

Scott County Board of Supervisors
January 22, 2019 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.

Michael Walton, County Attorney, addressed the Board regarding a request to add an investigator in the Attorney's Office. He said attorneys are spending too much time doing investigative work and he would like the attorneys to focus on legal matters. He said review of video from police body cameras has increased over the last few years and continues to increase. He explained his office deals with about 5,000 indictable cases per year and each one of those cases has video evidence and some cases have videos from multiple officers. He said they have to review all of each recording, and that these videos run from 20 minutes to a couple of hours. He said many times there are other videos from business surveillance cameras, squad cameras and personal recordings. He said reviewing video takes time away from preparing cases, meeting with witnesses and doing legal research and legal pleading.

He also said an investigator is needed to find witnesses and maintain witness contact, and that oftentimes the need to locate witnesses occurs in the middle of a trial. He said Polk County has three internal investigators, and Linn County and Woodbury County each have an investigator. Walton said this is a public safety concern and that effective prosecution is important. He said his office deals with a huge volume of cases, and while his staff try to be lean and efficient, hiring an investigator is a need.

Supervisor Croken asked how the staff size of the Scott County Attorney's Office compares to other large counties in the state. He also asked if hiring an investigator will increase the productivity of the staff attorneys.

Walton said he did a personnel study a few years back, and found that Linn County had the same caseload as Scott County, even though Linn County has a greater population than Scott County. He said there are 16 attorneys in his office (counting himself) and that the Linn County Attorney's Office has 21 assistant attorneys. He said his staff does more with less. He also affirmed that hiring an investigator will increase productivity.

Supervisor Maxwell asked how hard it will be to fill the position, and if the requested salary was in line with other investigator positions.

Walton said he believes that finding an individual will not be difficult and that it would be a good position for retired or near retired law enforcement. He said that the \$89,000 includes salary and total benefits, and that he assumes the salary to be within the range for investigators.

Supervisor Beck asked if this individual would not be an attorney. He also asked what would be the benefit versus the cost of employing an investigator.

Walton answered the person would not be an attorney. He said most law enforcement personnel now have a bachelor's degree, but he is primarily looking for experience. He said the individual also would work closely with local law enforcement. He said the benefits include retention of experienced attorneys and reducing the liability of the county for missing important sections of video.

Supervisor Kinzer asked if one investigator was enough.

Walton said never but that it would certainly be a huge help. He said the attorneys will still review lots of video because there is no way one investigator could review all of it. He also said an investigator would help relieve the attorneys from tracking down witnesses which the attorneys now do after work.

Kinzer said he supports the request.

Croken said he too supports the request, but asked how to tie this to a measurable goal. He said the Board's vision for 2030 says Scott County will be a safe community. He said he is not sure we are there yet. He asked if an investigator could increase the number of prosecutions by ten percent or some other measurable outcome.

Walton said that having an investigator in a district attorney's office is very common. He also said better prosecutions in more cases help public safety. He said there is a danger in monitoring or grading prosecutions by conviction rate because prosecutors will then not take tough cases, or will prosecute every case to the maximum whether that is justice or not. He said that success in a prosecution could be a dismissal because that is justice. He said his prosecutors seek justice, they do not seek just convictions.

Supervisor Knobbe said the County departments and staff work on measuring for outcome reports.

Tim Lane, County Sheriff, reviewed the request for four new deputy positions in the Sheriff's Office. He said three would be on patrol and one would be an investigator.

Beck asked Sheriff Lane about the investigator position and if this position required a deputy or could it be filled by civil staff.

Lane said that the investigator is needed due to a shortage of investigators and the number of cases that they are working. He said that currently three deputies are investigators. He said one is funded through a Violence Against Women grant, and this position investigates not only County cases, but cases assigned from the County Attorney's Office that could have happened anywhere in the cities of Davenport or Bettendorf. He said that essentially the workload for this deputy is determined by what is in the Grant. He said the second deputy is the investigator for the Sex Offender Registry and that is a full-time position.

He said that only leaves one other investigator for all the other cases in the County. He said normally there would be an additional investigator, but the Sheriff's Office has been short that investigator position since he has been in the office. He said the investigator hire would back fill that spot. He said the new position would be filled by a deputy because civilian investigators cannot make arrests, and making arrests would be a big part of that job.

Lane said in the future he will probably ask for a computer forensic expert, who would be a civilian investigator, and that he has consulted with the County Attorney's Office to insure that he can use a civilian for that position. He said that the Sheriff's Office had computer forensic experts approximately a dozen years ago. He said that training for a forensic expert is a multi-year process.

