

SUPERVISOR'S MINUTE BOOK 2023

April 4, 2023

The regular meeting of the Board of Supervisors was called to order at 9:00am by Chairman, Doug Sorensen. Present were Doug Sorensen, Rick Thompson, Heath Hansen, Janell Remsburg, Mitch Rydl, Kent Grabill, Todd Johnson, Linda Bills, Deb Campbell, Ben Linde, Tyler Thygesen, John Hansen, Janell Bluml, Lisa Frederiksen and Chris Swensen. Motion-Hansen Second-Thompson to approve the agenda with the addition of discussion regarding the Courthouse coffee next Wednesday, that the Supervisors are a part of with Assessor's and Treasurer's offices. Vote-all in favor.

Department Head Meeting-discussion about items needing to get rid of. Offer to other departments first then send list of items to Janell Remsburg so the board can decide what to do with these items. Todd Johnson has been contacted about doing Active Shooter Training and Stop the Bleed Training. Everyone thought this was a good idea. Todd will check into this. Also Jotham Arber of Public Health will be contacted about CPR Certification/Re-Certification. Linda Bills discussed Title VI Goals and Accomplishments Report. Title VI is mandatory to receive Federal funding. The mandatory training is done on www.neogov.com. Miranda will handle getting notifications emailed to all employees for training. These should all be completed by the end of May. Please send list of all Federal funded projects to Linda Bills. Ben Linde discussed possibly doing CyberSecurity training as well.

Motion-Thompson Second-Hansen approved 3/27/23 meeting minutes. Vote-all in favor.

Motion-Thompson Second-Hansen approved 3/28/23 meeting minutes. Vote-all in favor.

Motion-Thompson Second-Hansen approved the IDOT Secondary Roads Budget and 5-Year Construction Plan at 10:00am on April 4, 2023. Vote-all in favor.

Auditor Frederiksen joined the meeting for the public hearing proceedings. Motion-Thompson Second-Hansen to open the Public Hearing on Proposal to Enter into and Urban Renewal Loan Agreement #1 and #2. Vote-all in favor.

Motion-Thompson Second-Hansen to approve the resolution for the hiring of Jacob Palmer at Secondary Roads. Vote-all in favor.

RESOLUTION 2023-20

BE IT HEREBY RESOLVED, by the Audubon County Board of Supervisors that Jacob Palmer be hired as Grade 2 Classification, year 3, Equipment Operator B for the Secondary Roads Department effective April 6, 2023, contingent on PCP and drug testing results. Hourly wage will be \$22.14 with benefits as per the contract between Audubon County and Public, Professional and Maintenance Employees, Local Union #2003. Insurance coverage shall begin June 1, 2023. Passed and approved this 4th day of April 2023.

/s/Doug Sorensen
Audubon County Board of Supervisors

ATTEST:/s/Janell Remsburg
Audubon County Auditor Clerk

Motion-Thompson Second-Hansen to close public hearing. Vote-all in favor.

Motion-Hansen Second-Thompson to approve accordingly the resolution as follows. Vote-all in favor.

RESOLUTION NO. 2023-19

Resolution taking additional action on proposals to enter into General Obligation Loan Agreements, combining Loan Agreements, setting the date for sale of General Obligation Urban Renewal County Purpose Bonds, Series 2023A and authorizing the use of a preliminary official statement in connection therewith

WHEREAS, the Board of Supervisors (the "Board") of Audubon County, Iowa (the "County"), proposed to enter into a General Obligation Urban Renewal Loan Agreement (the "Urban Renewal Loan Agreement #1") and to issue general obligation bonds in a principal amount not to exceed \$6,085,000 pursuant to the provisions of Subsection 331.441(2)(b)(14), Section 331.402, Section 331.442, and Chapter 403 of the Code of Iowa, for the purpose of paying the cost, to that extent, of undertaking the Audubon County Road, Bridge and Culvert Improvement Projects, an urban renewal program of the County which was authorized by action of the Board of Supervisors on February 28, 2023, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of April 4, 2023, no petition had been filed with

the County asking that the question of entering into the Urban Renewal Loan Agreement #1 be submitted to the registered voters of the County; and

