

**PROCEEDINGS OF THE HAMILTON COUNTY BOARD OF SUPERVISORS
REGULAR MEETING**

The Hamilton County Board of Supervisors met in regular session on Tuesday, February 27, 2018 at 9:00 A.M. in the Boardroom of the Hamilton County Courthouse, Webster City, Iowa.

- CALL TO ORDER:** Called to order by Chair Dan Campidilli.
- PLEDGE OF ALLEGIANCE:** The Board led the Pledge of Allegiance.
- MEMBERS PRESENT:** Dan Campidilli, Doug Bailey, and David Young by phone.
- OTHERS PRESENT:** Duane Hendrickson, Niki Stinn, Kim Anderson, Pat Powers, Anne Blankenship, Jerry Chizek, Sue Schmitz, Patti Treibel-Leeds, Adam Clark, Shelby Kroona, Doug Timmons, Dylan Hagen, Steve Cook, Shari Schmitz, and Kim Schaa.
- AGENDA:** **Motion Bailey, second Young, to approve the agenda. Motion carried.**
- MINUTES:** **Motion Bailey, second Young to approve the minutes of the February 13, 2017 Regular meeting. Motion carried.**
- CLAIMS:** General Basic Fund \$108,853.61; General Basic (Public Health) Fund \$41,809.34; General Basic (Conservation) Fund \$15,120.66; General Supplemental Fund \$37,186.25; General Supplemental Public Health Sub Fund \$7,775.63; General Supplemental Conservation Sub Fund \$4,655.70; MH-DD Services Fund \$6,178.90; Rural Basic Fund \$25,717.80; Local Option Sales Tax Fund \$17,272.19; Secondary Roads Fund \$256,157.63; Conference Center Capital Projects Fund \$207,100.00; Friends of Conservation Expense Trust Fund \$ 918.00; Conservation Capital Projects Expense Trust Fund \$ 148.52 Total \$729,146.68. Drainage Fund \$268,139.10. **Motion Young, second Bailey to approve payment of claims. Motion carried.**
- REPORTS:** **ISU EXTENSION: Sue Schmitz and Jerry Chizek from Hamilton County ISU Extension gave a stakeholders report on programs that are offered thru Hamilton County ISU Extension.**
- PERSONNEL ACTION:** **SHERIFF: Motion Bailey, second Young to approve the resignation of Jesse Smith effective February 6, 2018 and the hiring of Trey Nelson effective February 23, 2018 at a rate of \$15.04 per hour. Nelson will be a regular part-time employee and is expected to work 60+ hours per pay period. Motion carried.**
- APPLICATIONS/CONTRACTS/ AGREEMENTS:** **LIQUOR LICENSE: Motion Bailey, second Young to approve a Class C Beer and Wine License for The Rustic Rose LLC. Motion carried.**

SLOUGH BILL EXEMPTIONS: Motion Bailey, second Young to allow Slough Bill Exemption for the following applications:

2018 Slough Bill Applications

FOREST COVER EXEMPTION

| | |
|------------------------------|-------------|
| Ruth Knox | 9.28 Acres |
| Stephen L & Shel M Mourlam | 6.71 Acres |
| Reveiz Farms | 27.73 Acres |
| The Shire LLC | 8.50 Acres |
| Carl Trampel Revocable Trust | 4.87 Acres |

OPEN PRAIRIE EXEMPTION

| | |
|---------------------------------|-------------|
| Chris Carlson & Anne Arklie | 9.35 Acres |
| Sterling & Sharon Dahl | 6.78 Acres |
| Chad & Jean Eells | 2.30 Acres |
| Lyle Evans | 10.14 Acres |
| Bryan Gilbert | 5.13 Acres |
| Lee O'Brien & | |
| Mary Groves Loucks | 5.20 Acres |
| Keith Holdgrafer | 4.17 Acres |
| JoAnn Johnston | 2.00 Acres |
| Kendall Young Library Trust | 7.53 Acres |
| Joyce Marie Knutson | 37.33 Acres |
| Stephen L & Shel M Mourlam | 2.84 Acres |
| Dorothy Stearns | 14.14 Acres |
| Randy Walker &/or Pete Moeding | 23.71 Acres |
| Whisler Family LLP | 7.94 Acres |
| Wall Lake Development Inc. | 6.45 Acres |
| Charles & Darla Wilcox, Betty & | 2.25 Acres |
| Jerry Yochum | |

