

Board of Supervisors

May 9, 2002

The Board of Supervisors met pursuant to adjournment with all members present.

Supervisor Ewoldt gave the invocation.

Moved by Ewoldt, seconded by Gibbs, approval of the minutes of the April 25, 2002 Regular Board Meeting. All Ayes.

Moved by Minard, seconded by Ewoldt, the motion to open a public hearing relative to the agreement for disposition of explosive devices.

Scott County Deputy John Norris addressed the Board.

Moved by Gibbs, seconded by Hancock, to close the public hearing.

Moved by Hancock, seconded by Gibbs, approval of first of three readings of an ordinance to amend Chapter 13-34 the Scott County Code relative to designated speed limits on Scott County Secondary Roads. Roll Call: Ayes - Hancock, Minard, Schaefer, Ewoldt, Gibbs.

Moved by Hancock, seconded by Ewoldt, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) The Iowa Department of Economic Development has funding available through a Community Development Fund Grant for a Targeted Industry Cluster Study and Marketing Plan. 2) The program regulations require that a public entity, such as a city or county, be named as the applicant for these funds and the Quad City Development Group has requested that Scott County be the applicant for the purpose of submitting an application for these funds. 3) The Board of Supervisors authorizes Scott County to be named as the applicant for the Community Development Fund Grant to the Iowa Department of Economic Development. 4) The Chairman is hereby authorized to sign the application documents. 5) This resolution shall take effect immediately.

Moved by Hancock, seconded by Ewoldt, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) Section 9-20 of the Scott County Subdivision Regulations allows the Board of Supervisors, upon recommendation of the Planning and Zoning Commission, to modify or vary requirements of the subdivision regulations that due to unusual circumstances would result in substantial hardships or injustices. 2) Following a public hearing on May 7, 2002 the Planning and Zoning Commission made a unanimous recommendation to approve the subdivision variance request of James Kipper to allow a .795 acre parcel to be platted as Tract II, located in part of the N/2 of the NW/4 of Section 26, LeClaire Township. 3) This variance to allow a lot with a depth in excess of three times its width is hereby approved as recommended by the Planning and Zoning Commission based on the Commission's determination that approval of the variance would not adversely affect the development of the adjacent properties and allow the reasonable development of the applicant's property. 4) This resolution shall take effect immediately.

Moved by Hancock, seconded by Ewoldt, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) As the local governing body responsible for the approval of subdivision plats within its rural jurisdiction, the Scott County Board of Supervisors has on this 9th day of May, 2002 considered Final Plat of **SHANNON SUBDIVISION**, an eleven acre subdivision in the NE/4 and the NW/4 of Section 7, of Township 80 North, Range 4 East of the 5th Principal Meridian (Butler Township), Scott County, Iowa and having found the same made in substantial accordance with the provisions of Chapter 354, Code of Iowa, and the Scott County Subdivision Ordinance, does hereby approve final plat of said subdivision. 2) This resolution shall take effect immediately.

Moved by Hancock, seconded by Gibbs, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) As the local governing body responsible for the approval of subdivision plats within its rural jurisdiction, the Scott County Board of Supervisors has on this 9th day of May, 2002 considered the Sketch Plan/Final Plat of **TYLER'S SUBDIVISION**, a sixty acre subdivision in the NW/2 of the NW/4 of Section 26, of Township 79 North, Range 5 East of the 5th Principal Meridian (LeClaire Township), Scott County, Iowa, and having found the same made in substantial accordance with the provisions of Chapter 354,

Code of Iowa, and the Scott County Subdivision Ordinance, does hereby approve final plat of said subdivision. 2) This resolution shall take effect immediately.

Moved by Hancock, seconded by Ewoldt, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the bid for vinyl wall covering for the Scott County Courthouse Phase One project is hereby awarded to Iowa Paint Manufacturing for \$11,012.50. 2) This resolution shall take effect immediately.

Moved by Hancock, seconded by Gibbs, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the proposal from Corporate Express for \$32,395 for installation of systems furniture for Phase Two Bicentennial Building and Courthouse Renovation projects is hereby approved. 2) This resolution shall take effect immediately.

