

Scott County Board of Supervisors
May 14, 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 were separated into different rooms and spaced apart during the meeting with Supervisors Beck and Maxwell participating via telephone. The Board recited the Pledge of Allegiance.

In recognition of National Law Enforcement Week, Chairman Knobbe asked for a moment of silence to remember those who serve and those that have given their lives serving. Supervisors, staff and guests then reserved a moment of silence.

Moved by Kinzer, seconded by Croken a motion approving the minutes of the April 30, 2020 Regular Board Meeting. Roll Call: All Ayes.

Moved by Kinzer, seconded by Croken a motion to open a public hearing relative to an application for text amendment to the Zoning Ordinance sign regulations to allow consideration of On Premise Accessory Signs, that exceed the maximum height and/or size limitations permitted, to be reviewed and approved as a Special Use Permit. Roll Call: All Ayes.

Tim Huey, Planning and Development Director, said Kwik Star submitted this request for permission to construct a high rise sign that would be visible from Interstate 280. He said all of the other accessory signs met the requirements of the Zoning Ordinance and that the amendment comes to the Board with a unanimous vote and recommendation from the Planning and Zoning Commission. Huey noted that this amendment does not apply to billboards.

Supervisor Beck asked where this sign would be located.

Huey said the high sign would be located at Highway 61 and Interstate 280 on the south west quadrant of that interchange.

Supervisor Croken said he would be supportive of this. He said when businesses are willing to invest in the economic development of Scott County, they deserve our support to attract attention to their businesses.

Knobbe asked Huey if the County has denied similar requests in his tenure.

Huey answered no and said Planning does not see many sign permits.

Croken asked Huey to define the term accessory sign.

Huey said an accessory sign is a pole or monument sign or any sign that is not attached to the roof or to the side of a building that advertises the business on the premises.

Supervisor Kinzer said he thinks the State would also put up signage for the business on the Interstate.

No one from the public spoke.

Moved by Kinzer, seconded by Croken a motion to close the public hearing. Roll Call: All Ayes.

Moved by Kinzer, seconded by Croken a motion to open a public hearing relative to an amendment to the Revenue Refunding Bond (Ridgecrest Village Project), Series 2016 documents. Roll Call: All Ayes.

David Farmer, Budget and Administrative Services Director, reviewed proposed amendments to revenue bonds and certain documents related to the issuance of conduit bonds for Ridgecrest Village. He said Cristina Kuhn from Dorsey and Whitney, the County's debt council, was on the phone as well as Stephanie Arp, Director of Finance and Cris Vetter from Ridgecrest.

Cristina Kuhn said in 2016 the County issued refunding bonds for Ridgecrest Village. She said the County has issued these kind of conduit bonds on behalf of Ridgecrest in the past and the reason for the public hearing is that Ridgecrest wants to amend documents and they have worked up those amended documents with the lender directly. She said these bonds are not payable from any County revenues and they do not impact the County's ability to borrow money or impact bank qualification status. She said the amendments are to extend the maturity date of the current 2016 bond, to smooth those payments over that time until the new maturity date and to modify the interest rate.

Croken said Ridgecrest Village provides an essential and much needed service to the people of Scott County.

No one from the public spoke.

Moved by Kinzer, seconded by Croken a motion to close the public hearing. Roll Call: All Ayes.

Moved by Kinzer, seconded by Croken a motion to open a public hearing relative to issuance of not to exceed \$3,000,000 Healthcare Facilities Revenue Bond (Wellspire Project). Roll Call: All Ayes.

Farmer said this would be a new conduit obligation for the County with a new conduit debt partner, Wellspire. He said Wellspire is using \$3,000,000 of the County's debt issuance for the year and that the County is not planning to issue debt in year 2020.

Christina Kuhn said the project has three other community partners and all have issued conduit bonds on behalf of Wellspire. She said each entity cannot issue more than \$10,000,000 in a calendar year for tax exempt, bank qualified debt.

Kuhn said Rob Kretzinger, CEO of WesleyLife/Wellspire and Janet Simpson also from Wellspire were on the phone to answer any questions.

Knobbe asked what the total amount of tax exempt debt is when the contribution from all the communities are combined.

Kuhn answered the total amount of tax exempt debt is \$42 million.

Kinzer asked who the other three government bodies are.

Kuhn said the City of Princeton issued \$10 million in 2019 and \$9 million in 2020, the City of LeClaire issued \$10 million in 2019 and the City of Riverdale issued \$10 million in 2019.

Kinzer asked for a description of the project.

Janet Simpson, of Wellspire, said this is a senior living community that will serve multiple levels of living, including independent housing, assisted living, assisted living memory support and skilled nursing. She said it will provide employment with over one hundred jobs. She said Wellspire is a joint venture between Genesis and WesleyLife.

Croken said this is a quality project that is going to fill a need in the County. He said it will provide multiple layers of assisted living, and does so in a unique way by combining a medical home with literal homes.

No one from the public spoke.

Moved by Kinzer, seconded by Croken a motion to close the public hearing. Roll Call: All Ayes.

Moved by Kinzer, seconded by Croken a motion to open a public hearing relative to CDBG grant policies. Roll Call: All Ayes.

Farmer addressed the following nine items.

He said, in regards to the need for the CDBG project, Scott County sought funds to help the community in response to the COVID-19 Pandemic.

He said the amount of CDBG funds for the project would be \$9,204.

