

Scott County Board of Supervisors  
December 10, 2020 5:00 p.m.

The Board of Supervisors met pursuant to adjournment with Beck, Knobbe, Croken, Kinzer and Maxwell present. Due to social distancing concerns relating to COVID19, Supervisors and staff participated electronically. The Board recited the Pledge of Allegiance.

Moved by Beck, seconded by Maxwell a motion approving the minutes of the October 13, 2020 Committee of the Whole, the minutes of the October 27, 2020 Committee of the Whole, the minutes of the November 24, 2020 Committee of the Whole and Board Meeting combined and the minutes of the November 30, 2020 Special Board Meeting. Roll Call: All Ayes.

Moved by Beck, seconded by Maxwell that the following resolution be approved. Roll Call: All Ayes.

County Auditor Roxanna Moritz thanked the Auditor's Office staff and the 438 pollworkers for all of their hard work and for stepping up during the pandemic on the elections.

Sharlsie Weller said, as a first time worker, she worked the absentee board during the election and said Ms. Moritz's staff was truly professional and, with talking to other pollworkers, it was truly an honor to serve.

Supervisor Croken said free and fair elections and transparency are the prerequisites that allow our democracy to go forward and none of that would be possible without these pollworkers and he is very proud to have met some of them and said thank you to them.

Chairman Knobbe read the proclamation and thanked the workers for all of their hard work and for delivering a fair and safe election.

Supervisor Kinzer said he echoed the Chairman and Supervisor Croken's comments and thanked Auditor Moritz, her staff and the pollworkers.

BE IT RESOLVED: 1) That the Board appreciates the hard work and dedication of all Scott County poll workers and the election staff during the 2020 election. 2) This resolution shall take effect immediately.

Moved by Beck, seconded by Maxwell the third and final reading of an ordinance to amend Chapter 10 of the Scott County Code relative to placement of No Parking signs on Scott County Secondary Roads. Roll Call: All Ayes.

AN ORDINANCE TO AMEND CHAPTER 10, SEC. 10-9 OF THE SCOTT COUNTY CODE RELATIVE TO PLACEMENT OF NO PARKING SIGNS ON SCOTT COUNTY SECONDARY ROADS.

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

SECTION 1.

Under Sec. 10-9-20 – to read: On Oak Street from a point 610 feet south and east of the intersection with 140<sup>th</sup> Street a distance of 200 feet, encompassing the entire area of the cul-de-sac.

Under Sec. 10-9-21 – to read: On both sides of South Park View Drive from Crest Road northeasterly 630 feet.

Under Sec. 10-9-22 – to read: On both sides of Hillside Drive from Hillcrest Court northwesterly 328 feet.

Under Sec. 10-9-23 – to read: On both sides of Valley Drive from Hillside Drive southwesterly 310 feet.

SECTION 2. The County Auditor is directed to keep and maintain a copy of the Ordinance in the County Auditor's office.

SECTION 3. SEVERABILITY CLAUSE

If any of the provisions of the Ordinance are for any reason illegal or void, then the lawful provisions of this Ordinance shall be and remain in full force and effect, the same as if the Ordinance contained no illegal or void provisions.

SECTION 4. REPEALER

All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. EFFECTIVE DATE

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

Moved by Beck, seconded by Maxwell that the following resolution be approved.  
Roll Call: All Ayes.

