

November 28, 2011

The Winnebago County Board of Supervisors met in session at 9:00 A.M. November 28, 2011, adjourned from November 21, 2011.

Present: Supervisors Stensrud, Durby, and Wubben

On a motion by Durby and seconded by Stensrud the Supervisors moved to approve the minutes for the November 21, 2011 Board Meeting and approve the agenda for the November 28, 2011 meeting. All voted aye. Motion carried.

The following claims were approved and ordered to be paid.

Advanced Drainage System Inc	Supplies	204.43
Alliant Energy	Utilities	233.48
Barnes Distribution	Supplies	2,223.91
BMC Aggregates LLC	Supplies	15,832.87
Cintas Fas Lockbox 636525	Supplies	1,278.00
City Of Buffalo Center	Utilities	24.17
Crysteel Truck Equipment	Parts	649.83
Dan Corbin Inc	Services	11,084.00
Dave Syverson Ford	Parts	1,816.28
Diamond Mowers Inc	Parts	365.50
Electronic Engineering Company	Supplies	148.00
Energy Sales Inc	Supplies	302.50
Farm & Home Publishers	Plat Book	28.20
Fastenal	Supplies	410.50
Heartland Asphalt Inc	Services	4,085.00
Heartland Power	Utilities	399.00
Heartland Power	Services	3,995.00
Holland Contracting Inc	Services	1,440.00
Iowa Prison Industries	Supplies	79.70
Mason City Overhead Door	Services	1,459.48
Mercy Clinics	Services	60.00
Merryman Bridge Construction	Bridge Replacement	55,873.65
Randall Ready Mix LLC	Supplies	370.50
Ron's LP Gas Service	Fuel	5,765.50
St Lukes Center For Occupation	Services	111.00
United States Cellular	Services	61.15
Abbott, Marvin	Poll Worker	130.76
Alliant Energy	Utilities	34.88
Ambroson, Judy	Poll Worker	105.03
Anderson, Judith	Poll Worker	119.63
Austin Office Products	Supplies	275.19
Bachman, Ruth	Poll Worker	119.63
Bankers Trust	Interest On Bond	370,926.25
Bartleson, Debra	Meeting	50.00
Bartleson, Joann L	Poll Worker	127.13
Benson, Jane	Poll Worker	80.64

Bileu, Keith	Well Repair	300.00
Bills Family Foods	Supplies	1,083.46
Black Hills Energy	Utilities	314.80
BMC Aggregates LLC	Supplies	243.20
Bob Barker Co	Supplies	52.62
Boettcher, Lavonne	Poll Worker	138.73
Bomgaars	Supplies	99.05
Borchardt, Melba E	Poll Worker	29.00
Brown, Clarice	Poll Worker	95.08
Brudvig, Vivian	Poll Worker	79.76
Buffington, Janice	Poll Worker	119.63
Cantu, Ruben	Poll Worker	127.13
Caputo, John	Mileage	301.25
Carlson, Mary	Poll Worker	110.28
CCMS	Services	187.00
Century Link	Telephone	14.00
Cerro Gordo Co Sheriff	Services	1,828.32
Champney, Amanda	Election Aide	635.30
Christianson, Joan	Poll Worker	108.49
City Of Forest City	Utilities	142.73
Clear Lake Pharmacy	Supplies	60.72
Crescent Electric Supply Co	Supplies	57.21
Culligan	Services	19.65
Devco Realty	Rent	175.00
Deyta LLC	Services	90.00
Duncan Heights Inc	Services	10,943.31
Duve, Melissa	Poll Worker	98.38
Dyste, Sonya	Poll Worker	119.63
E B S	Health Ins	67,693.29
Ed Roehr Safety Products	Supplies	731.15
Eggert, Erb, & Mulcahy Plc	Services	60.00
Electronic Engineering	Services	67.45
Ellwood, Ardis J	Poll Worker	10.88
Fardal, Deb	Services	67.50
Farmers Coop Assn	Fuel	2,855.85
Fiala Office Products	Maintenance Contract	142.53
Fleet Fueling	Fuel	55.69
Floyd & Leonard Auto Electric	Supplies	961.00
Forest City Auto	Services	410.02
Forest City Foods	Jail Food	273.52
Forest City Ford	Services	281.42
Forest City Post Office	Postage	264.00
Francis Lauer Youth Svcs	Services	2,892.30
Friesenborg, Linda	Poll Worker	102.01
G & H Motor Parts	Supplies	292.41
Garland, Phil	Services	78.00
Glover, Elizabeth	Poll Worker	76.13
Griffiths, Carol	Poll Worker	76.13
Hall, Marjorie A	Well Repair	300.00
Hancock Co Auditor	Case Mgmt Reimbursement	67.97

