

January 7, 2019

Chairman Rasmussen called the regular meeting of the Wright County Board of Supervisors to order at 9:00 a.m. Members present were: Kluss, Helgevold, and Rasmussen.

Minutes of the previous meeting of January 2, 2019 were read and approved after one correction to Resolution 2019-03.

Approved claims for payment.

Held discussions on the members of Eminent Domain. Supervisor Kluss requested to appoint Earl Kalkwarf and Mark Skogerboe as owner of City of town property and Banker. And Helgevold asked Colleen Bartlett to represent owner of city property and Alec Amonson as a realtor. Helgevold is still waiting to hear on a reply from a Banker in the Eagle Grove area. This will be on the agenda to finalize next week.

Andy Yackle updated the board on the new elevator installation for the courthouse scheduled for February 18th and changes needed to make it up to code on the installation. The men's restroom in the basement will be converted to the elevator hydraulic pump maintenance room. Motion by Rasmussen and seconded by Kluss to convert the men's restroom in the basement and make the women's restroom unisex. Motion carries.

Heard update on the Wright County Transit program. Helgevold spoke to representatives from MIDAS last week and they would like to have a week or so to calculate costs of what it will look like to have MIDAS run the Transit program in Wright County.

Shari Plagge, Wright County Assessor update the board about property assessments as a whole in Wright County. In the odd number of years there is a state equalization order. Currently, looking at the values the towns of Eagle Grove, Goldfield, and Clarion are considered low comparable to sales and Plagge will need to review these areas to assess them within the 95 to 105 percentile of the sales ratios or the state will issue an equalization order to apply.

Alison Hulshof, Marketing and Communications Manager with Community and Family Resources gave the Board an update on the construction of the CFR Building in Fort Dodge. She also covered the programs they offer in Wright County. Currently, CFR has office space in Wright County Professional Building and holds office hours throughout the week. Alison wanted to thank the board for the County pledge over five years to help with the building.

Motion by Helgevold and seconded by Kluss to approve Resolution 2019-07 to declare necessity and establish an Urban Renewal Area, and approve the Urban Renewal Plan Amendment. By roll call vote: Ayes – Kluss, Helgevold, and Rasmussen; nays – none. Resolution 2019-07 duly passes and reads as follows:

RESOLUTION NO. 2019-07

Resolution to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan Amendment for the 2016 Wright County Agribusiness Urban Renewal Area

WHEREAS, as a preliminary step to exercising the authority conferred upon Iowa counties by Chapter 403 of the Code of Iowa (the "Urban Renewal Law"), a county must adopt a resolution finding that one or more slums, blighted or economic development areas exist in the county and that the development of such area or areas is necessary in the interest of the public health, safety or welfare of the residents of the county; and

WHEREAS, the Board of Supervisors of Wright County (the "County") has previously established the 2016 Wright County Agribusiness Urban Renewal Area (the "Urban Renewal Area") and adopted an urban renewal plan (the "Plan") for the governance of projects and initiatives therein; and

WHEREAS, a proposal has been made which shows the desirability of expanding the Urban Renewal Area to add and include all the property (the "Property") lying within the legal description set out in Exhibit A hereto; and

WHEREAS, the proposal demonstrates that sufficient need exists to warrant finding the Property to be an economic development area; and

WHEREAS, an amendment (the "Amendment") to the Plan has been prepared which (1) covers the addition of the Property to the Urban Renewal Area; and (2) authorizes the undertaking of a new urban renewal project in the Urban Renewal Area consisting of using tax increment financing to pay the costs of the construction of public infrastructure, electric, gas and telecommunication improvements necessary to promote the development of an agribusiness park; and

WHEREAS, notice of a public hearing by the Board of Supervisors of the County on the question of establishing the Property as an urban renewal area and on the proposed Amendment for the 2016 Wright County Agribusiness Urban Renewal Area was heretofore given in strict compliance with the provisions of Chapter 403 of the Code of Iowa, and the Board has conducted said hearing on January 7, 2019; and

WHEREAS, the Planning and Zoning Commission of the County has reviewed and commented on the proposed Amendment; and

WHEREAS, copies of the Amendment, notice of public hearing and notice of a consultation meeting with respect to the Amendment were mailed to the Eagle Grove Community School District; the consultation meeting was held on the 27th day of December, 2018; and responses to any comments or recommendations received following the consultation meeting were made as required by law; and

WHEREAS, pursuant to Section 403.17 of the Code of Iowa, the County has received the executed consent agreement of all owners of "agricultural land" proposed for inclusion in the Urban Renewal Area;

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

Section 1. An economic development area as defined in Chapter 403 of the Code of Iowa is found to exist on the Property.

Section 2. The Property is hereby declared to be an urban renewal area, in conformance with the requirements of Chapter 403 of the Code of Iowa, and is hereby designated the January, 2019 Addition to the Urban Renewal Area.

Section 3. The development of the Property is necessary in the interest of the public health, safety or welfare of the residents of the County.