He said, in regards to a description of the CDBG funded project & activities, included Psychological First Aid Training for licensed mental health professionals to deliver

enhanced mental health services for essential frontline healthcare workers and to purchase iPads so that patients can communicate with healthcare providers and loved ones while being hospitalized or isolated.

He said, in regards to the estimated amount of CDBG assistance that will benefit low and moderate income persons, the entire amount is to fund services that benefit all persons, and individuals of low and moderate income will benefit by increased access to communication via the iPads and experienced frontline healthcare workers.

He said the location of project activities would be Trinity Hospital, 4500 Utica Ridge Road, Bettendorf, Iowa.

He said, in regards to any relocation that will have to take place as a result of the CDBG project, there would be none so this point is not applicable.

He said the County contact information for residents to contact with concerns or complaints regarding the project is David Farmer, Director of Budget and Administrative Services.

He said, in regards to Community Development and Housing Needs of low to moderate persons in the county and any planned or potential activities to address these needs, the County should ask for public input on this item, which is being done now, and include public comments in the minutes.

He said, in regards to other Community Development and Housing needs and any planned or potential activities to address these needs, the County should ask for public input on this item, which is being done now, and include public comments in the minutes.

He said this grant process started very early in the pandemic and we have just now reached this stage. He also noted that the Board has some policies which will address the use of these funds and for CDBG grant purposes.

He said now was the time for anyone from the public to speak on the Community Development and Housing Needs.

Knobbe asked if there was anyone from the public who wished to speak.

No one from the public spoke.

Supervisor Croken said he has had a great deal of experience with mental health first aid and said this is a most welcomed advancement to that project.

Supervisor Knobbe thanked Farmer for his work on the grant and he indicated his support of this worthwhile project.

Moved by Kinzer, seconded by Croken a motion to close the public hearing. Roll Call: All Ayes.

Moved by Kinzer, seconded by Croken the first of two readings of an ordinance to amend a portion of Section 6-28B SIGN AND BILLBOARD REGULATIONS of the Zoning Ordinance for unincorporated Scott County. Roll Call: All Ayes.

Croken said this appears to be a noncontroversial issue and asked is there any reason to accelerate the passage of the ordinance.

Huey said by having the first reading of the ordinance on the same agenda as the public hearing, it is accelerating it and having the second reading on the next Board agenda, it will still meet the deadline for the next Board of Adjustment meeting.

AN ORDINANCE TO AMEND A PORTION OF SECTION 6-28.B. SIGN AND BILLBOARD REGULATIONS OF THE ZONING ORDINANCE FOR UNINCORPORATED SCOTT COUNTY

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

Section 1. Amend Section 6-28.B. SIGN AND BILLBOARD REGULATIONS of the Zoning Ordinance for Unincorporated Scott County by adding:

(14) On Premise Accessory Signs that exceed high or area regulations. Any proposed accessory sign which exceeds the height or size limits identified above shall be reviewed in accordance with the provisions and criteria for a Special Use Permit established in Section 6-30.

Section 2. The County Auditor is directed to record this ordinance in the County Recorder's Office.

Section 3. 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 4. Repealer. All ordinances or part of ordinances in conflict with the provisions of the 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 Kinzer, seconded by Croken a resolution approving classification and staffing adjustments as discussed during the FY21 budget review process.

Mary Thee, Human Resources Director, said in February the Board reviewed various organizational change requests and that the four before the Board are low cost and uncontroversial. She said two are title changes.

She said the first is a position in the County Attorney's Office with a request to change the title from Administrative Assistant to Legal Secretary. She said the second is a position in the Conservation Department with a request to change the title from Naturalist Program Manager to Environmental Education Program Manager, which seems to be more consistent with similar positions across the State.

She said the third is from Secondary Roads with a request to create a new position of Senior Engineering Technician. She said the creation of this position does not fill the position and does not add any additional FTEs. She said it allows the future possibility for Engineering Techs to obtain bridge certifications and move up into the position of Senior Engineering Tech. She said to fill the position the department would have to come before the Board in a future budget year, and filling the position would be considered as part of the budget process.

She said the fourth request is from the Treasurer's Office to change the position of Cashier to Revenue Collections Specialist, which would also include a pay upgrade. She said during the salary study there was no supervisor in this position, and so it was not given an appropriate review, tending to look at it more as a bank cashier, rather than a position that passes \$1 million a year. She said this is a union position and she had a conversation in November with the AFSCME about it. She said because of the contract with AFSCME, the County and the Union would have to modify the contract to change anything relative to the position. She said AFSCME was not opposed to moving the position from range 18 to range 20. She said the additional costs for FY21 are \$4,311.

Kinzer asked if this is just moving people around or new hires.

Thee answered there are no new hires.

Croken said some of these requests are simply name changes, and some have financial implications which he is not comfortable about moving as one resolution. He said that during its last meeting the Board would not support the Sheriff for a similar request that had little or no financial impact due to the financial impact of COVID-19 on the County budget.

Moved by Croken, seconded by Kinzer a motion breaking the four positions out into four separate resolutions for voting purposes. Roll Call: All Ayes.

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

BE IT RESOLVED: 1) That the table of organization for the Attorney's Office be increased by 1.0 FTE Legal Secretary (total 3.0 FTE) to reflect the title change of the

Administrative Assistant and the decrease of 1.0 FTE of Administrative Assistant (total 0.0 FTE). 2) This resolution shall take effect July 1, 2020.

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

BE IT RESOLVED: 1) In the Conservation Department the position of Naturalist Program Manager (0.0 FTE) is hereby changed to Environmental Education Program Manager (1.0 FTE). 2) This resolution shall take effect July 1, 2020.

