

Board of Supervisors

October 9, 2003; 5:30 p.m.

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

The Board recited the Pledge of Allegiance.

Moved by Ewoldt, seconded by Hancock, approval of the minutes of the September 23, 2003 Election Canvass and the September 25, 2003 Regular Board Meeting. All Ayes.

Moved by Ewoldt, seconded by Adamson, the motion to open a public hearing relative to the Career Link Program.

No persons were present and no written petitions were submitted.

Moved by Ewoldt, seconded by Minard, to close the public hearing.

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

BE IT RESOLVED 1) That the bid from Medtronics, Inc. for the purchase of six automatic defibrillators in the amount of \$12,058.20 is hereby approved. 2) This resolution shall take effect immediately.

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

NEW HIRES

Employee/Department	Position	Salary	Effective Date	Remarks
Carolyn Ragancrable Community Services	Clerk II – P/T	\$10.52/hr	09/17/03	Replaces Lisa Meumann
Christopher Olson Sheriff/Jail	Correction Officer Trainee	\$26,936	09/22/03	Fills new position created by Board resolution dated June 19, 2003
Kurt Krambeck Secondary Roads	Truck Driver/Laborer	\$28,808	09/22/03	Fills new position created by Board resolution dated July 31, 2003
Edward Drummond Secondary Roads	Truck Driver/Laborer	\$28,808	09/29/03	Fills new position created by Board resolution dated July 31, 2003

TRANSFERS AND PROMOTIONS

Employee/Department	New Position	Salary Change	Effective Date	Remarks
Teri Arnold Health Department	Resource Specialist	\$26,666 - \$26,666	09/22/03	Replaces Pamela Juehring

BARGAINING UNIT STEP INCREASES

Employee/Department	Position	Salary Change	Wage Step	Effective Date
Troy McClimon Sheriff	Deputy Sheriff	\$43,264 - \$44,158	Step 7	10/14/03
Joseph McDonough Sheriff/Jail	Correction Officer Trainee	\$27,394 - \$29,349	Step 3	10/15/03
Lillian Kaczinski Treasurer	Multi-Service Clerk	\$25,210 - \$25,958	Step 5	10/22/03

MERIT INCREASES

Employee/Department	Position	Salary Change	% of Midpoint	Effective Date
Mitch Tollerud Information Technology	Webmaster	\$46,945 - \$48,353 (3.0%)	96.525%	07/03/03
Gary Gilkison Information Technology	Help Desk Specialist	\$28,471 - \$29,183 (2.5%)	96.054%	08/14/03
Robert Cusack County Attorney	Assistant County Attorney	\$45,594 - \$46,050 (1.0%)	108%	09/14/03

* First or second review following appointment or promotion. Salary adjusted 5% if not above 95% of midpoint & employee receives rating of 2 or better.

BONUS

Employee/Department	Position	Effective Date
Pat Kristin Treasurer	Multi-Service Clerk	09/26/03
Kelly Cunningham County Attorney	Assistant County Attorney	10/15/03

SEPARATIONS

Employee/Department	Position	Hire Date	Separation Date	Reason for Separation
Robert Kuehl Sheriff/Jail	Correction Officer	04/18/95	09/17/03	Retirement
Mary Reyes Sheriff	Telecommunicator	04/07/80	09/22/03	Voluntary resignation

REQUEST TO FILL VACANCIES

Position/Department	Position Status	Starting Date	Previous Incumbent	Recommendation
Correction Officer Trainee Sheriff/Jail	Vacant 09/17/03	ASAP	Robert Kuehl	Approve to fill
Telecommunicator Sheriff	Vacant 9/22/03	ASAP	Mary Reyes	Approve to fill

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

BE IT RESOLVED 1) The current property taxes, interest and penalties accrued for Gladys A. Goetsch, 3070 Middle Dr., Bettendorf, Iowa, in the amount of \$753.00 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 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 Darlene McCallister, 2230 Redwood Ave., Davenport, Iowa 2) That the taxes payable in September, 2003 and March, 2004, for Darlene McCallister, 2230 Redwood Ave., Davenport, Iowa in the amount of \$770.00 plus interest and costs 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 2230 Redwood Ave., Davenport, remaining unpaid shall be suspended for such time as Darlene McCallister 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 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 Larry Bernauer, 1214 Arlington Ave., Davenport, Iowa. 2) That the taxes payable in September, 2003 and March, 2004, for Larry Bernauer, 1214 Arlington Ave., Davenport, Iowa in the amount

of \$406.00 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 1214 Arlington Ave., Davenport, remaining unpaid shall be suspended for such time as Larry Bernauer 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 Minard, seconded by Hancock, the motion to open a public hearing relative to the issuance and sale of Health Care Facility Revenue Bonds, Series 2003 (Community Health Care, Inc. Project), of Scott County, Iowa, in an aggregate principal amount not to exceed \$2,000,000.