Hancock Co Sheriff	Services	671.60
Hansen Hardware	Supplies	4.49
Hansen, Joan	Poll Worker	127.13
Hauan, Sharon	Poll Worker	94.25
Heartland Power	Utilities	363.74
Heiman Fire Equipment	Services	207.50
Henry M Adkins & Son Inc	Supplies	4,897.42
Hoffman, Marilyn	Rent	200.00
Holland, Ron	Storage Unit Rent	270.00
Hotsy Corp	Services	87.77
IAAO	Dues	350.00
Iowa Co Attorneys Assn	Education	270.00
Iowa Dept Of Human Services	Services	2,125.86
Iowa Dept Of Human Svc- ICF/MR	Services	32,697.73
Iowa Dept Of Human Svc-Enhance	Services	2,142.89
Iowa Dept Of Human Svc-MR Waiv	Services	29,464.76
Iowa Dept Of Transportation	Supplies	266.00
Iowa DNR	Well Permits	100.00
Iowa Farm Bureau	Supplies	11.00
Iowa Prison Industries	Supplies	213.35
Iowa State Sheriff & Dep Assn	2012 Dues	100.00
Iowa State University	Supplies	377.00
Iwireless	Telephone	218.73
Jenkins, Sandra	Poll Worker	119.63
Jensen, Deb	Mileage	138.84
Jessen, Julie	Services	37.50
Johns, Wayne	Poll Worker	127.13
Jordahl, Linda	Poll Worker	29.00
Kaisers Auto Repair	Services	357.50
Keller MD, Pamela E	Medical Examiner Fee	150.00
Knapper Oil	Fuel	20.00
Krysilis	Services	1,080.86
Lake Mills Lumber Co	Supplies	85.00
Lake Mills Motor Sports Inc	Supplies	30.99
Langerud, Tom	Poll Worker	31.00
Language Line Services	Services	7.60
Larson Printing Co	Supplies	279.77
Lyle Signs Inc	Supplies	160.20
Malek, Laura	Mileage	308.83
Marriott Cedar Rapids	Hotel For Training	105.28
Marshall & Swift	Services	9.92
Martinson, Ben	Services	555.00
Mason City Business Systems	Maintenance Contract	106.66
Mason City Clinic	Services	544.00
Matheson, Ruth H	Poll Worker	68.88
McSorley, David	Services	2,318.27
Medline Industries Inc	Supplies	325.65
Mental Health Ctr Of North IA	Services	5,423.92
Mercy Medical Center North IA	Services	1,519.16
Meyering, Karen L	Poll Worker	126.39

Monson, Karen C	Poll Worker	119.63
Murra, Dennis	Meeting	70.47
Next Generation Technologies	Services	2,072.64
NG-911	Services	353.08
Niederkofler, Karla	Mileage	64.17
North Iowa Broadcasting Inc	Advertising	100.00
North Iowa Media Group	Advertising	1,916.25
North Iowa Septic Solutions	Services	300.00
North Iowa Transition Center	Services	467.00
North Iowa Vocational Center	Services	1,050.60
Office Depot	Supplies	62.12
Olsen, Mary Ann	Poll Worker	133.57
Pamida Inc	Supplies	57.44
Pamida Pharmacy	Supplies	23.19
Parmater, Benjamin	Mileage	368.46
Pathology Associates	Services	1,200.00
Pederson, Marilyn	Poll Worker	19.94
Peterson, David	Meeting	64.68
Peterson, Patricia	Poll Worker	119.63
Pilgrim-Bosma, Navonne	Poll Worker	102.01
Professional Developers Of IA	2012 Dues	290.00
Rosen, Sharon	Poll Worker	95.62
RSM McGladrey Inc	Services	69.00
Ryerson, Mary	Poll Worker	112.25
Schmidt, Debra	Poll Worker	102.90
Schreiner, Paula	Poll Worker	110.28
Schumacher Elevator Company	Services	181.27
Shopko Pharmacy	Supplies	59.62
Skjeie, Shelly	Rent	200.00
Sorenson, Mary	Poll Worker	149.89
Staples Credit Plan	Supplies	45.36
Steffensen, Beverly	Poll Worker	119.63
Sunde, Carolyn	Poll Worker	119.63
Swanson, Dorene	Services	42.00
Thompson Courier-Rake Reg	Advertising	70.00
Thomson West	Services	283.58
Thurston, Elaine	Poll Worker	10.88
Titonka Savings Bank	Supplies	15.00
University Of Iowa	Lead Test	11.00
Verizon Wireless	Telephone	66.55
Visa	Supplies	803.00
Vold, Juanita	Poll Worker	29.00
Wagner Tire	Services	10.00
Ward-Van Slyke Colonial Chapel	Services	350.00
Waste Mgmt Of WI-MN	Services	157.89
Weinberg, Theresa	Services	58.00
Wempen, Kris	Mileage	27.59
West Fork Services Inc	Services	575.50
White, Kelly	Mileage	59.63
Windstream	Telephone	497.21