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

BE IT RESOLVED: 1) That the table of organization for the Secondary Roads Department be permitted to allow for the position Senior Engineering Technician (0.0 FTE), so as to encourage staff to meet requirements for future promotional opportunities pursuant to Policy D. The position shall be placed at a salary range 26. 2) This resolution shall take effect July 1, 2020.

Moved by Croken, seconded by Kinzer that the following resolution be approved.
Roll Call: Four Ayes, with Maxwell voting Nay.

Beck said that this situation was different than the one presented by the Sheriff at the last meeting in that the salary study did not recognize the supervisory requirements of the position and therefore did not recommend the correct salary range. He said this action would recognize the actual duties performed by the employee and account for the right pay range for the position.

Kinzer said that the situation presented by the Sheriff was similar to the one before the Board in that the Sheriff asked to bring an employee up to the position the employee needed to be.

Croken said that he was disappointed in that the situation with the Sheriff was the right thing to do just as this action is the right thing to do.

Maxwell said that he agreed that the situation is similar to the one presented by the Sheriff and therefore he would not support the current resolution.

BE IT RESOLVED: 1) In the Treasurer's Office the position of Cashier (0.0 FTE) is hereby changed to Revenue Collection Specialist (1.0 FTE) and upgraded from salary range 18 to 20. 2) This resolution shall take effect July 1, 2020.

Moved by Kinzer, seconded by Croken the following resolution approving Detention Youth Counselor staffing adjustments in the Juvenile Detention Center (JDC).
Roll Call: All Ayes.

Jeremy Kaiser, JDC Director, reviewed this request to add three permanent part-time employees. He said in staffing the JDC most of the shifts are covered by full-time staff, but when full-time staff take vacations or are on sick leave, JDC backfills with PRN staff or 0.2 FTEs. He said the State mandates a staff to client ratio of 1:5. He also said JDC utilizes full-time staff to facilitate community based programs and increasingly backfill their hours with the PRN staff.

He said JDC is requesting three permanent part-time employees, this change allows to back-fill more appropriately with part-time positions and will allow for recruitment and retention of consistent and reliable staff which enhance the safety of the Center. He said the budget impact should be minimal this year as the JDC would have to fill those hours regardless of any change. He said there would be future budget impacts as the part time staff would accrue wage increases and paid time off.

Croken asked Kaiser to define PRN staff.

Kaiser said PRN is a medical term, per or as needed and are not permanently scheduled to keep overtime costs low.

Croken asked about the capacity of the JDC and what kind of caseload the JDC staff is managing now.

Kaiser said to date the number is low due to COVID-19 and the court system and juvenile court have worked to empty out the Center.

Croken asked why the proposal comes up when caseloads are down, or if this is a need that has existed for a while.

Kaiser said that the community based programs started small but have continually grown, especially in the theft accountability program, and the growth was not anticipated a year ago.

Croken asked what the financial costs are in making this change.

They said there would be no immediate financial implications, but in May 2021 these positions would be eligible for a 2.5 percent wage increase.

Croken said that he supports the request, and that he saw the request as similar to the one made by the Sheriff.

Maxwell said that he saw this action as different from the Sheriff's request in that the financial impact would not be felt until next year which gives the Board time to evaluate the County's financial situation.

Beck asked how difficult is it to find someone to work a 0.2 FTE as opposed to a 0.6 FTE.

Kaiser said it is extremely difficult to get people to work for a 0.2 FTE job for any significant period of time.

Kinzer asked if providing the 0.6 FTE positions were sufficient to meet the needs of the Center.

Kaiser said at this time this action would be sufficient and he would continually evaluate the staffing situation at the Center.

BE IT RESOLVED: 1) That the table of organization for the Juvenile Detention Center be adjusted by permitting three part-time Detention Youth Counselors to be regularly scheduled as 0.6 FTE (1.8 FTE/Detention Youth Counselors PT) and the remaining budgeted part-time 0.2 FTE Detention Youth Counselor be coded as per needed (PRN) staff. 2) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Croken the following resolution approving classification and staffing adjustments related to the Information Security Analyst in the Information Technology Department as discussed during the FY21 budget review process. Roll Call: All Ayes.

Matt Hirst, IT Director, reviewed the FY21 organizational change to create a full-time Information Security Analyst position from the current part-time position. He said one of the County's responses to the current pandemic has been an increase in working from home or telework. He said that has opened up a multitude of new risk factors for the County and this request would let IT proactively address some of those risk factors. He said by extending the option to work from home, the County has essentially extended its network into the homes of employees who telework, and this factor provides greater opportunity for malicious actors to attack the County computer network.

Hirst said if the request is approved he would promote Matt Wrage, who currently is in the part-time position, to a full-time Information Security Analyst position, and then will promote internally one of the Help Desk Specialists to Network System Administrator. He said this will benefit IT because two Network System Administrators are eligible to retire in the very near term, and those employees could cross train on some of the technical platforms that need support. He said he consulted with HR about financial concerns, and to minimize costs, the Help Desk Specialist position would not be filled for the foreseeable future.

Croken asked Thee what the net financial implications of this change are.

Thee answered it would be a \$19,000 increase. She said when this was proposed in February, before the COVID-19 pandemic, the cost increase was \$94,000. She said the plan described by Hirst reduces the increase to \$19,000 for FY21.

Croken asked Thee if in her estimation employees would be returning to their offices in the foreseeable future.

