

Scott County Board of Supervisors
July 23, 2019 8:00 a.m.

The Board of Supervisors met as a committee of the whole and pursuant to adjournment with Beck, Knobbe, Croken, Kinzer and Maxwell present.

Jon Burgstrum, County Engineer, reviewed the road area service reclassification program in the Secondary Roads Department. He said in 1985 the Iowa Legislature passed laws to allow Secondary Roads Departments to classify roads differently and established the Class B System intended for dirt or extremely low traffic roads with minimal maintenance, with signage stating enter at own risk and minimal maintenance. He said prior to 1985 there were gravel roads, dirt roads, roads that you could not tell were roads and roads with various designations.

He said in the late to mid-1990s the State established Class C Roads. He said many farmers access their fields through Class B Roads, but grew tired of people tearing up the roads with four-wheel-drive pickups or ATVs. He said if landowners agreed, the Class C System allowed the County to erect fences, gates at either end and post no trespassing, road closed signs. He said a Class C Road remains a County road, but the County would blade and maintain the road only at the request of landowners.

Burgstrum also reviewed Iowa Code Chapter 311 pertaining to Secondary Road Assessment Districts. He said this Chapter allows for various ways for property owners within a proposed district or owners of property adjacent to a road to petition for upgrading the road and pay for a portion of the upgrading cost. He said the cost could be donation of land for extending the right-of-way for the road, or the cost to gravel.

Burgstrum also presented a list of roads staff had looked at 10 years ago, and said that in 2011 they changed five roads from Class B to Class A. He said the review also resulted in some roads being downgraded to Class C or being vacated. He said there are 17 Class B roads in Scott County.

He said that staff analyzed these roads for common aspects to use as criteria for deciding road improvement. He said the criteria included state traffic counts, number of parcels, land owners, entrances, houses and outbuildings, if the road was a through road and if it was a school bus route, right-of-way width, public interest as shown by a petition for improvement by 75 percent of land owners and willingness of land owners to pay for improvement. He said there are a possible 65 total points with a minimum of 45 points needed for further review of engineering factors and costs.

He said landowners are requesting an increase in service. He said some of the roads could make sense to improve and fit in the road system, but there still is an expense to improvement. He said when the Department receives a request he will determine whether the road gets at least 45 points, and if it does then he comes to the Board with the request and analysis to recommend going to the next step to determine a cost to bring it up to a standard and add the road project into the Secondary Roads plan.

Supervisor Beck asked how the Iowa DOT car counting process is different from the County process.

Burgstrum said that other counties in the State have their own process that could be different than this, but they all follow the Code. He said the DOT makes traffic counts every four years and that last year they did them in Scott County but not on Class B roads. He said instead the DOT uses a formula which interpolates an accurate traffic count.

Supervisor Croken asked when 75 percent of the landowners agree that they want an upgrade, is it your intention that only the 75 percent would pay for it.

Burgstrum said that is laid out in the Code, and that one hundred percent would be assessed.

Croken wondered if a public presentation of the reclassification program would benefit the process.

Burgstrum said it could and that the Department has had public meetings and discussions in the past for other issues. He said a public meeting would be more beneficial regarding specific roads rather than a general review of the process.

Supervisor Maxwell asked if someone presented a petition and it was determined to cost a million dollars, does that come out of the Secondary Roads budget or go on the next fiscal year.

Burgstrum said if staff determined it costs a million dollars, the road would be put into the five-year program and paid for out of Secondary Roads Department funds less whatever the landowners agreed to pay.

Angela Kersten, Assistant County Engineer, said staff looks at traffic counts when they set the points.

Burgstrum said they have received a petition for 20th Avenue, with some of the landowners in attendance, and that he is researching the road. He said the DOT traffic count was 30 from last summer and that one the County did last fall was 50 on a three day count. He said Y30 goes from Stockton to Highway 130 and that 20th Avenue is a gravel extension of Y30, the first mile being gravel and the second mile being dirt.

Supervisor Kinzer said he has looked at this road several times and has been told that landowners have pulled stuck cars out every now and again. He said the reclassification has been a topic of conversation since he has been on the Board.

Croken asked Burgstrum to think about looking at something above rock, such as paving the road or do something more permanent than a gravel road.