Winnebago Co Auditor	Plat Book	25.00
Winnebago Co Extension Service	Services	45.00
Winnebago Co Fair Assn	Transfer	3,399.25
Winnebago Co Secondary Roads	Repairs	1,192.50
Winnebago Co Sheriff	Services	438.08
Winnebago Co Treasurer	Drainage Taxes	3,256.69
Winnebago Coop Telecom	Telephone	1,687.95
WinnTech Central	Supplies	1,146.99
Young, Harriet	Poll Worker	157.13

On a motion by Durby and seconded by Stensrud the Supervisors moved to approve the 2011 Winnebago County Weed Commissioners Report. All voted aye. Motion carried.

MINUTES TO SET DATE FOR
HEARINGS ON ENTERING INTO A
LOAN AGREEMENT AND PLEDGING
INCREMENTAL PROPERTY TAX
REVENUES

452737-6

Forest City, Iowa

November 28, 2011

The Board of Supervisors of Winnebago County, Iowa, met on November 28, 2011, at 9:00 o'clock a.m., at the Winnebago County Courthouse, Forest City, Iowa. The Chairperson presided and the roll was called showing the following members of the Board present and absent:

Present: Durby, Wubben, Stensrud.

Absent: None.

Supervisor Durby introduced a resolution hereinafter next set out related to borrowing funds for planning, undertaking, and carrying out projects in the Winnebago County UR-2 Economic Development Urban Renewal Area consisting of improvements to county roads, and moved its adoption, seconded by Supervisor Stensrud; and after due consideration thereof by the Board, the Chairperson put the question upon the adoption of the said resolution and the roll being called, the following named Supervisors voted:

Ayes: Stensrud, Durby, Wubben.

Nays: None.

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

RESOLUTION NO. 11-28-11-01-01

Resolution to fix a date for public hearings on a loan agreement and on a pledge of tax increment revenues

WHEREAS, the Board of Supervisors (the "Board") of Winnebago County, Iowa (the "County") has established the Winnebago County UR-2 Economic Development Urban Renewal Area (the "Urban Renewal Area") and has adopted an ordinance providing for the division of revenues produced from taxable property within the Urban Renewal Area; and

WHEREAS, the Board proposes to enter into a loan agreement (the "Loan Agreement") in a principal amount not to exceed \$5,500,000 pursuant to the provisions of Sections 331.402, 331.441 and 403.9 of the Code of Iowa for the purpose of paying the cost, to that extent, of planning, undertaking, and carrying out projects in the Urban Renewal Area consisting of improvements to county roads and the Board proposes 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, pursuant to Section 331.443; and

WHEREAS, pursuant to the provisions of Chapter 403 of the Code of Iowa, the Board proposes to pledge certain incremental property tax revenues to be derived from the Urban Renewal Area (the "Tax Increment Pledge") in order to provide additional security for the County's obligations to be incurred under the Loan Agreement; and

WHEREAS, it is necessary to fix a date of meeting of this Board at which it is proposed to take action to enter into the Loan Agreement and to consider approval of the Tax Increment Pledge and to give notice thereof as required by law;

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

Section 1. This Board shall meet on the 19th day of December, 2011, at the Winnebago County Courthouse, Forest City, Iowa, at 10:00 o'clock a.m., at which time and place hearings will be held and proceedings will be instituted and action taken to enter into the Loan Agreement and to approve the Tax Increment Pledge.

