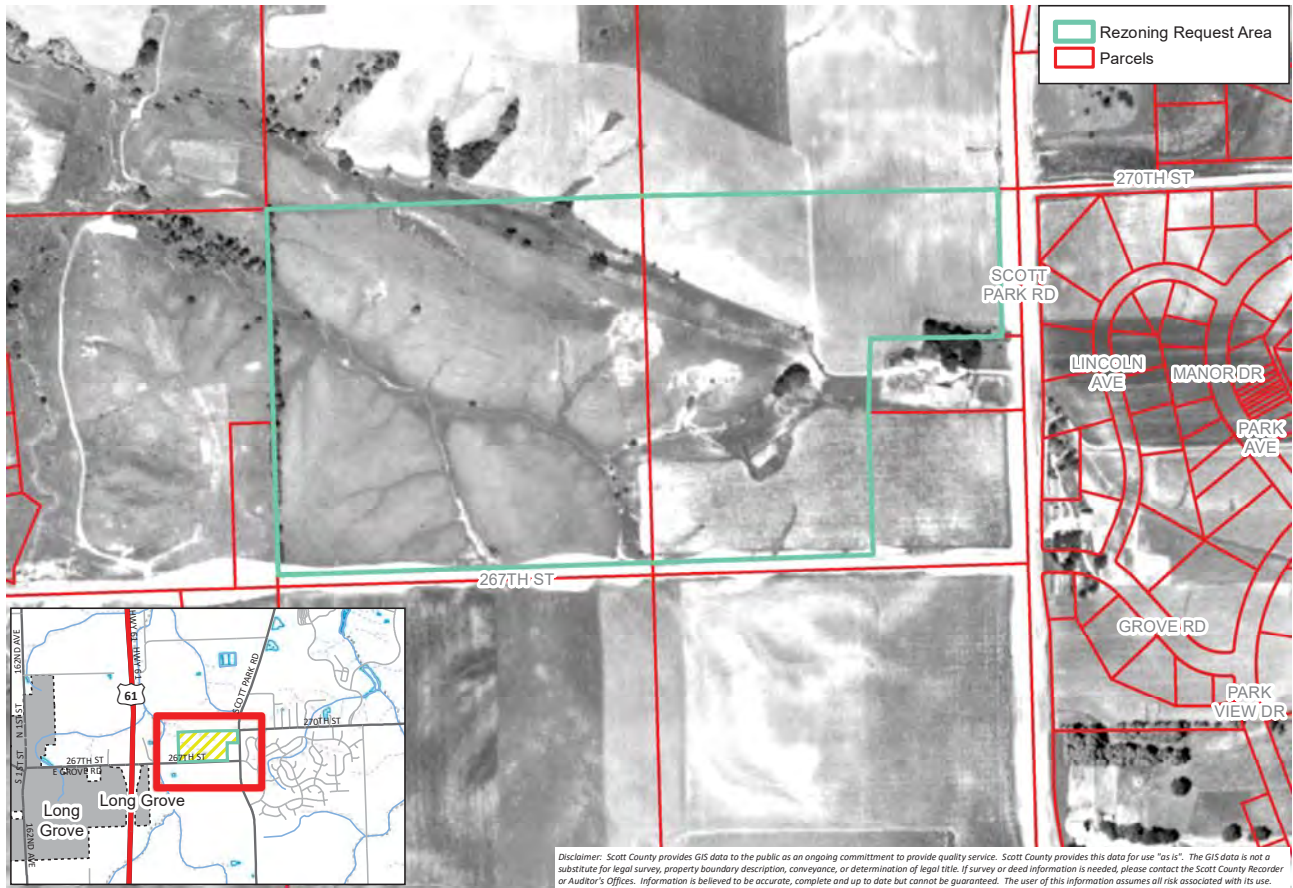
1 inch = 417 feet
0 250 500 750 1,000 Feet



Disclaimer: Scott County provides GIS data to the public as an ongoing commitment to provide quality service. Scott County provides this data for use "as is". The GIS data is not a substitute for legal survey, property boundary description, conveyance, or determination of legal title. If survey or deed information is needed, please contact the Scott County Recorder or Auditor's Offices. Information is believed to be accurate, complete and up to date but cannot be guaranteed. The user of this information assumes all risk associated with its use.

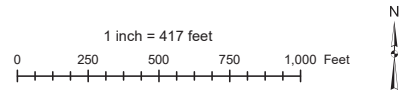
Scott County Rubach - "A-G" to "R-1" Rezoning - 1950 Aerial
Scott County, Iowa

