

AGENDA
SCOTT COUNTY BOARD OF SUPERVISORS
August 18, 2022 - 5:00 P.M.

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

TO JOIN BY PHONE 1-408-418-9388
ACCESS CODE: 2481310 2199 PASS CODE: 1234

OR you may join via Webex. Go to www.webex.com and JOIN meeting using the same Access Code and Pass Code above.

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

1. Roll Call: Croken, Kinzer, Knobbe, Maxwell, Beck
2. Pledge of Allegiance.
3. Approval of Minutes:
August 2, 2022 Committee of the Whole
August 4, 2022 Board Meeting

Moved by _____ Second by_____

Croken _____ Kinzer _____ Knobbe _____ Maxwell _____ Beck _____

4. ****Review Agenda****

5. Public Comment as an Attendee.

By Phone:

*3 to raise/lower hand, *6 to unmute (host must unmute you first)

By Computer:

Bottom right of screen, you will find Participants and Chat, in this area you will find the hand icon, use the hand icon to raise and lower your hand.

Public Hearing

6. Public Hearing relative to the proposed Scott County Solar Ordinance and Comprehensive Plan Amendment.

Open Public Hearing

Moved by _____ Second by_____

Croken _____ Kinzer _____ Knobbe _____ Maxwell _____ Beck _____

Close Public Hearing

Moved by _____ Second by_____

Croken _____ Kinzer _____ Knobbe _____ Maxwell _____ Beck _____

7. Public Hearing relative to the approval of plans and specifications of YJRC (Youth Justice and Rehabilitation Center).

Open Public Hearing

Moved by _____ Second by _____

Croken _____ Kinzer _____ Knobbe _____ Maxwell _____ Beck _____

Close Public Hearing

Moved by _____ Second by _____

Croken _____ Kinzer _____ Knobbe _____ Maxwell _____ Beck _____

Consent

8. Resolution to approve staff appointments.
9. Resolution to approve the Sheriff overtime incentive pay.
10. Resolution to approve the recruitment incentives for Deputies and Rangers.
11. Resolution to approve the FY23 County Agreement with the Center for Alcohol and Drug Services, Inc. (CADS) for Prevention Services.
12. Resolution to approve the abatement of property taxes as recommended by the Scott County Treasurer and in accordance with Iowa Code Chapter 445.16.
13. Resolution to approve the purchase of CISCO Voice license from ConvergeOne for a period of 5 years in the amount of \$278,400.00, annual payments of \$55,680.00.
14. Resolution to approve the purchase of CISCO hardware and support maintenance from ConvergeOne for a period of 5 years in the amount of \$102,837.95.
15. Resolution to approve the warrants in the amount of \$1,714,495.51.
16. Motion to approve beer/liquor license renewal for Casey's General Store #1068, 12200 140th Street Place in Davenport.

Moved by _____ Second by _____

Croken _____ Kinzer _____ Knobbe _____ Maxwell _____ Beck _____

Facilities & Economic Development

17. First of three readings of a proposed Solar Ordinance and Comprehensive Plan Amendment.

Moved by _____ Second by _____

Croken ___ Kinzer ___ Knobbe ___ Maxwell ___ Beck ___

18. Resolution to approve the plans and specification of the Youth Justice and Rehabilitation Center (YJRC) as prepared by Wold Architects and Engineers.

Moved by _____ Second by _____

Croken ___ Kinzer ___ Knobbe ___ Maxwell ___ Beck ___

Finance & Intergovernmental

19. First of three readings to amend the ordinance to change the Juvenile Detention Center (JDC) to Youth Justice and Rehabilitation Center (YJRC).

Moved by _____ Second by _____

Croken ___ Kinzer ___ Knobbe ___ Maxwell ___ Beck ___

20. Motion to approve beer/liquor renewal for Cinnamon Ridge, Inc, 10600 275th Street in Donahue.

Moved by _____ Second by _____

Croken ___ Kinzer ___ Knobbe ___ Maxwell ___ Beck ___

Other Items of Interest

21. Financial Updates - David Farmer, Budget & Administrative Services Director.
22. County Administrator Report - Mahesh Sharma.
23. Board of Supervisors Report.
24. Adjourned.

Moved by _____ Seconded by _____

Croken ___ Kinzer ___ Knobbe ___ Maxwell ___ Beck ___

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 (for location of raise hand icon, see below). 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.

