

Scott County Board of Supervisors
August 20, 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.

Marlita Greve, Chief Judge of the Seventh Judicial District, updated the Board on Judicial Branch matters. She thanked Sheriff Lane for the security provided at the courthouse along with Tammy Speidel and the F&SS staff for insuring other needs are met. She said Scott County is one of a dozen in the State that have airport like security. She also said the second floor Clerk's Office was remodeled a couple of years ago and is really very nice and very functional.

Greve said a new District Court judge will be seated starting in September. She said Judge Nancy Tabor is retiring after 20 years on the bench and that her last day is the end of August. She said the new District Court Judge is Tamra Roberts from Cedar County, who will cover the five counties in the Seventh District, and her swearing-in ceremony is on September 12th at 3:00 p.m.

Greve said the District is now fully staffed with judges for whom the legislature has appropriated funds. She said the Judicial Branch will ask the Legislature for additional staff next year for more judicial specialists (formerly called clerks). She said the Courts are installing a digital audio recording system in the juvenile courtroom. She said there are fewer court reporters and the system is needed to record court proceedings. She said one reason for more judicial specialists is to monitor and operate the recording system.

She noted that according to the workload formula statewide Iowa needs about 25 percent more judges, and Scott County needs about 27 percent more judges. She asked the Supervisors to talk to area state representatives about the need for more judicial specialists and more judges to keep up with workloads.

Supervisor Croken asked what message Greve wanted communicated to the state judicial services committee meeting on September 6th in Scott County.

Greve said the District mainly needs funding for extra staff. She also called for support of the rural courts initiative to insure the rural courts in Iowa will have every clerk's office open in all 100 courthouses which takes funding for a minimum of two and one half clerks per courthouse.

Supervisor Beck asked in what area of trials the Judge is seeing an increase, and, due to the evidence being accumulated, are the trials running longer.

Greve said that more criminal cases are going to trial. She said that the amount of evidence is not increasing the length of trials, but jurors take longer to deliberate on the

evidence and are expecting more scientific evidence based on viewing various movies and television crime shows. She said there is only one crime lab in the State of Iowa.

Supervisor Kinzer asked about the lack of attorneys and public defenders.

Judge Greve said as a court they have to appoint an attorney for any defendant who is deemed indigent by meeting a certain standard of financial resources. She said unfortunately the number of attorneys willing to accept such appointments is getting fewer and fewer. She also said the public defender's office has excellent attorneys but can only take a certain number of cases.

Frank Livingston, pastor from Mt. Sinai Church, said the church has been in existence for almost 30 years, that he has been here for 13 years and that they have been very diligent since they got the news regarding property tax liens against the church. He said to his knowledge there was never any information that came forth until May 2018 when they sold the other property to the other church and then there was a document that showed up and said they owed taxes. He said they are trying to resolve this matter and have talked to the City Assessor and the Treasurer. He said they are a tax-exempt charitable organization and this issue is causing financial stress and is creating a condition between the church and its financial institution. Livingston said the Board has the power to abate taxes and the church is asking for fairness.

Supervisor Knobbe said he talked to Mr. Livingston and has some questions and that he gathered extensive information on the subject. He said when they talked he asked if he knew who the attorney was that represented the church at the closing.

Livingston said that the realtor represented both parties and an attorney was present for the purchaser. He also said there was nothing regarding taxes ever mentioned.

Knobbe said that it is his understanding that the attorney prepared the documents and deed and the church's old address was entered in the system which is the address the County sent all notices to.

Livingston said apparently Pastrnak was the attorney for the sellers and, to his knowledge, there was no information sent over from the previous church address to the new location regarding taxes until May of 2018. He said that notice is when they found out about the taxes owed in 2016, 2017 and 2018.

Knobbe showed a copy of a letter from the City Assessor's Office that was sent to Mt Sinai Church, to the Pine Street address, regarding the Northwest Blvd property filing for exemption. He said that letter obviously did not get to him.

Livingston said no.

Knobbe said that after church members came to the Board the first time, he had the County Attorney look into this with the question, is there any way that the County can go

back to abate taxes for previous years. He said the answer is no and those taxes have been sold to another investor, Oak Helm Partners, who owns the taxes for the years 2016 and 2017.

Livingston said since the document was filed in May of 2018 why could not the 2018 taxes be removed.

Knobbe said it was his understanding that the filing deadline was February 1st and that he would look into the abatement of 2018 taxes.

Livingston also asked about the taxes they have been paying and not showing up in the system as being paid.

Knobbe said he would look into this issue and said that if there is a legal way to abate taxes he would bring that to the Supervisors.

Maxwell said he would do whatever he can, but the Board's hands are tied by the law.

Kinzer asked how much money was owed, and if Knobbe would share the emails he has received from the County Attorney's Office.

Livingston said about \$100,000 was owed in taxes.

Knobbe said he would be glad to share the emails.

Jon Burgstrum, County Engineer, reviewed Iowa Code Section 28E agreements for two construction projects, one with the City of Long Grove and one with the City of Eldridge. He said both are in this year's budget and program. He said that a portion of Slopertown Road is within the Eldridge city limits and a portion of Cadda Road is within the Long Grove city limits. He said agreements were sent to the cities, that Long Grove approved its agreement on Thursday, Eldridge was supposed to approve its agreement last night, but he has not heard this morning if that happened.

