

Scott County Board of Supervisors
September 25, 2020 9:04 a.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.

David Hartsuch, 2127 Nicholas Court, Bettendorf, said the grant was requested four days ago and it should not be voted on so quickly. He said agreement would be acceptance of private foundation dollars to carry out a public process. He said the Board should be non-partisan and one of the grant terms is that the grantee guarantee the grant is in conformance with law, and he does not think that is clear. He said this is trying to increase the number of people voting absentee and he recalls in the 2012 Election, when he was a poll watcher in the absentee precinct, he knew there were shenanigans. He said they assigned one Democrat to each of the vote counting machines, gave them a pencil to use so if any ballot was rejected, they were to mark the ballot and put it back in. He said that was a completely unlawful process, he brought it to the attention of Auditor Moritz, she made that change and since that time we have seen a deterioration in security process. He said this grant is intended to undermine the polling process, and having rovers sounds like vote harvesting.

Kerry Gruenhagen, 20319 70th Avenue, Walcott, said grant funding may violate election integrity and all counties are not accessible to it. He said he is concerned if this has been run by the Secretary of State's Office and is in line with the Iowa Legislature. He said there have been questions about this violating the federal Help America Vote Act, there have been four lawsuits filed against this funding and there is question if this is legal.

Mike Angelos, 3545 Fair Avenue, Davenport, said someone sent him a link to an article that said federal lawsuits filed to challenge use of Zuckerberg's millions claims funds used to influence the election outcome in battleground states and violates federal law. He said this is setting up the County for lawsuits and he opposes this grant.

Diane Holst, 20012 240th Street, Eldridge, said there were four lawsuits filed yesterday, CTCL is a nonprofit organization providing federal election grants to local government, and government exclusively funds elections to eliminate undue influence or the appearance of undue influence by a private party. She said she hopes the Board would table this or vote it down today and she believes that if this does not comply with the law that the money has to be paid back.

Mark Van De Walle, 4759 310th Street, Dixon, said his concern is with legality and asked the Board to vote this down.

Todd McGreevy, 633 Riverview Terrace, Bettendorf, urged the Board to decline the grant. He asked where the evidence that election would be unsafe without these funds is and why this was not put on a regular Board meeting cycle. He asked what the documented chain of custody of the mail-in ballots is.

Jennifer Lane, 6362 200th Street, Walcott, said she opposed the grant and nothing comes without strings.

Roxanna Moritz, County Auditor, said McGreevy was instrumental in helping pass post-election audits. She said there is a chain of custody for mail-in ballots and request forms and she would be happy to walk anyone through that process in the office. She said when a request is mailed to the County, it is entered into the I-VOTER system, which identifies it and gives it a serial number, and request forms are filed in the order of those numbers. She said if a person fills out another request form the I-VOTER voter system identifies that the person has already requested a ballot, and the second application is connected with the first application. She said ballots received in the mail, drop box or satellite sites, are scanned into the I-VOTER system within 24 hours of receipt. She said ballots are secured in a locked container, identified by number, and stored at the Administrative Center under camera. She said anywhere, anyone can touch a ballot is always under camera.

She said rovers do not harvest ballots. She said rovers are from the Sheriff's Office and the Scott County IT Department, one assigned to every four polling locations, and they ensure all of the equipment is working, that the locations have supplies they need and that there is not electioneering going on outside of a site. She said rovers are her eyes and ears on Election Day and are trained on all of the equipment.

She said the absentee precinct board is made up of members from each party, there is always party balance and the absentee board is autonomous of the Auditor. She said remarking happens when the machine cannot read a ballot to determine who received votes, and therefore those ballots are remarked with the voter's intent so the machine can read that ballot. She said overseas ballots that come in as an email also have to be remarked by the absentee board in order to feed them through the machine.

She said nothing requested in the grant is not already a part of election processes. She said absentee ballot processing, early voting sites and in-person voting on Election Day are in the grant request. She said budget wise she had only planned for one week of early voting, but with grant funding, now could do more. She said as the President of ISACA she knows of at least twenty Republican county auditors that have gotten grant money. She said there is no partisanship in what she is looking to do.

