

Scott County Board of Supervisors
June 11, 2019 8:00 a.m.

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

Larry Murphy, lobbyist for the Urban County Coalition (UCC), gave a brief history of the organization and reviewed the process of bill tracking. He said the UCC is seven years old and includes the counties of Blackhawk, Dubuque, Johnson, Linn and Scott. He said it was formed primarily due to migration into urban areas and that urban county issues are different than what rural counties face.

Gary Grant, lobbyist for the UCC, reviewed legislative priorities. Regarding property tax legislation he said Senate File 634 started at a two percent hard cap in revenue growth and required a reverse referendum for revenue greater than the cap. He said the final version ended up with a two percent soft cap, and to exceed the cap requires an extra meeting and publication, 15 days to certify the budget and a super majority of the Board for passage. He said the law also included a reset provision, so that when assessments increase to the point that a given levy rate produces an increase in revenue the levy rate will be reset downward. He said the Department of Management was unsure how to make this mechanism work and many question the constitutionality of the provision.

Supervisor Maxwell asked if the law prevents a local government from passing inflated budgets in some years to build up a fund balance in anticipation of a year when extra funds will be needed.

Grant said the law does not prevent that action, but added this was unlikely due to including the levy for IPERS and public safety personnel retirement funds the two percent cap, as those needs will take precedence over other budget priorities. He said realistically all of the urban counties will hit the 102 percent cap no matter what.

Supervisor Croken commented that overreaching by the General Assembly is not limited to the property tax issue and we ought not to expect any sympathy in that area, this is a big political issue and much of the county budget is mandated by the state.

Knobbe asked what comes next from the legislature regarding property taxes.

Grant said many legislators of both parties support ending the \$152 million backfill for commercial and industrial property tax rollback.

Grant next reviewed the Mental Health Funding (HF 692). He said SF 504 which passed two years ago included a 20 percent restriction on the size of mental health regional budgets which essentially means a reserve of 20 percent. He said that 20 percent simply was not enough to cash flow the mental health regions. He said one of the things the UCC accomplished was to increase the reserve from 20 percent to 40 percent, and

allow encumbered or obligated funds to be exempt from the 40 percent. He said the legislature does not feel any sense of urgency about funding mental health regions as some regions have sizeable reserve funds but most regions do not.

Grant then reviewed the Children's Mental Health Bill (HF690). He said it was a very good bill because it makes sense to not have a mishmash of mental health services for children, but instead have one organization providing the spectrum of mental health care. He said the bill creates a list of core services for children and requires regions to submit a plan for the creation of this set of services by December. He said UCC members and their regions are encouraged to have the first line of their plan to read subject to available funding. He listed three separate laws in which the State keeps adding responsibilities to the regions and therefore the counties without state funding. He said the UCC message to the state is there has to be some level of state funding.

Maxwell asked if having the funding come from sales tax has any traction in the legislature.

Grant said possibly, as some law makers want to fund the Iowa Water and Land Legacy but most will not raise the sales tax by three eighths cents for that purpose. He said they are more likely to raise the tax by one cent and then decide what to do with the extra five eighths, including funding for mental health. He said unlike the Iowa Water and Land Legacy, there is no constitutional protection for mental health funding which could easily be diverted to other purposes. He said buying down the mental health levy would provide some guarantee as not funding the levy buy down could trigger an increase in property taxes with the onus placed on the legislature for causing the increase.

Beck said the supervisors hear from the legislators there will be no increase in funding and counties need to figure out how to better manage the mandated programs.

Murphy said that DHS told regional CEOs that DHS expected the mental health regions to pick up the funding gap for Medicaid services, and Assertive Community Treatment (ACT) teams, including those in the Scott County region, have already been affected.

Croken said the ACT team in Scott County was started by Vera French Mental Health Center and funded by Genesis Health Systems. He said that funding mental health programs with sales tax proceeds was inherently regressive.

Murphy said the true cost of mental illness is masked by imprisoning people with mental illness rather than treating them. He said up to 60 percent of jail inmates in Iowa counties and at least one half of the Iowa prison population suffer from a mental illness which led to their incarceration.

Croken said the legislature has starved funding for specialty courts, such as mental health courts, and those services are no longer available.

Grant said the Department of Human Services Budget (HF 766) cut the ACT team funding to \$211,232 from the original \$1.1 million.

Grant said the issue regarding County Compensation Boards did not gain much traction this session, although there was an attempt by the Legislature to outline how these are made up. He said the proposal was to comprise the Boards of five commissioners from appointed representative from the Township Trustees and City Councils located in the county. He said this is one of the areas the UCC differs with ISAC simply because ISAC has a number of affiliates that may not want to have their members compensation completely determined by the Board of Supervisors.