Moved by Gibbs, seconded by Ewoldt, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) Following an annual performance appraisal evaluation of Ray Wierson by the Board of Supervisors a salary adjustment increasing his salary from \$102,000 to \$104,000 is hereby approved. 2) There is no increase to the current \$500 monthly car allowance amount. 3) Section 12 of Ray Wierson's Employment Agreement is amended as follows:

SECTION 12 - DUES AND SUBSCRIPTIONS

Employer agrees, within budget limitations, to pay for the professional dues and subscriptions of Employee necessary for Employee's continuation and full participation in national, regional, state and local associations and organizations necessary and desirable for Employee's continued professional participation, growth and advancement, and for the good of the Employer. Employer agrees to pay required dues for employee's membership in the Davenport Rotary. It is understood the Employee will be representing the Employer's interests in the community as a member of the Davenport Rotary.

4) This resolution shall take effect May 1, 2002.

Moved by Gibbs, seconded by Minard, that the following

resolution be adopted. All Ayes.

BE IT RESOLVED 1) That Human Resources Policy V. Employee Recognition be amended as presented by the Administrator and Assistant County Administrator/Human Resources Director. 2) This resolution shall take effect July 1, 2002.

Moved by Gibbs, seconded by Ewoldt, the motion approving routine items as presented by the County Administrator. All Ayes.

<u>Type of Action</u> <u>Employee/Department</u>	<u>Position</u>	<u>Annual</u> <u>Salary Rate</u>	<u>Effective</u> <u>Date</u>
Appointment Peggy Negus/Sheriff-Jail	Correctional Officer Trainee	\$26,021	04/29/02

MERIT INCREASES

Lindsay Krbavac/Health	\$33,789 - \$35,478 (5.0%)* 89.248%	04/29/02
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* First or second review following appointment. Salary adjusted 5% if not above 95% of midpoint and employee receives rating of 2 or better.

SEPARATIONS

Patricia Puck/Sheriff-Jail	Correction Officer	04/19/02
Jutta Lohse/Facility & Support Serv	Custodial Worker - P/T	05/17/02

TUITION REQUESTS

Ronald Bea/Sheriff	Basic Concepts of Mathematics Western Illinois University	06/02 - 07/02
Jason Franklin/Juvenile Det	EIS 500 Western Illinois University	06/02 - 07/02

Moved by Ewoldt, seconded by Hancock, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That Scott County has been directed by the Iowa Department of Human Services to suspend the collection of property taxes, assessments and rates or charges, including interest, fees, and costs of Sharon Karnstedt, 453 W. 7th St., Eldridge, Iowa. 2) That the 2000 taxes payable in March, 2002, for Sharon Karnstedt,

453 S. 7th St., Eldridge, Iowa in the amount of \$919.00 plus interest and costs are hereby suspended. 3) That the collection of all property taxes, special assessments, and rates of charges, including interest, fees, and costs assessed against the parcel at 453 S. 7th St., Eldridge, remaining unpaid shall be suspended for such time as Sharon Karnstedt remains the owner of said parcel and receives assistance as described in Iowa Code Section 427.9. 4) That the County Treasurer is hereby directed to suspend collection of the above stated taxes, assessments, and rates or charges, including interest, fees, and costs, thereby establishing a lien on said property as required by law, with future collection to include statutory interest. 5) This resolution shall take effect immediately.

Moved by Ewoldt, seconded by Minard, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) The 2000 property taxes and penalties accrued for Vocka Soots, 1710 Fillmore St., Davenport, Iowa in the amount of \$353.00 are hereby suspended. 2) The County Treasurer is hereby directed to suspend the collection of the above stated taxes thereby establishing a lien on said property as required by law with future collection to include statutory interest. 3) This resolution shall take effect immediately.

Moved by Minard, seconded by Hancock, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) The bid referred to in the preamble hereof be and the same is hereby accepted, and the Bonds, in the aggregate principal amount of \$5,085,000, maturing and bearing interest as hereinafter set out, are hereby awarded to the said bidder at the price specified in such bid, together with accrued interest. 2) The form of agreement of sale of the Bonds is hereby approved, and the Chairperson and County Auditor are hereby authorized to accept and execute the same for and on behalf of the County and to affix the County seal thereto. 3) Except insofar as it provides for the levy and collection of taxes in the fiscal year which begins on July 1, 2002, for the payment of the principal of and interest on the Bonds, all of the contents, paragraphs, sections, clauses and provisions of the Bond Issuance Resolution are hereby deleted in their entirety and the following provisions substituted in lieu thereof: 4) Pursuant to Chapters 331 and 403 of the Code of Iowa, the Bonds are hereby ordered to be issued for the purpose as set out above, in the denomination of \$5,000 each, or any integral

multiple thereof, dated May 1, 2002, maturing on June 1 in each of the respective years and in the principal amounts and bearing interest at the respective rates as follows:

