

SUPERVISOR'S MINUTE BOOK 2021

November 16, 2021

The regular meeting of the Board of Supervisor's was called to order at 8:30 a.m. by Chairman Rick Thompson. Others present were Gary VanAernam, Doug Sorensen, Lisa Frederiksen, Diana Munch, Becky Marten, Todd Johnson, Mike Jensen, Miranda Bills, Mitch Rydl, Chris Swensen, Jotham Arber, Tyler Thygesen, Glen Hoegh and Emily Schwickerath.

Motion-Sorensen Second-VanAernam to approve the agenda. Vote-all in favor. Motion-VanAernam Second-Sorensen to approve minutes of the November 9, 2021 meeting. Vote-all in favor.

Sheriff Johnson and EMA/E911 Interim Mike Jensen along with Tyler Thygesen and Glen Hoegh discussed receiving the Supervisor's approval to hire a full-time EMA/E911 director. Lengthy discussion was held on the need for a full-time person. Thompson asked questions about what other adjoining counties have for employees and salaries. Johnson again presented the Board with salaries and how positions are being filled in Iowa counties. Jensen stated that \$56,500 is the average full-time salary/year and stated a full-time director would be able to work with the fire departments and be more visible in the county. Thygesen stated there continues to be more paper work with state and federal filing requirements and also in the grant requirements. It was discussed if there was a possibility to share with adjoining counties but Jensen stated didn't think that was an option. Johnson stated they are just wanting to be upfront with the Supervisors and would like their approval of a full-time position before their Boards meet on November 17th. Thompson asked what they were thinking for a salary and Jensen stated probably in the \$42,000 range. Thygesen stated there was some interest from EMT's in the prior hiring process but they were interested only if it was a full-time position. After more discussion Thompson asked VanAernam and Sorensen about their thoughts and it was agreed that probably a full-time director is needed.

Recorder Bills discussed the Iowa Land Records 28E agreement and explained that nothing had changed. Motion-VanAernam Second-Sorensen to approve/sign/return the Iowa Land Records 28E agreement. Vote-all in favor. Motion-Sorensen Second-Thompson to approve/sign WIWDA chief elected official consortium resolution. Vote-all in favor. Sorensen gave a short ACED update.

Auditor Frederiksen reviewed upcoming bond issue options. Motion-Sorensen Second-VanAernam to approve Resolution 2021-44 and to publish the two public notices for fixing date for public hearings on proposals to enter into General Obligation Urban Renewal Loan Agreements. Vote-all in favor.

RESOLUTION NO. 2021-44

Resolution to fix a date for public hearings on proposals to enter into General Obligation Urban Renewal Loan Agreements and to borrow money thereunder

WHEREAS, the Board of Supervisors (the "Board") of Audubon County, Iowa (the "County"), has established the Audubon County Consolidated Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, the Board heretofore proposed to enter into a loan agreement (the "Original Loan Agreement") and to issue general obligation bonds in a principal amount not to exceed \$10,000,000 pursuant to the provisions of Subsection 331.441(2)(b)(14), Section 331.402, Section 331.442, Section 331.443 and Chapter 403 of the Code of Iowa, for the purpose of carrying out projects in the Urban Renewal Area consisting of construction, reconstruction and improvement of county roads and bridges (the "Original Projects"), 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 July 14, 2020, no petition had been filed with the County asking that the question of entering into the 2020 Loan Agreement be submitted to the registered voters of the County; and

WHEREAS, the County previously used a portion of its authority to borrow money under the Original Loan Agreement by entering into an initial loan agreement and issuing its \$5,000,000 General Obligation Urban Renewal County Road Improvement Bonds, Series 2020A, dated October 15, 2020 in evidence of its obligations thereunder; and

WHEREAS, the County now intends to use its remaining borrowing authority under the Original Loan Agreement to issue additional General Obligation Urban Renewal Bonds in a principal amount not to exceed \$5,000,000 in evidence of its obligations thereunder in order to fund additional costs of the Original Projects; and

WHEREAS, the County now also proposes to enter into a General Obligation Urban Renewal Loan Agreement (the "Grants Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$600,000 pursuant to the provisions of Section 331.402 and Section 331.441(2)(b)(14) of the Code of Iowa for the purpose of paying the costs, to that extent, of funding an authorized urban renewal project of the County (the "Grants Project") consisting of making economic development grants for projects in the Urban Renewal Area, and in lieu of calling an election thereon, the County desires to institute proceedings to enter into the Grants Loan Agreement by causing a notice of such proposal to be published, including notice of the right to petition for an election, under the provisions of Section 331.442(5) of the Code of Iowa; and it is now necessary to fix a date of meeting of the Board of Supervisors at which it is proposed to take action to enter into the Grants Loan Agreement and to give notice thereof as required by such law; and

