

TENTATIVE AGENDA
SCOTT COUNTY BOARD OF SUPERVISORS
February 3 - 7, 2020

Tuesday, February 4, 2020

Committee of the Whole - 8:00 am
Board Room, 1st Floor, Administrative Center

- ___ 1. Roll Call: Kinzer, Maxwell, Beck, Knobbe, Croken

Facilities & Economic Development

- ___ 2. Jail carpet replacement project. (Item 2)
- ___ 3. Administrative Center 5th floor carpet replacement project. (Item 3)

Health & Community Services

- ___ 4. First of three readings of an ordinance amending Code of Scott County, Iowa by adding Chapter 39 "Tanning Facilities". (Item 4)
- ___ 5. Tax suspension request. (Item 5)

Other Items of Interest

- ___ 6. Discussion of consent state and county refugee resettlement. (Item 6)
- ___ 7. Consideration of appointments with upcoming term expirations for boards and commissions.
- o Zoning Board of Adjustment - Ed Winborn, serving since 2013, (5 year term) term expires 5/31/2020
 - o Veterans Affairs Commission - Maria Kobelenske, serving since 2011, (3 year term) term expires 5/31/2020
 - o Veterans Affairs Commission - Wayne Kraft, serving since 2017, (3 year term) term expires 5/31/2020

- ___ 8. CLOSED SESSION.....To discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property. Iowa Code Section 21.5(1)(j).

Go into closed session

Moved by ___ Seconded by ___

Roll Call: Kinzer _____
Maxwell _____
Beck _____
Knobbe _____
Croken _____

Go into open session

Moved by ___ Seconded by ___

Roll Call: Kinzer _____
Maxwell _____
Beck _____
Knobbe _____
Croken _____

- ___ 9. Adjourned.

Moved by ___ Seconded by ___
Ayes
Nays

**Special Committee of the Whole - 8:30 am Immediately following Committee of the Whole
Board Room, 1st Floor, Administrative Center**

- ___ 1. Roll Call: Kinzer, Maxwell, Beck, Knobbe, Croken
___ 2. Budget Work Session.
___ 3. Other items of interest.

Thursday, February 6, 2020

**Regular Board Meeting - 5:00 pm
Board Room, 1st Floor, Administrative Center**

Facility and Support Services

600 West 4th Street
Davenport, Iowa 52801-1003
fss @ scottcountyjowa.com
(563) 326-8738 Voice (563) 328-3245 Fax



January 28, 2020

To: Mahesh Sharma
County Administrator

From: Tammy Speidel, FMP
Director, Facility and Support Services

Subj: Jail Carpet Replacement Project

Facility and Support Services has obtained bids for the fiscal year 2020 flooring replacement project. This project is the fourth phase of a multi-year project, the same carpet tile product that was installed last fiscal year will be used again.

FSS staff, along with jail staff evaluated condition of floorcovering and determined that spaces on second floor of the jail, including inmate library, training classrooms, multipurpose rooms, and staff office space were the highest priority for replacement purposes.

The following vendors responded to our bid request and did a walkthrough to accurately assess the project prior to submitting bids.

VENDOR	COST
Flooring American	\$30,415.01
Paragon Commercial Interiors Inc	\$25,403.93

There will be an additional cost of \$8,978.00 for removal and reinstallation of furniture. As you may recall Paragon is the servicing dealer for the Allsteel product in this area so they would have been contracted for this work regardless of which vendor was selected to provide the carpeting.

Total cost for this project is \$34,381.93. This project is budgeted in the FY20 capital plan in the amount of \$38,000.00.

I recommend awarding the carpet bid to Paragon Commercial Interiors in the amount of \$25,403.93.

I plan to be at the next Committee of the Whole meeting to answer any questions you or the Board may have.

CC: Sheriff Lane
Major Schmidt
Captain Bush
FSS Management Team

THE COUNTY AUDITOR'S SIGNATURE CERTIFIES
THAT THIS RESOLUTION HAS BEEN FORMALLY
APPROVED BY THE BOARD OF SUPERVISORS ON

DATE

SCOTT COUNTY AUDITOR

R E S O L U T I O N

SCOTT COUNTY BOARD OF SUPERVISORS

February 6, 2020

A RESOLUTION APPROVING THE AWARD OF BID FOR JAIL FLOORING
REPLACEMENT TO PARAGON COMMERCIAL INTERIORS INC IN THE AMOUNT OF
\$25,403.93.

BE IT RESOLVED BY the Scott County Board of Supervisors as follows:

- Section 1. That the bids for the Jail flooring replacement project are hereby approved and awarded to Paragon Commercial Interiors Inc in the amount of \$25,403.93.
- Section 2. This resolution shall take effect immediately.

Facility and Support Services

600 West 4th Street
 Davenport, Iowa 52801-1003
 fss @ scottcountyjowa.com
 (563) 326-8738 Voice (563) 328-3245 Fax



January 27, 2020

To: Mahesh Sharma
 County Administrator

From: Tammy Speidel, FMP
 Director, Facility and Support Services

Subj: Approval and award of bids, Carpet Replacement Project Fifth Floor Administrative Center

FSS has obtained bids for carpet replacement for the majority of the 5th floor. Bids include the Records Office, with the exception of the vault as well as the County Assessor's and City Assessor's office areas. We have worked with each office to identify the best way to facilitate the replacement with the minimum amount of disruption to the public. Offices were very helpful in helping us identify work that needed to be completed during off hours as well as work that could take place during regular hours of operation.

The following vendors responded to our bid request and attended a walkthrough to accurately assess the project prior to submitting bids.