Year	Principal Amount	Interest Rate Per Annum	Year	Principal Amount	Interest Rate Per Annum
2003	\$305,000	2.00%	2011	\$340,000	4.00%
2004	\$260,000	2.30%	2012	\$355,000	4.00%
2005	\$270,000	2.75%	2013	\$375,000	4.15%
2006	\$275,000	3.00%	2014	\$390,000	4.30%
2007	\$290,000	3.30%	2015	\$405,000	4.40%
2008	\$300,000	3.55%	2016	\$430,000	4.50%
2009	\$315,000	3.75%	2017	\$450,000	4.60%
2010	\$325,000	3.85%			

Wells Fargo Bank Iowa, National Association, is hereby designated as the Bond Registrar and Paying Agent for the Bonds and may be hereinafter referred to as the "Bond Registrar" or the "Paying Agent".

The County reserves the right to call and redeem part or all of the Bonds maturing in each of the years 2011 to 2017, inclusive, prior to and in any order of maturity on June 1, 2010, or on any date thereafter upon terms of par and accrued interest. If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Bond Registrar by lot. The Bonds may be called in part in one or more units of \$5,000. If less than the entire principal amount of any Bond in a denomination of more than \$5,000 is to be redeemed, the Bond Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be mailed by certified mail to the registered owners thereof at the addresses shown on the County's registration books not less than 30 nor more than 45 days prior to such redemption date. All of such Bonds as to which the County reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

All of the interest on the Bonds shall be payable December 1, 2002, and semiannually thereafter on the first day of June and December in each year. Payment of interest on the Bonds shall be made to the registered owners appearing on the bond registration books of the County at the close of business on the fifteenth day

of the month next preceding the interest payment date and shall be paid by check or draft mailed to the registered owners at the addresses shown on such registration books. Principal of the Bonds shall be payable in lawful money of the United States of America to the registered owners or their legal representatives upon presentation and surrender of the Bond or Bonds at the office of the Paying Agent.

The County hereby pledges the faith, credit, revenues and resources and all of the real and personal property of the County for the full and prompt payment of the principal of and interest on the Bonds.

The Bonds shall be executed on behalf of the County with the official manual or facsimile signature of the Chairperson and attested by the official manual or facsimile signature of the County Auditor and shall have the County's seal impressed or printed thereon, and shall be fully registered Bonds without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Bonds shall cease to be such officer before the delivery of the Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. The Bonds shall be fully registered as to principal and interest in the names of the owners on the registration books of the County kept by the Bond Registrar, and after such registration payment of the principal thereof and interest thereon shall be made to the registered owners, their legal representatives or assigns. Each Bond shall be transferable without cost to the registered owner thereof only upon the registration books of the County upon presentation to the Bond Registrar, together with either a written instrument of transfer satisfactory to the Bond Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

The Bonds shall not be valid or become obligatory for any purpose until the Certificate of Authentication thereon shall have been signed by the Bond Registrar. 5) Notwithstanding anything above to the contrary, the Notes shall be issued initially as Depository Notes, with one fully registered Bond for each maturity date, in principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). On original issue, the Notes shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the

"Participants"). In the event that DTC determines not to continue to act as securities depository for the Notes or the County determines not to continue the book-entry system for recording ownership interests in the Notes with DTC, the County will discontinue the book-entry system with DTC. If the County does not select another qualified securities depository to replace DTC (or a successor depository) in order to continue a book-entry system, the County will register and deliver replacement Notes in the form of fully registered certificates, in authorized denominations of \$5,000 or integral multiples of \$5,000, in accordance with instructions from Cede & Co., as nominee for DTC. In the event that the County identifies a qualified securities depository to replace DTC, the County will register and deliver replacement Notes, fully registered in the name of such depository, or its nominee, in the denominations as set forth above, as reduced from time to time prior to maturity in connection with redemptions or retirements by call or payment, and in such event, such depository will then maintain the book-entry system for recording ownership interests in the Notes.