Section 4. It is hereby determined by this Board of Supervisors as follows:

A. The Amendment and the projects and initiatives described therein conform to the general plan of the County as a whole;

B. Proposed economic development projects described in the Amendment are necessary and appropriate to facilitate the proper growth and development of the County in accordance with sound planning standards and local community objectives.

C. It is not anticipated that families will be displaced as a result of the County's undertakings under the Amendment. Should such issues arise with future projects, then the County will ensure that a feasible method exists to carry out any relocations without undue hardship to the displaced and into safe, decent, affordable and sanitary housing.

Section 5. The Amendment attached hereto and made a part hereof, is hereby in all respects approved.

Section 6. All resolutions or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved January 7, 2019.

Motion by Helgevold and seconded by Kluss to approve the first reading of Ordinance #58 on establishing a tax increment financing district for the 2019 addition to the Wright County agribusiness urban renewal area and set the second reading for January 14, 2019. Motion carries. A copy of the Ordinance will be sent to the 3 newspapers.

Motion by Kluss and seconded by Helgevold to approve Resolution 2019-08 on providing for the sale and issuance of a \$1,600,000 taxable general Obligation Urban Renewal Loan agreement anticipation project. By Roll call vote: Ayes – Kluss, Helgevold, and Rasmussen; nays – none. Resolution 2019-08 duly passes and reads as follows:

RESOLUTION NO. 2019-08

Resolution providing for the sale and issuance of a \$1,600,000 Taxable General Obligation Urban Renewal Loan Agreement Anticipation Project Note, Series 2019A

WHEREAS, the Board of Supervisors (the "Board") of Wright County, Iowa (the "County"), heretofore proposed to enter into one or more loan agreements (the "Loan Agreements") and to borrow money thereunder in a principal amount not to exceed \$4,100,000 pursuant to the provisions of Section 331.402 and Section 331.441(2)(b)(14) of the Code of Iowa for the purpose of paying the cost, to that extent, of undertaking an urban

renewal project in the 2016 Wright County Agribusiness Park Urban Renewal Area consisting of constructing road, water system, sanitary sewer system and storm water drainage improvements; and acquiring land for a business/industrial park (the "Project"), has published notice of the proposed action and has held a hearing thereon, on November 19, 2018, and as of such date, no petition had been filed with the County asking that the question of entering into the Loan Agreements be submitted to the registered voters of the County; and

WHEREAS, PFM Financial Advisors LLC, the County's municipal financial advisor, has facilitated the receipt of bids (as shown in the minutes attached hereto) for the sale of a \$1,600,000 Taxable General Obligation Urban Renewal Loan Agreement Anticipation Project Note, Series 2019A (the "Project Note") and has recommended the sale of the Project Note to First State Bank, Clarion, Iowa (the "Purchaser"); and

WHEREAS, it is necessary at this time to make provision for the issuance of a Project Note, pursuant to the provisions of Section 76.13 of the Code of Iowa, in anticipation of the receipt of and payable from the proceeds (the "Loan Proceeds") of the Loan Agreement;

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

Section 1. The County hereby covenants for the benefit of the Purchaser, and all who may at any time be an owner of the Project Note to enter into the Loan Agreement and to issue long-term debt thereunder for the repayment of the Project Note prior to July 1, 2020, the maturity date of the Project Note (the "Maturity Date").

Section 2. The Project Note is hereby authorized to be issued to the Purchaser in anticipation of the receipt of and being payable from the Loan Proceeds or from other sources to be received and expended in connection with the Project during the period thereof. The Project Note shall be signed by the Chairperson, attested by the County Auditor and delivered to the Purchaser. The Project Note shall be dated the date of delivery, shall mature on the Maturity Date, and shall bear interest at the rate of 3.90% per annum, payable on the Maturity Date, except as the provisions hereinafter set forth with respect to prepayment prior to maturity may be or become applicable hereto. Interest will be calculated on the basis of a 360-day year comprised of twelve 30-day months.

Section 3. The County Auditor is hereby designated as the Registrar and Paying Agent for the Project Note and may be hereinafter referred to as the "Registrar" or the "Paying Agent."

The County reserves the right to prepay principal of the Project Note in whole or in part on any date prior to maturity upon terms of par and accrued interest. All principal so prepaid shall cease to bear interest on the prepayment date.

The Project Note shall be fully registered as to both principal and interest in the name of the owner in the records of the County kept for such purpose, after which no transfer shall be valid unless made on said records by the County Auditor, and then only upon a written instrument of transfer satisfactory to the County, duly executed by the registered owner or the duly authorized attorney for such registered owner.

The County shall maintain as confidential the record of identity of owners of the Project Note, as provided by Section 22.7 of the Code of Iowa.

