

December 19, 2011

The Winnebago County Board of Supervisors met in session at 9:00 A.M. December 19, 2011, adjourned from December 12, 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 December 12, 2011 Board Meeting and approve the agenda for the December 19, 2011 meeting. All voted aye. Motion carried.

Molly Anderegg, RSVP discussed funding for the 2012-2013 Fiscal Year.

The Board approved a flood plain permit application for Zoning.

The following claims were approved and ordered to be paid:

Alliant Energy	Utilities	259.35
Austin Office Products	Supplies	198.50
Barnes Distribution	Supplies	5,363.68
Bernau & Sons Inc	Supplies	559.27
Black Hills Energy	Utilities	266.37
BMC Aggregates LLC	Supplies	4,212.06
Buffalo Center Tire & Auto	Services	146.76
Cavetts Lawn & Garden Equip	Repair	46.95
Chase Card Services	Expenses	67.60
Cintas Fas Lockbox 636525	Supplies	222.52
City Of Buffalo Center	Utilities	24.47
Creative Stitches	Supplies	1,108.00
Dave Syverson Ford	Parts	607.10
Dave's 66 Service	Services	213.95
Diamond Mowers Inc	Parts	42.79
Doors Inc	Supplies	265.00
Electronic Engineering Company	Pagers	31.60
Energy Sales Inc	Supplies	703.13
Farmers Coop Assn	Fuel	3,187.45
Fastenal	Supplies	221.37
Five Star Co-Op	Supplies	7.17
Force America Inc	Parts	218.14
G & H Motor Parts	Parts & Supplies	900.35
Heartland Power	Utilities	547.00
Heartland Power	Repair	75.00
Heiman Fire Equipment	Services	588.50
Hi Yield Products	Supplies	1,387.25
Interstate All Battery Ctr	Supplies	20.69
Interstate Battery Of Upper IA	Supplies	393.80
K & H Coop Oil	Fuel	6,742.43

Krull, Gary	Supplies	2,039.40
Lake Mills Seed House	Supplies	200.00
Lakeside Construction	Services	750.00
Marshall & Swift	Services	186.44
Mason City Business Systems	Services	183.31
Mason City Tire Service	Supplies	5,651.24
Mathy Construction Co	Resurfacing	28,106.52
Mercy Clinics	Services	60.00
Midwest Wheel & Equip Co	Parts	617.86
Norman Equipment Company	Parts	113.77
Northern Iowa Construction Pro	Supplies	435.00
Peterson Sanitation Inc	Services	55.00
Reisetter, Douglas	Reimbursement	31.15
Ron's LP Gas Service	Fuel	5,222.70
St Lukes Center For Occupation	Services	37.00
Treasurer State Of Iowa	Renewal	35.00
United States Cellular	Telephone	61.15
Varitech Industries Inc	Parts	332.42
Winnebago County	Health Insurance Premium	579.37
Witt, Jim	Reimbursement	384.93
Ziegler Inc	Parts	788.29
A.H. Hermel Co	Supplies	46.73
Alliant Energy	Utilities	36.63
Allied Insurance	Surety Bond	400.00
Alpha Card	Supplies	134.30
Alpha Wireless	Services	55.02
Austin Office Products	Supplies	507.84
Bartleson, Debra	Meeting	50.00
BesTest Inc	Supplies	79.50
Bills Family Foods	Supplies	830.68
Black Hills Energy	Utilities	1,237.17
Blue Book	Supplies	11.95
BMC Aggregates LLC	Supplies	712.01
Bomgaars	Supplies	633.54
Carefacts	Services	660.00
Century Link	Telephone	14.00
Cerro Gordo Co Sheriff	Services	4,900.00
Cerro Gordo Co Treasurer	Supplies	41.62
City Of Forest City	Utilities	264.77
Clear Lake Pharmacy	Supplies	105.44
Colby, Kristin	Mileage	19.14
Critical Care Systems Inc	Services	75.00
D & D Sales	Supplies	2,026.92
Des Moines Stamp Mfg Co	Supplies	152.00
Determann, Nicolas	Reimbursement	178.50
Deyta LLC	Services	90.00