Ownership interest in the Notes may be purchased by or through Participants. Such Participants and the persons for whom they acquire interests in the Notes as nominees will not receive certificated Notes, but each such Participant will receive a credit balance in the records of DTC in the amount of such Participant's interest in the Notes, which will be confirmed in accordance with DTC's standard procedures. Each such person for which a Participant has an interest in the Notes, as nominee, may desire to make arrangements with such Participant to have all notices of redemption or other communications of the County to DTC, which may affect such person, forwarded in writing by such Participant and to have notification made of all interest payments.

The County will have no responsibility or obligation to such Participants or the persons for whom they act as nominees with respect to payment to or providing of notice for such Participants or the persons for whom they act as nominees.

As used herein, the term "Beneficial Owner" shall hereinafter be deemed to include the person for whom the Participant acquires an interest in the Notes.

DTC will receive payments from the County, to be remitted by DTC to the Participants for subsequent disbursement to the Beneficial Owners. The ownership interest of each Beneficial Owner in the Notes will be recorded on the records of the Participants whose ownership interest will be recorded on a computerized book-entry system kept by DTC.

When reference is made to any action which is required or permitted to be taken by the Beneficial Owners, such reference

shall only relate to those permitted to act (by statute, regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices are given, they shall be sent by the County to DTC, and DTC shall forward (or cause to be forwarded) the notices to the Participants so that the Participants can forward the same to the Beneficial Owners.

Beneficial Owners will receive written confirmations of their purchases from the Participants acting on behalf of the Beneficial Owners detailing the terms of the Notes acquired. Transfers of ownership interests in the Notes will be accomplished by book entries made by DTC and the Participants who act on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interest in the Notes, except as specifically provided herein. Interest and principal will be paid when due by the County to DTC, then paid by DTC to the Participants and thereafter paid by the Participants to the Beneficial Owners. 6) The form of Bonds shall be substantially as follows:

(Form of Bond)
UNITED STATES OF AMERICA
STATE OF IOWA
COUNTY OF SCOTT

GENERAL OBLIGATION URBAN RENEWAL BOND,
SERIES 2002A

No. _____ \$ _____

RATE	MATURITY DATE	BOND DATE	CUSIP
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May 1, 2002

Scott County (the "County"), Iowa, for value received, promises to pay on the maturity date of this Bond to

or registered assigns, the principal sum of

DOLLARS

in lawful money of the United States of America upon presentation and surrender of this Bond at the office of Wells Fargo Bank Iowa, National Association (hereinafter referred to as the "Bond Registrar" or the "Paying Agent"), at the address shown below, with interest on said sum, until paid, at the rate per annum specified above from the date of this Bond, or from the most

recent interest payment date on which interest has been paid, on June 1 and December 1 of each year, commencing December 1, 2002, except as the provisions hereinafter set forth with respect to redemption prior to maturity may be or become applicable hereto. Interest on this Bond is payable to the registered owner appearing on the registration books of the County at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid by check or draft mailed to the registered owner at the address shown on such registration books.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Bond Registrar.

This Bond is one of a duly authorized series of bonds (the "Bonds") issued by the County pursuant to and in strict compliance with the provisions of Chapter 331 and Chapter 76 of the Code of Iowa, 2001, and all laws amendatory thereof and supplementary thereto, and in conformity with a resolution of the Board of Supervisors of the County duly passed, approved and recorded for the purpose of planning, undertaking and carrying out an urban renewal project known as the River Renaissance on the Mississippi Project by the City of Davenport, Iowa (the "City"), within the City's South Economic Development Area, by making a payment to the City, and as authorized by the requisite majority vote cast at an election legally called and held in and for the County.

The County reserves the right to call and redeem part or all of the Bonds maturing in each of the years 2011 to 2017, inclusive, prior to and in any order of maturity on June 1, 2010, or on any date thereafter upon terms of par and accrued interest. If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Bond Registrar by lot. The Bonds may be called in part in one or more units of \$5,000. If less than the entire principal amount of any Bond in a denomination of more than \$5,000 is to be redeemed, the Bond Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be mailed by certified mail to the registered owners thereof at the addresses shown on the County's registration books not less than 30 nor more than 45 days prior to such redemption date. All of such Bonds as to which the County reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

This Bond is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the County in the office of the Bond Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Bond to the Bond Registrar, together with either a written instrument of transfer satisfactory to the Bond Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The County, the Bond Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and the County, the Bond Registrar and the Paying Agent shall not be affected by any notice to the contrary.