Beck asked if a forensic investigator could be tied to the proposed investigator position in the County Attorney's Office.

Lane said his current request is a backfill position. He said he has not had a full staff of deputies since he has been Sheriff.

Knobbe asked if this was a backfill position or a new position.

Lane explained that opening the Eldridge satellite office required reassignment of staff, including assigning an investigator into a patrol position, and that with the current level of staffing he cannot fill the investigator position. He agreed that this would be a new position.

Kinzer asked Lane to clarify the total number of new positions.

Lane answered that the total of all requested positions is ten, and that the investigator position is not an additional request, but one of the four deputies originally requested.

Croken asked if there is a measurable outcome in terms of crime reduction that would result from the Board approval. He said that Scott County has the highest crime rates of the large Iowa counties. He said he presumes that increasing the Sheriff's Office staff will reduce crime. He thinks the people of Scott County want something done about crime. He also said that two Scott County cities are on the list of the most dangerous cities in Iowa and that we need to take some action. He asked if Lane could figure out what citizens can hope for as a result of investment in law enforcement.

Lane said crime statistics are very difficult to relate exactly to a community's crime problem. He said with more patrols on the streets citizens will notice a quicker response time and better results when they dial 911. He also said that the most efficient way for the officer is to witness the violator, make the arrest and close the case. The second most efficient way is to get there quick enough to determine that the suspect may have not left the area and a deputy can catch the suspect and put together a case.

Croken said this explanation makes perfect sense that everyone in the community can understand. He said the Board received a letter from a community member asking about the Sheriff's budget. He asked if he could respond to that person and say by this investment response times will increase by some number, and arrests will increase by some other number, and therefore to deliver safer community. He said this person and the many others who did not write in would say that is a measurable thing leading to a safer community.

Beck said he wants to make sure the Scott County Sheriff is not the back up to all the cities and asked what rural citizens' calls response times will be decreased to.

Lane said the response time is going to be a total of the drive time plus the amount of time the call sits and waits. He said the drive time is not going to get any faster but the time sitting and waiting is what they are looking to decrease. He said in an emergency other agencies can respond.

Lane said that Scott County is unique in that there was a definite do not cross line between Davenport and Bettendorf and the rest of the county. He said past sheriffs enforced that line by preventing deputies from entering Davenport unless in route to headquarters. He said there is no benefit what so ever to law enforcement that the line between Davenport and rural Scott County is more definitive line than the river between Iowa and another state.

Beck asked if two emergency calls are made at the same time, one from Bettendorf and another from rural Scott County, to which call would the Sheriff's Office respond.

Lane said his office would probably respond to the rural call, but that through a 28E agreement the various law enforcement agencies in Scott County can assist each other, so that potentially the Sheriff's Office could respond to the Bettendorf call. He said that the request for more patrol deputies will not substantially change current policing.

Croken asked if the Sheriff's Office was responsible for public safety in the cities with police forces.

Lane answered yes.

Croken said that the people of these cities pay taxes to support the Sheriff's Office. He said that towns which decide to not invest in police services and rely instead on the Sheriff's Office does not entitle them to priority service.

Lane said that for especially small towns in the rural part of the county it is not practical to hire their own police forces.

Beck said that the rural levy pays for more of the Sheriff's Office than taxes paid by city residents.

Beck said that he thought the county should not be a subsidy for all the towns if they cannot provide adequate policing to deal with car thefts and all the other crimes in the cities. He said that wants to help but he does not support hiring additional deputies if the cities cannot hire additional police officers.

Lane said that the additional officers will not make substantial changes and his office will not be taking over any other law enforcement area. He said his office needs the extra staff to adequately cover the rural areas.

Maxwell asked how many jailers are needed to staff the jail.

Lane said that he needs 59 officers. He said that he does not have 59 trained officers.

Maxwell asked how many over hires are approved, how long it takes to train a corrections officer and how many leave service per year.

Lane said that four over hires have been approved, and that it takes three months to train an officer. He said that the training officer is tied up in training for most of that time. He said that 41 officers have left since 2016, including four training officers and that training officers are difficult to recruit. He said that his office needs 64 officers with four being over hires to ensure proper staffing per shift. He said that his office has never had 59 trained corrections officers. He said that overtime is a substantial cost. He said for individual officers overtime creates substantial burdens when they have to work a 12 hour shift and then be forced to work another four hours.