Meeting # 2481 310 2199

Password # 1234

Connect via Computer or application:

Host: www.webex.com Meeting number: **above** Password: **1234**

Or use direct link to meeting:

<https://scottcountyiowa.webex.com/scottcountyiowa/onstage/g.php?MTID=ee747885bf1c3406e1ed3f56306d435b5>

Connect via telephone: 1-408-418-9388 Meeting number: **above** Password: **1234**


Telephone / Cell Phones Connections:

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



When called upon for comments by the Board,


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


Computer / Application Connections:

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

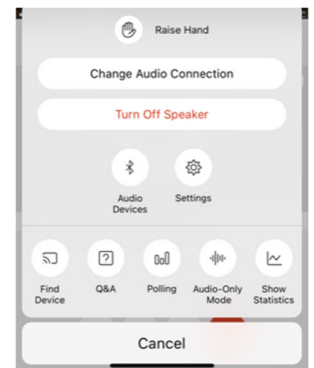
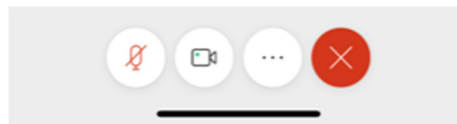
1. The host will then unmute the participant’s line at the appropriate time.
2. A user must have his or her own device unmuted.
3. The user may then unmute his or her conference line by clicking the microphone symbol.
4. After conversation, please lower your hand. (*3 again)

You can mute yourself so that everyone can concentrate on what’s being discussed. While you’re on a call or in a meeting, select  at the bottom of the meeting window. You’ll know it’s working when the button turns red .

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

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

To find the **raise hand icon**, you may need to click on ...



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

August 18, 2022

APPROVAL OF STAFF APPOINTMENTS

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

Section 1. The hiring of Catherine Rutten for the position of part-time custodian with the FSS department at entry level rate.

Section 2. The hiring of Brandon Blumhardt for the position of Correction Officer with the Sheriff's Office at entry level rate.

Section 3. The hiring of Nathan Dewispelaere for the position of Correction Officer with the Sheriff's Office at entry level rate.

Section 4. The hiring of Ronald Graham for the position of Correction Officer with the Sheriff's Office at entry level rate.

Section 5. The hiring of Casey Jones for the position of Correction Officer with the Sheriff's Office at entry level rate.

Section 6. The hiring of Marisella Swift for the position of Correction Officer with the Sheriff's Office at entry level rate.

THE COUNTY AUDITOR'S SIGNATURE CERTIFIES
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SCOTT COUNTY AUDITOR

R E S O L U T I O N

SCOTT COUNTY BOARD OF SUPERVISORS

August 18, 2022

APPROVING AN OVERTIME INCENTIVE FOR TEAMSTERS AND CORRECTION SERGEANTS, DEPUTIES AND BAILIFFS

WHEREAS, the Sheriff's office continues to experience turnover and recruiting challenges;

WHEREAS, the Sheriff's office has made some modifications to the recruitment and training process but require additional time for see impacts;

WHEREAS, the Sheriff has requested authorization to incent current staff to volunteer for overtime and additional compensation for training;

WHEREAS, the funds needed for this incentive can come from the Sheriff's current salary budget authority and does not require additional funding.

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

Section 1. That the attached side letter to the Teamster contract be approved and executed by the Human Resource Director as Chief Negotiator, thereby allowing for double overtime and extension of light duty if applicable.

Section 2. That the Correction Sergeants be permitted to receive double overtime for four (4) or more consecutive hours worked outside of their normal work schedule, along with other terms of the Teamster side letter, as long as the side letter with the Teamsters is effective.

Section 3. That if Corrections Officers and Sergeants are not available or do not volunteer for available overtime in the Jail, Management may offer the overtime to Deputies or Bailiffs. Deputies or Bailiff's are permitted to receive double overtime for four (4) or more consecutive hours worked in the Jail that would typically qualify for 1 ½ overtime. Work scheduled due to a reassignment shall be paid at the employee's hourly rate.

Section 4. That the Field Training Officer (FTO) rate established in Policy I shall be increased to \$5.00 an hour for each hour such duties are actually performed through June 30, 2023 by Correction Officers.

Section 5. That the vacation accrual cap in Policy L shall not be reduced to two times the annual accrual for Teamsters, Jail management or Deputies assigned to work in the Jail until the employee anniversary date following July 1, 2023.

Section 6. That this resolution shall take effect July 31, 2022 and ends on June 30, 2023.