And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa, to exist, to be had, to be done or to be performed precedent to and in the issue of this Bond were and have been properly existent, had, done and performed in regular and due form and time; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the County for the payment of the principal of and interest on this Bond as the same will respectively become due; that the faith, credit, revenues and resources and all the real and personal property of the County are irrevocably pledged for the prompt payment hereof, both principal and interest; and that the total indebtedness of the County, including this Bond, does not exceed any constitutional or statutory limitations.

IN TESTIMONY WHEREOF, Scott County, Iowa, by its Board of Supervisors, has caused this Bond to be sealed with the facsimile of its official seal, to be executed with the duly authorized facsimile signature of its Chairperson and attested by the duly authorized facsimile signature of the County Auditor, all as of May 1, 2002.

SCOTT COUNTY, IOWA

By (Facsimile Signature
Chairperson, Board of Supervisors

Attest:

Facsimile Signature)
County Auditor

(Facsimile Seal)

Registrar/Transfer/Paying Agent:
Wells Fargo Bank, National Association
Corporate Trust Operations
MAC N9303-121
Sixth & Marquette Avenue
Minneapolis, Minnesota 55479

(On each Bond there shall be a registration dateline and a Certificate of Authentication of the Bond Registrar in the following form:)

Registration Date: (Registration Date)

BOND REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned resolution.

WELLS FARGO BANK IOWA,
NATIONAL ASSOCIATION
Bond Registrar

By (Signature)
Authorized Signature

ABBREVIATIONS

The following abbreviations, when used in this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM	-	as tenants in common	UTMA _____
TEN ENT	-	as tenants by the entireties	(Custodian)
JT TEN	-	as joint tenants with right of survivorship and not as tenants in common	As Custodian for _____ (Minor) under Uniform Transfers to Minors Act _____ (State)

ADDITIONAL ABBREVIATIONS MAY ALSO BE USED THOUGH NOT IN THE LIST ABOVE.

ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Bond to

(Please print or type name and address of Assignee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint _____, Attorney, to transfer this Bond on the books kept for registration thereof with full power of substitution.

Dated: _____

Signature guaranteed:

(Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signatures to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.)

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears on this Bond in every particular, without alteration or enlargement or any change whatever.

7) The Bonds shall be executed as herein provided as soon after the adoption of this resolution as may be possible and thereupon they shall be delivered to the Bond Registrar for registration, authentication and delivery to the purchaser, as determined at the time of the sale, upon receipt of the purchase price thereof with accrued interest thereon, and all action heretofore taken in connection with the sale and issuance of the Bonds is hereby ratified and confirmed in all respects. 8) As required by Chapter 76 of the Code of Iowa, and for the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the interest on the Bonds as it falls due, and also to pay and discharge the principal thereof at maturity, there be and there is hereby order levied on all the taxable property in the County in each of the years while the Bonds or any of them are outstanding, a tax sufficient for that purpose, and in furtherance of this

provision, but not in limitation thereof, there be and there is hereby levied on all the taxable property in the County the following direct annual tax for collection in each of the following fiscal years, to-wit:

For collection in the fiscal year which begins on July 1, 2002, sufficient to produce the net annual sum of \$517,954 (which taxes were previously levied pursuant to the Bond Issuance Resolution and, as collected, will be deposited into the Debt Service Fund hereinafter referred to);

For collection in the fiscal year beginning July 1, 2003, sufficient to produce the net annual sum of \$444,203;

For collection in the fiscal year beginning July 1, 2004, sufficient to produce the net annual sum of \$448,223;

For collection in the fiscal year beginning July 1, 2005, sufficient to produce the net annual sum of \$445,798;

For collection in the fiscal year beginning July 1, 2006, sufficient to produce the net annual sum of \$452,548;

For collection in the fiscal year beginning July 1, 2007, sufficient to produce the net annual sum of \$452,978;

For collection in the fiscal year beginning July 1, 2008, sufficient to produce the net annual sum of \$457,328;

For collection in the fiscal year beginning July 1, 2009, sufficient to produce the net annual sum of \$455,515;

For collection in the fiscal year beginning July 1, 2010, sufficient to produce the net annual sum of \$458,003;

For collection in the fiscal year beginning July 1, 2011, sufficient to produce the net annual sum of \$459,403;

For collection in the fiscal year beginning July 1, 2012, sufficient to produce the net annual sum of \$465,203;

For collection in the fiscal year beginning July 1, 2013, sufficient to produce the net annual sum of \$464,640;

For collection in the fiscal year beginning July 1, 2014, sufficient to produce the net annual sum of \$462,870;

For collection in the fiscal year beginning July 1, 2015, sufficient to produce the net annual sum of \$470,050;

For collection in the fiscal year beginning July 1, 2016, sufficient to produce the net annual sum of \$470,700.

