

RESOLUTION NO 2021-33

Authorizing Internal Loan to Fund Urban Renewal Project Costs

WHEREAS, the Board of Supervisors of Lyon County, Iowa (the "County"), has established the Lyon County Economic Development Urban Renewal Area (the "Urban Renewal Area") and has established the Lyon County Economic Development Urban Renewal Area Tax Increment Revenue Fund (the "Tax Increment Fund") in connection therewith; and

WHEREAS, the County has undertaken a certain urban renewal project (the "Projects") in the Urban Renewal Area, consisting of using tax increment financing (1) support the installation of new fiber-optic cable by Premier Communications (the "Fiber-optic Project") and (2) support the construction of County highway, bridge and culvert improvements for the promotion of economic development (the "Highway, Bridge and Culvert Project"); and

WHEREAS, it has been proposed that the County facilitate internal advances of funds in the aggregate amount of \$471,000 in order to pay the costs of the Projects, and, pursuant to Section 331.479 of the Code of Iowa, the County has published notice and has held a public hearing on such proposal on November 23, 2021, and

WHEREAS, the County desires to make the Loan eligible to be repaid from future incremental property tax revenues to be derived from the Urban Renewal Area;

NOW, THEREFORE, IT IS RESOLVED by the Board of Supervisors, as follows:

Section 1. It is hereby directed that THREE HUNDRED THOUSAND DOLLARS (\$300,000) be advanced (the "Fiber-optic Advance") for the funding of the Fiber-optic Project from the County's General Basic Subfund. The Fiber-optic Advance shall be repaid to the General Basic Subfund, without interest, out of future incremental property tax revenues received into the Tax Increment Fund.

It is intended that the Fiber-optic Advance shall be repaid in one annual installment on or before June 30, 2023, provided however that repayment of the Fiber-optic Advance is subject to the determination of the Board of Supervisors that there are incremental property tax revenues available for such purpose which have been allocated to or accrued in the Tax Increment Fund relative to the Fiber-optic Advance, and the Board of Supervisors reserves the right to appropriate funds, or to withhold such appropriation, at its discretion.

Section 2. It is hereby directed that ONE HUNDRED SEVENTY-ONE THOUSAND DOLLARS (\$171,000) be advanced (the "Highway, Bridge and Culvert Advance") for the funding of the Highway, Bridge and Culvert Project from the County's Secondary Road Fund. The Highway, Bridge and Culvert Advance shall be repaid to the General Secondary Road Fund, without interest, out of future incremental property tax revenues received into the Tax Increment Fund.

It is intended that the Highway, Bridge and Culvert Advance shall be repaid in one annual installment on or before June 30, 2023, provided however that repayment of the Highway, Bridge and Culvert Advance is subject to the determination of the Board of Supervisors that there are

incremental property tax revenues available for such purpose which have been allocated to or accrued in the Tax Increment Fund relative to the Highway, Bridge and Culvert Advance, and the Board of Supervisors reserves the right to appropriate funds, or to withhold such appropriation, at its discretion.

Section 3. A copy of this Resolution shall be filed in the office of the County Auditor of Lyon County to evidence the Fiber-optic Advance and the Highway, Bridge and Culvert Advance. Pursuant to Section 403.19 of the Code of Iowa, the County Auditor is hereby directed to certify, no later than December 1, 2021, the original amount of the Loan.

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

PASSED AND APPROVED on November 23, 2021.

  
Chairperson

Attest:   
County Auditor