

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON JULY 6, 2010.

Meeting called to order at 9:00 a.m. by Chairman Ken Oldenburger with members John Zimmerman and Karl Nelson present.

Minutes of the previous meeting were read and approved as read.

Board gave the Oath of Office to Deputy Treasurer Roxanne Nicolaus.

Board met with County Engineer John Riherd to receive County Engineer's Report of Economic Impact – 220th Street Project. Board acknowledged the Report and ordered it placed on file.

Board Member Zimmerman introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$2,600,000 GENERAL OBLIGATION BONDS (FOR AN ESSENTIAL COUNTY PURPOSE) AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Board Member Nelson seconded the motion to adopt. The roll was called and the vote was,

AYES: Zimmerman, Oldenburger & Nelson

NAYS: None

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

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$2,600,000 GENERAL OBLIGATION BONDS (FOR AN ESSENTIAL COUNTY PURPOSE) AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that Butler County, State of Iowa, should issue General Obligation Bonds to the amount of not to exceed \$2,600,000, as authorized by Section 331.443, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out an essential county purpose project as hereinafter described; and

WHEREAS, before the bonds may be issued, it is necessary to comply with the provisions of the Code, and to publish a notice of the proposal to issue such bonds and of the time and place of the meeting at which the Board proposes to take action for the issuance of the bonds and to receive oral and/or written objections from any resident or property owner of the County to such action;

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

Section 1. That this Board meet in the Board Room, County Courthouse, 428 - 6th Street, Allison, Iowa, at 10:00 o'clock A.M., on the 3rd day of August, 2010, for the purpose of taking action on the matter of the issuance of not to exceed \$2,600,000 General Obligation Bonds for an essential county purpose, the proceeds of which bonds will be used to provide funds to pay costs of construction, reconstruction, improvement, repair, or equipping of capital projects which assist in economic development which creates jobs and wealth, including bridges, roads and culverts within the County.

Section 2. That pursuant to Iowa Code Section 331.441(b)(16), capital projects must be found to "assist in economic development which creates jobs and wealth". No procedure for establishing this is spelled out in the Code. Accordingly, pursuant to Iowa Code section 331.301(5), the Board elects to have a financial impact report prepared for purposes of determining the impacts of the proposed projects.

Section 3. The County Engineer has compiled data and prepared report, a copy of which is attached hereto and incorporated herein by this reference, which demonstrates the economic impact of the proposed projects. Having reviewed said report, this Board finds:

- (A) These capital improvements:
 - (i) serve as entrance to developing Iowa Northern Railway Company; Butler terminal. The improvements will allow creation of over 100 new jobs at said site;
 - (ii) are contained within the Logistics Park Urban Renewal Area, which has been targeted for commercial/industrial growth;
 - (iii) will improve access to the Logistics Park permitting and promoting desired growth and increasing property values, and job expansion.
- (B) The health, safety and welfare of our citizens are dependent upon efficient travels within the County. Adequate and current infrastructure is necessary to achieve these goals and attracts a quality workforce for county industries seeking to expand.
- (C) Access to recreational areas and activities is a draw to a quality workforce. Those who choose to work in the urban areas may also choose to live in rural area and need adequate infrastructure to access their urban employment.

- (D) Agricultural development within the County accounts for a major source of jobs and wealth within the County. Safe and efficient access to the market, grain elevators and fields are essential to the growth and maintenance of this industry in the County.

For the foregoing reasons, this Board finds the proposed capital improvement projects enumerated in the Engineer's report assist economic development efforts within the County which are designed to create jobs and wealth for citizens of the County.

Section 4. That the Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County, such publication to be not less than four clear days nor more than twenty days before the date of the public meeting on the issuance of the bonds.

Section 5. The notice of the proposed action to issue bonds shall be in substantially the following form:

**NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF BUTLER COUNTY,
STATE OF IOWA, ON THE MATTER OF THE PROPOSED ISSUANCE OF NOT TO
EXCEED \$2,600,000 GENERAL OBLIGATION BONDS (FOR AN ESSENTIAL COUNTY
PURPOSE) AND THE HEARING ON THE ISSUANCE THEREOF**

PUBLIC NOTICE is hereby given that the Board of Supervisors of Butler County, State of Iowa, will hold a public hearing on the 3rd day of August, 2010, at 10:00 o'clock A.M., in the Board Room, County Courthouse, 428 - 6th Street, Allison, Iowa, at which meeting the Board of Supervisors proposes to take additional action for the issuance of not to exceed \$2,600,000 General Obligation Bonds for an essential county purpose of the County, in order to provide funds to pay costs of construction, reconstruction, improvement, repair, or equipping of capital projects which assist in economic development which creates jobs and wealth, including bridges, roads and culverts within the County.