Burgstrum said that Y30 is a Farm to Market road and he would rather not improve 20th Avenue and then sometime later have to pave it as a Farm to Market road.

Burgstrum also showed a Class B and C Secondary Roads map and said the petition received was an overall petition to evaluate.

Kersten noted that to make 20th Avenue a Farm to Market road would require going before the state Farm to Market committee and might result in reclassifying another road below Farm to Market.

Burgstrum said next staff would go through cost analysis and then meet with all the landowners and the Board. He said, in order to fulfill what the law says, the landowners would have to circulate another petition to determine whether owners would be willing to make any payments or donate right-of-way.

Maxwell asked what kind of timeframe is involved.

Burgstrum said he thinks staff can get on the analysis right away but there are other projects that they are working on. He said the cost analysis could be ready around October 1st and that he would keep the landowners informed.

Burgstrum addressed members of the public, who expressed concern that property owners near 20th Avenue could be forced to pay for upgrading the road, regarding Iowa law on assessment districts and alternatives for how to pay for improvements.

Kinzer asked Burgstrum to clarify if land owners choose to not participate that the process stops.

Burgstrum said that the process does not necessary stop if the owners choose to not participate as the Board has various options including creating an assessment district. He emphasized that the process should be the same for evaluating any road upgrade.

Maxwell said that the road services the whole public and suggested to evaluate the road after the cost analysis is completed.

Angela Kersten reviewed the recommendation to post weight limit restriction signs on 20 of the 115 bridges in Scott County. She said bridges are inspected in accordance with the National Bridge Inspection Standards and the Iowa Department of Transportation is charged with managing and guiding how local authorities inspect and report on bridges. She said the County bridges were recently inspected this spring in accordance with those rules and procedures, and that eight of the bridges listed in the resolution required load restrictions based on deterioration of the structure. She said six of those bridges are in the five-year construction program.

She said that the County's consultant, Calhoun-Burns and Associates, completed a load rating for County bridges and 12 bridges now require posting. She said the analysis was

needed because in 2018 the Legislature amended the Code to allow vehicles that are transporting construction materials or equipment onto local roads and allow them to operate under the primary weight limits table. She said over the past 15 years the trucking industry has introduced closely spaced multi-axle single unit trucks onto the system and these trucks typically have four to seven closely spaced axles, such as dump trucks, construction vehicles, solid waste trucks and other hauling trucks. She said the Board needs to pass a resolution so the signs can be posted and enforced. She explained the numbers on the resolution referring to the number of axles per truck.

Kinzer asked who will enforce the weight restrictions.

Kersten said that Iowa DOT and deputy sheriffs can enforce the restriction.

Kinzer said that he was concerned that there would be insufficient enforcement of the limit and that bridges will be damaged.

Burgstrum said that enforcement is a statewide issue.

Tim Huey, Planning and Development Director, reviewed the Federal Emergency Management Agency (FEMA) 90-Day Appeal Period for Proposed Revisions to the Flood Insurance Rate Map (FIRM) for Scott County. He said that on October 5, 2018, FEMA provided Scott County with preliminary copies of the revised FIRM and Flood Insurance Study. He said on June 28, 2019, FEMA notified Scott County of the 90-day appeal period, ending on October 8th, for the revised FIRM of unincorporated Scott County.

Huey displayed maps that show the current and revised affected flood areas. He said Scott County currently has 18,000 acres designated in the floodplain and the new map will total 32,000 acres. He said an open house is set for August 29th to discuss the revised FIRM, and residents will have the opportunity to talk to their floodplain managers. He said Planning and Development is preparing notices for individual property owners that are most affected and notice will be published in the North Scott Press and sent to local radio and television stations.

Huey also gave an update on Parkview rental committee. He said the committee includes himself, Bob Buck, the Chair and Vice Chair of the Board of Supervisors, the Sheriff and three of his staff, Rob Cusack from the Attorney's Office and Ed Rivers, Health Department Director. He said the committee will meet this Friday at 8:30 in the Sheriff's conference room. He said the committee is looking at alternatives for Parkview rental registrations and actual rental inspections.

