

AGENDA
SCOTT COUNTY BOARD OF SUPERVISORS
September 1, 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: 2493 860 3783 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: Kinzer, Knobbe, Maxwell, Beck, Croken
2. Pledge of Allegiance.
3. Approval of Minutes:
August 16, 2022 Committee of the Whole
August 18, 2022 Board Meeting

Moved by _____ Second by _____

Kinzer _____ Knobbe _____ Maxwell _____ Beck _____ Croken _____

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.

Consent

6. Resolution to approve the 28E Intergovernmental Agreement for Bridge Investment Program (BIP) Grant Project to replace large bridges in respective counties.
7. Resolution to approve the over hire for Secondary Roads Superintendent due to retirement.
8. Resolution to approve the over hire for Payroll Specialist in the Auditors Department due to retirement.
9. Resolution approving staff appointments.
10. Resolution to approve the purchase of Judicial Dialog software license maintenance and support in the amount of \$26,721.57.

11. Resolution to approve warrants in the amount of \$1,825,395.98 and purchasing card transactions in the amount of \$109,999.13.
12. Motion to approve the beer/liquor license renewal for Slaby's Bar and Grill , 6020 New Liberty Road, Walcott.
13. Motion to approve the beer/liquor license renewal for El Compita Mexican Bar & Grill, 14010 112th Avenue in Davenport.

Moved by _____ Second by _____

Kinzer _____ Knobbe _____ Maxwell _____ Beck _____ Croken _____

Facilities & Economic Development

14. Second of three readings of an ordinance to amend Chapter 6, to add Proposed Solar Ordinance and Comprehensive Plan.

Moved by _____ Second by _____

Kinzer _____ Knobbe _____ Maxwell _____ Beck _____ Croken _____

Finance & Intergovernmental

15. Second of three readings to amend ordinance to change JDC (Juvenile Detention Center) to YJRC (Youth Justice and Rehabilitation Center).

Moved by _____ Second by _____

Kinzer _____ Knobbe _____ Maxwell _____ Beck _____ Croken _____

Other Items of Interest

16. County Administrator Report - Mahesh Sharma.
17. Board of Supervisors Report.
18. Adjourned.

Moved by _____ Second by _____

Kinzer _____ Knobbe _____ Maxwell _____ Beck _____ Croken _____

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 # 2493 860 3783

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=e4e80643f094d56cab86787fb86c03568>

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.

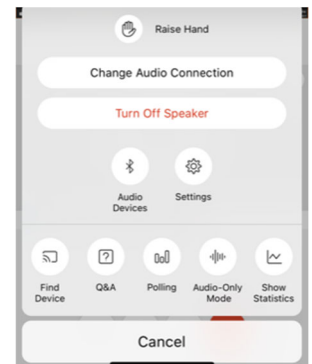
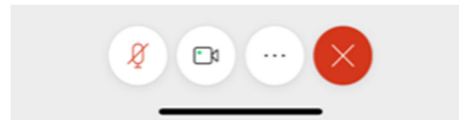
1. The host will then unmute the participant's line at the appropriate time.
2. A user must have his or her own device unmuted.
3. The user may then unmute his or her conference line by clicking the microphone symbol.
4. After conversation, please lower your hand. (*3 again)

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 ...



R E S O L U T I O N

SCOTT COUNTY BOARD OF SUPERVISORS

SEPTEMBER 1, 2022

APPROVAL OF LETTER OF SUPPORT AND 28E INTERGOVERNMENTAL AGREEMENT
BETWEEN SCOTT COUNTY, IOWA; BUCHANAN COUNTY, IOWA; CEDAR COUNTY,
IOWA; DELAWARE COUNTY, IOWA; HAMILTON COUNTY, IOWA; JONES COUNTY,
IOWA; MONROE COUNTY, IOWA; AND WASHINGTON COUNTY, IOWA;
TO DEFINE ROLES AND RESPONSIBILITIES OF EACH COUNTY FOR
PREPARATION AND SUBMITTAL OF A 2022 USDOT BRIDGE INVESTMENT
PROGRAM (BIP) GRANT APPLICATION

WHEREAS, the US Department of Transportation makes available, through
the Bridge Investment Program (BIP) Discretionary Grant program
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, Scott County, Iowa, bridge FHWA #020870, has been identified
as being part of a joint Bridge Investment Program (BIP) Grant
Project Application; and