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

BE IT RESOLVED 1) **(A)** The Issuer is a county authorized and empowered by the provisions of Chapter 419 of the Code of Iowa, 2003, as amended (the "Act"), to issue revenue bonds or notes for the purpose of financing the cost of acquiring, by construction or purchase, land, buildings, improvements and equipment, suitable for the use of any private college or suitable for the use of any facility for an organization described in Section 501(c)(3) of the Internal Revenue Code (the "Code") which is exempt from federal income taxes under Section 501(a) of the Code (a "Tax Exempt Organization") and to refund any bonds issued under the Act and to retire any existing indebtedness of a Tax Exempt Organization. **(B)** The Issuer has been requested by Community Health Care., Inc., (the "Borrower") to issue its Health Care Facility Revenue Bonds (Community Health Care., Inc. Project), in an aggregate principal amount not to exceed \$2,000,000 (the "Bonds") pursuant to the Act for the purpose of financing the (i) refunding of the Issuer's previous issue of its \$1,590,000 Health Facilities Revenue Bonds (Community Health Care Facilities Revenue Bonds, (Community Health Care, Inc. Project), Series 1996A (the "Series 1996A Bonds" and its \$620,000 Health Care Facilities Revenue bonds, (Community Health Care, Inc. Project)), Series 1996B (the "Series 1996B

Bonds" and together with the Series 1996A Bonds, the "Prior Bonds"), (ii) acquisition of equipment and other capital items for use by the Borrower at its facilities located at 500 West River Drive, Davenport, Iowa (the "Project"), and (iii) costs of issuance and certain other costs associated with the issuance of the Bonds. **(C)** A resolution proposing to refund the Prior Bonds through the issuance of a revenue bond of the Issuer in an aggregate principal amount not to exceed \$2,000,000 and to loan said amount to the Borrower was adopted on September 11, 2003. **(D)** As required by the Act and Section 147(f) of the Code, the Issuer has previously provided notice of the Issuer's intention to issue the Bonds and has held a public hearing on the issuance of revenue refunding bond to refund the Prior Bonds. **(E)** The issuance and sale of the Bonds by the Issuer in the amount of not to exceed \$2,000,000, pursuant to the Act, is in the best interest of the Issuer, and the Issuer hereby determines to issue the Bonds and to sell the Bonds to Quad City Bank & Trust Company, Davenport, Iowa (the "Lender") as provided herein. The Issuer will loan the proceeds of the Bonds (the "Loan") to the Borrower in order to refund the Prior Bonds, and to pay costs of issuance. **(F)** Pursuant to a Loan Agreement (the "Loan Agreement") to be entered into between the Issuer and the Borrower, the Borrower agrees to repay the Loan in specified amounts and at specified times sufficient to pay in full when due the principal of, premium, if any, and interest on the Bonds. In addition, the Loan Agreement contains provisions relating to indemnification, insurance, and other agreements and covenants which are required or permitted by the Act and which the Issuer and the Borrower deem necessary or desirable. The Loan Agreement has been submitted to the Board of Supervisors for its review. **(G)** Pursuant to an Assignment and Pledge Agreement (the "Pledge Agreement") to be entered into between the Issuer and the Lender, the Issuer, among other things, will grant to the Lender a security interest in all of the Issuer's rights, title and interest in and to the Loan Agreement, including, but not limited to, the right to receive Loan Repayments (as defined in the Loan Agreement). The Pledge Agreement has been submitted to the Board of Supervisors for its review. **(H)** The Bonds will be special limited obligations of the Issuer. The Bonds shall not be payable from or charged upon any funds other than the revenues pledged to the payment thereof, nor shall the Issuer be subject to any liability thereon. No holder of the Bonds shall ever have the right to compel any exercise of the taxing power of the Issuer to pay the Bonds or the interest thereon, nor to enforce payment thereof against any property of the Issuer. The Bonds shall not constitute a debt of the Issuer within the meaning of any constitutional or statutory limitation. A draft of the Bonds has been submitted to the Board of

Supervisors for its review. 2) In order to provide funds to refund the Prior Bonds, the Issuer hereby authorizes the issuance of the Bonds in the principal amount of not to exceed \$2,000,000 and at interest rates which will produce a net interest cost of not to exceed 6% per annum. The Bonds shall be in the form submitted to the Board of Supervisors and shall mature in the years and amounts, be subject to redemption, and provide interest at the rates as determined by the Borrower and the Lender prior to their issuance and delivery. 3) The Loan Agreement, the Pledge Agreement and the Bonds are hereby made a part of this Resolution as though fully set forth herein and are hereby approved in substantially the forms presented to the Board of Supervisors. The Chairperson of the Board of Supervisors and the County Auditor are authorized and directed to execute, acknowledge and deliver said documents on behalf of the Issuer with such changes, insertions and omissions therein as Bond Counsel may hereafter deem appropriate, such execution to be conclusive evidence of approval of such documents in accordance with the terms hereof. 4) The Chairperson of the Board of Supervisors and the County Auditor are authorized and directed to execute and deliver all other documents which may be required under the terms of the Loan Agreement or Pledge Agreement, or by Bond Counsel, and to take any other action as may be required or deemed appropriate for the performance of the duties imposed thereby to carry out the purposes thereof. 5) The Issuer finds, determines, and declares that for purposes of Section 265(b)(3)(C) of the Code, the Bonds shall be treated as "qualified tax exempt obligations" and shall not be taken into account for purposes of the \$10,000,000 limitation of tax-exempt obligations issued by a qualified small issuer in a calendar year because (i) the principal amount of the Bonds does not exceed the outstanding principal amount of the Bonds; (ii) the average maturity date of the Bonds is not later than the average maturity date of the Prior Bonds; (iii) the maturity date of the Bonds is not later than the date which is 30 years after the date of the issuance of the Prior Bonds; and (iv) the Prior Bonds were qualified tax-exempt obligations.