Thee said that she has attended webinars from United Healthcare, Gallagher, (the County's risk insurer), and Holmes Murphy, (the County's health insurance consultants), and each webinar suggested letting employees telework as long as possible so as not to spread the disease any further by bringing people back to the workforce. She said each department will make individual decisions, but the recommendation is continue to telework until there is a viable treatment or vaccine.

Beck said he has attended seminars regarding cyber security and learned that cyber thieves look for the weakest link in a computer system, which could be a thermostat or similar device. He said that this position was reviewed prior to the current pandemic situation and was needed at that time, and the need is even more now with teleworking.

Croken said that he was looking for the reason to approve this change now given the financial challenges the County will face due to the pandemic.

Hirst said the position was needed and justified before the pandemic, and with telework the need has exponentially increased. He said having a full time network security analyst would allow for being proactive and not just reactive to network security threats.

Croken said his concern was that the Board would not necessarily be supportive but he personally was supportive.

Kinzer said the issue has been a concern since he joined the Board. He said telework was unprecedented and could last well into the future.

Knobbe said that he was surprised that the County did not have a full time position dedicated the cyber security. He said this was a risk issue like any other, but with a greater likelihood and a greater financial impact. He said the risk was not just for the County but also for the various jurisdictions for which the County collects taxes. He said the risk was unbelievably large and it was irresponsible for the County to rely on just its policies or insurance protection.

Maxwell said he supports the change because the County cannot afford to not make the change. He said that he appreciated the staff effort to reduce the financial impact of the change, and he appreciated the scrutiny of Supervisors on the financial impacts.

BE IT RESOLVED: 1) That the table of organization for the Information Technology Department be increased by 1.0 FTE to allow for the position Information Security Analyst (total 1.0 FTE). The position shall be placed at a salary range 31. 2) This resolution shall take effect July 1, 2020.

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

BE IT RESOLVED: 1) The hiring of Michelle Keever for the position of part-time Custodian in the Facility & Support Services Department at the entry level rate. 2) The

hiring of Madeline Pedersen for the position of part-time Custodian in the Facility & Support Services Department at the entry level rate.

Moved by Kinzer, seconded by Croken the following resolution approving a five year agreement with Qmatic for customer queueing cloud hosted software in an amount not to exceed \$9,824.43 annually and a one-time implementation cost of \$18,289.00.
Roll Call: All Ayes.

Hirst said IT requested and received a quote from Qmatic for an upgrade to the software at the request of the Treasurer's Office. He said the customer queueing upgrade project includes the latest version of Qmatic software, professional services for installation of the cloud hosted Software as a Service (SaaS), professional services for system configuration, training, appointment scheduling, and transition to cloud hosted software from the current on premise licensed solution.

He said the purpose of the upgrade is to address the threat of COVID-19 by reducing traffic when the Administrative Center opens after June 1st. He said the program will allow customers of the Treasurer's Office and the Recorder's Office to use their phones or computers to schedule appointments with the hope of eliminating congregations of people in the building at one time. He said in the future the upgrade would potentially allow for other departments to benefit from that type of customer scheduling.

He said the Treasurer's Office requested to move the agreement through an emergency authorization procedure, whereby Mary Thee, Assistant County Administrator, signed a five year agreement with Qmatic in order to meet a June 1st deadline as the Governor reopens the State. He said Qmatic said the only way to meet a June 1st deadline was to sign the agreement in the middle of last week.

Beck asked what would happen if a customer did not have access to a cell phone or computer and if they would be able to call in for an appointment.

Hirst answered yes, customers could call in and could also access the kiosk in the lobby of the Administrative Center.

Farmer said this could qualify for a FEMA public assistance expenditure for social distancing and he is tracking the expense to go to FEMA for 85 percent reimbursement if approved.

Croken asked if the County has already entered into the agreement.

Hirst said yes and that the resolution retroactively approves the agreement and the contract was already signed per County policy as an emergency action.

Croken said he did not think it was an emergency to qualify staff to act without Board approval and the Board could have been assembled in a special meeting.

Kinzer asked if this would not have fallen under the duties authorizing the County Administrator to act in emergencies.

Mahesh Sharma, County Administrator, said he came to the Board when the pandemic started and said there will be a time that we will be making a decision that will fall under an emergency situation and, once that decision is made he would bring it to the Board's attention. He said this particular case falls under that category. He said he authorized the Assistant County Administrator to act in his behalf at a time he was in self-isolation at the direction of the Iowa Department of Public Health.

Croken said that Board members should have received an email telling them what action was being taken and why it was being taken, which would have allowed for Board members to ask questions or express concerns. He said this was not an emergency in the sense an action needs to happen immediately or something dreadful will happen.

Kinzer asked what the impact would have been if the action was not taken.

Hirst said that without the action the County would not be able to implement the customer scheduling software by June 1st, which in turn would have impacted the ability to open the Administrative Center. He said there are several other Iowa county treasurers which use Qmatic software who did not act as soon as Scott County and therefore are looking to open on July 1st instead of June 1st.

Croken said that these facts do not change the fact that the Board was not informed.

Beck said that he supports this as an emergency action.

Hirst said that he would be sure to inform the Board of any future emergency actions.

BE IT RESOLVED: 1) The authority of the Assistant County Administrator/HR Director to sign an agreement for five (5) years of Qmatic customer queueing cloud hosted software in an amount not to exceed \$9,824.43 annually and one-time implementation costs of \$18,289 is hereby approved. 2) This resolution shall take effect immediately.

