

AGENDA
SCOTT COUNTY BOARD OF SUPERVISORS
September 15, 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: 2487 509 7762 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: Knobbe, Maxwell, Beck, Croken, Kinzer

2. Pledge of Allegiance.

3. Approval of Minutes:

August 30, 2022 Committee of the Whole

September 01, 2022 Board Meeting

Moved by _____ Second by _____

Knobbe _____ Maxwell _____ Beck _____ Croken _____ Kinzer _____

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.

Proclamation

6. Proclamation recognizing September 9-18, 2022 as National Welcoming Week.

Moved by _____ Second by _____

Knobbe _____ Maxwell _____ Beck _____ Croken _____ Kinzer _____

7. Proclamation recognizing September as Labor Union Appreciation Month.

Moved by _____ Second by _____

Knobbe _____ Maxwell _____ Beck _____ Croken _____ Kinzer _____

Consent

8. Resolution approving the contract for hot mix asphalt (HMA) scrub seal project to Denco Highway Construction Corporation.
9. Resolution approving staff appointments.
10. Resolution offering an employee incentive to donate to United Way by raffling 8 hours of floating holiday.
11. Resolution approving the tax suspension request for Hintze.
12. Resolution approving the tax suspension request for Hagberg.
13. Resolution approving the Health Department Laptop Replacement Project.
14. Resolution approving the tax abatement requests from the City of Bettendorf.
15. Motion to approve the beer/liquor license renewal for Valley Inn, 24575 Valley Drive, Pleasant Valley.
16. Motion to approve the beer/liquor license renewal for Casey's General Store #3523, 26701 Scott Park Road in Parkview.
17. Resolution approving warrants in the amount of \$1,826,738.34.

Moved by _____ Second by _____

Knobbe _____ Maxwell _____ Beck _____ Croken _____ Kinzer _____

Facilities & Economic Development

18. Third and final reading of an ordinance to amend Chapter 6, to add Proposed Solar Ordinance and Comprehensive Plan.

Moved by _____ Second by _____

Knobbe _____ Maxwell _____ Beck _____ Croken _____ Kinzer _____

Finance & Intergovernmental

19. Third and final reading to amend ordinance to change JDC (Juvenile Detention Center) to YJRC (Youth Justice and Rehabilitation Center).

Moved by _____ Second by _____

Knobbe _____ Maxwell _____ Beck _____ Croken _____ Kinzer _____

Other Items of Interest

20. Financial Updates - David Farmer, Budget & Administrative Services Director.
21. County Administrator Report & Financial Updates - Mahesh Sharma.
22. Board of Supervisors Report.
23. Upcoming Meeting: Special Board Meeting - Canvass of Votes. September 20, 2022 at 8:00AM in the Scott County Board Room at the Administrative Center, 1st Floor.
24. Adjourned.

Moved by _____ Seconded by _____

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 # 2487 509 7762

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=ee71568aa68ca8987d0cae75ce6fa036d>

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.

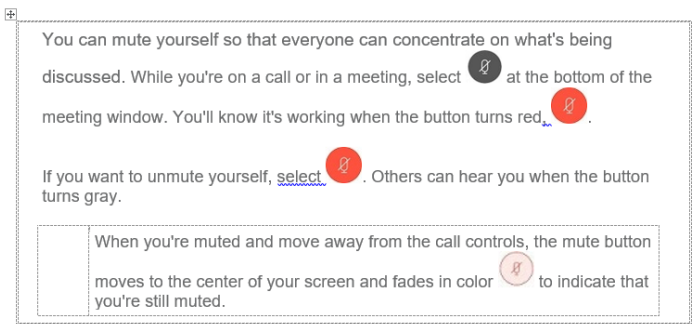
When called upon for comments by the Board,

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)

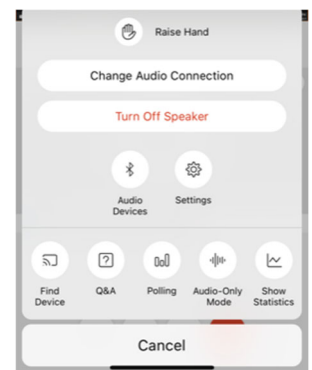
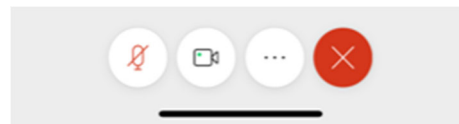
Computer / Application Connections:

