

Scott County Board of Supervisors
October 8, 2015 5:00 p.m.

The Board of Supervisors met pursuant to adjournment with Kinzer, Hancock, Holst, Sunderbruch and Earnhardt present. The Board recited the pledge of allegiance.

Moved by Hancock, seconded by Earnhardt approval of the minutes of the September 24, 2015 Regular Board Meeting and the minutes of the October 6, 2015 Committee of the Whole Meeting (including Closed Session). All Ayes.

Moved by Kinzer, seconded by Holst a motion to certify the results of the Davenport Municipal Primary Election. All Ayes.

Moved by Earnhardt, seconded by Hancock a motion to open a public hearing relative to the sale of property to the City of Davenport, 318 Ripley Street. All Ayes.

No one from the public spoke.

Moved by Hancock, seconded by Earnhardt a motion to close the public hearing. All Ayes.

Jon Burgstrum, County Engineer, spoke to the Board about concerns from Parkview residents and presented the Board with plans to fix certain roads and also showed the Board areas that were already repaired.

Moved by Earnhardt, seconded by Hancock that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the purchase of a 2003 Clark Forklift in the amount of \$12,800.00 from Big River Equipment Company is hereby approved. 2) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the bid for the partial roof replacement project at the Annex building is accepted and the contract is awarded to Economy Roofing in the amount of \$147,600.00. 2) That bid alternate 1, which extends the roof warranty to a thirty year warranty, is accepted in the amount of \$28,100.00. 3) That the Director of Facility & Support Services is hereby authorized to execute contract documents on behalf of the Scott County Board of Supervisors. 4) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the bid for the AHU replacement project at the Annex building is accepted and the contract is awarded to Schebler Company in the amount of

\$174,500.00. 2) That the Director of Facility & Support Services is hereby authorized to execute contract documents on behalf of the Scott County Board of Supervisors. 3) This resolution shall take effect immediately.

Moved by Earnhardt, seconded by Holst that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the sale of real estate, commonly known as 318 Ripley Street, Davenport, Iowa for \$150,000.00 is hereby approved. 2) That the Facility and Support Services Director is hereby authorized to sign documents for the legal closing on the purchase of the above property. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Hancock that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The 2014 property taxes due September 2015 and March 2016 for Valorie Anderson, 1335 West 13th Street, Davenport, Iowa, Parcel: H0025-31 in the amount of \$1165.00 are hereby suspended. 2) The County Treasurer is hereby requested 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, if any. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The 2014 property taxes due in September 2015 and March 2016 accrued for Mary Lou Moore, 2514 East 51st Street, Unit C, Davenport, Iowa, in the amount of \$1793.00 including interest 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, if any. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The 2014 property taxes due September 2015 and March 2016 for Donna Padavich, 1231 16½ Street, Bettendorf, Iowa, Parcel ID: 84281812107 in the amount of \$1219.00 including interest are hereby suspended. 2) The County Treasurer is hereby requested 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, if any. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The current property taxes and utility fees, interest and penalties accrued for Tammy Swims, 11325 140th Street, Lot 65, Davenport, Iowa, Parcel # 7201031A165--L, in the amount of \$64.00 including penalties and interest are hereby suspended. 2) The County Treasurer is hereby directed to suspend the collection of the

above stated taxes and utility fees thereby establishing a lien on said property as required by law with future collection to include statutory interest, if any. 3) This resolution shall take effect immediately.

Moved by Holst, seconded by Hancock that the following resolution be approved. 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 for Joseph Lapice, 505 S. Concord Street, Davenport, Iowa, in the amount of \$854.00 (2014 property taxes). 2) That the collection of all property taxes, special assessments, and rates or charges, including interest, fees, and costs assessed against the parcel at 505 S. Concord Street, Davenport, Iowa remaining unpaid shall be suspended for such time as Joseph Lapice remains the owner of such property, and during the period he/she receives assistance as described in Iowa Code Section 427.9. 3) 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. 4) This resolution shall take effect immediately.

