

LYON COUNTY AUDITORS OFFICE
Date

ROCK RAPIDS, IOWA

Vice Chairman Steve Michael convened the adjourned session with Peters, Behrens, and Koedam present. Motion carried assumes unanimous vote unless otherwise stated. Supervisor Bosch was absent.

The minutes of the meeting were reviewed. Motion made by Peters to approve minutes, seconded by Koedam. Motion carried.

Vice Chairman Michael introduced Resolution 2017-05 setting the date for a public hearing on proposal to enter a loan agreement and borrow money thereunder in a principal amount not to exceed \$4,500,000 for discussion. The Board plans to take out general obligation bonds to do road/bridge projects.

RESOLUTION NO. 2017-05

Resolution Setting the Date for a Public Hearing on Proposal to Enter into a Loan Agreement and to Borrow Money Thereunder in a Principal Amount not to Exceed \$4,500,000

WHEREAS, the Board of Supervisors of Lyon County, Iowa (the "County"), proposes to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$4,500,000 pursuant to the provisions of Section 331.402, Section 331.441(2)(b)(16) and Section 331.443 for the purpose of undertaking capital projects (the "Projects") for the construction, reconstruction, improvement, repair or equipping of roads, bridges and culverts to (a) assist in economic development which is anticipated to create jobs and wealth; (b) repair damage from previous disasters experienced in the County; and (c) prevent and mitigate future disasters which may occur in the County, 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 Loan Agreement and to give notice thereof as required by such law;

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

Section 1. The Board of Supervisors shall meet on February 21, 2017, at the Lyon County Courthouse, Rock Rapids, Iowa, at 9:30 a.m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Loan Agreement.

Section 2. The Projects to be undertaken are described on Exhibit A to this Resolution. The Board has reviewed the Projects and has determined that each respective project meets one or more of the purpose categories (a), (b) or (c) set forth in the preamble hereof, and such determinations are noted on Exhibit A.

Section 3. The County Auditor is hereby directed to give notice of the proposed action on the 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, not less than four (4) and not more than twenty (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 \$4,500,000

(GENERAL OBLIGATION)

The Board of Supervisors of Lyon County, Iowa, will meet on February 21, 2017, at the Lyon County Courthouse, Rock Rapids, Iowa, at 9:30 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 \$4,500,000 for the purpose of undertaking capital projects for the construction, reconstruction, improvement, repair or equipping of roads, bridges and culverts to (a) assist in economic development which is anticipated to create jobs and wealth; (b) repair damage from previous disasters experienced in the County; and (c) prevent and mitigate future disasters which may occur in the County.

The Loan Agreement is proposed to be entered into, and bonds will be issued thereunder, pursuant to authority contained in Section 331.402, Subsection 331.441(2)(b)(16) and Section 331.443 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.

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

Jen Smit
County Auditor

Section 4. The Board hereby determines that the Project will assist in economic development that is expected to cause job and wealth creation.

Section 5. 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 above-referenced Project which is reasonably estimated to cost, in the aggregate, approximately \$4,500,000, (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 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 February 6, 2017.

/s/Steve Michael
Chairperson, Board of Supervisors

Attest:/s/Jen Smit
County Auditor

Exhibit A

The Projects

Name	Purpose Category * (a,b,c)	Brief General Description of Work
Bridge 4R	b	On Ashley Ave just S of 120th St, construct 2018
Bridge 15R	b	On 160th St just E of Buchanan Ave, construct 2018
Bridge 20R	b	On Buchanan Ave just S of 160th St, construct 2018
Bridge 70R	b	On Dogwood Ave S of 260th St, construct 2018
Bridge 92Y	b	On Marsh Ave just N of the Sioux Co. line, construct 2018
Road A-34	a	Dell St in George E to Osceola Co. Line, Dura Lift, complete 9-2017
Road Kingbird Ave	a	A34 N to 200th St & E 1025' on 200th St, Dura Lift, complete 9-2017

* (a) Assist in economic development which is anticipated to create jobs and wealth.

(b) Repair damage from previous disasters experienced in the County.

(c) Prevent and mitigate future disasters which may occur in the County.

Motion by Peters, second by Behrens to approve and sign Resolution 2017-05.
Motion carried.

Resolution 2017-06 adopting and approving tax compliance procedures relating to tax-exempt bonds was introduced by Vice Chairman Michael for discussion.

