

Board of Supervisors

November 4, 2004; 5:30 p.m.

The Board of Supervisors met pursuant to adjournment with Minard, Adamson, and Hancock present. Schaefer and Ewoldt were absent.

The Board recited the Pledge of Allegiance.

Moved by Hancock, seconded by Adamson, approval of the minutes of the October 21, 2004 Regular Board Meeting. All Ayes.

Moved by Hancock, seconded by Adamson, the motion approving underground permit applications. All Ayes.

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

BE IT RESOLVED 1) The Iowa Department of Economic Development (IDED) has funding available through a Community Economic Betterment Account (CEBA) and the New Capital Investment Program (NCIP). 2) The program requires that a participating local government submit an application on behalf of the local company requesting the funding. 3) The Board of Supervisors approves the application to the Community Economic Betterment Account (CEBA) Program and the New Capital Investment Program (NCIP) for financial assistance on behalf of The Schebler Co., which has proposed to expand and upgrade their manufacturing capacity. 4) The Board of Supervisors agrees to the terms and conditions for CEBA and NCIP financial assistance provided by the State of Iowa and shall enter into and agree to the understandings and assurances contained in said application. 5) The Board of Supervisors authorizes Scott County to submit an application on behalf of Schebler Company. 6) The Chairman is hereby authorized to sign the application documents. 7) This resolution shall take effect immediately.

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

BE IT RESOLVED 1) The Bi-State Revolving Loan Fund Program provides loans to encourage the expansion and development of viable business and industrial activity in Scott and Rock Island Counties. 2) The program requires that a participating local

government submit an application on behalf of the local company requesting the loan. 3) The Schebler Company is proposing an upgrade an expansion of their plant equipment that will allow the retention and expansion of job opportunities at their plant in Riverdale. 4) The Board of Supervisors supports the efforts of Schebler Company to improve and expand their operation in Scott County. 5) The Board of Supervisors authorizes Scott County to submit an application on behalf of Schebler Company to the Bi-State Revolving Loan Board. 6) The Chairman is hereby authorized to sign the application documents. 7) This resolution shall take effect immediately.

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

NEW HIRES

Employee/Department	Position	Salary	Effective Date	Remarks
Matthew Winslow Conservation	Park Maintenance Worker	\$25,112	11/1/04	Replaces Mark Even
Matthew Willis Conservation	Park Maintenance Worker	\$25,112	11/2/04	Replaces Mat Youngers
Donald Rupe Sheriff/Jail	Jail Custodian/CO	\$22,693	11/8/04	Fills new position created by Board Resolution dated 3/9/04

BARGAINING UNIT STEP INCREASES

Employee/Department	Position	Salary Change	Wage Step	Effective Date
Crystal Gibbs FSS	Clerk II – P/T	\$10.89 - \$11.37	Step 2	11/11/04

MERIT INCREASES

Employee/Department	Position	Salary Change	% of Midpoint	Effective Date
Gregg Gaudet Sheriff/Jail	Corrections Sergeant	\$37,636 - \$39,518 (5.0%)*	93.034%	09/01/04
Joan Grimstad Sheriff/Jail	Corrections Sergeant	\$41,342 - \$42,582 (3.0%)	100.247%	09/01/04
Ryan Lage Sheriff/Jail	Corrections Sergeant	\$38,291 - \$40,206 (5.0%)*	94.654%	09/01/04
Barb McCollom Human Resources	HR Generalist	\$44,942 - \$45,391 (1.0%)	108.606%	09/10/04

* First or second review following appointment or promotion. Salary adjusted 5% if not above 95% of midpoint & employee receives rating of 3 or better.

BONUS

Employee/Department	Position	Effective Date
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Larry Barker Health Director 11/15/04
Health

SEPARATIONS

Employee/Department	Position	Hire Date	Separation Date	Reason for Separation
Suzanne Davis Health	Environmental Health Specialist	04/16/90	10/11/04	Voluntary resignation
Lisa Keis Secondary Roads	Truck Driver / Laborer	10/28/02	10/14/04	Discharged

TUITION REQUESTS

Employee/Department	Position	Course of Study	Course dates(s)
Clifford Tebbitt Sheriff/Jail	Jail Administrator	Contracts I & II Criminal Law I & II Concord Law School	9/9/04 – 8/24/05

