

STATE OF IOWA: COUNTY OF IOWA

May 5, 2023

The Iowa County Board of Supervisors met on May 5, 2023. Heitshusen, Chairman called the meeting to order at 9:00 a.m. Degen, Heitshusen, Maas, Montross and Schumacher were present.

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

Motion by Maas, seconded by Montross to **approve minutes** from April 28, 2023. All aye, motion carried.

Chair note: The Board approved handwritten claims paid with warrant numbers 22846-22847, claims paid with warrant numbers 22848-22956. Manure Management Plan received from Deep River Pork North, facility # 64597, owner, Deep River Pork LLC.

Nick Amelon, Iowa County Engineer, met with the board to present weekly department update on construction, road maintenance and other department miscellaneous. Also, Amelon had two bids for Amana sidewalk repairs.

Garth Von Ahsen, Iowa Mobile Concrete - \$6.06 per sq ft approximately \$10,350
Marsha Reihmann, Reihmann Concrete Construction - \$11.00 per sq ft = \$18,793.50

Motion by Maas, seconded by Schumacher to **approve Garth Von Ahsen with Iowa Mobile Concrete, to repair Amana sidewalks for approximately \$10,350**. All aye, motion carried.

Motion by Maas, seconded by Degen to **approve new Liquor Licenses** for Midwest Festivals LLC, d/b/a Midwest Festivals LLC, Stone Wall brick Oven Pizza LLC, d/b/a Stone Wall Pizza and Amana Society, Inc., d/b/a Amana Colonies Outdoor Convention Facility. All aye, motion carried.

No action taken regarding the Iowa County Secondary Roads Union Contract. Will be on the next agenda.

No action taken regarding consideration selling Iowa County owned property. Will be on the next agenda.

No action taken regarding Sumner Township trustee appointment. Will be on the next agenda.

No action taken regarding Knoll Ridge pool funding request. Will be on the next agenda.

No action taken regarding wind energy moratorium. Will be on the next agenda.

Motion by Degen, seconded by Montross to **approve Chairman to sign and adopt Resolution 2023-5-5-A approving bond disclosure policy** as follows:

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

05-05-2023

date. There were present Chairperson Heitshusen, in the chair, and the following named Board Members: Degen, Montross, Maas and Schumacher

Board Member Degen introduced the following Resolution entitled "RESOLUTION APPROVING BOND DISCLOSURE POLICY" and moved that it be adopted. Board Member Montross seconded the motion to adopt, and the roll being called thereon, the vote was as follows:

AYES: Degen, Montross, Maas, Schumacher and Heitshusen

Whereupon, the Chairperson declared the Resolution duly adopted as follows:

Resolution No: 2023-5-5-A

RESOLUTION APPROVING BOND DISCLOSURE POLICY

WHEREAS, Iowa County, State of Iowa, is a political subdivision, organized and exists under and by virtue of the laws and Constitution of the State of Iowa who routinely sells municipal securities to underwriters; and

WHEREAS, Rule 15c2-12 promulgated under the Securities Exchange Act of 1934, as amended (the "Rule"), imposes requirements upon the County's municipal securities offerings including providing an official statement and a continuing disclosure agreement with the purchaser or underwriter in connection with each new issuance of obligations which fall within the Rule; and

WHEREAS, to provide a protocol for future compliance with the Rule, the County has prepared a Bond Disclosure Policy outlining procedures related to the preparation of its primary and secondary disclosures for existing and future municipal securities issued by the County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF IOWA COUNTY, STATE OF IOWA:

Section 1. The Bond Disclosure Policy attached hereto as Exhibit "A" is hereby adopted and approved.

Section 2. The County Auditor identified as the Disclosure Coordinator therein is hereby approved and shall take any and all action necessary to properly implement the Policy.

PASSED AND APPROVED this 5th day of May, 2023.

Motion Carried.