WHEREAS, the Board also proposed to enter into a General Obligation Urban Renewal Loan Agreement (the "Urban Renewal Loan Agreement #2" and together with the Urban Renewal Loan Agreement #1 are sometimes referred to hereafter as the "Loan Agreements") and to issue general obligation bonds in a principal amount not to exceed \$1,050,000 pursuant to the provisions of Subsection 331.441(2)(b)(14), Section 331.402, Section 331.442, and Chapter 403 of the Code of Iowa, for the purpose of paying the cost, to that extent, of undertaking the Littlefield Recreation Area Improvement Project, including the improvement of park roads, an urban renewal project of the County which was authorized by action of the Board of Supervisors on May 11, 2021 and February 28, 2023, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of April 4, 2023, no petition had been filed with the County asking that the question of entering into the Urban Renewal Loan Agreement #2 be submitted to the registered voters of the County; and

WHEREAS, the County intends to combine the Loan Agreements into a single Loan Agreement (the "Loan Agreement"), and to issue General Obligation Urban Renewal County Purpose Bonds, Series 2023A (the "Bonds") in evidence of its obligations thereunder; and

WHEREAS, a Preliminary Official Statement (the "P.O.S.") has been prepared to facilitate the sale of the Bonds, and it is now necessary to make provision for the approval of the P.O.S. and to authorize its use by PFM Financial Advisors LLC, as municipal financial advisor (the "Municipal Advisor") to the County; and

WHEREAS, it is now necessary to set the date for the sale of the Bonds and to authorize the Municipal Advisor to carry out such sale;

NOW, THEREFORE, Be It Resolved, by the Board of Supervisors of Audubon County, Iowa, as follows:

Section 1. The Loan Agreements are hereby combined into the Loan Agreement and the Board hereby orders that the Bonds be issued at such time, as the County closes on the Loan Agreement. The Board of Supervisors further declares that this resolution constitutes the "additional action" required by Section 384.24A of the Code of Iowa.

Section 2. The County Auditor is hereby 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.

Section 3. The use by the Municipal Advisor of the P.O.S. in substantially the form as has been presented to and considered by the Board of Supervisors is hereby approved, and the Municipal Advisor is hereby authorized to prepare and 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 Auditor is hereby authorized and directed to execute a final Official Statement for the Bonds, if requested by the Municipal Advisor. 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.

Section 4. Sealed bids for the purchase of the Bonds shall be received and canvassed on behalf of the County until 9:00 a.m., Central Time on April 11, 2023, at the office of the County Auditor, at the County Courthouse, in Audubon, Iowa, and the Board of Supervisors shall meet on the same date at 11:00 a.m., at the County Courthouse, 318 Leroy Street, #4, Audubon, Iowa, for the purpose of considering such bids received and considering and passing a resolution providing for the award of the Bonds, and the Municipal Advisor is hereby authorized and directed to disseminate the notice of said sale, in compliance with the Internal Revenue Service regulations governing "Issue Price" determinations. The County Auditor is hereby authorized and directed to disseminate the notice of said sale, as provided by Chapter 75 of the Code of Iowa, such notice to be in substantially the following form, and also to be published at least once, not less than four (4) and not more than twenty (20) days before the April 11, 2023 sale date, in a newspaper of general circulation in Audubon County:

NOTICE OF SALE

AUDUBON COUNTY, IOWA

\$6,675,000* GENERAL OBLIGATION URBAN RENEWAL COUNTY PURPOSE BONDS, SERIES 2023A

Bids will be received on behalf of Audubon County, Iowa, until 9:00 a.m., Central Time, on April 11, 2023, for the purchase of \$6,675,000* General Obligation Urban Renewal County Purpose Bonds, Series 2023A (the "Bonds").

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

Bids must be submitted on or in substantial compliance with the TERMS OF OFFERING and OFFICIAL BID FORM provided by the County or through PARITY® competitive bidding system (the “Internet Bid System”). Neither the County nor its agents shall be responsible for malfunction or mistake made by any person, or as a result of the use of the electronic bid or any other means used to deliver or complete a bid. The use of such means is at the sole risk of the prospective bidder who shall be bound by the terms of the bid as received.

Sealed Bidding: Sealed bids will be received at the office of the County Auditor, Audubon County Courthouse, 318 Leroy Street, #4, Audubon, Iowa 50025.

Electronic Internet Bidding: Electronic internet bids will be received at the office of the County’s Municipal Advisor, PFM Financial Advisors LLC, Des Moines, Iowa, and must be submitted through the Internet Bid System. Information about the Internet Bid System may be obtained by calling 212-849-5021.