SIDE LETTER
BETWEEN
SCOTT COUNTY AND TEAMSTER LOCAL 238

WHEREAS, the Sheriff's office is experiencing unusually high staffing shortages related to hiring challenges;

WHEREAS, current staff are being asked to work additional overtime hours to accommodate the shortages;

WHEREAS, the parties agree that there is mutual benefit in incenting staff to volunteer for additional shifts; especially an occasional twelve (12) hour shift;

WHEREAS, the parties recognize some Corrections Officers on approved FML may be willing to return to work beyond the allowable light duty leave; and

NOW THEREFORE, the parties agree to temporarily amend the 2020-2023 Collective Bargaining Agreement between Scott County, Iowa and the Scott County Correctional Association, Chauffeurs, Teamsters and Helpers Local Union No. 238 effective July 31, 2022 as follows:

1. Employees covered by said contract shall receive double time for any overtime under Section 9.3 of the contract that is for four (4) or more consecutive hours. Training hours that result in overtime will not be paid at double time.
2. Any compensatory time earned under Section 9.4 shall continue to be awarded at the rate of one and one-half (1 ½) for every overtime hour worked.
3. Employees choosing to volunteer to work "middle fours" are eligible for either double pay or count the shift toward the PTO incentive, but not both. When listing hours in Novatime employees should select the proper project code when seeking the PTO incentive.
4. Employees eligible to return to work for light duty pursuant to County Policy Z may be permitted to extend the light duty assignment beyond 6 weeks if the Sheriff and Human Resources Director concur the injury remains temporary and there is work to be performed under the current restrictions.

This side letter shall be effective from July 31, 2022 until June 30, 2023.



FOR TEAMSTERS

FOR SCOTT COUNTY

Date 8-10-22

Date _____

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

August 18, 2022

APPROVING A RECRUITMENT INCENTIVE FOR DEPUTIES AND RANGERS

WHEREAS, the Sheriff's office and Conservation need to remain competitive with other law enforcement agencies in recruiting and hiring;

WHEREAS, most law enforcement agencies are offering incentives to hire experienced law enforcement, the County is proposing comparable measures;

WHEREAS, the funds needed for this incentive can come from the Sheriff's or Conservation's current salary budget authority and does not require additional funding.

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

Section 1. That the attached side letter to the Deputy Sheriff Association contract be approved and executed by the Human Resource Director as Chief Negotiator, thereby allowing for recruitment incentives of increased pay rate and vacation accruals.

Section 2. As an additional incentive for recruitment deputies hired pursuant to the terms of the side letter shall receive a hiring bonus of \$5,000 paid out as follows: \$2,500 after 90 days, \$1,500 after one year and \$1,000 after two years. This provision increases and supersedes any past bonuses recommended by the CSC. Rangers may receive the same hiring bonus with same hiring parameters.

Section 3. That this resolution shall take effect immediately and expire on June 30, 2023.

SIDE LETTER BETWEEN
SCOTT COUNTY IOWA AND DEPUTY SHERIFF'S ASSOCIATION

WHEREAS, the Sheriff's office, along with most law enforcement agencies, is experiencing unusual challenges in recruiting; and

WHEREAS, it is important for the recruitment of deputies to remain competitive with other law enforcement agencies;

NOW THEREFORE, the parties agree to temporarily amend the 2020-2023 Collective Bargaining Agreement between Scott County, Iowa and the Deputy Sheriff Association effective immediately as follows:

1. The Sheriff is authorized to hire deputies who are currently certified through the Iowa Law Enforcement Academy up to step 5 of Section 1.1 of the FY23 wage scale. New hires certified in a state other than Iowa and eligible to take the Iowa certification through examination may be hired in at step 2 of Section 1.1 and moved to the appropriate step upon certification.
2. The Sheriff is not required to seek prior Board approval pursuant to County Policy D.
3. Any deputy hired pursuant to Section 1 of this side letter will be permitted to accrue vacation pursuant to Section 5.1 as if they've been employed with the County for 5 years.

This side letter shall be for any hires between August 18, 2022 and June 30, 2023.



FOR DSA

FOR SCOTT COUNTY

Date 8/10/2022

Date _____

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

August 18, 2022

APPROVAL OF FY23 COUNTY AGREEMENT WITH THE CENTER FOR ALCOHOL & DRUG SERVICES, INC. (CADS) FOR PREVENTION SERVICES

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

- Section 1. That the FY23 County Agreement between the Center for Alcohol & Drug Services, Inc. (CADS) for reimbursement for prevention services on a quarterly basis to include a detailed accounting of actual expenses is hereby approved in the amount of \$40,000.
- Section 2. That the chairman is hereby authorized to sign said agreement.
- 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

RESOLUTION
SCOTT COUNTY BOARD OF SUPERVISORS

AUGUST 18, 2022

**APPROVAL OF THE ABATEMENT OF DELINQUENT PROPERTY TAXES AS
RECOMMENDED BY THE SCOTT COUNTY TREASURER AND IN ACCORDANCE
WITH IOWA CODE CHAPTER 445.16**

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

Section 1. Iowa Code Section 445.16 states If the treasurer determines that it is impractical to pursue collection of the total amount due through the tax sale and the personal judgment remedies, the treasurer shall make a written recommendation to the board of supervisors to abate the amount due. The board of supervisors shall abate, by resolution, the amount due and direct the treasurer to strike the amount due from the county system.

