

Scott County Board of Supervisors  
September 30, 2021 5:00 p.m.

The Board of Supervisors met pursuant to adjournment with Beck, Kinzer and Knobbe present, and Maxwell and Croken participating electronically. Due to social distancing concerns relating to COVID19, Supervisors and staff were spaced apart during the meeting. The Board recited the Pledge of Allegiance.

Moved by Maxwell, seconded by Knobbe a motion to remove from the agenda Item 7, a Resolution Recognizing September as Labor Union Appreciation Month. Roll Call: Maxwell, Beck and Knobbe voted Aye; Kinzer and Croken voted Nay.

Maxwell said that proclamations should not be taken lightly. He said that he believed there should be no division or hard feelings when the proclamation is done. He said that he expressed his concern during the committee of the whole meeting and was saddened by his colleagues saying vote no or come up with your own proclamation, with no attempt to reach across the aisle. He said that union workers were important to the United States and he was a firm believer in backing those unions. He said that non-union workers were also an important piece to the United States' work force. He said that he was not voting no for unions, he was voting no for not being inclusive.

Kinzer said you cannot say you are for something but yet be against it. He said that Maxwell's comments and the motion were anti-collective bargaining.

Croken said he supported the proclamation and that it would be a shortcoming not to recognize organized labor as the transformative development in American history that has created a viable middle class. He said that it is organized labor, and not all labor, that has brought living wages to the American middle class.

Knobbe said that the Board has been asked to celebrate the truly good work of the labor unions of Scott County. He said when we asked about addressing some difference of opinion about the language of the proclamation the answer was a flat no. He said that he reflected on the effort to remove his good friend John Maxwell from his duly elected role as a Scott County Supervisor. He reviewed the petitions that were passed around and he found that the vast majority were circulated by union members. He said union members picketed outside the Administrative Center supporting Maxwell's removal. He said these actions do not negate the great work unions do, but he considers it offensive when any group works so hard to undermine the credibility and kill the career of a good friend, and then turn around ask to celebrate their work. He said he would not support the proclamation.

Beck said when we asked if we could look at the wording and change something the response was no, just vote it up or vote it down. He said that he was disappointed because the Board needs to work together. He said that when he showed the wording to some other people they agreed that some of the wording was great but some of the wording they could not agree with. He said the issue was the inability of the Board to collaborate on something as simple as the wording of a proclamation.

Kinzer said that the picketing was about whether there was a violation of the law. He said that to say that they picketed for Maxwell's removal was not true; instead it was a question of was the law violated. He said either Supervisors supported the proclamation or they did not. He said that there were some people in attendance who would like to comment.

Beck said the order of the agenda would be followed.

Knobbe said he did not mean to imply the effort to remove Maxwell was done illegally. He said that it appeared to be an organized effort that went against the recommendation of the County Attorney. He said his point was to not work so hard to undermine a good friend of his and then ask to celebrate that work.

Croken said the request to recognize all labor would undermine the fundamental nature of the proclamation. He said he was disappointed by Supervisors saying that people who legally express their political opinions should expect to be punished in the future. He said it was the County Attorney who declared that Maxwell had violated state law by holding two offices, and did not say it was not a violation. He said that the Governor and Senator Smith rewrote the law to accommodate the conduct.

Under Public Comment Earlene Anderson addressed the Board. She said that she represented AFSCME at Scott County. She said that all employees under a union contract are covered by that contract regardless of their union membership. She said that the vote to remove the proclamation was to say that Supervisors do not care about the union and all those people who voted to recertify the union. She said that Linn County and Johnson County have passed proclamations without a discussion about supervisors finding objectionable that union members may have done. She said this was a personal action because Supervisors did not like the actions of some union members.

Moved by Knobbe, seconded by Maxwell a motion approving the minutes of the August 17, 2021 Committee of the Whole (including closed session), the minutes of the September 14, 2021 Committee of the Whole and the minutes of the September 16, 2021 Regular Board Meeting. Roll Call: Maxwell, Beck, Knobbe and Kinzer voted Aye; Croken voted Nay.

Beck noted that Board members had requested that the minutes of the August 17th meeting be updated with additional discussion that occurred.

Croken said that he opposed the selective editing of minutes to make the political points of the majority, which he said was an abuse of authority. He said that we did not request the changes, you requested the changes.

Moved by Knobbe, seconded by Maxwell that the following resolution (192-2021) be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) That the Board of Supervisors does hereby proclaim the month of September 2021 to be National Voter Registration Month and Tuesday, September 28,

2021 as National Voter Registration Day. 2) This resolution shall take effect immediately.

