

HARDIN COUNTY BOARD OF SUPERVISORS
MINUTES – FEBRUARY 15, 2012
WEDNESDAY – 10:00 A.M.

Chair Brian Lauterbach called the meeting to order. Also present were Supervisors Lance Granzow and Jim Johnson; and Justin Ites, Gary Mauer, Daryl Albertson, Mark Rockey, Randy Tilton, Cindy Litwiller, Shannon Jensen, Reneé McClellan, and Nancy Lauver.

Granzow moved, Johnson seconded to approve the agenda as posted. Motion carried.

Johnson moved, Granzow seconded to approve the minutes of February 8, 2012. Motion carried.

Granzow moved, Johnson seconded to approve the February 15, 2012 claims for payment. Motion carried.

Discussion was held with Mark Rockey and County Attorney Randy Tilton on a proposed rental agreement on the old jail equipment shed. The County Attorney will draft a new agreement for the February 22, 2012 meeting.

The Chairperson announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$100,000 General Obligation Capital Loan Notes, in order to provide funds to pay costs of acquiring County vehicles, a general county purpose, and that notice of the proposed action by the Board to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes, had been published pursuant to the provisions of Sections 331.402 and 331.443 of the Code of Iowa, as amended.

The Chairperson then asked the Auditor whether any written objections had been filed by any county resident or property owner to the proposal. The Auditor advised the Chairperson and the Board that no written objections had been filed. The Chairperson then called for oral objections to the proposal and none were made. Whereupon, the Chairperson declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections received or made, if any)

The Board then considered the proposed action and the extent of objections thereto.

Whereupon, Board Member Johnson introduced and delivered to the Auditor the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$100,000 GENERAL OBLIGATION CAPITAL LOAN NOTES" and moved that the Resolution be adopted.

Board Member Granzow seconded the motion. The roll was called and the vote was,

AYES: Johnson, Granzow and Lauterbach

NAYS: None

Whereupon, the Chairperson declared the measure duly adopted.

#2012-10

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$100,000 GENERAL OBLIGATION CAPITAL LOAN NOTES

WHEREAS, pursuant to notice published as required by law, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$100,000 General Obligation Capital

Loan Notes, for the purpose of paying costs of acquiring County vehicles, and has considered the extent of objections received from residents or property owners as to the proposal and, accordingly the following action is now considered to be in the best interests of the County and residents thereof:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF HARDIN COUNTY, STATE OF IOWA:

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization of a Loan Agreement and issuance in the manner required by law of not to exceed \$100,000 General Obligation Capital Loan Notes, to evidence the obligation thereof for the foregoing purpose.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above loan agreement. The amounts so advanced shall be reimbursed from the proceeds of the Loan Agreement not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the loan amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 15th day of February, 2012.

/s/ Brian Lauterbach
Brian Lauterbach
Chairperson

ATTEST:

/s/ Reneé McClellan
Reneé McClellan
County Auditor

The Chairperson announced that this was the time and place for the public hearing and meeting on the matter of the authorization and the issuance of not to exceed \$100,000 General Obligation Lease Purchase Agreements, in order to provide funds to pay costs of the lease or lease-purchase of County vehicles, and that notice of the proposed action by the Board to institute proceedings for the authorization of the Loan Agreement and the issuance of the Lease Purchase Agreements, had been published pursuant to the provisions of Sections 331.301(10), 331.306 and 331.442 of the Code of Iowa, as amended; and, the Chairperson then asked the Auditor whether any petition had been filed in the Auditor's Office, as contemplated in Section 331.306 of the Code of Iowa, and the Auditor reported that no such petition had been filed, requesting that the question of issuing the Lease Purchase Agreements be submitted to the qualified electors of the County.

The Chairperson then asked the Auditor whether any written objections had been filed by any county resident or property owner to the proposal. The Auditor advised the Chairperson and the Board that no written objections had been filed. The Chairperson then called for oral objections to the proposal and none were made.

Whereupon, the Chairperson declared the hearing to be closed.