9) A certified copy of this resolution shall be filed with the County Auditor, and said Auditor shall be and is hereby instructed to continue to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall continue to include the same as a part of the tax levy for Debt Service Fund purposes of the County and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the County and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Bonds hereby authorized and for no other purpose whatsoever. Any amount received by the County as accrued interest on the Bonds shall be deposited into such special account and used to pay principal of and/or interest due on the Bonds on the first payment date. 10) The interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current funds on hand in advance of taxes levied and when taxes shall have been collected, reimbursement shall be made to such current funds in the sum thus advanced. 11) It is the intention of the County that interest on the Bonds be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasurer Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof, the County covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with the applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Bonds will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the County are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

The County hereby designates the Bonds as "Qualified Tax Exempt Obligations" as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

12) **Continuing Disclosure.**

(a) Purpose and Beneficiaries. To provide for the public availability of certain information relating to the Bonds and the security therefor and to permit the original purchaser and other

participating underwriters in the primary offering of the Bonds to comply with amendments to Rule 15c2-12 promulgated by the Securities and Exchange Commission (the "SEC") under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12), relating to continuing disclosure (as in effect and interpreted from time to time, the "Rule"), which will enhance the marketability of the Bonds, the County hereby makes the following covenants and agreements for the benefit of the Owners (as hereinafter defined) from time to time of the outstanding Bonds. The County is the only "obligated person" with respect to the Bonds within the meaning of the Rule for purposes of identifying the entities with respect to which continuing disclosure must be made. The County has complied in all material respects with any undertaking previously entered into by it under the Rule.

If the County fails to comply with any provisions of this section, any person aggrieved thereby, including the Owners of any outstanding Bonds, may take whatever action at law or in equity may appear necessary or appropriate to enforce performance and observance of any agreement or covenant contained in this section, including an action for a writ of mandamus or specific performance. Notwithstanding anything to the contrary contained herein, in no event shall a default under this section constitute a default under the Bonds or under any other provision of this resolution.

As used in this section, "Owner" or "Bondowner" means, with respect to a Bond, the registered owner or owners thereof appearing in the registration records maintained by the Registrar or any "Beneficial Owner" (as hereinafter defined) thereof, if such Beneficial Owner provides to the Registrar evidence of such beneficial ownership in form and substance reasonably satisfactory to the Registrar. As used herein, "Beneficial Owner" means, with respect to a Bond, any person or entity which (I) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, such Bond (including persons or entities holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of the Bond for federal income tax purposes.

(b) Information To Be Disclosed. The County will provide, in the manner set forth in subsection (c) hereof, either directly or indirectly through an agent designated by the County, the following information at the following times:

(1) on or within 270 days after the end of each fiscal year of the County, commencing with the fiscal year ending June 30, 2002, the following financial information and

operating data with respect to the County (the "Disclosure Information"):

(A) the audited financial statements of the County for such fiscal year, accompanied by the audit report and opinion of the accountant or government auditor relating thereto, as permitted or required by the laws of the State of Iowa, containing balance sheets as of the end of such fiscal year and a statement of operations, changes in fund balances and cash flows for the fiscal year then ended, showing in comparative form such figures for the preceding fiscal year of the County, prepared in accordance with generally accepted accounting principles promulgated by the Financial Accounting Standards Board as modified in accordance with the governmental accounting standards promulgated by the Governmental Accounting Standards Board or as otherwise provided under Iowa law, as in effect from time to time, or, if and to the extent such financial statements have not been prepared in accordance with such generally accepted accounting principles for reasons beyond the reasonable control of the County, noting the discrepancies therefrom and the effect thereof, and certified as to accuracy and completeness in all material respects by the fiscal officer of the County; and

(B) to the extent not included in the financial statements referred to in paragraph (A) hereof, the information for such fiscal year or for the period most recently available of the type contained in the following tables of the Official Statement, which information may be unaudited:

County Property Values

County Indebtedness

County Tax Rates, Levies and Collections

Notwithstanding the foregoing paragraph, if the audited financial statements are not available by the date specified, the County shall provide on or before such date unaudited financial statements in the format required for the audited financial statements as part of the Disclosure Information and, within 10 days after the receipt thereof, the County shall provide the audited financial statements.