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

RESOLUTION AUTHORIZING AMENDMENTS TO THE REVENUE REFUNDING BOND (RIDGECREST VILLAGE PROJECT), SERIES 2016 (THE "BOND") ISSUED BY SCOTT COUNTY, IOWA; THE EXECUTION AND DELIVERY OF CERTAIN AMENDMENTS TO THE LOAN DOCUMENTS PURSUANT TO WHICH THE BOND WAS ISSUED; AND THE EXECUTION OF OTHER DOCUMENTS RELATED TO AMENDMENTS TO THE BOND

WHEREAS, the County of Scott, State of Iowa (the "Issuer"), is a County authorized and empowered by the provisions of Chapter 419 of the Code of Iowa, as

amended (the "Act"), to issue revenue bonds or notes for the purpose of financing the cost of acquiring, by construction or purchase, land, buildings, improvements and equipment, or any interest therein, suitable for the use of any facility for an organization described in Section 501(c)(3) of the Internal Revenue Code (the "Code") which is exempt from federal income tax under Section 501(a) of the Code (a "Tax Exempt Organization") and to refund any bonds or notes issued pursuant to the Act; and

WHEREAS, at the request of Christian Retirement Homes, Inc. d/b/a Ridgecrest Village (the "Borrower"), a Tax Exempt Organization, the Issuer issued its Revenue Refunding Bond (Ridgecrest Village Project), Series 2016, in the original principal amount of \$13,175,000 (the "Bond") pursuant to the Act and loaned the proceeds thereof to the Borrower pursuant to the Loan Agreement dated as of November 1, 2016 (the "Original Loan Agreement") between the Issuer and the Borrower for the purpose of: (i) refunding the Issuer's outstanding Revenue Refunding Bonds (Ridgecrest Village), Series 2006, originally issued in the principal amount of \$13,820,000 (the "Prior Bonds"), the proceeds of which were used to (a) refund the Issuer's previous issues of \$11,500,000 Revenue Bonds (Ridgecrest Village Project), Series 2000A and \$2,500,000 Revenue Bonds (Ridgecrest Village Project), Series 2000B, Extendable Rate Adjustment SecuritiesSM (EXTRASSM), (b) fund a debt service reserve fund for the Prior Bonds, and (c) pay costs of issuance and certain other costs associated with the issuance of the Prior Bonds; (ii) funding a debt service reserve fund for the Bond; and (iii) paying costs of issuance and certain other costs associated with the issuance of the Bond; and

WHEREAS, in order to secure repayment of the Bond and to provide for the issuance of the Series 2016 Note (as defined in the Original Loan Agreement), the Issuer, the Borrower and Cedar Rapids Bank and Trust Company (the "Lender") entered into the Fifth Amendment to Loan Agreement, Mortgage and Security Agreement Fixture Financing Statement among the Issuer, the Borrower and the Lender (the "Fifth Amendment to Mortgage") amending and supplementing the Loan Agreement, Mortgage and Security Agreement dated as of October 15, 1993 (the "Original Mortgage") as previously amended and supplemented by the First Amendment to Loan Agreement, Mortgage and Security Agreement dated as of September 1, 2000 (the "First Amendment to Mortgage"), the Second Amendment to Loan Agreement, Mortgage and Security Agreement dated as of November 1, 2004 (the "Second Amendment to Mortgage"), the Third Amendment to Loan Agreement, Mortgage and Security Agreement dated as of September 1, 2006 (the "Third Amendment to Mortgage"), and the Fourth Amendment to Loan Agreement, Mortgage and Security Agreement dated as of December 1, 2015 (the "Fourth Amendment to Mortgage," and together with the First Amendment to Mortgage, the Second Amendment to Mortgage, the Third Amendment to Mortgage, the Fifth Amendment to Mortgage and the Original Mortgage, the "Mortgage"), to subject the Borrower's facilities and the real estate relating thereto to the lien of the Mortgage and to provide for the issuance of the Series 2016 Note; and

WHEREAS, the Bond was sold to Cedar Rapids Bank and Trust (the “Lender”);
and

WHEREAS, the Borrower has requested the Issuer to amend the Bond, the Loan Agreement pursuant to a First Amendment to Loan Agreement (the “First Amendment to Loan Agreement”) between the Issuer and the Borrower and the Fifth Amendment to Mortgage pursuant to a First Amendment to Fifth Amendment to Loan Agreement, Mortgage, and Security Agreement Fixture Financing Statement (the “First Amendment to Fifth Amendment to Mortgage”) among the Issuer, the Borrower and the Lender in order to modify the interest rate on the Bond and to extend the maturity of the Bond;

WHEREAS, notice of intention to amend the Bond has, as directed by the Board of Supervisors of the Issuer, been duly given in compliance with Section 147(f) of the Internal Revenue Code; and

WHEREAS, a public hearing has been held on the proposal to amend the Bond at the time and place as specified in the notice and all objections or other comments relating to the amendments to the Bond have been heard; and