1 inch = 417 feet
0 250 500 750 1,000 Feet

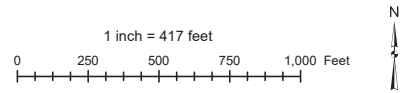


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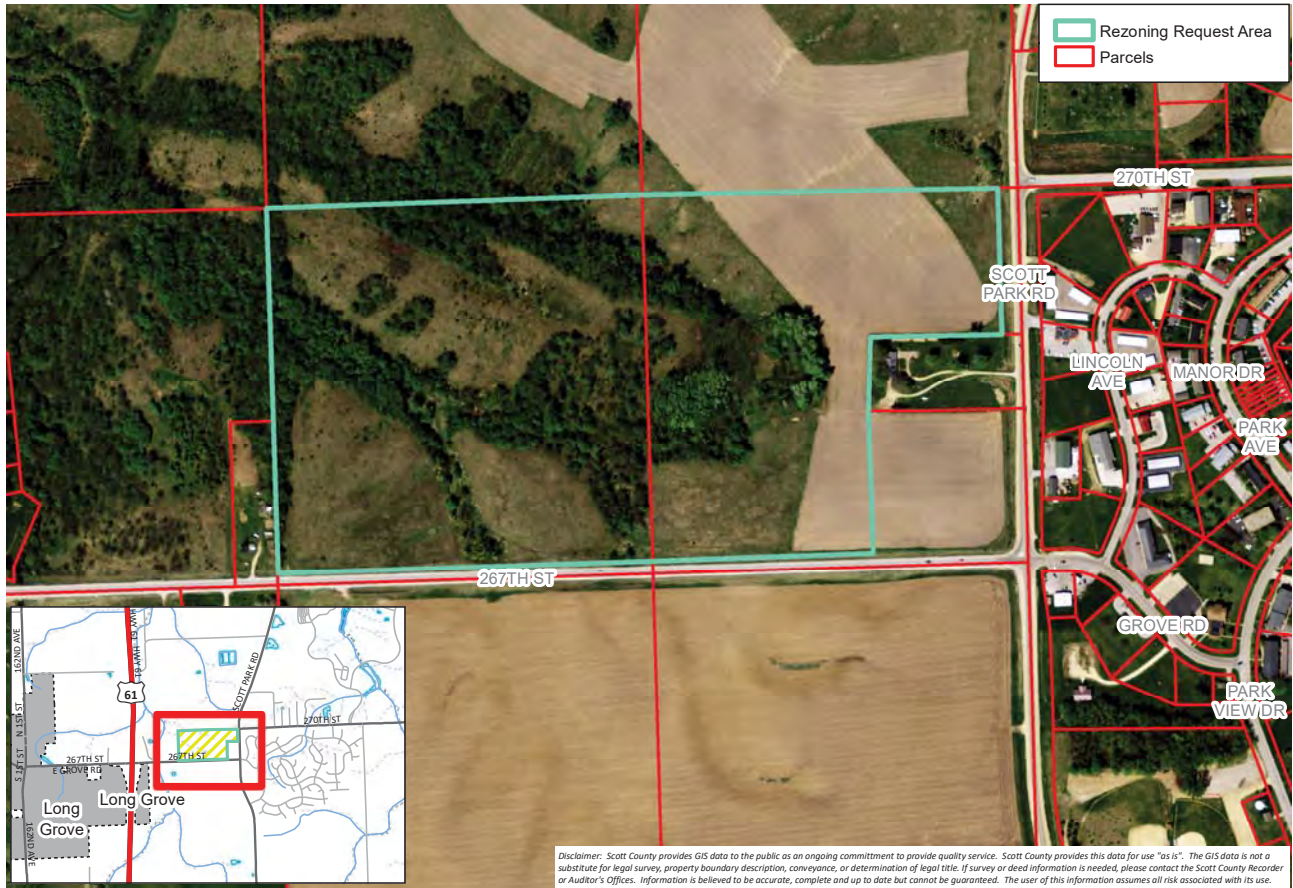
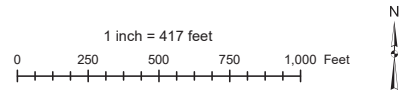
Scott County Rubach - "A-G" to "R-1" Rezoning - 1970 Aerial
 Scott County, Iowa



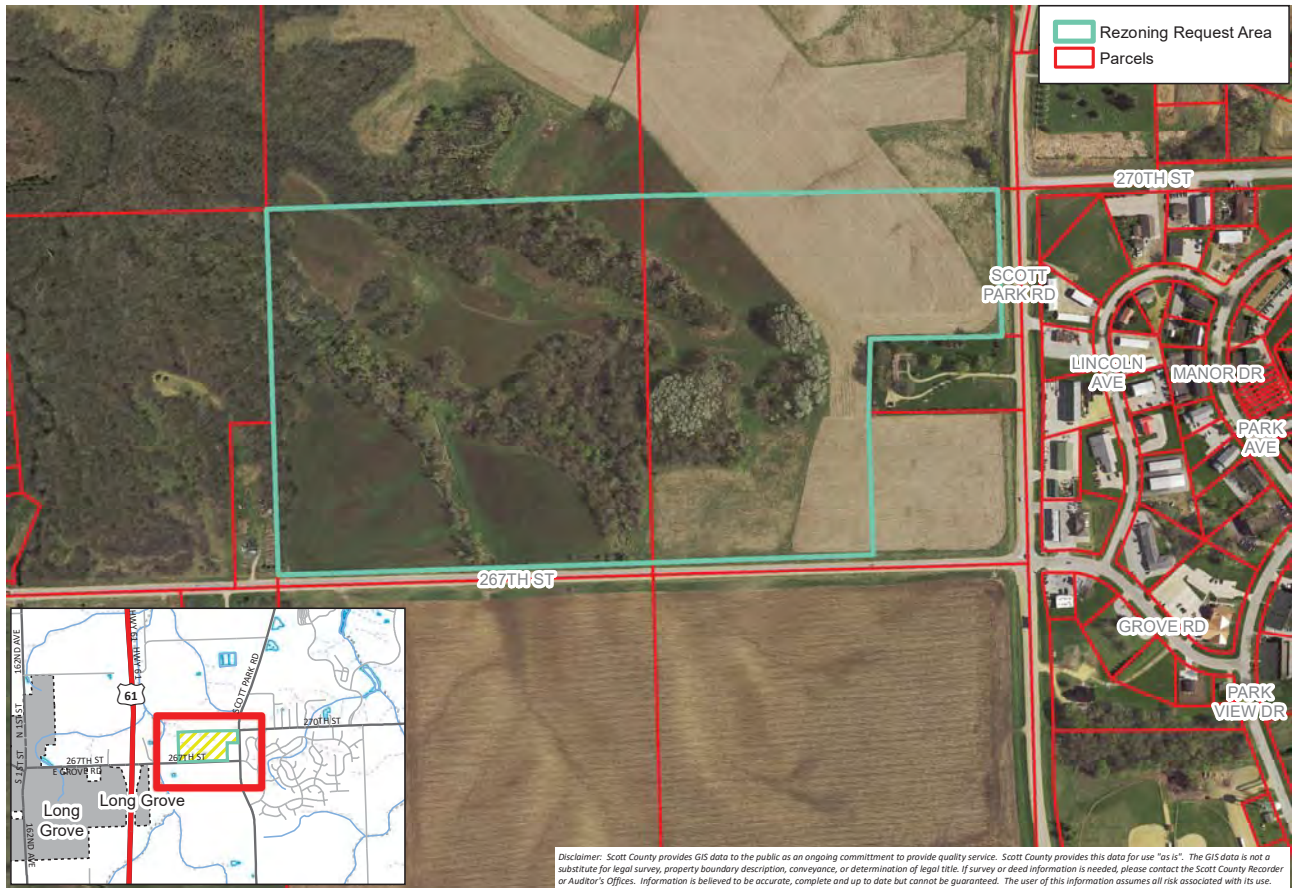
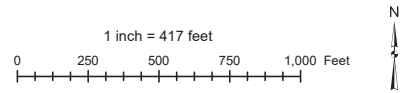
Scott County Rubach - "A-G" to "R-1" Rezoning - 1990 Aerial
 Scott County, Iowa