District li Supervisors Assn	Education	20.00
Durby, Terrell	Mileage	461.47
E B S	Health Ins Premium	66,541.43
Farmers Coop Assn	Fuel	2,458.14
Fiala Office Products	Maintenance Contract	103.58
Fleet Fueling	Fuel	153.95
Forest City Foods	Jail Food	210.42
Forest City Ford	Services	874.25
Forest City Post Office	Postage	665.00
Francis Lauer Youth Svcs	Services	1,959.30
G & H Motor Parts	Supplies	40.35
Garland, Phil	Services	72.00
Gelhaus, Sheila	Services	880.00
Globe Gazette Circulation Dept	Subscription	78.00
GRP & Associates	Services	40.00
Hancock Co Auditor	Case Mgmt	407.82
	Reimbursement	
Hansen Hardware	Supplies	20.12
Hasler	Services	68.85
Heartland Power	Utilities	363.36
Heetland Taxidermy	Services	175.00
Henderson, Aaron	Well Repair	297.46
IACCBE, Bob Etzel Treasurer	Education	175.00
ICAP	2012 Contribution	75,481.44
Iowa Manufacturers Register	Advertising	297.00
Iowa Natural Heritage	Reimbursement	612.50
Iowa Outdoors	Subscription	36.00
Iowa Prison Industries	Supplies	313.50
ISAC	Education	175.00
Iwireless	Telephone	139.88
Janitors Closet Ltd	Supplies	467.22
Jessen, Julie	Services	37.50
Knapper Oil	Fuel	44.79
Krysilis	Services	968.36
Kvale, Ron	Mileage	107.25
Lake Mills Graphic Inc	Advertising	223.73
Lake Mills Lumber Co	Supplies	51.30
Lakeside Construction	Repairs	5,035.00
Langfald, Kjerstin	Mileage	63.19
Legislative Services Agency	Supplies	125.00
Liberty Square	Services	1,506.29
Lillquist, Steven	Mileage	22.25
Lyles Sales & Service	Supplies	24.27
Mail Services	Services	476.74
Marshall & Swift	Services	9.92
Martie, Kay	Mileage	25.81

Martinson, Louise	Mileage	164.21
Mason City Business Systems	Maintenance Contract	620.41
Mason City Clinic	Services	487.00
Matt Parrott	Supplies	37.09
Medline Industries Inc	Supplies	37.20
Merck & Co Inc	Supplies	807.50
Mercy Medical Center North IA	Services	63.30
Mid-America Publishing Corp	Advertising	803.01
Millard, Tara	Reimbursement	41.39
Miller Pharmacy	Supplies	127.44
Mittelstadt Funeral Home	Services	250.00
Murra Hardware	Supplies	15.17
Murra, Dennis	Meeting	70.47
NG-911	Services	351.26
North Iowa Media Group	Advertising	7.78
North Iowa Transition Center	Services	420.30
Office Depot	Supplies	461.53
Pakor Inc	Supplies	23.01
Pamida Pharmacy	Supplies	295.53
Peterson, David	Meeting	64.68
Pride Group	Services	1,551.60
RSM McGladrey Inc	Services	69.00
Schilling Supply Co	Supplies	300.33
Schnebly's 66	Fuel	235.70
Shopko Pharmacy	Supplies	80.42
Skellenger, Willemina	Mileage	130.83
Spahn & Rose Lumber Co	Supplies	102.39
Staples Credit Plan	Supplies	217.00
Swenson, Julie A	Mileage	225.44
Thomson West	Services	283.58
Titonka Savings Bank	Supplies	15.00
Verizon Wireless	Telephone	801.00
Village Chateau Motor Inn	Rent & Utilities	310.62
Visa	Supplies	559.92
Waldorf College	Services	66.87
Waste Mgmt Of WI-MN	Services	142.80
Winnebago Co Fair Assn	Transfer	399.23
Winnebago Co Secondary Roads	Services	2,659.20
Winnebago Coop Telecom	Telephone	1,622.21
Winnebago Lutheran Cemetery	Care Of Graves	366.00
WinnTech Central	Supplies	136.99
Wubben, Warren	Mileage	329.30
Youth & Family Resource Svcs	Services	31.20

Jayne Shaffer, Public Health discussed Fiscal Year 2010-2011 Annual Report.