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)



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

September 15, 2022

RECOGNIZING SEPTEMBER 9-18, 2022 AS NATIONAL WELCOMING WEEK

WHEREAS, across the country, communities will celebrate national Welcoming Week on September 9-18, 2022; and

WHEREAS, Scott County is home to people of all backgrounds, including those who were not born in the United States, but now call it home; and

WHEREAS, Scott County will celebrate its first annual Welcoming Week in 2022 to promote compassion, unity, and respect, with a shared vision that all community residents should be valued and protected; and

WHEREAS, our county depends on making sure that all feel welcome here. Today, new residents are a vital part of our community — bringing fresh perspectives and new ideas, starting businesses, and contributing to the vibrant diversity that we all value; and

WHEREAS, today, more than ever, we see an increased need to welcome those fleeing conflict, oppression, and unrest in countries all over the world; and

WHEREAS, this week, we honor the spirit of unity that is bringing neighbors together across Scott County. During Welcoming Week, we invite all of Scott County to join the movement of communities nationwide by renewing our commitment to our core American values and by taking action in the spirit of welcoming. By working together, we can achieve greater prosperity and make our community the kind of place where diverse people from around the world feel valued and want to put down roots; and

WHEREAS, regardless of where we are born or what we look like, we are residents united in our efforts to build a stronger community. By recognizing the contributions that we all make to create a vibrant culture and a growing economy, we make our community more prosperous and more inclusive to all who call it home; and

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

- Section 1. That the Scott County Board of Supervisors does hereby proclaim the week of September 9-18, 2022, as "National Welcoming Week".
- Section 2. That the Board of Supervisors encourages the business community, civic groups, other units of government, and community institutions to undertake initiatives beyond this proclamation, to make the county a place of welcome for new and long-term residents alike.
- Section 3. This resolution shall take effect immediately.

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SCOTT COUNTY AUDITOR

RESOLUTION

SCOTT COUNTY BOARD OF SUPERVISORS

September 15, 2022

RECOGNIZING SEPTEMBER AS LABOR UNION APPRECIATION MONTH

WHEREAS, union members of the United States are well known throughout the world for leadership in their professions and for performing their work with great distinction, intelligence, diligence and integrity; and

WHEREAS, the State of Iowa skilled workforce helps attract new businesses and industries and retain established employers, thereby strengthening the current and future economies of Iowa; and

WHEREAS, our cities, villages, and counties are committed to effective workforce development, creating gainful job opportunities for citizens and providing safe, healthy, and productive work environments for employees and employers; and

WHEREAS, on Labor Day working families and their unions have the opportunity to celebrate all their accomplishments while reflecting on the values they bring to their workplaces; and

WHEREAS, on September 5, 1882 the first Labor Day holiday was celebrated and Congress passed an act on June 28, 1894 declaring the first Monday of September as the Labor Day holiday; and

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

Section 1. We do hereby recognize September as Labor Union Appreciation Month in our communities and call upon all our citizens to observe this month with appropriate programs, ceremonies, and activities that acknowledge the contributions of working Americans and their families.

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 15, 2022

AWARD OF CONTRACT FOR SCOTT COUNTY SECONDARY ROADS SCRUB SEAL
PROJECT ON 210TH STEET FROM MAYSVILLE ROAD TO 120TH AVENUE

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

Section 1. That the contract for Scrub Seal Project on 210th
Street from Maysville Road to 120th Avenue be
awarded to Denco Highway Construction Corporation
contingent on the submitted unit prices.

Section 2. That the County Engineer be authorized to sign
the contract documents on behalf of the Board.

Section 3. That this resolution shall take effect
immediately.