Scott County Rubach - "A-G" to "R-1" Rezoning - 2010 Aerial
 Scott County, Iowa



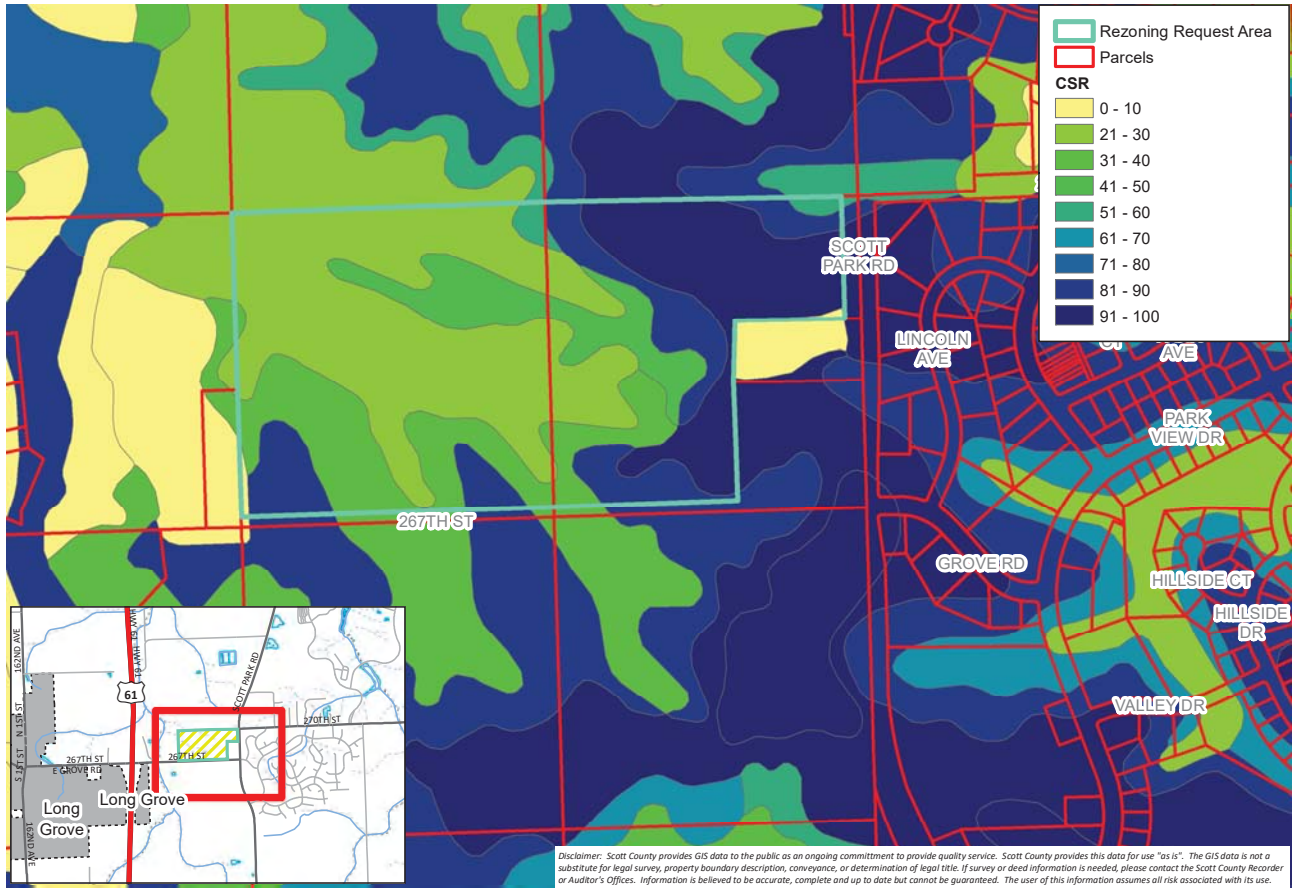
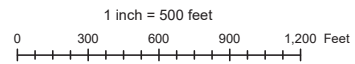
Scott County Rubach - "A-G" to "R-1" Rezoning - 2019 Aerial
 Scott County, Iowa





