

The Iowa County Board of Supervisors met on March 31, 2023. Heitshusen, Chairman called the meeting to order at 9:00 a.m. Degen, Heitshusen, Maas, Montross and Schumacher.

Motion by Maas, seconded by Montross to **approve the agenda**. All aye, motion carried.

Motion by Schumacher, seconded by Montross to **approve** minutes from March 24 and 27, 2023. All aye, motion carried.

Chair note: The Board approved paid with warrant numbers 22091 – 22247 and handwritten claims paid with warrant numbers 22090 and 22248 – 22251. The Board received Iowa County Auditor Quarterly Report for quarter ending March 31, 2023. Manure Management Plans received from Jon Gingerich Farm, Facility # 58585, Windy Prairie Farms LLC, Facility # 63634 and Gent Farm Finisher, Facility # 67208.

Motion by Schumacher, seconded by Degen to **approve liquor licenses** five amendments for Hops and Hotrods, LLC; new application for Elila Renewables, Inc, dba- Amoco Williamsburg; and renewal for Amana Society, Inc, dba-Amana Colonies Outdoor Convention Facility. All aye, motion carried.

No action taken on Iowa County Secondary Roads Union Contract, will be placed on next agenda.

Motion by Maas, seconded by Schumacher to **authorize chair to sign Broadband Letter of Support**. All aye, motion carried.

Motion by Maas, seconded by Schumacher to **approve ECICOG – RPA Application priorities**, North English and Williamsburg projects as requested to be funded. Ayes, Degen, Maas, Montross and Schumacher. Nay, Heitshusen. Motion carried.

Nick Amelon, Iowa County Engineer met with the board to update on construction, road maintenance and office miscellaneous.

Motion by Degen, seconded by Montross to **approve the contribution of \$25,000.00 of Hotel/Motel Funds to the Marengo Legion Hall Project**. All aye, motion carried.

No action grant permission to Marengo American Legion to allow use of a portion of Iowa County Property at Iowa County Transportation location for equipment during construction project.

Motion by Maas, seconded by Schumacher to **approve Pinwheels for Prevention Child Abuse distribution**. All aye, motion carried.

Motion by Maas, seconded by Schumacher to **open Public Hearing** at 10:00 a.m. for \$1,300,000.00 General Obligation Capital Loan Notes (General Fund). All aye, motion carried.

No written comments received.

Public comment received from Iowa County resident regarding the interest rate information of the loan, and whether the local banks would have a chance to fund the loan as well as the possibility of using ARPA funds for the project.

Motion by Montross, seconded by Degen to **pass and approve Resolution 2023-3-31** directing notice of meeting for additional action as follows:

Resolution 2023-3-31

The Board of Supervisors of Iowa County, State of Iowa, met in regular session, in the Board of Supervisors Room, East Annex, 970 Court Avenue, Marengo, Iowa, at 9:00 A.M., on the above date. There were present Chairperson Heitshusen, in the chair, and the following named Board Members: Degen, Maas, Montross, Schumacher.

The Chairperson announced that this was the time and place for discussion on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$1,300,000 General Obligation Capital Loan Notes (General Fund), in order to provide funds to pay the costs of the design, construction, erection, and equipping of a public building including a secondary roads shop and the acquisition of real estate therefor and the design, remodeling, reconstruction, equipping, addition or extension of a public building including the jail kitchen, and that notice of the proposed action by the Board to discuss the authorization of the Loan Agreement and the issuance of the Notes and the right to petition for an election had been published as provided by Sections 331.305 and 331.402 of the Code of Iowa. The Chairperson then asked the County Auditor whether any petition had been filed in the Auditor's Office, in the manner provided by Section 331.306 of the Code of Iowa, and the Auditor reported that no such petition had been filed, requesting that the question of issuing the Notes be submitted to the qualified electors of the County. The Chairperson then asked the Auditor whether any written objections had been filed by any resident or property owner of the County to the issuance of the Notes. The Auditor advised the Chairperson and the Board that 0 written objections had been filed. The Chairperson then called for oral discussion and objections to the issuance of the Notes and 1 was made. Whereupon, the Chairperson declared the time for discussion and receiving oral and written objections to be closed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF IOWA COUNTY, STATE OF IOWA: Section 1. That this Board meet in the Board of Supervisors Room, East Annex, 970 Court Avenue, Marengo, Iowa, at 9:45 A.M., on the 5th day of May, 2023, for the purpose of taking additional action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$1,300,000 General Obligation Capital Loan Notes (General Fund), for real property projects, the proceeds of which notes will be used to provide funds to pay the costs of the design, construction, erection, and equipping of a public building including a secondary roads shop and the acquisition of real estate therefor and the design, remodeling, reconstruction, equipping, addition or extension of a public building including the jail kitchen, and shall bear interest at a rate not exceeding the maximum specified in the attached notice. Section 2. That the Auditor is hereby directed to cause at least one publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in said County, said publication to

