

Scott County Board of Supervisors
January 21, 2020 8:00 a.m.

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

Angela Kersten, County Engineer, reviewed a resolution authorizing the County Engineer to accept Farm-To-Market, Federal or State Aid construction projects. She said the Iowa Department of Transportation (DOT) administers these projects, and the DOT funds the projects by paying the contractors. Kersten said all the documentation and administration work goes through the DOT and the resolution allows the County Engineer's Office to sign a particular form at the end of the project that certifies the project has been completed and the contractor has completed the work. She said that the final payment to the contractor would still come before the Board to approve the project as being completed and the final payment to the contractor.

Kinzer asked if the resolution would involve approval of prevailing wages or swaps.

Kersten said those issues are determined prior to contracts being let and not with the certification of work completion.

Kersten also reviewed culvert replacement projects. She said one project is to approve the plans and specifications for two concrete box culverts that have been designed and ready for letting through the DOT and are currently on schedule for April of 2020.

Supervisor Beck asked about concrete sheet piles for one culvert.

Kersten said this was an interesting structure being replaced on old Highway 6, built by the Iowa Department of Transportation, and considered a culvert. She said the footing is concrete sheet pile that the concrete slab sits on.

She said these two projects are part of a collaborative Highway Bridge Funding Grant. She said the grant application was structured to save money by bundling projects together for letting to get better prices. She said these two particular culverts in the grant application were bundled with a Jackson County culvert. She said a committee was put together during the completion of the grant application that looked at all the eligible projects and ways to bundle them together that seemed most appropriate, such as type of replacement structure, location and how close they are together. She said to receive the federal-aid the County signed an agreement with the DOT stating that the County will follow all the plans and specifications for these projects and form a 28E Agreement with Jackson County stipulating that the two counties will let these projects together under one contract.

Supervisor Croken asked who would be the fiscal agent.

Kersten said the DOT would be the fiscal agent. She said Scott County volunteered to administer the contract as far as any sort of paperwork involved with the contract.

Kersten said the next resolution is a preconstruction agreement between Scott County and the DOT for a culvert replacement project. She said the DOT has prepared plans for let that replace several culverts along Highway 130, and one of the culverts is at the intersection with Y30. She said the intersection has been found to need safety improvement which involves paving a gravel shoulder, and the extension of the culvert would allow for the extension. She said Scott County would be responsible for the costs associated with that work, estimated by the DOT to be around \$18,000. She also said that since Y30 is a Farm-to-Market route the County would authorize the DOT to withdraw that amount from the County's Farm-to-Market account and no local funds will be expended.

Kersten also reviewed a resolution to authorize the County Engineer to make any necessary road closures and speed limit reductions during the 2020 calendar year for construction, maintenance projects or an emergency situation. She said there are times where the Department reduces traffic to one lane traffic then puts up signage to reduce the speed limit through the work zone. She said if there is an activity such as the Quad City Triathlon or Air Show, she would come to the Board separately for closures since they are not related to construction or maintenance projects.

Kersten also reviewed a resolution approving the policy for the purchase of right-of-way in 2020. She said the Department averages the sales of agricultural land, not buildings or houses, over the past year to pay for purchases of minor parcels. She said for larger parcels the Department would use an appraiser to set the value of the land.

Supervisor Knobbe asked if the difference in factors is largely determined by the roll back.

Kersten answered no, that only sales price are involved. She said the County Assessor provides the sales price for the year and that is divided by the acres.

Supervisor Maxwell asked how many of these purchases are done in a year.

Kersten said the County not has bought right-of-way for at least 10 years and the Department does not have any project in their five-year plan for purchase of right-of-way but need to have this in place each year in case something occurs that would require purchase of right-of-way.

Croken asked if this would be a condemnation.

Kersten answered no and said it would be a negotiation with the landowner.

Kersten also reviewed the annual resolution appointing the position of the Weed Commissioner in Scott County. She said Iowa Code requires that there is a Weed

Commissioner for the County and she recommended that she be appointed the Weed Commissioner. She said Scott County has a Roadside Vegetation Specialist that would do much of this work and she would be overseeing that work.