BE IT RESOLVED: 1) Iowa Code section 459.304(3) (2015) sets out the procedure for a county board of supervisors to adopt a “construction evaluation resolution” relating to the construction of a confinement feeding operation structure. 2) Only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) a recommendation to approve or disapprove a construction permit application for a confinement feeding operation structure. 3) Only counties that have adopted a construction evaluation resolution and submitted a recommendation will be notified by the DNR of the DNR’s decision on the permit application. 4) Only counties that have adopted a construction evaluation resolution and submitted a recommendation may appeal the DNR’s decision regarding a specific application. 5) By adopting a construction evaluation resolution the Board of Supervisors agrees to

evaluate every construction permit application for a proposed confinement feeding operation structure received by the Board of Supervisors between February 1, 2021 and January 31, 2022 and submit a recommendation regarding that application to the DNR. 6) By adopting a construction evaluation resolution the Board of Supervisors shall conduct an evaluation of every construction permit application using the master matrix as provided in Iowa Code Section 459.305. However, the board's recommendation to the DNR may be based on the final score on the master matrix or on other reasons as determined by the board of supervisors. 7) The Scott County Board of Supervisors hereby adopts this Construction Evaluation Resolution in accordance with Iowa Code section 459.304(3) and designates the Scott County Planning and Development Department to receive such applications on behalf of the Board of Supervisors. 8) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Croken that the following resolution be approved.  
Roll Call: All Ayes.

BE IT RESOLVED: 1) That the county enter into an agreement with iSolved Benefit Services for administration of the County's flex savings program is hereby approved. 2) That the Human Resources Director hereby authorized to sign any necessary contracts for services on behalf of the Board. 3) That paragraph 1 of the October 15 resolution regarding renewal with Wage Works is rescinded. 4) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Croken that the following resolution be approved.  
Roll Call: All Ayes.

Supervisor Beck asked, since this was not part of the Committee of the Whole meeting, should we provide a little bit of an explanation.

Mary Thee, Human Resources Director, said the Attorney's Office has an upcoming retirement and is requesting to overfill the position to have a smoother transition.

BE IT RESOLVED: 1) That the request to overfill the Case Expeditor position in the Attorney's Office for three weeks is hereby approved. 2) This resolution shall take effect immediately.

Moved by Croken, seconded by Kinzer that the following resolution be approved.  
Roll Call: All Ayes.

BE IT RESOLVED: 1) The 2019 property taxes, due in September 2020 and March 2021 for Kristine Trujillo, 524 Wisconsin Street, LeClaire, Iowa in the amount of \$1,949.00 including interest are hereby suspended. 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. 3) This resolution shall take effect immediately.

Moved by Maxwell, seconded by Beck that the following resolution be approved.  
Roll Call: All Ayes.

BE IT RESOLVED: 1) The purchase of SolarWinds software maintenance and support from Zones in the amount of \$26,573.33 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Maxwell, seconded by Beck a motion to approve filing of first quarter FY21 quarterly financial reports from various county offices. Roll Call: All Ayes.

Moved by Maxwell, seconded by Beck that the following resolution be approved.  
Roll Call: All Ayes.

BE IT RESOLVED: 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. 2) The City of Davenport has requested the abatement of the following taxes: Parcel; 2018 Taxes; 2019 Taxes, F0054-04; 2018 Taxes \$1,946.00; 2019 Taxes \$4,522.00, F0052A01; 2018 Taxes \$76.00, F0052A02; 2018 Taxes \$76.00, F0052A03; 2018 Taxes \$76.00, F0052A04; 2018 Taxes \$76.00, F0052A05; 2018 Taxes \$76.00, F0052A06; 2018 Taxes \$90.00, F0042-27; 2018 Taxes \$940.00; 2019 Taxes \$956.00, F0054-04C; 2018 Taxes \$840.00; 2019 Taxes \$814.00, G0012-25; 2018 Taxes \$1,162.00, G0046-26; 2019 Taxes \$244.00, H0050-05; 2019 Taxes \$1,148.00, H0054-01; 2019 Taxes \$540.00, F0024-15; 2019 Taxes \$461.00. 3) The County Treasurer is hereby directed to strike the amount of property taxes due on these City of Davenport parcels in accordance with Iowa Code Section 445.63. 4) This resolution shall take effect immediately.

Moved by Maxwell, seconded by Beck that the following resolution be approved.  
Roll Call: All Ayes.