FIRM	BID
Flooring America	\$55,234.33
Paragon Commercial Interiors Inc	\$41,171.43

In addition to the carpet portion of this project, there is a good deal of work involving removing and reassembling furniture. Paragon has provided a price quote of \$26,364.00 to perform this work. This is a mix of both straight and overtime rates for after hours and weekend work. You may recall that Paragon is the local Allsteel servicing vendor, and as such would be performing this work no matter which company won the carpeting bid. This cost includes work to disassemble and reassemble furniture in private offices and the work to raise and move or completely disassemble and reassemble cubicle pods necessary to complete carpeting installation.

Also during this project we will be looking at removing glass walls within the Recorder's office and will have some additional cost for this labor and to modify the furniture once the glass comes down. We anticipate that work, provided by Paragon will be less than \$12,000 dollars.

Total Cost of this project is estimated as follows:

ITEM	COST
Carpeting	\$41,171.43
Furniture – removal and reassembly	\$26,364.00
Recorder's office work related to glass cubicle	\$12,000.00 (not to exceed)
TOTAL ESTIMATED PROJECT COST	\$79,535.43

The project is budgeted in the FY20 Capital Plan in the amount of \$85,000.00.

● Page 2

January 27, 2020

I recommend approving the bid and awarding the contract to Paragon Commercial Interiors Inc in the total amount of \$67,535.43 for the carpeting and furniture removal and reassembly.

An additional PO will be issued when we have the exact costs for the work related to the glass cubicle, but again I don't expect that the cost will exceed \$12,000 however I am including it in the total project cost to accurately represent the project.

I will be at the Committee of the Whole meeting to discuss any questions you or the Board may have.

CC: Rita Vargas
Tom McManus
Nick Van Camp
FSS Management Team

THE COUNTY AUDITOR'S SIGNATURE CERTIFIES
THAT THIS RESOLUTION HAS BEEN FORMALLY
APPROVED BY THE BOARD OF SUPERVISORS ON

DATE

SCOTT COUNTY AUDITOR

R E S O L U T I O N

SCOTT COUNTY BOARD OF SUPERVISORS

February 6, 2020

A RESOLUTION APPROVING THE AWARD OF BID FOR ADMINISTRATIVE
CENTER CARPET REPLACEMENT TO PARAGON COMMERCIAL INTERIORS INC
IN THE AMOUNT OF \$67,535.43.

BE IT RESOLVED BY the Scott County Board of Supervisors as follows:

- Section 1. That the bid for the Administrative Center carpet replacement is hereby approved and awarded to Paragon Commercial Interiors Inc in the amount of \$41,171.43.
- Section 2. That the bid for furniture disassembly and reassembly is hereby approved and awarded to Paragon Commercial Interiors Inc in the amount of \$26,364.00.
- Section 3. This resolution shall take effect immediately.



Scott County Health Department

600 W. 4th Street | Davenport, IA 52801-1030 | P. 563-326-8618 | F. 563-326-8774
health@scottcountyiowa.com | www.scottcountyiowa.com/health

January 28, 2020

To: Mahesh Sharma, County Administrator

From: Edward Rivers, Director

Subject: Approve Scott County Code of Ordinances, Chapter 39 - "Tanning Facilities", and associated fees.

Background

On May 17, 2019, the Iowa Department of Public Health (IDPH) notified its local Pool, Tattoo and Tanning Contractors that the tanning program would not be included in the next 28E agreement (effective July 1, 2019). Due to state budget reductions, IDPH no longer has the capacity to support counties in inspection activities as outlined in previous 28E contracts. IDPH indicated that counties with local tanning ordinances may administer the tanning program under county authority.

In May 2019, staff consulted with Robert Cusack, of the Scott County Attorney's office, about adopting tanning rules, setting fees, and imposing a minimum age requirement. Mr. Cusack reported that this would not be in contravention of state law. A literature review was conducted of tanning regulations across the United States. Iowa was found to be rated high regarding regulations on adult tanning, but low regarding children tanning (due to no age limit).

In June 2019, Linn County passed a tanning ordinance, and other jurisdictions (Johnson County, Cerro Gordo County, Siouxland District Health) were drafting language. These ordinances set fees at \$50 per unit with a \$500 maximum per facility.

At the July 18, 2019, Scott County Board of Health meeting, the information regarding the tanning program being removed from the 28E agreement and Robert Cusack's statement regarding a local ordinance was shared the Board of Health, and approval was given to move forward with drafting an ordinance.

In September 2019, staff contacted eight of the twenty-two tanning facilities in Scott County to obtain input on increasing fees to cover the cost of the program, and imposing a minimum age requirement. Six facilities allow someone under eighteen years of age to tan; two of these require parental consent while the other four do not. Two facilities do not allow anyone under eighteen years of age to tan. Regarding fees, the only issue mentioned was that a tanning facility has to pay a 10% federal excise tax for UV tanning devices.

At the October 17, 2019, Scott County Board of Health meeting, an overview of the draft ordinance was presented to the Board of Health, and input on a minimum age was requested. Upon

discussion, the Board of Health recommended that no one under the age of sixteen be allowed to use tanning booths, and to require written parental permission for sixteen and seventeen year olds, with a requirement that the parent be present on the first visit to the tanning facility.

In November 2019, the draft ordinance was reviewed by Robert Cusack. He found it to be sufficient to accomplish its intended purposes, and was not in contravention of state law.

On December 6, 2019, an email with a copy of the draft ordinance was sent to all tanning facilities in Scott County. The email requested feedback and provided the public hearing date as the December Scott County Board of Health meeting.

On December 19, 2019, the Scott County Board of Health held a public hearing on the draft ordinance. Emails from three Scott County tanning facilities were provided to the Board of Health and one owner was present to speak. Two of the three emails had concerns regarding both the proposed fees and the minimum age requirements; the third email just had concerns regarding the fees. The owner who spoke at the public hearing expressed concern that the minimum age requirement could negatively affect business. Following discussion, the Scott County Board of Health unanimously passed the ordinance. We request that the Board of Supervisors codify rules as Chapter 39 of the Scott County Code of Ordinances.