WHEREAS, Scott County, Iowa, bridge FHWA #020870, is currently rated

in Poor condition; and this Wapsipinicon River Overflow Bridge connects Scott and Clinton Counties, located in eastern Iowa, with a total population of 219,672; and these two counties have a long standing partnership and maintain this river crossing for the safe, efficient, and economical movement of people and goods; and

WHEREAS, this bridge is surrounded by rich agricultural farm ground and is critical for vital emergency services to respond to life-safety and property protection, provides access to premier hospitals and healthcare providers, businesses and industries located in the many rural communities and Quad City Metropolitan Area, local aggregate quarries, utility transmission infrastructure, nearby recreational lakes, campgrounds, golf course, and parks; and

WHEREAS, it is desired by and in the interest of Scott County to participate fully in the BIP project activities as a Sub-recipient and provide all requisite information necessary to bring to completion all project phases through final completion; and

WHEREAS, Scott County is in support of Washington County, Iowa, providing Lead-recipient roles and duties; and

WHEREAS, Scott County understands and accepts the Sub-recipient roles and responsibilities as defined in the "28E Cooperative County

Agreement for a Bridge Investment Program (BIP) Grant Project";
and

WHEREAS, Scott County will provide all pertinent correspondence and
project information to:

Jacob Thorius, P.E.
Washington County Engineer
210 W. Main St., Ste. 2
Washington, IA 52353-1723
(319) 653-7731

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; Buchanan County, Iowa; Cedar County,
Iowa; Delaware County, Iowa; Hamilton County, Iowa;
Jones County, Iowa; Monroe County, Iowa; and Washington
County, Iowa; for a Bridge Investment Program (BIP)
Grant Project be approved.

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

Section 3. That this resolution shall also serve as a Letter
of Support for the 2022 Bridge Investment Program Grant
Project.

Section 4. That this resolution shall take effect
immediately.

Dated at Scott County, Iowa ____ day of _____, _____

Scott County Board of Supervisors:

Ken Beck, Chairman

John Maxwell, Vice-Chair

Ken Croken, Supervisor

Brinson Kinzer, Supervisor

Tony Knobbe, Supervisor

ATTEST:

By _____
Scott County Auditor,
Kerri Tompkins

seal

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

September 1, 2022

APPROVAL OF THE OVER-HIRE OF 1.0 FTE SECONDARY ROADS
SUPERINTENDENT DUE TO A RETIREMENT

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

Section 1. That the Board hereby approves the temporary
over-hire of 1.0 FTE Secondary Roads Superintendent
for up to 6 weeks.

Section 2. 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

R E S O L U T I O N

SCOTT COUNTY BOARD OF SUPERVISORS

SEPTEMBER 1, 2022

APPROVAL OF THE REQUEST TO OVERFILL THE
PAYROLL SPECIALIST POSITION.

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

- Section 1. That the request to overfill the PAYROLL SPECIALIST position through October 7th to facilitate a smooth transition 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

R E S O L U T I O N

SCOTT COUNTY BOARD OF SUPERVISORS

September 1, 2022

APPROVAL OF STAFF APPOINTMENTS

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

Section 1. The hiring of Carolyn Norris for the position of Correction Food Service Officer with the Sherriff's Office at entry level rate.

Section 2. The hiring of Jeremy Johannes for the position of Deputy with the Sheriff's Office at entry level rate.

Section 3. The hiring of Kobe Ahrens for the position of Deputy with the Sheriff's Office at entry level rate.

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

DATE

SCOTT COUNTY AUDITOR

R E S O L U T I O N

SCOTT COUNTY BOARD OF SUPERVISORS

September 1, 2022

JUDICIAL DIALOG MAINTENANCE AND SUPPORT

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

Section 1. The purchase of Judicial Dialog maintenance and support in the amount of \$26,721.57 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

September 1, 2022

**APPROVAL OF WARRANTS IN THE AMOUNT OF \$1,825,395.98 AND
PURCHASING CARD TRANSACTIONS IN THE AMOUNT OF \$109,999.13**

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 319508 through 319771 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,825,395.98.
- Section 2. The Board of Supervisors approves for payment to Wells Fargo Bank all purchase card program transactions as submitted to the County Auditor for review in the amount of \$109,999.13.
- Section 3. 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 _____

ORDINANCE NO. ____

AN ORDINANCE AMENDING CHAPTER 3 APPOINTED OFFICERS AND DEPARTMENTS OF THE SCOTT COUNTY IOWA CODE, BY AMENDING SECTIONS 3-2(S), 3-15 and 3-16 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

3-15 YOUTH JUSTICE AND REHABILITATION CENTER

3-16 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 _____.