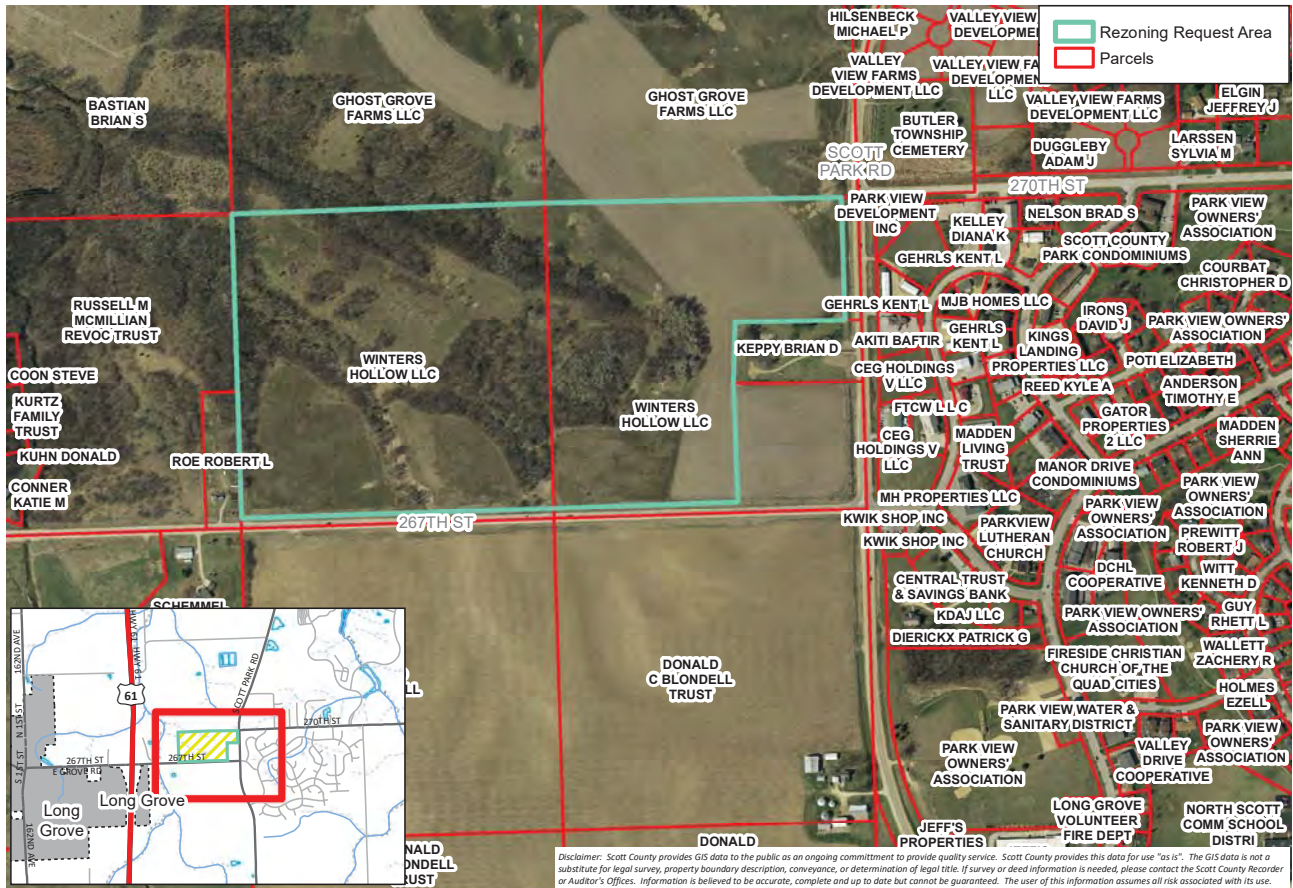
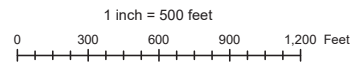
Rubach - "A-G" to "R-1" Rezoning - CSR

Scott County, Iowa

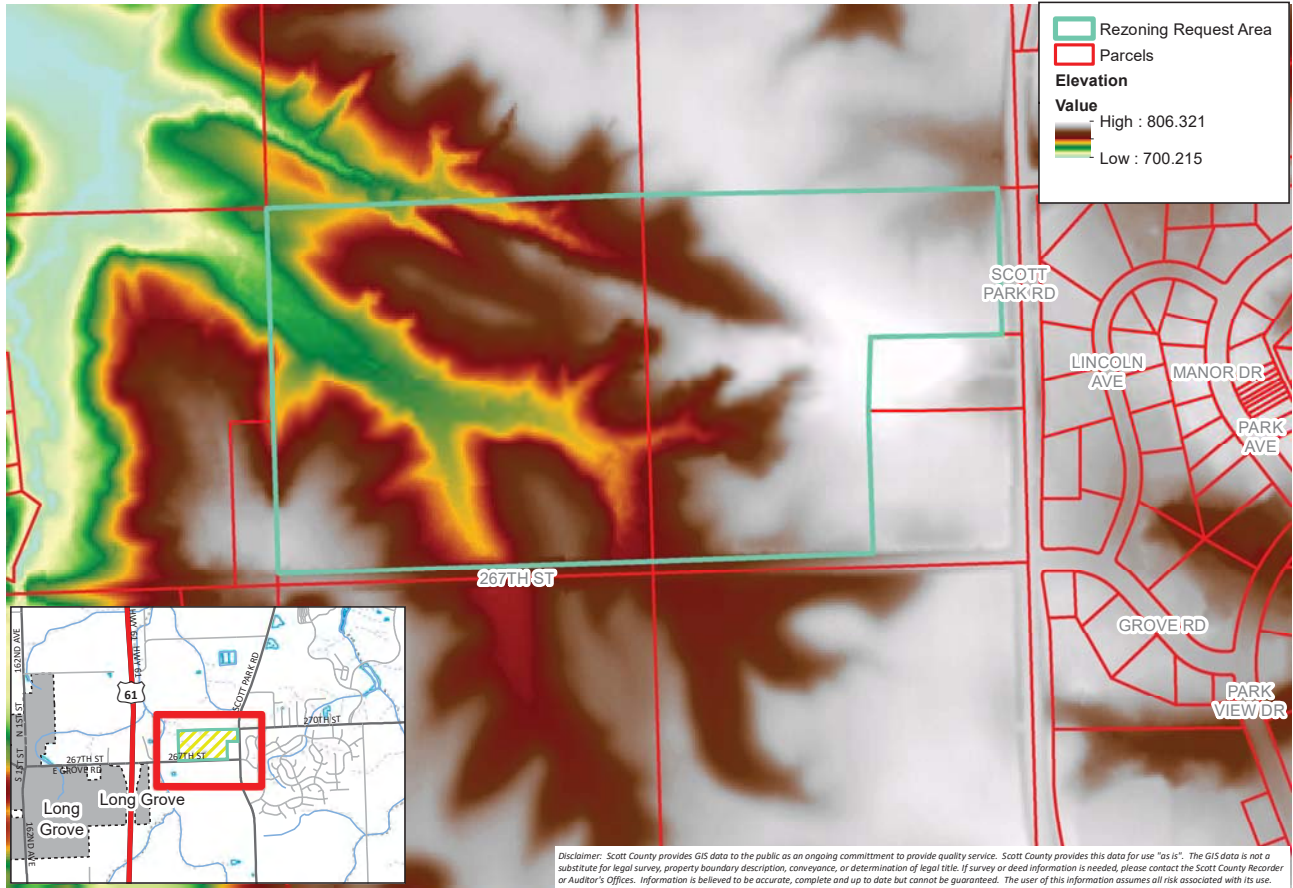
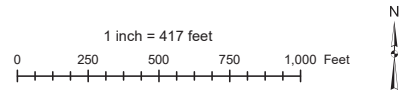


