

March 1, 2016

The Lee County Board of Supervisors met on Tuesday, March 1, 2016, at 9:00 a. m. at the Correctional Center.

Present: Ron Fedler, Rick Larkin, Matt Pflug, Don Hunold and Gary Folluo.

All votes are unanimous unless otherwise indicated.

The Board opened the meeting by reciting the Pledge of Allegiance.

Moved by Folluo, seconded by Larkin, to approve the agenda. Motion carried.

Moved by Pflug, seconded by Hunold, to approve the February 23, 2016 Board minutes. Motion carried.

Moved by Folluo, seconded by Larkin, to approve the payment of claims. Motion carried.

There was no Public Input.

Lee County Auditor Denise Fraise administered the Oath of Office to Nikki Sugars, First Deputy Auditor.

Moved by Folluo, seconded by Hunold, to approve Resolution #2016-64. Roll call: Folluo-aye, Hunold-aye, Pflug-aye, Larkin-aye and Fedler-aye.

#### Resolution #2016-64

Resolution approving a Bond Purchase Agreement for the sale of General Obligation Refunding Bonds, Series 2016

WHEREAS, the Board of Supervisors (the "Board") of Lee County, in the State of Iowa (the "County"), heretofore proposed to enter into one or more general obligation refunding loan agreements (collectively, the "Loan Agreement") in an aggregate principal amount not to exceed \$6,300,000 pursuant to the provisions of Section 331.402 of the Code of Iowa, for the purpose of paying the cost, to that extent, of (i) refunding the outstanding principal amount of the County's General Obligation Solid Waste Disposal Bonds, Series 2007, (ii) refunding the outstanding principal amount of the County's General Obligation Jail Bonds, Series 2008, and (iii) paying the cost of issuance, and has published notice of such proposal and has held a hearing thereon; and

WHEREAS, a Preliminary Official Statement (the "P.O.S.") has been prepared to facilitate the sale of the County's General Obligation Refunding Bonds, Series 2016 (the "Bonds"), and the Board has made provision for the approval of the P.O.S. and has authorized its use by Piper Jaffray & Co., Minneapolis, Minnesota as Underwriter (the "Underwriter"); and

WHEREAS, a certain Bond Purchase Agreement (the "Bond Purchase Agreement") has been prepared to set forth the terms of the Bonds and the understanding between the County and the Underwriter with respect to the purchase thereof, and it is now necessary to make provision for the approval of the Bond Purchase Agreement;

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

Section 1. The Bond Purchase Agreement is hereby approved in substantially the form as presented to this Board. The Chairperson and County Auditor are hereby authorized and directed to execute and deliver the Bond Purchase Agreement to the Underwriter.

Section 2. All resolutions and orders or parts thereof in conflict with the provisions of this resolution, to the extent of such conflict, are hereby repealed.

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

Passed and approved March 1, 2016.

/s/ Ron Fedler, Chairperson, Board of Supervisors. Attest: /s/ Denise Fraise, County Auditor. Motion carried.

Moved by Pflug, seconded by Folluo, to approve a Dissemination Agent Agreement for Secondary Market Disclosure with Piper Jaffray. Motion carried.

Moved by Larkin, seconded by Pflug, to replace a full-time Deputy in the Sheriff's Office. Motion carried.

Moved by Hunold, seconded by Folluo, to award a bid for replacing chiller pumps at the South Lee Courthouse, to Midwest Industrial Services, Keokuk, in the amount of \$15,237.00. Motion carried. Other bids were received from Keokuk Contractors, Keokuk, in the amount of \$35,700.00 and from Millard and Company, Keokuk, in the amount of \$41,052.00.

Moved by Pflug, seconded by Larkin, to approve Resolution #2016-65. Roll call: Pflug-aye, Larkin-aye, Hunold-aye, Folluo-aye and Fedler-aye.

Resolution #2016-65

RESOLUTION APPOINTING TITLE VI COORDINATOR FOR THE COUNTY OF LEE

Lee County hereby appoints Michelle Reed, Benefits Coordinator as the Title VI Coordinator for Lee County. The coordinator will be responsible for implementing and monitoring the local public agency's Title VI program per the agreement, and is the representative for issues and actions pertaining to the agreement.

Passed and Approved this 1<sup>st</sup> day of March, 2016.

/s/ Ron Fedler, Chairman. Attest: /s/ Denise Fraise, Auditor.

Moved by Hunold, seconded by Larkin, to approve Standard DOT Title VI Assurances and a Title VI Non-Discrimination Agreement with the Iowa Department of Transportation. Motion carried.

Moved by Pflug, seconded by Hunold, to approve Family Farm Credits for the 2015 Assessment Year. Motion carried.

Moved by Hunold, seconded by Larkin, to approve Resolution #2016-62. Roll call: Hunold-aye, Larkin-aye, Pflug-aye, Folluo-aye and Fedler-aye.

