

May 18, 2021

The Winnebago County Board of Supervisors met in session at 9:00 A.M. May 18, 2021 adjourned from May 11, 2021.

Present: Supervisors Smith, Durby and Jensvold

Absent:

The meeting is held today via You Tube and a conference call. This is due to COVID-19 and heightened public health risks.

On a motion by Jensvold and seconded by Smith the Supervisors moved to approve the minutes for the May 11, 2021 Board Meeting and approve the agenda for May 18, 2021. All voted aye. Motion carried.

The website for information for Covid-19 for Winnebago County is www.winnebagoountyiowa.gov.

On a motion by Durby and seconded by Smith the Supervisors moved to open the Public Hearing for entering into a loan agreement with TSB Bank for refunding the Public Safety Center bonds. Present at the meeting were Supervisors Durby, Jensvold and Smith and Karla Weiss County Auditor. There was no public comment. On a motion by Jensvold and seconded by Smith the Supervisors moved to close the Public Hearing. All voted aye. Motion carried.

On a motion by Jensvold and seconded by Smith the Supervisors moved to approve the following Resolution. All voted aye. Motion carried.

RESOLUTION # 05-18-2021-01-01
RESOLUTION TO PAY OFF GENERAL OBLIGATION LOAN
WINNEBAGO COUNTY PUBLIC SAFETY CENTER 2016B

BE IT RESOLVED, by the Board of Supervisors of the Winnebago County, Iowa:

WHEREAS, the Board of Winnebago County, Iowa has the ability to pay off their General Obligation loan early in the amount of the payoff; and

WHEREAS, paying off the General Obligation loan early will save the County of Winnebago over \$325,000.00 in interest and bond fees; and

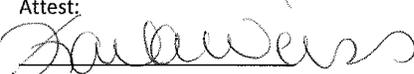
NOW, THEREFORE BE IT RESOLVED, that the County of Winnebago does hereby approve to pay off the General Obligation loan.

PASSED AND ADOPTED at a regular meeting of the Board of the County of Winnebago, Iowa on May 18th, 2021.

Moved by Jensvold to adopt.

Second by Smith.

Roll Call Vote: Ayes: Durby, Jensvold, Smith
Nays:
Absent:

Attest:

Karla Weiss, County Auditor


Terry Durby, Chairperson

On a motion by Jensvold and seconded by Smith the Supervisors moved to approve the following Resolution. All voted aye. Motion carried.

RESOLUTION NO.05-18-2021-01-02

Resolution authorizing and approving a Loan Agreement and providing for the issuance of a \$3,340,000 General Obligation Refunding Note, Series 2021

WHEREAS, the Board of Supervisors (the "Board") of Winnebago County, Iowa (the "County"), has previously issued its \$4,240,000 General Obligation Public Safety Center Bonds, Series 2016B, (the "2016B Bonds") a portion of which currently remains outstanding; and

WHEREAS, pursuant to the resolution (the "2016B Bond Resolution") authorizing the issuance of the 2016B Bonds, the County reserved the right to call the portion of the 2016B Bonds maturing in the years 2022 through 2035, inclusive (the "Callable 2016B Bonds"), for early redemption on any date on or after June 1, 2021, subject to the provisions of the 2016B Bond Resolution; and

WHEREAS, pursuant to the provisions of Section 331.402 of the Code of Iowa, the Board has heretofore proposed to contract indebtedness and enter into a loan agreement (the "Loan Agreement") in a principal amount not to exceed \$3,340,000, for the purpose of paying the cost, to that extent, of refunding the outstanding balance of the Callable 2016B Bonds and has published notice of the proposed action and has held a hearing thereon; and

WHEREAS, the Board has accepted a proposal from Titonka Savings Bank, Titonka, Iowa (the "Bank") for the purchase of a \$3,340,000 General Obligation Refunding Note, Series 2021 (the "Note") in evidence of the obligation of the County under the Loan Agreement, and it is necessary at this time to authorize and approve the Loan Agreement, to make provision for the issuance the Note and to provide for the early redemption of the Callable 2016B Bonds;

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

Section 1. The Board determines to enter into the Loan Agreement with the Bank, providing for a loan to the County in the principal amount of \$3,340,000 for the purpose set forth in the preamble hereof.

The Chairperson and County Auditor are hereby authorized and directed to sign the Loan Agreement on behalf of the County, and the Loan Agreement is hereby approved.