Moved by Holst, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That the FY2016 Contractual Agreement between the Center for Alcohol & Drug Services, Inc. (CADS) and Scott County for reimbursement for prevention services on a monthly basis to include a detailed accounting of actual expenses is hereby approved in the amount of \$40,000.00. 2) That the chairman is hereby authorized to sign said agreement. 3) This resolution shall take effect immediately.

Moved by Hancock, seconded by Earnhardt that the following resolution be approved. 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 the following taxes for parcel numbers: Parcel; 2014 Taxes, F0054-04C; \$3,744.00, J0036-36; \$240.00, L0017A01D; \$19,684.00, L0005-01; \$2,790.00 C0003-37; \$532.00, L0009-20; \$3,452.00, E0047-01C; \$4,512.00, L0009-21; \$3,534.00, F0042-27; \$2,212.00, L0022-02; \$5,330.00, F0051-42; \$744.00, Y0533-OL1; \$26.00, F0052-15; \$32.00, Y0533-OL2; \$74.00, F0052-31; \$812.00, Y0533-OL3; \$66.00, F0052-51; \$742.00, Y0549-OL4; \$106.00, F0052-52; \$28.00, Y0549-OL5; \$86.00, F0052-53; \$1,614.00, Y0549-OL6; \$174.00,

G0028-27; \$548.00, Y0549-OL7; \$240.00, G0029-31; \$36.00, Y0639-19F; \$384.00, J0028-20; \$258.00, 23249-04; \$412.00, Total: \$52,412.00. 3) The County Treasurer is hereby directed to strike the amount of property taxes due on City of Davenport above listed parcels in accordance with Iowa Code Section 445.63. 4) This resolution shall take effect immediately.

Moved by Hancock, seconded by Kinzer that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) The purchase of Hewlett-Packard servers, storage area network, and professional installation services in the amount of \$494,838.14 and five years of maintenance in the amount of \$205,661.64 is hereby approved. 2) This resolution shall take effect immediately.

Moved by Hancock, seconded by Earnhardt a motion to approve the filing of quarterly financial reports from various county offices. All Ayes.

Moved by Hancock, seconded by Earnhardt that the following resolution be approved. All Ayes.

BE IT RESOLVED: 1) That General Policy 30 "Grants and Funding Assistance Policy" is hereby modified to reflect changes in grant procedures. 2) This resolution shall take effect immediately.

Moved by Hancock, seconded by Kinzer that the following resolution be approved. Roll Call: All Ayes.

WHEREAS, pursuant to the laws of the State of Iowa, Scott County, Iowa (the "County") has publicly offered, and likely will issue and publicly offer in the future, its notes, bonds or other obligations (the "Bonds"); and WHEREAS, the County deems it necessary and desirable to adopt certain Policies and Procedures Regarding Municipal Securities Disclosure to be followed in connection with the issuance and on-going administration of publicly offered Bonds; and WHEREAS, the proposed Policies and Procedures Regarding Municipal Securities Disclosure are attached hereto as Exhibit A (the "Disclosure Policies and Procedures"); and NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Scott County, Iowa, as follows: 1) The Disclosure Policies and Procedures attached hereto as Exhibit A are hereby adopted and shall be dated as of the date hereof. 2) All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict. Passed and approved October 8, 2015.

Exhibit A

Scott County

Policies and Procedures Regarding Municipal Securities Disclosure

As an issuer of municipal securities (bonds, notes and/or other obligations, referred to herein as "Bonds"), Scott County, Iowa (the "Issuer") has adopted the policies and procedures set forth herein (collectively, the "Disclosure Policy") to guide the Issuer's actions with respect to (1) the disclosure document (often referred to as the "official

statement”) for publicly-offered Bonds and (2) ongoing disclosure requirements associated with outstanding Bonds (also known as “continuing disclosure”). This Disclosure Policy includes the following elements: (1) disclosure training for officials responsible for producing, reviewing and approving disclosure documents; (2) establishment of procedures for review of relevant disclosure requirements, and (3) ensuring that any procedures established are followed.

Background

The anti-fraud provisions of federal securities laws apply to municipal securities such as the Issuer’s Bonds. The U.S. Securities and Exchange Commission (the “SEC”) can bring enforcement actions against the Issuer, members of its governing body, government employees and officials, and professionals working on the bond transaction. This Disclosure Policy is designed to provide the necessary policy framework and accompanying procedures for compliance by the Issuer with its disclosure responsibilities.