RECREATIONAL LAKES

Randy Walker &/or Pete Moeding 6.75 Acres

RIVER & STREAM BANKS EXEMPTION

Dr E Reveiz IRA 2.00 Acres

RIVERS & STREAMS EXEMPTION

Ralph A Olsen Residuary Trust 2.00 Acres
Dorothy Stearns 2.00 Acres
Randy Walker &/or Pete Moeding 9.49 Acres

WETLANDS EXEMPTION

Marilyn Erickson 13.46 Acres
Merlyn & Carol Hegland 19.08 Acres
Kendall Young Library Trust 5.71 Acres
Dennis & Jean Miller 9.89 Acres
Sunshine Quilts, LLC 18.13 Acres
Ryan & Alison Weidemann 4.00 Acres

Total 296.86 acres

Motion carried.

AWARD CONTRACT – D18 PAVING PROJECT: Motion Young, second Bailey to approve a bid and authorize the chair to sign the documents for Heartland Asphalt of Mason City, Iowa in the amount of \$833,848.09. Motion carried.

AWARD CONTRACT – BOONE RIVER BRIDGE PROJECT: Motion Young, second Bailey to approve a bid and authorize the chair to sign the documents for United Contractors, Inc. of Johnston, Iowa in the amount of \$2,746,399.60. Motion carried.

ELECTRICAL EASEMENT TO PLEASANT HILL COMMUNITY LINE: Motion Bailey, second Young to approve an electrical easement to Pleasant Hill Community Line. Motion carried.

- SET DATE & TIME:** **FISCAL YEAR 2019 HAMILTON COUNTY BUDGET HEARING: Motion Campidilli, second Bailey to set March 13, 2018 at the 9:00 a.m. Board of Supervisors meeting as the date and time for a public hearing on the proposed FY'19 Hamilton County Budget. Motion carried.**
- MASTER MATRIX PUBLIC HEARING: Motion Campidilli, second Bailey to set March 13, 2018 at the 9:00 a.m. Board of Supervisors meeting as the date and time for a public hearing on a Construction Permit Application for Summit Farms, LLC for a site located in Section 15 Williams Township. Motion carried.**

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PUBLIC HEARING: PUBLIC HEARING ON PROPOSAL TO ENTER INTO A GENERAL OBLIGATION EMERGENCY COMMUNICATION EQUIPMENT LEASE-PURCHASE AGREEMENT:

OPEN HEARING: Chairman Campidilli opened the public hearing.

PROOF OF PUBLICATION: Proof of publication of the hearing notice was on file.

PRESENTATION: Sheriff Doug Timmons and Steve Cook from Electronic Engineers gave a brief presentation on the proposal.

PUBLIC SUPPORT OR OPPOSITION: None.

CLOSE HEARING: Chairman Campidilli closed the public hearing.

RESOLUTION *2018-12: RESOLUTION APPROVING AND AUTHORIZING A GENERAL OBLIGATION EMERGENCY COMMUNICATION EQUIPMENT LEASE-PURCHASE AGREEMENT PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME: Motion Bailey, second Young to approve said resolution. Roll Call Vote: Young, Bailey and Campidilli voting aye. Motion carried.

RESOLUTION NO. 2018-12

Resolution approving and authorizing a General Obligation Emergency Communication Equipment Lease-Purchase Agreement, providing for the levy of taxes to pay the same

WHEREAS, the Board of Supervisors of Hamilton County, Iowa (the "County"), heretofore proposed to enter into a General Obligation Emergency Communication Equipment Lease-Purchase Agreement (the "Lease-Purchase Agreement") with lease payments thereunder in a principal amount not to exceed \$2,500,000, pursuant to the provisions of Sections 331.301(10)(d), 331.402 and 331.441(2)(b)(17) of the Code of Iowa for the purpose of paying the cost, to that extent, of acquiring and installing emergency services communications equipment and systems, and has published notice of the proposed action and has held a hearing thereon on February 27, 2018; and

WHEREAS, it is now necessary to authorize the Lease-Purchase Agreement and provide for the levy of a debt service property tax for the funding of payments thereof;