Moved by Hancock, seconded by Adamson, 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 Linda A. LaFrenz, 117 Sturdevant St., Davenport, Iowa. 2) That the taxes, interest, special assessments and costs payable in the amount of \$2,188.00 are hereby suspended. 3) That the collection of all property taxes, special assessments, and rates or charges, including interest, fees, and costs assessed against the parcel at 117 Sturdevant St., Davenport, remaining unpaid shall be suspended for such time as Linda A. LaFrenz remains the owner of such property, and during the period he/she 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 Adamson, seconded by Hancock, the motion to open a public hearing relative to the authorizing and providing for the issuance of not to exceed \$13,000,000 aggregate principal amount of revenue refunding bonds for Ridgecrest Village Project.

No persons were present and no written petitions submitted to the Board.

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

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

BE IT RESOLVED 1) That, in order to finance the Project, to refund the Prior Bonds, to fund a debt service reserve fund and to pay a portion of the costs of issuance of the Bonds, the Bonds be and the same are hereby authorized and ordered to be issued pursuant to the Bond Trust Indenture (the "Original Indenture") dated as of September 1, 2000 by and between the Issuer and Wells Fargo Bank, National Association, f/k/a Wells Fargo Bank Iowa, National Association (the "Trustee"), as supplemented and amended by a First Supplemental Bond Trust Indenture (the "First Supplemental Indenture") between the Issuer and the Trustee (the Original Indenture as supplemented and amended by the First Supplemental Indenture is referred to herein as the "Indenture"), which First Supplemental Indenture will be in substantially the form as has been presented to and considered by this Board and containing substantially the terms and provisions set forth therein and the forms, terms and provisions of the Bonds and the First Supplemental Indenture are hereby approved, and the Chairperson and the County Auditor are hereby authorized and directed to execute, attest, seal and deliver the First Supplemental Indenture, and the Chairperson and the County Auditor are further authorized and directed to execute, attest, seal and deliver the Bonds as provided in the First Supplemental Indenture, including the use of facsimile signatures as therein provided; it is the intent hereof that the Bonds shall be issued in one or more series in an aggregate principal amount not to exceed \$13,000,000 and shall bear interest at rates which result in a yield on any series of Bonds of not to exceed 8.00% per annum, and shall mature on the date and in the amounts and shall be subject to redemption on such date and in such amounts as shall be finally determined by the Borrower and the Underwriter. The execution and delivery of the First Supplemental Indenture by the Chairperson and County Auditor shall constitute approval by this Board and the Issuer of the final terms and provisions of the Bonds, including the final principal amount thereof, the interest rates thereon, the dates and amounts of maturities thereof and the redemption provisions relating thereto. 2) That the Issuer loan the proceeds of the Bonds to the Borrower for the purposes set out in the preamble hereof, such loan of the proceeds of the Bonds to be pursuant to

the First Supplemental Loan Agreement by and between the Issuer and the Borrower, in substantially the form as has been presented to and considered by this Board and containing substantially the terms and provisions set forth therein, and the form, terms and provisions of the First Supplemental Loan Agreement are hereby approved, and the Chairperson and the County Auditor are hereby authorized and directed to execute, attest, seal and deliver the First Supplemental Loan Agreement. 3) That the Second Amendment to Loan Agreement, Mortgage and Security Agreement by and between the Issuer, the Borrower and the City dated as of November 1, 2004 (the "Second Amendment to Mortgage") amending and supplementing the Loan Agreement, Mortgage and Security Agreement dated as of October 15, 1993 (the "Original Mortgage") as previously amended and supplemented by the First Amendment to Loan Agreement, Mortgage and Security Agreement dated as of September 1, 2000 (the "First Amendment to Mortgage," and together with the Second Amendment to Mortgage and the Original Mortgage, the "Mortgage"), to subject the Project and the real estate relating thereto to the lien of the Mortgage and to provide for the issuance of the Series 2004 Notes (as defined in the Loan Agreement) on a parity with the Series 2000 Notes (as defined in the Loan Agreement), is authorized and approved and the execution and delivery of the Second Amendment to Mortgage by the Chairperson and the County Auditor are hereby authorized and approved. 4) That the sale of the Bonds to the Underwriter pursuant to a Bond Purchase Agreement (the "Bond Purchase Agreement") by and between the Issuer, the Borrower and the Underwriter, in substantially the form as has been presented to and considered by this Board at a price to be agreed upon by the Borrower and the Underwriter, is hereby authorized and approved and the execution and delivery of the Bond Purchase Agreement by the Chairperson and the County Auditor are hereby authorized and approved. 5) That the use by the Underwriter of the Preliminary Official Statement relating to the Bonds is hereby approved, and the Underwriter is hereby authorized to prepare and use a final Official Statement, substantially in the form of the Preliminary Official Statement but with such changes therein as are required to conform the same to the terms of the Bonds, the Indenture, the Loan Agreement, the Mortgage, and the Bond Purchase Agreement, all in connection with the selling of the Bonds to the public; provided that this authorization shall not be deemed to imply review or approval of information contained in the Preliminary Official Statement and the final Official Statement by the Issuer, except for information and statements set forth under the captions "Introduction - The Issuer" and "Litigation - The Issuer" therein; and such Official Statement as of its date will be approved thereof by the Chairperson deemed final by the Issuer within the meaning of Rule 15(c)(2)-12 of the