When Bonds are issued and publicly offered, an official statement will be prepared on behalf of the Issuer. The official statement is the disclosure document that sets forth the terms associated with the Bonds, and this document will be used to market and sell the Issuer’s Bonds. In addition, for transactions larger than \$1 million in size that include an official statement, the Issuer enters into a continuing disclosure certificate, agreement or undertaking (the “CDC”). The CDC is a contractual obligation of the Issuer, pursuant to which the Issuer agrees to provide certain financial information filings (at least annually) and material event notices to the public. The CDC is necessary to allow the bond underwriters comply with SEC Rule 15c2-12. As noted below, filings under the CDC must be made electronically at the Electronic Municipal Market Access (EMMA) portal (www.emma.msrb.org).

Accordingly, this Disclosure Policy addresses the following three aspects of disclosure: (1) preparation and approval of official statements in connection with new Bonds; (2) ongoing continuing disclosure requirements under a CDC; and (3) education of staff and elected officials with respect to disclosure matters.

1. Primary (New) Offerings of Bonds – Official Statements of the Issuer In connection with issuance of its publicly-offered Bonds (Bonds sold via the public market, through a broker-dealer known as an “underwriter”), the Issuer will prepare (or cause its hired professionals to prepare) a disclosure document commonly known as an “official statement.” This official statement is the document that describes the issuance of the Bonds to the marketplace and as such, under federal law, the official statement cannot contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading. To ensure the Issuer’s official statements are properly prepared and reviewed, the Issuer adopts the procedures set forth in Appendix I hereto.

2. Continuing Disclosure Compliance (CDC Compliance)

The Issuer has entered into, or may in the future enter into, CDCs in connection with its bond issues. Under these contractual agreements, the Issuer agrees to provide to the marketplace certain financial information and notices of material events. The Issuer will file, or cause to be filed, necessary items under the CDCs in a searchable electronic format at the Electronic Municipal Market Access (EMMA) portal

(www.emma.msrb.org). To ensure compliance with its contractual continuing disclosure obligations, the Issuer adopts the procedures set forth in Appendix II hereto.

3. Systematic Training of Staff and Governing Body Members

In addition to the specific procedures adopted under this Disclosure Policy, the Issuer understands that on-going training of both necessary staff and members of the governing body is essential to successful compliance with the Issuer's disclosure obligations. Accordingly, the Issuer has implemented the following training procedures (which may be implemented with the assistance of counsel to the Issuer):

A. Annual Training. Necessary Issuer employees are required to attend annual training regarding disclosure and financial reporting requirements of the federal securities laws. Such training shall include a complete review of this Disclosure Policy, all current CDCs, Rule 15c2-12 and the material events required to be reported pursuant to such Rule, and a complete overview of the Issuer's obligations under the federal securities laws.

The County Administrator is appointed as the compliance officer for purposes of this Disclosure Policy (the "CD Compliance Officer"). The CD Compliance Officer responsible for coordinating the annual training, and not later than six months after the end of each fiscal year, the CD Compliance Officer shall provide written certification to the Board of Supervisors that the annual disclosure training has been completed.

B. Specific Training. When appropriate, the CD Compliance Officer shall conduct (or cause to be conducted) training with individuals on those persons' specific roles and responsibilities in the disclosure and financial reporting process.

C. Governing Body Training. The members of the Issuer's governing body are required to attend training on this Disclosure Policy and financial reporting requirements of the federal securities laws prior to the approval of the official statement and upon orientation of new members to the Board. The CD Compliance Officer is responsible for coordinating this training.

Moved by Hancock, seconded by Earnhardt that the following resolution be approved. Roll Call: All Ayes.