He said the committee formed after a public meeting on this topic was held a couple of months ago at the Scott County Library in Eldridge. He said the meeting was well attended and that it was clear there were some strong feelings. He said the process is to gain some idea of what the community is dealing with, what are alternatives for regulation, what are the anticipated budgetary impact of those regulations and what

staffing and administrative responsibilities would fall on whom, before forming a larger steering group made up of the affected parties; the Owners Association, the landlord community and members of the general public. He said this Friday the committee has invited Davenport City Attorney, Tom Warner, and Rich Oswald, director of Neighborhood Environmental Services.

Kinzer asked how many meetings the committee has held.

Huey said one.

Kinzer asked if anyone can come to the meeting this Friday.

Knobbe said that would make a Board quorum and that they would have to provide public notice.

Kinzer asked if anyone can come and observe and not comment.

Mary Thee said Rob Cusack would have to weigh in on whether other Board members could attend and not participate.

Kinzer asked if anyone from Parkview could show up.

Huey said they are trying to develop this at a staff level first to do some preliminary investigations and come up with some alternatives. He said it is premature to have these folks involved. He said he made a presentation where 60 people attended and he does not know how productive it will be if 30 people are at the meeting all wanting to express their views on what they think we should do.

Kinzer advocated for having monthly meetings in the evening when people can show up and the committee could hear input from the public. He said that the residents have told him that they do not know what, if anything, is happening.

Huey said he is committed to having a public process for public input and is committed to coming up with a good solution. He said he is not in any hurry to come up with something that will not work or be difficult or impossible to administer. He said he wants to have a clear understanding of who will be administering it, who will handle the registrations, who will review the information the landlords give the tenants and how to handle inspections.

Kinzer said he is not challenging Huey or the committee. He said that there are a lot of folks who want to hear what the committee has to say.

Knobbe said that it is appropriate to meet with the public after information and options have been gathered. He said having every step of the governmental process in an open meeting is not practical or efficient.

Mary Thee, Human Resources Director, reviewed long term disability insurance coverage three year renewal with Madison National Life. She said in 2009 the County joined a consortium for bidding on life and long term disability (LTD) coverage and said there is a minor rate decrease of 0.001 percent.

Thee also reviewed hiring of Hope Hammitt, Brent Kilburg, and Alex Gries for the positions of Deputy Sheriffs at the entry level rate and hiring of Michael Salter for the position of Sex Offender Registry Specialist in the Sheriff's Office at the entry level rate.

Croken asked if it would be practical to invite the people to come to the meeting where their appointment is formalized.

Thee said they have never done it in the past and that some of them are working and some of them are not physically in town.

Mahesh Sharma, County Administrator, reviewed the request for the temporary increase of 2.0 FTE Bailiffs for Administrative Center security. He said this issue was discussed in detail at the previous two department head meetings and said that he has also discussed it with the Sheriff. He said the cost can be absorbed by the Sheriff's Office salary budget.

Croken asked why this is a temporary request.

Sharma answered that there is an RFP out regarding staffing needs and said that part of the study includes Bailiffs.

Captain Joseph Caffery, Sheriff's Office, said the Sheriff has been committed to Administrative Center security. He said due to the increase in transports of the out of house prisoners along with the number of juveniles to be transported to court every day, Bailiffs are struggling to keep up with demand. He said on a day-to-day basis he has to find replacements and he has been using full-time sworn Deputies, including himself, working the security checkpoint at the Courthouse.

Maxwell asked if two bailiffs was enough.

Caffery said that would be a question for the Sheriff.

Kinzer asked if these temporary positions will be filled by bailiffs.

Caffery said yes.

Kinzer said it is definitely needed and that a bailiff stationed at the front counter is a deterrent. He said if there is a situation the bailiffs have nowhere to go behind the counter and he wants staff to come up with a solution for safety of the bailiffs as well.

Speidel said FSS has requests to harden some reception windows. She said what Kinzer is talking about will be part of a larger discussion that the Board will have during its strategic planning as a capital project.

Knobbe said he wanted to make it clear that these two positions are not dedicated to just the Administrative Center.

Caffery said correct, two more people would be in the rotation.

Knobbe asked Caffery to discuss the instruction that is given to the bailiffs as far as best practices and what behaviors they exhibit to discourage wrong doing.

Caffery said he does not have any specific conversations with bailiffs, but said that Lieutenant Cribb oversees the bailiffs at the Courthouse and that it would not be anything different than what is at the Courthouse. He said any type of loud or unusual behavior is addressed and they are just a radio away from somebody else coming over and assisting them and getting an issue addressed on the spot in a timely manner.