Kinzer asked about section 8 of the IDOT Federal-aid Agreement referring to federal aid swap and if the provision would affect Davis-Bacon Act prevailing wages.

Kersten said because there is federal-aid in these projects, regardless of the amount, they will have Davis-Bacon wages attached to them. She said the difference in cost came when Iowa approved the SWAP, so that funding that occurs outside of the metropolitan planning organization now is part of the SWAP program, and accounts that used to be called Highway Bridge Program (HBP) accounts are now called SWAP HBP.

Chris Still, Facility Maintenance Manager, reviewed architect and engineering services for replacement of two air supply units at the Scott County Jail which serve Juvenile Court Services. He said the current units are 30 plus years old and they have a difficult time maintaining cooling in the area. He said the Department has unsuccessfully tried numerous things to help. He said the replacement project requires architectural work for design assistance and bidding. He said the project went for bid in November, and four proposals were received. He said IEFM Consulting Engineers had the low bid of \$18,500. He said IEFM was involved in a previous project at the Juvenile Detention Center. He said the other bids included Wold Architects at \$24,570; RTM Engineering Consultants at \$27,600; and MSA Professional Services at \$45,000. He said the project is budgeted at \$460,000 and would span the current fiscal year and next fiscal year.

Supervisor Beck asked if there would be design work such as redirecting duct work.

Still answered duct work is not anticipated, but he anticipates different sizing of the units.

Supervisor Croken asked about the variance between the high and low bids.

Tammy Speidel, Facility and Support Services Director, answered that several firms attended a pre-bid walk through. She said that IEFM is more familiar with the space involved, previously having worked in that space.

Mary Thee, Human Resources Director, reviewed the collective bargaining agreement between Scott County and the Deputy Sheriff's Association. The parties agreed to a three-year contract with a 2.5 percent general wage increase each year. She said other economic issues included in the contract were increasing the uniform allowance over the first two years of the contract by a total of \$450.00 and adjustments to vacation accrual, deferred compensation match and changes to insurance.

Thee also reviewed changes to General Policy 43 "Video Surveillance" and Human Resource Policy J "Overtime Compensation".

She said Policy 43 has been in place for a couple of years and is being updated to reflect actual practices and division of responsibilities.

She said Human Resources Policy J "Overtime Compensation" is modified to reflect changes in overtime related to events that may result in a disaster declaration, such as the flood in 2019. She said two different FEMA analysts reviewed County policies including Policy J and reached differing conclusions as to whether the policy was sufficient for FEMA reimbursement. She said staff reviewed overtime policies from other jurisdictions and recommend adopting the State of Iowa policy. She said the policy would apply to overtime exempt employees.

Kinzer asked about the line stating the Board of Supervisors authorizes straight time pay for any hours worked beyond forty and if that would be time and a half.

She said it would be time and a half for employees who are already eligible for overtime and for employees who are not eligible for overtime staff recommends straight time.

Kinzer expressed that overtime should be paid at time and a half.

She said she conversed with some of the people this would impact, and they said they are fine with receiving the straight time. She said the policy would apply to employees whose pay is set at a higher rate as they are expected to work more than forty hour per week when necessary without overtime.

Kinzer and Croken asked if FEMA would reimburse this pay under the time and a half pay rate.

David Farmer, Budget and Administrative Services Director, said that FEMA would have reimbursed for overtime under either rate for the 2019 flood.

She said there is no guarantee of reimbursement and that the policy would apply only to higher paid employees.

Beck asked if federal law required paying salary employees at straight time pay for overtime work.

She said salary employees eligible for overtime pay are paid at time and half. She said the policy would apply to employees exempt from overtime.

Croken asked if the policy would make exempt employees nonexempt if there was an emergency declaration.

She said no, that these employees remain exempt, but they would be paid at straight time for hours worked more than forty hours per week in a disaster situation.

Maxwell asked what would determine the payment of overtime pay.

Thee said the determinant of overtime pay will be the declaration of a disaster.

Maxwell asked if the disaster declaration would trigger FEMA reimbursement.

Thee said the amount of loss caused by the disaster would determine whether FEMA would reimburse for losses.