The following table lists the previous state fees, proposed fees, and justification for the changes.

Effective at Time of Publication			
Scott County Code Chapter 39– Tanning Facilities			
<u>Tanning Facilities</u>	<u>Previous State Fees</u>	<u>New Fees</u>	<u>Justification</u>
Inspection Fee for per tanning unit	\$33.00	\$55.00	Become more aligned with program costs. The fiscal year 2020 cost of the based on time, non-salary expense, and indirect costs is \$6,785. The new rate would not fully fund the program (\$6785/98 beds = \$69.24 per unit).
Inspection Fee maximum for facilities with ten or more tanning units	\$330.00	\$550.00	

We further request that the Board of Supervisors adopt the fee schedule by resolution at the third reading of the ordinance.

Staff and I will be at the February 4, 2020 Committee of the Whole meeting to discuss the proposed ordinance and answer any questions.

CHAPTER 39 TANNING FACILITIES

- 39-1 SCOPE AND PURPOSE**
- 39-2 DEFINITIONS**
- 39-3 EXEMPTIONS**
- 39-4 PERMITS AND FEES**
- 39-5 CONSTRUCTION AND OPERATION**
- 39-6 INSPECTIONS**
- 39-7 ENFORCEMENT**
- 39-8 JURISDICTION**
- 39-9 MUNICIPAL INFRACTIONS**
- 39-10 HEARING**
- 39-11 SEPARABILITY OF PROVISIONS**

AN ORDINANCE THE CODE OF SCOTT COUNTY, IOWA, BY ADDING CHAPTER 39 AS FOLLOWS:

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

SEC. 39-1. SCOPE AND PURPOSE

To establish an ordinance for minimum standards for inspections and providing penalties for violation of the provisions herein of tanning facilities and devices used for the purpose of tanning human skin through the application of ultraviolet radiation. This includes, but is not limited to businesses, hotels, motels, apartments, condominiums, health and country clubs. This ordinance stipulates minimum safety requirements relating to the operation of tanning devices; procedures for obtaining a permit; qualifications for tanning facility operators; and procedures for the inspection of tanning facilities and enforcement of these rules. Tanning facilities which are in compliance with these rules are not relieved from the requirements of any other federal and state regulations.

SEC. 39-2. DEFINITIONS

The following words shall have the following meaning for the purposes of this ordinance:

1. "Board of Health" means the Scott County Board of Health as authorized by Iowa Code, Chapter 137.
2. "Cleansing" means to remove soil, dirt, oils or other residues from the surface tanning unit which may come into contact with the skin.
3. "Cleansing agent" means a substance capable of producing the effect of cleansing. These agents shall not adversely affect the equipment or the health of the consumer and shall be acceptable to the department or board of health.
4. "Consumer" means any member of the public who is provided access to a tanning facility in exchange for a fee or other compensation, or any individual who, in

exchange for a fee or other compensation, is afforded use of a tanning facility as a condition or benefit of membership or access.

5. "Department" means the Scott County Health Department.
6. "Health Officer" means the Director of the Scott County Health Department or the duly authorized representative.
7. "Exposure position" means any position, distance, orientation, or location relative to the radiation surfaces of a tanning device at which the user is intended to be exposed to ultraviolet radiation from the product, as recommended by the manufacturer.
8. "Formal training" means a course of instruction approved by the Department for operators of tanning facilities.
9. "Health care professional" means an individual, licensed by the state of Iowa, who has received formal medical training in the use of phototherapy.
10. "Inspection" means an official examination or observation including but not limited to tests, surveys, and monitoring to determine compliance with rules, orders, requirements and conditions of these rules.
11. "Manufacturer's recommendations" means written guidelines established by a manufacturer and approved by the U.S. Food and Drug Administration for the installation and operation of the manufacturer's equipment.
12. "Operator" means an individual designated to control operation of the tanning facility and to instruct and assist the consumer in the proper operation of the tanning devices.
13. "Permit" or "permit to operate" means a document issued by the Iowa Department of Public Health which authorizes a person to operate a tanning facility in Scott County, Iowa.
14. "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this state, or any other state or political subdivision or agency thereof, and any legal successor, representative, agent or agency of the foregoing, but shall not include federal government agencies.
15. "Phototherapy device" means a piece of equipment that emits ultraviolet radiation and is used by a health care professional in the treatment of disease.
16. "Tanning device" means any equipment that emits electromagnetic radiation with wavelengths in the air between two hundred (200) and four hundred (400) nanometers and that is used for tanning of human skin, such as sunlamps, tanning booths, or tanning beds. The term also includes any accompanying equipment such as protective eyewear, timers, and handrails.
17. "Tanning facility" means a place that provides access to tanning devices for compensation.
18. "Ultraviolet radiation" means electromagnetic radiation with wavelengths in air between two hundred (200) nanometers and four hundred (400) nanometers.

SEC. 39-3. EXEMPTIONS

The Department may upon application or upon its own initiative, grant exemptions from the requirements of these rules as long as it will not result in undue hazard to public

health and safety. The following categories of devices are exempt from the provisions of this ordinance:

- A. Other Purposes. Devices intended for purposes other than the deliberate exposure of human skin to ultraviolet radiation which produce or emit ultraviolet radiation incidental to their proper operation.
- B. Personal Use. Tanning devices which are limited exclusively to personal use by an individual and this individual's immediate family. Multiple ownership of the device by persons for personal use only does not qualify it for the "personal use only" exemption.
- C. Phototherapy Devices. Phototherapy devices used by properly trained health care professional in the treatment of disease.

SEC. 39-4. PERMITS AND FEES.