NOW, THEREFORE, It Is Resolved by the Board of Supervisors of the Hamilton County, Iowa, as follows:

Section 1. The Lease-Purchase Agreement with Motorola Solutions, Inc. in substantially the form as has been presented to and considered by this Board of Supervisors and containing substantially the same terms and provisions set forth therein, is hereby approved. The Chairperson and County Auditor are hereby authorized and directed to make such changes thereto as they, with the advice of bond counsel, deem necessary and to execute and deliver the Lease-Purchase Agreement and to execute any and all other documents and do any and all things deemed necessary in order to accomplish the purposes of the Lease-Purchase Agreement and this resolution.

Section 2. The Lease-Purchase Agreement provides for nine separate lease payments (the "Payments") due periodically in the amount as set forth in Schedule B of the Agreement. The Payments under the Lease-Purchase Agreement shall be subject to the right of non-appropriation by the Board of Supervisors as set forth therein.

Section 3. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the Payments, there is hereby ordered levied on all the taxable property in the County in each of the years while the Lease-Purchase Agreement is outstanding, a tax sufficient for that purpose as follows:

For collection in the fiscal year beginning July 1, 2019, sufficient to produce the net annual sum of \$322,482.80;
For collection in the fiscal year beginning July 1, 2020, sufficient to produce the net annual sum of \$322,482.80;
For collection in the fiscal year beginning July 1, 2021, sufficient to produce the net annual sum of \$322,482.80;
For collection in the fiscal year beginning July 1, 2022, sufficient to produce the net annual sum of \$322,482.80;
For collection in the fiscal year beginning July 1, 2023, sufficient to produce the net annual sum of \$322,482.80;
For collection in the fiscal year beginning July 1, 2024, sufficient to produce the net annual sum of \$322,482.80;
For collection in the fiscal year beginning July 1, 2025, sufficient to produce the net annual sum of \$322,482.80;
For collection in the fiscal year beginning July 1, 2026, sufficient to produce the net annual sum of \$322,482.80; and
For collection in the fiscal year beginning July 1, 2027, sufficient to produce the net annual sum of \$322,482.80.

Section 4. A certified copy of this resolution shall be filed with the County Auditor, and said Auditor shall be and 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 Payments hereby authorized and for no other purpose whatsoever.

Section 5. The Payments due in any year or years shall, if necessary, be paid promptly from current funds on hand 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.

Section 6. It is the intention of the County that interest on the Payments be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof, the County covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with the applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Payments will remain excluded from gross income for federal income tax purposes. 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 covenants herein contained.

The County hereby designates the Agreement as a "Qualified Tax Exempt Obligation" as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

Section 7. All resolutions and orders or parts thereof in conflict with the provisions of this resolution are, to the extent of such conflict, hereby repealed.

Section 8. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved February 27, 2018.

Attest: /s/ Kim Schaa
County Auditor

/s/ Daniel J. Campidilli
Chairperson, Board of Supervisors

RESOLUTION *2018-13: RESOLUTION 2018-13 TO FIX A DATE FOR PUBLIC HEARING ON PROPOSAL TO ENTER INTO A GENERAL OBLIGATION ROAD IMPROVEMENT LOAN AGREEMENT AND TO BORROW MONEY THEREUNDER: Motion Young, second Bailey to set March 13, 2018 at the 9:00 a.m. Board meeting as the date and time for a public hearing on a proposal to enter into a General Obligation Road Improvement Agreement and to borrow money thereunder in a principal amount not to exceed \$820,000. Roll Call Vote: Bailey, Young, and Campidilli voting aye. Motion carried.

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DRAINAGE: DD #144-79 HUNTER JOINT: Motion Bailey, second Young to approve Pay Estimate #3 in the amount of \$257,419.60 to Rognes Bros. Excavation, Inc. Motion carried.

ADJOURN: Motion Bailey, second Campidilli to adjourn. Motion carried, meeting adjourned at 10:00 A.M.

See "Claims Listing" for claims paid.

*For more information regarding Resolutions 2018-12 and 2018-13 see Resolutions on file in the Auditor's Office.

Kim Schaa
Hamilton County Auditor

Dan Campidilli, Chairman
Hamilton County Board of Supervisors