On a motion by Durby and seconded by Wubben the Supervisors moved to appoint Sonya Rank for another term on the Board of Health. All voted aye. Motion carried.

Adam Sauer, County Attorney discussed an informal Attorney General's opinion regarding vacating an easement held by Winnebago and Hancock Counties. Winnebago County and Hancock County Board of Supervisors need to hold a joint meeting to decide on the vacation of the road easement.

On a motion by Durby and seconded by Wubben the Supervisors moved to approve the 2013-2015 Secondary Road Bargaining Unit Contract. Ayes – Durby and Wubben. Nays – Stensrud. Motion carried.

Jim Witt, Engineer and Trevor Wolf, EIT discussed Secondary Road and Drainage District matters.

On a motion by Stensrud and seconded by Durby the Supervisors moved to approve the following speed limit resolution. All voted aye. Motion carried.

WINNEBAGO COUNTY SECONDARY ROAD DEPARTMENT  
RESOLUTION R121911  
SPEED ADVISORY

WHEREAS, the Board of Supervisors are empowered under the authority of Section 321.285 of the Code of Iowa to establish and designate a reasonable and proper speed limit on any secondary road.

WHEREAS, the Board of Supervisors has determined that the speed limit on Winnebago County Route 105 should be changed, and

WHEREAS, Westbound County Route 105, as you are approaching the city limits of Lake Mills, IA, shall be 55 MPH until beginning at approximately the West Line of the NW1/4 of the SW1/4, Section 1-99-23 at which point the speed shall be reduced to 45 MPH and continuing to the east city limits of Lake Mills, and

WHEREAS, Eastbound County Route 105, as you are leaving the city limits of Lake Mills, IA, beginning at approximately the W1/4 Corner, Section 1-99-23, necessitates a 45 MPH speed advisory to be established on this route and increasing to 55 MPH at approximately the West Line of the NW1/4 of the SW1/4 Section 1-99-23,

NOW THEREFORE BE IT RESOLVED, by the Winnebago County Board of

Supervisors that the County Engineer be authorized to establish the advisory speed limits on the route described above and signed accordingly as detailed on the attachment to this resolution.

Passed and approved this 19th day of December, 2011.

ATTEST:

WINNEBAGO COUNTY BOARD OF  
SUPERVISORS

(Signed) \_\_\_\_\_  
Karla Niederkofler, County Auditor

(Signed) \_\_\_\_\_  
Warren Wubben, Chairman

\_\_\_\_\_  
James D. Witt, County Engineer

(Signed) \_\_\_\_\_  
Terry Durby, Member

(Signed) \_\_\_\_\_  
Mike Stensrud, Member

On a motion by Durby and seconded by Stensrud the Supervisors moved to set the bid letting date for DD 18 and DD 18 Lat 18 at 10:30 A.M., DD 74 for 10:40 A.M., DD 3-11 at 10:40 A.M. and DD 3-11 Sub-District 4 Main Open Ditch for 11:00 A.M. on January 16, 2012. All voted aye. Motion carried.

The Board discussed DD 6 Lat 1 with landowners within the Drainage District. John Oftedahl would like to fill in an open ditch and replace with tile at his own expense. There were objections from other landowners. On a motion by Wubben and seconded by Durby the Supervisors made the following motion; Subject to Engineer's Report, will have to go through a possible remonstrance, has to be acceptable to all controlling authorities, and has to be maintained so flow of water will not impede water flow for adjoining land owners on the Ditch. Must be recorded on abstract that land owner is responsible for cleanout at request of the Drainage District trustees. All voted aye. Motion carried.

MINUTES TO HOLD HEARINGS ON  
LOAN AGREEMENT AND TIF  
REVENUE PLEDGE

452737-6  
Forest City, Iowa  
December 19, 2011

The Board of Supervisors of Winnebago County, Iowa met on December 19, 2011, at 10:00 o'clock a.m., at the County Courthouse, Forest City, Iowa.