- A. No tanning facility shall be allowed to operate in Scott County without having a permit to operate issued by the Iowa Department of Public Health per IAC 641-46.4(1-6)

SEC. 39-5. CONSTRUCTION AND OPERATION

Unless otherwise ordered or approved by the Iowa Department of Public Health, each tanning facility shall be constructed, operated, and maintained to meet the following minimum requirements:

- A. A tanning facility shall provide and post the following warning signs and statements that describe the hazards associated with the use of tanning devices:
 - 1) A warning sign in a conspicuous location readily visible to persons entering the establishment. This warning sign shall use 0.5 inch (12.7 millimeter) letters for "Danger, Ultraviolet Radiation" and 0.25 inch (6.4 millimeter) letters for all other lettering. The sign shall use black lettering against a white background, be at least nine (9) inches by twelve (12) inches (22.9 centimeters by 30.5 centimeters) and have the following wording:

DANGER

ULTRAVIOLET RADIATION

Overexposure can cause:

- Eye and skin injury
- Allergic reaction

Repeated exposure may cause:

- Premature aging of the skin
- Skin cancer

Failure to wear protective eyewear may result in:

- Severe burns to eyes
- Long-term injury to eyes

Medication or cosmetics may increase your sensitivity.

- 2) A warning sign with the identical wording set forth in subsection 1)a) of this section posted within one meter of the tanning device in a conspicuous location

readily visible to a person preparing to use the device. This warning sign shall use 0.5 inch (12.7 millimeter) lettering for "Danger, Ultraviolet Radiation" and 0.25 inch (6.4 millimeter) lettering. The sign shall use black lettering against a white background and be at least six inches by nine inches (15.2 centimeters by 22.9 centimeters) in size.

- 3) A tanning facility shall require each consumer to read the information in Appendices 1, 2, and 3 prior to the consumer's initial exposure and annually thereafter. Appendices 1, 2, and 3 are in IAC 641-46.
 - a) The operator shall then require the consumer to annually sign a statement that the information has been read and understood.
 - b) The information in Appendices 1, 2, and 3 shall be posted in each tanning room.

B. Federal Certification.

- 1) Only tanning devices manufactured and certified under the provisions of 21 CFR Part 1040.20, "Sunlamp products and ultraviolet lamps intended for use in sunlamp products," shall be used in tanning facilities. Compliance shall be based on the standard in effect at the time of manufacture as shown on the device identification label required by 21 CFR Part 1010.2 and 1010.3.
- 2) Labeling shall meet the requirements, be visible on each unit and be permanently affixed. Labeling shall include:
 - a) Warning statement with the words:

"Danger—Ultraviolet radiation. Follow instructions. Avoid overexposure. As with natural sunlight, overexposure can cause premature aging of the skin and skin cancer. WEAR PROTECTIVE EYEWEAR; FAILURE TO MAY RESULT IN SEVERE BURNS OR A LONG-TERM INJURY TO THE EYES. Medications or cosmetics may increase your sensitivity to the ultraviolet radiation. Consult a physician before using a sunlamp if you are using medications or have a history of skin problems or believe yourself especially sensitive to sunlight. If you do not tan in the sun, you are unlikely to tan from the use of this product."
 - b) Recommended Exposure Position(s). Any exposure position may be expressed either in terms of a distance specified both in meters and in feet (or in inches) or through the use of markings or other means to indicate clearly the recommended exposure position.
 - c) Directions for achieving the recommended exposure position(s) and a warning that the use of other positions may result in overexposure.
 - d) A recommended exposure schedule including duration and spacing of sequential exposures and maximum exposure time(s) in minutes.
 - e) A statement of the time it may take before the expected results appear.
 - f) Designation of the ultraviolet lamp type to be used in the product.
 - g) The FDA code of Federal Regulations 21 CFR part 878.4635 further requires labeling on sunlamp products and ultraviolet lamps intended for use in

sunlamp products be labelled as follows: "Attention: This sunlamp product should not be used on persons under the age of 18 years." This label shall be readily visible when the person approaches the tanning device.

3) Tanning Device Timers.

- a) Each tanning device shall have a timer which complies with the requirements of 21 CFR Part 1040.20. The maximum timer interval shall not exceed the manufacturer's maximum recommended exposure time. No timer shall have an error factor greater than +/- 10 percent of the indicated setting.
- b) Each tanning device must have a method of remote timing located so that customers may not control their own exposure time.
- c) Each tanning device shall incorporate a control on the product to enable the consumer to manually terminate the radiation emission from the product at any time without disconnecting the electrical source or removing the ultraviolet lamp.
- d) The operator shall ensure that the facility interior temperature does not exceed one hundred (100) degrees Fahrenheit or thirty-eight degrees Celsius.

4) Condition of Tanning Devices.

- a) There shall be physical barriers to protect consumers from injury induced by touching or breaking the lamps.
- b) The tanning devices shall be maintained in good repair and comply with all state and local electrical code requirements.

5) Additional Requirements for Stand-up Booths.

- a) There shall be physical barriers (handrails, etc.) or other means (floor markings) to indicate the proper exposure distance between ultraviolet lamps and the consumer's skin.
- b) The construction of the booth shall be such that it will withstand the stress of use and the impact of a falling person.
- c) Access to the booth shall be of rigid construction; doors shall open outwardly. Handrails and nonslip floors shall be provided.

6) Protective Eyewear.

- a) Eyewear shall not be re-used by another consumer.
- b) Protective eyewear shall meet the requirements of 21 CFR Part 1040.20(c)(4).
- c) Protective eyewear shall not be altered in any manner that would change its use as intended by the manufacturer (i.e., removal of straps).
- d) A tanning facility operator shall not allow a consumer to use a tanning device if that consumer does not use the protective eyewear required by this subrule.
 - 1. Ask to see the eyewear before the consumer enters the tanning room; or
 - 2. Provide disposable eyewear in the tanning room at all times and post a sign stating that the disposable eyewear is available and that eyewear must be worn,
- e) A tanning facility operator shall instruct the consumer in the proper utilization of the protective eyewear required by this subrule.