BE IT RESOLVED: 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. 2) The City of Bettendorf has requested the revision of the abatement of the taxes for parcel 84285110604 and parcel 84285111004 that was passed by resolution on 11/24/2020. 3) The City of Bettendorf has requests the corrected abatement of the taxes for parcel 84285110604, address 431 17<sup>th</sup> St. in the amount of \$750.00, and parcel 84285111004, address 1710 Grant St. in the amount of \$10,836.00. 4) 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. 5) This resolution shall take effect immediately.

Moved by Maxwell, seconded by Beck that the following resolution be approved.  
Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 308615 through 308861 as submitted and prepared for payment by the County Auditor, in the total amount of \$2,379,662.59. 2) This resolution shall take effect immediately.

Moved by Maxwell, seconded by Beck that the following resolution be approved.  
Roll Call: All Ayes.

BE IT RESOLVED: 1) That the Urban County Coalition 2021 Legislative Issues and Priorities is hereby approved. 2) This resolution shall take effect immediately.

Under other items of interest, David Farmer, Budget and Administrative Services Director, reviewed FY21 Revenue as of December 9, 2020. He said Gaming Revenue is 7.23 percent above budget. He said Recorder Revenue is 16.31 percent greater than the budget estimate. He said Road Use Tax is at \$154,780 and on target for the budget estimate. He said the Local Option Sales Tax is at 9.83 percent, \$471,902 over budget. He said Interest Income is 35.05 percent lower than the budget estimate. He said the County will not earn the projected \$800,000 in Interest Income. He said Building Permits revenue is 19.84 percent heavier than expected. He said revenue for Sheriff Services is running 4.53 percent heavier than expected. He said revenue from Attorney Fine Collection is running 6.65 percent behind schedule.

He said the Revenues brought in since the last cycle are \$2,866,374 and Expenditures are a \$2,802,346 change. He noted that the percentage of unassigned fund balance is sitting at 33.4 percent.

He said in November the average daily population housed in the Scott County Jail, excluding federal inmates, was at 250.23; the average number of self-reported veterans was 9.37; and the number of individuals with mental health concerns was 97 and the managed population of inmates housed out of the County was 20.47.

He said the combined average daily juvenile detainee population at the JDC and Jail was 18.79 for November and a yearly average of 16.66.

He said in November there were 1,487 rounds of golf, which was a 21.1 percent increase year to date from last fiscal year.

Mahesh Sharma, County Administrator, said the next meeting cycle will be a combined meeting on Tuesday December 22nd at 5:00 p.m. He also gave an update on the SECC radio tower project and reviewed an issue with a boiler in the Jail. He said

they currently have two boilers in the Jail that are about 15 years old and reaching their life expectancy. He said one of the boilers is failing and he was led to believe that the other one is functioning well. Sharma said he decided to inform the Board that if a situation arises and the other boiler quits functioning, he will utilize his emergency authority to allow the repair. He said this gives them the opportunity to look into the design and said this item will be coming to the Board next cycle.

Kinzer asked Sharma if the design and cost to replace the boilers would be on the next Board cycle or the repair costs would be.

Sharma said the item to replace the boilers will be on the next cycle for the Supervisors to approve. He said if the second boiler fails, they will need an emergency repair.

Kinzer said he is on the Partners of Scott County Watershed outreach committee, and asked people to go to their website and reach out and donate. He also reviewed the Iowa Workforce Development Board recent meeting.

Knobbe asked Sharma to update the Board on any discussion with regard to juvenile detention and inform us on what next steps should be taken and what direction you might ask of us.

Sharma said staff members had meetings regarding the potential expansion or building of the JDC. Those discussions were preliminary and the Board identified this in the strategic plan as a top priority. He said they are looking into the projects and find out how we can fund it, with one option being the possibility that we can fund this project as a pay as you go. He said, with the magnitude and bond capacity amount we can issue, it will probably need to go to a referendum to the voters. He said he and Jeremy Kaiser have set up several meetings and are meeting with consultants for help.