be made between April 15, 2023 and May 1, 2023. Section 3. The notice of the proposed action shall be in substantially the following form:

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF IOWA, STATE OF IOWA, TO TAKE ADDITIONAL ACTION ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL FUND) IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,300,000 FOR PAYING COSTS OF THE DESIGN, CONSTRUCTION, ERECTION, AND EQUIPPING OF A PUBLIC BUILDING INCLUDING A SECONDARY ROADS SHOP AND THE ACQUISITION OF REAL ESTATE THEREFOR AND THE DESIGN, REMODELING, RECONSTRUCTION, EQUIPPING, ADDITION OR EXTENSION OF A PUBLIC BUILDING INCLUDING THE JAIL KITCHEN, AND FOR THE RIGHT TO PETITION FOR AN ELECTION PUBLIC NOTICE is hereby given that the Board of Supervisors of the County of Iowa, State of Iowa, will hold a public meeting on the 5th day of May, 2023, at 9:45 A.M., in the Board of Supervisors Room, East Annex, 970 Court Avenue, Marengo, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$1,300,000 General Obligation Capital Loan Notes (General Fund), bearing interest at a rate of not to exceed nine (9%) per centum per annum, the Notes to be issued to provide funds to pay the costs of the design, construction, erection, and equipping of a public building including a secondary roads shop and the acquisition of real estate therefor and the design, remodeling, reconstruction, equipping, addition or extension of a public building including the jail kitchen. Principal and interest on the proposed Loan Agreement will be payable from the general fund. Aggregate annual principal and interest due from the general fund of the County on the proposed Loan Agreement and all other loan agreements in force on the date of authorization will not exceed ten (10) percent of the last certified general fund budget amount. At any time before 4:30 o'clock P.M. on May 1, 2023, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the County, may be filed with the Auditor of the County in the manner provided by Section 331.306 of the Code of Iowa. At the above meeting the Board shall determine whether a petition has been filed in the manner provided by Section 331.306 of the Code of Iowa with respect to the proposed authorization and issuance by any property owner of the County. In the event no valid petition has been received, the Board will, at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the County thereunder or will abandon the proposal to issue said Notes. This notice is given by order of the Board of Supervisors of Iowa County, State of Iowa, as provided by Section 331.402.

Roll call vote: Degen, Heitshusen, Maas, Montross, Schumacher, All Aye. Motion carried.

Motion by Maas, seconded by Schumacher to **close the Public Hearing at 10:19 a.m.** All aye, motion carried.

Motion by Maas, seconded by Schumacher to **approve Iowa County Transportation request to hire.** All aye, motion carried.

No action taken on Millstream Brewing Co. regarding placing cones on half of the roadway for all of 2023 events as submitted, item tabled.

Motion by Schumacher, seconded by Degen to pass and approve Resolution 2023-3-31A fixing date for a meeting on the proposition to authorize a Loan Agreement and the issuance of Notes to evidence the obligations of the County thereunder as follows:

Resolution 2023-3-31A

The Board of Supervisors of Iowa County, State of Iowa, met in regular session, in the Board of Supervisors Room, East Annex, 970 Court Avenue, Marengo, Iowa, at 9:00 A.M., on the above date. There were present Chairperson Heitshusen, in the chair, and the following named Board Members: Degen, Maas, Montross, Schumacher.