RESOLUTION NO. 2017-06

Resolution Adopting and Approving Tax Compliance Procedures
Relating to Tax-Exempt Bonds

WHEREAS, pursuant to the laws of the State of Iowa and Section 103 of the Internal Revenue Code, Lyon County, Iowa (the "County"), acting by and through the authority of its Board of Supervisors, has issued, and likely will issue in the future, tax exempt municipal bonds, notes or other obligations (the "Tax Exempt Bonds"); and

WHEREAS, the County deems it necessary and desirable to adopt certain procedures and practices to be followed by the County in connection with the issuance of Tax Exempt Bonds; and

WHEREAS, proposed tax compliance procedures are attached hereto as Exhibit A (the "Compliance Procedures");

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

Section 1. The Compliance Procedures attached hereto as Exhibit A are hereby adopted and shall be dated as of the date hereof.

Section 2. The County Auditor is hereby authorized and directed to periodically update the Compliance Procedures in accordance with the Internal Revenue Code and supporting Internal Revenue Service Rulings and Regulations, with advice from bond counsel.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved February 6, 2017.

/s/Steve Michael
Vice Chairperson, Board of Supervisors

Attest:/s/Jen Smit
County Auditor

Motion by Behrens, second by Koedam to approve Resolution 2017-06. Motion carried.

Motion by Peters, second by Koedam to approve 2016 East side weed commissioner report. Motion carried.

The planning sub-award agreement with IA Homeland Security and Emergency Management needed approval. Motion by Behrens, second by Peters to approve and have Vice Chair sign agreement. Motion carried.

The Board discussed the request received by Winneshiek County to sign a petition requesting the DNR to make changes to the master matrix and to suspend granting permits until changes are made. The Board was not in favor of signing said petition.

Motion by Peters, second by Koedam to approve claims. Motion carried.

County Engineer Laura Sievers asked for final voucher approval on ER-CO60(103,104,105)-58-60. Motion by Peters, second by Koedam to approve and Vice Chairman sign voucher. Motion carried.

Attorney Mayer joined the meeting and informed the board that the Rock Rapids Development Corp. were not agreeable to staggered payments for the land purchase. The Board agreed to offer to pay \$105,000 up front and the rest upon completion. If the Dev Corp. does not want to agree to that offer, the Board would entertain three payments with one up front, one in the middle of the project and one upon completion. Mayer will respond to Rock Rapids Development with the Board's decision.

Mayer also informed the Board of a call received from the Union Representative asking to extend the current union contract for another 2 years. The request included a 2.5% raise for next two years with no changes to health insurance. The Board discussed the request and asked Mayer to find out how firm that request is. Attorney Mayer will have a conversation with the union representative. Mayer also asked the Board if outside counsel would be used for union negotiations. The Board is not interested in seeking outside consul for negotiations as they feel Mayer did a good job at the last negotiation.

The Board discussed the proposed Rock Rapids Secondary Road shop. The fund balance in secondary roads is estimated to be just under \$400,000 at the end of 17/18 if the \$1,500,000 is left in for the project. It was asked if \$1 million would get what Sievers needs. Some of the safety equipment (welding ventilation, fire suppression system) would not be able to be included if the amount was lowered to \$1 million. It was discussed that these options could be added to the building in the next fiscal year. The Board decided to lower the building amount to \$1 million in secondary road budget for 17/18 and would look at the possibility of using funds from the general subfund in 18/19 to help put in the items excluded.

The final budget decisions will be made Feb 13th as the members present would like to have a full board to make final budget decisions.

Supervisors Behrens left the meeting at 10:30 a.m.

Correspondence: Behrens-NW IA Care Connections, Eggs & Issues; Koedam-Compass Pointe, Eggs & Issues; Peters-Compass Pointe.

Handwritten claim dated 2-1-2017 in the amount of \$25,773.09 was reviewed and approved. Check sequence #126275.

Wellmark BlueCross BlueShield	1/21/17-1/27/17 Claims	25773.09
Grand Total		25773.09

Health Insurance Fund 25,773.09

Claims dated 2-6-2017 in the amount of \$314,128.89 were reviewed and approved. Check sequence #126276-126361.

