

Courthouse  
Emmetsburg, Iowa  
April 30<sup>th</sup>, 2019, 8:00 a.m.

The Palo Alto County Board of Supervisors met in regular session. Members present: Craig Merrill, Chair; Roger Faulstick, Linus Solberg, Keith Wirtz, Ron Graettinger. Present: David Kirk; Peter Hart, Co. Attorney.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote: Ayes: Wirtz, Faulstick, Solberg, Merrill, Graettinger. Nays: None. Abstentions: None.

Motion by Faulstick, seconded by Graettinger to approve the agenda for April 30<sup>th</sup>, 2019. Motion Carried.

Motion by Wirtz, seconded by Graettinger to approve the minutes for April 23<sup>rd</sup>, 2019. Motion Carried.

Motion by Solberg, seconded by Faulstick to approve hiring summer seasonal employees for conservation as follows: Tyson Kruse at \$9.50 per hour, Brody Krieg at \$9.50, Don Larsen at \$15 per hour; Tony Murray at \$8.33 per hour. Motion Carried.

MINUTES FOR HEARING AND ADDITIONAL ACTION ON GENERAL OBLIGATION LOAN AGREEMENT, REPURPOSING BOND PROCEEDS AND AUTHORIZING PARTIAL EARLY REDEMPTION

419285-13

Emmetsburg, Iowa

April 30, 2019

The Board of Supervisors of Palo Alto County, Iowa, met on April 30, 2019, at 8:15 o'clock a.m., at the Courthouse Boardroom, Emmetsburg, Iowa.

The meeting was called to order by the Chairperson, and the roll being called, the following named Supervisors were present and absent:

Present: Ron Graettinger, Keith Wirtz, Linus Solberg, Roger Faulstick, Craig Merrill.

Absent: none.

This being the time and place specified for taking action on the proposal to enter into a General Obligation Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$600,000, the County Auditor announced that no written objections had been placed on file. Whereupon, the Chairperson called for any written or oral objections, and there being none, the Chairperson declared the public hearing closed.

After due consideration and discussion, Supervisor Ron Graettinger introduced the resolution next hereinafter set out and moved its adoption, seconded by Supervisor Keith Wirtz. The Chairperson put the question upon the adoption of said resolution, and the roll being called, the following Supervisors voted:

Ayes: Graettinger, Wirtz, Solberg, Faulstick, Merrill.

Nays: none.

Whereupon, the Chairperson declared the resolution duly adopted as hereinafter set out.

RESOLUTION NO. 4-30-2019

Resolution taking additional action on proposal to enter into a General Obligation Loan Agreement, repurposing bond proceeds and authorizing partial early redemption of General Obligation Urban Renewal Bonds, Series 2013

WHEREAS, the Board of Supervisors of Palo Alto County, Iowa (the "County"), previously issued its \$5,000,000 General Obligation Urban Renewal Bonds, Series 2013, dated April 23, 2013 (the "2013 Bonds") a portion of which currently remain outstanding, maturing on such dates and in such amounts and bearing interest at such rates as follows as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2019	\$625,000	1.00%	2022	\$625,000	1.50%
2020	\$625,000	1.10%	2023	\$625,000	1.75%
2021	\$625,000	1.30%	2024	\$625,000	2.00%

; and

WHEREAS, pursuant to the resolution (the "2013 Bond Resolution") authorizing the issuance of the 2013 Bonds, the County reserved the right to call the 2013 Bonds maturing in the years 2020 through 2024 (the "Callable 2013 Bonds"), inclusive, for early redemption on any date on or after June 1, 2019, subject to the provisions of the 2013 Bond Resolution; and

WHEREAS, the County heretofore proposed to enter into a General Obligation Loan Agreement (the "Loan Agreement"), pursuant to the provisions of Section 331.402 and Section 331.443 of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$600,000 for the purpose of paying the costs, to that extent, of retiring (the "Early Redemption") a portion of the 2024 maturity of the Callable 2013 Bonds, and pursuant to law and a notice duly published, the Board of Supervisors has held a public hearing on such proposal on April 30, 2019; and

WHEREAS, the authorization of the Loan Agreement will vest the County with authority to lawfully use up to \$579,325.59 of unspent proceeds (the "Bond Proceeds") from the County's prior issuance of \$5,000,000 General Obligation Urban Renewal Road Improvements Bonds, Series 2014, dated July 9, 2014 for the Early Redemption; and