Section 2. The Scott County Treasurer has requested the abatement of the 2015-2018 taxes for parcel 051749104-L(cabin) is no longer active and has not been taxable since 2019.

Section 3. The County Treasurer is hereby directed to strike the amount of property taxes due on this Scott County parcel in accordance with Iowa Code Section 445.16.

Section 4. This resolution shall take effect immediately.

THE COUNTY AUDITOR'S SIGNATURE CERTIFIES
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DATE

SCOTT COUNTY AUDITOR

R E S O L U T I O N

SCOTT COUNTY BOARD OF SUPERVISORS

August 18, 2022

APPROVING PURCHASE OF CISCO VOICE LICENSING AND SUPPORT RENEWAL

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

Section 1. The purchase of Cisco Voice Licensing and Support Renewal from ConvergeOne in the amount of \$278,400.00 to be paid in five yearly installments of \$55,680.00 is hereby approved.

Section 2. This resolution shall take effect immediately.

THE COUNTY AUDITOR'S SIGNATURE CERTIFIES
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DATE

SCOTT COUNTY AUDITOR

R E S O L U T I O N

SCOTT COUNTY BOARD OF SUPERVISORS

August 18, 2022

APPROVING PURCHASE OF CISCO HARDWARE SUPPORT MAINTENANCE

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

Section 1. The purchase of Cisco Hardware Support Maintenance from
ConvergeOne in the amount of \$102,837.95 to be paid in one
installment is hereby approved.

Section 2. This resolution shall take effect immediately.

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

SCOTT COUNTY AUDITOR

RESOLUTION

SCOTT COUNTY BOARD OF SUPERVISORS

August 18, 2022

APPROVAL OF WARRANTS IN THE AMOUNT OF \$1,714,495.51

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

Section 1. The Scott County Board of Supervisors approves for payment all warrants numbered 319247 through 319498 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,714,495.51.

Section 2. This resolution shall take effect immediately.

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

SCOTT COUNTY ORDINANCE NO. 22 - _____

AN ORDINANCE TO AMEND PORTIONS OF THE ZONING ORDINANCE FOR UNINCORPORATED SCOTT COUNTY TO CREATE REGULATIONS FOR A NEW ZONING DISTRICT, UTILITY SOLAR-FLOATING “US-F”. DISTRICT.

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

Section 1. Amend Section 6-5 DEFINITIONS of the Zoning Ordinance for Unincorporated Scott County by editing:

Section 6-5(20) The most current official index for ranking the productivity of soils and their suitability for row-crop production in Iowa. The CSR2 index has replaced CSR as the system that rates soils from five (5) to one hundred (100), with one hundred (100) reserved for those soils a) located in areas of the most favorable weather conditions in Iowa, b) that have high yield potential, and c) that can be continuously row cropped. (A detailed description of the CSR2 system, including methodology and CSR2 estimates for various soil types, may be found in publications of the Agricultural Extension Service, Iowa State University.)

and adding:

Section 6-5(106) SOLAR ACCESS EASEMENT: A recorded easement which provides continued access to incident sunlight necessary to operate a solar collector.

Section 6-5(107) SOLAR ARRAY: A group of solar panels connected together.

Section 6-5(108) SOLAR ENERGY GENERATION, CONSUMER SCALE A solar energy system of interconnected solar panels/arrays for the primary purpose of meeting electrical demands at that location. These systems are typically intended to offset electrical demands for the owner and are not intended to be net annual generators of electricity.

Section 6-5(109) SOLAR ENERGY GENERATION, UTILITY-SCALE: A group of interconnected solar panels/arrays that convert sunlight into electricity for the primary purpose of wholesale or retail sales of generated electricity. This definition does not apply to consumer scale solar installations that are constructed primarily to provide power for use on-site.

Section 6-5(110) SOLAR GLARE: The effect produced by light reflecting from a solar panel with intensity sufficient to cause annoyance, discomfort or loss in visual performance and visibility.