7) Operation.

a) Minimum Age

1. A tanning facility shall not allow a consumer under sixteen years of age to use a tanning device
2. A tanning facility may allow a consumer who is sixteen or seventeen years of age to use a tanning device if:
 - a. The consumer's parent is present on the initial visit to sign a parental permission form.
 - i) The parent must return to the facility to sign the parental permission form annually until the person turns eighteen.
 - b. The facility will make a photocopy or electronic scan of each consumer's driver's license or state ID and keep on file.
 - c. The facility will make a photocopy or electronic scan of the consumer's parent's driver's license or state ID (if the consumer is 16 or 17) and keep on file with the consumer's driver's license and the signed parental permission form.

b) A trained operator must be present when a tanning device is operated. The operator must be within hearing distance to allow the consumer to easily summon help if necessary. If the operator is not in the immediate vicinity during use, the following conditions must be met:

1. The consumer can summon help through use of an audible device such as an intercom or buzzer
2. The operator or emergency personnel can reach the consumer within a reasonable amount of time after being summoned.

c) The facility permit to operate shall be displayed in an open public area of the tanning facility.

d) A record shall be kept by the facility operator of each consumer's total number of tanning visits and tanning times, exposure lengths in minutes, times and dates of the exposure, and any injuries or illness resulting from the use of the tanning device.

e) A written report of any tanning injury shall be forwarded by the permit holder to the Iowa Department of Public Health and the local board of health within five working days of its occurrence or knowledge thereof. The report shall include:

1. The name of the affected individual.
2. The name and location of the tanning facility involved.
3. The nature of the injury.
4. The name and address of health care provider treating the affected individual, if any.
5. Any other information considered relevant to the situation.

f) Defective or burned-out lamps or filters shall be replaced with a type intended for use in that device as specified on the product label on the tanning device, or, with lamps or filters that are "equivalent" under 21 CFR

Part 1040, Section 1040.20 and policies applicable at the time of lamp manufacture.

- g) The permit holder shall replace ultraviolet lamps and bulbs, which are not otherwise defective or damaged, at such frequency or after such duration of use as may be recommended by the manufacturer of such lamps or bulbs.
- h) Contact surfaces of tanning devices shall be cleansed by the operator with a cleansing agent between each use or cleansed by the consumer provided the following conditions are met:
 - 1. The operator instructs the consumer annually on how to properly cleanse the unit.
 - 2. The consumer annually signs a statement stating that the consumer agrees to cleanse the unit after each use.
 - 3. Signs are posted in each tanning room reminding the consumer to cleanse the tanning unit after each use and stating the proper way to cleanse the unit.
 - 4. The operator cleanses the tanning unit at least once a day.
- i) Any records or documentation required by this chapter must be maintained in the tanning facility for a minimum of two years. Records maintained on computer systems shall be regularly copied, at least monthly, and updated on storage media other than the hard drive of the computer. An electronic record must be retrievable as a printed copy.
- j) The operator shall limit the exposure of the consumer to the maximum exposure frequency and session duration recommended by the manufacturer.
- k) When a tanning device is being used, no other person shall be allowed to remain in the tanning device area.

8) Training of Operators.

- a) No individual shall begin functioning as an operator unless the individual has satisfactorily completed a training program. Training shall include but not be limited to:
 - 1. The requirements of IAC 641-46 and this ordinance.
 - 2. Procedures for correct operation of the tanning facility and tanning devices.
 - 3. The determination of skin type of consumers and appropriate determination of duration of exposure to tanning devices.
 - 4. Recognition of reaction or overexposure.
 - 5. Manufacturer's procedures for operation and maintenance of tanning devices.
- b) Owners and managers must complete formal training approved by the Iowa Department of Public Health. All owners and managers must satisfactorily pass a certification examination approved by the Iowa Department of Public Health before operating a tanning facility or training employees.

- c) Owners and managers are responsible to train operators in the above topics and to provide review as necessary. Training programs shall be approved by the Iowa Department of Public Health and include final testing. Operators shall be questioned during inspections as to the level of the individual's understanding and competency in operating the tanning device.
 - d) Proof of training for both owner/managers and employees must be maintained in the tanning facility and available for inspection. The employee record shall be the original test which bears the signature of the employee, the date, and a statement signifying that all answers have been completed by the employee and without prior knowledge to the scoring key.
 - e) Operators shall be at least 16 years of age.
 - f) Operators and owners/managers shall complete the required training and testing every five years.
- 9) Promotional Materials.
- a) A tanning facility shall not claim, or distribute promotional materials that claim, that using a tanning device is safe or free from risk or that the use of the device will result in medical or health benefits. The only claim that may be made is that the device is for cosmetic use only.
- 10) Requirements for electronically controlled facilities. Electronically controlled facilities are those facilities that rely on electronic means to monitor consumers.
- a) Entry into the facility is allowed by card only. The card is specifically activated for tanning use if the facility offers other activities.
 - b) Police and all emergency services will have access to the facility through a key box located outside the entrance of the facility.
 - c) The tanning unit will not activate if the card is not programmed for tanning.
 - d) The consumer must sign a tanning agreement that states the number of minutes per session, that the consumer agrees to wear protective eyewear, that the consumer will cleanse the unit after tanning and that the consumer is aware of the emergency access in each room.
 - e) The card will be programmed for the number of minutes the consumer is allowed to tan. The card may be reprogrammed for an increase in minutes per session only after the consumer has reviewed and resigned the Tanning Agreement. After 30 consecutive days without the consumer's accessing the tanning facility, the card will be deactivated and the consumer must reapply to access the tanning unit.
 - f) The operator will demonstrate to each consumer how to properly cleanse the unit after tanning, including the top, bottom, and handles. A sign will be placed in each room explaining the cleansing process. The operator will cleanse the units at least once a day when they are in use.