Any or all of the Disclosure Information may be incorporated by reference, if it is updated as required hereby, from other documents, including official statements, which have been

submitted to each of the repositories hereinafter referred to under subsection (b) or the SEC. If the document incorporated by reference is a final official statement, it must be available from the Municipal Securities Rulemaking Board. The County shall clearly identify in the Disclosure Information each document so incorporated by reference.

If any part of the Disclosure Information can no longer be generated because the operations of the County have materially changed or been discontinued, such Disclosure Information need no longer be provided if the County includes in the Disclosure Information a statement to such effect; provided, however, if such operations have been replaced by other County operations with respect to which data is not included in the Disclosure Information and the County determines that certain specified data regarding such replacement operations would be a Material Fact (as defined in paragraph (3) hereof), then, from and after such determination, the Disclosure Information shall include such additional specified data regarding the replacement operations.

If the Disclosure Information is changed or this section is amended as permitted by this paragraph (b)(1) or subsection (d), then the County shall include in the next Disclosure Information to be delivered hereunder, to the extent necessary, an explanation of the reasons for the amendment and the effect of any change in the type of financial information or operating data provided.

(2) In a timely manner, notice of the occurrence of any of the following events which is a Material Fact (as hereinafter defined):

- (A) Principal and interest payment delinquencies;
- (B) Non-payment related defaults;
- (C) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (D) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (E) Substitution of credit or liquidity providers, of their failure to perform
- (F) Adverse tax opinions or events affecting the tax-exempt status of the security;
- (G) Modifications to rights of security holders;
- (H) Bond calls
- (I) Defeasances;
- (J) Release, substitution, or sale of property securing repayment of the securities; and
- (K) Ratings changes.

As used herein, a "Material Fact" is a fact as to which a substantial likelihood exists that a reasonably prudent investor would attach importance thereto in deciding to buy, hold or sell a Bond or, if not disclosed, would significantly

alter the total information otherwise available to an investor from the Official Statement, information disclosed hereunder or information generally available to the public. Notwithstanding the foregoing sentence, a "Material Fact" is also an event that would be deemed "material" for purposes of the purchase, holding or sale of a Bond within the meaning of applicable federal securities laws, as interpreted at the time of discovery of the occurrence of the event.

(3) In a timely manner, notice of the occurrence of any of the following events or conditions:

(A) the failure of the County to provide the Disclosure Information required under paragraph (b)(1) at the time specified thereunder;

(B) the amendment or supplementing of this section pursuant to subsection (d), together with a copy of such amendment or supplement and any explanation provided by the County under subsection (d)(2),

(C) the termination of the obligations of the County under this section pursuant to subsection (d)

(D) any change in the accounting principles pursuant to which the financial statements constituting a portion of the Disclosure Information are prepared; and

(E) any change in the fiscal year of the County.

(c) Manner of Disclosure The County agrees to make available the information described in subsection (b) to the following entities by telecopy, overnight delivery, mail or other means, as appropriate:

(1) the information described in paragraph (1) of subsection (b), to each then nationally recognized municipal securities information repository under the Rule and to any state information depository then designated or operated by the State of Iowa as contemplated by the Rule (the "State Depository"), if any;

(2) the information described in paragraphs (2) and (3) of subsection (b), to the Municipal Securities Rulemaking Board and to the State Depository, if any; and

(3) the information described in subsection (b), to any rating agency then maintaining a rating of the Bonds and, at the expense of such Bondowner, to any Bondowner who requests in writing such information, at the time of transmission under paragraphs (1) or (2) of this subsection (c), as the case may be,

or, if such information is transmitted with a subsequent time of release, at the time such information is to be released.

(d) Term; Amendments; Interpretation.