Section 6-5(111) SOLAR PANEL: A device composed of groups of individual solar cells used to convert solar energy into electrical current.

Section 2. Amend the Zoning Ordinance for Unincorporated Scott County by adding a new Chapter 6-21:

6-21. “US-F” Utility Solar-Floating District

A. General Intent: The US-F Floating District is intended and designed to provide areas for utility-scale solar energy generation sites. The adopted Smart Planning Objectives of the Scott County Comprehensive Plan promote renewable energy use and increased energy efficiency.

Prior to the establishment of any such district, adequate information shall be submitted regarding the effects of the proposed use upon the adjoining property and area, and other matters relating to habitat and natural resource conservation, preservation of prime agricultural land, public safety, public health, and general welfare. It is not the intent of this ordinance to allow Utility-scale solar energy generation sites on prime agricultural land.

B. Principal Permitted Uses: Land, buildings, or other infrastructure may be used for any of the following, in so far as the regulations contained in Sections E, F, and G are met:

1. Any use permitted in the underlying (original) zoning district.
2. Utility-scale solar energy generation sites.

C. Accessory Permitted Uses: Accessory uses, structures, and other infrastructure customarily incidental to any permitted principal use.

D. Special Permitted Uses: None.

E. The Planning and Zoning Commission and Board of Supervisors shall consider the following characteristics of any land being petitioned for a rezoning to a “US-F” Floating District:

1. Present Use.
2. Corn Suitability Rating (CSR2): No land shall be rezoned to the “US-F” district with soil that scores an average CSR2 score of 60.0 or higher. Calculation of Iowa CSR2 ratings of a specific area of land is strictly limited to the following:
 - a. Average CSR2 is to be calculated using current Soil Survey Geographic Database (SSURGO) data furnished by the United States Department of Agriculture Natural Resources Conservation Service (NRCS).
 - b. Average CSR2 is to be calculated using the Decision Tool “Calculating a Weighted Average CSR2” available through Iowa State University Extension’s website (<https://www.extension.iastate.edu/agdm/wholefarm/html/c2-87.html>).
 - c. The Area of Interest (AOI) established in “Calculating a Weighted Average CSR2” must be delineated to reflect the precise, contiguous land area being developed with arrays, buildings, and utility and access infrastructure, and shall not include land area set aside for conservation or agriculture, or land otherwise undisturbed by development.

- d. The AOI must be established and CSR2 must be calculated prior to the start of site preparation work, including grading or top soil removal or displacement. If site preparation work is completed prior to submitting an application for rezoning, historical CSR2 data may be utilized to reflect pre-development site characteristics.
 - e. The Planning and Zoning Commission and Board of Supervisors shall consider any AOI with a Weighted Average CSR2 of 60 or greater as Prime Agricultural Land.
3. Access/proximity of existing utility infrastructure or other needed infrastructure, as well as the feasibility of extending such facilities, if necessary.
 4. Particular suitability or adaptability of the land to accommodate the proposed use.

F. Site requirements for rezoning land to a “US-F” Floating District:

1. *Floodplain/Floodway:* No portion of the site proposed to be developed may be located in a mapped 100-year or 500-year floodplain.
2. *Habitat and Natural Resource Consideration:* The potential impact on any environmentally-sensitive areas such as lakes, ponds, streams, rivers, wetlands, steep slopes, aquifers and recharge areas, natural wooded areas, prairie and other wildlife habitats shall be identified and considered for reasonable mitigation.
3. *Setbacks:* Setbacks for all structures (including the solar arrays themselves) must adhere to the minimum principal setback standards for the zoning district where the project is located; greater setbacks may be recommended based on the application.

- a. All buildings, accessory buildings, and other infrastructure shall be located the following distances from the nearest boundary of each zoning district:

A-P:	500 feet
A-G:	500 feet
R-1:	1,000 feet
R-2:	1,000 feet
CAD-R:	1,000 feet
C-1:	100 feet
C-2:	n/a
CAD-PVC:	100 feet
I:	n/a
I-F:	n/a
SW-F:	n/a

- b. All buildings, accessory buildings, and other infrastructure shall be located 1,000 feet from any residential dwelling unit *not* within in the land area leased or owned by the applicant.