Board Member Schumacher introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$6,400,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF IOWA COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Board Member Degen seconded the motion to adopt. Roll call vote: Degen, Heitshusen, Maas, Montross, Schumacher. All aye.

Whereupon, the Chairperson declared the resolution duly adopted as follows: RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$6,400,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF IOWA COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF WHEREAS, by Resolution No. 2022-10-28, adopted October 28, 2022, this Board found and determined that certain areas located within the County are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Diamond Trail Urban Renewal Plan (the "Plan") for the Diamond Trail Urban Renewal Area (the "Area" or "Urban Renewal Area"), which Plan is on file in the office of the Recorder of Iowa County, Iowa; and WHEREAS, it is deemed necessary and advisable that Iowa County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$6,400,000, as authorized by Sections 331.402, 331.443 and 403.12, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential county purpose project(s) as hereinafter described; and WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes, issued to evidence the obligation of the County thereunder, it is necessary to comply - 3 - with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the County to such action; and WHEREAS, before notes may be issued, it is necessary to comply with the procedural requirements of Chapters 331 and 403 of the Code of Iowa, and to publish a notice of the proposal to issue such notes and the right to petition for an election. NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF IOWA COUNTY, STATE OF IOWA: Section 1. That this Board meet in the Board of Supervisors Room, East Annex, 970 Court Avenue, Marengo, Iowa, at 10:00 A.M., on the 5th day of May, 2023, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$6,400,000 General Obligation Capital Loan Notes, for

essential county purposes, the proceeds of which notes will be used to provide funds to pay the costs of aiding in the planning, undertaking, and carrying out of urban renewal projects under the authority of Chapter 403 and the Plan including HMA resurfacing on 265th St. from B Ave to C Ave, HMA resurfacing on F52 Trail from H Ave to M Ave, bridge replacement on D Ave, bridge replacement on 190th St., and bridge replacement on H Ave. Section 2. The Auditor is authorized and directed to proceed on behalf of the County with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the County's obligations to a principal amount of not to exceed \$6,400,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the County and this Board and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the County and acceptable to the Board. Section 3. That the Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County. The publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes. Section 4. The notice of the proposed action to issue notes shall be in substantially the following form: - 4 - (To be published between April 15, 2023 and April 25, 2023, inclusive) NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF IOWA COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$6,400,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE COUNTY (FOR ESSENTIAL COUNTY PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF PUBLIC NOTICE is hereby given that the Board of Supervisors of Iowa County, State of Iowa, will hold a public hearing on the 5th day of May, 2023, at 10:00 A.M., in the Board of Supervisors Room, East Annex, 970 Court Avenue, Marengo, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$6,400,000 General Obligation Capital Loan Notes, for essential county purposes, to provide funds to pay the costs of aiding in the planning, undertaking, and carrying out of urban renewal projects under the authority of Chapter 403 and the Plan including HMA resurfacing on 265th St. from B Ave to C Ave, HMA resurfacing on F52 Trail from H Ave to M Ave, bridge replacement on D Ave, bridge replacement on 190th St., and bridge replacement on H Ave. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund. At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the County, may be filed with the Auditor of the County, in the manner provided by Section 331.306 of the Code of Iowa, pursuant to the provisions of Sections 331.402, 331.441(2)(b)(14), 331.443 and 403.12 of the Code of Iowa. At the above meeting the Board shall receive oral or written objections from any resident or property owner of the County to the above action. After all objections have been received and considered, the Board will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the County thereunder or will abandon the proposal to issue said Notes. This notice is given by order of the Board of Supervisors of Iowa County, State of Iowa, as provided by Chapters 331 and 403 of the Code of Iowa. All aye, motion carried.

Motion by Schumacher, seconded by Montross to **approve and authorize the chair to sign the \$6,400,000.00 General Obligation Capital Loan Engagement Agreement Letter.** Ayes, Degen, Heitshusen, Montross and Schumacher. Nay, Maas. Motion carried.

Motion by Maas, seconded by Schumacher to **adjourn** at 10:32 a.m. All aye, motion carried.

Kevin Heitshusen, Chairman

Brandy Enochson, Auditor

*****Minutes are unofficial until approved at the next Board Meeting.*****