Knobbe said it is rare that the bailiffs make eye contact with him when he walks in the Administrative Center. He suggested that the bailiff on duty would make eye contact with whoever walks past the front desk.

Caffery said bailiffs have to be aware of their surroundings and strategically placing them in a location to not have a blind corner would be ideal. He said he hopes that they are aware and said that he could look into and address as far as what the bailiffs do while they are at the Administrative Center.

Caffery also reviewed the annual renewal of the Iowa Byrne Justice Assistance Grant (JAG) contract for drug task force deputies. He said it is for one Scott County Deputy and partial funding for one Bettendorf police officer.

Kinzer asked if this was the grant that was delayed.

Caffery said it was the federal JAG grant that was delayed last year.

Sergeant Tom Leonard, Sheriff's Office, reviewed the license and services agreement with Tyler Technologies for Softcode, a civil paper tracking program. He said the civil division serves about 12,000 papers per year, and that moving from the current system will improve processing time for clerical staff and make it easier to track the flow of documents by putting barcodes on the papers. He said safety for deputies will improve because the new system will check against the New World record system so deputies can check for outstanding warrants, gun permits, or alerts on individuals with a violent history. He said that the public can remote in and see when attempts and service of papers are made, which lowers the phone calls coming into the Sheriff's Office.

Croken asked who in the County will end up supporting this system.

Leonard said they had a conversation yesterday with Matt Hirst, IT Director, on this and that the yearly maintenance is a discussion that they have to have.

Beck asked if this agreement covers maintenance.

Leonard answered that the agreement includes maintenance for the first year and then there is an annual maintenance fee of \$11,683, but any system updates or any customer service problems will be taken care by paying for the yearly maintenance.

Matt Hirst, IT Director, said he thinks IT will absorb the yearly maintenance fee within the operational budget and be the technical support for storage on the County's server.

Matt Hirst reviewed backup software maintenance and said IT went out for bid for renewal of CommVault license maintenance and support. He said ComSource was the low bid at \$19,530.83, an increase from last year's cost of \$18,119.60. He said the increase is due to increasing capacity by two terabytes to a total of 24 terabytes.

Knobbe asked Hirst to talk about the frequency the County relies on this.

Hirst said staff does restores fairly frequently that tend to be small in nature and that they have never had major outages where they had to restore a whole virtual machine server. He noted that the server is actually a giant file on a larger server, and IT has more than 200 virtual server instances on the VMware environment.

Hirst also reviewed the request to renew IT research and advisory membership with InfoTech research group for \$18,600. He said last year costs were \$12,000 and that the increase includes some additional services, particularly application evaluations.

David Farmer, Budget and Administrative Services Director, reviewed Business Property Tax Credit Applications recommended to be allowed and disallowed by the Scott County Assessor and the Davenport City Assessor.

Farmer also reviewed the recommended Allowances/Disallowance of the 2019 Homestead Tax Credits and Military Exemptions & Disabled Veterans Homestead Tax Credit Applications recommended by the Scott County Assessor and the Davenport City Assessor.

Farmer reviewed a FY20 budget amendment. He said the County issued debt two weeks ago and part of that debt is paying down the 2009 debt issuance and calling those bonds early rather than letting them mature over the next nine years. He said this debt service was not part of the original budget. He said there will probably be three amendments in FY20. He said the public hearing notice has been submitted to the newspapers in accordance with State Code.

Croken said he thinks it is inappropriate to place an ad in the newspaper before it has been approved.

Knobbe asked what the requirements for advanced notification are.

Farmer said it is between 10 and 20 days before the meeting for budget amendments. He said that the only other option would be for a special meeting last Friday to set the hearing date, and this has not been this Board's traditional policy. He said the greatest challenge to meeting this requirement is that the North Scott Press is a weekly newspaper.

Beck asked about delaying the hearing.

Farmer said the County already committed to the date the money will be expended and that he did not know the dollar amounts until after issuing the debt. He said the County will be issuing \$6 million in debt service on August 12th.

Farmer reviewed the resolution authorizing and approving the loan agreement providing for the issuance of General Obligation Communications and Refunding Bonds and directing the levy of taxes.

Moved by Kinzer, seconded by Beck at 10:39 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