WHEREAS, the County now proposes to use its authority to enter into the Loan Agreement, and in lieu of borrowing additional funds, to authorize the repurposing of the Bond Proceeds for undertaking the Early Redemption on June 1, 2019 (the "Redemption Date"); and

WHEREAS, the County has additional funds on hand to put toward the Early Redemption in order to call the entire 2024 maturity of the Callable 2013 Bonds;

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

Section 1. The Board hereby approves the Loan Agreement and declares that this resolution constitutes the "additional action" required by Section 384.24A of the Code of Iowa. It is hereby ordered that up to \$579,325.59 of the Bond Proceeds be expended to pay the costs of the Early Redemption. The Board hereby pledges additional funds on hand for the Early Redemption in order to call the entire 2024 maturity of the Callable 2013 Bonds.

Section 2. Bankers Trust Company, as Registrar and Paying Agent for the 2013 Bonds, is hereby authorized to take all action necessary to call the 2024 maturity of the Callable 2013 Bonds for early redemption on the Redemption Date. Bankers Trust

Company is further authorized and directed to give notice of such redemption by sending written notice by electronic means or registered mail to the registered owners of the Callable 2013 Bonds to be redeemed at the addresses shown on the Board's registration books, not less than thirty (30) days prior to the Redemption Date.

Section 3. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved April 30, 2019.

/s/Craig Merrill  
Chairperson, Board of Supervisors

Attest:/s/Carmen Moser  
County Auditor

On motion and vote, the meeting adjourned.  
/s/Craig Merrill, Chairperson, Board of Supervisors

Attest:/s/Carmen Moser, County Auditor

#### **ATTESTATION CERTIFICATE**

STATE OF IOWA

SS:

PALO ALTO COUNTY

I, the undersigned, County Auditor of Palo Alto County, do hereby certify that attached hereto is a true and correct copy of the proceedings of the Board of Supervisors relating to the public hearing and additional action on the Board's intention to approve a General Obligation Loan Agreement, repurpose bond proceeds and to authorize partial early redemption of General Obligation Urban Renewal Bonds, Series 2013, in lieu of borrowing additional funds.

WITNESS MY HAND this 30th day of April, 2019.

/s/Carmen Moser  
County Auditor

No one was present for public comment.

Walter Davis-Oeth, County Engineer, met with the Board. Walter presented utility permits for approval. Walter updated the Board on roads and projects. Paving on N26 is progressing.

Motion by Graettinger, seconded by Faulstick to approve a utility permit for Iowa Lakes Electric Cooperative in four locations in Highland Township. Nays: Solberg. Motion Carried.

Motion by Solberg, seconded by Wirtz to approve a utility permit for Ayrshire Farmers Mutual Telephone Co. in Silver Lake and Great Oak Townships. Motion Carried.

Motion by Solberg, seconded by Faulstick to approve an underground utility permit for Ruthven Telephone Exchange in Lost Island Township, Section 15. Motion Carried.

Motion by Solberg, seconded by Wirtz to approve a utility permit application for Northern Natural Gas Co. in Emmetsburg Township, Section 35. Motion Carried.

Motion by Faulstick, seconded by Solberg to approve a utility permit application for Windstream in Emmetsburg Township, Section 35. Motion Carried.

Motion by Wirtz, seconded by Faulstick to approve a utility permit for MidAmerican Energy Co. for county road bores for Palo Alto Wind Project in Vernon, Independence and Fairfield Townships. Motion Carried.

Motion by Wirtz, seconded by Graettinger to introduce and approve Resolution 4-30-2019 (A) as follows:

**RESOLUTION # 4-30-2019(A)  
NOTICE OF PUBLIC HEARING  
AMENDMENT OF CURRENT COUNTY BUDGET  
2018/2019**

The Board of Supervisors met this date for the purpose of amending the current FY19 County Budget. No objectors were present therefore,

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF PALO ALTO COUNTY TO adopt the amended budget as published and change the following appropriations as listed:

Department Number	Department Title	Appropriation Prior to Resolution	Appropriation Adjustment Per Resolution	Final Appropriation Per Resolution
05	Sheriff	\$660,491	\$7,692	\$668,183
05	Sheriff (Special Revenue)	\$0	\$7,150	\$7,150
22	Conservation	\$876,340	\$174,361	\$1,050,701
28	Medical Examiner	\$25,000	\$5,000	\$30,000
37	Communication Center	\$345,279	\$13,880	\$359,159
60	Substance Abuse	\$20,750	\$10,000	\$30,750
61	Juvenile Justice	\$50,200	\$5,000	\$55,200
74	Zoning	\$197,592	\$2,000	\$199,592
99	Non-Departmental	\$1,705,000	\$579,326	\$2,284,326

Adopted this 30<sup>th</sup> day of April, 2019 by the Palo Alto County Board of Supervisors, with the vote thereon being as follows:

Ayes: Graettinger, Wirtz, Solberg, Faulstick, Merrill.

