

Scott County Board of Supervisors

November 12, 2009; 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 Gallin, seconded by Sunderbruch, approval of the minutes of the November 5, 2009 Closed Session and the October 29, 2009 Regular Board Meeting. All Ayes.

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

BE IT RESOLVED 1) That the Chairman of the Board of Supervisors be authorized to sign the IDOT agreement for a bridge replacement on Forest Grove Road in Scott County – Project # BROS-C082(40)—8J-82. 2) This resolution shall take effect immediately.

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

BE IT RESOLVED 1) That the Board of Supervisors approve the Engineering Services for the design of the Mississippi Trail Project. 2) This resolution shall take effect immediately.

Moved by Minard, seconded by Liske, the motion to open a public hearing relative to rezoning 8.6 acres in Section 27, 80 North, Range 4 East of the 5th Principal Meridian (Butler Township) from A-G Agricultural General District to R-1 Single Family Residential in Scott County. All Ayes.

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

Moved by Minard, seconded by Gallin, the motion to close the public hearing. All Ayes.

Moved by Minard, seconded by Gallin, the motion to open a public hearing relative to the transfer of tax deed properties to Humility of Mary Shelter and Habitat for Humanity. All Ayes.

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

Moved by Minard, seconded by Liske, to close the public hearing. All Ayes.

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

BE IT RESOLVED 1) County policy states that community based non-profit agencies may request transfer of tax deed properties if such transfer will benefit a community program or public purpose. 2) The Humility of Mary Shelter has requested the transfer of the tax deeds for Parcels #G0050-51 & #G0050-53, two adjacent lots located at 513 Vine Street, legally described as the West 44 feet of Lot 8 in Mitchell's Addition and Habitat for Humanity has requested Parcel #F0048-19 located at 322 8<sup>th</sup> East Street, legally described as Lot 4 of Block 83 in LeClaire's 7<sup>th</sup> Addition. 3) The Board of Supervisors held a public hearing on November 12, 2009 on the requests to transfer those parcels to community based non-profit agencies. 4) The Board determines that these requests comply with adopted County policy and hereby approves their transfer. 5) The Chairman is authorized to sign the Quit Claim Deeds. 6) This resolution shall take effect immediately.

Moved by Gallin, seconded by Liske, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That the proposal from United Health Care of the River Valley for three years for third party administration services in lieu of a fully insured plan and one year agreement for specific and aggregate stop loss coverage is hereby accepted and approved. 2) That the Human Resources Director hereby authorized to sign the health insurance contracts for services on behalf of the Board. 3) This resolution shall take effect immediately.

Moved by Gallin, seconded by Sunderbruch, that the following resolution be adopted. All Ayes.

BE IT RESOLVED 1) That said Board of Supervisors does hereby recognize the retirement of **STEPHANIE WHITE** and conveys its appreciation for 23 years of faithful service to the Auditor's Office. 2) This resolution shall take effect immediately.

Moved by Gallin, seconded by Minard, the motion approving personnel actions as presented by the County Administrator. All Ayes.

#### NEW HIRES

Employee/Department	Position	Salary	Effective Date	Remarks
Steven Andersen Health	Jail Inmate Health LPN – P/T	\$18.31/hr	11/3/09	Z schedule / roster position

#### TRANSFERS AND PROMOTIONS

Employee/Department	New Position	Salary Change	Effective Date	Remarks
None				

**LEAVES OF ABSENCE/OTHER**

Employee/Department	Position	Effective Date	Remarks
None			

**BARGAINING UNIT STEP INCREASES**

Employee/Department	Position	Salary Change	Wage Step	Effective Date
Joel Serrano Sheriff/Jail	Correction Officer	\$43,368 - \$43,992	Step 8	10/25/09
Lezly Flynn Community Services	Clerk II – P/T	\$14.35/hr - \$14.74/hr	Step 5	10/29/09
Jonathan Moore Sheriff/Jail	Correction Officer	\$35,984 - \$37,648	Step 4	10/29/09
Matthew Winslow Secondary Roads	Mechanic	\$42,182 - \$43,867	Step 3	10/30/09
Brenda Minter County Attorney	Intake Coordinator	\$40,040 - \$41,350	Step 9	11/3/09
Adam Ohsann Sheriff/Jail	Correction Officer Trainee	\$31,595 - \$32,157	Step 2	11/4/09
Jessica Schadel Sheriff/Jail	Correction Officer	\$35,984 - \$37,648	Step 4	11/5/09