Tim Huey, Planning and Development Director, reviewed a public hearing on the State Construction Permit Application of JT Cleona Pork LLC. in the SW¼SW¼ of Section 8 T79N, R1E (Cleona Township) for two confined animal feeding buildings at 24155 10th Avenue in unincorporated Scott County. He reviewed the application process. He said that the matrix evaluates 44 items with points awarded to each item. He said that a total of 880 points are possible and a passing score is 440 points.

He said the County holds a public hearing on an application even though the law does not require one. He said it is a State permit with State requirements, and the County does not have the ability to deny it. He said the public hearing will be held Thursday, August 22, 2019 and the resolution will come to the Board for consideration in two weeks after Planning and Development and Health Department reviews.

Huey reviewed the property location and map.

Croken asked about residential neighbors and the smell that comes from confined animal feeding operations.

Maxwell said that Iowa State University research shows that odors abate with one mile of the source and that planting trees around the site helps dissipation.

Huey also reviewed the 2020 Census. He said canvassers will soon be confirming addresses around neighborhoods this year ahead of the year 2020 count. He also said there is a link to a canvasser application form on the County website.

Kinzer said it is very important to educate the public on participation in the census for reapportionment and allocation of federal funds.

Croken said he will be hosting a Facebook Live event with Denise Bulat of the Bi-State Planning Commission on September 9th at 5:30 p.m. regarding the Census.

Tammy Speidel, Facility & Support Services Director, reviewed the purchase of furniture for the Treasurer's Office. She said during the capital budget process the Treasurer's Office requested some remodeling of the work space. Speidel said she worked extensively with Treasurer Fennelly and staff to design the new counter, opting for modular furniture to accommodate future changes. She said there will be some other components, including demo work, electrical work, structured cabling and carpet replacement. She said the bid from Allsteel is recommended to the Board and installed by local vendor Paragon Commercial Interiors for \$24,075.97. She said since the cost is under the budgeted amount, the Treasurer has asked to have CCTV added to the Treasurer's Office at the Administrative Center and the General Store, and to have some solid sided workstations replaced with glass inserts for a better view of the public at the General Store.

Paula Arends, Workforce Innovation Director for Eastern Iowa Community Colleges, updated the Board on creation of Chief Elected Official Agreements (CEO) and the realignment of the workforce regions in Iowa. She said two years ago the Department of Labor monitored Iowa Workforce Development and made eleven findings regarding operations of Workforce. She said one recommendation was for the region to adopt a CEO Agreement in place of the College handling the program. She said adopting the agreement would bring our region in compliance with the law.

She said another recommendation was reducing the number of regions. She said seven regions appealed the realignment to the State which denied the appeals, and those appeals are now before the Department of Labor. She said the region including Scott County was expanded to include the Burlington Region. She said the realignment could eventually result in the reduction of One Stop programs from the current 15 to six.

Arends reviewed different Workforce programs in One Stop, including Promise Jobs, Job Corps, various Title I programs, vocational rehabilitation and others.

Kinzer said the presentation was to update the Board on various changes occurring in Workforce Development and did not require Board action.

Croken commented that regionalization has not accounted for the distances participants need to travel to participate in programs.

Mary Thee, Human Resources Director, reviewed the hiring of Melvin Jarrett, Gary Mayfield and Maurice Woods for the positions of part-time Detention Youth Counselors in the Juvenile Detention Center at the entry level rate and the hiring of Kevin Sanchez and Linda Farmer for the positions of part-time Custodians in the Facility & Support Services Department at the entry level rate.

Thee also reviewed policy updates. She said Human Resources Policy R “Corrective and Disciplinary Actions” is modified to reflect changes in state law to serve as a reminder of no reprisal against an employee who in good faith reports unethical, illegal or suspicious activity to a public official, the County’s Human Resources Director or the state ombudsman. She said the change in the state law also requires the County to provide new employees with the contact information of the state ombudsman and notify existing employees through this policy.

She said that General Policy 44 “Service Animals” is a new policy to address updates in state law regarding animals in public buildings. She said state law limits service animals and service animals in training to a dog or miniature horse. She added that the use of a service animal may be addressed as a reasonable accommodation under the American with Disabilities Act. She said the policy is intended to address these issues so there is uniform application.

Croken asked if an emotional support animal is a service animal.

Thee said such animals are not considered to be service animals unless the animal is trained to meet a psychological need of its owner.

Maxwell asked what questions can be asked of someone bringing an animal into a county building.

Thee said questions that can be asked are; is the animal required because of a disability and what work or task has the animal been trained to perform.

Sam Samara, IT Network Infrastructure Manager, reviewed Cisco phone hardware and software maintenance and support bids. He said IT maintains 1100 telephone sets and 175 lines of service for 20 business entities. He said the request is for approve maintenance renewal for three years for \$153,223.88 from ConvergeOne.

Beck asked what company has the current contract.

Samara answered that ConvergeOne has the contract.

Knobbe asked about the incorrect bids.

Samara said a couple of the vendors bid equipment but not maintenance or they only bid for one year contracts.

Mahesh Sharma, County Administrator, reviewed an FY20 Jag Grant application and a beer/liquor license renewal for Mickey's Country Cafe.

Moved by Maxwell, seconded by Beck at 10:15 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