At the above meeting the Board of Supervisors shall receive oral or written objections from any resident or property owner of the County, to the above action. After all objections have been received and considered, the Board of Supervisors will at this meeting or at any adjournment thereof, take additional action for the issuance of bonds or will abandon the proposal to issue the bonds.

This notice is given by order of the Board of Supervisors of Butler County, State of Iowa, as provided by Section 331.443 of the Code of Iowa.

Dated this 6th day of July, 2010.

Board Member Nelson introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$2,600,000 GENERAL OBLIGATION URBAN RENEWAL BONDS (FOR AN ESSENTIAL COUNTY PURPOSE) AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Board Member Zimmerman seconded the motion to adopt. The roll was called and the vote was,

AYES: Oldenburger, Nelson & Zimmerman

NAYS: None

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

**RESOLUTION FIXING DATE FOR A MEETING ON THE
PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$2,600,000 GENERAL
OBLIGATION URBAN RENEWAL BONDS (FOR AN ESSENTIAL COUNTY PURPOSE)
AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF**

WHEREAS, it is deemed necessary and advisable that Butler County, State of Iowa, should issue General Obligation Urban Renewal Bonds to the amount of not to exceed \$2,600,000, as authorized by Section 403.12, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out an essential county purpose project as hereinafter described; and

WHEREAS, before the bonds may be issued, it is necessary to comply with the provisions of the Code, and to publish a notice of the proposal to issue such bonds and of the time and place of the meeting at which the Board proposes to take action for the issuance of the bonds and to receive oral and/or written objections from any resident or property owner of the County to such action and the right to petition for an election;

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

Section 1. That this Board meet in the Board Room, County Courthouse, 428 - 6th Street, Allison, Iowa, at 10:00 o'clock A.M., on the 3rd day of August, 2010, for the purpose of taking action on the matter of the issuance of not to exceed \$2,600,000 General Obligation Urban Renewal Bonds for an essential county purpose, the proceeds of which bonds will be used to provide funds to pay costs of aiding in the planning, undertaking and carrying out of Urban Renewal Projects under the authority of Chapter 403 of the Code of Iowa and the Butler County Logistics Park Urban Renewal Area, including roadway reclamations, paving and right-of-way improvements.

Section 2. That the Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County, such publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the bonds.

Section 3. The notice of the proposed action to issue bonds shall be in substantially the following form:

**NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF BUTLER COUNTY,
STATE OF IOWA, ON THE MATTER OF THE PROPOSED ISSUANCE OF NOT TO
EXCEED \$2,600,000 GENERAL OBLIGATION URBAN RENEWAL BONDS (FOR AN
ESSENTIAL COUNTY PURPOSE) AND THE HEARING ON THE ISSUANCE THEREOF**

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At any time before the date of said hearing, a petition, asking that the question of issuing such bonds be submitted to the legal voters of the County, may be filed with the Auditor of the County in the manner provided in Section 331.442(5) of the Code of Iowa, as amended.

At the above meeting the Board of Supervisors shall receive oral or written objections from any resident or property owner of the County, to the above action. After all objections have been received and considered, the Board of Supervisors will at this meeting or at any adjournment thereof, take additional action for the issuance of bonds or will abandon the proposal to issue the bonds.

This notice is given by order of the Board of Supervisors of Butler County, State of Iowa, as provided by Sections 403.12 and 331.441(2)(6)(14) of the Code of Iowa.

Dated this 6th day of July, 2010.

Larry Burger, Speer Financial, was present to discuss various bonding scenarios.

Board met with Emergency Management Coordinator Mitch Nordmeyer to hear report on damages assessed to the county due to June flooding.

Board acknowledged receipt of Manure Management Plan Annual Updates for Hogroot, LLC; Turkeyroot, LLC; and L & M Greenfield LLC.

Board reviewed Quarterly Reports of the Sheriff and Auditor and ordered them placed on file.

Moved by Nelson, second by Zimmerman to adjourn to Tuesday, July 13, 2010 at 9:00 A.M. Motion carried.

The above and foregoing is a true and correct copy of the minutes and proceedings of a regular adjourned meeting of the Board of Supervisors of Butler County, Iowa on July 6, 2010.