Section 2. The County Auditor is hereby directed to give notice of the proposed action on the Loan Agreement, setting forth the amount and purpose thereof, the time when and place where the meeting will be held, by publication at least once and not less than 10 nor more than 20 days before the meeting, in a legal newspaper of general circulation in the County, in substantially the following form:

NOTICE OF PROPOSED ACTION TO ENTER INTO A LOAN AGREEMENT
IN A PRINCIPAL AMOUNT NOT TO EXCEED \$5,500,000

The Board of Supervisors of Winnebago County, Iowa, will meet on the 19th day of December, 2011, at the Winnebago County Courthouse, Forest City, Iowa, at 10:00 o'clock a.m., for the purpose of holding a hearing and taking action to enter into a loan agreement (the "Loan Agreement") in a principal amount not to exceed \$5,500,000 for the purpose of paying the cost, to that extent, of planning, undertaking, and carrying out projects in the Winnebago County UR-2 Economic Development Urban Renewal Area consisting of improvements to county roads.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Sections 331.402, 331.441, 331.443 and 403.9 of the Code of Iowa. The Loan Agreement will constitute a general obligation of the County.

The maximum rate of interest which may be paid under the Loan Agreement is 7% per annum.

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.

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

Karla Niederkofler
County Auditor

Section 3. The County Auditor is hereby directed to give notice of the proposed action on the Tax Increment Pledge, setting forth the amount and purpose thereof, the time when and place where the meeting will be held, by publication at least once and not less than 4 nor more than 20 days before the date of the meeting, in a legal newspaper of general circulation in the County, in substantially the following form:

NOTICE OF MEETING TO APPROVE PLEDGE OF INCREMENTAL PROPERTY TAX
REVENUES

The Board of Supervisors (the "Board") of Winnebago County, Iowa, will meet at the Winnebago County Courthouse, on the 19th day of December, 2011, at 10:00 o'clock a.m., at which time and place a hearing will be held and action taken for the approval of a pledge of incremental property tax revenues to be derived from the Winnebago County UR-2 Economic Development Urban Renewal Area (the "Urban Renewal Area") in a principal amount not to exceed \$5,500,000 (the "Tax Increment Pledge") as authorized by Section 403.9 of the Code of Iowa. The Tax Increment Pledge will be made for the purpose of providing additional security for the County's proposed issuance of General Obligation Urban Renewal County Road Improvement Bonds (the "Bonds") to be issued in a principal amount not to exceed \$5,500,000 under a Loan Agreement, pursuant to the provisions of Sections 331.402 and 331.441 of the

Code of Iowa, for the purpose of paying the cost, to that extent, of planning, undertaking and carrying out projects in the Urban Renewal Area consisting of improvements to county roads.

The Tax Increment Pledge will not constitute a general obligation of the County, but will be payable solely and only from incremental property tax revenues generated within the Urban Renewal Area.

At the meeting, the Board will receive oral or written objections from any resident or property owner of the County. Thereafter, the Board may, at the meeting or at an adjournment thereof, take additional action to approve the Tax Increment Pledge.

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

Karla Niederkofler
County Auditor

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

Passed and approved November 28, 2011.

(Signed)

Chairperson, Board of Supervisors

Attest:

(Signed)
County Auditor

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On motion and vote, the meeting adjourned.

(Signed)
Chairperson, Board of Supervisors

Attest:

(Signed)
County Auditor

STATE OF IOWA

SS:

WINNEBAGO COUNTY

I, the undersigned, County Auditor of Winnebago County, do hereby certify that attached hereto is a true and correct copy of the proceedings of the Board of Supervisors relating to fixing a date for hearings on the Board's proposal to take action in connection with a loan agreement and on a pledge of incremental property tax revenues, as referred to therein.

WITNESS MY HAND this 28th day of November, 2011.

(Signed)
County Auditor

STATE OF IOWA

SS:

WINNEBAGO COUNTY

I, the undersigned County Auditor of Winnebago County, do hereby certify that the County is organized and operating under the provisions of Title IX of the Code of Iowa and that there is not pending or threatened any question or litigation whatsoever touching the organization or existence of the County, the inclusion of any territory within its limits or the incumbency in office of any of the officials hereinafter named.

And I do further certify that the following named parties are officials of the County as indicated:

(Signed) _____, Supervisor/Chairperson

(Signed) _____, County Auditor

(Signed) _____, County Treasurer

(Signed) _____, Supervisor

(Signed) _____, Supervisor

WITNESS MY HAND this 28th day of November, 2011.