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SCOTT COUNTY AUDITOR

R E S O L U T I O N

SCOTT COUNTY BOARD OF SUPERVISORS

September 15, 2022

APPROVAL OF STAFF APPOINTMENTS

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

Section 1. The hiring of Alyssa Henrichs for the position of Corrections Officer with the Sherriff's Office at entry level rate.

Section 2. The hiring of Brecklyn Carey for the position of Assistant Attorney with the County Attorney's Office at entry level rate.

Section 3. The hiring of Jennifer Stinocher for the position of Office Assistant with the HR Department at entry level rate.

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

September 15, 2022

APPROVING EMPLOYEE INCENTIVE FOR UNITED WAY BY RAFFLING 8 HOURS OF FLOATING HOLIDAY

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

Section 1. That one employee may be awarded 8 hours of floating holiday via a raffle for United Way participants to be used by June 30, 2023.

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 - _____ 2022

SCOTT COUNTY BOARD OF SUPERVISORS

September 15, 2022

**SUSPENDING THE 2021 PROPERTY TAXES DUE IN SEPTEMBER 2022 AND MARCH 2023 FOR
CHERYL HINTZE, 3407 SOMERSET DR., BETTENDORF, IOWA AS DIRECTED BY THE IOWA
DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR IN THE AMOUNT OF \$1,846.00.**

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

- Section 1. That Scott County has been directed by the Iowa Department of Health and Human Services to suspend the collection of the 2021 property taxes for Cheryl Hintze, 3407 Somerset Dr., Bettendorf, Iowa in the amount of \$1,846.00
- Section 2. That the collection of 2021 property taxes assessed against the parcel at 3407 Somerset Dr., Bettendorf, Iowa remaining unpaid shall be suspended for such time as Cheryl Hintze remains the owner of such property, and during the period she receives assistance as described in Iowa Code Section 427.9.
- Section 3. That the County Treasurer is hereby directed to suspend collection of the above stated taxes thereby establishing a lien on said property as required by law, with future collection to include statutory interest.
- Section 4. 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 15, 2022

**SUSPENDING THE 2021 PROPERTY TAXES DUE IN SEPTEMBER 2022 AND MARCH 2023 FOR
TWYLA HAGBERG, 3111 ORCHARD AVENUE, DAVENPORT, IOWA IN THE AMOUNT OF \$288.00.**

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

- Section 1. The 2021 property taxes due in September 2022 and March 2023 for Twyla Hagberg, 3111 Orchard Avenue, Davenport, Iowa in the amount of \$288.00 are hereby suspended.
- Section 2. The County Treasurer is hereby requested to suspend the collection of the above stated taxes thereby establishing a lien on said property as required by law with future collection to include statutory interest, if any.
- Section 3. This resolution shall take effect immediately.

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DATE

SCOTT COUNTY AUDITOR

R E S O L U T I O N

SCOTT COUNTY BOARD OF SUPERVISORS

SEPTEMBER 15, 2022

A RESOLUTION APPROVING THE PURCHASE OF LAPTOPS, DOCKING STATIONS,
AND RECHARGEABLE ACTIVE PENS FROM HP INC. IN THE AMOUNT OF
\$85,067.50.

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

- Section 1. That the purchase of laptops, docking stations, and rechargeable active pens for the Health Department be approved with HP Inc. in the amount of \$85,067.50.
- 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 15, 2022

**APPROVAL OF THE ABATEMENT OF DELINQUENT PROPERTY TAXES AS
RECOMMENDED BY THE SCOTT COUNTY TREASURER AND IN ACCORDANCE
WITH IOWA CODE CHAPTER 445.63**

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

- Section 1. Iowa Code Section 445.63 states that when taxes are owing against a parcel owned or claimed by the state or a political subdivision of this state and the taxes are owing before the parcel was acquired by the state or a political subdivision of this state, the county treasurer shall give notice to the appropriate governing body which shall pay the amount of the taxes due. If the governing body fails to immediately pay the taxes due, the board of supervisors shall abate all of the taxes.
- Section 2. The City of Bettendorf has requested the abatement of the taxes for parcel 842021187, address 2412 Crestview Dr. in the amount of \$617.03.
- Section 3. The County Treasurer is hereby directed to strike the amount of property taxes due on these City of Bettendorf parcels in accordance with Iowa Code Section 445.63.
- Section 4. This resolution shall take effect immediately.