Resolution #2016-62

RESOLUTION SETTING PUBLIC HEARING ON A PROPOSAL TO CONVEY CERTAIN PROPERTY CONSISTING OF FORMERLY VACATED STREETS WITHIN THE UNINCORPORATED TOWN OF CHARLESTON, LEE COUNTY, IOWA

**WHEREAS**, the Lee County Board of Supervisors by Resolution number 23 dated January 29, 1979, vacated certain streets and alleys within the unincorporated area of the town of Charleston according to the plat filed; and

**WHEREAS** that the vacation of streets in 1979 occurred in accordance with sections 306.10 through section 306.16, Code of Iowa, 1979; and

**WHEREAS**, in 1979 the County vacated streets but did not purport to convey any interest that it may have had in the platted streets to the adjoining landowners; and

**WHEREAS**, in 1990 the legislature adopted a new set of procedures for vacating and conveying the streets which is now statutorily contained in section 354.23, Code of Iowa.

**NOW THEREFORE BE IT RESOLVED** as follows: The vacation of certain public streets in the unincorporated area of Charleston, Lee County, Iowa as adopted by Resolution 23 dated January 29, 1979, is adopted and reaffirmed.

The Board now resolves to convey the property so vacated to the surrounding landowners as follows:

1. For properties adjoining the boundary of the incorporated area the property owner shall be conveyed the entire width of the road immediately adjoining their property to the boundary line of said original town of Charleston unless the same be presently used as a public street or road.

2. Except as provided above, property owners are conveyed vacated streets and alleys to the center line of such vacated streets and alleys.

Upon approval of this Resolution the order approving the Resolution will serve as deed to the property.

A public hearing will be scheduled for the 15th day of March, 2016, at 9:01 o'clock a.m. on whether the Board should adopt the resolution herein proposed.

The Notice of Public Hearing will be published in accordance with section 331.305; and in addition to publication the Auditor is directed to mail notices of this action to the present property owners proposed to be affected by this resolution.

Dated this the 1st day of March, 2016.

LEE COUNTY BOARD OF SUPERVISORS. /s/ Ron Fedler, Chairman; /s/ Matt Pflug, Vice-Chair; /s/ Don Hunold, Member; /s/ Gary Folluo, Member and /s/ Rick Larkin, Member. Attest: /s/ Denise Fraise, Lee County Auditor. Motion carried.

Moved by Pflug, seconded by Larkin, to approve Resolution #2016-63. Roll call: Pflug-aye, Larkin-aye, Folluo-aye, Hunold-aye and Fedler-aye.

Resolution #2016-63

**WHEREAS**, the Board of Supervisors of Lee County has by Ordinance Number VI-11 adopted a plan for a County-wide Urban Revitalization Tax Exemption District in Lee County, Iowa; and,

**WHEREAS**, Iowa Code Section 404.4 provides for prior approval of eligibility for a tax exemption by the governing body of the County;

**NOW, THEREFORE, BE IT RESOLVED** BY THE BOARD OF SUPERVISORS OF LEE COUNTY, IOWA, that they hereby approve the application of: **Iowa County Equipment 405 Denning Street Houghton IA 52631**

For exemption from taxation according to the provisions of Iowa Code Section 404.3, §3. Said applications shall be forwarded to the County Assessor for review pursuant to the provisions of Section 404.5 Code of Iowa.

**PASSED AND APPROVED** this 1st day of March, 2016.

LEE COUNTY BOARD OF SUPERVISORS. /s/ Ron Fedler, Chairman; /s/ Matt Pflug, Vice-Chair; /s/ Don Hunold, Member; /s/ Gary Folluo, Member and /s/ Rick Larkin, Member. Attest: /s/ Denise Fraise, Lee County Auditor. Motion carried.

Moved by Pflug, seconded by Hunold, to approve the following Personnel Actions: step increase for Recorder's Office employee Dena Nabors, Records Clerk, from Class III Step 2 \$13.90/hr. to Class III Step 3 \$14.31/hr., effective 3/16/16 and corrected step increase for Treasurer's Office employee Chastity Kearns, Records Clerk, from Class III Step 1 \$13.53/hr. to Class III Step 2 \$13.90/hr., effective 2/26/16. Motion carried.

Received and filed the Commission of Veteran Affairs Minutes of Meeting for January 26, 2016.

Committee Reports: Larkin reported on an Emergency Management Budget Hearing, an Assessor's Conference Board Budget Hearing, a Workforce Development Board meeting and a Lee County Economic Development Breakfast. Hunold and Pflug attended the Budget Hearings and also a meeting of the Employee Insurance Committee. Folluo reported on a Regional Planning Budget meeting, a Regional Planning Board meeting and a Legislative Forum. Folluo attended the Budget Hearings and the Economic Development Breakfast.

At 9:45 a.m., a motion was made by Folluo, seconded by Pflug, to adjourn. Motion carried. The next meeting will be Tuesday, March 8, 2016 at 9:00 a.m. at the Correctional Center.

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Ron Fedler, Chairman

Attest: \_\_\_\_\_

Denise Fraise, Lee County Auditor