

Scott County Board of Supervisors
April 18, 2019 5:00 p.m.

The Board of Supervisors met pursuant to adjournment with Kinzer, Maxwell, Beck, Knobbe and Croken present. The Board recited the Pledge of Allegiance.

Moved by Beck, seconded by Maxwell a motion to approve the minutes of the April 2, 2019 Committee of the Whole Meeting and the minutes of the April 4, 2019 Regular Board Meeting. All Ayes.

Moved by Beck, seconded by Maxwell, a motion directing the Scott County information technology department to implement an electronic meeting management system, complete with online access to indexed audio and video transcripts in order to ensure citizens universal access to all deliberations and actions by the Scott County Board of Supervisors. The cost of such system shall not exceed .2% of the total county budget and shall be designed, implemented and promoted in a way that encourages civic engagement and underscores the "openness" and integrity of county government.

Moved by Kinzer, seconded by Croken, to table consideration of the motion until the next meeting. Roll Call: Kinzer, Maxwell and Croken voting Aye, with Beck and Knobbe voting Nay.

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

Supervisor Kinzer commented that both trucks were made in America.

BE IT RESOLVED: 1) That the bid for two 2019 Dodge Ram 1500, 4X4, SSV for the Sheriff's Office is approved and hereby awarded to Deery Brothers Motors of Iowa City, Iowa in the amount of \$59,114.00. 2) This resolution shall take effect immediately.

Moved by Beck, seconded by Maxwell approval of the first of two readings of an ordinance to rezone a 1.46 acre tract, more or less, from "Agriculture-Preservation District (A-P)" to "Single-Family Residential District (R-1)," legally described part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, Pleasant Valley Township. Roll Call: Four Ayes, Kinzer voting Nay.

Kinzer said he would not be supporting the rezoning to stay consistent with his stances on prior requests to move from A-P to R-1.

AN ORDINANCE TO AMEND THE ZONING MAP BY REZONING APPROXIMATELY 1.46 ACRES IN SECTION 5, PLEASANT VALLEY TOWNSHIP FROM AGRICULTURAL-PRESERVATION (A-P) TO SINGLE-FAMILY RESIDENTIAL (R-1), ALL WITHIN UNINCORPORATED SCOTT COUNTY.

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

Section 1. In accordance with Section 6-31 Scott County Code, the following described unit of real estate is hereby rezoned from Agricultural-Preservation (A-P), to Single Family Residential (R-1) to-wit: The 1.46 acre parcel #850517004 and shown on the Plat of Survey recorded as file #2015-20040 of the Scott County Recorder's office located in part of the Southwest ¼ of the Northwest ¼, of Section 5 of Township 79 North, Range 5 East of the 5th P.M.

Section 2. This ordinance changing the above described land to Residential Single-Family (R-1) is approved as recommended by the Planning and Zoning Commission which found the request to be in substantial compliance of a preponderance of the adopted Land Use Policies.

Section 3. The County Auditor is directed to record this ordinance in the County Recorder's Office.

Section 4. 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 5. Repealer. All ordinances or part of ordinances in conflict with the provisions of the Ordinance are hereby repealed.

Section 6. Effective Date. This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

Moved by Beck, seconded by Maxwell approval of the first of three readings of an ordinance to amend Chapter 36 Tax Sale Certificate of the Scott County Iowa Code, by amending numerous sections. Roll Call: All Ayes.

Supervisor Croken complemented staff for expediting this process and cooperating with the City of Davenport and the other cities who will benefit from this change.

Supervisor Maxwell said he would encourage them to keep the ball rolling and move on the properties.

AN ORDINANCE AMENDING CHAPTER 36 TAX SALE CERTIFICATE OF THE SCOTT COUNTY IOWA CODE, BY AMENDING NUMEROUS SECTIONS THERETO BE IT ENACTED BY THE BOARD OF SUPERVISORS OF SCOTT COUNTY IOWA:

Section 1. That Chapter 36 of the Scott County Iowa Code, be and the same is hereby amended to read as follows:

**CHAPTER 36 TAX SALE CERTIFICATE
SECTIONS:**

36-1. PURPOSE

36-2. DEFINITIONS

36-3. PURCHASING DELINQUENT TAXES

36-4. PROCEDURE

36-5. VERIFIED STATEMENT

36-6. ASSIGNMENT OF TAX SALE CERTIFICATES

36-7. PURCHASE OF TAX SALE CERTIFICATES

36-8. INTENT TO REHABILITATE THE PROPERTY

SEC. 36-1. PURPOSE

The purpose of this ordinance is to allow the county and cities within the county the opportunity to utilize Iowa Code 446.19A, which states that the board of supervisors of a county may adopt an ordinance authorizing the county and each city in the county to bid on and purchase delinquent taxes and to assign tax sale certificates of an Abandoned Property or Vacant Lot.