(1) The covenants of the County in this section shall remain in effect so long as any Bonds are outstanding. Notwithstanding the preceding sentence, however, the obligations of the County under this section shall terminate and be without further effect as of any date on which the County delivers to the Registrar an opinion of Bond Counsel to the effect that, because of legislative action or final judicial or administrative actions or proceedings, the failure of the County to comply with the requirements of this section will not cause participating underwriters in the primary offering of the Bonds or securities firms recommending the Bonds to prospective purchasers while the Bonds are outstanding to be in violation of the Rule or other applicable requirements of the Securities Exchange Act of 1934, as amended, or any statutes or laws successory thereto or amendatory thereof.

(2) This section (and the form and requirements of the Disclosure Information) may be amended or supplemented by the County from time to time, without notice to (except as provided in paragraph (c) (3) hereof) or the consent of the Owners of any Bonds, by a resolution of this Board filed in the office of the recording officer of the County accompanied by an opinion of Bond Counsel, who may rely on certificates of the County and others and the opinion may be subject to customary qualifications, to the effect that: (i) such amendment or supplement (a) is made in connection with a change in circumstances that arises from a change in law or regulation or a change in the identity, nature or status of the County or the type of operations conducted by the County, or (b) is required by, or better complies with, the provisions of paragraph (b) (5) of the Rule; (ii) this section as so amended or supplemented would have complied with the requirements of paragraph (b) (5) of the Rule at the time of the primary offering of the Bonds, giving effect to any change in circumstances applicable under clause (i) (a) and assuming that the Rule as in effect and interpreted at the time of the amendment or supplement was in effect at the time of the primary offering; and (iii) such amendment of supplement does not materially impair the interests of the Bondowners under the Rule.

If the Disclosure Information is so amended, the County agrees to provide, contemporaneously with the effectiveness of such amendment, an explanation of the reasons for the amendment and the effect, if any, of the change in the type of financial information or operating data being provided hereunder.

(3) This section is entered into to comply with the continuing disclosure provisions of the Rule and should be construed so as to satisfy the requirements of paragraph (b) (5) of the Rule.

Section 13. All resolutions or parts thereof in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Passed and approved on May 9, 2002.

Chairperson, Board of Supervisors

Attest:

County Auditor

Moved by Minard, seconded by Hancock, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the Agreement between Springsted and Scott County to provide Continuing Disclosure Requirements as they apply to tax exempt issues is hereby approved. 2) That the Chairman is hereby authorized to sign said agreement. 3) This resolution shall take effect immediately.

Moved by Mianrd, seconded by Hancock, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the Board hereby approves an application for a grant in the amount of \$6,000 from the Governor's Traffic Safety Bureau. 2) That, if accepted, the Board approves receipt of such funding. 3) This resolution shall take effect immediately.

Moved by Minard, seconded by Ewoldt, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the grant-funded agreement for services between Bi-State Regional Commission and Scott County for Emergency Medical Services (EMS) Association's website development for a total project cost of \$2,000 is hereby approved. 2) That the Chairman is hereby authorized to sign said agreement. 3) This resolution shall take effect immediately.

Moved by Minard, seconded by Ewoldt, that the following

resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the replacement of the Recorder's Office microfilm reader printer system in the amount of \$15,458.50 from Advanced Systems, Inc. using Recorder Management Funds is hereby approved. 2) This resolution shall take effect immediately.

Moved by Minard, seconded by Hancock, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) To designate the Week of May 19-25, 2002 as Emergency Medical Services Week. 2) This resolution shall take effect immediately.

Moved by Minard, seconded by Hancock, the resolution approving warrants numbered 151899 through 152253, as submitted and prepared for payment by the County Auditor in the total amount of \$1,153,507.27 and the purchase card program transactions in the total amount of \$23,853.82. Roll Call: Ayes - Hancock, Minard, Schaefer, Ewoldt, Gibbs.

Judy Sodawasser of Davenport addressed the Board in regards to the youth group "America's Future."

Moved by Ewoldt, seconded by Gibbs, to approve the exemption of casual sales licensing requirements for "America's Future" according to Scott County Code Sec. 16-3.3. Supervisors Hancock expressed concern for future administrative costs. All Ayes.

Rural Davenport residents Hubert Smith and Catherine Swan addressed the Board regarding clean up of neighboring properties. Planning and Development Director Tim Huey spoke in response.

Moved by Ewoldt, seconded by Hancock, the Board adjourn until 8:00 a.m., Tuesday, May 14, 2002, subject to prior call by the Chairman. All Ayes.

Carol Schaefer, Chairman
Scott County Board of Supervisors

ATTEST: Karen L. Fitzsimmons
Scott County Auditor