**THE COUNTY AUDITOR'S SIGNATURE
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BOARD OF SUPERVISORS ON _____.**

DATE

SCOTT COUNTY AUDITOR

RESOLUTION

SCOTT COUNTY BOARD OF SUPERVISORS

September 15, 2022

APPROVAL OF WARRANTS IN THE AMOUNT OF \$1,826,738.34

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 319782 through 320034 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,826,738.34.

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 _____

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:

3-2. AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE COUNTY 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: August 18, 2022,

Second Consideration _____,

Third Consideration _____,

W. Ken Beck

Chairman, Board of Supervisors

Attest: _____

County Auditor

Published on _____.

Scott County Board of Supervisors
FY22 Revenue Update
as of June 30, 2022 (September 13, 2022)

	Gaming Revenue - Isle - Bettendorf	Gaming Revenue Rhythm City - Davenport	Total Gaming Revenue	Recorder Revenue	Road Use Tax	Local Option Sales Tax (a)	County Interest Income (b)	Building Permits	Sheriff Revenue (charges for service) (c)	Attorney - Fine Collection
FY08 Actual	\$ 533,124	\$ 282,400	\$ 815,524	\$ 1,280,960	\$ 2,866,918	\$ 3,860,101	\$ 1,368,847	\$ 224,349	\$ 721,151	\$ 4,831
FY09 Actual	\$ 455,173	\$ 293,747	\$ 748,920	\$ 1,154,872	\$ 2,230,212	\$ 3,691,392	\$ 677,558	\$ 180,441	\$ 891,134	\$ 35,681
FY18 Actual	\$ 346,659	\$ 331,974	\$ 678,633	\$ 1,122,786	\$ 4,058,484	\$ 4,404,685	\$ 440,066	\$ 216,054	\$ 1,132,815	\$ 398,920
FY19 Actual	\$ 329,022	\$ 354,178	\$ 683,200	\$ 1,089,509	\$ 4,283,190	\$ 4,454,258	\$ 893,994	\$ 230,528	\$ 1,151,238	\$ 429,107
FY20 Actual	\$ 253,235	\$ 324,434	\$ 577,669	\$ 1,235,106	\$ 4,497,873	\$ 5,006,394	\$ 656,953	\$ 290,232	\$ 1,048,840	\$ 423,139
FY21 Actual	\$ 349,519	\$ 550,672	\$ 900,191	\$ 1,521,783	\$ 4,885,043	\$ 5,462,760	\$ 133,417	\$ 365,451	\$ 1,336,575	\$ 421,421
FY22 Budget	\$ 330,000	\$ 390,000	\$ 720,000	\$ 1,073,000	\$ 4,227,283	\$ 5,200,000	\$ 200,000	\$ 276,500	\$ 1,003,100	\$ 420,000
FY22 Amended Budget	\$ 360,000	\$ 530,000	\$ 890,000	\$ 1,391,500	\$ 4,344,743	\$ 6,200,000	\$ 80,000	\$ 379,000	\$ 1,202,400	\$ 400,000
FY22 YTD \$\$	\$ 365,552	\$ 566,933	\$ 932,485	\$ 1,401,429	\$ 4,626,727	\$ 6,487,709	\$ 25,498	\$ 328,734	\$ 1,095,030	\$ 425,264
FY22 YTD %	101.54%	106.97%	104.77%	100.71%	106.49%	104.64%	31.87%	86.74%	91.07%	101.25%
Annualized %	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Over/(Under) Amended Budget % YTD	1.54%	6.97%	4.77%	0.71%	6.49%	4.64%	-68.13%	-13.26%	-8.93%	6.32%
Over/(Under) Amended Budget \$\$ YTD	\$ 5,552	\$ 36,933	\$ 42,485	\$ 9,929	\$ 281,984	\$ 287,709	\$ (54,502)	\$ (50,266)	\$ (107,370)	\$ 25,264
Over/(Under) Original Budget \$\$ YTD	\$ 35,552	\$ 176,933	\$ 212,485	\$ 328,429	\$ 399,444	\$ 1,287,709	\$ (174,502)	\$ 52,234	\$ 91,930	\$ 5,264