SEC. 36-2. DEFINITIONS

For the purpose of this ordinance, the following terms shall be defined as follows:

A. "Abandoned Property," as in Iowa Code 446.19A which states "Abandoned property" means a lot or parcel containing a building which is used or intended to be used for residential purposes and which has remained vacant and has been in violation of the housing code of the city in which the property is located or of the housing code applicable in the county in which the property is located if outside the limits of a city, for a period of six consecutive months.

B. "Vacant Lot" means a lot or parcel located in a city or outside the limits of a city in a county that contains no buildings or structures and that is zoned to allow for residential structures.

C. "Public Nuisance" as in Iowa Code 657A.1(7) which states "Public nuisance" means a building that is a menace to the public health, welfare, or safety, or that is structurally unsafe, unsanitary, or not provided with adequate safe egress, or that constitutes a fire hazard, or is otherwise dangerous to human life, or that in relation to the existing use constitutes a hazard to the public health, welfare, or safety by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment.

SEC. 36-3. PURCHASING DELINQUENT TAXES

Pursuant to Iowa Code 446.19A, as amended by the 78th General Assembly, the county and each city in the county are hereby authorized to bid on and purchase delinquent taxes and to assign tax sale certificates of an Abandoned Property or Vacant Lot acquired under Iowa Code 446.19A.

SEC. 36-4. PROCEDURE

On the day of the regular tax sale or any continuance or adjournment of the tax sale, the county treasurer on behalf of the county or a city may bid for and purchase an Abandoned Property, Vacant Lot or Public Nuisance property assessed as residential property or as commercial multifamily housing property a sum equal to the total amount due. The county or city shall not pay money for the purchase, but each of the tax levying and tax certifying bodies having interest in the taxes shall be charged with the total amount due the tax levying or tax certifying body as its just share of the purchase price.

SEC. 36-5. VERIFIED STATEMENT

Prior to the purchase, the county or city shall file with the county treasurer a verified statement that the parcel to be purchased is an Abandoned Property, Vacant Lot, or is likely to become, a Public Nuisance.

SEC. 36-6. ASSIGNMENT OF TAX SALE CERTIFICATES

After the date that a parcel is sold pursuant to Iowa Code section 446.18, 446.19A, 446.38 or 446.39, if the parcel assessed as residential property or as commercial multifamily housing property is identified as an Abandoned Property, Vacant Lot, or a Public Nuisance pursuant to a verified statement filed pursuant to section 5, a city or county may require the assignment of the tax sale certificate that had been issued for such parcel by paying the holder of such certificate the total amount due on the date the assignment of the certificate is made to the county or city and recorded with the county treasurer. If the certificate is not reassigned by the county or city, the county or city, whichever is applicable, is liable for the tax sale interest that was due the certificate holder pursuant to section 447.1, as of the date of reassignment.

SEC. 36-7. PURCHASE OF TAX SALE CERTIFICATES

The city or county may assign or reassign the tax sale certificate obtained pursuant to this ordinance. Persons who purchase certificates from the city or county pursuant to this ordinance are liable for the total amount due the certificate holder pursuant to section 447.1.

SEC. 36.8 INTENT TO REHABILITATE THE PROPERTY

All persons who purchase certificates from the city or county under this ordinance shall demonstrate the intent to rehabilitate the property for habitation if the property is not redeemed. In the alternative, the county or city may, if the title to the property has vested in the county or city under section 448.1, dispose of the property in accordance with section 331.361 or 364.7, as applicable.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable 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.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

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

Kinzer asked Tammy Speidel how the work was going.

Speidel, Facility and Support Services Director, answered that work is progressing on the east side of the building and that the additional repairs that are needed are a little bit more substantial than expected. She also discussed the planning and replacement of windows at the Administrative building.

Mahesh Sharma, County Administrator, said staff is requesting permission to draft a contract with Wold to bring to the Board for approval and expedite the formal bidding process for the window replacement project.

Croken requested an explanation of what the EIFS stood for.

Sharma said it is exterior insulation finishing system, (EIFS).

BE IT RESOLVED: 1) That the bid for the removal of EIFS from the Administrative Center is accepted and awarded to River Valley Construction in the amount of \$135,568.00. 2) That the bid for the repair of EIFS at the Juvenile Detention Center is accepted and awarded to River Valley Construction, in the amount of \$3,150.00. 3) That the Director of Facility & Support Services is hereby authorized to execute contract documents on behalf of the Scott County Board of Supervisors. 4) This resolution shall take effect immediately.

