

Scott County Board of Supervisors  
September 17, 2020 5:00 p.m.

The Board of Supervisors met pursuant to adjournment with Maxwell, Beck, Knobbe, Croken and Kinzer present. Due to social distancing concerns relating to COVID19, Supervisors and staff were spaced apart during the meeting with Chairman Knobbe and some staff participating electronically. Supervisor Beck presided over the meeting. The Board recited the Pledge of Allegiance.

Moved by Maxwell, seconded by Croken a motion approving the minutes of the September 3, 2020 Regular Board Meeting (including closed session). All Ayes.

Moved by Maxwell, seconded by Croken a motion to open a public hearing relative to an application from property owner Duane Mumm to rezone 0.31 acres, more or less, from Agricultural-Preservation District (A-P) to Commercial and Light Industrial District (C-2) in Allens Grove Township. All Ayes.

Tim Huey, Planning and Development Director, said no comments were received.

No one from the public spoke.

Moved by Maxwell, seconded by Croken a motion to close the public hearing. All Ayes.

Moved by Maxwell, seconded by Croken a motion to open a public hearing relative to an application from property owner Bradley Meyer DBA Paul Meyer Chemicals, Incorporated, to rezone 7.26 acres, more or less, from Agricultural-Preservation District (A-P) to Agricultural Commercial Service Floating District in Hickory Grove Township. All Ayes.

Tim Huey said two neighboring property owners addressed the Planning Commission and both expressed support for the rezoning.

No one from the public spoke.

Supervisor Croken said this proposal comes to the Board with the approval of the Planning and Zoning Commission and asked Huey if that was true.

Huey answered it was a unanimous vote recommending approval.

Moved by Maxwell, seconded by Croken a motion to close the public hearing. All Ayes.

Moved by Maxwell, seconded by Croken that the following resolution be approved.

Knobbe asked Angela Kersten, County Engineer, how in general Scott County policy addresses requirements for bidding on projects of this size and what her thought process was in reach her recommendation. He reviewed an earlier conversation and said she indicated the County has been in the situation before, and this is not new construction but a relatively small and simple repair project. He said Kersten told him that policy allows for identification of contractors who have worked for Scott County in the past and also those with general knowledge. He said Kersten agreed that contractors regularly call to identify themselves and the services in which the County might be interested. He said he also asked if anyone had contacted her since bids were posted and republished the fact that the Board would be making a decision on this type of service and that these four contractors were invited to participate, and that she said no one had approached her. He said he supports this recommendation and if this is redirected back to staff to go out for public bid that the results would very likely be identical and that process would chew up time enough time that the project will no longer be able to be completed this season.

Kersten said the County has used all three products, and the longer life product is worth the additional expense. She said if the project was rebid she is believes only the one bid would be made and not be able to do the work until next spring.

Croken said he agrees with Knobbe and understands Kersten's position, but if the Board wants this road repair done using the Gap-Mastic product it should rebid and ask contractors to bid using that product. He said he would like local contractors to have the opportunity to bid on the work, and he does not think they were given a fair opportunity when the product to be used was not specified. He said he will vote no on the resolution.

Kinzer said he does not agree with Knobbe, that there have be rebids and they have not come out the same. He said other contractors did not have the opportunity to bid on the project, the workforce here is ample and qualified and he will not support the resolution.

Maxwell said his issue is if the Board delays the road deteriorates more creating even bigger problems. He said he does not disagree that it needed to be rebid, it was a mistake not going for bid, in the future it must go out for bid. He said he would love to have this done locally but reluctantly he will support the resolution.

Knobbe said he disagrees with labeling the practice taken by our County Engineer as a mistake. He said she followed policy and if there is anything that should be questioned the Board ought to review policy. He said this practice has been done before, it may be done subsequently and to not lay blame at the feet of the County Engineer. He said this company uses a proprietary product that appears to be quite superior. He said he wishes that contractor were a Quad City contractor, because a local contractor would not only perform the service for Scott County, but would be performing the service in other counties and supervisors in those other counties would be kicking and screaming that it was not a local contractor delivering their service. He said he firmly stands in support of the resolution.