Supervisor Croken reminded his colleagues that the ability to file a lawsuit does not create a presumption of illegality or unconstitutionality. He said this grant does nothing more than reduce expenditures by the County on services historically provided to voters and he sees no downside to participation. He said if it makes anyone feel better, the County could hold the dollars already allocated for this purpose if and when in an unlikely distant future, someone says you have to give the money back.

Supervisor Beck said he disagreed with Croken, has not been informed that more money was needed and the public expects the County to conduct the elections without outside funding sources. He said he is concerned about lawsuits and having to repay the money in the future and if this is against the law.

Moritz said she got the grant application on September 17th from the Secretary of State's Office, and assumed it was vetted at that level. She said several polling sites will need deep cleaning and she is fine if the County wants to pay for the extra workers and costs.

Supervisor Kinzer said Thomas Nelson, 2023 Ridgeway Court in Bettendorf sent an email asking the Board to vote no or to table for review by the public. He said he reached out to the Scott County Attorney's Office, which had no issues with the grant.

Supervisor Maxwell said he is trying to grasp the urgency of a special meeting, he is not sure about saying yes today, he wants the County to take care of its own and know what is necessary to have a safe and reliable election.

Supervisor Knobbe questioned the urgency in deciding. He said when he found out a nonprofit was making the grant, he asked why somebody with no connection to Scott County would want to give the County \$250,000 for elections; what is in it for them. He said he is concerned, not so much by a lawsuit, but the question of is this a local or a state decision that needs to be made. He said he is not so concerned about the organization, whether it is right-leaning or left-leaning or somewhere in the middle. He said he is more concerned about the fact that the County is not only allowing, but inviting someone to participate in an election that is a primary government responsibility and if the County is allowing non-government influence into that process. He said perhaps this particular grant does not have a lot of strings, but he is concerned about the right to claw back in item nine. He said he is not comfortable with a yes today, but is not necessarily a no vote. He said he favored tabling the resolution.

Kinzer asked Moritz if there is an urgency to have a vote today.

Moritz said the application is due by October 1st, it takes a lot of time in processing, and she has always tried to stay within budget. She said she has already set early voting dates and the County can go ahead and pay for more early voting, extra poll workers at a hazard pay rate and deep cleaning at polling sites due to COVID.

Kinzer said we have two options, we have a Secretary of State that put out this grant and it was vetted by the County Attorney, and asked if Moritz brought this to the Budget Manager to review.

Moritz said she sent it to the County Administrator and she has had conversations with the Budget Manager in regard to the grant.

Kinzer said the options are move forward with this grant or fully fund the election with County money.

Croken said this makes the election safer, more reliable, and more convenient for early voting.

Beck said Supervisors are just doing their due diligence to vet this out and should table a vote to have the Attorneys look into the legality of this.

Moved by Maxwell, seconded by Beck a motion to table a resolution authorizing the Scott County Auditor to submit an application and receive grant funding for General Election expenses until a Special Board Meeting on September 29, 2020. Roll Call: All Ayes.

Moritz reviewed an adjustment in salary for election officials and chairpersons. She said this came from the grant money, to insure we give hazard pay to our poll workers at \$15 per hour.

Moved by Croken, seconded by Kinzer a resolution approving an adjustment in salary for election officials and chairpersons.

Croken asked what is the current rates for these workers and how does that compare of other urban counties.

Moritz said the workers go from \$10 per hour and chairpersons from \$12 per hour to \$15 per hour. She said because of COVID this year most counties have increased their pay rates and she is needing to reach out to more individuals.

Croken asked if Moritz was concerned that without this bump in salary it would be difficult to recruit workers.

Moritz said yes, and she has been getting more people to come forward that are interested in working but will need at least three more workers at each location.

Knobbe asked what the dollar amount would be for the pay increases.

Moritz said she would get that exact total dollar amount to the Board.

Knobbe said it would be close to \$30,000.

Moritz said this only includes the poll workers.

The Board voted on the following resolution. Roll Call: All Ayes.

BE IT RESOLVED: 1) The pay rate for Election Officials and Election Chairpersons shall be \$15.00 per hour. 2) The rate shall return to the approved 2021 schedule after the completion and certification of the November 2020 general election. 3) This resolution shall take effect immediately.

Moved by Croken, seconded by Beck at 10:22 a.m. a motion to adjourn. All Ayes.

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

ATTEST: Roxanna Moritz
Scott County Auditor