- c. When a solar array is to be built on two or more parcels that are abutting, a zero (0) side or rear setback shall be permitted to the property line in common with the abutting parcels.
4. *Screening*: Adequate safeguards shall be taken to fence or screen any on-site hazards from the public. A landscape buffer may be required to be installed and maintained. The need for screening requirements will be evaluated as part of the review by Staff and the approval process and will be based on the surroundings of the site.
5. *Utility connections*: All utility connections serving the solar shall be placed underground unless topography, soil quality, or other conditions make this unfeasible.
6. *Glare minimization*: All solar panels must be constructed to diminish glare or reflection onto adjacent properties and adjacent roadways and must not interfere with traffic, including air traffic, or create a safety hazard.
7. *Compliance with local, state, and federal regulations*: Utility scale solar installations shall comply with applicable local, state and federal regulations.
8. *Accessory structures*: All accessory structures shall be subject to bulk and height regulations of structures in the underlying zoning district, unless specified differently in the rezoning ordinance.
9. *Signage*: No signs other than appropriate warning signs, or standard signs for operation or identification, shall be allowed.
10. *Fencing/security*: A security fence must be installed along all exterior sides of the utility scale solar installation and be equipped with a minimum of one gate and locking mechanism on the primary access side. Security fences, gates and warning signs must be maintained in good condition until the utility scale solar installation is decommissioned.
11. *Disruption to Existing Agricultural Operations*: Any development plan must provide documentation that the project will not negatively affect the operation of existing agricultural drainage tiles on adjacent properties.
 - a. The Commission may recommend to the Board of Supervisors that an agricultural nuisance waiver be included within the application if determined to be applicable. Such waiver would restrict applicants from filing lawsuits for private nuisance against legitimate agriculture operations in the vicinity of the solar installation.
 - b. Farmers in A-P or A-G districts adjacent to the proposed area to be rezoned may file a written request to the Commission to consider enhanced setbacks from their zoning district boundary of up to 1,000 feet (see Section F(3)a) to prevent disruption to their agricultural operations. The Commission may recommend to the Board of Supervisors that those requests be honored and considered official conditions of rezoning approval, and included in the ordinance to rezone.

G. Procedure for Rezoning Land to “US-F” Floating District:

Developer/landowner must apply to the Planning and Zoning Commission for approval of a specific development plan involving one of the principal permitted uses listed in Section B. The development plan must include a site plan for the development in accordance with Section 6-29 (Site Plan Regulations). The standard rezoning procedures contained in Section 6-31 (Zoning

Amendment Procedures) shall be followed, beginning with the Planning and Zoning Commission holding a public hearing for rezoning before making a recommendation to the Board of Supervisors.

1. Development Plan must include the following:
 - a. *Site plan*: Site plan shall show the location and spacing of every solar panel/array and all other facilities to be constructed
 - b. *Grading plan*: This plan shall include all proposed changes to the landscape of the site (e.g., clearing, grading, topographic changes, tree removal, etc.).
 - c. *Utility plan*: Planned location of all utilities, including underground or overhead electric lines.
 - d. *Project timeline*: Project timeline showing how the site will be developed from beginning to end, including how the applicant will inform adjacent property owners.
 - e. *Landscaping/Screening plan*: Planned location of all plants and screening.
 - f. *Road Impact Analysis*: An inventory of the existing road network to be utilized for construction and maintenance of the facility and details on how the project will impact those roads over the life of the project, including during installation and decommissioning.
 - g. *Interconnection agreement*: Provide the interconnection agreement with the utility company
 - h. *Installation, operation, and maintenance plan*:
 - (1) *Maintenance, repair or replacement of facility*: Maintenance shall consist of, but not be limited to, repairs to structures or components, part replacement, painting, and maintenance of security measures. All applicable local, state and federal requirements should be followed when maintaining or conducting repairs to the site.
 - (2) *Access*: Show location of access easements. Site access shall be maintained to provide access for adequate maintenance and emergency responders.
 - (3) *Soil erosion and sediment control considerations*: The applicant agrees to conduct all roadwork and other site development work in compliance with a national pollutant discharge elimination system (NPDES) permit as required by the state department of natural resources and comply with requirements as detailed by local jurisdictional authorities during the plan submittal. If subject to NPDES requirements, the applicant must submit the permit for review and comment, and an erosion and sediment control plan before beginning construction. The plan must include both general "best management practices" for temporary erosion and sediment control both during and after construction and permanent drainage and erosion control measures to prevent damage to local roads or adjacent areas and to prevent sediment-laden run-off into waterways.
 - (4) *Stormwater management*: The plan shall include details on stormwater rate and runoff management as well as pollutant removal and flood reduction. The applicant shall include a detailed analysis of pre- and post-development stormwater runoff rates for review. Such review will incorporate appropriate stormwater management practices as required by the County Engineer, the Scott County Code of Ordinances and any State of Iowa best

practices. The plan shall include detention of specified rainfall events, and infiltration components consistent with practices as detailed in the state stormwater management manual.