Rubach - "A-G" to "R-1" Rezoning - Deed Holders

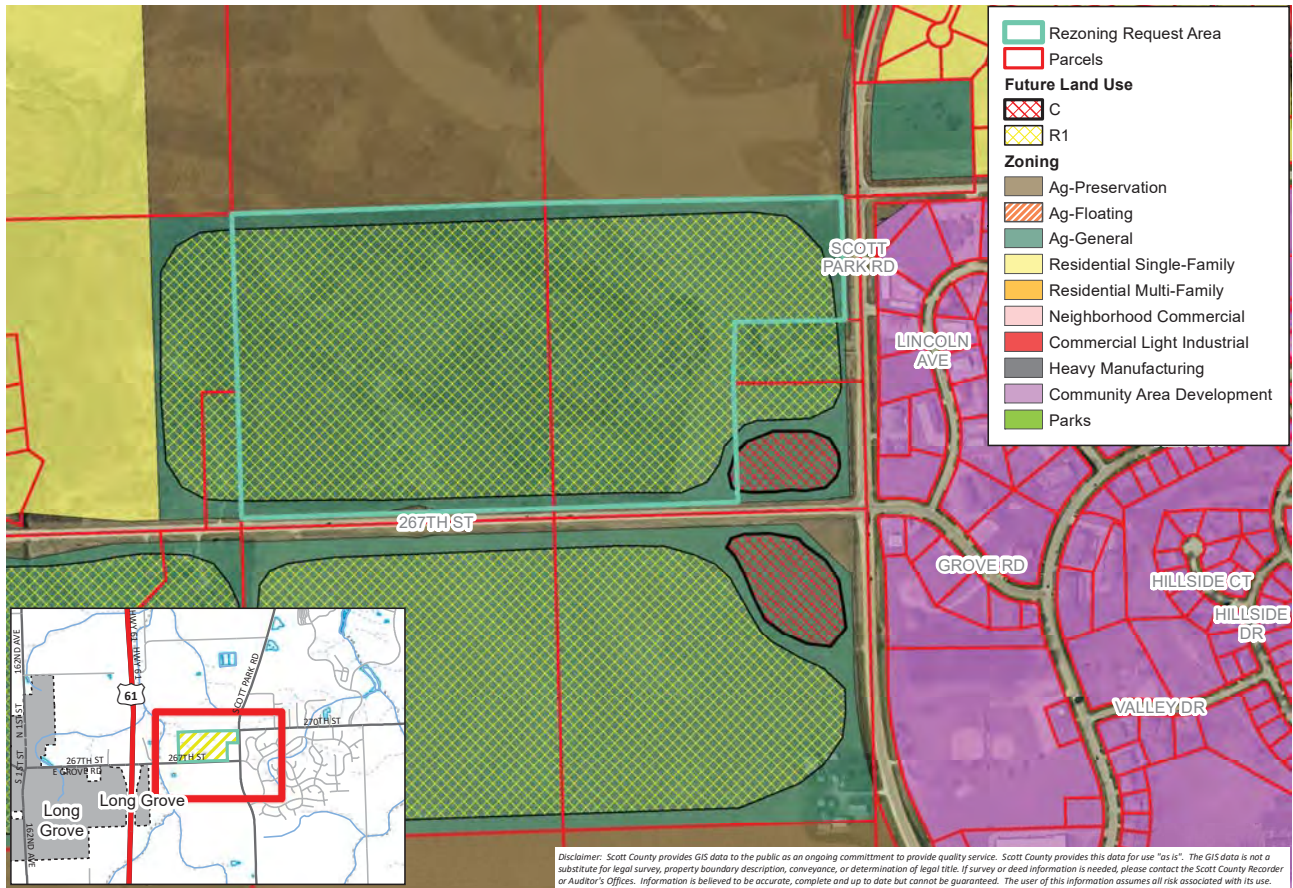
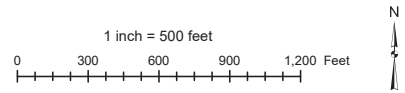
Scott County, Iowa