Croken said that he supported the proclamation. He noted the irony of declaring voter registration month but then there are efforts to suppress the vote by reducing polling hours and reducing access to the polls for those with disabilities. He said being able to register is a wonderful thing, but being able to vote is the point. He said the Board is sending a very mixed signal.

Beck said he thought Croken was out of order. He said that the motion was strictly for voter registration and Croken was expressing his own political opinion.

Croken said this was a political meeting, and until rules of order are established the chairperson had no ability to rule a speaker out of them.

Moved by Knobbe, seconded by Maxwell that the following resolution (193-2021) be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) That we hereby proclaim October as Breast Cancer Awareness Month in Scott County. 2) This resolution shall take effect immediately.

County Recorder Rita Vargas, a survivor of breast cancer, accepted the proclamation.

Dana Carter, Susan G. Komen Regional Manager for State Policy & Advocacy, thanked the Board on behalf of the Komen Foundation.

Moved by Knobbe, seconded by Maxwell a motion to suspend the rules to waive the second and third readings of an ordinance to amend Chapter 13, Section 13-47A-3k of the Scott County Code relative to placement of Stop Signs on Scott County Secondary Roads. Roll Call: All Ayes.

Moved by Knobbe, seconded by Maxwell a motion to waive the second and third readings of an ordinance to amend Chapter 13, Section 13-47A-3k of the Scott County Code relative to placement of Stop Signs on Scott County Secondary Roads. Roll Call: All Ayes.

Moved by Knobbe, seconded by Maxwell that the following Ordinance to amend Chapter 13, Section 13-47A-3k of the Scott County Code relative to placement of Stop Signs on Scott County Secondary Roads be approved. Roll Call: All Ayes.

AN ORDINANCE TO AMEND CHAPTER 13, SEC. 13-47A-3k OF THE SCOTT COUNTY CODE RELATIVE TO PLACEMENT OF STOP SIGNS ON SCOTT COUNTY SECONDARY ROADS.

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

SECTION 1. Under Sec. 13-47A-3k – to read: From the East entrance at the intersection of the U.S. Highway 61/140<sup>th</sup> Street approach and 118<sup>th</sup> Avenue.

SECTION 2. The County Auditor is directed to keep and maintain a copy of the Ordinance in the County Auditor's office.

SECTION 3. SEVERABILITY CLAUSE If any of the provisions of the Ordinance are for any reason illegal or void, then the lawful provisions of this Ordinance shall be and remain in full force and effect, the same as if the Ordinance contained no illegal or void provisions.

SECTION 4. REPEALER All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. EFFECTIVE DATE This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

Moved by Kinzer, seconded by Knobbe that the following resolution (194-2021) be approved. Roll Call: Four Ayes; with Supervisor Croken not voting due to a technical problem.

BE IT RESOLVED: 1) Authorizing the County Attorney to settle the Worker's Compensation case concerning Dan Carzoli in the amount of twenty-nine thousand seven hundred fourteen dollars and authorizing the Risk Manager to complete the necessary paperwork to resolve the claim. 2) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Knobbe that the following resolution (195-2021) be approved. Roll Call: Four Ayes; with Supervisor Croken not voting due to a technical problem.

BE IT RESOLVED: 1) The hiring of Alexis Wierenga for the position of Senior Office Assistant in the County Attorney's Office at entry level rate. 2) The hiring of Jordin Peterson for the position of Legal Secretary in the County Attorney's Office at entry level rate. 3) The hiring of Jensen Knuth for the position of Benefit Specialist at step 4 and accruing annual vacation at the rate of 80 hours annually.

Moved by Kinzer, seconded by Knobbe that the following resolution (196-2021) be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) That one employee may be awarded 8 hours of floating holiday via a raffle for United Way participants to be used by June 30, 2022. 2) This resolution shall take effect immediately.

Moved by Beck, seconded by Croken that the following resolution (197-2021) be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) That Scott County enter into a five-year 28E Agreement with the Iowa Department of Natural Resources for the purpose of permit-issuing authority with respect to private water well construction and reconstruction according to Iowa Code and Scott County Code. 2) The Scott County Health Department be designated by the Scott County Board of Supervisors as the designated County private water well permitting entity. 3) That the chairman is hereby authorized to sign said agreement. 4) This resolution shall take effect immediately.

Moved by Beck, seconded by Croken that the following resolution (198-2021) be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) That the following appointment for an unexpired two (2) year term expiring on December 31, 2022 are hereby approved: James B. Gibney, County Medical Examiner Investigator (CME-I). 2) This resolution shall take effect immediately.