After the deadline for receipt of bids has passed, sealed bids 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 11:00 a.m. on April 11, 2023, at the County Courthouse, at which time the Bonds will be sold to the best bidder for cash.

The Bonds will be issued as fully registered bonds in denominations of \$5,000 or any integral multiple thereof, will be dated April 26, 2023, will bear interest payable semiannually on each June 1 and December 1 to maturity, commencing December 1, 2023, and will mature on June 1 in the following years and amounts:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2028	\$310,000	2036	\$455,000
2029	325,000	2037	480,000
2030	340,000	2038	505,000
2031	360,000	2039	530,000
2032	375,000	2040	555,000
2033	395,000	2041	585,000
2034	415,000	2042	610,000
2035	435,000		

*The County reserves the right to increase or decrease the aggregate principal amount of the Bonds and to increase or reduce each scheduled maturity thereof after the determination of the successful bidder.

The right is reserved to the County to call and redeem all of the Bonds maturing in the years 2032 to 2042, inclusive, in whole or from time to time in part, in one or more units of \$5,000, on June 1, 2031, or on any date thereafter prior to and in any order of maturity (and within a maturity by lot), upon terms of par and accrued interest. Written notice of such call shall be given at least thirty (30) days prior to the date fixed for redemption to the registered owners of the Bonds to be redeemed at the address shown on the registration books.

Bidders must specify a price of not less than \$6,594,000, plus accrued interest. The legal opinion of Dorsey & Whitney LLP, Attorneys, Des Moines, Iowa, will be furnished by the County.

A good faith deposit of ONE PERCENT OF PAR (\$66,750) is required from 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 Chapters 331 and 403 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, including, without limitation,

requirements regarding the establishment of issue price for the Bonds. Bidders should prepare their bids on the assumption that the Bonds will be subject to the "hold-the-offering-price" rule, if the requirements for a competitive sale have not been met. Any bid submitted pursuant to this Notice of Sale will be considered a firm offer for the purchase of the Bonds, and bids submitted will not be subject to cancellation or withdrawal. 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 Audubon County, Iowa.

Lisa Frederiksen, County Auditor

Section 5. Pursuant to Section 75.14 of the Code of Iowa, the Board of Supervisors 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.

Section 6. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

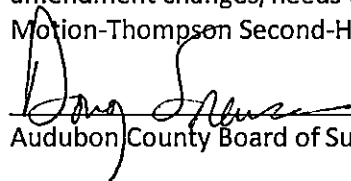
Section 7. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved April 4, 2023.

/s/Doug Sorensen
Chairperson, Board of Supervisors

ATTEST: /s/Lisa Frederiksen
County Auditor

Motion-Thompson Second-Hansen to approve the Granular Agreement w/Stratford Gravel, Inc. Vote-all in favor. Discussion with Jason Schultz, Iowa State Senator 6th District, via phone, regarding Iowa Senate File 550 LOST. Will discuss further at next week's meeting. Mitch will get more information. Secondary Roads-Maintenance & Construction Activity-still working on Viola 17 bridge, digging ditches, fixing driveways, upcoming meeting with Carroll County regarding Puck project detour. Motion-Thompson Second-Hansen to accept/file Annual MMP Updates for Floyd and Lisa Klocke Farms #63745, Greenflash RE LLC Jorgensen Site #64571, and Lawrence Handlos Muhr (Handlos) Site #65707. Vote-all in favor. Motion-Thompson Second-Hansen to approve Chris Swensen to be the contact for Opioid Settlement Funds. Vote-all in favor. Motion-Thompson Second-Hansen to approve the Opioid Settlement Agreement. Vote-all in favor. Rick will sign using DocuSign. Chris Swensen-discussion regarding recodification of ordinances. He is still waiting to receive more information on at least one of the ordinances. There is one regarding emergency services for Veterans that he is waiting on as well. Will discuss further at the 4/18/23 meeting. Motion-Thompson Second-Hansen to approve claims for payment as submitted by various departments and listed in a separate publication following these minutes in the amount of \$611,301.24. Vote-all in favor. Auditor Frederiksen present with initialing recoding changes to prior A/P claims. Also discussed changes Supervisor amendment changes/needs that the Board will need to be reviewing in the next meetings. Motion-Thompson Second-Hansen to adjourn at 12:46pm. Vote-all in favor.


Audubon County Board of Supervisors


Audubon County Auditor Clerk