

Floyd County Board of Supervisors Meeting
November 27, 2018, 9:00 AM

UNAPPROVED MINUTES

The Floyd County Board of Supervisors met in the Board Room of the Floyd County Courthouse with the following in attendance: Supv Linda Tjaden, Supv Mark Kuhn, and Supv Doug Kamm.

Kamm/Kuhn moved to approve the agenda as presented. Motion carried 3-0.

Public comment: none.

Kamm/Kuhn moved to approve the November 13 and 19, 2018 meeting minutes. Motion carried 3-0.

Kuhn/Kamm moved to approve the claims presented: County#1348-1487 and Secondary Roads 19618-19636. Motion carried 3-0.

Kuhn/Kamm moved to approve Res #32-18: Resolution authorizing and approving a loan agreement providing for the issuance of \$6,010,000, General Obligation Law Enforcement Center and Courthouse Improvement Bonds, Series 2018A and directing the levy of taxes to pay the same. (The full text of this resolution is filed with the County Auditor.) The County shall enter into the Loan Agreement with the Purchaser, providing for a loan to the County in the principal amount. The Chair and County Auditor are authorized and directed to sign the Loan Agreement on behalf of the County, and the Loan Agreement is hereby approved. The Bonds are hereby authorized to be issued in evidence of the obligation of the County under the Loan Agreement, in the total aggregate principal amount of \$6,010,000, to be dated December 12, 2018, in the denomination of \$5,000 each, or any integral multiple thereof, maturing annually on June 1 in each of the years, in the respective principal amounts and bearing interest at the respective rates per schedule. Bankers Trust Company, Des Moines, Iowa, is designated as the Registrar and Paying Agent for the Bonds. The County reserves the right to prepay part or all of the principal of the Bonds maturing in the years 2027 to 2038, inclusive, prior to and in any order of maturity, on June 1, 2026, or on any date thereafter upon terms of par and accrued interest. The Bonds may be called in part in one or more units of \$5,000. Accrued interest on the Bonds shall be payable semiannually on the first day of June and December in each year, commencing June 1, 2019. The Bonds shall be executed on behalf of the Chair and attested by the County Auditor, and shall be fully registered Bonds without interest coupons. Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner. The record and identity of the owners of the Bonds shall be kept confidential as provided by Iowa Code 22.7. The Bonds shall be issued initially as Depository Bonds, with one fully registered Bond for each maturity date, in principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). On original issue, the Bonds shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the "Participants"). The Bonds shall be executed as herein provided as soon after the adoption of this resolution as may be possible and thereupon shall be delivered to the Registrar for registration, authentication and delivery to or upon the direction of the Purchaser, upon receipt of the loan proceeds, and all action heretofore taken in connection with the Loan Agreement and the sale of the Bonds is hereby ratified and confirmed in all respects. As required by Iowa Code Chapter 76, there is hereby ordered levied on all the taxable property in the County in each of the years while the Bonds or any of them are outstanding, a tax sufficient for that purpose, and in furtherance of this provision, but not in limitation thereof, there is hereby levied on all the taxable property in the County the following direct annual tax for collection. A certified copy of this resolution shall be filed with the County Auditor, and the Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the County and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the County and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Bonds hereby authorized and for no other purpose whatsoever. Pursuant to the provisions of Iowa Code 76.4, each year while the Bonds remain outstanding and unpaid, any funds of the County which may lawfully be applied for such purpose, may be appropriated, budgeted and, if received, used for the payment of the principal of and interest on the Bonds as the same become due, and, if so appropriated, the taxes for any given fiscal year shall be reduced by the amount of such alternate funds as have been appropriated for said purpose and evidenced in the County's budget. The interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current available funds of the

County in advance of taxes levied and when the taxes shall have been collected, reimbursement shall be made to such current funds in the sum thus advanced. The County hereby designates the Bonds as "Qualified Tax Exempt Obligations" as that term is used in Internal Revenue Code 265(b)(3)(B). On the date of issuance and delivery of the Bonds, the County will execute and deliver a Continuing Disclosure Certificate pursuant to which the County will undertake to comply with the Rule. The County covenants and agrees that it will comply with and carry out the provisions of the Continuing Disclosure Certificate. Any and all of the officers of the County are hereby authorized and directed to take any and all actions as may be necessary to comply with the Rule and the Continuing Disclosure Certificate. Motion carried 3-0.