Kinzer said that when citizens call 911 they do not care which agency sends help. He asked how to end 12 hour shifts.

Lane said hiring more people would allow for shorter shifts. He said the county went to 12 hour shifts to reduce employee benefit costs. He said that when he ran for sheriff the correction officers' union said about half the staff wanted 12 hour shifts and half did not. He said that already high turnover rates went way higher when the 12 hour shifts were adopted. He said that eight hour shifts are safer and more tolerable for officers.

Maxwell asked what difference there is between a regular corrections officer and an over hire.

Lane said there is no difference in pay or benefits. He said the difference is the over hire positions are not budgeted, and therefore he has to make sure the positions fit within the salary budget, which is not difficult due to the constant staff turnover.

Knobbe asked Lane to clarify how many correction officers are actually employed in the jail on average.

Lane said that the jail employed 52 trained officers when he was sworn in. He said the number increased to 57 officers until the summer of 2018 when many officers left. He

said his office is constrained in hiring officers more quickly by the number of training officers. He said another issue is having an average of two officers on family medical leave which increases overtime.

Croken commented that he supports the staffing request. He also said there should be a county plan to reduce the number of inmates. He cited that 30 percent of inmates suffer from a mental illness and that addressing the jail population through the mental health court would be less expensive and more beneficial to treat them. He said that there should be other strategies to reduce the need for jail services.

Sharma asked if the Sheriff was asking to increase authorized jail staff from 59 to 60.

Lane said in the first half of fiscal year 2019 his office is under spending the salary budget partially due to the turnover rate in jail staff. He said that his office will never spend 100 percent of benefit budget as some employees opt out of benefits. He said he is willing to accept adding four deputies, sex offender registry position and one correction officer to go to 60 authorized positions in the jail if he has the flexibility to over hire four correction officers. He said this plan is feasible as his office has under spent salaries by \$426,000 due to staff turnover.

He added that the \$375,000 for jail overtime will decrease by reducing the rate of turnover. He said that paying overtime through comp time creates a snow ball effect of increasing overtime which in turn increases comp time.

Knobbe asked David Farmer, Budget Director, to clarify the policy for budgeting over hires.

Farmer said the county has not budgeted for over hires. He said the Board may pass a budget amendment to change budget authority for a given county department.

Croken asked Farmer if the rural tax levy would increase to pay for the costs of four additional deputies for patrol.

Farmer said that the rural service tax levy includes the county library and secondary roads. He said it does not include any of the budget for the Sheriff's Office.

Kinzer asked Lane to clarify that the request is for one additional correction officer with the authority to over hire for four more officers.

Lane replied that is correct.

Roxanna Moritz, County Auditor, spoke to request to increase the Official Records Clerk position to fulltime. She said there is a lot of institutional knowledge in each one of the County departments that the departments do not get to share with the Board members. She said she wishes there was a time that supervisors individually would come to county offices and staff could share long-term plans. She also said Scott

County is very efficient when compared to all of the other counties. She said that the laws are changing constantly and that requires the County to do more things with fewer people.

Tammy Speidel reviewed the Facility and Support Services request to add a 0.25 FTE to a maintenance worker position. She said expanding this position will free up time for maintenance specialists to deal with issues which need a greater skill set.

Mahesh Sharma reviewed the Compensation Board salary recommendations for elected county officials. He said staff needs direction on how to proceed on the Board recommendations.

Moritz referred to the Compensation Board minutes and supplemental information she gave to that Board. She said the elected department heads are continuing to fall behind the middle of the salary ranges of other counties and that the longer the Supervisors delay a decision the harder it is going to get. She said that the auditor in Polk County earns \$115,975; in Linn County the auditor earns \$110,000; in Johnson County the auditor earns \$102,000; and in Scott County the auditor earns \$88,000. She said the average pay for major Iowa counties is \$92,385.

She said that by state law the salaries of deputies are tied to how much is paid to the elected official. She said there is one deputy in her office. She said deputy auditors in Johnson County earn more than she does.

Beck asked Moritz how much time she takes off, saying that he heard from others that she mentioned she takes three months of vacation.

Moritz said that she does not take three months of vacation. She explained that her job is not a standard eight-to-five job, but that she attends many evening and weekend events. As an example she cited that she made thirty community presentations regarding the new voter ID law outside of the standard office hours.

Kinzer referred to Moritz personally paying for an accounting degree, and asked if the degree was beneficial to her role as auditor and if the county should have helped pay for the costs of the degree.