Scott County Rubach - "A-G" to "R-1" Rezoning - Elevation
Scott County, Iowa

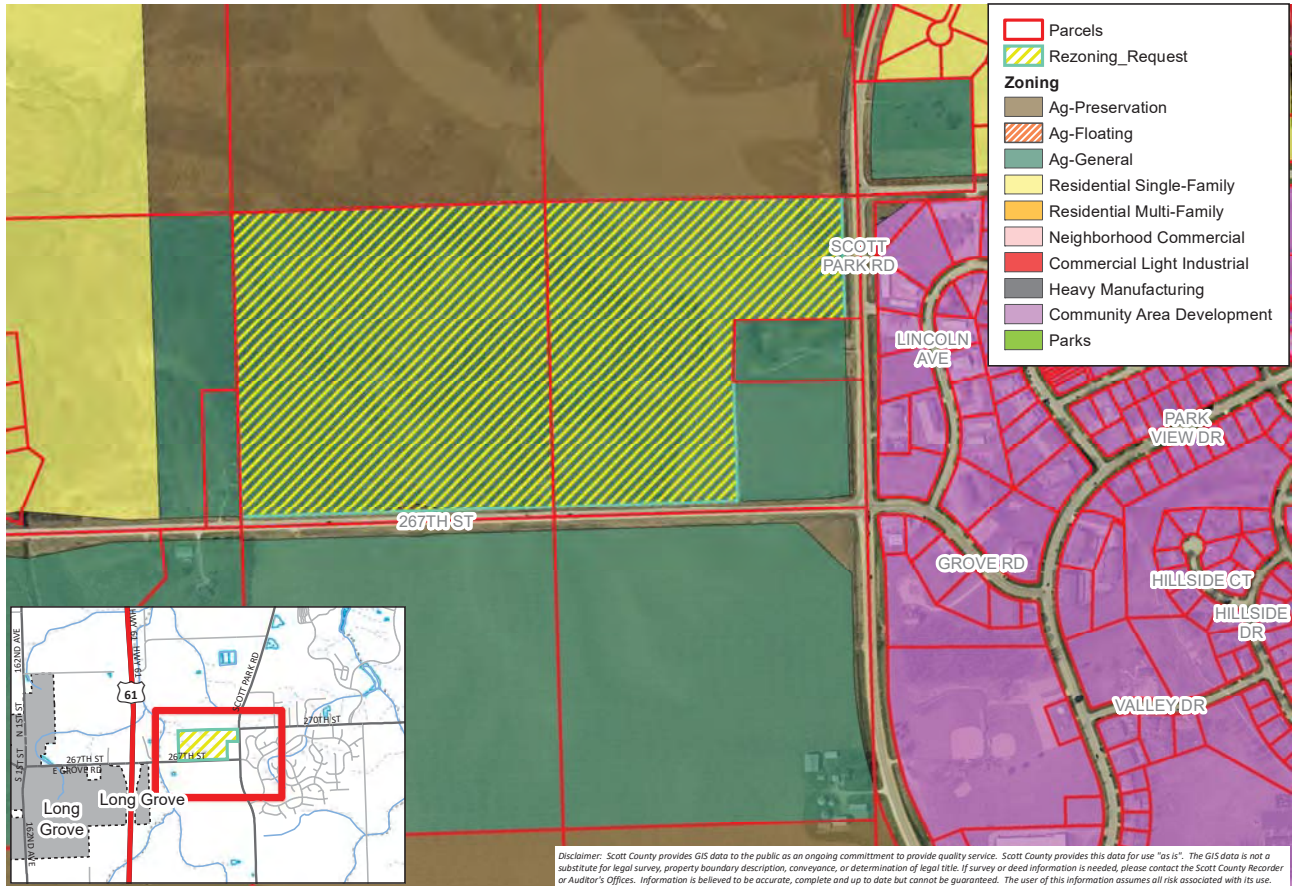


Scott County Rubach - "A-G" to "R-1" Rezoning - Future Landuse Map
Scott County, Iowa



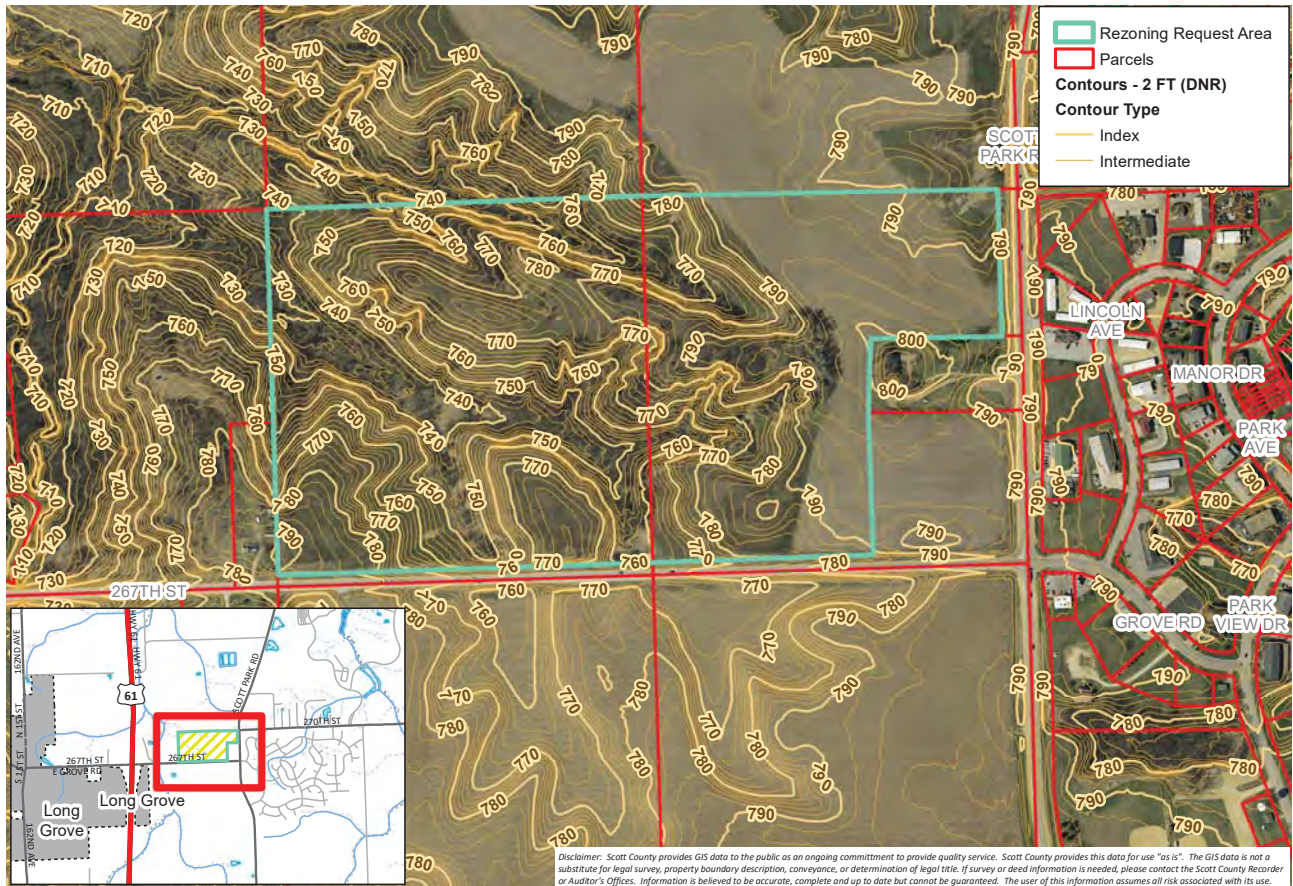
Scott County Rubach - "A-G" to "R-1" Rezoning Application
Scott County, Iowa

1 inch = 500 feet
0 300 600 900 1,200 Feet



Scott County Rubach - "A-G" to "R-1" Rezoning - Topography
Scott County, Iowa

1 inch = 417 feet
0 250 500 750 1,000 Feet



03265500

1207A
CR (95)

1207
CR (95)

033600000

MILWAUKEE

1207C
CR (95)

033617005

1208
CR (95)

032655001

1207C
CR (95)

25890

003607004

FILE 267TH ST

CR (97)

033621003

1207C
CR (97)

033623003



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 72 ACRES IN SECTION 36, WINFIELD 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 NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36 in Township 80 North, Range 3 East of the 5th P.M. (Winfield Township) AND the NE $\frac{1}{4}$ NE $\frac{1}{4}$ excluding the East 555 feet of the South 800 feet of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36 in Township 80 North, Range 3 East of the 5th P.M. (Winfield 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.