WHEREAS, the County also proposes to enter into a General Obligation Urban Renewal Loan Agreement (the "Conservation Loan Agreement" and together with the Grants Loan Agreement hereinafter referred to as the "Loan Agreements") and to borrow money thereunder in a principal amount not to exceed \$1,220,000 pursuant to the provisions of Section 331.402 and Section 331.441(2)(b)(14) of the Code of Iowa for the purpose of paying the costs, to that extent, of undertaking an authorized urban renewal project in the Urban Renewal Area consisting of the Littlefield Recreation Area conservation project (the "Conservation Project" and together with the Grants Project hereinafter referred to as the "Projects"), and in lieu of calling an election thereon, the County desires to institute proceedings to enter into the Conservation Loan Agreement by causing a notice of such proposal to be published, including notice of the right to petition for an election, under the provisions of Section 331.442(5) of the Code of Iowa; and it is now necessary to fix a date of meeting of the Board of Supervisors at which it is proposed to take action to enter into the Conservation Loan Agreement and to give notice thereof as required by such law; and

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

Section 1. This Board will meet on November 30, 2021, at the Supervisors Room, Audubon County Courthouse, Audubon, Iowa, at 10:00 o'clock a.m., at which time and place hearings will be held and proceedings will be instituted and action taken to enter into the Loan Agreements.

Section 2. The County Auditor is hereby directed to give notice of the proposed action on the Loan Agreements and setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once and not less than 10 and not more than 20 days before the date selected for the meeting, in a legal newspaper which has a general circulation in the County. The notice shall be in substantially the following form:

**NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$600,000
(GENERAL OBLIGATION)**

The Board of Supervisors of Audubon County, Iowa, will meet on November 30, 2021, at the Supervisors Room-Audubon County Courthouse, Audubon, Iowa, at 10:00 o'clock a.m., for the purpose of instituting proceedings and taking action on a proposal to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$600,000 for the purpose of paying the costs, to that extent, of undertaking an authorized urban renewal project of the County consisting of funding economic development grants for projects in the Audubon County Consolidated Urban Renewal Area.

The Loan Agreement is proposed to be entered into, and bonds will be issued thereunder, pursuant to authority contained in Section 331.402 and Section 331.441(2)(b)(14) of the Code of Iowa. The Loan Agreement and the bonds will constitute general obligations of the County.

At that time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the County may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

At any time before the date fixed for taking action to enter into the Loan Agreement, a petition may be filed with the County Auditor asking that the question of entering into the Loan Agreement be submitted to the registered voters of the County, pursuant to the provisions of Section 331.441(2)(b)(14) of the Code of Iowa.

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

Lisa Frederiksen, County Auditor

Section 3. The County Auditor is hereby directed to give notice of the proposed action on the Conservation Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once and not less than 10 and not more than 20 days before the date selected for the meeting, in a legal newspaper which has a general circulation in the County. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$1,220,000

(GENERAL OBLIGATION)

The Board of Supervisors of Audubon County, Iowa, will meet on November 30, 2021, at the Supervisors Room-Audubon County Courthouse, Audubon, Iowa, Audubon, Iowa, at 10:00 o'clock a.m., for the purpose of instituting proceedings and taking action on a proposal to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$1,220,000 for the purpose of paying the costs, to that extent, of undertaking an authorized urban renewal project in the Audubon County Consolidated Urban Renewal Area consisting of the Littlefield Recreation Area conservation project.

The Loan Agreement is proposed to be entered into, and bonds will be issued thereunder, pursuant to authority contained in Section 331.402 and Section 331.441(2)(b)(14) of the Code of Iowa. The Loan Agreement and the bonds will constitute general obligations of the County.

At that time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the County may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

At any time before the date fixed for taking action to enter into the Loan Agreement, a petition may be filed with the County Auditor asking that the question of entering into the Loan Agreement be submitted to the registered voters of the County, pursuant to the provisions of Section 331.441(2)(b)(14) of the Code of Iowa.

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

Lisa Frederiksen, County Auditor

Section 4. 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 Projects which are reasonably estimated to cost approximately \$1,820,000, (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 Projects 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 5. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. This resolution shall be in full force and effect immediately after its adoption and approval, as provided by law

Passed and approved November 16, 2021.