WHEREAS, the Waste Commission of Scott County (the "Commission") is an entity created and existing pursuant to a Revised Intergovernmental Agreement, as amended from time to time under authorization of Chapters 28E, 28F, 28G and 455B of the Code of Iowa (the "Intergovernmental Agreement") comprised of Scott County, Iowa (the "County") and various member cities (the "City Members") identified in the Intergovernmental Agreement (collectively, the County and the City Members, the "Members"); and WHEREAS, the Commission has the power to operate and maintain solid waste management services and owns and operates a Material Recovery System and Material Recovery Facility (collectively, the "System"); and WHEREAS, the Commission is proposing to undertake a capital improvement project for the System, including, without limitation, building improvements, related material recovery equipment and related land improvements (the "Project"); and WHEREAS, the Board of Supervisors of Scott County, Iowa (the "County"), proposes to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$9,000,000, pursuant to the provisions of Sections 331.402(3), 331.441(2)(b)(4) and 331.443 of the Code of Iowa for the purpose of financing the Project, and it is now necessary to fix a date of meeting of this Board at which it is

proposed to take action to enter into the Loan Agreement and to give notice thereof as required by such law; and WHEREAS, a Preliminary Official Statement (the "P.O.S.") has been prepared to facilitate the sale of General Obligation County Solid Waste Disposal Bonds, Series 2015A (the "Bonds") to be issued in evidence of the obligation of the County under the Loan Agreement, and it is now necessary to make provision for the approval of the P.O.S. and to authorize its use by Springsted Incorporated (the "Municipal Advisor"); and WHEREAS, it is now necessary to set the date for the sale of the Bonds and to make provision for the advertisement thereof; NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Scott County, Iowa, as follows: 1) The Board of Supervisors shall meet on November 5, 2015, at the Scott County Administrative Center, 600 West 4th Street, Davenport, Iowa 52801, at 5:00 o'clock p.m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Loan Agreement. 2) The County Administrator or her designee is hereby directed to give notice of the proposed action on the Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once and not less than 4 and not more than 20 days before the date of said meeting, in a legal newspaper which has a general circulation in the County. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$9,000,000. The Board of Supervisors of Scott County, Iowa, will meet on November 5, 2015, at Scott County Administrative Center, 600 West 4th Street, Davenport, Iowa 52801, at 5:00 o'clock p.m., for the purpose of instituting proceedings and taking action to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$9,000,000 for the purpose of paying the cost, to that extent, of undertaking a capital improvement project for the Waste Commission of Scott County's Material Recovery System and Material Recovery Facility, including, without limitation, building improvements, related material recovery equipment and related land improvements. The Loan Agreement is proposed to be entered into, and bonds will be issued thereunder, pursuant to authority contained in Section 331.402, Subsection 331.441(2)(b)(16) and Section 331.443 of the Code of Iowa. The Loan Agreement and the bonds will constitute general obligations of the County. At that time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the County may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter. By order of the Board of Supervisors of Scott County, Iowa. 3) Sealed bids for the purchase of the Bonds shall be received and canvassed on behalf of the County at 10:00 a.m. on November 5, 2015, at the Scott County Administrative Center, 600 West 4th Street, Davenport, Iowa 52801, and the Board of Supervisors shall meet on the same date at 5:00 p.m. in the County, for the purpose of considering such bids received and considering and passing a resolution providing for the award of the Bonds, and the County Administrator or designee is hereby authorized and directed to publish notice of said sale, as provided by Chapter 75 of the Code of Iowa, in substantially the following form:

NOTICE OF SALE
SCOTT COUNTY, IOWA
\$9,000,000 GENERAL OBLIGATION COUNTY SOLID WASTE DISPOSAL
BONDS, SERIES 2015A

Bids will be received on behalf of the Scott County, Iowa, until 10:00 a.m. on November 5, 2015, for the purchase of \$9,000,000 General Obligation County Solid Waste Disposal Bonds, Series 2015A (the "Bonds") of the County.

Any of the methods set forth below may be used, but no open bids will be accepted:

Sealed Bidding: Sealed bids will be received at the offices of Springsted Incorporated, 380 Jackson Street, Suite 300, Saint Paul, Minnesota.

Electronic Internet Bidding: Electronic internet bids will be received at the offices of Springsted Incorporated, 380 Jackson Street, Suite 300, Saint Paul, Minnesota, and must be submitted through PARITY®.