**MERIT INCREASES**

Employee/Department	Position	Salary Change	% of Midpoint	Effective Date
Rick Rouse Conservation	Park Ranger	\$46,480 - \$48,339 (4.0%)	110.869%	07/31/09
James Salsberry Sheriff/Jail	Corrections Sergeant	\$56,270 - \$57,321 (2.1%)	115%	08/06/09
Sarah Kautz Administration	Budget Manager	\$76,819 - \$79,508 (3.5%)	108.158%	10/13/09
Lorraine Robinson Information Technology	Programmer Analyst II	\$62,816 - \$65,329 (4.0%)	108.996%	11/13/09

\*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
Randy Trudell Secondary Roads	Truck Driver/Laborer	08/29/09
Barbara Wright Treasurer	Multi-service Clerk	10/9/09
Dave Donovan FSS	Facility & Support Services Director	10/21/09

Kathy Hall Treasurer	County General Store Manager	11/8/09
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**SEPARATIONS**

Employee/Department	Position	Hire Date	Separation Date	Reason for Separation
Todd Malone Sheriff	Public Safety Dispatcher	11/3/08	11/6/09	Voluntary resignation
Stephanie White Auditor	Payroll Specialist	10/20/86	11/13/09	Retirement

**REQUEST TO FILL VACANCIES**

Position/Department	Position Status	Starting Date	Previous Incumbent	Recommendation
None				

**TUITION REQUESTS**

Employee/Department	Position	Course of Study	Course dates(s)
Cheri Sexton Human Resources	Benefits Coordinator	Principles of Management Human Resource Management St. Ambrose University	1/16/10 – 3/6/10 3/27/10 – 5/1/10

Moved by Sunderbruch, seconded by Liske, 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 8<sup>th</sup> day of December, 2009, at the Scott County Administrative Center, 600 West Fourth Street, Davenport, Iowa 52801-1030 at 8:00 o'clock a.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 place 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 MIDWEST DISASTER RELIEF BONDS (CARVER AERO PROJECT), SERIES 2009**

The Board of Supervisors of Scott County, Iowa, (the "Issuer") will meet on the 8<sup>th</sup> day of December, 2009, at 8:00 o'clock a.m., at the Scott County Administrative

Center, 600 West Fourth Street, Davenport, Iowa 52801-1030 for the purpose of conducting a public hearing on the proposal to issue Midwest Disaster Relief Bonds (CARVER AERO Project), Series 2009, in one or more series, in an aggregate principal amount not to exceed \$3,000,000.00 (the "Bonds"), and to loan said amount to Carver Aero, Inc. (the "Borrower"), for the purpose of financing some or all of the costs relating to a flight-based operation and government occupied air transit facility, together with all necessary related costs, to be located at 9230 Harrison Street in Davenport, Iowa 52806 (the "Project") and paying the costs of issuance and certain other costs associated with the issuance of the Bonds.

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 fixed for the hearing, individuals who appear will be given an opportunity to express their views for or against the proposal to issue the Bonds for the purpose of financing the Project, and all written comments previously filed at the Scott County Auditor's Office, Scott County Courthouse, 400 4<sup>th</sup> Street, Davenport, Iowa 52801 will be considered.

By order of the Board of Supervisors of Scott County, Iowa  
Roxanna Moritz, Auditor

5) All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved November 12, 2009.

\_\_\_\_\_  
Chairperson, Board of Supervisors

Attest:

\_\_\_\_\_  
County Auditor

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On motion and vote, the meeting adjourned.

\_\_\_\_\_  
Chairperson, Board of Supervisors

Attest:

\_\_\_\_\_  
County Auditor

STATE OF IOWA

SS:

COUNTY OF SCOTT

I, the undersigned, do hereby 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 official records of said County and of its Board of Supervisors and officers; and that I have carefully compared the transcript hereto attached with the aforesaid official records and that said transcript hereto attached is a true, correct and complete copy of all of the official records showing the action taken by the Board of Supervisors of said County to authorize the execution of a Memorandum of Agreement by and between Carver Aero, Inc. and said County and to set a public hearing date as set forth therein.

WITNESS my hand and the seal of said County hereto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
County Auditor

(Seal)

STATE OF IOWA

SS:

COUNTY OF SCOTT

I, the undersigned, County Auditor of the aforementioned County, do hereby certify that I caused a notice of which the printed slip annexed to the publisher's affidavit hereto attached, is a true and complete copy, to be published in \_\_\_\_\_, a legal newspaper, printed wholly in the English language, published in said County and of general circulation in such County as evidenced by the said affidavit.

WITNESS my hand and the seal of the aforementioned County hereto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
County Auditor

(Seal)

(PLEASE NOTE: This certificate must be dated as of or subsequent to the actual date of publication of the notice.)

EXHIBIT A  
MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT is between Scott County, Iowa, (the “Issuer”) and Carver Aero, Inc. (the “Borrower”).