Nays: none

Resolution Carried.

/s/Craig Merrill, Chairman

/s/Carmen Moser, Auditor

Motion by Graettinger, seconded by Solberg to introduce and approve Resolution 4-30-2019(B) as follows:

**RESOLUTION #04-30-2019 (B)  
APPROPRIATION CHANGES  
FY 2018-2019**

WHEREAS, Section 331.434 (6) 2013 Code of Iowa, authorizes the Board of Supervisors to transfer appropriated monies within a service area, without amending the budget;

WHEREAS, such a transfer is necessary to correct current budget expenditures within certain departments;

NOW THEREFORE BE IT RESOLVED by the Palo Alto County Board of Supervisors to authorize the appropriation transfers within the same service area as follows:

SECTION I: The total sum of \$5,000 is ordered transferred from the Lake Restoration decreasing the appropriations in the dollar amounts and Department 99 in the General Basic Fund, Service Area 6 as follows:

\$5,000                      Lake Restoration

Line Item: 01000 06030 496 99 610      From \$10,000 to \$5,000

SECTION 2: The total sum of \$5,000 as detailed above is ordered transferred to the Animal Bounties budget, increasing the appropriations in the dollar amounts and Department 99, General Basic Fund, Service Area 6 as follows:

\$5,000

Animal Bounties

Line Item: 01000 06000 494 99 From \$3,000 to \$8,000

Adopted this 30<sup>th</sup> day of April, 2019, by the Palo Alto County Board of Supervisors, with the vote thereon being as follows:

Ayes: Graettinger, Wirtz, Solberg, Faulstick, Merrill.

Nays: none

Resolution Carried.

/s/Craig Merrill, Chair

/s/Carmen Moser, Auditor

Motion by Graettinger, seconded by Wirtz to approve hiring Jennifer Meyer as part time Administrative Assistant for county conservation at \$16.50 per hour effective May 1<sup>st</sup>, 2019. Motion Carried.

Lynn Schultes, County Sheriff, met with the Board. Lynn recommended approval of Kyle Hagen to fill the vacancy in the Sheriff's Department as Deputy Sheriff.

Motion by Faulstick, seconded by Solberg to approve hiring Kyle Hagen as Deputy Sheriff at \$53,264 annually effective June 1<sup>st</sup>, 2019. Motion Carried.

Brett Antczak, PACHS, met with the Board to give an update on Behavioral Health Services at the Palo Alto County Hospital. Brett requested consideration of funds for additional services due to the closing of Compass Pointe.

Carmen Moser, Auditor, gave an update on the combined City/School Election and HF 566. The combined city/school election will be held on November 5<sup>th</sup>, 2019. The polls will be open from 7:00 a.m. to 8:00 p.m. Voters will vote at their assigned General Election precincts. Absentee ballots will be available at the County Auditor's Office and by mail. Present: David Kirk, Billie Jo Joyce; Therese Geelan & Jordan Morey, Auditor's Office.

The Board held a conference call with Bob Goodwin, Attorney, regarding Drainage District No. 180 Lateral 1 Tile. The conference call was in Closed Session under Iowa Code Section 21.5(1)(c).

Motion by Graettinger, seconded by Solberg to go into Closed Session at 10:09 a.m. under Iowa Code Section 21.5(1)(c). Ayes: Wirtz, Faulstick, Solberg, Merrill, Graettinger. Nays: none. Motion Carried.

The Board exited closed session at 10:19 a.m.

Committee Reports: Ron Graettinger—Upper Des Moines; Roger Faulstick—preconstruction meeting DD 180; Craig Merrill—NW Iowa Care Connections.

Motion by Wirtz, seconded by Graettinger to adjourn. Motion Carried.

---

Craig Merrill, Chairman

---

Carmen Moser, County Auditor