Section 2. The Note is hereby authorized to be issued in evidence of the obligation of the County under the Loan Agreement, in the principal amount of \$3,340,000 for the purpose set forth in the preamble hereof.

The County Auditor is hereby designated as the registrar and paying agent for the Note and may be hereinafter referred to as the "Registrar" or the "Paying Agent."

Interest on the Note shall be paid at the rate of 1.547% per annum. Both principal of and interest on the Note shall be paid in semi-annual installments on June 1 and December 1 of each year, beginning December 1, 2021, and continuing until December 1, 2034, in the amount of

\$133,128.03 each, with one final installment of all remaining principal and interest to be paid on June 1, 2035.

Payment of both principal of and interest on the Note shall be made to the registered owner appearing on the registration books of the County at the close of business on the fifteenth day of the month next preceding the payment date and shall be paid by electronic means, or check or draft mailed to the registered owner at the address shown on such registration books; provided, however, that the final installment of principal and interest shall be payable only upon presentation and surrender of the Note to the Paying Agent.

The County reserves the right to prepay principal of the Note in whole or in part on any date prior to and in inverse order of maturity on terms of par and accrued interest, provided notice is sent to the holder of the Note at least 30 days prior to the date of redemption. All principal so prepaid shall cease to bear interest on the prepayment date.

The Note shall be executed on behalf of the County with the official manual or facsimile signature of the Chairperson and attested by the official manual or facsimile signature of the County Auditor and shall be a fully registered Note without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Note shall cease to be such officer before the delivery of the Note, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

The Note shall be fully registered as to principal and interest in the name of the owner on the registration books of the County kept by the Registrar, and after such registration, payment of the principal thereof and interest thereon shall be made only to the registered owner or its legal representatives or assigns. The Note shall be transferable without cost to the registered owner thereof only upon the registration books of the County upon presentation to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or an assignment form duly executed by the registered owner or the duly authorized attorney for such registered owner.

Section 3. The Note shall be in substantially the following form:

(Form of Note)

**UNITED STATES OF AMERICA
STATE OF IOWA
WINNEBAGO COUNTY**

GENERAL OBLIGATION REFUNDING NOTE, SERIES 2021

\$3,340,000

MATURITY DATE	INTEREST RATE	NOTE DATE
June 1, 2035	1.547%	June 21, 2021

Winnebago County (the "County"), Iowa, for value received, promises to pay in the manner hereinafter provided to

Titonka Savings Bank,
Titonka, Iowa

or registered assigns, the principal sum of THREE MILLION, THREE HUNDRED FORTY THOUSAND DOLLARS, together with interest on the outstanding principal hereof from the date of this Note, or from the most recent payment date on which interest has been paid, except as the provisions hereinafter set forth with respect to prepayment prior to maturity may be or become applicable hereto.

Interest on this Note shall be paid at the rate of 1.547% per annum. Both principal of and interest on this Note shall be paid in semi-annual installments on June 1 and December 1 of each year, beginning December 1, 2021, and continuing until December 1, 2034, in the amount of \$133,128.03 each, with one final installment of all remaining principal and interest to be paid on June 1, 2035.

Both principal of and interest on this Note are payable to the registered owner appearing on the registration books of the County maintained by the County Auditor (hereinafter referred to as the "Registrar" or the "Paying Agent") at the close of business on the fifteenth day of the month next preceding the payment date in lawful money of the United States of America by electronic means, check or draft mailed to the registered owner at the address shown on such registration books; provided, however, that the final installment of principal and interest shall be payable only upon presentation and surrender of this Note to the Paying Agent.

This Note is issued by the County to evidence its obligation under a certain Loan Agreement (the "Loan Agreement") entered into by the County for the purpose of paying the cost, to that extent, of refunding the outstanding balance of the County's General Obligation Public Safety Center Bonds, Series 2016B.

This Note is issued pursuant to and in strict compliance with the provisions of Chapters 76 and 331 of the Code of Iowa, 2021, and all other laws amendatory thereof and supplemental thereto, and in conformity with a resolution of the County Board of Supervisors authorizing and approving the Loan Agreement and providing for the issuance and securing the payment of this Note (the "Resolution"), and reference is hereby made to the Resolution and the Loan Agreement for a more complete statement as to the source of payment of this Note and the rights of the owner of this Note.

