

REGULAR SESSION**MAY 10, 2004**

The Union County Board of Supervisors met in regular session, Monday, May 10, 2004. The meeting was called to order at 9:00 a.m. with the following members present: Brown, Turner, McCann, Irelan, and King.

AGENDA: Motion by Irelan and seconded by McCann to approve the agenda. All voting aye, motion carried.

RESOLUTION - GENERAL OBLIGATION BONDS: Motion by McCann and seconded by Turner to approve **Resolution #59 FY03-04** - Resolution providing for the issuance of \$5,285,000 General Obligation Urban Renewal Refunding Bonds, Series 2004, and for the levy of taxes to pay the same, and providing for the redemption of the County's outstanding General Obligation Capital Loan Notes, Series 1997 and General Obligation Capital Loan Notes, Series 1998. Whereas, pursuant to a resolution duly adopted by the Board of Supervisors (the "Board") of Union County, Iowa (the "County"), on September 8, 1997 (the "Series 1997 Note Resolution"), the County issued its General Obligation Capital Loan Notes (Taxable), Series 1997 (the "Series 1997 Notes"), dated October 1, 1997, which are currently outstanding in the aggregate principal amount of \$3,180,000 and are scheduled to mature on June 1 in each of the years, as follows:

| Principal | | | Interest Rate | | |
|-----------|-----------|-----------|---------------|-----------|-----------|
| Year | Amount | Per Annum | Year | Amount | Per Annum |
| 2005 | \$240,000 | 7.14% | 2010 | \$340,000 | 7.14% |
| 2006 | \$260,000 | 7.14% | 2011 | \$365,000 | 7.14% |
| 2007 | \$275,000 | 7.14% | 2012 | \$390,000 | 7.14% |
| 2008 | \$295,000 | 7.14% | 2013 | \$420,000 | 7.14% |
| 2009 | \$320,000 | 7.14% | 2014 | \$275,000 | 7.14% |

provided, however, that the Series 1997 Notes which are scheduled to mature on and after June 1, 2008 (the "Optional Series 1997 Notes"), are subject to prepayment prior to maturity on June 1, 2007, upon terms of par and accrued interest; and Whereas, pursuant to a resolution duly adopted by the Board on June 15, 1998 (the "Series 1998 Note Resolution"), the County issued its General Obligation Capital Loan Notes, Series 1998 (the "Series 1998 Notes"), dated June 1, 1998, which are currently outstanding in the aggregate principal amount of \$1,540,000 and are scheduled to mature on June 1 in each of the years, as follows:

| Principal | | | Interest Rate | | |
|-----------|-----------|-----------|---------------|-----------|-----------|
| Year | Amount | Per Annum | Year | Amount | Per Annum |
| 2014 | \$175,000 | 4.70% | 2016 | \$250,000 | 4.80% |
| 2015 | \$450,000 | 4.75% | 2017 | \$475,000 | 4.85% |

provided, however, that the Series 1998 Notes which are scheduled to mature on and after June 1, 2008 (the "Optional Series 1998 Notes"), are subject to prepayment prior to maturity on June 1, 2007, upon terms of par and accrued interest; and Whereas, the Series 1997 Notes and the Series 1998 Notes may be sometimes hereinafter referred to as the "Refunded Notes"; the Optional Series 1997 Notes and the Optional Series 1998 Notes may be sometimes hereinafter referred to as the "Optional Notes"; and the Series 1997 Note Resolution and the Series 1998 Note Resolution may be sometimes hereinafter referred to as the "Outstanding Note Resolutions"); Whereas, pursuant to the provisions of Chapter 331 and 403 of the Code of Iowa, notice duly published and hearing held thereon, the County has heretofore determined to issue and has sold its General Obligation Urban Renewal Refunding Bonds, Series 2004, at public sale in the aggregate principal amount of \$5,285,000 (the "Refunding Bonds"), for the purpose of paying the cost, to that extent, of refunding the Refunded Notes; and Whereas it is necessary at this time to provide for the form and issuance of the Refunding Bonds and for the levy of taxes to pay the same and to provide for the redemption of the Refunded Notes; and

Whereas, it is also deemed advisable and necessary that the County enter into an agreement (the "Escrow Agreement") with Bankers Trust Company, N.A., Des Moines, Iowa (sometimes hereinafter referred to as the "Escrow Agent"). The details of this resolution are available in the Auditor's Office. Roll call vote: Turner, aye; Brown, aye; McCann, aye; Irelan, aye; and King, aye. Motion carried.

CLAIMS: Motion by Turner and seconded by Irelan to approve the following claims: #55533 - 55687 and the handwritten claim to Union County Health Insurance for \$8,611.19 All voting aye, motion carried.