- g) Free disposable eyewear will be placed in each room along with a sign stating that the disposable eyewear is available and that eyewear must be worn.
- h) An emergency call button or device will be placed in each tanning room conveniently located within reach of the tanning unit. This device will call the operator or emergency personnel.
- i) During annual inspections, the inspector may ask any consumer about any of the above processes.

SEC. 39-6. INSPECTIONS AND FEES

A Pre-opening Inspection

- 1) A preoperational inspection to verify that a new/remodeled facility is in compliance with this ordinance and plans approved by the Iowa Department of Public Health shall be conducted prior to the facility opening.

B. Inspections

- 1) The health officer shall have access at all reasonable times to any tanning facility to inspect the facility to determine if this chapter is being violated.
 - a) Inspections shall be conducted annually and as necessary for complaint investigation.
 - b) Inspections shall include the following areas: proper operation and maintenance of devices, review of required records and training documentation, operator understanding and competency, and the requirements of these rules.
 - c) If violations are found, the health officer will indicate on the inspection form:
 - 1. Each section of the municipal code or rules violated
 - 2. Request a corrective action plan, including a time schedule for completion of the plan.
 - 3. Set a reasonable time limit, not to exceed thirty (30) days from the receipt of the notice, within which the permit holder must respond.
 - 4. The department shall review the corrective action plan and approve it or require that it be modified.
 - 5. In cases where the permit holder fails to comply with conditions of the written notice, the department shall send a regulatory letter, via certified mail, advising the permit holder that unless action is taken within five days of receipt, the permit holder will be guilty of a municipal infraction.
- 2) If the health officer finds that a person has violated, or is violating or threatening to violate this chapter and that the violation creates an immediate threat to the health and safety of the public, the health officer may remove the tanning bed from service and/or close the facility until corrections are made.

C. Inspection fees

- 1) Inspection fees shall be established by resolution of the Scott County Board of Supervisors from time to time as deemed appropriate.
- 2) Inspection costs shall be due upon receipt of payment due notice and payable to the Scott County Treasurer.
- 3) Inspection costs not received within forty-five days of the date of billing will be assessed a twenty-five dollar (\$25.00) penalty for each month or fraction thereon that the bill is delinquent.

SEC. 39-7. ENFORCEMENT

- A. It shall be the duty of the Health officer to enforce the provision of this Chapter.

SEC. 39-8 JURISDICTION

- A. The provisions of this Chapter shall apply throughout Scott County, Iowa, including cities and towns therein.

SEC. 39-9 MUNICIPAL INFRACTIONS

- A. Any person, persons, firm, partnerships, or corporations, whether acting alone or in concert with any other, who violates this ordinance shall be guilty of a municipal infraction and shall be penalized as set forth in Chapter 29 of the Scott County Code of Scott County , Iowa.

SEC. 39-10 HEARING

- A. In the event any person is aggrieved by any order made by the Health Officer, they may within twenty (20) days of the date of such order, appeal to the Board of Health and in writing, state their reasons for requesting such order to be rescinded or modified. The Board of Health shall review the actions of the Health Officer, and if reasonable grounds exist, shall modify, withdraw or order compliance with said order. Appeal from any order of the Board of Health may be taken within twenty (20) days to the District Court of Scott County, Iowa.

SEC. 39-11 SEPARABILITY OF PROVISIONS

- A. If any section, paragraph, clause, or provisions of this ordinance shall be held invalid; the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

SEC. 39-12 EFFECTIVE DATE.

This Ordinance shall be in full force and effect from and after its passage, adoption, and publication as required by law.

PASSED AND APPROVED this _____ day of _____, 2020.

ATTEST:

DRAFT

Community Services Department

600 W. 4th St.
Davenport, Iowa 52801



Item #5
2/4/2020

(563) 326-8723 Fax (563) 326-8730

January 27, 2020

To: Mahesh Sharma, County Administrator

From: Lori A. Elam, Community Services Director

Re: Approval of Tax Suspension Request

This is a request for approval of a property tax suspension as presented.

As you are aware, tax suspensions may be directed by the Department of Human Services if the taxpayer is receiving specific assistance from that Department. In these directed suspensions, the suspension remains in effect as long as the person continues to own the property and receive the specified assistance from the Department of Human Services.

Additionally, under the Board of Supervisors policy, taxpayers may apply for suspension based on financial criteria. These are considered requested suspensions and are for the period only of the tax year and relates to the amounts owed at the time of the suspension. Persons may, of course, reapply each year if they continue to meet the eligibility criteria.

Directed Tax Suspension:

Melissa Green
1235 West 8th Street
Davenport, IA 52802

Suspend: 2018 property taxes due in September 2019 and March 2020 in the amount of \$461.00 including interest.

The application meets the Board Suspension Policy requirements. It is recommended that the Board suspend these taxes at their next Board meeting.

THE COUNTY AUDITOR'S SIGNATURE CERTIFIES THAT THIS RESOLUTION HAS BEEN FORMALLY APPROVED BY THE BOARD OF SUPERVISORS ON _____ DATE _____

SCOTT COUNTY AUDITOR

RESOLUTION
SCOTT COUNTY BOARD OF SUPERVISORS

February 6, 2020

SUSPENDING THE 2018 PROPERTY TAXES FOR MELISSA GREEN, 1235 WEST 8TH STREET, DAVENPORT, IOWA, IN THE AMOUNT OF \$461.00 INCLUDING INTEREST.