The County reserves the right to prepay principal of this Note, in whole or in part, on any date prior to and in inverse order of maturity on terms of par and accrued interest, provided notice is sent to the holder of this Note at least 30 days prior to the date of redemption. All principal so prepaid shall cease to bear interest on the prepayment date.

This Note is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the County in the office of the Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Note to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or an assignment form duly executed by the registered owner or the duly authorized attorney for such registered owner.

The County, the Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and the County, the Registrar and the Paying Agent shall not be affected by any notice to the contrary.

And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa, to exist, to be had, to be done or to be performed precedent to and in the issue of this Note were and have been properly existent, had, done and performed in regular and due form and time; and that the total indebtedness of the County, including this Note, does not exceed any constitutional or statutory limitations.

IN TESTIMONY WHEREOF, Winnebago County, Iowa, by its Board of Supervisors, has caused this Note to be executed by its Chairperson and attested by its County Auditor, on June 21, 2021.

WINNEBAGO COUNTY, IOWA

By (DO NOT SIGN)
Chairperson, Board of Supervisors

Attest:

(DO NOT SIGN)
County Auditor

Section 4. The Note shall be executed as herein provided as soon after the adoption of this resolution as may be possible and thereupon shall be delivered to the Registrar for registration and delivery to the Bank, upon receipt of the loan proceeds, and all action heretofore taken in connection with the Loan Agreement is hereby ratified and confirmed in all respects.

Section 5. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Note as the same become due, there is hereby ordered levied on all the property in the County in each of the years while the Note is outstanding, a tax sufficient for that purpose, and in furtherance of this provision, but not in limitation thereof, there is hereby levied on all the property in the County the following direct annual tax for collection in each of the following fiscal years:

For collection in the fiscal year beginning July 1, 2022,
sufficient to produce the net annual sum of \$266,257;

For collection in the fiscal year beginning July 1, 2023,
sufficient to produce the net annual sum of \$266,257;

For collection in the fiscal year beginning July 1, 2024,
sufficient to produce the net annual sum of \$266,257;

For collection in the fiscal year beginning July 1, 2025,
sufficient to produce the net annual sum of \$266,257;

For collection in the fiscal year beginning July 1, 2026,
sufficient to produce the net annual sum of \$266,257;

For collection in the fiscal year beginning July 1, 2027,
sufficient to produce the net annual sum of \$266,257;

For collection in the fiscal year beginning July 1, 2028,
sufficient to produce the net annual sum of \$266,257;

For collection in the fiscal year beginning July 1, 2029,
sufficient to produce the net annual sum of \$266,257;

For collection in the fiscal year beginning July 1, 2030,
sufficient to produce the net annual sum of \$266,257;

For collection in the fiscal year beginning July 1, 2031,
sufficient to produce the net annual sum of \$266,257;

For collection in the fiscal year beginning July 1, 2032,
sufficient to produce the net annual sum of \$266,257;

For collection in the fiscal year beginning July 1, 2033,
sufficient to produce the net annual sum of \$266,257;

For collection in the fiscal year beginning July 1, 2034,
sufficient to produce the net annual sum of \$266,257.

Section 6. A certified copy of this resolution shall be filed with the County Auditor and the Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the County and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the County and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Note hereby authorized and for no other purpose whatsoever.

Pursuant to the provisions of Section 76.4 of the Code of Iowa, each year while the Note remains outstanding and unpaid, any funds of the County which may lawfully be applied for such purpose may be appropriated, budgeted and, if received, used for the payment of the principal of and interest on the Note as the same become due, and if so appropriated, the taxes for any given fiscal year as provided for in Section 5 of this Resolution, shall be reduced by the amount of such alternate funds as have been appropriated for said purpose and evidenced in the County's budget.

Section 7. The interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current funds on hand in advance of taxes levied and when the taxes shall have been collected, reimbursement shall be made to such current funds in the sum thus advanced.

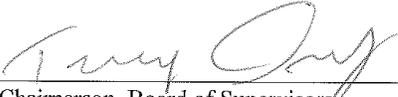
Section 8. UMB Bank, n.a., West Des Moines, Iowa, as the Registrar for the Callable Series 2016B Bonds, is hereby authorized to take all action necessary to call the Callable 2016B Bonds for redemption on June 21, 2021 (the "Redemption Date"), and is further authorized and directed to give notice of such redemption by sending notice to each of the registered owners of the Callable 2016B Bonds to be redeemed at the addresses shown on the County's registration books, not less than 30 days prior to the Redemption Date and in accordance with the terms of the 2016B Bond Resolution.

