

SUPERVISOR'S MINUTE BOOK 2023

March 21, 2023

The regular meeting of the Board of Supervisors was called to order at 9:00am by Chairman, Doug Sorensen. Present were Doug Sorensen, Rick Thompson, Heath Hansen, Janell Remsburg, John Hansen, Todd Johnson, Lisa Frederiksen, Diana Munch, Janell Bluml, and Mitch Rydl. Motion-Hansen Second-Thompson to approve the agenda with the addition of the approval of claims. Vote-all in favor.

John Hansen discussed the bids for the IT room A/C. There was one from Camblin and one from Remsburg Service.

Motion-Thompson Second-Hansen to go ahead with Remsburg Service for this project. Vote-all in favor.

Motion-Thompson Second-Hansen to set the Public Hearing for GO Urban Renewal Loan Agreements to April 4, 2023 at 10:00am with following resolution. Vote-all in favor.

RESOLUTION NO 2023-13

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"), proposes to enter into a General Obligation Urban Renewal Loan Agreement (the "Urban Renewal Loan Agreement #1") and to issue general obligation bonds in a principal amount not to exceed \$6,085,000 pursuant to the provisions of Subsection 331.441(2)(b)(14), Section 331.402, Section 331.442, and Chapter 403 of the Code of Iowa, for the purpose of paying the cost, to that extent, of undertaking the Audubon County Road, Bridge and Culvert Improvement Projects, an urban renewal program of the County which was authorized by action of the Board of Supervisors on February 28, 2023 (the "UR #1 Projects"), and in lieu of calling an election thereon, the County desires to institute proceedings to enter into the Urban Renewal Loan Agreement #1 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 Urban Renewal Loan Agreement #1 and to give notice thereof as required by such law; and

WHEREAS, the Board also proposes to enter into a General Obligation Urban Renewal Loan Agreement (the "Urban Renewal Loan Agreement #2" and together with the Urban Renewal Loan Agreement #1 are sometimes referred to hereafter as the "Loan Agreements") and to issue general obligation bonds in a principal amount not to exceed \$1,050,000 pursuant to the provisions of Subsection 331.441(2)(b)(14), Section 331.402, Section 331.442, and Chapter 403 of the Code of Iowa, for the purpose of paying the cost, to that extent, of undertaking the Littlefield Recreation Area Improvement Project, including the improvement of park roads, an urban renewal project of the County which was authorized by action of the Board of Supervisors on May 11, 2021 and February 28, 2023 (the "UR #2 Project" and together with the UR #1 Projects, the "Projects"), and in lieu of calling an election thereon, the County desires to institute proceedings to enter into the Urban Renewal Loan Agreement #2 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 Urban Renewal Loan Agreement #2 and to give notice thereof as required by such law;

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

Section 1. This Board will meet on April 4, 2023, at the Supervisors Room-Courthouse, Audubon, Iowa, at 10:00 o'clock am, 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 Urban Renewal Loan Agreement #1 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 \$6,085,000
(GENERAL OBLIGATION)

The Board of Supervisors of Audubon County, Iowa, will meet on April 4, 2023, at the Supervisors Room-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 \$6,085,000 for the purpose of paying the costs, to that extent, of undertaking the Audubon County Road, Bridge and Culvert Improvement Projects, an urban renewal program of the County which was authorized by action of the Board of Supervisors on February 28, 2023.

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 Urban Renewal Loan Agreement #2 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 \$1,050,000
(GENERAL OBLIGATION)

The Board of Supervisors of Audubon County, Iowa, will meet on April 4, 2023, at the Supervisors Room-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 \$1,050,000 for the purpose of paying the costs, to that extent, of undertaking the Littlefield Recreation Area Improvement Project, including the improvement of park roads, an urban renewal project of the County which was authorized by action of the Board of Supervisors on May 11, 2021 and February 28, 2023.

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 \$7,135,000, (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 March 21, 2023.

Attest:

/s/Doug Sorensen
Chairperson, Board of Supervisors

/s/Lisa Frederiksen
County Auditor

Motion-Hansen Second-Thompson to approve the 3/14/23 meeting minutes. Vote-all in favor.

Motion-Heath Second-Thompson to approve the Audubon County Right-to-Use Lease Asset Policy. Vote-all in favor.