BE IT RESOLVED by the Scott County Board of Supervisors as follows:

- Section 1. That Scott County has been directed by the Iowa Department of Human Services to suspend the collection of the 2018 property taxes for Melissa Green, 1235 West 8th Street, Davenport, Iowa, in the amount of \$461.00 including interest.
- Section 2. That the collection of all property taxes assessed against the parcel at 1235 West 8th Street, Davenport, Iowa remaining unpaid shall be suspended for such time as Melissa Green remains the owner of such property, and during the period she receives assistance as described in Iowa Code Section 427.9.
- Section 3. That the County Treasurer is hereby directed to suspend collection of the above stated taxes thereby establishing a lien on said property as required by law, with future collection to include statutory interest.
- Section 4. This resolution shall take effect immediately.

Reynolds Consents To Further Refugee Resettlement But Questions Program, While Advocates Defend It

By KATE PAYNE · DEC 24, 2019

The Trump administration is requiring states and counties to formally consent before the federal government will resettle refugees in their areas. Gov. Kim Reynolds says Iowa will continue accepting refugees.

John Pemble / IPR file

Gov. Kim Reynolds [has agreed to keep resettling refugees](#) in the state, [while also questioning the security record of the program](#), without evidence. Under a [Trump administration executive order](#), states and counties have to give formal consent for the federal government to resettle refugees in their area, a move that some supporters say gives local officials a greater say in the process.

Refugee advocates are thanking Reynolds and some county officials for signing on to letters to the federal government, formally consenting to continued refugee resettlement in their area. The move is in response to an executive order issued on September 26th, which changes past policy to put the onus on both state and county officials to actively agree to refugee resettlement in their communities.

Advocates worry that if county and state officials didn't sign off on the practice, refugees would receive less support with housing, job placement and language and cultural training. Without those support services, some advocates were concerned refugees would leave their communities.

"If [refugees] were to leave, it would be catastrophic for our town...They're doing everything in their power to be a good, great citizen. And they're just contributing in many, many ways." - Maria Gomez, Columbus Junction School Board Member

"If they were to leave, it would be catastrophic for our town," said [Maria Gomez, the vice president of the Columbus Junction School Board](#) in Louisa County.

Gomez says there are [hundreds of refugees in her community of about 1,900](#), who have helped start businesses and a church, and who she says work hard and pay their taxes. She says she cannot imagine her community without them.

"I don't what it would be for our school district if those kids were no longer here," Gomez said. "They're doing everything in their power to be a good, great citizen. And they're just contributing in many, many ways."

Iowa advocates say the executive order would not bar refugees from certain parts of the country as some initially feared it might. They say refugees would still have freedom of movement in the country and would still be able to move to communities that didn't formally consent to the refugee resettlement program, but they would not be able to access the federal government's support services in those places.

In a letter co-signed with the governors of Nebraska and South Dakota, Reynolds praised the Trump administration policy that gives local governments more latitude in withholding support from refugees, and suggested Americans have lost confidence in the program's lengthy vetting process.

[Refugees face more exhaustive screenings than many other immigrants](#), a [process that can take two years](#) and includes multiple background checks, biometric testing and fingerprinting, as well as in-person interviews with federal officers, before a refugee is settled in the United States.

"Thanks to your leadership, Americans can be confident once again in the screening process for refugees entering the United States," the three governors wrote in their joint letter addressed to President Trump. "We applaud the recent steps taken by the White House and State Department at your direction to strengthen vetting of refugees. This provides much-needed assurance about the program's integrity to the communities welcoming refugees in our states."

Reynolds' office did not reply to requests for evidence of mismanagement by or formal complaints against the refugee resettlement program.

Lemi Tilahun works with refugees in Cedar Rapids and says there are situations where local officials would like to have a greater say in how refugee resettlement is administered, but he said he knew of no accounts of mismanagement or a failure of the vetting process. He says the governors' language in their letter runs the risk of casting fear and doubt on the process.

"[The governors' letter is] casting this doubt or this fear that we don't know about the vetting process. I think the danger that we run into, that it could isolate or alienate folks that are new to the community because of the perception that's out there. And it really goes to feed the wrong perception," Tilahun said.

"[The governors' letter is] casting this doubt or this fear that we don't know about the vetting process. I think the danger that we run into, that it could isolate or alienate folks that are new to the community because of the perception that's out there. And it really goes to feed the wrong perception." - Lemi Tilahun, refugee advocate in Cedar Rapids

Besides the executive order, the Trump administration has taken steps to drastically cut what's referred to as the refugee cap: the number of people admitted to the country each year. That cap is [now set at 18,000 for next year](#), the lowest level in the history of the modern refugee program, and down from 110,000, the level set during the last year of the Obama administration.

Earlier this year, [CNN reported](#) the country admitted no new refugees in the month of October.

[Quartz reported](#) it was the first month on record that the U.S. had resettled no new refugees.

This, at a time when [the United Nations calculates](#) there are more displaced people globally than at any time in modern history, including in the wake of World War II.

Tilahun, like other refugee advocates, points out that [refugees can help revitalize communities in Iowa](#) that have [struggled to hold on to their native-born population](#), and are a boon to

employers desperate for workers at a time when [Iowa's unemployment rate](#) is among the lowest in the country and many jobs go unfilled.

“The receiving communities...they're gaining productive people that are readily and available to be able to utilize their wealth of experience. And on the other side, we're also helping vulnerable populations,” he said.

Tilahun says if Iowans knew more about the plight of refugees, about the violence and deprivation they were fleeing, and the years or decades they may have spent stranded in refugee camps, they would be more open to welcoming them into the state.

Many Iowans do pride themselves on a legacy of being welcoming to refugees, dating back to [the leadership of then-Gov. Robert Ray](#) in welcoming Tai-Dam people fleeing Vietnam in the 1970s. [Ray's actions helped make Iowa a national leader](#) in resettlement, at a time when Congress had not yet established the federal refugee resettlement program.