(Attach here a summary of objections received or made, if any)

The Board then considered the proposed action and the extent of objections thereto.

Whereupon, Board Member Granzow introduced and delivered to the Auditor the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE AUTHORIZATION AND THE ISSUANCE OF NOT TO EXCEED \$100,000 GENERAL OBLIGATION LEASE PURCHASE AGREEMENTS" and moved that the Resolution be adopted.

Board Member Johnson seconded the motion. The roll was called and the vote was,

AYES: Granzow, Johnson, and Lauterbach

NAYS: None

Whereupon, the Chairperson declared the measure duly adopted.

#2012-11

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE AUTHORIZATION AND THE ISSUANCE OF NOT TO EXCEED \$100,000 GENERAL OBLIGATION LEASE PURCHASE AGREEMENTS

WHEREAS, pursuant to notice published as required by law, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the authorization and the issuance of not to exceed \$100,000 General Obligation Lease Purchase Agreements, for the purpose of paying costs of the lease or lease-purchase of County vehicles, and has considered the extent of objections received from residents or property owners as to the proposal and, accordingly the following action is now considered to be in the best interests of the County and residents thereof:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF HARDIN COUNTY, STATE OF IOWA:

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization of a Loan Agreement and issuance in the manner required by law of not to exceed \$100,000 General Obligation Lease Purchase Agreements, to evidence the obligation thereof for the foregoing purpose.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above loan agreement. The amounts so advanced shall be reimbursed from the proceeds of the Loan Agreement not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the loan amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 15th day of February, 2012.

/s/ Brian Lauterbach
Brian Lauterbach
Chairperson

ATTEST:

/s/ Reneé McClellan
Reneé McClellan
County Auditor

Board Member Johnson introduced the following Resolution entitled "RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION CAPITAL LOAN

NOTES, AND LEVYING A TAX FOR THE PAYMENT THEREOF", and moved that the same be adopted. Board Member Granzow seconded the motion to adopt. The roll was called and the vote was,

AYES: Johnson, Granzow, and Lauterbach

NAYS: None

Whereupon, the Chairperson declared the Resolution duly adopted as follows:

#2012-12

RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION CAPITAL LOAN NOTES, AND LEVYING A TAX FOR THE PAYMENT THEREOF

WHEREAS, Hardin County, State of Iowa ("Issuer"), is a municipal corporation, organized and existing under the Constitution and laws of the State of Iowa, and is not affected by any special legislation; and

WHEREAS, the Issuer is in need of funds to pay costs of acquiring County vehicles, (the "Project"), and it is deemed necessary and advisable that General Obligation Capital Loan Notes, in the amount of \$100,000 be issued; and

WHEREAS, the Board of Supervisors has taken such acts as are necessary to authorize issuance of the Notes; and

WHEREAS, the Board of Supervisors has taken additional action to authorize issuance of the Notes.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF SUPERVISORS OF HARDIN COUNTY, STATE OF IOWA:

Section 1. Authorization of the Issuance. General Obligation Capital Loan Notes, in the amount of \$100,000 shall be issued pursuant to the provisions of Iowa Code Sections 331.402 and 331.442 for the purposes covered by the hearing.

Section 2. Levy of Annual Tax. For the purpose of providing funds to pay the principal and interest as required under Chapter 76.2, there is levied for each future year the following direct annual tax upon all the taxable property in Hardin County, State of Iowa, to wit:

AMOUNT	FISCAL YEAR (JULY 1 TO JUNE 30) YEAR OF COLLECTION
\$48,055	2012/2013

Principal and interest coming due at any time when the proceeds of the tax on hand are insufficient to pay the amount due shall be promptly paid when due from current funds available for that purpose and reimbursement must be made.

Section 3. Amendment of Levy of Annual Tax. Based upon the terms of the future sale of the Notes to be issued, this Board will file an amendment to this Resolution ("Amended Resolution") with the County Auditor.