Kaiser said they have met with a couple different firms that are involved in what they call pre-construction or pre-referendum services that could provide a number of different services. He said none of us currently working in leadership of the County has ever been through a referendum process before and we're not exactly sure exactly how to move forward or how to do so successfully. Kaiser said it's his recommendation that we at some point write an RFP request for those types of services so we can start moving the ball forward.

Knobbe said that makes total sense to him, especially in light of Sharma's comments that there's really no one on hand, either on the Board or on staff that was on hand at our last referendum of any kind. He said he would be willing to walk through this process with professionals at his side, not only the process but the public statements we make and the choices we make throughout that process.

Kinzer told Knobbe he would agree with him and this is a task for the team and is very confident in the leadership that we have to start the process.

Beck said he is happy with the progress made so far and agrees with what has been said.

Knobbe said, in light of the discussion on Tuesday of this week regarding our annual financial statement and the significant deficiency that will be noted on that fiscal year 2020 financial statements, he is compelled to make a comment for the record here. He said the facts are that well in advance of that June primary election, Auditor Moritz made a unilateral decision to pay pollworkers \$15 an hour. That wage was well in excess of the \$10 or \$12 that had been previously authorized by this Board and as required by our State Code and by our County policy. He said she did this by altering the timesheets of workers to equate to a \$15 an hour wage and in some cases, those records reflected that a worker worked more than 24 hours in a single day. When asked if this was the first time that this had happened, she said no but did not offer details of the frequency with which it had happened. He said when first approached about this, the Auditor suggested that this Board retroactively approve the increase to \$15 to a date prior to the primary election, effectively absolving the infraction and she suggested that we would have approved it anyway. He said we never will know that since we weren't asked and, although Auditor Moritz expresses regret and explains that she and her staff were very busy, she remembers checking with our budget director to make sure that her budget was adequate to cover this increase but she didn't explain to him why. He said she proceeded anyway thinking that if it was in her budget that it was okay. Well, it was not okay and she of all people should know that, as a 14 year veteran Auditor of an Iowa county, which part of her role includes managing payroll for the entire Scott County team and as president of the County Auditors Association, her leadership role presumes a superior knowledge of both the law and of common sense ethics. Knobbe said it is his belief that this action appears to violate both and he is deeply disappointed that our long record of clean financial audits will have this blemish but said he is even more troubled that an elected official with a long track record of success chose to make this decision and therefore put the County and especially her team in a compromised position. He said he is asking our staff, our administrative team to take whatever the necessary steps are to prevent a recurrence of this unfortunate situation.

Beck said the way it was left on Tuesday, he felt that the full explanation had not been provided and the hourly rate was not asked for and there was some poor judgement taken and quite frankly some unethical actions taken where timesheets were altered. He said he appreciates Knobbe talking about the seriousness of the actions that did take place and on Tuesday he did not feel that the general population, that had listened, understood what the basis of the problem really was.

Auditor Moritz said she thought there was clarification, thought there was a clear message of apologizing for the actions that were taken, taking accountability that she did move forward without getting Board permission and recognizing that she should of had Board permission. She said, with the auditors, she would work at making sure she would look at other counties to see how they keep their worksheets. She said we don't describe it as a timecard, but we would proceed in making sure that, moving forward, we would do that. She said she thought there was clarity at the discretion of what the

Board wanted her to do as far as working with and ensuring that moving forward, that she puts in place something that showed that. She said she doesn't think what she did was unethical, she thought what she did was in her budget and said she had no reason to believe the Board wouldn't have approved it. She said she doesn't want to see a ding on the audit for the County.

Moved by Beck, seconded by Maxwell at 6:10 p.m. a motion to adjourn. All Ayes.

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Tony Knobbe, Chair of the Board  
Scott County Board of Supervisors

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ATTEST: Roxanna Moritz  
Scott County Auditor