Grant said the prisoner's medical expense bill (HF 685) establishes a working group comprised of the Sheriff's Association, ISAC and the Hospital Association to work out a solution for who pays for these costs.

Croken asked if he could explain the problem.

Grant said the Iowa Code and case law is fuzzy on county and city responsibilities for medical expenses incurred for prisoners prior to when custody occurs. He said the UCC has asked to be a member at the work group table and participate in the study.

Croken said that local taxpayers pay either way in paying higher health insurance, higher deductibles, and higher costs for healthcare.

Grant reviewed Land Acquisition bill (SF548). He said it was a contentious bill which repealed a tax credit for contributions to the Iowa Natural Heritage Foundation; prohibited water pollution control projects from including the acquisition of real property for a future donation or sale to a political subdivision, the DNR, or the federal government; and prohibited those groups from acquiring land owned by a private entity using revolving loan funds from the Clean Water Act/Safe Drinking Water Act.

Grant said the effort to repeal the Forest Reserve Tax Credit (S5) was not successful and that there is a significant portion of the forest reserve tax credit land is actually in the UCC counties. He said the fiscal note attached to the repeal of the tax credit estimated repeal would increase property taxes by \$12 million statewide.

Grant reviewed SF 629 and said the credit goes to County Engineers who helped the Legislature understand what a bad idea is was to take away the counties' ability to permit excessively heavy loads. He said there is going to be a committee established with the county engineers and the DOT to do a state wide permitting of divisible loads.

Grant reviewed the Unfunded Mandates bill (SSB1060), and said that as an example, DHS has consolidated small county offices into large regional service centers, and the urban counties struggle with being forced to supplement the budget of state agencies, such as DHS, by providing services like office space, office support, furniture, copiers

and records storage space. He said the bill was not voted on in committee but remains viable for passage next year, and urge Supervisors to contact area senators about it.

Mahesh Sharma, County Administrator, said Supervisor Kinzer called about a conflict he had in attending the Committee of the Whole meeting, that he discussed expediting approving an ordinance for a stop sign in Blue Grass Township on 112th Avenue and 140th Street Place, and that Kinzer said he was not in favor.

Angela Kersten, Assistant County Engineer, displayed a map and described the intersection of 112th Avenue and 140th Street Place that was part of a safety study. She recommended removing one stop sign and placing two signs on 112th Avenue. She said revising the stop signs will minimize obstructions to sight lines and alleviate the potential for vehicles to back up onto Highway 61. She said Deputy Sean Thompson stated there were many accidents at this intersection, with most of them being failure to yield. She said the safety study made short term recommendations, including the stop sign placement. She said long term recommendations involved several intersections with Highway 61 and the possibility of a new convenience store in the area.

Croken asked for more information about the public safety issue.

Thompson said he has investigated more than a dozen traffic accidents which included fatalities, severe injury with loss of limbs or massive accidents. He said the topography of the road falls quite a bit from the crown so it limits seeing truck traffic.

Maxwell described the traffic flow on the two lanes going each way on Highway 61 and in the turn lanes.

Croken asked why it is not recommended to have a traffic light.

Kersten said it did not meet the criteria based on the study at this time and that this is a little challenging because most improvements need to be made on Highway 61 which is a state highway.

Beck said the Board needs to solve this short term issue and then look at the whole corridor.

Croken said if there is general consensus around this he did not know why the Board would not expedite the readings of the ordinance.

Knobbe asked what comments from the public have they had on this.

Thompson said residents from the mobile home park say it is a dangerous intersection but do not want to lose access to cross the highway.

Kersten said that Blue Grass Fire and other personnel attending the accidents are in favor of anything that can improve safety.

Beck asked when the right turn lane modifications could be made.

Kersten said it could be made this year after a discussion with the Iowa DOT. She said the stop signs would cost \$500 or less.

Tim Huey, Planning and Development Director, reviewed the Vacation of an Official Plat of Lot 1 of Fuller's First Addition located in the SW $\frac{1}{4}$ Section 36 of Blue Grass Township. Huey said that approval of this request will revert the property back to the previous legal description which is Lot 4 and Lot 5 of Mahoney's 4th Addition and each of those lots are .84 acres in size which conforms to the minimum lot size for Single Family Residential Zoning (R-1) which will allow a residence to be developed on each lot. He said staff has not received any comments or calls on this request and that the required public hearing is scheduled for this Thursday.

Huey reviewed a Preliminary Plat of a Major Subdivision known as Stoney Creek North Third Addition located on Parcels #850623008 & #850639002, totaling 16.42 acres, more or less, legally described as part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6 AND part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6 in Pleasant Valley Township requested by Tim Dolan. He said the County Engineer is recommending that the new roads not be accepted onto the County Road System. He said the request is for 14 lots and that they will be served by Iowa American Water. He said the Commission did not receive any comments.