In order to qualify as a "qualified tax exempt issuer" within the meaning of Section 265(b)(3) of the Code, the Issuer hereby makes the following factual statements and representations: (i) The reasonably anticipated amount of tax-exempt obligations (other than the Bonds and any other obligations described in Clause (ii) of Section 265(b)(3)(C) of the Code) which will be issued by the Issuer (and all entities whose obligations will be aggregated with those of the Issuer) during this calendar year 2003 will not exceed \$10,000,000; and

(ii) Not more than \$10,000,000 of obligations issued by the Issuer during this calendar year 2003 have been designated for purposes of Section 265(b)(3) of the Code. The Issuer shall use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designation made by this paragraph. 6) The Chairperson of the Board of Supervisors, the County Auditor and other officers of the Issuer are authorized to furnish to the Lender, the Borrower and Bond Counsel certified copies of all proceedings and records of the Issuer relating to the Bonds, and such other affidavits and certificates as may be required to show the facts relating to the legality and marketability of the Bonds as such facts appear from the books and records in the officer's custody and control or as otherwise known to them; and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the Issuer as to the truth of all statements contained therein. 7) The provisions of this Resolution are hereby declared to be severable and if any section, phrase or provisions 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. 8) All resolutions or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict. 9) This Resolution shall become effective immediately upon its passage and approval.

Passed and approved October 9, 2003

Chairperson, Board of Supervisors

Attest:

County Auditor

On motion and vote, the meeting adjourned.

Chairperson, Board of Supervisors

Attest:

County Auditor

STATE OF IOWA)
) SS:
 COUNTY OF SCOTT)

I, the undersigned, being first duly sworn, do hereby depose and certify that I am the duly elected, qualified and acting County Auditor of the aforementioned County and that as such I have in my possession, or have access to, the complete corporate records of said County and of its Board of Supervisors and its officers; that I have carefully compared the transcript hereto attached with the aforesaid corporate records; and that said transcript hereto attached is a true, correct and complete copy of all the corporate records in relation to the adoption of a Resolution authorizing the issuance and sale of the Health Care Facility Revenue Bonds (Community Health Care., Inc. Project) in an aggregate principal amount to exceed \$2,000,000.

WITNESS my hand and the corporate seal of said County hereto affixed this _____ day of October, 2003

 County Auditor

(Seal)

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

BE IT RESOLVED 1) The County Administrator is hereby directed to adjust appropriation levels in the following departments and in the following amounts:

DEPARTMENT	OVER EXPENDED		TYPE A OR B TRANSFER
	SUB-OBJECT	AMOUNT	
Administration	Supplies	820	A
Attorney	Personal Services	6,367	B
	Equipment	7,142	B
	Expenses	3,0304	B
Conservation	Supplies	227	A
Facility & Support Services	Supplies	6,855	A
Health	Expenses	93,940	A
	Supplies	731	A
Juvenile Detention	Expenses	16,466	A

Center			
Non-Departmental	Supplies	1,312	A
Planning & Development	Supplies	362	A
Recorder	Expenses	128	A
	Supplies	1,040	A
Secondary Roads	Engineering	28,071	A
	Roads	43,893	A
	Road Clearing	25,517	A
	New equipment	7,321	A
	Real estate & Buildings	6,478	A
Sheriff	Equipment	18,628	A
Treasurer	Salaries	25,942	B
Medic Ambulance	Expenses	11,065	B
Total		\$332,609	

TYPE A TRANSFER: Total department is not over expended, recommended transfer to be made within departmental budget

TYPE B TRANSFER: Total department budget is over expended, recommended transfer to be made from other department(s) within same service area with unexpended appropriations

2) 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 Board's submission of grant applications to the Riverboat Development Authority and Scott County Authority for seniors holiday lights tour and senior sell phone program by the Sheriff's Office is hereby approved. 2) That, if accepted, the Board approves receipt of such funding. 3) That the Chairman is authorized to sign the application. 4) This resolution shall take effect immediately.

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

BE IT RESOLVED 1) That the purchase of a Portable 800 MHz Radio Repeater to the Sheriff's Office from RACOM in amount of \$13,711.10 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Minard, seconded by Hancock, that the following