(5) *Ground cover and buffer areas:* Ground around and under solar arrays and in project site buffer areas shall be planted and maintained in perennial vegetated ground cover, and meet the following standards:

a. Top soils shall not be removed during development, unless part of a remediation effort.

b. Soils shall be planted and maintained in perennial vegetation for the full operational life of the project to prevent erosion, manage runoff and build soil. Seeds should include a mix of grasses and wildflowers native to the region of the project site that will result in a short stature prairie with a diversity of forbs or flowering plants that bloom throughout the growing season. Blooming shrubs may be used in buffer areas as appropriate for visual screening. Non-native or naturalized species may be selectively planted for maintenance purposes as part of an approved site plan.

c. Seed mixes and maintenance practices should be consistent with recommendations made by qualified natural resource professionals such as those from the Department of Natural Resources, County Soil and Water Conservation Service, or Natural Resource Conservation Service.

d. Plant material must not have been treated with systemic insecticides, particularly neonicotinoids.

e. Other practices, such as small-scale farming or grazing, may be allowed in the project area as part of the conditions of approval for the project.

(6) *Cleaning chemicals and solvents:* During operation of the proposed installation, all chemicals or solvents used to clean photovoltaic panels should be low in volatile organic compounds and the operator should use recyclable or biodegradable products to the extent possible. Any on-site storage of chemicals or solvents shall be referenced.

i. *Decommissioning plan:*

(1) The application must include a decommissioning plan that describes the anticipated life of the utility scale solar installation; the anticipated manner in which the project will be decommissioned, including plans to recycle components; the anticipated site restoration actions; the estimated decommissioning costs in current dollars; and the method for ensuring that funds will be available for decommissioning and restoration.

(2) The applicant shall provide the basis for estimates of net costs for decommissioning the site (decommissioning costs less salvage value). The cost basis shall include a mechanism for calculating adjusted costs over the life of the project.

(3) Restoration or reclamation activities shall include, but not be limited to, the following:

a. Restoration of the pre-construction surface grade and soil profile after removal of structures, equipment, graveled areas and access roads.

b. Re-vegetation of restored soil areas with crops, native seed mixes, native tree species, plant species suitable to the area, consistent with the county's weed control plan.

c. For any part of the energy project on leased property, the plan may incorporate agreements with the landowner regarding leaving access roads, fences, gates or repurposed buildings in place or regarding restoration of agricultural crops or forest resource land. Any use of remaining structures must be in conformance with the regulations in effect at that time.

d. Following a continuous one-year period in which no electricity is generated, or if substantial action on the project is discontinued for a period of one year, the permit holder will have one year to complete decommissioning of the utility scale solar installation. Decommissioning shall be completed in accordance with the approved decommissioning plan. The land owner or tenant must notify the county when the project is discontinued.

e. Any citations and/or fines leveraged by the County in response to a failure to execute the approved decommissioning plan as described in subsection d above shall be leveraged against the applicant.

2. Developer/landowner must apply for all State, federal, and other required permits for the proposed development and provide copies of the applications for review.
3. The Board of Supervisors will receive the Commission's recommendation, as well as information received during the Commission's public hearing process, and will hold a public hearing in accordance with Section 6-31 (Zoning Amendment Procedures). Based on the Commission's recommendation, County staff comments, a review of the required State, federal, and other required permits, and comments from the applicant and the public, the Board may approve or deny the application. If approved, the site plan approval conditions (Section 6-29) will be included with the ordinance changing the zoning. Final County approval is contingent on State, Federal, or other permit approval as may be required.
4. If the application is adopted by the Board of Supervisors, the department staff shall update the zoning map to show the specific location of the "US-F" District, including the required separation spacing to other zoning districts.

H. Minimum Lot Area, Lot Width, Setback, and Maximum Height Requirements: The lot area, building and structure setbacks and heights of buildings, structures, or other infrastructure will be determined and approved through the established site plan review procedures (Section 6-29).

I. Consumer-Scale Solar Energy Generation: Certain smaller-scale solar energy generation projects, such as roof-mounted arrays and small ground-mounted solar fields, are exempt from the regulations established in this section. Solar energy generation projects shall be considered "consumer-scale" and exempt from Section 6-21 when they meet *all* of the following criteria:

1. Building and structure setbacks and heights of buildings, structures, or other infrastructure meet the requirements established for accessory buildings in the applicable zoning district.

