

March 6, 2023

Tenth Day

The Worth County Board of Supervisors met pursuant to adjournment with Enos Loberg, A.J. Stone and Mark Smeby present. All members voting “AYE” unless noted.

Meeting called to order by Loberg, followed by the Pledge of Allegiance.

Motion Smeby/Second Stone to approve today’s agenda and minutes from the February 27, 2023 meeting. Motion carried.

Motion Smeby/Second Stone to approve Resolution 2023-04. Roll call: Smeby – Aye; Stone – Aye; Loberg – Aye. Motion carried.

RESOLUTION 2023-04
APPROVAL OF THE THRUSH AVENUE PAVING PROJECT and COUNTY ENGINEER
AUTHORIZATION TO SIGN CONTRACT DOCUMENT IN DOC EXPRESS

WHEREAS, the Board of Supervisors of Worth County, Iowa, hereafter referred to as “the Board”, believes the **THRUSH AVENUE PAVING PROJECT, STP-E-C098(84)—5E-98**, hereafter referred to as “the project” is in the best interest of Worth County, Iowa, and the residents there of. The project is defined as **HMA RESURFACING WITH COLD-IN-PLACE RECYCLING**; and

WHEREAS, the Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and

WHEREAS, the Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Worth County and its citizens, all as provided for in and permitted by section 331.301 of the Code of Iowa; and

IT IS THEREFORE RESOLVED by the Board to accept the bid from **ULLAND BROTHERS, INC.**, in the amount of **\$1,899,379.88**, and awards the associated contract to the same;

BE IT FURTHER RESOLVED all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of the Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the dated of its approval as provided by law;

BE IT FURTHER RESOLVED by the Worth County Board of Supervisors, that, after receiving the necessary contract documents, including but not limited to, the contractor’s bond and certificate of insurance, Richard C. Brumm, the County Engineer for Worth County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county.

Adopted this 6th day of March, 2023.

The vote on the resolution:

Aye: Smeby, Stone, Loberg

Nay: N/A

Abstain: N/A

Enos Loberg, Chair, Board of Supervisors

ATTEST: Jacki A. Backhaus, County Auditor

Motion Stone/Second Smeby to approve claims in the amount of \$159,818.82 as per the following schedule. Motion carried.

A.H. Hermel Vending & Foodservice	Supplies-Shf	16.56
Access Systems Leasing	Service-Dap	99.51
Aramark	Service-Gsr	107.16
Austin Office Products	Supplies-Shf	114.85
Berge Oil Company	Fuel-Eng	13,270.80
Black Hills Energy Inc	Service-Eng	3,029.33
Brian M Kuchay, Md	Ems Contract	100.00
Carquest Auto Parts Inc	Supplies-Shf	17.98
Cintas Corporation	Supplies-Eng	277.96
City Of Fertile	Rutf-Eng	1,650.45
City Of Grafton	Rutf-Eng	983.47
City Of Hanlontown	Rutf-Eng	428.66
City Of Joice	Rutf-Eng	1,095.20
City Of Kensett	Rutf-Eng	546.58
City Of Manly	Service-Eng	56.00
Forest City Ford, Inc.	Vehicle-Shf	76,550.00
Hanlontown Fire Dept	Service-911	1,901.95
Hawkeye Community College	Edu-Shf	200.00
Heartland Business Systems, Llc	Service-Dap	10.00
Huber Supply Co Inc	Supplies-Eng	213.97
I35/105 Welcome Center Inc.	Fy23 3rd Qtr H/M Tax-Ndp	5,500.38
Iaccvso	Edu-Vaf	60.00
Ip Pathways	Service-Dap	239.00
Joe's Collision & Performance Inc	Service-Shf	110.28
Kari Osheim	Meeting-Asr	20.70
Kings Radiator	Service-Eng	81.25
Knudtson Automotive Service	Service-Eng	2,711.07
Lair's 66	Fuel-Eng	55.00
Lawson Products Inc	Supplies-Eng	126.24
Lea Mobile Glass Inc	Service-Eng	301.00
Mail Services Llc	Supplies-Trs	351.18
Marco Technologies Llc	Service-Dap	88.88
Mark Thoma	Meeting-Asr	24.24
Midwest Wheel Companies Inc	Parts-Eng	194.70
Napa Auto Parts	Supplies-Eng	17.92
Northwood Sanitation Llc	Service-Gsr & Eng	371.50
Performance Food Service	Supplies-Shf	574.68
Pitney Bowes	Supplies-Trs	105.00
Powerplan	Service-Eng	13,500.00
R80 Llc	Fuel-Gsr	21.37
Reserve Account	Postage-Asr	2,669.52
Sorenson's Appliance & Tv	Service-Shf	247.00

Veenstra & Kimm, Inc	Service-Cap	163.00
Verizon Wireless	Service-It/Gis	143.15
Winnebago Coop Telephone Assn	Service-Eng	221.04
Winn-Worth Betco	Fy23 3rd Qtr H/M Tax-Ndp	8,250.58
Worth Co Historical Society	Fy23 3rd Qtr H/M Tax-Ndp	5,500.38
Worth County Fair	Fy23 3rd Qtr H/M Tax-Ndp	8,250.58
Ziegler Inc	Service-Eng	<u>9,248.75</u>
	Grand Total	159,818.82

Motion Stone/Second Smeby to approve the monthly sheriff's report. Motion carried.