Maxwell asked what would have been the financial impact to the County if this policy had been in place with the 2019 flood.

Thee said hours were not tracked so it would be difficult to estimate the impact.

Farmer said that the division of costs for the 2019 flood disaster was 75 percent for FEMA, 10 percent for Iowa and 15 percent for the County.

Maxwell said that he would like to know the dollar amount involved and the total number of employees affected.

Farmer estimated the number of employees at around 20 and they would be mostly supervisory personnel.

Croken said that some of the work involved in a disaster recovery occurs before the declaration of the disaster and asked if the affect to employee time is measured prior to the declaration.

Farmer said that one reason for the policy is to be better prepared for FEMA reporting and that changes to measuring operational impacts are being made and this proposed policy is one of those changes.

Croken said that disaster declarations can be political and arbitrary.

Knobbe asked if the payment of overtime would be contingent on the declaration.

Thee said the overtime payment would be contingent on the declaration. She said that the hours can be tracked.

Croken said that if the issue is that it is unfair for supervisors to work overtime in extraordinary circumstances then whether the situation is a declared disaster is not relevant.

Thee said that she thought the Board, the Governor or the President can declare a disaster.

Croken said that if the Board of Supervisors can declare a disaster then he is not concerned. He said that he was inclined to agree that overtime should be paid at time and a half.

Knobbe said that he was concerned about the Board possibly declaring an emergency for something less than a true emergency and then triggering the overtime pay.

Thee also reviewed a request to temporarily overfill the Administrative Assistant/Legal Secretary position in the Attorney's Office. She said a longtime legal secretary for the Juvenile Division in the Attorney's Office is retiring. She said the overfill seems to be a reasonable request to allow for training the new employee by the retiring one.

Thee reviewed classification and staffing adjustments in the Health Department. She said the Disease Intervention Specialist recently retired and the Department looked at whether to replace or to change the position. She said the Department would like to replace the Disease Intervention Specialist position with another Public Health Nurse position.

Thee also reviewed the hiring of Michael Smith for the position of part-time Custodian in the Facility & Support Services Department at the entry level rate.

Knobbe introduced voluntarily recognizing the Scott County Corrections Sergeants Association (SCCSA). He said the Board received information about this matter in closed session from an attorney regarding this request.

Maxwell said that after hearing from the attorney that the corrections sergeants think this is going to help them, but in reality in negotiations, they are the same by being voluntarily recognized or not. He said they do not have any more negotiating power, their salary schedule does not change, they can only negotiate base wage. He said he is for them going the PERB (Public Employment Relations Board) route to be able to negotiate base wage the same as other unions.

Beck said the key word the attorney had was value to the process. He said he agrees with what Maxwell said.

Croken said the Scott County Corrections Sergeants Association are a collection of grown up people and have come to the Board and asked to be voluntarily recognized. He said they are expecting that the County will negotiate with them in good faith, irrespective of PERB. He said he would be comfortable recognizing them and bargain in good faith as the County does with any other union.

Kinzer said he agreed with Croken, and assumed based on the letter sent to the Board, this group has vetted the leadership, vetted the route they want to take and said it is not up to him to decide if their choice is a good one. He said he supports what they do and he will be supportive if this is the route they want to go.

Knobbe said he concurs with Maxwell's remarks and added that the voluntary recognition mechanism exists on a national level and in particular for those states or markets where there is not a PERB or clearly spelled out process for recognition. He said in Iowa, we have that through PERB and it has worked well for all of the other unions represented at the County. He said he would recommend going the PERB route and be consistent with the other units in the County.

Kinzer added that PERB does not work well and that it did not work for the Bailiffs trying to gain the status that the Deputies have. He said bailiffs carry a firearm and can arrest on campus but were not recognized as a protective class by PERB.

Mahesh Sharma, County Administrator, reviewed a tax suspension request.

Matt Hirst, IT Director, reviewed a quote for the purchase of one hundred and ninety (190) printers for the Auditor's Office to be used at election polling locations for a total price of \$18,810. He said this need was a result of a change in standard and supported technology from the software provider, the Iowa Precinct Atlas Consortium.