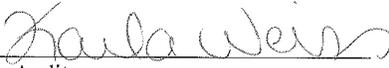
Section 9. It is the intention of the County that interest on the Note be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof, the County covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with the applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Note will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the County are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

The County hereby designates the Note as a "Qualified Tax Exempt Obligation" as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

Section 10. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved on May 18, 2021.

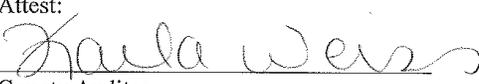

Chairperson, Board of Supervisors

Attest: 
County Auditor

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On motion and vote, the meeting adjourned.


Chairperson, Board of Supervisors

Attest: 
County Auditor

Robert Schwartz, Conservation Director discussed wild parsnip and why it is not a noxious weed according to Iowa Code. The Supervisors suggested they spray for the weed.

Scott Meinders, Engineer discussed Secondary Road matters including the auction, road crossing work on DD 18 Lat 11, bridge quotes, and discussion regarding leasing versus buying a tractor.

Kris Oswald, Drainage Clerk discussed drainage districts including DD 5 Lat 19. Oswald will set up a meeting with landowners and Board of Supervisors to discuss the current condition of DD 5 Lat 19.

On a motion by Durby and seconded by Jensvold the Supervisors moved to approve the Third Amendment to the Child Support Recovery Staffing Contract. All voted aye. Motion carried.

On a motion by Smith and seconded by Durby the Supervisors moved to approve the Liquor License and ownership update for the Super Bowl. All voted aye. Motion carried.

On a motion by Smith and seconded by Jensvold the Supervisors moved to approve the Liquor License for Rice Lake Izaak Walton Community Center. All voted aye. Motion carried.

The following claims were approved and ordered to be paid:

Advanced Drainage System Inc	Supplies	36.80
Ag Vantage FS Inc	Fuel	4,675.78
Alliant Energy	Utilities	412.88
Bison Graphics	Supplies	105.00
Black Hills Energy	Utilities	285.31
BMC Aggregates LLC	Rock	40,308.30
Cavetts Lawn & Garden Equipment	Parts	9.36
Cintas Corporation	Services	630.36
City of Buffalo Center	Utilities	33.80
City of Forest City	Utilities	413.72
City of Lake Mills	Utilities	259.42
Clear View Auto Glass	Repairs	467.90
DH Hydraulics	Parts	2,142.85
Farmers Coop Assn	Fuel	1,546.14
Fastlane Motor Parts	Supplies	268.82
Five Star Shop Service	Supplies	1,105.70
G & H Motor Parts	Supplies	66.97
H & S Autoparts	Supplies	27.73
Hassebroek, Travis	Services	47.00
Heartland Power	Utilities	296.00

Holland Tire & Service	Services	400.00
Hythecker, Eric	Reimbursement	40.00
Impact Recovery Systems Inc	Signs	5,114.70
Iowa Prison Industries	Supplies	353.75
John Forsland & Mary Forsland	Easement	1,805.87
Kwik Trip Inc	Fuel	6,084.51
Landfill of North Iowa	Services	373.61
Main Street Market	Supplies	34.94
Mercyone NI Clinics	Services	140.00
Midwest Wheel & Equip Co	Parts	541.94
MJ Embroidery and Designs	Services	30.00
Murra Hardware	Supplies	18.97
Napa Auto Parts	Parts	303.23
Noregon Systems Inc	Subscription	285.00
North Iowa Media Group	Advertising	336.20
Nuway - K&H Coop	Fuel	9,482.99
Peterson Sanitation Inc	Services	57.00
Petroblend Corp	Supplies	734.00
Safety Kleen Systems Inc	Services	845.06
Shopko Optical	Services	350.67
Singelstad Hardware	Supplies	77.46
Stellar Truck & Trailer	Parts	3,015.77
Truck Center Companies	Parts	21.36
Unitypoint Clinic	Services	168.00
Waste Mgmt Corporate Services	Services	829.91
WCTA	Telephone	374.93
Yohn Co Inc	Material	15,625.00
Ziegler Inc	Parts	2,233.48
Access Systems	Supplies	294.74
Ackerman, Chad	Rent	200.00
AH Hermel Co	Jail Food	1,572.96
Albert Lee Seed House	Supplies	38.00
Alliant Energy	Utilities	45.55
Amazon Capital Services	Supplies	287.99
American Lung Assn	Supplies	160.00
AT&T Mobility	Telephone	330.16
Athletico Physical Therapy	Services	125.00
Austin Office Products	Supplies	498.29
Best Rubber Mulch	Supplies	4,262.13
Black Hills Energy	Utilities	588.59
BMC Aggregates LLC	Supplies	1,271.38
Bob Barker Co	Supplies	308.99
Centec Cast Metal Products	Supplies	113.75
Central Iowa Detention	Services	15.00
Cerro Gordo Co Gen Assist	Services	135.00
Cintas Corp	Supplies	55.45
City of Buffalo Center	Services	7,000.00
City of Forest City	Utilities	4,098.07
Clouse, Beth	Mileage	135.16
Coloff Digital	Advertising	7,180.00