Kamm/Kuhn moved to approve the abatement of the tax, \$384, and associated interest and cost and also void tax sale certificate 2013-13156 on a mobile home, VIN #1634Z. Motion carried 3-0.

Kamm/Kuhn moved to approve Res #33-18 Naming Additional Depository for 2018. (The full text of this resolution is filed with the County Auditor.) BE IT RESOLVED, that the Floyd County Board of Supervisors of Floyd County, Iowa, approves to add Two Rivers Bank & Trust, Burlington, Iowa as an additional financial institution with an allowable amount not to exceed \$10,000 to the County Treasurer's list of depositories of Floyd County funds in conformance with the provisions of the Iowa Code. Motion carried 3-0.

For lack of motion to approve, Res #34-18 for Staff Permitted for Auditor, Treasurer, Recorder dies.

Kuhn/Kamm moved to approve the Motor Vehicle Clerk I position for Lisa Schwickerath to be paid at \$24 per hour effective for the December 7 payroll. Motion carried 3-0.

At 9:20 a.m. the public hearing regarding the Amendment to the Southwest Bypass Urban Renewal Plan Area. The Auditor reported she received no written or oral comments in support of or against the amendment. Mayor Andrews contacted the auditor regarding not being able to attend the November 9 consultation meeting; school representatives did not attend the consultation meeting. With no comments, the hearing closed at 9:21 a.m. Kamm/Kuhn moved to approve Res #30-18 Resolution to Approve Urban Renewal Plan Amendment for the Southwest Bypass Urban Renewal Area. (The full text of this resolution is filed with the County Auditor.) It is resolved by the Board that the Amendment is hereby in all respects approved and that it is hereby determined by this Board as follows: A. The Projects proposed under the Amendment conform to the general plan for the development of the County; B. The Projects proposed under the Amendment are necessary and appropriate to facilitate the proper growth and development of the County in accordance with sound planning standards and local community objectives. C. It is not anticipated that families will be displaced as a result of the County's undertakings under the Amendment. Should such issues arise with future projects, then the County will ensure that a feasible method exists to carry out any relocations without undue hardship to the displaced and into safe, decent, affordable and sanitary housing. Motion carried 3-0.

At 9:22 a.m. the public hearing regarding a SW Bypass Urban Renewal Area Development Agreement and Tax Increment Payments. The Auditor reported she received no written or oral comments in support of or against the agreement and tax increment payments. With no further comments, the hearing closed at 9:23 a.m. Kamm/Kuhn moved to approve Res #31-18: Resolution Approving Development Agreement with Charles City Area Development Corporation, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement. (The full text of this resolution is filed with the County Auditor.) It is resolved by the Board that Pursuant to the factors listed in Chapter 15A, the Board of Supervisors hereby finds that: (a) The ADC Project will add diversity and generate new opportunities for the Floyd County and Iowa economies; (b) The ADC Project will generate public gains and benefits, particularly in the creation of new jobs, which are warranted in comparison to the amount of the proposed financial incentives. The Board further finds that a public purpose will reasonably be accomplished by entering into the Agreement and providing the incremental property tax payments to ADC. The Agreement is hereby approved and the Chairperson and County Auditor are hereby authorized and directed to execute and deliver the Agreement on behalf of the County, in substantially the form and content in which the Agreement has been presented to this Board of Supervisors, and such officers are also authorized to make such changes, modifications, additions or deletions as they, with the advice of bond counsel, may believe to be necessary, and to take such actions as may be necessary to carry out the provisions of the Agreement. All payments by the County under the Agreement shall be subject to annual appropriation by the Board, in the manner set out in the Agreement. As provided and required by Iowa Code Chapter 403, the County's obligations under the Agreement shall be payable solely from the income and proceeds of the Urban Renewal Tax Revenue Fund attributable to property taxes derived from taxable property in the Urban Renewal Area. The County hereby pledges to the payment of the Agreement the Urban Renewal Tax Revenue