Section 4. Filing. A certified copy of this Resolution shall be filed with the County Auditor of County of Hardin, State of Iowa, who shall, pursuant to Iowa Code Section 76.2, levy, assess and collect the tax in the same manner as other taxes and, when collected, these taxes shall be used only for the purpose of paying principal and interest on the Notes.

PASSED AND APPROVED this 15th day of February, 2012.

/s/ Brian Lauterbach
Brian Lauterbach
Chairperson

ATTEST:

/s/ Reneé McClellan
Reneé McClellan
County Auditor

Granzow moved, Johnson seconded to accept the Sheriff's Annual Report for 2011. Motion carried.

Johnson moved, Granzow seconded to approve the Recorder's Monthly Reports for November and December 2011. Motion carried.

Utility Permits/Secondary Roads Department:

Granzow moved, Johnson seconded to approve the utility permit application submitted by Interstate Power to replace poles and add upgrade lines along D65 from U Avenue east to S62 in Union. Motion carried.

Johnson moved, Granzow seconded to approve the utility permit application submitted by Interstate Power to replace poles and add upgrade lines along S62 from 105th Street north to Union. Motion carried.

Granzow moved, Johnson seconded to approve compensation time-off reimbursement agreement with Lori Kadner, Sanitarian and authorize Chairman to sign agreement on behalf of Hardin County Board of Supervisors. Motion carried.

Johnson moved, Granzow seconded that the following Resolution No. 2012-13, Story/Hardin Agreement on Bridge FHWA No.315690, be adopted. Roll Call Vote: "Ayes" Johnson, Granzow, and Lauterbach. "Nays" None. Resolution No. 2012-13 is hereby adopted as follows:

HARDIN RESOLUTION NO. 2012-13
STORY RESOLUTION NO. 12-55
BETWEEN HARDIN COUNTY AND STORY COUNTY ON
REPLACEMENT TO BRIDGE FHWA NO. 315690

WHEREAS, THIS AGREEMENT made and entered into this 15th day of February, 2012, by and between Hardin County, Iowa, hereinafter referred to as Hardin, and Story County, Iowa, hereinafter referred to as Story, WITNESSETH:

WHEREAS, the parties to this Agreement are separate governmental units within the State of Iowa, and

WHEREAS, both governmental units have responsibility for maintaining the public streets and highways within their respective jurisdictions, and

WHEREAS, the parties hereto are in agreement authorizing Hardin to administer and letting of contract documents of Bridge FHWA No. 315690(Hardin No. 14352) under Hardin Project Number L-14352-73-42 on behalf of both Hardin and Story, and

NOW, THEREFORE, IT IS HEREBY MUTUALLY AGREED by and between the parties hereto as follows:

1. Hardin to administer said project and will be the contracting authority, as per Iowa Dept. of Transportation, on behalf of Hardin and Story and is anticipated for construction in 2012.

2. Project is located on 340th St. on Hardin/Story county line, approximately 1/8th miles west of LL Ave., Section 35-86-21.
3. Story to reimburse Hardin's Secondary Road local account for ½ project costs, L-14352-73-42, incurred by Hardin associated with said project within 6 months of completion of said project.
4. Each party to this Agreement warrants that the execution of the Agreement, in two original copies, has been authorized by the Board of Supervisors of Hardin and Story.

HARDIN COUNTY

STORY COUNTY

/s/ Brian Lauterbach
Brain Lauterbach, Chairman
Hardin County Board of Supervisors

/s/ Wayne Clinton
Wayne Clinton, Chairperson
Story County Board of Supervisors

ATTEST:

ATTEST:

/s/ Reneé McClellan
Reneé McClellan
Hardin County Auditor

/s/ Lucy Martin
Lucy Martin
Story County Auditor

02/15/2012
Date

01/24/2012
Date

Other Business: None.

Johnson moved, Granzow seconded to adjourn until February 22, 2012. Motion carried.

/s/ Brian Lauterbach
Brian Lauterbach, Chair
Board of Supervisors

/s/ Reneé McClellan
Reneé McClellan
Hardin County Auditor