Moritz said that the degree was beneficial to the county as it helped her to better manage her office. She said that when she began the program the Board of Supervisors decided to end tuition reimbursement for elected officials.

Croken said that good performance should be rewarded. He said that elections in Scott County are well run and that Moritz has done an exceptional job in conducting elections.

Beck said that deciding compensation for elected officials is difficult because they are not professional positions and the official cannot be fired for bad performance. He said that tying together the salaries for the auditor, recorder and treasurer increase the

difficulty because one elected official may perform very well while another may not. He said that the state law should be changed to allow for rewarding good performance.

Moritz said that the Board started to deal with the compression issue in the Sheriff's Office, even increasing the Sheriff's salary before the Sheriff took office. She said that there is a similar compression issue in her office that also needs to be addressed.

Rita Vargas, County Recorder, said that the Recorder, Treasurer and Auditor are paid the same salary in 63 of the 99 Iowa counties. She said there are 16 counties where the auditor is paid more than the recorder or treasurer to compensate the auditors for working overtime during elections. She said there are a lot of counties that do not have a birthing center or a funeral home and therefore those offices do not have requests for vital records or death certificates. She said her office is busy all day long dealing with customers. Vargas said there are new laws that come down and impact Scott County much more than smaller counties.

Croken said that Scott County elected officials are not paid comparable to the elected officials in other Iowa counties and that the remedy is to pay them more.

Tim Huey, Planning & Development Director, reviewed a rezoning request and said the only comment he wanted to make was the distinction between rezoning and subdivision. He said his department always reviews rezoning at the 30,000 foot level and ask if it is an appropriate area for any kind of residential development. He said he talked to the city engineer for Long Grove and that the applicant will have to meet Long Grove standards, which are equivalent to Scott County standards.

Jon Burgstrum, County Engineer, reviewed proposals from qualified engineering firms to provide professional structural design services pertaining to the preliminary and final design of two bridge replacement projects. He said that in the past his department did all the design work, but that with increased money for road construction, his department cannot handle all of the design work. He said Project No. L-319--73-82 is an existing 80' X 24' Steel I-beam Bridge built in 1961 on 252nd Avenue over Lost Creek in Princeton Township and Project No. L-420--73-82 is an existing 67'-6 X 24' Steel I-beam Bridge built in 1960 on 130th Avenue over Hickory Creek in Sheridan Township. He said he recommends IIW, P.C. be selected to perform the professional structural design services for preliminary and final design of the bridge replacements and that the estimate is \$28,000 for preliminary and final design not including geotechnical services.

Burgstrum also reviewed road closures and posting reduced speed limits. He said that Iowa requires the Board to pass a resolution allowing the County Engineer to close roads for emergency situations, whether it be an accident or wash out of a culvert. He said typically it is related to something with the road and for construction projects and that a few years ago they added giving the County engineer authority to reduce the speed limit within the work zones.

Burgstrum reviewed the annual appointment of the weed commissioner. He said state code requires the County to appoint every year and that he has been the Weed Commissioner for quite a few years.

Knobbe asked if the weed commissioner can eradicate noxious weeds on private property.

Burgstrum said that state law allows the commissioner to eradicate noxious weeds on private property but the owner first must be given an opportunity to eradicate. If the county performs the eradication the costs are charged to the property owner as a special assessment on the property tax bill.

Barbara Pardie, Fleet Manager, reviewed the solicited bids for an electric forklift for the FSS department. She said the new forklift cannot be diesel or gas due to the election equipment stored at the warehouse having to be environmentally safe. She said the current one, a 2003, has already had half of its value spent in repairs and it would be an additional \$5,000 to replace its battery. She said the low bid is for a 2019 Octane Forklift at the price of \$21,900 that includes delivery.

Croken asked where the firm is located.

Pardie said the firm is from Denver, Colorado. She said she researched the firm and asked for government references and that the firm would not disclose their clientele because of privacy. She said she bid this purchase twice because she could not find out where the forklift was manufactured, although it was assembled in the USA but did not say where.

She said the service center has to be within 25 to 50 miles of the Quad City area. She said this will be the only electric forklift that FSS has, that her mechanics are not too knowledgeable on electric forklifts, and because of that she has recommended including a service agreement.

Supervisor Kinzer asked if there was anyone near Scott County that sells the Clark forklift model.

Pardie said that no firm from near Scott County put in for a bid. She said the request went out on the public purchase website for bids twice for a total of six weeks and that she can make a phone call to people at the dealerships telling them about the requests but they have to meet the deadline for submitting the bid. Pardie said she has done her due diligence to get local dealers to submit bids.

