

December 12, 2023

The regular meeting of the Board of Supervisors was called to order at 9:03 am by Chairman Doug Sorensen. Present were Doug Sorensen, Rick Thompson, Heath Hansen, Lisa Frederiksen, Chassity Musfeldt, Deb Campbell, Tyler Thygesen, Miranda Bills, Ben Linde, Kent Grabill, Todd Johnson, Michelle Kilmer, John Hansen, Janell Bluml, Mitch Rydl, Martin Chase, and Ashley Madsen.

Motion- Hansen Second- Thompson to approve the agenda. Vote-all in favor. Martin Chase with Iowa Prison Industries met with the Supervisors and Department Heads to discuss potentially having some prisoners help move Courthouse items prior to the start of the HVAC work. Chase went over the procedures, rates, and answered various questions. Carroll County had used their services during their Courthouse renovations and were pleased with the work. He said they could bring equipment to help move items, and he would transport the workers here and be on site with them.

Department Heads had their monthly meeting with Supervisors. There was a lot of discussion on the HVAC project. Custodian John Hansen mentioned that the contractors may possibly need the entire upstairs Vault emptied out. Questions were asked about the storage of items, the temporary work location, and a timeline of when the project is starting. The Supervisors will get more information at next week's meeting with Graphite and Justin Veik. Department Heads stressed that it is very important to get a head's up on the timeline so their offices can plan accordingly. Recorder Bills said someone from the community had mentioned a local sports team would possibly be able to help move equipment for a donation. Concerns were brought to the Supervisor's attention on the contracting company having multiple lawsuits within the last year. The Supervisors were going to ask Veik about the concerns. Kent Grabill mentioned possibly having a storage container available if needed. Recorder Bills gave a Wellness update. IT Director Ben Linde mentioned the importance on having a policy regarding County employees using County email only for work related information. The Audubon County Employee Handbook final draft was discussed again. There were several wordings that need clarified before the final draft is approved. HR Attorney Mike Galloway will be contacted on these revisions.

Motion- Hansen Second- Thompson to approve the Supervisor Meeting of December 26th, 2023, be moved to the following day, December 27th, 2023, due to the Courthouse being closed for the Holiday. Vote-all in favor. Motion- Hansen Second- Thompson to approve the meeting minutes of December 5th, 2023, with the omission of a sentence pertaining to the Conservation Cabin Project overage. Brief discussion on the HF718 webinar was held. Thompson and Hansen stated they are going to watch the webinar soon. Sorensen said he watched it and gave a summarized explanation of the video. Motion- Sorensen Second- Hansen to approve Resolution #2023-67 to Fix Date for Discussion Meeting on Proposal to Enter a General Fund Courthouse Improvement Loan Agreement as follows. Vote-all in favor.

RESOLUTION NO. 2023-67

Resolution to Fix a Date for Discussion Meeting on Proposal to Enter a General Fund Courthouse Improvement Loan Agreement

WHEREAS, the Board of Supervisors (the "Board") of Audubon County, Iowa (the "County"), proposes to enter into a loan agreement (the "General Fund Loan Agreement") in a principal amount not to exceed \$2,000,000 pursuant to the provisions of Section 331.402 of the Code of Iowa for the general county purpose of paying the cost, to that extent, of undertaking improvements, repairs and renovations at the County Courthouse, including, but not limited to, an HVAC system overhaul (the "Project"), and it is necessary to fix a date of meeting of the Board at which it is proposed to discuss entering into the General Fund Loan Agreement and to give notice thereof as required by such law, including the right to petition for an election during the 30-day period after such discussion meeting;

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

Section 1. On January 2, 2024, at the Supervisor Room, Courthouse Audubon, Iowa, at eleven o'clock a.m. is hereby fixed as the time and place of the Board meeting to discuss entering into the General Fund Loan Agreement.

Section 2. The County Auditor is hereby directed to give notice of the County's proposal and the meeting of the Board to discuss entering into the General Fund Loan Agreement, setting forth the amount and purpose thereof, the time when and place where the said meeting will be held and the right to petition for an

election, by publication at least once, not less than 10 days before the meeting, in a legal newspaper of general circulation in the County.

The notice shall be in substantially the following form:

NOTICE OF PROPOSAL TO INSTITUTE
PROCEEDINGS TO ENTER INTO A LOAN AGREEMENT
IN A PRINCIPAL AMOUNT NOT TO EXCEED \$2,000,000
(GENERAL FUND)

The Board of Supervisors of Audubon County, Iowa, will meet on January 2, 2024, at the Supervisor Room, Courthouse; Audubon, Iowa, at eleven o'clock a.m. for the purpose of discussing entering into a loan agreement (the "General Fund Loan Agreement") in a principal amount not to exceed \$2,000,000 for the purpose of paying the cost, to that extent, of undertaking improvements, repairs and renovations at the County Courthouse, including, but not limited to, an HVAC system overhaul.

The General Fund Loan Agreement is proposed to be entered into pursuant to authority contained in Section 331.402 of the Code of Iowa. The General Fund Loan Agreement will constitute a general liability of the County payable from the County's General Fund, and not from the direct levy of debt service property taxes.

At the time and place set out above, oral or written comments may be filed or made with respect to the County's proposal to enter into the General Fund Loan Agreement. At any time before the end of the 30-day period after the date of the discussion meeting, a petition may be filed with the County Auditor, in the manner provided by Section 331.306 of the Code of Iowa, asking at the question of entering into the General Fund Loan Agreement be submitted to the registered voters of the County.

By order of the Board of Supervisors of Audubon County, Iowa.

Lisa Frederiksen, County Auditor

Section 3. Pursuant to Section 1.150-2 of the Income Tax Regulations (the "Regulations") of the Internal Revenue Service, the County declares (a) that it intends to undertake the Project which is reasonably estimated to cost approximately \$2,000,000, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of bonds, notes or other obligations (the "Bonds"), or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the County, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Project have heretofore been made by the County and no expenditures will be made by the County until after the date of this Resolution or a prior intent resolution of the County, and (c) that the County reasonably expects to reimburse the expenditures made for costs of the County out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved December 12, 2023.

/s/ Doug Sorensen

Chairperson, Board of Supervisors

Attest:

/s/Lisa Frederiksen

County Auditor

Engineer Rydl gave a Secondary Roads Maintenance & Construction update. Rydl said they had chainsaw training at yesterday's safety meeting. He said they will be out blading this week, cutting trees in Oakfield Township, and have the snowplows prepped and ready to go if needed. Motion- Hansen Second- Thompson to approve the roadway easement and temporary roadway easement for project number RC-C005(76)-9A-05 (M66 & 100th St Intersection RISE/TIF project). Vote-all in favor.

Treasurer Campbell asked the Supervisors about the second CD renewal for this month. They decided to go ahead and renew it for a 12-month period. The Supervisors gave Justin Veik a call to discuss the HVAC concerns and timeline. He did not answer. Motion- Thompson Second- Hansen to adjourn the meetings at 12:32 pm. Vote-all in favor.

/s/ Doug Sorensen
Chairman, Board of Supervisors

/s/ Chassity Musfeldt
Audubon County Auditor Clerk