Coombs, Teresa	Rent	550.00
Deere Credit Inc	Supplies	4,025.00
Delta Dental	Services	1,924.76
Duncan Heights Inc	Services	315.00
Equature - DSS Corp	Services	3,233.92
Farmers Coop Assn	Fuel	3,408.85
Five Star Cooperative	Fuel	81.48
Floyd & Leonard Auto Electric	Supplies	77.52
Forest City Ford	Services	40.95
Forest City Post Office	Postage	200.00
Forest City Vet Clinic	Supplies	53.31
G & H Motor Parts	Supplies	65.07
Hancock Co Auditor	Services	453.16
Hancock Co Memorial Hospital	Services	635.92
Health Partners	Health Ins	119,331.75
Healthcare First	Services	1,186.74
Heartland Power	Utilities	442.87
Iowa Narcotics Officers Assoc	Education	500.00
Iowa Secretary of State	Services	58.44
IP Pathways	Services	7,093.16
IT Savvy LLC	Services	78.29
Jacobson-Westergard Assoc Inc	Services	5,575.50
Janitors Closet Ltd	Supplies	622.29
Johnson, Mark	Rent	425.00
KC Nielsen Ltd	Services	328.13
KIOW	Advertising	910.00
Kvale, Ron	Mileage	118.80
Lake Mills Lumber Co	Supplies	300.00
Lake Mills PT	Services	170.00
Legal Shield	Services	249.20
Marco Inc	Services	254.14
McColloch, Suzanne	Reimbursement	33.65
MDS Records Management	Services	40.00
Medline Industries Inc	Supplies	182.62
Mid-America Publishing Corp	Advertising	459.20
Next Generation Technologies	Services	5,700.08
North Central Sales & Service	Services	275.00
Nuway - K&H Coop	Fuel	756.77
Office Depot	Supplies	21.63
Old Glory Farm	Supplies	205.25
Ostercamp, DO, Twyla	Medical Examiner Fee	500.00
Peterson Sanitation Inc	Services	26.90
Procure Medical Supplies	Supplies	1,245.98
Radar Road Tec	Services	10.00
Radiologists of North Iowa PC	Services	27.00
Rayhons, Dale	Medical Examiner Fee	400.00
Ricoh USA Inc	Services	4,533.83
Schimmelpfinig, Roger	Machine Rental	250.00
Schnebly's 66	Fuel	48.00
Schumacher Elevator Co	Services	235.50

Shred-It USA	Services	51.52
Singelstad Hardware	Supplies	12.53
Skellenger, Willemina	Mileage	97.76
Staples Credit Plan	Supplies	133.88
State Hygienic Laboratory	Services	109.50
Tyler Technologies	Services	1,062.50
UMB Bank	Loan Payment	2,135,423.33
US Cellular	Telephone	45.12
Verizon Wireless	Telephone	51.65
Visa	Supplies	3,172.35
Waste Mgmt Corporate Services	Services	203.25
WCTA	Telephone	3,251.96
Weavers Leather Store	Supplies	94.95
Weiss, Karla	Mileage	16.95
Welter, Meaghan	Reimbursement	48.99
Wex Bank	Fuel	365.23
Windstream	Telephone	123.84
Winnebago Co Public Health	Postage	46.59

The session was adjourned until 9:00 A.M. May 25, 2021.

Terry Durby, Chairperson

Attest: _____
Karla Weiss, Auditor