Maxwell said he did not mean that the Engineer made a mistake and that the Board needs to set policy on how to proceed, and have a policy session to give staff guidance. He apologized for the early misstatement.

Croken said he has no problem with it going out to bid and believes the policy is very appropriate.

Beck said the key component is that this is a performance bid, and the County asked contractors to provide their best product to perform to specs. He said this is no different when the County lets bids on computer purchases. He said this procedure is used often and Kersten went out to get option for this certain product.

Vice-Chairman Beck requested a roll call vote. Roll Call: Three Ayes, with Croken and Kinzer voting Nay.

BE IT RESOLVED: 1) That the contract for HMA Transverse Joint Repairs on 240th Street from 180th Avenue to 210th Avenue be awarded to Bergen Incorporated contingent on the submitted unit prices. 2) That the County Engineer be authorized to sign the contract documents on behalf of the Board. 3) That this resolution shall take effect immediately.

Moved by Maxwell, seconded by Croken that the following resolution be approved. All Ayes.

Maxwell said he spoke with Planning and Zoning Commission members, who passed this unanimously but with provisions and he wants those provisions left in place.

BE IT RESOLVED: 1) As the local governing body responsible for the approval of subdivision plats within its rural jurisdiction, the Scott County Board of Supervisors has on this 17th day of September, 2020 considered the Preliminary Plat of Field's Edge Addition, a nine (9) lot residential subdivision, in part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 7, 78 North, Range 5 East of the 5th Principal Meridian (Pleasant Valley Township), Scott County, Iowa, and having found the same made in substantial accordance with the provisions of Chapter 354, Code of Iowa, and the Scott County Subdivision Ordinance, does hereby approve the preliminary plat of said subdivision with the conditions that: 1. The private covenants include provisions for the ownership and maintenance of the proposed outlot; 2. The private covenants include provision for road maintenance of the private road; 3. The private covenants include provision for road maintenance of the shared private driveway between owners of lot 3 and lot 4; 4. The County Engineer review and approve all street construction plans following preliminary plat approval and prior to construction; 5. The applicant submit weekly erosion control performance reports to the County Engineer; 6. The temporary hammerhead turnaround be constructed with an approved hard surface; and 7. The applicant and staff examine the possibility of including in the private covenants, a condition waiving the right to protest annexation into the City of Bettendorf. 2) This resolution shall take effect immediately.

Moved by Maxwell, seconded by Croken that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the purchase of real estate, commonly known as 902 West Fourth Street Lots 1-6 and vacated alley way from RDB, LC in the amount of \$325,000.00 is hereby approved. 2) That the Facility and Support Services Director is hereby authorized to sign documents for the legal closing on the purchase of the above property. 3) This resolution shall take effect immediately.

Moved by Maxwell, seconded by Croken that the following resolution be approved.

Moved by Croken, seconded by Maxwell a motion to amend the agenda to read “a resolution approving earnest money in the amount of \$20,000 for a potential real estate acquisition.” All Ayes.

The Board voted All Ayes on the following resolution.

BE IT RESOLVED: 1) That earnest money for the purpose of potential real estate acquisition in the amount of \$20,000.00 is hereby approved. 2) That the Facility and Support Services Director is hereby authorized to purchase real estate on behalf of the Board of Supervisors. 3) This resolution shall take effect immediately.

Moved by Maxwell, seconded by Croken that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the County Engineer be authorized to submit the bridge located on Y68 (Scott Park Road) over the Wapsipinicon River Overflow (FHWA #020870) as a candidate for incorporation into the 2021 BUILD Grant Application that will be submitted to the Federal Highway Authority by the Iowa County Engineers Association (ICEA). 2) That, if selected, the County Engineer be authorized to submit payment to ICEA for Scott County’s equal share of the consultant fees, not to exceed \$15,000, for creation of the 2021 BUILD Grant Application. 3) That this resolution shall take effect immediately.

Moved by Kinzer, seconded by Croken a motion approving the filling of a vacant multi-service clerk position in the Recorder’s Office. All Ayes.