1. Preliminary Statement. Among the matters of mutual inducement which have resulted in the execution of this Agreement are the following:

(a) The Issuer is authorized by Chapter 419 of the Code of Iowa, 2009, as amended (the “Act”) to issue revenue bonds for purposes that are eligible for financing from midwestern disaster area bonds authorized under the federal Emergency Economic Stabilization Act of 2008; and

(b) The Borrower wishes to obtain approvals from the Issuer that the Issuer will hold a hearing and may take steps to issue Midwest Disaster Relief Bonds (CARVER AERO Project), Series 2009 (the “Bonds”) to finance some or all of the costs relating to a flight-based operation and government occupied air transit facility, together with all necessary related costs, to be located at 9230 Harrison Street in Davenport, Iowa 52806 (the “Project”) and to pay for costs of issuance and certain other costs associated with the issuance of the Bonds.

2. Undertakings on the Part of the Issuer.

(a) The Issuer, when appropriate, will adopt the proceedings necessary to authorize the issuance of such Bonds, in an aggregate principal amount not to exceed \$3,000,000.00.

(b) Subject to due compliance with all requirements of law and the terms of this Agreement, including the provisions of and the public hearing required by the Act, it will cooperate with the Borrower in the issuance and sale of such Bonds, and the proceeds from the issuance of such Bonds shall be loaned to the Borrower upon terms sufficient to pay the principal of and interest and redemption premium, if any, on such Bonds, as and when the same shall become due.

(c) The Issuer shall determine when, in what amount, and if the Bonds may be issued without causing the Issuer to lose its qualification as a “qualified small issuer” within the meaning of Section 265(b) (3) (C) of the Code.

3. Undertakings on the Part of the Borrower.

(a) It will use all reasonable efforts to cooperate with the Issuer and comply with the Act and all other provisions of law relating to financing of the Project and the issuance and sale of such Bonds.

(b) It will enter into a Loan Agreement with the issuer under the terms of which the Borrower will obligate itself to pay to the Issuer sums sufficient to pay the principal of and interest and redemption premium, if any, on such Bonds as and when the same shall become due and payable.

#### 4. General provisions.

(a) The Borrower agrees (i) to pay all applicable deposits and review fees required by the Issuer at the times and in the amounts requested and (ii) to reimburse the Issuer for all reasonable and necessary direct out-of-pocket expenses which the Issuer may incur, including but not limited to, legal fees, administrative costs, printing and publication costs and filing fees arising from the execution of this Agreement and the performance by the Issuer, or preparation to perform of its obligations hereunder, or done at the request of the Borrower.

(b) All commitments of the Issuer hereunder are further subject to the conditions that the Issuer shall in no event incur any liability for any act or omission hereunder, and that such Bonds described herein shall not constitute an indebtedness of the Issuer, within the meaning of any constitutional or statutory provision and shall not constitute nor give rise to a pecuniary liability of the Issuer or a charge against its general credit or taxing powers.

(c) The execution of this Memorandum of Agreement by the Issuer is not intended to nor does it create a binding commitment on the part of the Issuer to proceed with the issuance of Bonds. It is further understood that the issuance of the Bonds is subject to further review by the Board of Supervisors of the Issuer and compliance with all provisions of the Act and the Internal Revenue Code, including the holding of a public hearing with respect thereto.

(d) The Borrower represents that the information relating to it and the Project contained in the resolution of the Issuer approving this Memorandum of Agreement has been provided to the Issuer by the Borrower and is true and correct.

(e) Preparation of all resolutions, agreements, instruments, certificates or other documents in final form for adoption and execution shall be the sole responsibility of Bond Counsel.

(f) All commitments of the Issuer hereunder are further subject to the condition that the Bonds may only be issued if the Issuer determines, as described in Section 2(c), that such issuance will not cause the Issuer to lose its qualification as a "qualified small issuer" in any year.



Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

**SCOTT COUNTY, IOWA**

By \_\_\_\_\_  
Chairperson, Board of Supervisors

Attest:

\_\_\_\_\_  
County Auditor

(Seal)

**CARVER AERO, INC.**

By \_\_\_\_\_

Moved by Sunderbruch, seconded by Minard, the resolution approving warrants numbered 223618 through 223919 as submitted and prepared for payment by the County Auditor in the total amount of \$1,381,738.73 and the purchase card transactions in the total amount of \$61,848.16. Roll Call: Ayes - Gallin, Hancock, Liske, Minard, Sunderbruch.

Moved by Gallin, seconded by Liske, the Board adjourn until 5:30 p.m., Tuesday, November 17, 2009, subject to prior call by the Chairman. All Ayes.

\_\_\_\_\_  
Jim Hancock, Chairman of the Board  
Scott County Board of Supervisors

\_\_\_\_\_  
ATTEST: Roxanna Moritz  
Scott County Auditor