Ken Beck, Chair
Scott County Board of Supervisors

Roxanna Moritz, County Auditor



Facility and Support Services

600 West 4th Street

Davenport, Iowa 52801-1003

fss@scottcountyjowa.gov

(563) 326-8738 Voice (563) 328-3245 Fax

January 26, 2021

To: Mahesh Sharma
County Administrator

From: Tammy Speidel, FMP
Director, Facility & Support Services

Subj: County Attorney Office Expansion Project Additional Design Fees

As you are aware the Board recently approved the expansion to the overall scope of the County Attorney project, expanding the project from approximately 1100 square feet to approximately 4600 square feet. As a result of this expanded project scope, which now includes additional space as well as work to mechanical systems, Wold has revised their fixed fee from \$21,000 to \$44,000.00. This change represents an increase of \$23,000 in design fees.

Work on the design portion of this project is well underway with an anticipated mid-March date for the documents being out for bid for construction.

It is my recommendation that the Board approve the additional design fees based on the significant change of scope for this project.

I will attend the next Committee of the Whole meeting to answer any questions.

Cc: County Attorney Mike Walton
FSS Management Team

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

February 4, 2021

A RESOLUTION AMENDING DESIGN FEES FOR WOLD ARCHITECTS AND ENGINEERS FOR THE EXPANDED SCOPE OF WORK FOR THE COUNTY ATTORNEY EXPANSION PROJECT IN THE ADDITIONAL AMOUNT OF \$23,000.00.

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

- Section 1. That the proposal for additional design fees based in the significant change of scope County Attorney Office Expansion Project design and engineering services from Wold Architects and Engineers is hereby approved in additional amount of \$23,000.00 bringing total design fees to \$44,000.
- Section 2. That the Director of Facility & Support Services is hereby authorized to execute contract documents on behalf of the Scott County Board of Supervisors.
- Section 3. 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

February 4, 2021

APPROVAL OF STAFF APPOINTMENTS

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

Section 1. The hiring of Raymond Miller for the position of Environmental Health Specialist in the Health Department at the entry level rate.

Section 2. The hiring of Shiobhan Burkhead for the position of Public Health Nurse in the Health Department at the entry level rate.

OFFICE OF THE COUNTY ADMINISTRATOR

600 West Fourth Street
Davenport, Iowa 52801-1003

Office: (563) 326-8702
Fax: (563) 328-3285
www.scottcountyia.com



January 25, 2021

TO: Mahesh Sharma, County Administrator

FROM: David Farmer, CPA, Director of Budget and Administrative Services
Tammy Speidel, FMP, Director of Facility and Support Services
Jeremy Kaiser, Director of Juvenile Detention & Diversion Programs

SUBJ: Consulting Services – Juvenile Detention Bond Referendum Development Plan

A committee of the FSS, Budget and Juvenile Detention Directors requested proposals from vendors to assess and recommend solutions for

- 1) Pre-referendum planning process, including but not limited to facilitation, identification of responsibilities, and recommendations during planning, preliminary design, community outreach and referendum campaign;
- 2) Assist in community outreach;
- 3) Assist in referendum campaign.

Five responses were received and evaluated by the committee:

- Lynchpin Ideas, LLC, Kansas City Missouri
- Shive-Hattery, Inc., Cedar Rapids, Iowa
- The Samuels Group, Inc. West Des Moines, Iowa
- WeUsThem, Inc., Halifax, Nova Scotia, Canada
- Wold Architects and Engineers, Palatine, Illinois

Proposals were evaluated for similar work history, project approach and description, references, past project performance, and fees. The committee met on January 12, 2021 and evaluated the proposals and is recommending the final contract with Wold Architects & Engineers, partnered with Justice Planners, LLC.

Technical Quality of Proposal

Wold Architects was rated the most preferred vendor in all categories. Specifically, the company completed the initial scoping of the Juvenile Detention Center needs assessment and familiarity with existing Juvenile Detention needs and constraints, which will allow for updating and adjustments without significant re-work. The Company also has significant experience with juvenile correction designs and strong track records of coordinating successful referendum

campaigns. The company has worked with over 20 juvenile detention facilities, 125 successful referendum campaigns and \$3.75 billion referendums passed in the last 15 years.

Price proposal

The current proposal is a total fixed fee proposals of \$25,000 plus reimbursable expenses of \$2,000. The fee is to cover the preliminary planning, community outreach and referendum campaign. Additional added value services of \$10,000 is recommended to include a vision session and program validation. Other response costs estimates ranged from the \$37,000 Wold proposal to \$99,000 from other respondents.

Recommendation

At this time, the committee is recommending a final contract with Wold Architects & Engineers, partnered with Justice Planners, LLC. A final contract will be forwarded for the Chair to sign, not to exceed the contract price proposal above. Members of the committee will be available at the February 2, 2021 committee of the whole meeting to address further questions.

THE COUNTY AUDITOR'S SIGNATURE CERTIFIES
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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
FEBRUARY 4, 2021

APPROVAL TO ENTER INTO CONTRACT WITH WOLD ARCHITECTS &
ENGINEERS FOR JUVENILE DETENTION CENTER BOND REFERENDUM
CAMPAIGN

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

- Section 1. That the engagement letter from Wold Architects & Engineers be negotiated by staff, in the amount not to exceed \$37,000, for services is hereby accepted and approved for proposed consulting services.
- Section 2. That the Board Chair is hereby authorized to sign the engagement letter on behalf of the Board.
- Section 3. This resolution shall take effect immediately.