Kinzer asked about a trade-in.

Pardie said she did not ask for a trade-in because the forklift is so unreliable.

Kinzer asked how vendors are contacted.

Pardie said she personally called vendors and let them know that there was a particular electric forklift coming out for bid and that she called several different ones in the local area as an opportunity for their business.

Pardie reviewed the purchase of a used vehicle for the Sheriff's Department. She said she identified three vehicles needing to be replaced. She said one reason for buying used vehicles is that they need to be unmarked because they are for the special response team in the investigations division. Pardie said she put in the following parameters into different websites: inventory had to be within 25 miles of Scott County, had to be low on miles, had to be less than three years old, had to include some warranty and no accident damages. She said she had looked for three months and nothing flagged up, but recently prices started to drop as dealers finally got some stock. She said she found two vehicles that would be below the \$15,000 threshold for Board approval, and that she used her purchase card to put \$500 down to hold one vehicle for discussion with the Board. Pardie also explained the replacement eligibility for the vehicles being replaced. She said she recommends approval for a 2015 Buick Encore with a balance due of \$15,389.81. She said the other vehicles are a 2016 Jeep Patriot at \$14,209.81 and a 2018 Hyundai Elantra for \$14,499.

Pardie reviewed bids for a tractor with cab and mowing deck for Secondary Roads. She said she recommends awarding the bid to Kunau Implement of DeWitt, Iowa in the amount of \$35,605 for a 2016 Case IH Farmall 120A. She said for the mowing deck equipment Fleet Services used the Iowa State DAS contract and awarded to Diamond Mowers, Inc. of Sioux Falls, South Dakota. She said that the mower deck package with installation and delivery is \$39,998. She said the total purchase price for the entire tractor set-up with delivery is \$75,603. She said two particular companies came back with bids and that 12 vendors looked at the package.

Maxwell asked if the department was keeping the mower off of the old tractor.

Pardie said no, that the old mower deck will be part of the trade-in package.

Croken asked what the difference between the Maxxum and Farmall is.

Pardie answered it was the horsepower as well as the Maxxum being a newer machine.

Croken asked if the county was obligated to buying the mowing deck from Diamond Mowers.

Pardie said the county is not obligated to buy from Diamond Mowers but that the county already has other mowers from Diamond and it make sense from a management viewpoint to stay with familiar models.

Tammy Speidel, Facility and Support Services Director, reviewed quotes for implementing a Crisis Communications Plan, a Crisis Management Plan and a Continuity of Operations Plan / Continuity of Government plan. She said several months

ago an incident occurred on campus which brought back to light the need to effectively communicate with all building occupants, including State employees. She said a committee was formed to look at the crisis communication plan and a crisis response plan. She said the group reviewed the quotes from Alertus and Singlewire. She said it became apparent that Alertus was a better option for Scott County and will allow emergency notification to any computer or any phone that is on the County network. She said that this will cover the state offices as well as the county library. She said this first phase allows for a mobile app from which people will be able to get notifications via their cell phone. She said the committee wanted to be able to notify people that are away from campus to warn them if there is an on-going incident. She said the costs for the first phase is \$33,690. Future phases could include LED signage for courtrooms and conference rooms.

Matt Hirst, IT Director, reviewed the image scanning and indexing project in the Recorder's Office. He said that he is informing the Board about negotiations with US Imaging for contracted services. He said the project began in 2016 with a local firm which has gone out of existence. He said IT and the Recorder put together an RFP and obtained 14 different responses. He said he recommends the US Imaging quote for \$264,595.63. He said this project will look to digitize records currently stored within the Recorder's Office on film, basically from 1971 through 1988. He said film is a poor medium for record storage.

Maxwell asked if there are other records besides those on film which need to be scanned.

Sarah Skelton, Recorder's Office Operations Manager, said there are other books which are not set to be scanned with this project.

Hirst said the project will also address scanning all index books which locate records, but not necessarily all the old records.

Kinzer asked if the books will be eliminated.

Hirst said that the books have historical value and will not be eliminated, but no decision has been made on where or how to preserve them. He said operations in the Recorder's will improve with better access to indexing books and the scanned records.

Knobbe asked if the firm comes on site to perform the scanning.

Vargas said the firm would be on site.

Hirst said on-site scanning would insure that the film is not damaged or lost and the records would be available for public use.

Moved by Beck, seconded by Maxwell at 11:10 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