

Scott County Board of Supervisors  
May 16, 2019 5:00 p.m.

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

Moved by Beck, seconded by Maxwell a motion to approve the minutes of the April 30, 2019 Committee of the Whole Meeting and the minutes of the May 2, 2019 Regular Board Meeting. All Ayes.

Moved by Beck, seconded by Maxwell a motion to open a public hearing relative to the County's current FY19 Budget. All Ayes.

No one from the public spoke.

David Farmer, Budget and Administrative Services Director said no comments were received from the public.

Supervisor Croken asked what the net change to the budget is.

Farmer said the net change is roughly an additional \$1.0 million in expenditures excluding debt issuance. He noted that it looks like the issuance of debt will occur in July. He said the increase included \$665,000 for Public Safety and Legal Services and \$385,000 for Roads and Transportation.

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

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

BE IT RESOLVED: 1) A Grant to the Living Roadway Trust Fund to be used for the purchase of a spray unit be approved. 2) The County Engineer is authorized to submit such grant to the Iowa Department of Transportation for consideration. 3) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) That the bid for one 2019 John Deere Model 770G for Secondary Roads is approved and hereby awarded to Martin Equipment of Illinois Inc., Rock Island, Illinois, in the amount of \$177,000. 2) This resolution shall take effect immediately.

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

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

BE IT RESOLVED: 1) The hiring of Trameka Woods for the position of part-time Detention Youth Counselor in the Juvenile Detention Center at the entry level rate. 2) The hiring of Marshano Richardson for the position of part-time Detention Youth Counselor in the Juvenile Detention Center 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 County Application for Substance Abuse Funding for State Reimbursement for the period of July 1, 2019 – June 30, 2020, is hereby approved. The application is to be submitted to the Iowa Department of Public Health requesting \$10,000 in state funds to match local substance abuse prevention funding. 2) That the Director of the Health Department is designated as the Board of Supervisors' Board Authorized Signatory within the IowaGrants.gov electronic grant management system and is authorized to sign the application and contract award. 3) That, if accepted, the Board approves receipt of such funding. 4) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) The authority of the County Treasurer to sign a five (5) year contract extension with Tyler Technologies in an amount not to exceed \$70,056 annually for Incode Tax software subscription agreement is hereby approved. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED: 1) A budget amendment to the current FY19 County Budget as presented by the County Administrator is hereby approved as follows:

SERVICE AREA	FY19 AMENDMENT AMOUNT
Public Safety and Legal Services	\$665,692
Physical Health and Social Services	\$30,079
Mental Health, ID & DD	\$0
County Environment and Education	(\$3,539)
Roads and Transportation	\$384,447
Government Services to Residents	\$41,477
Administration	\$349,747
Nonprogram Current	\$0
Debt Service	\$6,600,000

Capital Projects	\$3,339,141
Operating Transfers Out	\$43,141

2) This resolution shall take effect immediately.

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

BE IT RESOLVED: That the appointment of Mahesh Sharma to the Quad Cities First Board for a two (2) year term expiring on June 30, 2021 is hereby approved. 2) This resolution shall take effect immediately.

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 298303 through 298536 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,691,492.80. 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 \$102,800.21. 3) This resolution shall take effect immediately.

Farmer updated the Board on FY19 revenues as of May 14th. He said Gaming Revenue dollars are on pace at about \$680,000, but Recorder Revenue is tracking 6.61 percent down due to fewer title recordings and fewer conservation vehicle tags, boats, ATVs and so forth. He said the state neglected to put in a dollar service charge when making renewals by mail and so the Recorder could not recover that dollar which added up to about \$2,000. He said Road Use Tax did not change from last month. He said Local Option Sales Tax Revenue is down 2.5 percent, that sales tax distributions for internet sales should start to appear soon, and hopefully next month he will receive notice of the April distribution. He said Interest Income continues to click up before any distribution to the other funds. He said Fine Collection Revenue is up 5.9 percent.

He said the golf season had a slow start and the number of rounds are down seven percent compared to the prior year. He said the number should rebound in May due to some nicer weather.

He said the April average daily jail population, excluding federal inmates, was 303, noted that the population was about 300 for four consecutive months, and almost ten percent more when compared to 2017 and 2018. He said the increase was due to the effects of the state not renewing the pre-trial release program and that a number of more serious crimes were committed in the past 90 to 120 days.

Supervisor Beck noted that recently when he met with the JDC Director they talked about tracking the numbers for that facility and asked staff if they could incorporate those numbers into the report.

Mahesh Sharma, County Administrator, said he gets a report from JDC and that he will include the numbers in the dashboard report.

Croken said, in the meetings of the 7<sup>th</sup> Judicial District Services Group, the pre-trial release issue is a huge topic. He said that this is a moral issue in that people are in our jail who have been convicted of no crime whatsoever, and many of them will not be convicted of a crime and yet are in jail. He said that he hopes the Board will take up the issue of the people in jail who suffer from mental disease or disorder who need treatment not incarceration. He said the Scott County Mental Health Court will be having its first graduation soon and that the Board needs to consider moving resources in support of the Mental Health Court and get people out of the jail and into treatment.