Motion Smeby/Second Stone to approve the FY24 ISAC Benefits Renewal. Motion carried.

Motion Stone/Second Smeby to approve the Legal Services Engagement Letter - \$6,000,000 between Worth County Iowa and Dorsey & Whitney LLP. Motion carried.

Motion Smeby/Second Stone to approve appointment of Stephanie Hengesteg, Amy Jorgensen and Callie Flattum as deputy treasurers per treasurer, Jake Hanson. Motion carried.

Motion Smeby/Second Stone to approve Resolution 2023-05. Roll call: Smeby – Aye; Stone – Aye; Loberg – Aye. Motion carried.

RESOLUTION NO. 2023-05

Resolution to fix a date for public hearing on proposal to enter into a General Obligation Urban Renewal Loan Agreement and to borrow money thereunder

WHEREAS, the Board of Supervisors (the "Board") of Worth County, Iowa (the "County"), proposes to enter into a General Obligation Urban Renewal Loan Agreement (the "Loan Agreement") and to issue general obligation bonds in a principal amount not to exceed \$6,000,000 pursuant to the provisions of Subsection 331.441(2)(b)(14), Section 331.402, Section 331.442, and Chapter 403 of the Code of Iowa, for the purpose of paying the cost, to that extent, of undertaking aspects of the Worth County Road, Bridge and Culvert Improvement Projects, an urban renewal program of the County which was authorized by action of the Board of Supervisors on October 17, 2022 (the "Project"), and in lieu of calling an election thereon, the County desires to institute proceedings to enter into the Loan Agreement by causing a notice of such proposal to be published, including notice of the right to petition for an election, under the provisions of Section 331.442(5) of the Code of Iowa; and it is now necessary to fix a date of meeting of the Board of Supervisors at which it is proposed to take action to enter into the Loan Agreement and to give notice thereof as required by such law;

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

Section 1. This Board will meet on March 27, 2023, at the Supervisors' Room, Worth County Courthouse, Northwood, Iowa, at 9 o'clock a.m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Loan Agreement.

Section 2. The County Auditor is hereby directed to give notice of the proposed action on the Loan Agreement and setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once and not less than 10 and not more than 20 days before the date selected for the meeting, in a legal newspaper which has a general circulation in the County. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO ENTER INTO A LOAN
AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO
EXCEED \$6,000,000
(GENERAL OBLIGATION)

The Board of Supervisors of Worth County, Iowa, will meet on March 27, 2023, at the Supervisors' Room, Worth County Courthouse, Northwood, Iowa, at 9 o'clock a.m., for the purpose of instituting proceedings and taking action on a proposal to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$6,000,000 for the purpose of paying the costs, to that extent, of undertaking aspects of the Worth County Road, Bridge and Culvert Improvement Projects, an urban renewal program of the County which was authorized by action of the Board of Supervisors on October 17, 2022.

The Loan Agreement is proposed to be entered into, and bonds will be issued thereunder, pursuant to authority contained in Section 331.402 and Section 331.441(2)(b)(14) of the Code of Iowa. The Loan Agreement and the bonds will constitute general obligations of the County.

At that time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the County may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

At any time before the date fixed for taking action to enter into the Loan Agreement, a petition may be filed with the County Auditor asking that the question of entering into the Loan Agreement be submitted to the registered voters of the County, pursuant to the provisions of Section 331.441(2)(b)(14) of the Code of Iowa.

By order of the Board of Supervisors of Worth County, Iowa.

Jacki Backhaus
County Auditor

Section 3. Pursuant to Section 1.150-2 of the Income Tax Regulations (the "Regulations") of the Internal Revenue Service, the County declares (a) that it intends to undertake the Project which is reasonably estimated to cost approximately \$6,000,000, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of bonds, notes or other obligations (the "Bonds"), or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the County, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Project have heretofore been made by the County and no expenditures will be made by the County until after the date of this Resolution or a prior intent resolution of the County, and (c) that the County reasonably expects to reimburse the expenditures made for costs of the County out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This resolution shall be in full force and effect immediately after its adoption and approval, as provided by law

Passed and approved March 6, 2023.

Enos Loberg, Chairperson, Board of Supervisors

Attest: Jacki A. Backhaus, County Auditor

Motion Stone/Second Smeby, carried to adjourn at 9:08 A.M. Motion carried.

Jacki A. Backhaus
Auditor

Enos Loberg
Chairperson