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

BE IT RESOLVED: 1) The hiring of Megan Higgins for the position of Senior Office Assistant in the Sheriff’s Office at the entry level rate. 2) The hiring of Susan Laures for the position of Pioneer Village Site Coordinator in the Conservation department at the entry level rate. 3) The hiring of Patricia Hinnens for the position of Multi Service Clerk in the Recorder’s Office at the entry level rate.

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

BE IT RESOLVED: 1) That the FY21 contractual agreement between the Center for Alcohol & Drug Services, Inc. (CADS) and Scott County for reimbursement for prevention services on a quarterly basis to include a detailed accounting of actual expenses is hereby approved in the amount of \$40,000. 2) That the chairman is hereby authorized to sign said agreement. 3) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) The 2019 property taxes due in September 2020 and March 2021 for John and Pamela Jones, 124 South 9th Street, LeClaire, Iowa in the amount of \$2,356.00 are hereby suspended. 2) The County Treasurer is hereby requested to suspend the collection of the above stated taxes and utility fees 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 Croken, seconded by Kinzer that the following resolution be approved.  
All Ayes.

BE IT RESOLVED: 1) The 2019 property taxes due in September 2020 and March 2021 for Twyla Hagberg, 3111 Orchard Avenue, Davenport, Iowa in the amount of \$602.00 are hereby suspended. 2) The County Treasurer is hereby directed 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 Croken, seconded by Kinzer that the following resolution be approved.  
All Ayes.

BE IT RESOLVED: 1) The 2019 property taxes and special assessments due September 2020 and March 2021 for Cyrus Sarvestaney, 2114 Gaines Street, Davenport, Iowa, in the amount of \$1,246.00 and \$346.26 including interest are hereby suspended. 2) The County Treasurer is hereby requested to suspend the collection of the above stated property taxes and special assessments 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 Croken that the following resolution be approved. All Ayes.

Maxwell said this is a great idea and it gives people one more possibility of a drop off spot that insures them it is not part of the mail service.

Croken said he agrees with Maxwell 100 percent but he wants to make clear that this resolution is in no way suggesting that the U.S. Postal Service is incapable of delivering ballots and does not want anyone drawing that conclusion.

Knobbe said he concurs with Supervisor Maxwell that it is a great idea, has talked with Auditor Moritz at length about this and is very comfortable with this arrangement.

Beck said he has been asked by several folks whether this was going to be in place because they really wanted it to be there.

BE IT RESOLVED: 1) The designation of the Administrative Center exterior drop box as a County provided accessory of the Scott County Auditor's office. 2) That the exterior drop box may continue to be utilized as a drop off location for other departments and offices located on the Scott County campus. 3) That this designation shall expire on November 4, 2020. 4) This resolution shall take effect immediately.

Moved by Maxwell, seconded by Croken that the following resolution be approved. All Ayes.

Beck said he is happy to hear that Auditor Moritz, with the cost of mailing out the absentee request forms being on Facilities, will backfill that money to FSS.

BE IT RESOLVED: 1) That the Board hereby approves the application for a grant from the Federal HAVA Cares Act Funds Program in the Auditor's Office to support the 2020 Scott County General Election in the amount of \$48,400.00. 2) That, if accepted, the Board approves receipt of such funding. 3) That the Chair is approved to sign such application. 4) This resolution shall take effect immediately.

Moved by Maxwell, seconded by Croken that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The purchase of Judicial Dialog maintenance and support in the amount of \$26,721.57 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Maxwell, seconded by Croken that the following resolution be approved. 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 abatement of the current 2019 taxes for parcel 8420231B8, address 1129 Crestview Cr. in the amount of \$764.00, parcel

84285111204, address 1738 Grant St. in the amount of \$3348.00, and parcel 84285111104, address 1730 Grant St. in the amount of \$6,644.00. 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. 4) This resolution shall take effect immediately.

Moved by Maxwell, seconded by Croken that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the appointment of Scott Haycraft, Eldridge, Iowa, to the Benefited Fire District #3 for an unexpired three (3) year term expiring on April 1, 2021 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Maxwell, seconded by Croken that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the appointment of Shelie Kirby, Rural Davenport, Iowa, to the Benefited Fire District #3 for a three (3) year term expiring on April 1, 2023 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Maxwell, seconded by Croken that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the appointment of Sara Somsy, Eldridge, to the Building Board of Appeals for a (5) year term expiring on December 31, 2024 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Maxwell, 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 307222 through 307422 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,272,189.96. 2) This resolution shall take effect immediately.