Farmer also reviewed the schedule of events related to the General Obligation Bonds, Series 2019. He said the SECC Board just approved a contract with Racom, and staff has been preparing to issue general obligation debt for the County. He said the County is looking at three series for general obligation bonds not to exceed roughly \$19.3 million total, with the Board voting on May 30<sup>th</sup> to set a public hearing for June 27<sup>th</sup>. He said that number is high because the \$19.3 million includes \$6.6 million for refunding the 2009A series bonds, and that the County has money in the Debt Service Fund specifically to relieve some of the County's debt for these bonds. He said the bonds for refunding the 2009A Series will be closer to \$3.5 million rather than \$6.6 million, and he will have specific numbers for the May 30<sup>th</sup> Board meeting. He said staff is asking the Board to set the public hearing a full month in advance to ensure meeting the ten and twenty day newspaper publication requirement and line up Board meeting dates so he can be in attendance to answer questions.

He said that June 27<sup>th</sup> is the next key date in that the Supervisors will hold a public hearing and adopt the resolution to take action on the 2019 Series of Bonds and to adopt a resolution for electronic bidding procedures, notice of bond sale and preliminary official statement. He said that another key date is the June 25<sup>th</sup> Committee of the Whole meeting when the bond counsel will conduct a training for staff and the Board about what happens when debt is issued and what are some of the significant rules about what the County is taking on.

He said they would look to receive bond bids on the morning of July 11<sup>th</sup>, a regular Board meeting date, and that evening the Board will accept the bids and recommend a bid for those bonds. He said they will know the interest rates and the overall issuance cost at that point. He said they will close on the bond documents on or about August 12<sup>th</sup>.

Farmer said the contract that the SECC Board approved has a payment schedule to Racom of approximately 15 percent of the contract amount due after signing and another payment in August. He said at this time it looks as if SECC has enough available fund balance to make that payment and SECC will not need to draw money from the County early in order to make the payment. He said that if SECC needs to

draw any money early, the County's Capital Fund would make the payment and be reimbursed for the bond proceeds.

Knobbe asked if reimbursement was approved earlier.

Farmer answered yes and said that the Board approved a reimbursement resolution.

He also said that while the Board does not have an issue with having a quorum, he wants to make sure the Supervisors are very aware of the key dates on the schedule.

Farmer said they are looking at issuing three series; one for infrastructure, one for radios and one for refunding 2009 debt. He said issuing three series will help delineate payment sources, so that the refunding bonds will continue to be paid by the E911 fund, the infrastructure costs will be paid by a portion of the E911 fund and debt levy if needed, and the radios are on the debt levy. He said if the County received any outside funding, whether it be another grant or a community contributes toward the radios, taxes would be abated and the debt service levy could be reduced. He said if this happens the countywide the debt service levy would be reduced, not just for one specific community.

Croken asked about any update on radios for the rural communities.

Knobbe said that is part of the discussion as well.

Farmer said he foresees issuing debt for the entire \$5.8 million. He said Rock Island County made intergovernmental agreements with their smaller jurisdictions in order to fund that side of the project. He said Scott County approached the project through a bond issuance and the debt service levy, so the County would not depend on intergovernmental agreements with other communities regarding infrastructure or radios. He said the recommendation is that the County issue debt for 100 percent of the radios, and that if any jurisdiction helps pay for the radios, the payment will help abate the taxes and thus reduce debt service costs. He said the amount of proceeds needed in the near term is roughly \$5.8 million and the only way to guarantee that money right now is through the debt issuance.

Knobbe said that there was a lively discussion at the SECC Board meeting, questioning if we have the proper number of radios and identifying how many need to be purchased, some discussion that all of the agencies should have some skin in the game, and that the Supervisors would decide on the percentage. He encouraged Supervisors to have discussions in the communities, not just with the agencies, but with the citizens. He said he is going to hold his comments until they enter into those discussions.

Croken asked if Supervisors can rely on a decision being made before they are asked to vote.

Farmer said he still sees needing \$5.8 million for radios, which includes the related issuance costs and the first year's interest payment.

Croken said he understands Farmer's perspective, but he does not want to enter into the \$5.8 million until he has a clear understanding that the smaller communities, that do not actually have any skin to put in the game, are still going to get their radios.

Farmer said that if the debt is resized down the Board would need to make that decision by June 1st.

Maxwell asked if the debt would be \$5.8 million if rural communities pay zero.

Farmer said yes and if money comes forward, future debt service asking would be reduced by that certain amount, and that the Board of Supervisors is the deciding entity on how much debt will be issued. Farmer said he needs direction from Supervisors if they are not interested in moving on the \$5.8 million.

Knobbe said he wants to put a discussion on the next agenda.

Sharma said the discussion can be put on the next board agenda.

Kinzer said he agrees with Croken about having skin in the game and wants to make sure they are fully funded.

Croken asked Sharma if staff can make a special communication directly to the volunteer fire chiefs' association and their members letting them know about the conversation happening at the Committee of the Whole meeting.

Sharma said yes, and that the EMA typically corresponds with the different agencies.

Kinzer said that the Partners of Scott County Watershed had a strategic planning session. He thanked Tammy Speidel and the FFS staff for all they have done in regards to dealing with the elevator project, a sewer problem, the EIFS issue and the flood and appreciates what they did to take care of the issues and the actions they took on the issues for employees and for the public affected.

Moved by Beck, seconded by Kinzer at 5:46 p.m. a motion to adjourn. All Ayes.

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

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ATTEST: Roxanna Moritz  
Scott County Auditor