Kerri True-Funk with the Des Moines field office of the [U.S. Committee on Refugees and Immigrants](#) says the state still has a reputation for being welcoming, but she says there is always more work to be done.

“The ideals and beliefs that Iowa is a welcoming place for refugees is still there, but that's being hindered by federal level policies,” she said. “I would like to see some of the leadership on the federal level continue to make the whole country a welcoming place.”

So far, in addition to the state-level authorization, the boards of supervisors in Dallas, Johnson, Linn, Louisa and Polk counties have signed formal letters of consent for refugee resettlement. Advocates say those counties account for many of the major resettlement areas in the state, but they're planning to lobby more counties as well.

Sara Zejnic works with refugees at the [Catherine McAuley Center](#) in Cedar Rapids. She says the restrictions put in place by the Trump administration have posed a barrier, but are also an opportunity to educate more people about refugees and their experiences.

“One of the unintended consequences is we've, in the resettlement world, have seen an outpouring of love and support,” she said. “Having refugee resettlement in the news more has kind of opened more peoples' eyes to communities or people living within their communities that they may not have realized were there.”

SAMPLE LETTER



KIM REYNOLDS
GOVERNOR

OFFICE OF THE GOVERNOR

ADAM GREGG
LT GOVERNOR

December 10 , 2019

Secretary Michael R. Pompeo
U.S. Department of State
2201 C. Street NW
Washington DC, 20520

Dear Secretary Pompeo:

This letter is in reference to Executive Order 13888, "*On Enhancing State and Local Involvement in Resettlement.*"

As Governor of Iowa, I consent to initial refugee resettlement in Iowa per the terms of the Executive Order.

Sincerely,

A handwritten signature in black ink that reads "Kim Reynolds".

Kim Reynolds
Governor of Iowa

CC: Principal Deputy Assistant Secretary Carol T. O'Connell
Bureau of Population, Refugees, and Migration
U.S. Department of State

SAMPLE LETTER

Rock Island County...Build the future and improve the quality of life for our community

Secretary Michael R. Pompeo
U.S. Department of State
2201 C. Street NW
Washington, D.C 20230

County Board

Chairman
Richard H. "Quijas" Brunk

Vice Chairman
Brian Vyncke

Committee Chairpersons

Public Works & Facilities
Larry Burns

Governance, Health &
Administration
Jeff Deppe

Finance & Personnel
Luis Moreno

Litigation
Patrick Moreno

Forest Preserve
Kai Swanson

Board Members

Richard Morthland
Dwayne Cremeens
Scott Noyd
Robert Reagan
Jeffrey Deppe
Pat O'Brien
Donald Johnston
Dave Adams
Angie Normoyle
Edna Sowards
Ed Langdon
Rod Simmer
Drue Mielke
Ken "Moose" Maranda
Ron Oelke
Bob Westpfahl
Lauren Boswell-Loftin
Dorothy Beck

Administration Staff

Jim Snider
Catherine Przybyla
Jessica Hall

www.rockislandcounty.org

coboard@co.rock-island.il.us

1/21/2020

RE: Executive Order 13888, Refugee Resettlement

Honorable Secretary Pompeo:

This letter is in reference to Executive Order 13888, On Enhancing State and Local Involvement in Resettlement, which was issued on September 26, 2019.

...That process shall provide that, if either a state or locality has not provided consent to receive refugees under the program, then refugees should not be resettled within that state or locality.

As the Chairman of the Rock Island County Board, I fully support refugee resettlement in Rock Island County. Furthermore, the County Board of Rock Island County, by official board action, has authorized this letter in support of refugee resettlement in our county.

Taking into consideration, among other things:

1. The United States has very strict refugee vetting, involving personal interviews, multiple background checks, biometric screenings, medical checks, with the process taking as long as two years, involving the Department of State, Department of Defense, Department of Homeland Security, FBI, and the National Counter Terrorism Center.
2. Refugees have a positive economic and cultural impact on our communities.
 - a. Refugees pay \$21,000 more in taxes than they receive in benefits on average in their first 20 years in the U.S.
 - b. Refugee rates of entrepreneurship (15%) exceed other immigrants (11.5%) as well as U.S. born (9%).
 - c. Refugees become citizens at a higher rate than non-refugee immigrants. In 2015, 84% of eligible refugees were naturalized citizens, as compared to 51% of other immigrants.
 - d. Refugee children do as well as U.S. born children on measures of educational attainment.
 - e. Over 77% of refugees are of working age, as compared to 49.7% of the U.S. born population, helping to meet U.S. labor force needs.

**Source: The New American Economy's Report [From Struggle to Resilience, the Economic Impact of Refugees in America](#), and the National Bureau of Research's report: [The Economic and Social Outcomes of Refugees in the U.S.](#)*

In January of 1989, President Ronald Reagan spoke these words, reminding us of how essential those coming to America from other countries are to our nation's success.

"We lead the world because, unique among nations, we draw our people, our strength, from every country and every corner of the world. And by doing so we continuously renew and enrich our nation. While other countries cling to the stale past, here in America we breathe life into dreams, we create the future and the world follows us into tomorrow.

Thanks to each wave of new arrivals to this land of opportunity, we're a nation forever young, forever bursting with energy and new ideas, and always on the cutting edge, always leading the world to the next frontier. This quality is vital to our future as a nation. If we ever close the door to new Americans, our leadership in the world would soon be lost."

Again, for many reasons, we support refugee resettlement in Rock Island County.

Regards,

Richard H. "Quijas" Brunk
County Board Chairman

CC: Principal Deputy Secretary Carol T. O'Connell
Bureau of Population, Refugees, and Migration
U.S. Department of State