Under other items of interest, Mahesh Sharma, County Administrator, updated the Board on activities going on with the various boards and commissions he sits on. He said Nahant Marsh is planning to apply for a five million dollar grant, with a Scott County matching dollar amount. He said the SECC Radio Project is being coordinated with counties, tower bids are in progress and work on the towers will soon begin. He said he recently attended an Urban County Coalition Legislative wrap-up briefing. He said, in regards to the elevator access card project, testing has been done and he is hoping it is implemented starting Monday. Sharma noted that Quad Cities First merged with the Quad City Chamber. He said Dave Donovan was the guest speaker at the most recent Quad City Health Initiative Board meeting. He said he also serves on the Medic Board which is still working on the 28E Agreement that allows Medic to position themselves to

get some funding. He said Department Head meetings continue to take place on a weekly basis and said the FY22 budget process will begin in October.

Sharma also reviewed recent publications relating to several County staff members and Departments.

David Farmer, Budget and Administrative Services Director, reviewed FY20 Revenue as of September 16, 2020 and said the percentage of unassigned fund balance is at 21.3 percent.

He also reviewed FY21 Revenue as of September 16, 2020. He said Gaming Revenue is at \$156,787, running 3.89 percent ahead of budget. He said Recorder Revenue is at \$275,680, which is running 4.5 percent ahead of budget. He said Road Use Tax is at \$825,679, after receiving two installments and is running 3.03 percent of budget. He said the Local Option Sales Tax is at \$412,836 for the first month of FY21, putting us at a revenue ending at about \$5 million, will hold and not decline. He said County Interest Income is at \$4,147. He said the County will not earn the projected \$800,000 in Interest Income and projected the amount to be close to \$100,000 for the fiscal year. He said Building Permits revenue is \$91,995, which is running higher than estimates. He said \$194,924 in revenue from Sheriff Services is on target. He said \$97,663 in revenue from Attorney Fine Collection is on target.

He said the unassigned fund balance has dropped to 6.3 percent and said he is not concerned with that number because property tax dollars are being collected this month and that percentage will go up.

He said in August the average daily population in the Scott County Jail, excluding federal inmates, was at 255.06; the average number of self-reported veterans was 4.90; and the number of individuals with mental health concerns was 78.

He said the combined average daily juvenile detainee population at the JDC and Jail was 18.3 for August, with 9.3 at the JDC and 9 at the Jail. He said he reviewed JDC capacity levels with JDC Director Jeremy Kaiser and said they will continue to note the levels due to the law changes happening at the end of next year.

Croken asked how many juveniles are being housed elsewhere.

Maxwell asked the cost after the law changes in January 2022.

Jeremy Kaiser said looking at trends they had increases in 2018 and 2019. He said now they average 22 total per day, which includes the juveniles housed at the Jail and those housed at the JDC. He also said they have four swing beds open per night and are sending out an average of eight juveniles per day, with a detaining costs of \$365,000 to \$500,000 per year and not including transportation costs.

Croken asked how many juveniles we have elsewhere now.

Kaiser said all of the juvenile court referrals are in the JDC, but thinks all of the 9 adult waiver juveniles in the Scott County Jail were transported and are being housed in the Muscatine County Jail.

Farmer said in August there were 5,147 rounds of golf, which was a 7.6 percent increase from last year.

Kinzer reviewed the Iowa Workforce Development Board merger of Region 9 and Region 16 creating the Mississippi Valley Workforce Area.

Beck said the Eastern Iowa Mental Health Region Governing Board will be meeting in regards to the applications for Cares Act dollars.

Moved by Croken a motion calling on Governor Kim Reynolds to fully comply with all recommendations of the White House Coronavirus Task Force to limit the spread of COVID-19 in Iowa. Motion failed due to lack of a second.

Moved by Maxwell, seconded by Kinzer at 6:40 p.m. a motion to adjourn. All Ayes.

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

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ATTEST: Roxanna Moritz  
Scott County Auditor