Richard Bauer, Elections Supervisor, said this request is a result of the Precinct Atlas Consortium moving to these printers instead of the Dymo-label printers which will no longer be supported.

Hirst added that the Consortium bid these out, and that IT vetted the price and the price is good.

Croken asked if the change in equipment would require some additional training.

Bauer said yes and the training will be included with the trainings for the primary election.

Kinzer asked if there was just one quote.

Hirst said yes, one quote from Precinct Atlas Consortium, but said they are a state run consortium that bid this out and is a very competitive bid.

Hirst also reviewed a laptop computer replacement project. He said IT supports approximately 650 computers on the network, of which 450 are desktops that the Board voted to replace about 18 months ago. He said the other 200 are laptops and said they replaced 50 of those with tablets about two years ago. He said he has a quote from HP to replace the remaining 150 with a convertible device which is a laptop and tablet combination. He said this is a sole sourced project through HP with a single quote. He said staff vetted other devices from other manufacturers when researching this project and determined the device is very competitive and the quote is unparalleled.

Kinzer asked what would be done with the old ones.

Hirst said they may redeploy a few of them in places that do not require the processing power that the new devices have. He said that after six years the hard drives fail and are then difficult to maintain.

Beck asked if they would go to the Waste Commission.

Hirst said they just sent 500 plus devices to the Commission within the last couple of months and said Waste Commission makes a determination whether or not they are resalable.

Kinzer asked if they would be good for a school, church or other organization.

Hirst said the County could donate them and that has been done in the past. He said his suggestion for that is that when you hand off these devices, the organization needs to have some technical resources in order to get the devices meeting their needs. He said the Waste Commission wipes the hard drive, which is a huge service and time saver for IT.

Speidel said that Waste Commission works with other organizations. She said that the Commission provides a free service to the County by wiping the memory of the computers which would otherwise cost the County. She said part of that deal is letting the Commission sell devices which have a market value.

Beck said he would discuss the options with the Waste Commission Director at an upcoming meeting.

Hirst also reviewed NetMotion software license maintenance and support renewal. He said NetMotion is one of the virtual private network solutions Scott County uses to provide remote authenticated access to our network via the internet. He said IT received several licensing quotes and Insight was the low bid at \$36,390. He said that the cost has increased as the number of licenses has increased, from 150 licenses to 225 last year with an additional 25 to be added this fiscal year. He said that the software is used by Scott County public safety personnel to access 911 services and provided as a free service to small towns to access 911.

Sharma reviewed the 2020 appointments to the Condemnation Appraisal Jury.

Sharma also reviewed an E911 Service Board appointment. He said state law changed in 2019 to automatically include sheriffs on E911 Boards, while previously the Scott County appointee had been the Sheriff, and therefore the County needs to make another appointment. He said he recommends Roger Kean, Conservation Department Director, who has a law enforcement background and has served on SECC committees.

David Farmer, reviewed Continuing Disclosure Requirements for Scott County and Scott County Public Safety Authority. He said he sent the Board a memo about Administration filing annual disclosures with the Electronic Municipal Market Access

database. He said the Board did not need new training until a new member joined the Board or new debt is issued.

Farmer also reviewed setting the FY21 Maximum Proposed Tax Levy Public Hearing. He said legislation passed by the Legislature in 2019 requires this hearing because the property tax plus utility replacement tax that may be assessed during the year is expected to increase more than two percent. He said the resolution sets the hearing for Thursday, February 20, 2020. He said the law requires publishing advanced notice in the official County newspapers between 10 and 20 days before the public hearing, the notice will be published on February 5th and the notice would be posted to the County website as well. He said the maximum tax levy dollars are \$51,019,414 for general services (General Fund) and \$3,333,416 for Rural Services. He said those amounts are the maximum and the actual recommended budget would be less than those amounts.

He said the budget hearing is tentatively scheduled for March 19, 2020 and the budget approval would be scheduled on that date.

Sharma reviewed a proclamation recognizing the Martin Luther King Jr. Holiday as a Day of Service in Scott County and reviewed the beer/liquor license renewal for Kwik Shop #589.

Moved by Beck, seconded by Maxwell at 9:30 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