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Scott County, Iowa, as follows: 1) The amendments to the Bond, the First Amendment to Loan Agreement and the First Amendment to Fifth Amendment to Mortgage, in substantially the forms as have been presented to and considered by this Board are hereby approved, and the Chairperson and County Auditor are hereby authorized and directed to execute and delivery the amended Bond, the First Amendment to Loan Agreement and the First Amendment to Fifth Amendment to Mortgage, with such changes, modifications, deletions or additions as deemed appropriate by Bond Counsel. 2) The Bond and interest and premium, if any, thereon shall never constitute the debt or indebtedness of the Issuer within the meaning of any constitutional or statutory provision or limitation and shall not constitute nor give rise to a pecuniary liability of the Issuer or a charge against its general credit or taxing powers, but the Bond and interest and premium, if any, thereon shall be payable solely and only from the revenues derived from the Loan Agreement and the debt obligations of the Borrower delivered pursuant thereto; and no part of the cost of financing the foregoing purposes will be payable out of the general funds or other contributions of the Issuer (except the proceeds of the Bond). 3) The Chairperson and the County Auditor are hereby authorized and directed to execute, attest, seal and deliver any and all documents and do any and all things deemed necessary to effect the amendments to the Bond and the execution and delivery of the First Amendment to Loan Agreement and the First Amendment to Fifth Amendment to Mortgage, and certificates and agreements required to carry out the intent and purposes of this Resolution, including the preamble hereto and the execution by the Chairperson and the County Auditor of the amended Bond, the First Amendment to Loan Agreement, the First Amendment to Fifth Amendment to Mortgage, and the required certificates and agreements shall constitute conclusive evidence of their approval and this Board’s approval thereof and of any and all changes, modifications, additions or deletions therein from the respective forms thereof now

before this meeting. 4) The provisions of this Resolution are hereby declared to be separable and if any action, phrase or provision shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions. 5) All resolutions or parts thereof in conflict herewith are repealed, to the extent of such conflict. 6) That this Resolution shall become effective immediately upon its passage and approval.

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

RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$3,000,000 AGGREGATE PRINCIPAL AMOUNT OF HEALTHCARE FACILITIES REVENUE BOND (WELLSPIRE PROJECT), SERIES 2020B; THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT PROVIDING FOR THE REPAYMENT OF THE LOAN; THE SALE OF SAID BONDS; THE EXECUTION OF AN ASSIGNMENT AND PLEDGE AGREEMENT; AND THE EXECUTION OF OTHER DOCUMENTS RELATED THERETO

WHEREAS, Scott County, State of Iowa (the "Issuer"), is a county and political subdivision of the State of Iowa authorized and empowered by the provisions of Chapter 419 of the Code of Iowa, as amended (the "Act"), to issue revenue bonds or notes for a project located within, or within eight miles of, the Issuer for the purpose of financing the cost of acquiring, by construction or purchase, land, buildings, improvements and equipment, or any interest therein, suitable for the use of any facility for an organization described in Section 501(c)(3) of the Internal Revenue Code (the "Code") which is exempt from federal income tax under Section 501(a) of the Code (a "Tax Exempt Organization"), to refund any bonds issued pursuant to the Act, and to retire any existing indebtedness on a facility for a Tax Exempt Organization; and

WHEREAS, the Issuer has been requested by WellSpire, LLC or an affiliate thereof (the "Borrower"), a Tax Exempt Organization, to issue revenue bonds or notes, in one or more series, in an aggregate principal amount not to exceed \$3,000,000 (the "Bonds") pursuant to the Act for the purpose of providing funds to the Borrower (a) to finance a portion of the costs of constructing, equipping and furnishing facilities of a senior living campus consisting of approximately 100 independent living apartments, 32 assisted living suites and a 40 bed nursing facility, including the retirement of any existing indebtedness related thereto (the "Project") to be located at the intersection of 53rd Avenue and Middle Road, Bettendorf, Iowa and (b) to pay costs of issuance of the Bonds; and

WHEREAS, pursuant to published notice of intention, this Board has conducted a public hearing, as required by Section 419.9 of the Act and Section 147(f) of the Code with respect to the Bonds; and

WHEREAS, the Issuer has determined that the amount necessary to defray all or a portion of the cost of the foregoing will require the issuance by the Issuer of the

Bonds, pursuant to the provisions of the Act, and it is proposed that the Issuer loan the proceeds of the Bonds to the Borrower pursuant to a Loan Agreement between the Issuer and the Borrower pursuant to which loan payments will be made by the Borrower in amounts sufficient to pay the principal of and interest and premium, if any, on the Bonds, as and when the same shall be due; and

WHEREAS, the Bonds, if and when issued, shall be a limited obligation of the Issuer, and shall not constitute nor give rise to a pecuniary liability of the Issuer or a charge against its general credit or taxing powers, and the principal of and interest and premium, if any, on the Bonds shall be payable solely out of the revenues derived from the aforementioned Loan Agreement or otherwise as provided therein; and

WHEREAS, pursuant to published notice of intention, this Board has previously conducted a public hearing, as required by Section 419.9 of the Act and Section 147(f) of the Internal Revenue Code, and this Board deems it necessary and advisable to proceed with the issuance of the Bonds and the loan of the proceeds of the Bonds to the Borrower; and

WHEREAS, the Borrower is negotiating with West Bank (or such other lead lender selected by the Borrower, the "Lender") to purchase the Bonds;