ENGINEER: Scott Nixon, County Engineer, presented the weekly maintenance and activity report, rock map, and spray map. **Utility Permit** - Motion by Brown and seconded by Irelan to approve utility permit for Alliant Energy to place underground electric, 295' west of the intersection of 140th St and Eagle Ave. All voting aye, motion carried. **Part-time Employees Wages** - Motion by Turner and seconded by Brown to approve Gary Blazek as the part-time sprayer at a rate of \$10.50 per hour and David Ericson as the part-time mower at a rate of \$9.00 per hour. All voting aye, motion carried. **Farm to Market Resolution** - Motion by Brown and seconded by Irelan to approve **Resolution #60 FY 03-04** - Whereas Senate File 451, the "Transfer of Jurisdiction" bill passed by the Iowa Legislature in 2003 states that jurisdiction and control over farm-to-market (FM) extensions in cities under 500 population is automatically vested to the County effective July 1, 2004, and Whereas the County is automatically entitled to Road Use Tax Fund revenues which would otherwise have gone to the City for maintenance of these FM extensions, Now Therefore Be It Resolved By The Board Of Supervisors Of Union County does not elect to negotiate any agreement with the cities for the jurisdiction of said FM extensions, and will have jurisdiction and control of the FM extensions in the cities under 500 population, and the County will keep 100% of the RUTF revenues that would have otherwise gone to the cities for these said roadways. The cities and routes within Union County included in this transfer of jurisdiction bill are as follows: City of Arispe: East Street from the South City Limits (SCL), north to Forbes Street. And Forbes St. form East St. west to US 169. And Dutcher St. from US 169 west to the WCL. A total Length of 1.14 miles. City of Cromwell: Monroe Ave form SCL north to Creston Ave. Creston Ave. from the ECL west to Monroe St. 8th Street from Monroe ST. to Monroe St. Ext. A Total length of 1.01 miles. City of Lorimor: 5th St. from the WCL east to the ECL. A total length of 0.76 miles. City of Thayer: 3rd Ave. from the SCL north to 5th St. from 3rd Ave west and north to the NCL. A total length of 0.43 miles. City of Shannon City: 1st St. from WCL to ECL. A total length of 0.75 miles. Roll call vote: Turner, aye; Brown, aye; McCann, aye; Irelan, aye; and King, aye. Motion carried.

SHERIFF: Rick Piel, County Sheriff, discussed his budget amendment and possibility of hiring a new deputy with the Board. No action was taken at this time.

TREASURER: Linda Marley, County Treasurer, discussed the fund balances with the Board.

RESOLUTION - SET PUBLIC HEARING FOR SALE OF PROPERTY: Motion by Irelan and seconded by Brown to approve **Resolution # 61 FY03-04** - Now on this 10th day of May, 2004, the matter of the proposed sale of real estate comes to the attention of the Union County Board of Supervisors. Whereas, Union County is the owner of real estate commonly known as the former "Lorimor Pit Stop" which is legally described as follows, to-wit: The Fractional Portions of Lots Numbered One (1), Two (2), and Three (3) in Block Numbered One (1), lying north and west of U.S. Highway 169, in the Original Plat of Lorimor, Union County, Iowa, Whereas, Union county no longer desires to own said real estate, and Whereas, Union County, by and through the Union County Board of Supervisors, believes that the real estate should be returned to the

tax rolls and that said real estate should be available for development, and Whereas, Union County proposes to sell said real estate to the City of Lorimor for purposes of development, and Whereas, the Union County Board of Supervisors has determined that the sale of the property would be in the best interests of Union County. Be And It Is Hereby Resolved that Union County, by and through the Union County Board of Supervisors, shall hold a public hearing on May 24, 2004, at 10:30 o'clock a.m. in the Boardroom of the Union County Courthouse. Said hearing shall be held for purposes of obtaining public input regarding the proposed sale of real estate owned by Union County legally described as follows, to-wit: The Fractional Portions of Lots Numbered One (1), Two (2), and Three (3) in Block Numbered One (1), lying north and west of U.S. Highway 169, in the Original Plat of Lorimor, Union County, Iowa. Roll call vote: McCann, aye; Irelan, aye; Brown, aye; Turner, aye; and King, aye. Motion carried.

TRANSFER RESOLUTION - Motion by Brown and seconded by Turner to approve **Resolution #62 FY03-04** - Now on this 10th day of May, 2004, the matter of an operating transfer comes before the Union County Board of Supervisors. Whereas it is desired to transfer monies from the Conservation Trust Fund to the Conservation Capital Project Fund, and Whereas said operating transfer is in accordance with Section 331.432 of the Code of Iowa. Be And It Is Hereby Resolved that the sum of \$55,000 is ordered to be transferred from the Conservation Trust Fund to the Conservation Capital Project Fund effective this 10th day of May, 2004. The Auditor is directed to correct his books accordingly and to notify the Treasurer of this operating transfer accompanying the notification with a copy of this resolution and the record of its adoption. The change is effective this 10th day of May, 2004. Roll call vote: Turner, aye; Brown, aye; McCann, aye; Irelan, aye; and King, aye. Motion carried.

MINUTES: Motion by McCann and seconded by Irelan to approve the minutes from May 3, 2004 and May 4, 2004. All voting aye, motion carried.

HEALTH INSURANCE ADVISORY COMMITTEE: Michael J. King, Chair of the Board, appointed the following people on the Health Insurance Advisory Committee: Chair, Curt Turner; Vice Chair, Don Irelan; Jenny Wheeler, Mindy Schaefer, Paula White, Two Employees to be chosen by the Secondary Roads Department, Scott Nixon, Dorie Shiltz, and Brian Bolton.

CLERK'S REPORT: Motion by Turner and seconded by Brown to accept the Clerk's Report. All voting aye, motion carried.

SET PUBLIC HEARING - BUDGET AMENDMENT: Motion by Turner and seconded by Brown to set a Public Hearing for a budget amendment for May 24, 2004 at 10:00 a.m. All voting aye, motion carried.

The Board recessed for lunch at 12:00 p.m. and reconvened at 7:00 p.m.

McCann was absent.

IOWA UTILITY BOARD PUBLIC HEARING: Board Members attended the Public Hearing in Osceola. The Board was also in support of no increase or equalization of utilities.

ADJOURNMENT: There being no further business, the meeting was adjourned at 9:00 p.m.

ATTEST: _____ **BY:** _____
SANDY HYSELL, AUDITOR **MICHAEL J. KING, CHAIR BOARD OF SUPERVISORS**