2. The generation system is an accessory use to a permitted principal use in the applicable zoning district.

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.

Public Hearing / First Consideration _____,

Second Consideration _____,

Third Consideration _____,

Ken Beck, Chair
Scott County Board of Supervisors

Attested by: _____

Kerri Tompkins, County Auditor

Published on _____

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

August 18, 2022

A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE YOUTH JUSTICE AND REHABILITATION CENTER AS PREPARED BY WOLD ARCHITECTS AND ENGINEERS.

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

Section 1. That the plans and specifications prepared by Wold Architects and Engineers for the Youth Justice and Rehabilitation Center are hereby approved.

Section 2. This resolution shall take effect immediately.

ORDINANCE NO. ____

AN ORDINANCE AMENDING CHAPTER 3 APPOINTED OFFICERS AND DEPARTMENTS OF THE SCOTT COUNTY IOWA CODE, BY AMENDING SECTIONS 3-2(S), 3-13 and 3-14 THERETO

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

Section 1. That Chapter 3 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SECTIONS:

3-1. OFFICE OF THE ADMINISTRATOR

3-13 YOUTH JUSTICE AND REHABILITATION CENTER

3-14 AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE YOUTH JUSTICE AND REHABILITATION CENTER DIRECTOR

Section 2. That Section 3-2(S) of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

SEC. 3-2 AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE COUNTY ADMINISTRATOR

S. The County Administrator shall present to the Board of Supervisors a recommended candidate for all department head position vacancies. The County Administrator will use a broad-based advisory selection committee represented by at least three elected office holders and three department heads in an advisory capacity during the selection process. The final decision relative to filling department head vacancies shall be made by the Board of Supervisors based upon the aforementioned selection process. For purposes of this section department head positions include the Director of Information Technology, Director of Facilities and Support Services, Director of Community Services, Director of Human Resources, Director of Planning and Development, Youth Justice and Rehabilitation Center Director, Director of Budget and Administrative Services and County Engineer. The advisory selection committee members may also include the Health Department Director, or Conservation Director.

Section 3. That Section 3-15 entitled Youth Justice and Rehabilitation Center of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

- A. There shall be a Youth Justice and Rehabilitation Center that focuses on juvenile justice and ensures the safety and security of detainees housed at the facility.
- B. The Youth Justice and Rehabilitation Center shall be headed by a Director appointed by the Board of Supervisors.
- C. The Youth Justice and Rehabilitation Center Director shall report to and be accountable to the County Administrator for the performance of the department's duties and responsibilities.
- D. The Youth Justice and Rehabilitation Center Director shall be a full-time employee of the County.

Section 4. That Section 3-16 entitled Authority, duties and responsibilities of the Youth Justice and Rehabilitation Center Director of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

- A. The Youth Justice and Rehabilitation Center Director serves as the principal management official in the Youth Justice and Rehabilitation Center with direction, operation and control of the functions of the Youth Justice and Rehabilitation Center Director.
- B. The Youth Justice and Rehabilitation Center Director shall have direct administrative authority over the employees of the Youth Justice and Rehabilitation Center including responsibility for administering collective bargaining agreements and County personnel policies as appropriate to the Department.
- C. The Youth Justice and Rehabilitation Center Director shall develop and implement policies and procedures to meet the changing needs, regulations and guidelines pertaining to the operation of the Center and supervision of its clients.
- D. The Youth Justice and Rehabilitation Center Director shall ensure appropriate coordination and performance of the admission, supervision and release of juveniles in accordance with Departmental and legislated procedures and guidelines.

E. The Youth Justice and Rehabilitation Center Director shall ensure appropriate documentation of Center activities are logged and maintained for internal and external audit, including but, not limited to: detainee daily logs, medication records, visitation records, Child Nutrition Program, and court orders for placement or release.

F. The Youth Justice and Rehabilitation Center Director shall participate on local juvenile justice committees to ensure the Center functions and community role is appropriately conveyed and provide coordination with other juvenile justice systems in the area.

G. The Youth Justice and Rehabilitation Center Director shall create and conduct appropriate training for new and current staff to ensure adherence to regulatory requirements, departmental procedures and behavior management programs.

H. The Youth Justice and Rehabilitation Center Director shall administer the grievance procedures for detainees and investigate complaints in accordance with guidelines and takes appropriate action.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable 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.

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

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

First Consideration _____,
Second Consideration _____,
Third Consideration _____,

W. Ken Beck
Chairman, Board of Supervisors

Attest: _____
County Auditor

Published on _____.