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

Croken said he will support the resolution's not to exceed amount due to the emergent nature of the situation.

BE IT RESOLVED: 1) That Facility and Support Services is authorized to hire a contractor to remove and reinstall rooftop coping as needed as part of the EIFS removal project. 2) That the cost of this contract shall be in an amount not to exceed \$15,500.00. 3) That the Director of Facility & Support Services is hereby authorized to execute contract documents on behalf of the Scott County Board of Supervisors. 4) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) The hiring of Jennifer Strobbe for the position of Inmate Services Clerk in the Sheriff's Office at the entry level rate.

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

BE IT RESOLVED: 1) That since Ms. Kuhlmann is a long-term employee who was previously grandfathered as a 0.5 FTE part-time employee eligible for insurance benefits, the County agrees to continue providing insurance coverage as an exception to Ms. Kuhlmann. Ms. Kuhlmann is responsible for any applicable premiums. 2) That this resolution is an exception to current Human Resources Policy P and should not be viewed as precedent setting. 3) This resolution shall take effect July 1, 2019.

Moved by Kinzer, seconded by Croken a resolution approving changes to General Policies 4, 9, 11, 28, 30 ,34 and 44 and Human Resources Policies C,D, F,G, I, J, K, L , P, S, U, and V.

Croken said it was his understanding that the Board was going to vote on the policies separately.

Moved by Croken, seconded by Kinzer, to separately consider each policy.

Maxwell said they went over these at the Committee of the Whole very extensively and the Board had the chance then to talk about anything they wanted to do with the policies at that time.

Kinzer said he does have a concern with Policy S and had communicated that previously.

Knobbe said he would entertain a motion to amend or withdrawal any individual comments or changes recommended.

Following discussion on the motion to consider separately, Croken withdrew the motion and Kinzer withdrew the second to the motion.

Moved by Croken, seconded by Kinzer, to separately consider Policy S. All Ayes.

The Board proceeded to vote on the following resolution. All Ayes.

BE IT RESOLVED: 1) General Policies 11 "Purchasing", 30 "Grant and Funding Assistance" and Human Resources Policy G "Employee Conduct" are updated to comply with language required for the processing of purchases being made under federal grants. 2) General Policies 28 "Electronic Device Policy" and 34 "Technology Use" are updated to address overtime eligible employees receiving electronic devices that expose them to working after approved hours. It also extends the email retention from 3 years to 5 years. 3) General Policy 4 "Emergency Plans" updates the language to reflect the current phone system utilization of 911. 4) General Policy 44 "Emergency Notification and Alerting" is a new policy implementing the usage of Alertus utilization and notification of emergent situations. 5) General Policy 9 "Credit Cards" prohibits taking credit card numbers over the phone. 6) Human Resources Policy C "Recruitment and Selection" is modified to reflect the practices related to recruitment and clarifies the current nepotism policy to address not only hiring, but supervision. 7) Human Resources Policy D "Classification and Compensation" updates the policy to reflect the movement away from the Hay compensation system to the market and equity system adopted by the Board during budget process. 8) Human Resources Policy F "Performance Appraisal and Development System" is updated to reflect the implementation of changes in the compensation system, thereby directing Human Resources how to process changes. 9) Human Resources Policy I "Hours of Work" addresses the impact of changes to the collective bargaining law no longer allowing supplemental pay issues to be addressed in the union contracts. 10) Human Resources Policy J "Overtime Compensation" adds language requested by the Sheriff to address Bailiff, Bailiff Sergeant, Classification Specialist and Corrections Sergeants ability to receive overtime after their regular shift. Additionally compensatory bank limits are

made consistent for staff. 11) Human Resources Policy K “Holidays” deleted language not being used by the Health Department. 12) Human Resources Policy L “Vacation” allows for employees to obtain 5 weeks of vacation after 20 years of employment. 13) Human Resources Policy P “Insurance and Deferred Compensation” modifies the pay grades eligible for specific life insurance benefit and increases the deferred compensation match. 14) Human Resources Policy U “Separation of Employment” clarifies that employees need to be physically present on their last day of work and adds “catastrophic events” as possible reason for layoffs. 15) Human Resources Policy V “Employee Recognition” clarifies that regular part-time employees, not temporary or PRN, are recognized based on date of hire. 16) This resolution shall take effect immediately, however policies D, F, I, J, L and P shall become effective July 1, 2019.