Motion by Maas, seconded by Degen to **approve and adopt Iowa County, State of Iowa post-issuance compliance policy** as follows:

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, Montross, Maas and Schumacher

* * * * * Board Member Maas introduced the following Resolution entitled "RESOLUTION APPROVING POST-ISSUANCE COMPLIANCE POLICY" and moved that it be adopted. Board Member Degen seconded the motion to adopt, and the roll being called thereon, the vote was as follows:

AYES: Degen, Montross, Maas, Schumacher and Heitshusen

Whereupon, the Chairperson declared the Resolution duly adopted as follows:

RESOLUTION APPROVING POST-ISSUANCE COMPLIANCE
POLICY

WHEREAS, Iowa County, sometimes hereinafter referred to as the County, is a political subdivision duly incorporated, organized and existing under and by virtue of the Constitution and laws of the State of Iowa; and

WHEREAS, various requirements apply under the Internal Revenue Code and Income Tax Regulations (hereinafter "IRS Requirements") including information filing and other requirements related to issuance, the proper and timely use of bond-financed property, and arbitrage yield restriction and rebate requirements; and

WHEREAS, to comply with the IRS Requirements, governmental bond issuers must ensure that the rules are met at the time the bonds, capital loan notes or lease-purchase obligations (hereinafter "bonds") are issued and throughout the term of the bonds; and

WHEREAS, this includes the continued review of post-issuance obligations and maintenance of records.

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF SUPERVISORS OF IOWA COUNTY, STATE OF IOWA, THAT THE FOLLOWING WRITTEN PROCEDURES ARE ADOPTED WHICH SHALL APPLY WITH RESPECT TO ALL TAX-EXEMPT OBLIGATIONS INCURRED BY THE COUNTY:

Section 1. The "Post-Issuance Compliance Policy" (hereinafter "Policy") attached hereto as Exhibit A is hereby adopted and approved.

Section 2. The official designated in said policy shall take any and all action necessary to properly implement the policy.

PASSED AND APPROVED this 5th day of May, 2023
Motion Carried.

Motion by Maas, seconded by Montross to **approve Chairman to sign and adopt contract with Cost Advisory Services, Inc.** All aye, motion carried.

The Board discussed the Veteran's Affairs leave time and e-mailed the Veteran's Affairs Commission the following letter:

Kayne Robinson,
Chairperson of the Iowa County Veteran's Affairs Commission,

It is our understanding that the commission may be considering establishing the VA director's vacation accrual rate as if the employee has been full time since her hire date. We are requesting the Commission consider following the past practices amongst all other departments, in which the vacation is accrued as of the date in which the employee went full time. We are requesting this in effort to keep things fair amongst departments and not set precedent for other employees going forward.

We thank you for your time and consideration of our request,

Abigail Maas
On behalf of the Iowa County Board of Supervisors

Motion by Maas, seconded by Schumacher to **approve and e-mail letter to follow past practices to the Veteran's Affairs Commission.**

Ayes- Degen, Montross, Maas and Schumacher
Nays- Heitshusen

Motion by Schumacher, seconded by Degen to **approve renewal of Fleetwood Finance Leasing, LLC contract for patrol car computer system.** All aye, motion carried.

Motion by Schumacher, seconded by Montross to **open Public Hearing at 9:45 a.m.** All aye, motion carried.

There were no oral or written comments.

Motion by Montross, seconded by Degen to **approve Chairman to sign and adopt Resolution 2023-5-5 Instituting proceedings to take additional action for the issuance of not to exceed \$1,300,000 General Obligation Capital Loan Notes (General Fund) as follows:**

RESOLUTION 2023-5-5

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, Montross, Maas and Schumacher

* * * * *

The Chairperson asked the County Auditor whether any petition had been filed in the Auditor's Office, in the manner provided by Sections 331.305 and 331.402 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 0 were made. Whereupon, the Chairperson declared the time for discussion and receiving oral and written objections to be closed.

(Attach here a summary of objections received or made, if any)

The Board then considered the proposed action and the extent of objections thereto.

Whereupon, Board Member Montross introduced and delivered to the Auditor the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$1,300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL FUND)", and moved:

- that the Resolution be adopted.
- to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the issuance of notes to the meeting to be held at _____ .M. on the _____ day of _____, 20____, at this place.

Board Member Degen seconded the motion. The roll was called and the vote was,
AYES: Degen, Montross and Heitshusen

NAYS: Maas and Schumacher

Whereupon, the Chairperson declared the measure duly adopted.

**RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED
\$1,300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES
(GENERAL FUND)**

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting upon the proposal to institute proceedings for 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

WHEREAS, no petition was filed within the 30-day period following the discussion meeting requesting that the authorization to enter into a loan agreement and the issuance of the Notes be submitted to the legal voters of the County, in the manner provided by Sections 331.306 and 331.402 of the Code of Iowa.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF IOWA COUNTY, STATE OF IOWA:

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$1,300,000 General Obligation Capital Loan Notes (General Fund), for the foregoing purposes.

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 (General Fund), evidencing the County's obligations to a principal amount of not to exceed \$1,300,000, to select a date for the final approval thereof, 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. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 5th day of May, 2023.
Motion Carried.

Motion by Schumacher, seconded by Degen to **close Public Hearing at 9:46 a.m.** All aye, motion carried.

Motion by Maas, seconded by Schumacher to **open Public Hearing at 10:00 a.m.** All aye, motion carried.

There were no oral or written comments.

Motion by Degen, seconded by Schumacher to **approve authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder.**
Roll Call: Degen-Aye, Montross-Aye, Schumacher-Aye, Heitshusen-Aye, Maas-Nay
Motion Carried.

There were no oral or written comments.

Motion by Degen, seconded by Schumacher to **approve Chairman to sign and adopt Resolution 2023-5-5-B Instituting proceedings to take additional action** as follows:

RESOLUTION 2023-5-5-B

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, Montross, Maas and Schumacher

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The Chairperson announced that this was the time and place for the public hearing and meeting on the matter of 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, in order 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, for essential county purposes, and that notice of the proposed action by the Board to institute proceedings for 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 331.402, 331.441(2)(b)(14), 331.443 and 403.12 of the Code of Iowa, and the Chairperson then asked the County Auditor whether any petition had been filed in the Auditor's Office, as contemplated in 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 objections to the issuance of the Notes and 0 were made. Whereupon, the Chairperson declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections received or made, if any)

Whereupon, the Chairperson declared the hearing on the authorization of entering into a Loan Agreement and the issuance of the Notes to be closed.

The Board then considered the proposed action and the extent of objections thereto.

Whereupon, Board Member Degen introduced and delivered to the Auditor the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$6,400,000 GENERAL OBLIGATION CAPITAL LOAN NOTES", and moved:

- that the Resolution be adopted.
- to ADJOURN and defer action on the Resolution and the proposal to institute

proceedings for the issuance of notes to the meeting to be held at _____
_____.M. on the _____ day of _____, 2023, at this place.

Board Member Schumacher seconded the motion. The roll was called and the vote was,

AYES: Degen, Montross, Schumacher and Heitshusen

NAYS: Maas

Whereupon, the Chairperson declared the measure duly adopted.

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL
ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$6,400,000 GENERAL
OBLIGATION CAPITAL LOAN NOTES

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$6,400,000 General Obligation Capital Loan Notes, for the essential county purposes, in order 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, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the County and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF
IOWA COUNTY, STATE OF IOWA:

Section 4. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$6,400,000 General Obligation Capital Loan Notes, for the foregoing essential county purposes.

Section 5. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 5th day of May, 2023.
Motion Carried.

Motion by Schumacher, seconded by Maas to **close Public Hearing at 10:03 a.m.** All aye, motion carried.

Heidi Kuhl, Northland Securities, met with the Board to discuss the finance plans of the 2023A and 2023B Bonds.

Motion by Schumacher, seconded by Degen to **approve the 10-year loan option for 2023A.** All aye, motion carried.

Motion by Maas, seconded by Degen to **approve and adopt Iowa County, State of Iowa Post-Issuance Compliance Policy.** All aye, motion carried.

Maas left the Board meeting at 10:35 a.m.

Rob Rotter, Iowa County Sheriff, met with the Board to discuss Ragbrai in Iowa County.

Motion by Schumacher, seconded by Montross to **adjourn** at 10:51 a.m. All aye, motion carried.

Kevin Heitshusen, Chairman

Brandy Enochson, Auditor

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