Fund and the taxes referred to in Subsection 2 of Section 403.19 of the Code of Iowa to be paid into such Fund, provided, however, that no payment will be made under the Agreement unless and until monies from the Urban Renewal Tax Revenue Fund are appropriated for such purpose by the Board. After its adoption, a copy of this resolution shall be filed in the office of the County Auditor to evidence the continuing pledging of the Urban Renewal Tax Revenue Fund and the portion of taxes to be paid into such Fund and, pursuant to the direction of Iowa Code Section 403.19, the Auditor shall allocate the taxes in accordance therewith and in accordance with the tax allocation ordinance referred to in the preamble hereof. Motion carried 3-0.

Kuhn/Kamm moved to approve 30 Family Farm applications and cancel 13 applications as provided by the County Assessor. Motion carried 3-0.

Kuhn/Kamm moved to approve Res #35-18 Debt & TIF Certification. (The full text of this resolution is filed with the County Auditor.) Be it resolved that the Board certifies \$475,870 is county debt which is eligible tax increment financing expenses to be paid entirely from TIF revenue generated from Floyd County UR-T1 Economic Development District (UR-T1) and certify the same in Urban Renewal indebtedness not previously certified. Motion carried 3-0.

Kamm/Kuhn moved to approve the Annual Urban Renewal Report, Fiscal Year 2017-2018. Motion carried 3-0.

Kuhn/Kamm moved to approve 1) IGHCP’s Blue Choice/Rx Value Plus plan with no additional consulting services from Holmes Murphy/Melrose Insurance and 2) IGCHP’s Delta Dental Self-Funded plan. Motion carried 3-0.

Kamm/Kuhn moved to set the FY20 county/employee health and dental premiums as follows: Single Health/Single Dental-\$811/month-County pays 100%; Family Health/Family Dental-\$1,960.40/month-County pays 75%/employee pays 25%; Single Health/Family Dental-\$870.37/month-County pays 100% of health and 75% of dental/employee pays 25%; Family Health/Dental when husband and wife are employees with dependents children- \$1,976.68/month-County pays \$1,622.78/employee pays \$353.92. Motion carried 3-0. Supv Kuhn commented that with not increasing the premium, the Board may need to dip in to the General Fund to increase the healthcare fund balance which sets up a warning flag.

Dusten Rolando, County Engineer, provided a list of Tandem Truck Comparable Costs reflecting purchases from seven counties from July 2015 to August 2018 with prices ranging from \$101,620 to \$222,064 for various trucks styles/chassis/horsepower. Rolando is considering purchasing three 2020 Mack trucks in FY2020 with an estimated cost of \$210,389.22 each. Supv Kuhn questioned if this comparable process is a one-time situation, rather than a new practice and expressed concern of eliminating the bidding process. Rolando commented that he has gone away from the bid process in Chickasaw Co and believes in this situation that doing comparables is better in the long one. Supv Tjaden commented that she appreciates the comparable list she also does not want to set a precedence to not go out and seek bids. Supv Kamm commented that he is not always in favor of going with the low bid. Kamm/Kuhn moved to allow Rolando to purchase three tandem dump trucks per Rolando’s recommendations. Motion carried 3-0. Rolando commented that the price in the quote may fluctuate some and it also does not consider the trade-in value.

Engineer Report: Rolando’s timesheet and foreman’s notes were provided. Work continues on the 170th bridge with setting beams/piers, completing seeding, doing some dirt work, opening the east road, and preparing to secure the road for winter with plans to complete the project in the spring. Victory Ave is now open; it’s a little rough and may need some more rock. Crews were out on a Saturday doing snow removal and had some complaints; Rolando read sections regarding the level of service form the Snow Removal Policy. The 195th St bridge right of way work has started. Pavement marking plans are ready for letting next year. Rolando started working on the FY20 budget.

Kamm/Kuhn moved to adjourn. Motion carried 3-0.

ATTEST: _____
Gloria A. Carr
Floyd County Auditor

Linda Tjaden, Chair
Floyd County Board of Supervisors