Moved by Knobbe, seconded by Maxwell that the following resolution (199-2021) be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) That the Scott County Juvenile Detention and Diversion Programs will terminate the current contract to provide the YCM program for youth through a contract with Iowa Department of Human Services. 2) That the Scott County Juvenile Detention and Diversion Programs will provide the YCM program for youth through a contract with the 7th Judicial District of Iowa, Juvenile Court Services department, ending September 30, 2022. 3) This resolution shall take effect on October 1st, 2021.

Moved by Knobbe, seconded by Maxwell that the following resolution (200-2021) be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) Authorizing the County Attorney to settle the motor vehicle accident case with Stephanie Westercamp in the amount of forty thousand dollars (\$40,000.00) and authorizing the Risk Manager to complete the necessary paperwork to resolve the claim. 2) This resolution shall take effect immediately.

Moved by Knobbe, seconded by Maxwell that the following resolution (201-2021) be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) Iowa Code Section 445.63 states that when taxes are owing against a parcel owned or claimed by the state or a political subdivision of this state and the taxes are owing before the parcel was acquired by the state or a political subdivision of this state, the county treasurer shall give notice to the appropriate governing body which shall pay the amount of the taxes due. If the governing body fails to immediately pay the taxes due, the board of supervisors shall abate all of the taxes. 2. The City of Davenport has requested the abatement of taxes for the following: Parcel: Address: Amount: L0017A01D, No situs address, \$1,826.00; F0054-04, 1201 E River Dr, \$4,632.00; X3501-02D, 8991 Division St, \$32,222.00; F0042-27, 1301 E River Dr,

\$978.00; F0054-04C, No situs address, \$832.00; G0031-04, No situs address, \$120.00; G0034-01, No situs address, \$300.00; G0035-43, 1020 Warren St, \$1,836.00; G0035-45, No situs address, \$40.00; G0035-46, No situs address, \$4.00; G0046-26, 816 W 8th St, \$250.00; J0028-32A, No situs address, \$1,312.00; J0037-01, 323 S Clark St, \$4,692.00; L0009-19C, 102 E 2nd St, \$12,796.00; L0009-20, 108 E 2nd St, \$5,150.00; L0009-21, 110 E 2nd St, \$4,994.00; L0021-01, 401 W River Dr, \$30,064.00; L0022-02, 102 S Harrison St, \$2,724.00; W0349-01, 6364 Northwest Blvd, \$2,158.00. 3) The County Treasurer is hereby directed to strike the amount of property taxes due on these City of Davenport parcels in accordance with Iowa Code Section 445.63. 4) This resolution shall take effect immediately.

Moved by Knobbe, seconded by Maxwell that the following resolution (202-2021) be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) Iowa Code Section 445.63 states that when taxes are owing against a parcel owned or claimed by the state or a political subdivision of this state and the taxes are owing before the parcel was acquired by the state or a political subdivision of this state, the county treasurer shall give notice to the appropriate governing body which shall pay the amount of the taxes due. If the governing body fails to immediately pay the taxes due, the board of supervisors shall abate all of the taxes. 2) The Scott County Treasurer has requested the abatement of the 2020 taxes for parcel G0062-01C deeded to Scott County, (split from parent parcel G0062-01D), for site address 902 West 4th Street in the amount of \$9,974.00. 3) The County Treasurer is hereby directed to strike the amount of property taxes due on this Scott County parcel in accordance with Iowa Code Section 445.63. 4) This resolution shall take effect immediately.

Moved by Knobbe, seconded by Maxwell a motion approving a beer/liquor license renewal for Slaby's Bar & Grill, 6020 New Liberty Road, Walcott. Roll Call: All Ayes.

Moved by Knobbe, seconded by Maxwell a motion approving a beer/liquor license renewal for El Compita Mexican Bar & Grill, 14010 112th Avenue, Davenport. Roll Call: All Ayes.

Moved by Knobbe, seconded by Maxwell a motion approving a beer/liquor license renewal for Valley Inn, 24575 Valley Drive, Pleasant Valley. Roll Call: All Ayes.

Moved by Maxwell, seconded by Knobbe that the following resolution (203-2021) be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 313593 through 313829 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,142,924.76. 2) The Board of Supervisors approves for payment to Wells Fargo Bank all purchase card program transactions as submitted to the County Auditor for review in the amount of \$102,765.64. 3) This resolution shall take effect immediately.

Moved by Kinzer, seconded by Knobbe at 6:08 p.m. a motion to adjourn. Roll Call: All Ayes.

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Ken Beck, Chair of the Board  
Scott County Board of Supervisors

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ATTEST: Kerri Tompkins  
Scott County Auditor

A video recording of the meeting is available on the Scott County website at:  
<https://www.scottcountyiowa.gov/board/board-meetings>.