

Scott County Board of Supervisors
September 28, 2021 8:00 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Maxwell, Beck, Croken, Kinzer and Knobbe present. Due to social distancing concerns relating to COVID19, Supervisors and staff were spaced apart during the meeting with some staff participating electronically.

County Auditor Kerri Tompkins reviewed a proclamation recognizing National Voter Registration Month and National Voter Registration Day, September 28, 2021.

Dave Herrell, President and CEO of Visit Quad Cities presented an update on that organization's activities and future plans.

County Engineer Angela Kersten reviewed a proposed ordinance to amend the County parking ordinance to add a stop sign to the intersection of 140th Street and 118th Avenue.

County Risk Manager Rhonda Oostenryk reviewed a proposed settlement of a worker's compensation case.

Human Resources Director Mary Thee reviewed staff appointments.

Thee also reviewed a proposed resolution to incentivize employees to donate to United Way by offering a raffle of eight hours of floating holiday.

Health Department Director Amy Thoreson and Environmental Health Specialist Jack Hoskins reviewed a proposed Chapter 28E Agreement with the Iowa Department of Natural Resource for permitting private wells.

Thoreson also reviewed the appointment of a county medical examiner – investigator.

Juvenile Detention Center Director Jeremy Kaiser reviewed a proposal to terminate a contract for the Youth Centered Meetings Program (YCM) with Scott County Decategorization, and approve a new contract for YCM with Juvenile Court Services.

Budget and Administrative Services Director David Farmer made a presentation regarding the American Rescue Plan Act (ARPA). He said Scott County would receive \$33,592,150, the first payment has already been received, and that the Board would need to amend the budget before any of these funds could be expended. He highlighted some of the rules including transfers to special purpose governments, networking with other jurisdictions to prevent duplication and encourage economy of scale and various deadlines and time frames.

Kinzer stated that he had requested a public meeting to solicit public input on how to spend these funds and his request was denied, and he asked who was involved in the staff discussion and if any Board members were involved.

Farmer said that staff included department heads, including elected department heads, and that several meetings were held regarding ARPA. He said that to his recollection no Board member was involved or had contacted him. He said that he received two to four phone calls from members of the public.

Kinzer said that he wanted a work session on ARPA.

Beck said that a work session would be held but a date had not been set.

Farmer said that there was a very high rate of acceptance of these funds, including that all Scott County communities eligible to receive the funds agreed to acceptance. He said that no money had been committed because no contracts had come to the Board for approval. He said what the staff ideas represent were staff trying to understand if they were on the right track from the Board's perspective and what the Board feels comfortable with. He said the interim rules have not been finalized and staff is waiting for that to happen. He said the interim report was filed.

Maxwell said that some of the things on the list may or may not qualify.

Farmer said that he was confident that the items on the list would qualify.

Croken asked to clarify if Scott did not qualify for replacement of public sector revenue loss.

Farmer said that Scott County did not qualify for fiscal year 2020 losses, and that the rules assume a 4.1 percent revenue growth per calendar year compounded. He said revenue growth in 2020 was around 4.39 percent. He said the County was penalized inadvertently by raising levies for bonding and mental health funding in years 2019 and 2020 which raised revenue growth. He said the opposite effect will occur in year 2023 and 2024 when the state takeover of mental health funding will reduce about \$4 million of property tax revenue.

Farmer presented 11 potential projects for ARPA funding totaling \$36,477,765. He said that the amounts were estimates. He said there were no rankings of the projects. He said three projects qualified for capital investment to public facilities, including ones for the Juvenile Detention Center, Administration Center air supply, and Scott County Parks trail improvements.

He said two projects qualified as housing support for affordable housing or services for unhoused persons.

He said two projects qualified as clean water storm water projects for Mt. Joy and Park View. He said these projects can be scoped back in size.

He said two projects qualified for clean water centralized wastewater collection and conveyance, one for Scott County Parks and one for West Locust Street connectivity.

He said roughly three percent of the grant can be used for administrative expenses.

He said these projects were designed to be one time funds and not incorporated into the operating budget to avoid additional cost down the road.

Kinzer said he did not see anything from the Sheriff's Office and asked if the Sheriff was included in the discussions. He said the Sheriff's Office needs more personnel and he believed that the ARPA funds could be used to pay for law enforcement.

Farmer said the Sheriff's Office was included in the solicitation of ideas for inclusion. He said that he was not sure about providing premium pay for essential workers, but he would look at the rules to see how they might apply to the Sheriff's Office.

Kinzer asked what the reason was for including a waste water project for Scott County Parks.

Conservation Director Roger Kean said that the project was to connect existing facilities which do not have flush toilets or water to the existing sewer and water systems. He said that there are a lot of facilities which are stand-alone septic systems which could be connected to provide flush toilet and water systems. He said these stand-alone systems were required to be closed due to COVID. He said there was no existing plan for this project and therefore it would require engineering studies to evaluate cost and feasibility. He said the treatment plant at West Lake Park only treats about half the facilities at the park and the plant has capacity to treat additional sewage.