Securities and Exchange Commission. 6) That it is hereby found, determined and declared that the Bonds and interest and premium, if any, thereon shall never constitute the debt or indebtedness of the Issuer within the meaning of any constitutional or statutory provision or limitation and shall not constitute nor give rise to a pecuniary liability of the Issuer or a charge against its general credit or taxing powers, but the Bonds and interest and premium, if any, thereon shall be payable solely and only from the revenues derived from the Loan Agreement and the debt obligations of the Borrower delivered pursuant thereto; and no part of the cost of financing the Project will be payable out of the general funds or other contributions of the Issuer (except the proceeds of the Bonds and any subsequent issues of bonds permitted under the Loan Agreement and the Indenture). 7) That the Chairperson and the County Auditor are hereby authorized and directed to execute, attest, seal and deliver any and all documents and do any and all things deemed necessary to effect the issuance and sale of the Bonds and the execution and delivery of the First Supplemental Loan Agreement, the First Supplemental Indenture, the Second Amendment to Mortgage, the Bond Purchase Agreement and an agreement concerning the maintenance of the tax-exempt status of the Bonds, and to carry out the intent and purposes of this Resolution, including the preamble hereto and the execution by the Chairperson and, if required, the County Auditor, of the Bonds, the First Supplemental Indenture, the First Supplemental Loan Agreement, the Second Amendment to Mortgage, the Bond Purchase Agreement and an agreement concerning the maintenance of the tax-exempt status of the Bonds shall constitute conclusive evidence of their approval and this Board's approval thereof and of any and all changes, modifications, additions or deletions therein from the respective forms thereof now before this meeting. 8) That the provisions of this Resolution are hereby declared to be separable and if any action, phrase or provision shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions. 9) That this Resolution shall become effective immediately upon its passage and approval. Passed and approved November 4, 2004.

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

BE IT RESOLVED 1) The Memorandum of Agreement in the form and with the contents set forth in Exhibit A attached hereto is hereby approved, and the Chairperson is hereby authorized to execute said Memorandum of Agreement and the County Auditor is hereby authorized to attest the same and to affix the seal of the Issuer

thereto; said Memorandum of Agreement, which constitutes and is hereby made a part of this Resolution, to be in substantially the form, text and containing the provisions set forth in Exhibit A attached hereto. 2) Officials of the Issuer are hereby authorized to take such further action as may be necessary to carry out the intent and purpose of the Memorandum of Agreement. 3) This Board shall meet on the 2nd day of December, 2004, at the Scott County Administrative Center, Davenport, Iowa at 5:30 o'clock p.m., at which time and place any resident or property owner of the Issuer may present oral or written objections on the proposal to issue the Bonds referred to in the preamble hereof. 4) The County Auditor is hereby directed to give notice of intention to issue the Bonds, setting forth the amount and purpose thereof, the time when and placed where the hearing will be held, by publication at least once not less than fifteen (15) days prior to the date fixed for the hearing, in a newspaper published and having a general circulation within the Issuer. The notice shall be in substantially the following form:

NOTICE OF INTENTION TO ISSUE
INDUSTRIAL DEVELOPEMNET REVENUE BONDS OR NOTES
(M.A. FORD PROJECT)