NOW, THEREFORE, Be It Resolved by the Board of Scott County, Iowa, as follows: 1) In order to finance the Project, retire any existing debt, and pay costs of issuance associated thereto, the Bonds, in an aggregate principal amount not to exceed \$3,000,000, are hereby authorized and ordered to be issued by the Issuer in substantially the form as has been presented to and considered by this Board and containing substantially the terms and provisions set forth therein, the Bonds actually issued to be in an aggregate principal amount not to exceed \$3,000,000 and an initial interest rate which will produce an initial net interest cost of not to exceed 5% per annum as may be determined by the Borrower and the Lender on or prior to the date of issuance and delivery of the Bonds. The execution and delivery of the Bonds by the Chair and County Auditor shall constitute approval thereof by the Issuer and the Chair and County Auditor are hereby authorized and directed to approve such amount and rates, within the foregoing limits by and on behalf of the Issuer. 2) The Issuer shall loan to the Borrower the proceeds of the Bonds pursuant to the Loan Agreement in substantially the form as has been presented to and considered by this Board. 3) Pursuant to an Assignment and Pledge Agreement (the "Pledge Agreement") to be entered into between the Issuer and the Lender, the Issuer, among other things, will grant to the Lender a security interest in all of the Issuer's rights, title and interest in and to the Loan Agreement, including, but not limited to, the right to receive Loan Repayments (as defined in the Loan Agreement). 4) The Bonds will be special limited obligations of the Issuer. The Bonds shall not be payable from or charged upon any funds other than the revenues pledged to the payment thereof, nor shall the Issuer be subject to any liability thereon. No holder of the Bonds shall ever have the right to compel any exercise of the taxing power of the Issuer to pay the Bonds or the interest thereon, nor to enforce payment thereof against any property of the Issuer. The Bonds

shall not constitute an indebtedness of the Issuer within the meaning of any state constitutional provision or statutory limitation and shall not constitute nor give rise to a pecuniary liability of said Issuer or a charge against its general credit or taxing powers. All costs and expenses incident to the issuance and sale of the Bonds, including but not limited to, accounting, legal, Bond Counsel and Issuer's Counsel fees, printing fees and filing fees, shall be paid from Bond proceeds or directly by the Borrower. 5) The Loan Agreement, the Pledge Agreement and the Bonds are hereby made a part of this Resolution as though fully set forth herein and are hereby approved in substantially the forms presented to the Board. The Chair and County Auditor are authorized and directed to execute, acknowledge, and deliver said documents on behalf of the Issuer with such changes, modifications, deletions or additions therein as the Borrower, the Lender and Bond Counsel may deem appropriate, such execution to be conclusive evidence of approval of such documents in accordance with the terms hereof. 6) The Chair and County Auditor are authorized and directed to execute and deliver all other agreements, certificates and documents which may be required under the terms of the Loan Agreement, Pledge Agreement, and the Bonds, or by Bond Counsel, and to take any other action as may be required or deemed appropriate for the performance of the duties imposed thereby to carry out the purposes thereof. 7) In order to qualify the Bonds as "qualified tax exempt obligations" within the meaning of Section 265(b)(3) of the Code, the Issuer hereby makes the following factual statements and representations:

(A) The Issuer hereby designates the Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code;

(B) The reasonably anticipated amount of tax-exempt obligations (other than obligations described in clause (ii) of Section 265(b)(3)(c) of the Code) which will be issued by the Issuer (and all entities whose obligations will be aggregated with those of the Issuer) during this calendar year 2020 will not exceed \$10,000,000; and

(C) Not more than \$10,000,000 of obligations issued by the Issuer during this calendar year 2020 (including the Bonds) have been designated for purposes of Section 265(b)(3) of the Code.

8) That the provisions of this Resolution are hereby declared to be separable and if any action, phrase or provision shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions. 9) All resolutions or parts thereof in conflict herewith are repealed, to the extent of such conflict. 10) That this Resolution shall become effective immediately upon its passage and approval.

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

BE IT RESOLVED: 1) Scott County has entered into an agreement with the Iowa Economic Development Agency for the procurement of Psychological First Aid Training and iPads for telehealth services in response to the COVID-19 Pandemic. 2) Iowa Economic Development Authority is requiring the adoption of the following policies not already on file:

- Residential Anti-Displacement and Relocation Assistance Plan (RARA)

- Excessive Force
- Affirmative Fair Housing

3) The Chair of the Board is hereby authorized to approve board policies related to the funding of Community Development Block Grant Funding on behalf of the Board of Supervisors. 4) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Croken a motion approving the beer/liquor license renewal for Argo General Store and Cigarette/tobacco permits for Casey's General Store #1068 and Casey's General Store #3523. Roll Call: All Ayes.

Moved by Kinzer, seconded by Croken 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 305158 through 305355 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,009,299.90. 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 \$114,834.12. 3) This resolution shall take effect immediately.

Under other items of interest, Tammy Speidel, FS&S Director, introduced Jack Seifert of Global Security as the new security guard for the Administrative Center. She said that he has more than 25 years of law enforcement experience and that he previously worked for the DeWitt police department.

Speidel reviewed plans for opening the Administrative Center to the public. She said representatives from each floor met to discuss how to reopen the building. She said custodial work hours have been altered to allow for more cleaning. She said staff have provided added hours at the General Store, and a maintenance employee was shifted to provide custodial help at SECC because EMA and SECC separated their staff.

She said physical changes include installing a larger drop box outside of the building, installing Plexiglas barriers to public facing counters, ordering hands-free, motion activated paper towel dispensers, ordering hand sanitizing stations for building entrances and high traffic offices, ordering a piece of electrostatic equipment to allow for mist spraying. She said staff installed floor stickers to remind people to stand at least six feet apart, and moved benches and chairs from hallways.

She said conference room meeting areas are being evaluated and the Qmatic upgrade is scheduled to be installed June 1st. She said notices are posted at the entrances of the buildings to deter those with COVID-19 symptoms from entering the building. She said staff will offer masks to people entering buildings.