ROXANNA MORITZ, C.E.R.A.
AUDITOR & COMMISSIONER OF ELECTIONS
 600 W. 4TH Street
 Davenport, Iowa 52801
 Ph: (563) 326-8631 Fax: (563) 326-8601
 Cell: (563) 370-3915
 www.scottcountyiowa.com



To: Scott County Board of Supervisors
 From: Roxanna Moritz, Scott County Auditor
 RE: Center for Tech and Civic Life Grant
 Date: January 25, 2021

The Scott County Auditor's Office received two grants from the Center for Tech and Civic Life (CTCL) totalling \$430,870 for the 2020 General Election. The Auditor's Office expended \$381,763.38 in costs eligible for reimbursement from grant funds. A total of \$49,106.62 was unexpended and will be repaid to CTCL.

Below is a summary of expenditures per grant categories:

GRANT CATEGORIES	
BALLOT DROP BOXES	0.00
DRIVE-THROUGHT VOTING	0.00
PERSONAL PROTECTIVE EQUIPMENT (PPE)	\$36,347.18
POLL WORKER RECRUITMENT FUNDS, HAZARD PAY, AND/OR TRAINING EXPENSES	\$93,398.68
POLLING PLACE RENTAL AND CLEANING EXPENSES	\$34,683.13
TEMPORARY STAFFING SUPPORT	\$46,085.08
ELECTION DEPARTMENT REAL ESTATE COST, OR COSTS ASSOCIATED WITH SATELLITE ELECTION DEPARTMENT OFFICE	0.00
VOTE-BY-MAIL/ABSENTEE VOTING EQUIPMENT OR SUPPLIES	\$108,286.70
ELECTION ADMINISTRATION EQUIPMENT	0.00
VOTING MATERIALS IN LANGUAGES OTHER THAN ENGLISH	0.00

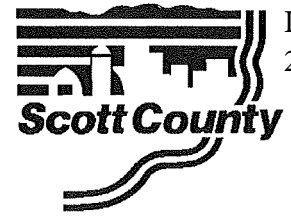
NON-PARTISAN VOTER EDUCATION	\$26,676.14
TOTAL CTCL COVID-19 RESPONSE GRANT	\$430,870.00
TOTAL GRANT EXPENDITURES	\$345,477.10
AMOUNT UNSPENT	\$85,392.90

The grant allowed the Auditor's Office to open all of the traditional early voting satellite locations and provide expanded hours of voting at those locations. The grant covered the cost of hazard pay and additional poll workers to provide sanitation at poll sites. The grant paid for personal protective equipment for poll workers, staff and the general public when voting. We purchased a folding machine and an extra letter opener with grant funds. The grant allowed for professional cleaning and sanitation of polling places so they could reopen quickly after the election, some as quickly as the next day. The grant also covered significant overtime and increased temp staff costs.

In addition the Auditor's Office revised practices to help control costs. For example, the Office utilized smaller absentee ballot envelopes and thereby reduced supply and postage costs. The postage savings alone amounted to \$38,294. The Office produced ten training videos to replace in group training, allowing staff to concentrate on other tasks rather than assisting in training. Even so there was \$23,814.39 in unbudgetted staff costs covered by the grant.

In closing the CTCL grant allowed the Auditor's Office to produce a record setting election under extremely trying circumstances.

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Davenport, Iowa 52801
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Item #11
2/2/2021

To: Scott County Board of Supervisors
From: Roxanna Moritz, Scott County Auditor
RE: Revised Poll Worker pay vouchers
Date: January 25, 2021

Accompanying this memo are revised versions of poll worker pay vouchers. One is for Chairpersons and the second is for other Election Officials.

The significant change in these forms is the inclusion of the statement: **“Pay rate set by Board of Supervisors Resolution dated 2/22/2018 - Any variance requires action by Board of Supervisors.”**

The intent of the change is to draw attention to the need for Board action before modifying the amount of pay for poll workers. As a new pay resolution is passed by the Board of Supervisors the date of that passage and the new pay rate will be reflected on the pay vouchers.

**ELECTION OFFICIALS PAY VOUCHER
SPECIAL ELECTION
MARCH 2, 2021**

PRECINCT _____

NAME _____ PHONE _____

ADDRESS _____

CITY & ZIP _____

ELECTION HOURS:

_____ HOURS

_____ MILES

SCHOOLS OF INSTRUCTION:

_____ TOTAL HOURS

_____ TOTAL MILES

THE ABOVE IS A JUST AND TRUE ACCOUNTING OF WHAT IS OWING TO ME OR THE ORGANIZATION I REPRESENT AND THE SAME, OR ANY PART THEREOF, HAS NOT BEEN PAID.

SIGNATURE

DATE

OFFICE USE ONLY. DO NOT WRITE IN THIS SPACE!

\$10.00 PER HOUR

.56 PER MILE

TOTAL HOURS _____

Pay rate set by Board of Supervisors Resolution dated 2/22/2018

TOTAL MILES _____

Any variance requires action by Board of Supervisors.

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

R E S O L U T I O N

SCOTT COUNTY BOARD OF SUPERVISORS

February 4, 2021

RECOGNIZING SERVICE
ON BOARDS & COMMISSIONS

WHEREAS, the following:

<u>Person</u>	<u>Board/Commission</u>	<u>Since</u>
Chuck Thompson	Library Board	2013
Audrae Zoeckler	Judicial Magistrate Appointment Commission	1985
Bob Walter	Building Board of Appeals	2011
Lisa Charnitz	County Assessor's Examining Board	2003

have been dedicated members on their respective Boards or Commissions; and have faithfully served the citizens of Scott County as a volunteer donating both time and talent; and

WHEREAS, the Board recognizes that those that serve on Boards & Commissions are a *very important* component of county government, and these volunteers can be tasked to make difficult, but important decisions; and

WHEREAS, the Board of Supervisors wants to offer their sincere thanks and appreciation to these volunteers for their many years of dedicated service to Scott County and its Citizens.

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

- Section 1. The Board of Supervisors is very thankful for the contributions these volunteers have made over the years.
- Section 2. That the Board of Supervisors extends their very best wishes to each and every one of the volunteers to enjoy all future endeavors.
- Section 3. This resolution shall take effect immediately.