	General Fund	Capital Fund	Secondary Roads Fund
FY 22 Original Budget	\$ 8,172,600	\$ 720,000	\$ 4,227,283
FY 22 Amended Budget	\$ 9,652,900	\$ 890,000	\$ 4,344,743
FY 22 YTD \$\$	\$ 9,763,664	\$ 932,485	\$ 4,626,727
Over/(Under) Budget \$ YTD	\$ 110,764	\$ 42,485	\$ 281,984
% above or below Amended Budget	1%	5%	6%

	2022 YTD	2022 % of Amended Budget	Change from Prior
General Fund Revenues			
40 - Taxes Levied on Property	\$ 48,672,215	99.8%	Change from
41 - Other County Taxes/TIF Revenues	8,056,275	104.0%	\$ -
42 - Intergovernmental	7,463,595	98.5%	87,004
44 - Licenses & Permits	821,563	93.4%	-
45 - Charges for Services	7,321,826	104.6%	8,125
47 - Use of Money & Property	132,670	74.7%	-
48 - Fines Forfeitures and Miscellaneous Revenue	1,280,560	119.9%	-
49 - Other Financing Sources	6,537,755	99.8%	-
	80,286,458	100.7%	95,129
Less Internal Transfer	(6,517,755)		
GAAP Revenues	\$ 73,768,703		

- (a) A true- up distribution occurs in November of year for the prior June 30, but is recognized as current year revenue according to GAAP. The FY 22 amount was \$1,117,364.
- (b) Interest Income is allocated to multiple funds. - Report is General Fund only and is reallocated by June 30.
- (c) Sheriff Charges for Services includes Care and Keep Charges

	2022 YTD	2022 % of Amended Budget	Change from Prior
General Fund Expenditures			
Public Safety & Legal Services	\$ 28,284,895	89.2%	\$ 34,237
Public Safety & Legal Services - SECC	8,500,000	100.0%	-
Physical Health & Social Services	6,307,195	88.2%	6,056
County Environment & Education	4,676,055	93.0%	1,858
Government Services to Residents	2,829,805	86.0%	-
Administration	12,919,190	87.8%	12,375
Transfers	18,249,728	100.0%	-
	81,766,869	92.3%	54,525
Less Internal Transfer	(6,517,755)		
GAAP Expenditures	\$ 75,249,114		
 Budget Amendment Expenditures less Transfers out	 \$ 82,107,183		
 Net Change	 \$ (1,480,410)		
Estimated Unassigned Fund Balance (Preliminary)	\$ 15,025,951		
Estimated percentage of unassigned fund balance	23.2%		