Mary Thee said the County has very generous leave policies and the new federal law gives up to 80 hours of leave to people who may have COVID-like symptoms or care for

a family member who has symptoms. She said if someone has run out of leave the County will advance up to 80 hours of leave.

Speidel said that DHS has no local plan for opening, but is looking at how to reopen DHS offices across the entire State. She said at the Courthouse the Court scheduled the first nonjury criminal bench trial June 1st. She said that date may change and the Courts are planning to rotate staff. She said the Courts have been talking about a phased reopening and are encouraging alternate scheduling and changing processes.

Knobbe said Speidel has put a lot of thought and research into this and is supportive.

Beck asked if there was a plan to clean counters after each use.

Speidel said FS&S distributed bottles of disinfectant to each department and plans to change custodial schedules again, but has to rely on department staff to clean areas and surfaces.

David Farmer reviewed FY20 Revenue Updates as of May 13, 2020. He said the Gaming Revenue did not change in the past two weeks, the Recorder Revenue improved, the Road Use Tax and Local Option Sales Tax numbers did not change and the County Interest Income has another two weeks recorded. He said Building Permits continue to be positive as well as the Attorney Fine Collection Revenue. He said the Sheriff Revenue is an area they will continue to watch. He reviewed the General Fund Revenues to date, which he said have improved by \$3,116,353. He said Transfers are at 6.9 percent.

He said there would be a budget amendment hearing at the next Board meeting.

He said in April the average daily population in the Scott County Jail, excluding federal inmates, was at 192.86, which was a decrease of about 64 from March.

He said in April there were 2,364 rounds of golf, which was an increase of 27.8 percent from April of 2019.

Kinzer asked Farmer, for the record, how the County is doing financially.

Farmer said financially the County is still holding its own, and the budget amendment will reflect a decrease in revenues and an increase in expenditures. He said we never spend 100 percent of our budget, but there is a loss in revenue due to the pandemic, and the County is holding its own in regards to staffing and working with departments to only hire necessary essential positions. He said in the next two to four weeks we will gain a clearer picture of where we are at.

Angela Kersten, County Engineer, reviewed the access design at the intersection of US Highway 61 and 112th Avenue. She said in April the Secondary Roads Department hired IIW to perform professional design services for the safety

improvement project at this intersection. She said IIW completed the necessary survey in the design and after reviewing the crash data and the results of the traffic safety study that was performed on this intersection in 2017, three potential crash mitigation designs stood out.

She said the first design option is to build a median across US Highway 61, which is the most restricted design because it will eliminate the failure to yield left turn conflicts at the intersection. She said drivers would not make any left turn at this intersection, and closing the median could potentially create more traffic conflicts at 110th Avenue because traffic heading west on Highway 61 trying to access Oak Street would have to make a U-turn at 110th Avenue.

She said the second option is to build a restricted crossing U-turn or r-cut median. She said this kind of design will allow left turns off of Highway 61 onto 112th Avenue or Oak Street but will not allow left turns from 112th Avenue or Oak Street onto Highway 61. She said this design option was one of the recommendations in the traffic safety study and businesses and residents adjoining Oak Street and 112th Avenue to be more receptive of this design. She said this r-cut design would cost around \$75,000 and there may be partial funding for the project from the DOT in FY21 from their safety improvement program. She said she was notified recently that the County may be able to get full funding for the project in FY 2023.

She said the third option is to install a traffic signal at the intersection. She said the traffic safety study conducted an analysis to determine if that would be justified and said it met enough of the warrants to justify a signal. She noted that national research reports a 33 percent reduction in all crashes when a traffic signal is installed at a four-legged intersection not previously controlled by traffic signal, and a 67 percent reduction in right angle crashes, which are typically your left turn crashes. She said, however, that 110th Avenue, the intersection to the west, already has signals. She also noted that rear end crashes could potentially increase with traffic signals at the intersection and the 2010 Highway Capacity Manual reports 143 percent potential increase of rear end crashes when converting stop controlled intersections to signalized intersections. She said the estimated cost to build the traffic signal is \$400,000, and the County may be able to get partial or potentially full funding from the Iowa DOT FY 2023.

She recommended that the County move forward with the r-cut median design and said she spoke with Deputy Shawn Thompson, who was on the technical advisory committee when the traffic safety study was performed, and he is supportive of the r-cut median and is concerned with traffic making U-turns at the 110th Avenue intersection.

Knobbe asked if any Supervisors objected.

No Supervisors objected to moving forward and giving direction to the design consultant.

Moved by Kinzer, seconded by Croken at 8:01 p.m. a motion to close the meeting pursuant to Iowa Code Section 21.5(1)(c) to discuss pending litigation. Roll Call: All Ayes.

Moved by Croken, seconded by Kinzer at 8:23 p.m. a motion to convene in open session. Roll Call: All Ayes.

Croken asked if the Board would be interested in conducting separate Committee of the Whole and Board meetings.

Sharma said the Governor has not opened the State to having more than ten individuals in a room for public meetings yet.

Beck said there is an upcoming Supervisor meeting with the Mental Health Region.

Kinzer said he has called some county departments and visited others and thanked staff for their work.

Sharma said there is a consensus to place his and the Supervisor's comments into a proclamation.

Moved by Croken, seconded by Kinzer at 8:32 p.m. a motion to adjourn. Roll Call: All Ayes.

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

ATTEST: Roxanna Moritz
Scott County Auditor