/s/ Rick Thompson, Chairperson

Attest:/s/ Lisa Frederiksen, County Auditor

Deputy Auditor Munch discussed the recently changed redistricting done by state legislators. Motion-VanAernam Second-Sorensen to keep Audubon County Precincts as they presently are. Vote-all in favor. She also discussed the special measure on the Audubon City ballot. Motion-Sorensen Second-Thompson to approve Resolution 21-45. Vote-all in favor.

RESOLUTION 21-45

WHEREAS, the City Council of the City of Audubon, State of Iowa, heretofore did legally call a special election to be held on November 2, 2021, and ordered submitted thereat to the registered voters of the City, the following special measure proposition:

"Shall the City of Audubon, Iowa, issue its General Obligation Capital Loan Notes in an amount not exceeding the amount of \$2,900,000 for the purpose of designing, constructing, equipping, furnishing and acquiring land for a new fire station?" and

WHEREAS, legal, sufficient and timely notice of the submission of the proposition at the election and of the date and hours of the election, and of the voting precinct or precincts thereof, with their corresponding polling place or places, was duly published and a correct and complete copy of such proposition was posted at each polling place or places during the day of election throughout the hours thereof, all in strict compliance with the orders of the Board of Supervisors:

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

Section 1. That it is hereby found, determined and declared: First - That said election was held and conducted in each of the voting precincts or precinct of the City at the respective polling place or places, pursuant to due notice, and in strict compliance with law, and that the proposition and the vote thereon complies strictly with law.

Second - That at said election, on the proposition above set out, there were cast 597 ballots, of which 184 votes were cast "YES" and 413 votes were cast "NO" and 0 ballots were cast blank or defectively marked, the vote by precinct or precincts being as set forth and abstracted in the official tally list a copy of which is attached hereto.

That the total number of persons voting in the precinct or precincts at the election on the date, as is shown by the election registers and poll tally lists, was 597.

Third - Neither the above proposition nor any proposal incorporating any portion thereof, was submitted to the registered voters of such City within the six months preceding the date of the election canvassed hereby.

Section 2. That the proposition and the results of the vote thereon, shall be entered at large in the minutes book, all in conformity with Chapter 50, and in particular Section 50.24 of the Code of Iowa.

Section 3. That a copy of this Resolution, the Abstract of Votes and the original tally lists, are hereby delivered to the Commissioner of Elections for filing as required by law.

PASSED AND APPROVED this 16th day of November, 2021.

/s/ Rick Thompson
Chairperson, Board of Supervisors

ATTEST: /s/ Lisa Frederiksen
County Auditor and Commissioner of Elections

County Engineer Rydl gave the secondary road report. Motion-Sorensen Second-VanAernam to approve two utility permits for Windstream at bridge over East Nishnabotna West of 190th and Lark (one fiber and one copper). Vote-all in favor. In the HDLII update he stated they are working on cleaning up sties, moving cranes is going well and working on making corrections. Crews are pulling up shoulders, doing bridge and road projects and contractors are working on bridge projects.

Motion-VanAernam Second-Sorensen to approve combined Tier 2 school combined election results and appropriate documents were signed and will be forwarded as proper. Vote-all in favor.

Sorensen left meeting at 11:15 a.m. Attorney Swensen joined the meeting and stated there will be a meeting of various personnel on November 24th to discuss the proposed ordinances possibly concerning zoning/construction permits/comprehensive plan, etc.

Audubon-Guthrie County Public Health Executive Director Jotham Arber discussed current Covid activity in Audubon County and hoping to see further decline in cases. Booster clinics are now being held at ACMH and plan to start pediatric vaccinations soon. They are still at the Parish Center M-W-F for Covid testing and he stressed that Audubon County citizens can always call the Guthrie Center office for assistance. They are trying to grow the HOPES program as there is definitely a need in Audubon County. The environmental department is catching up on septic system/water tests/etc and he is still working with Schneider-Beacon on getting the septic system placements online. The hospital and public health departments are working on the Health Improvement Plans.

Motion-VanAernam Second-Thompson to approve the payment of claims as submitted by various departments, Emergency Management Director, E911 Director and Assessor as listed in a separate publication following these minutes in the amount of \$616,826.68. Vote-all in favor. Motion-VanAernam Second-Thompson to adjourn at 12:05 p.m. Vote-all in favor.

/s/ Rick Thompson
Chairman, Audubon Co. Board of Supervisors

Attest: /s/ Becky Masten, Auditor/Clerk
Audubon County Auditor Clerk