(Signed) _____
County Auditor

Beth Bilyeu, Forest City Economic Development, discussed the extension of the TIF agreement with Prairie View Land Company. On a motion by Durby and seconded by Stensrud the Supervisors moved to approve the Winnebago County portion of the following Resolution.

A G R E E M E N T

BY AND AMONG

THE CITY OF FOREST CITY

THE COUNTY OF HANCOCK

THE COUNTY OF WINNEBAGO

NORTH IOWA AREA COMMUNITY COLLEGE

FOREST CITY COMMUNITY SCHOOL DISTRICT

RE: FOREST CITY PRAIRIE VIEW ECONOMIC DEVELOPMENT

DISTRICT URBAN RENEWAL PLAN AREA

11-28- 2011

WHEREAS, the City of Forest City has adopted the original Forest City Prairie View Economic Development District Urban Renewal Plan (the "Original Urban Renewal Plan") for the original Forest City Prairie View Economic Development District Urban Renewal Plan Area (the "Original Urban Renewal Plan Area") in 2004, Amendment No. 1 to the Forest City Prairie View Economic Development District Urban Renewal Plan in 2006, and Amendment No. 2 to the Forest City Prairie View Economic Development District Urban Renewal Plan in 2009 (together the "Urban Renewal Plan"); and

WHEREAS, the Original Urban Renewal Plan provides for the provision of public improvements relating to housing and residential development in the City of Forest City, including the installation, construction and reconstruction of streets, parking facilities, open space areas and other substantial improvements ("Project"); and

WHEREAS, the City adopted Ordinance No. 649 for the Project 1 TIF Area within the Original Urban Renewal Plan Area and certified debt on said Project 1 TIF Area in 2006.

WHEREAS, Iowa Code Section 403.22(5) limits the division of revenue under Iowa Code Section 403.19 to ten years for housing projects, unless the municipality undertaking the project has a population of under 15,000 persons and obtains approval from the governing bodies of all other affected taxing districts to extend the division of revenue for up to five years; and

WHEREAS, the City of Forest City has a population of under 15,000; and

WHEREAS, the City has requested that the other affected taxing districts involved, consisting of the North Iowa Area Community College, Forest City Community School District, the County of Hancock, and the County of Winnebago, allow the division of revenue for the Project 1 TIF Area within the Original Urban Renewal Area to be extended to fifteen (15) years:

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

Section 1. Pursuant to Iowa Code Section 403.22(5) all affected taxing districts have, by resolution of their governing bodies, approved the extension of the division of revenue under Iowa Code Section 403.19 in the Project 1 TIF Area governed by Ordinance No. 649 of the Original Urban Renewal Area for the City of Forest City, Iowa, for projects involving the provision of public improvements related to housing and residential development for a total of fifteen (15) years, beginning with the second fiscal year after the year in which the municipality first certified to the county auditor the amount of any loans, advances, indebtedness, or bonds which qualified for payment from

**FOREST CITY COMMUNITY SCHOOL
DISTRICT**

President

ATTEST:

Board Secretary

STATE OF IOWA)
) ss:
COUNTY OF _____)

On this _____ day of _____, 2011, before me the undersigned, a Notary Public in and for the State of Iowa, personally appeared _____ and _____, to me personally known, who, being duly sworn, did say that they are the individuals who executed the foregoing instrument; and _____ and _____ acknowledged the execution of said instrument to be their voluntary act and deed, voluntarily executed.

Notary Public in and for the State of Iowa

NORTH IOWA AREA COMMUNITY
COLLEGE

President

ATTEST:

Board Secretary

STATE OF IOWA)
) ss:
COUNTY OF _____)

On this _____ day of _____, 2011, before me the undersigned,
a Notary Public in and for the State of Iowa, personally appeared
_____ and _____, to me personally known,
who, being duly sworn, did say that they are the individuals who executed the foregoing
instrument; and _____ and _____
acknowledged the execution of said instrument to be their voluntary act and deed,
voluntarily executed.

Notary Public in and for the State of Iowa

Jim Witt, Engineer, Trevor Wolf, EIT, and Doug Reisetter, Assistant to the Engineer, discussed Secondary Road and Drainage District matters.

The session was adjourned until 9:00 A.M. December 5, 2011.

Attest: _____
Karla Niederkofler, Auditor

Warren Wubben, Chairperson