Scott County Board of Supervisors
FY23 Revenue Update
as of September 14, 2022

	Gaming Revenue - Isle - Bettendorf	Gaming Revenue Rhythm City - Davenport	Total Gaming Revenue	Recorder Revenue	Road Use Tax	Local Option Sales Tax (a)	County Interest Income (b)	Building Permits	Sheriff Revenue (charges for service) (c)	Attorney - Fine Collection
FY18 Actual	\$ 346,659	\$ 331,974	\$ 678,633	\$ 1,122,786	\$ 4,058,484	\$ 4,404,685	\$ 440,066	\$ 216,054	\$ 1,132,815	\$ 398,920
FY19 Actual	\$ 329,022	\$ 354,178	\$ 683,200	\$ 1,089,509	\$ 4,283,190	\$ 4,454,258	\$ 893,994	\$ 230,528	\$ 1,151,238	\$ 429,107
FY20 Actual	\$ 253,235	\$ 324,434	\$ 577,669	\$ 1,235,106	\$ 4,497,873	\$ 5,006,394	\$ 656,953	\$ 290,232	\$ 1,048,840	\$ 423,139
FY21 Actual	\$ 349,519	\$ 550,672	\$ 900,191	\$ 1,521,783	\$ 4,885,043	\$ 5,462,760	\$ 133,417	\$ 365,451	\$ 1,336,575	\$ 421,421
FY22 Actual	\$ 365,552	\$ 566,933	\$ 932,485	\$ 1,401,429	\$ 4,626,727	\$ 6,487,709	\$ 25,498	\$ 328,734	\$ 1,095,030	\$ 425,264
FY23 Budget	\$ 350,000	\$ 450,000	\$ 800,000	\$ 1,093,000	\$ 4,342,000	\$ 5,850,000	\$ 150,000	\$ 276,500	\$ 1,002,800	\$ 420,000
FY23 YTD \$\$	\$ 74,291	\$ 107,118	\$ 181,409	\$ 244,900	\$ 367,504	\$ 447,308	\$ 22,246	\$ 72,845	\$ 126,353	\$ 61,772
FY23 YTD %	21.23%	23.80%	22.68%	22.41%	8.46%	7.65%	14.83%	26.35%	12.60%	14.71%
Annualized %	18.75%	18.75%	18.75%	18.75%	8.33%	7.69%	17.00%	18.75%	17.00%	16.67%
Over/(Under) Budget % YTD	2.48%	5.05%	3.93%	3.66%	0.13%	-0.05%	-2.17%	7.60%	-4.40%	-1.96%
Over/(Under) Original Budget \$\$ YTD	\$ 8,666	\$ 22,743	\$ 31,409	\$ 39,963	\$ 5,671	\$ (2,692)	\$ (3,254)	\$ 21,001	\$ (44,123)	\$ (8,228)

	General Fund	Capital Fund	Secondary Roads Fund	General Fund Revenues	2023 YTD	2023 % of Current Budget	Change from Prior
FY 23 Original Budget	\$ 8,792,300	\$ 800,000	\$ 4,342,000	40 - Taxes Levied on Property	\$ 5,868,630	11.0%	\$ 5,785,984
FY 23 Amended Budget	\$ 8,792,300	\$ 800,000	\$ 4,342,000	41 - Other County Taxes/TIF Revenues	457,077	5.9%	456,338
FY 23 YTD \$\$	\$ 975,424	\$ 181,409	\$ 367,504	42 - Intergovernmental	466,244	6.2%	427,121
Over/(Under) Budget \$ YTD	\$ 2,667	\$ 31,409	\$ 5,671	44 - Licenses & Permits	159,737	21.9%	66,544
% above or below Amended Budget	-89%	-77%	-92%	45 - Charges for Services	1,333,335	20.5%	628,481
				47 - Use of Money & Property	113,107	39.3%	56,301
				48 - Fines Forfeitures and Miscellaneous Revenue	727,104	71.7%	22,946
				49 - Other Financing Sources	-	0.0%	-
					9,125,234	11.3%	7,443,716
				Less Internal Transfer	-		
				GAAP Revenues	\$ 9,125,234		
				Budget Amendment Revenues	\$ 77,281,508		
				General Fund Expenditures	2023 YTD	2022 % of Current Budget	Change from Prior
				Public Safety & Legal Services	\$ 5,900,753	18.6%	\$ 2,342,972
				Public Safety & Legal Services - SECC	2,141,250	25.0%	713,750
				Physical Health & Social Services	1,319,987	17.4%	439,104
				County Environment & Education	1,179,215	22.7%	391,513
				Government Services to Residents	583,589	16.5%	248,195
				Administration	3,558,167	23.7%	1,428,619
				Transfers	260,000	1.4%	86,667
					14,942,961	18.2%	5,650,820
				Less Internal Transfer	-		
				GAAP Expenditures	\$ 14,942,961		
				Budget Amendment Expenditures less Transfers out	\$ 78,749,064		
				Net Change	\$ (5,817,727)		
				Estimated Unassigned Fund Balance (Preliminary)	\$ 9,208,224		
				Estimated percentage of unassigned fund balance	13.5%		

- (a) A true- up distribution occurs in November of year for the prior June 30, but is recognized as current year revenue according to GAAP. The FY 22 amount was \$1,117,364.
- (b) Interest Income is allocated to multiple funds. - Report is General Fund only and is reallocated by June 30.
- (c) Sheriff Charges for Services includes Care and Keep Charges