Electronic Facsimile Bidding: Electronic facsimile bids will be received at the offices of Springsted Incorporated, 380 Jackson Street, Suite 300, Saint Paul, Minnesota, and will be sealed and treated as sealed bids.

After the deadline for receipt of bids has passed, sealed bids that have been timely received will be opened and announced, and electronic internet bids will be accessed and announced. All bids will be presented to the Board of Supervisors for consideration at its meeting to be held at 5:00 p.m. on November 5, 2015, at the Scott County Administrative Center, 600 West 4th Street, Davenport, Iowa 52801, at which time the Bonds will be sold to the best bidder for cash.

Official Statement: The County has issued an Official Statement of information pertaining to the Bonds to be offered, including a statement of the terms of offering and an official bid form, which is incorporated by reference as a part of this notice. The Official Statement may be obtained by request addressed to Mr. David Farmer, Budget Manager, Scott County, 600 West 4th Street, Davenport, Iowa 52801-1030, or by telephoning (563) 326-8651, or Springsted Incorporated, 380 Jackson Street, Suite 300, St. Paul, Minnesota 55101-2887, by telephoning (651) 223-3000, or by e-mailing bond_services@springsted.com.

Terms of Offering: All bids must be in conformity with and the sale must be in accord with the Terms of Offering as set forth in the Official Statement.

The County reserves the right, after bids are opened and prior to award, to increase or decrease the principal amount of the Bonds offered for sale and/or to increase or decrease the principal amount of each maturity.

The legal opinion of Dorsey & Whitney LLP, Attorneys, Des Moines, Iowa, will be furnished by the County at closing.

A good faith deposit of \$_____ is required of the successful bidder and may be forfeited to the County in the event the successful bidder fails or refuses to take and pay for the Bonds.

The County reserves the right to reject any or all bids and to waive irregularities in any bid.

The Bonds are being issued pursuant to the provisions of Chapter 331 of the Code of Iowa and will constitute general obligations of the County, payable from taxes levied upon all the taxable property in the County without limitation as to rate or amount.

Bidders should be aware that the official terms of offering to be published in the Official Statement for the Bonds contain additional bidding terms and information relative to the Bonds. In the event of a variance between statements in this Notice of Sale (except with respect to the time and place of the sale of the Bonds and the principal amount offered for sale) and said official terms of offering, the provisions of the latter shall control.

By order of the Board of Supervisors of Scott County, Iowa. 4) Pursuant to Section 75.14 of the Code of Iowa, the County hereby authorizes the use of electronic bidding procedures for the sale of the Bonds through PARITY®, and hereby finds and determines that the PARITY® competitive bidding system will provide reasonable security and maintain the integrity of the competitive bidding process and will facilitate the delivery of bids by interested parties under the circumstances of this bond sale. 5) The County Administrator, County Auditor and other staff and officials of the County are each authorized to take such action as shall be deemed necessary and appropriate with the assistance of the Municipal Advisor to prepare the P.O.S. describing the Bonds and providing for the terms and conditions of their sale, and all action heretofore taken in this regard is hereby ratified and approved. 6) The use by the Municipal Advisor of the P.O.S. relating to the Bonds in substantially the form as has been presented to and considered by the Board is hereby approved, and the Municipal Advisor and the underwriter of the Bonds are each hereby authorized to use a final Official Statement for the Bonds substantially in the form of the P.O.S. but with such changes therein as are required to conform the same to the terms of the Bonds and the resolution, when adopted, providing for the sale and issuance of the Bonds, and the County Administrator or other official of the County is hereby authorized and directed to execute a final Official Statement for the Bonds, if requested. The P.O.S. as of its date is deemed final by the County within the meaning of Rule 15(c)(2)-12 of the Securities and Exchange Commission. 7) All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict. 8) This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law. Passed and approved October 8, 2015.

Moved by Hancock, seconded by Kinzer that the following resolution be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 271778 through 272092 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,989,115.45. 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 \$84,854.09. 3) This resolution shall take effect immediately.

Moved by Hancock, seconded by Kinzer a motion to adjourn. All Ayes.

Tom Sunderbruch, Chair of the Board
Scott County Board of Supervisors

ATTEST: Roxanna Moritz
Scott County Auditor