Tammy Speidel, Facility and Support Services Director, reviewed the plans and specifications for the Administrative Center Window Replacement and Exterior Cladding Project and the public hearing scheduled for Thursday. She introduced Roger Schroefer from Wold Architects and Engineers.

Schroefer showed pictures of the building before the County took it over and its current condition, and reviewed the condition after removal of the damaged EFIS. He said an older cladding material will need to be removed to reach the original concrete structure. He said less tuck pointing will be necessary than first thought. He also showed images of the building after project completion, and presented samples of the two chosen colors. He said the replacement windows are the same as installed at the Courthouse. He noted that the cladding with the aluminum panels has a R17 insulation rating.

Speidel said the life expectancy of the aluminum panels is 25 to 30 years, and they can be electrostatically repainted to last another 20 years.

Croken asked if there was some way to increase the appeal of the appearance of the cladding, display the colors of the Scott County logo and reflect the brand of the County.

Beck expressed concern about delaying the project by making changes at this point. He asked if making a color change would delay the bidding process.

Speidel said that if approved, bids will go out Friday and be due back July 1st and the work be done by the end of November, and that changing colors would not cause delay.

Speidel reviewed several maintenance contracts, including three year contracts for generator testing with 3E in the amount of \$22,515.00, for periodic maintenance and inspection of boilers with Ragan Mechanical in the amount of \$32,788.00, for window washing with Quad City Window Cleaning in the amount of \$29,100.00 and rubbish removal with Republic Services in the amount of \$33,588.00. She said the County received multiple bids for each contract and that these vendors are local.

Speidel and Chris Varnes reviewed a resolution with a new quote for Continuity of Operations / Continuity of Government planning with CH Consulting Group in the amount of \$92,940.00 and rescinding a previous resolution approved on May 30, 2019.

Varnes said the committee discovered a discrepancy in the way costs were allocated between Scott County Emergency Communication Center, Scott County Emergency Management Agency, and Scott County.

Mary Thee reviewed the FY20-22 three year software license agreement with NEOGOV system in the amount of \$79,636.11 (\$26,545.37 annually) for a web-based employee performance appraisal system, online hiring system and integration.

Thee reviewed the hiring of John Payne and David Havens for the position of part-time Custodial Worker in the Facility & Support Services Department at the entry level rate, and the hiring of Lemuel Pass for the position of Corrections Officer in the Sheriff's Department at the entry level rate.

Ed Rivers, Health Department Director, reviewed the FY20 agreement with the Center for Alcohol & Drug Services (CADS). He said it is an annual renewal.

Beck asked is there a quantity of services or number of people served.

Sharma said the Board received the numbers during the presentation at Robert Young.

Croken said he assumes they are paying for all of the people in need of the services.

Rivers said that CADS has objectives that go into the budgeting for outcomes report. He noted the contract states that County payments are to supplement and not supplant other available sources of income to CADS, such as fees collected for services provided to individual patients. He said that the payments made by Scott County cover about 40 percent of the cost of services provided.

Sharma reviewed four routine tax suspensions.

David Farmer, Budget and Administrative Services Director, reviewed FY19 fund transfers requiring Board approval. He said the memo will be updated and brought back to the Board in September for the amounts designated by TBD (To Be Determined) after year end accounting occurs.

Sharma reviewed cigarette/tobacco permit renewals for Express Lane Gas & Food Mart #79, Perfect Value Liquor Mart, Slabys Bar & Grill and Davenport Country Club and a beer/liquor license renewal for Perfect Value Liquor Mart. He also noted that an additional cigarette/tobacco permit renewal would be added to the Board Meeting agenda for Big 10 Mart.

Under other items of interest, Knobbe said the County was asked to provide a letter to the Certificate of Need Board regarding a joint venture between Genesis and Wesleylife supporting a nursing home project to be located on 53rd Street and Middle Road in Bettendorf. The Supervisors were in agreement to sending the letter.

Knobbe asked the Supervisors about expediting the readings for the stop sign ordinance by including it in the agenda for the next Board meeting.

Maxwell said he would like to talk to Supervisor Kinzer first before voting on expediting.

Knobbe directed staff to put it on the agenda.

Knobbe said Sharma, Farmer and he participated in a discussion with the bond advisors and Moody's bond rating agency. He said that the discussion went very well and Farmer and the advisors gave a good presentation.

Knobbe said he would be absent for the upcoming Board Meeting.

Maxwell said he would be absent for the next Board cycle.

Beck updated the Board about a recent Waste Commission meeting. He said the Commission worked on a budget for next year. He said revenues increased ten percent and costs increased four percent. He said everything is running well at the facility and the Commission foresees the market for recyclables increasing.

Moved by Maxwell, seconded by Beck at 10:30 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