Kinzer said his concern is with adding Assistant County Administrator to the policy and with removing the Board from the process. He said the Board should be the final step in the grievance process.

Mary Thee said the change was discussed with the Board last fall and it is ultimately the Board’s decision to approve the change or not.

The Board proceeded to vote on approving changes to Human Resources Policy S “Employee Grievance Procedure” which modifies the policy so the County Administrator would hear the final grievance step. Roll Call: Kinzer, Maxwell and Croken voting Nay, with Beck and Knobbe voting Aye.

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

BE IT RESOLVED: 1) That Scott County has been directed by the Iowa Department of Human Services to suspend the collection of property taxes, assessments and rates or charges, including interest, fees, and costs for Brittany Kuhrt. The second half of the 2018 property taxes for Brittany Kuhrt 3705 West Locust Street Lot 11, Davenport, Iowa in the amount of \$59.00 including interest are hereby suspended. 2) That the collection of all property taxes, special assessments, and rates or charges, including interest, fees, and costs assessed against the parcel at 3705 West Locust Street Lot 11, Davenport, Iowa remaining unpaid shall be suspended for such time as Brittany Kuhrt remains the owner of such property, and during the period he/she receives assistance as described in Iowa Code Section 427.9. 3) That the County Treasurer is hereby directed to suspend collection of the above stated taxes, assessments, and rates or charges, including interest, fees, and costs, thereby establishing a lien on said property as required by law, with future collection to include statutory interest. 4) 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 second half of the 2017 property taxes due March 2019 for Michele Smith, 2017 West 69th Street, Davenport, Iowa, in the amount of \$677.00

including interest are hereby suspended. 2) The County Treasurer is hereby requested to suspend the collection of the above stated taxes thereby establishing a lien on said property as required by law with future collection to include statutory interest, if any. 3) This resolution shall take effect immediately.

Moved by Maxwell, seconded by Beck a resolution opposing property tax reform bills under consideration in the Iowa Legislature. All Ayes.

Knobbe asked staff to talk briefly about the bills.

David Farmer, Budget and Administrative Services Director, discussed the action being taken in the Iowa Legislature regarding the bills proposing a two percent cap on property tax revenue per year. He said he is concerned about the complicated referendum and its impact on the County's recommended budget as well as the impact on cities. He also said the bills take away local control of the Supervisors, as elected officials, and it would be very difficult for Scott County to function on a two percent cap.

BE IT RESOLVED: 1) That Scott County remains committed to keeping taxes low and providing great value to its citizens, but opposes HF773 and SSB1260 for the above-stated reasons. 2) This resolution shall take place immediately.

Moved by Maxwell, seconded by Beck a motion approving a beer/liquor license renewal for Davenport Country Club. All Ayes.

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

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 297765 through 298014 as submitted and prepared for payment by the County Auditor, in the total amount of \$989,923.87. 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 \$115,873.55. 3) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) That the Board of Supervisors has declared a state of emergency authorized under the Iowa State Statute and will execute the expenditure of emergency funds from all available sources and the applying to the State of Iowa for assistance. 2) The Chair of the Board of Supervisors will sign an Emergency Declaration. 3) This resolution shall take effect immediately.

Farmer updated the Board on FY19 revenues as of April 17, 2019. He said the form was changed to reflect the FY19 amended budget. He said that the Gaming Revenue dollars are right on budget. He said Recorder Revenue is down about

\$73,616. He said the Road Use Tax is up about \$266,326, which feeds the budget for gravel and ice control. He said the Local Option Sales Tax is running pretty close to the budget amendment and still better than last year. He said County Interest Income to the General Fund is running ahead. He said Building Permits numbers came back in line due to a good March and April. He said Sheriff Revenue for services is right on pace from the amended budget numbers. He also highlighted that Attorney Fine Collection numbers should come in right on budget at \$400,000. Farmer noted that the County does not have discretion on what can be charged for most of the revenue sources, that they are state-mandated charges that the County keeps a portion of the fee.

He said there were 292 golf rounds at Glynns Creek in the month of March, which is 22% higher than last year, but still down 8.8 percent for the year.

Farmer said that the March average daily jail population, including no federal inmates, was at 303, which is greater than the past two years.

Croken acknowledged that the Mayor of Eldridge, Marty O'Boyle, and Patrick Peacock, Davenport 7th Ward Alderman candidate, were in attendance at the meeting.

Kinzer said he sent the Supervisors the information that was requested from the Lower Cedar Watershed Board.

Moved by Maxwell, seconded by Beck at 5:56 p.m. a motion to adjourn. All Ayes.

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

ATTEST: Roxanna Moritz
Scott County Auditor