A & B Business Solutions	Copier Contract 1/21-2/20	601.77
Ahlers & Cooney, P.C. Attn: Ac	HR Services thru 1-19-17	918.00
Alliance Communications	LW,AV,LT,IW telephone	134.06
Alliant Energy	acct 6097001000	10.38
Kristi Baker	2 Doon Twp Mtgs	30.00
Michael Boer	2 Doon Twp Mtgs	30.00
Century Link	911 Recurring 712-233-001	398.41
Century Link - Business	Long distance service	234.43
Christensen Bros. Inc.	L-(64W,66W)--73-60 Est #3&5	107444.18
City of Alvord	utilities (Sept billing)	48.50
City of Doon	water - Doon shop	33.00
City of Larchwood	utilities	64.44
City of Rock Rapids City Offic	1/27/17 Career Day Bldg R	175.00
City of Rock Rapids City	Utilities	8644.58
Class C Solutions Group	hardware	167.89
Corner Service Merlin VerSteeg	tire repair #44	15.00
Culligan Soft Water Serv.	RRapids - 10/7/16-1/27/17	89.75
D-P Tools Inc.	test light, tappet set LR	132.73
Denny's Sanitation Inc.	garbage service	105.00
DJ's Service	1305 gal diesel fuel	2790.89
DRG PLBG HVAC	install new faucet -Alvor	285.78
Electronic Engineering	Feb Maint 911 Radios	915.00
Equipment Blades Inc.	30 - Underbody 48" Carbid	5807.90
George Office Products	Office Supplies,display unit	866.06
I Wireless	1/16-2/15/17 Cell Phone	86.61
I-State Truck Center	2018 Freightliner Truck	117971.00
Innovative Benefit Consultants	January2017 Benefit Servi	1720.00
Intoximeters	Mouthpiece for Intoxilato	53.00
Iowa County Recorders Assoc. A	2017 Research/Ed Dues	200.00
IA Dept. of Public Safety Attn	Jan-March Terminal Billin	1380.00
Iowa Dept of Transportation	check & repair beam brake	50.00
Ironhawk Industrial Dist LLC E	3'&4' Carbide Insert Bl	11158.95
Jim Hawk Tr Trailers Inc.	box liner, rubber gloves	529.00
Larchwood Lumber Company	16 - 2X4X16 lumber	218.21
Larchwood Quick Stop	108 gal gasahol	247.99
Lyon & Sioux Rural Water	water - Lester/LW shop	62.00
Mac's Inc.	hardware	21.84
Marco	Copier Maint Fee 10/27-1/	102.72
Matheson Tri-Gas Inc	1/20/17 Oxygen	29.10
Shayne Mayer	1/27/17 ICAA Mtg Mileage	269.00
Medical Excess	Feb Transplant Ins 22s/64f	1547.86
Menards	3" caster swivels - sande	65.76
Melissa Metzger	Employee Appr. 2.5 Dz C R	30.00
MidAmerican Energy	acct 11930-66002	403.45
Minnehaha County Sheriff Dept.	Service of Juv Papers	100.00

Modern Gas Company	225 gal LP gas	269.78
Colette Nath	1/20/17 Dist Mtg Mileage	105.00
New Century Press	July-Dec2016 SemiAn,brd min	454.74
P & K Pest Control Inc	Jan-Dec 2017 Pest Control	495.00
Pete's Drainage, Inc.	6" tile crossing	1001.20
Pitney Bowes Inc.	Red Ink & Tape Strips	104.53
Popkes Car Care, Inc.	Jan fuel - 111.41 G Dyed	245.00
Premier Communications	Feb Phone,cable, internet	3717.03
Premier Network Solutions d/b/	Feb IT sheriff / Crthouse	2415.00
Wayne Ranschau	2 Doon Twp Mtgs	30.00
RB Electric Inc.	outside lites/outlet-Larc	1388.74
Rock Rapids Ace Hardware	2 snow shovels,shop supplies	286.56
Rock Rapids Machine & Welding	bearing #20	32.98
Rock Rapids Public Library	1/27/17 CareerDay Rent	80.00
Sanford Health	11/13/16 EmergRoom,hear test	190.00
Sanford Rock Rapids Attn: Pat	12/29/16 Medical Exam Fee	126.00
Softree Technical Systems Inc.	RoadEng Annual Subscripti	450.00
Sturdevant's Auto Parts	parts, filters, battery	745.94
Sunshine Foods	Food Assistance	200.15
Troy Thiessen	2 Doon Twp Mtgs	30.00
Tifco Industries Inc.	hardware	277.74
Todd's True Value	super lube, hardware	147.09
Van't Hul Repair	square tubing	31.50
VanderLee Motors Inc.	2016 Impala Purge Valve 6	294.65
Verizon Wireless	1/19-2/18/17 Cell Phone -	92.01
Wheeler Lumber LLC	125-3X12X18,226-3x12x20 Lumber	33145.92
Ziegler Inc.	bearing, cyl assy, core #	1583.09
Grand Total		314128.89

General Basic Fund	18,194.50
Rural Services Basic Fund	150.00
Economic Development Fund	89.65
Secondary Road Fund	288,933.51
Surcharge on E911	2,871.56
Development Project Fund	255.00
Emergency Management Services	92.01
Co. Assessor Agency Fund	274.80
Health Insurance Fund	3,267.86

There being no further business there was a motion by Peters, seconded by Koedam to adjourn. Motion carried.

ATTEST

APPROVED

County Auditor

Chairman