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

Present: Wubben, Durby, Stensrud

Absent: \_\_\_\_\_

The Board investigated and found that a notice of intention to institute proceedings to enter into a 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 (the "Urban Renewal Area"), consisting of improvements to county roads, had been duly published as provided by law and that this is the time and place at which the Board shall receive oral or written objections from any resident or property owner of the County. The County Auditor reported that no petition had been filed asking that the question of entering into the loan agreement be submitted to the registered voters of the County, and the Auditor also stated 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 closed the public hearing and announced that the Board may take additional action on the loan agreement in the amount as published.

The Board also investigated and found that a notice of intention to institute proceedings to approve a pledge of incremental property tax revenues to be derived from the Urban Renewal Area in a principal amount not to exceed \$5,500,000 had been duly published as provided by law and that this is the time and place at which the Board shall receive oral or written objections from any resident or property owner of the County. The County Auditor reported 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 closed the public hearing and announced that the Board may take additional action on the proposed pledge of incremental property tax revenues in the amount as published.

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

Ayes: Wubben, Durby, Stensrud

Nays: \_\_\_\_\_

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

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At the conclusion of the meeting and upon motion and vote, the Board of Supervisors adjourned.

(Signed) \_\_\_\_\_  
Chairperson

Attest:

(Signed) \_\_\_\_\_  
County Auditor

RESOLUTION NO. 12-19-11-01-01

**Resolution Taking Additional Action on Loan Agreement and TIF Revenue Pledge**

WHEREAS, the Board of Supervisors (the "Board") of Winnebago County, Iowa (the "County") has created the Winnebago County UR-2 Economic Development Urban Renewal Area (the "Urban Renewal Area") and has adopted an ordinance providing for the division of incremental property tax revenues in the Urban Renewal Area; and

WHEREAS, the Board has heretofore proposed 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, in lieu of calling an election therefore, the County has instituted 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, and no such petition has been filed; and

WHEREAS, pursuant to the provisions of Chapter 403 of the Code of Iowa, the Board also proposed to pledge certain incremental property tax revenues in an amount not to exceed \$5,500,000 to be derived from the Urban Renewal Area (the "TIF Revenue Pledge") in order to provide additional security for the County's obligations to be incurred under the Loan Agreement; and has published notice of such proposal and held a hearing thereon;

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

Section 1. The Board hereby determines to enter into the Loan Agreement in the future and orders that the Bonds be issued at such time in evidence thereof. The Board further declares that this resolution constitutes the "additional action" required by Section 331.402 of the Code of Iowa.

Section 2. The Board hereby determines to secure the Bonds with the TIF Revenue Pledge and declares that this resolution constitutes the "additional action" required by Section 403.9(3) of the Code of Iowa.

Section 3. 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 4. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved December 19, 2011.

(Signed) \_\_\_\_\_

Chairperson

Attest:

(Signed) \_\_\_\_\_  
County Auditor

STATE OF IOWA  
WINNEBAGO COUNTY

SS:

I, the undersigned, County Auditor of Winnebago County, Iowa, do hereby certify that attached hereto is a true and correct copy of the proceedings of the Board of Supervisors relating to the hearing on the Board's intention to enter into a Loan Agreement in a principal amount not to exceed \$5,500,000.

WITNESS MY HAND this 19th day of December, 2011.

(Signed) \_\_\_\_\_

County Auditor

On a motion by Durby and seconded by Stensrud the Supervisors moved to open the final public hearing for Drainage District 11. All voted aye. Motion carried.

The Chairperson presided and the roll being called the following members of the Board were present and absent:

Present: Durby, Stensrud, and Wubben

Absent: None

Also Present: Jim Witt, Engineer, Kris Wempen, Drainage Clerk, Trevor Wolf, EIT, Wayne Wubben, Gerald Ruby, Bill Schutter, and Roger Olson.

Jim Witt, Engineer discussed the cleanout project. There were comments made about the leveling of the banks and the way the ditch was cleaned.

On a motion by Durby and seconded by Stensrud the Supervisors moved to close the public hearing. All voted aye. Motion carried.

On a motion by Durby and seconded by Stensrud the Supervisors moved to withhold the 10% bond until the job is finished to the Engineer and landowners satisfaction. All voted aye. Motion carried.

The session was adjourned until 7:45 A.M. January 3, 2012.

\_\_\_\_\_  
Warren Wubben, Chairperson

Attest: \_\_\_\_\_  
Karla Niederkofler, Auditor