Kinzer asked if this was critical in nature, if it is a want versus a need.

Kean said facilities which could not be regularly cleaned and disinfected were required to be closed. He said there was a huge increase in camping because of COVID, but only one campground at West Lake Park has sewer connections. He said sewers were specifically included in the funding legislation.

Kinzer asked which park facilities were affected.

Kean said it was just facilities which did not have flush toilets and running water. These were considered not sanitary and unsafe because there was not running water to clean them and people did not have the opportunity to use soap and water.

Kinzer asked how the governor's proclamation affected Scott County Parks.

Beck said he was going to interject as these questions were going into the weeds and better suited to a work session.

Kinzer said this was his last question and asked permission to continue.

Beck said to continue.

Kean said that a lot of County facilities were affected by the governor's mandate and it was a significant impact. He said some activities such as golfing were in greater demand, but the group activities were shutdown.

Knobbe asked what the federal approval and auditing process would be.

Farmer said the approval process would be limited, and the County would determine the qualification of projects. He said there are quarterly reporting requirements. He said the audit process would be through a compliance audit by the external auditors, and if the auditors determined an expenditure was questionable then that question would be sent to the Treasury Department. If the Treasury Department determined the expenditure was not allowed by law then the County would be responsible for payment, and reimburse the federal government. He said that if there was a questionable project the County could send that question to the Treasury Department before making an expenditure.

Knobbe asked if it was likely to share this information with the third party auditors before the Board finalized the plan.

Farmer said yes for certain projects, such as the revenue calculation.

Knobbe said that he was satisfied with the process so far.

Croken said that the purpose of ARPA was to make strategic investments in long lived assets which would benefit either entire community or the community hit hardest, an equity based approach. He questioned the need to spend \$7.5 million to replace HVAC systems when a free COVID vaccination would address the same problem. He said there was nothing strategic about HVAC systems. He said the enhancement of parks would be long lived asset and benefit everyone. He said from an equity point of view, the affordable housing projects would affect those most impacted by COVID-19. He said that he did not see the Park View storm water project as being ARPA appropriate.

Farmer also reviewed tax abatement requests from the City of Davenport and Scott County.

Kinzer reviewed proposed resolutions to recognize Labor Union Appreciation Month and Breast Cancer Awareness Month.

Maxwell said that he objected to the proclamation regarding labor unions as it did not recognize the non-union labor. He said that he objected to proclamations which pitted one group against another. He said that he would support labor appreciation month without recognizing the unions. He said that he appreciated labor unions which have done a lot of good.

Croken said he could see an extra proclamation recognizing all labor, but September is Labor Union Appreciation Month.

Kinzer said that organized labor is recognized throughout the community and cited union participation in United Way and Habitat for Humanity as examples. He said that the resolution should remain as is.

Maxwell said that he is not saying that all these things are not good, or that labor unions have done anything bad. He said that he applauded all the things that Kinzer and Croken had said. He said that he did not want to be exclusive. He cited recognition of

Labor Day as including all labor even though it was the union pressure which led the federal government to recognize the holiday.

Kinzer cited the efforts of organized labor to bring about job safety, the 40 hour work week and overtime pay.

Beck said that the proclamation was divisive and did not meet the four way Rotary test. He said that he disagreed that collective bargaining was the cornerstone of the American dream.

Beck entertained a motion to go into closed session.

Croken asked if the Board would return to open session after the closed session.

Beck answered yes.

Croken moved to go into closed session.

Thee asked for clarification if Croken's question was to reconvene the meeting with the video.

Beck said that the meeting would reconvene without the video.

Croken then moved to adjourn the meeting.

Beck said that the meeting would not adjourn but just delete the video.

Thee said that the video would be turned off for the closed session, and that from a technical perspective it was difficult to turn the video back on just for the purpose of adjournment.

Croken said for that reason the Board should adjourn the meeting and then open a closed session, because if the Board came back into open session the video must be turned back on.

Beck said the Board did not have to turn the video back on.

Thee said there was no legal requirement to provide a video.

Moved by Maxwell, seconded by Knobbe at 10:22 a.m. a motion to close the meeting pursuant to Iowa Code Section 21.5(1)(c) to discuss pending litigation. Roll Call: Maxwell, Beck, Kinzer and Knobbe voting Aye; Croken voting Nay.

Moved by Knobbe, seconded by Maxwell at 10:34 a.m. a motion to convene in open session. Roll Call: All Ayes.

Moved by Maxwell, seconded by Knobbe at 10:34 a.m. a motion to adjourn. Four Ayes, with Croken voting Nay.

Ken Beck, Chair of the Board
Scott County Board of Supervisors

ATTEST: Kerri Tompkins
Scott County Auditor

A video recording of the meeting is available on the Scott County website at:
<https://www.scottcountyiowa.gov/board/board-meetings>.