The Board of Supervisors of Scott County, Iowa, (the "Issuer") will meet on the 2nd day of December, 2004, at 5:30 o'clock p.m., at the Scott County Administrative Center in Davenport, Iowa, for the purpose of conducting a public hearing on the proposal to issue its industrial development revenue bonds or notes (M.A. Ford Project), in one or more series, in an amount not to exceed \$4,000,000 (the "Bonds") and to loan said amount to M.A. Ford Mfg. Co., Inc. (the "Borrower") for the purpose of constructing, renovating, expanding, improving and equipping the Borrower's manufacturing facility located at 7737 Northwest Boulevard, Davenport, Iowa, (the "Project"), and paying for costs of issuance and certain other costs associated with the issuance of the Bonds. The Project will be owned by the Borrower and operated by the Borrower and Miracle Tools America L.L.C.

The Bonds, when issued, will be limited obligations and will not constitute general obligations of the Issuer nor will they be payable in any manner by taxation, but the Bonds will be payable solely and only from amounts received by the Issuer under a Loan Agreement between the Issuer and the Borrower, the obligations of which will be sufficient to pay the principal of and interest and redemption premium, if any, on the Bonds as and when the same shall become due.

At the time and place, oral or written objections from any resident or property owner of the Issuer may be presented. At

such meeting or any adjournment thereof, the Issuer shall adopt a resolution determining whether or not to proceed with the issuance of the Bonds. Written comments may also be submitted to the Issuer at the Scott County Administrative Center, Attn: Scott County Board of Supervisors, 428 Western Ave., Davenport, Iowa 52801. Written comments must be received by the above hearing date.

By order of the Board of Supervisors of Scott County, Iowa.
Karen L. Fitzsimmons, County Auditor

5) On the basis of representations of the Borrower, the Issuer declares (a) that the Borrower intends to undertake the Project; (b) that other than (i) expenditures to be paid or reimbursed from sources other than the Bonds, or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Project have heretofore been made by the Borrower and no expenditures will be made by the Borrower until after the date of this Resolution; and (c) that the Borrower reasonably expects to reimburse the expenditures made for costs of the Project out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations. 6) All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved November____, 2004.

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

BE IT RESOLVED 1) That the aforementioned local PSAP's will not accept VoIP calls until a common solution is developed among the provider of VoIP service; and 2) That the VoIP providers, in accordance with Iowa Code 34A, will not route customers on 911 lines that do not provide all of the following: callers voice, call back number, and callers location. 3) This resolution shall take effect immediately.

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

BE IT RESOLVED 1) The purchase of Canon scanning hardware and barcoding software from Advanced Systems in the amount of

\$32,342.00 is hereby approved. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED 1) The purchase of a 16 port gigabit Ethernet expansion blade and 16 interface cards for the Cisco 6000 LAN backbone switch from Networks, Inc. in the amount of \$13,870 is hereby approved. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED 1) That the Board of Supervisors does hereby officially designate the Old Highway 61/Scott Park Road as "Veterans Highway", and calls upon the citizens of Scott County to observe Veterans Day with appropriate ceremonies and activities. 2) This resolution shall take effect immediately.

Moved by Adamson, seconded by Hancock, the motion approving the liquor license for Papa Miller's Pizzeria & Grill, Parkview, Iowa, contingent upon meeting certain requirements set forth by the Scott County Board of Supervisors, requirements which are subject to separate approval by the offices of Sheriff, Attorney, Health Director, and Building Inspector. The Scott County Auditor is directed to hold any application which has not received the requisite approvals. All Ayes.

Moved by Adamson, seconded by Hancock, that the following resolution be adopted. Roll Call: Ayes - Minard, Adams, Hancock.

BE IT RESOLVED 1) The Scott County Board of Supervisors hereby approves for payment all claims as submitted by the County Auditor and prepared for payment on County warrants numbered 175606 through 175953 for the total amount of \$1,564,542.94 and the purchase card transactions in the total amount of 39,218.56. 2) This resolution shall take effect immediately.

Moved by Adamson, seconded by Hancock, the Board adjourn until 8:00 a.m., Tuesday, November 9, 2004, subject to prior call by the Chairman. All Ayes.