Motion-Thompson Second-Hansen to approve the letter of resignation from Tiffany Henkle. Vote-all in favor. Todd Johnson and the Board of Supervisors agreed to the pay out of Tiffany's floating holiday and personal days on her last paycheck. Motion-Hansen Second-Thompson to approve Resolution 2023-14 for hiring Cassie Jacobsen as Computer Specialist/Dispatcher/Jailer for the Sheriff's Office. Vote-all in favor.

RESOLUTION 2023-14

BE IT HEREBY RESOLVED, by the Audubon County Board of Supervisors, that Cassie Jacobsen, be hired as Computer Specialist/Dispatcher/Jailer for the Sheriff's Office. Her transition date will be March 21, 2023. Her benefits (vacation, sick, personal, longevity, etc.) will carry over from her Dispatcher/Jailer position. Her position will be a full-time position. Her starting wage shall be \$23.41 per hour until July 1, 2023. Her pay will stay consistently half way between Civil Clerk and Dispatcher wages with 1 year experience.

This position will follow the Audubon County Handbook except insurance benefits. These exceptions shall follow the union contract.

Dated at Audubon County, Iowa this 21st day of March, 2023.

Attest:

/s/Doug Sorensen
Chairperson, Audubon County Board of Supervisors

/s/Janell Remsburg
Audubon County Auditor Clerk

Motion-Hansen Second-Thompson to approve the Asset Deletions and Asset Transfers from the Sheriff's office. Vote-all in favor. Asset Deletion #2400 Dell Computer, Asset Deletion #2218 Dell Computer, Asset Transfer #2591 LifePak Express AED to top floor of the courthouse, Asset Transfer #2594 LifePak Express AED to main level of the courthouse, Asset Transfer #2590 LifePak Express AED to Secondary Roads, Asset Transfer #2589 LifePak Express AED to Secondary Roads, Asset Transfer #2592 LifePak Express AED to Conservation Board.

Mitch Rydl-Secondary Roads-the supervisors have received calls regarding the decision to put the new stop sign in Gray. They have decided to put this on hold for now. Doug will contact Gray mayor to discuss further. Henningsen Construction will start the M66 project April 3rd and then will move on to F32. Working on Mile 17 Bridge, and rocking roads. Mitch Rydl, George Parris, and Shawn Paulsen will be making a presentation at the APAI (Asphalt Paving Association of Iowa) on April 6, 2023 in Council Bluffs.

Motion-Thompson Second-Hansen to approve claims for payment as submitted by various departments and listed in a separate publication following these minutes in the amount of \$431,693.23. Vote-all in favor.

Janell Bluml, Assessor, got permission from the board to use the credit card to charge hotel rooms for her two employees to attend training.

Motion-Thompson Second-Hansen to approve Resolution 2023-13 for canvassing the results of the Audubon City Special Election. Vote-all in favor.

RESOLUTION 2023-15

WHEREAS, the City Council of the City of Audubon, State of Iowa, heretofore did legally call a special election to be held on March 7, 2023, and ordered submitted thereat to the registered voters of the City, the following special measure proposition:

“Shall the City of Audubon, Iowa, enter into a loan agreement and issue its General Obligation Capital Loan Notes in an amount not exceeding the amount of \$2,800,000 for the purpose of designing, constructing, equipping, furnishing and acquiring land for a new fire state?”

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 proposition and the vote thereon complies strictly with law.

Second – That at said election, on the proposition above set out, there were cast 515 ballots, of which 197 votes were cast “YES” and 318 votes were cast “NO” and 2 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 518.

Third – Neither the above proposition nor any proposal incorporating any portion thereof, was submitted to the registered voters of such City within 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 21st day of March, 2023.

/s/Doug Sorensen

Attest: /s/Lisa Frederiksen

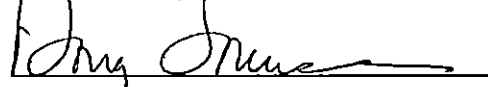
Audubon Co. Supervisor, Chairperson

County Auditor and Commissioner of Elections

The canvass for the Exira-EHK School Special Election was held at 11:30am. There were no provisional ballots. There were no rejected ballots. Motion-Hansen Second-Thompson to instruct the Audubon County Auditor to forward the Abstract of Votes and the Election Canvass Summary for the March 7, 2023 Special Election to the Exira-EHK School.

Vote-all in favor.

Motion-Thompson Second-Hansen to adjourn at 11:45am. Vote-all in favor.


Chairman, Board of Supervisors


Audubon Co. Auditor Clerk