Section 4. The Project Note shall be in substantially the following form:

[Form of Project Note]
UNITED STATES OF AMERICA
STATE OF IOWA
WRIGHT COUNTY
TAXABLE GENERAL OBLIGATION URBAN RENEWAL LOAN AGREEMENT ANTICIPATION
PROJECT NOTE, SERIES 2019A

DATED DATE: January 15, 2019
PRINCIPAL AMOUNT: \$1,600,000
INTEREST RATE: 3.90%
MATURITY DATE: July 1, 2020

The Board of Supervisors of Wright County, Iowa (the "County"), for value received, promises to pay on the Maturity Date to First State Bank, Clarion, Iowa (the "Purchaser"), its successors or assigns, the principal sum of ONE MILLION SIX HUNDRED THOUSAND DOLLARS (\$1,600,000), in lawful money of the United States of America upon presentation and surrender of this Project Note to the Wright County Auditor, Clarion, Iowa (hereinafter referred to as the "Registrar" or the "Paying Agent"), with interest thereon at the rate of 3.90% per annum, payable on the Maturity Date, or upon prepayment of this instrument as hereinafter provided.

This Project Note is issued by the County for the purpose of paying the costs, to that extent, of undertaking an urban renewal project in the 2016 Wright County Agribusiness Park Urban Renewal Area consisting of constructing road, water system, sanitary sewer system and storm water drainage improvements; and acquiring land for a business/industrial park (the "Project") and is issued under authority of Section 76.13 of the Code of Iowa in anticipation of the receipt of and is payable from the future proceeds (the "Loan Proceeds") of an authorized loan agreement (the "Loan Agreement") and a corresponding issuance of Taxable General Obligation Urban Renewal Bonds or Notes in a principal amount not to exceed \$4,100,000.

A sufficient portion of the Loan Proceeds has been appropriated to the payment of this Project Note and may also be appropriated to the payment of other obligations issued to pay costs of the Project.

The County reserves the right to prepay principal of this Project Note, in whole or in part, at any time prior to its maturity, upon terms of par and accrued interest to the date of such prepayment. All principal of this Project Note so prepaid shall cease to bear interest on the prepayment date.

This Project Note shall be fully registered as to both principal and interest in the name of the owner in the records of the County kept for such purpose, after which no transfer shall be valid unless made on said records by the Registrar, and then only upon a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or the duly authorized attorney for such registered owner.

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 Project 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 Project Note, does not exceed any constitutional or statutory limitations.

IN TESTIMONY WHEREOF, Wright County, Iowa, by its Board of Supervisors, has caused this Project Note to be executed by its Chairperson and attested by its County Auditor, on the Dated Date.

Section 5. The Loan Proceeds anticipated to be received under the Loan Agreement are hereby appropriated to the payment of the Project Note and may also be appropriated to the payment of other obligations issued to pay costs of the Project. At its sole discretion, the Board of Supervisors may appropriate to the payment of the Project Note proceeds to be received from State or federal grants and/or income or revenues from sources to be received and expended for the Project during the period of its construction.

Section 6. It is anticipated that the closing of the credit transaction contemplated herein will occur on January 15, 2019. To the extent that the date of closing needs to be adjusted, the County staff, with advice from the Placement Agent, the Purchaser and Bond Counsel to the County, is hereby authorized to make such adjustment and to modify the transaction documents accordingly.

Section 7. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 8. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved January 7, 2019.

Kyle Ament, with the DNR is requesting the board to consider joining in on the 28E agreement for the Boone Raccoon Watershed Management Authorities. Back in 2010, the Iowa lawmakers passed legislation authorizing the creation of Watershed Management Authorities. The watershed management authority may perform all of the following duties:

1. Assess the flood risks in the watershed.
2. Assess the water quality in the watershed.
3. Assess options for reducing flood risk and improving water quality in the watershed.
4. Monitor federal flood risk planning and activities.
5. Educate residents of the watershed area regarding water quality and flood risk
6. Seek and allocate monies made available to the Authority for purposes of water quality and flood mitigation.
7. Make and enter into contracts and agreement and execute all instruments necessary or incidental to the performance of the duties of the Authority

There will be more discussion on this 28E agreement at a later date. No decision made at this time.

Drainage Clerk, Deb Lukes, presented an Application for Easement for Utility Accommodation within Wright County Drainage Districts, submitted by Daybreak Foods, Inc. within DD # 46-92.

Lukes explained that Daybreak Foods, Inc. is requesting permission to install a three inch (3") pipe under the drainage district ditch. The pipe will convey waste flows from the Daybreak Foods, Inc. Vincent Farm to the Eagle Grove lift station No. 1, which conveys to the City of Eagle Grove water reclamation facility. Lukes also explained that the pipe will be installed six and a half feet (6 ½') under the bottom of the drainage district ditch.

Since this is a joint district with Webster County, it was determined to have both boards take action on the application. Lukes said that she would keep two (2) signed applications on file, one approved by the Wright County Board of Supervisors and signed by the Wright County Auditor, and one approved by the Webster County Board of Supervisors and signed by the Webster County Auditor.

Motion by Kluss and seconded by Helgevold to approve the Application for Easement for Utility Accommodation within Wright County Drainage Districts as submitted by Daybreak Foods, Inc. and direct the Wright County Auditor to sign. Motion carries.

Motion by Helgevold and seconded by Kluss to adjourn the meeting. Motion carries.

Rick Rasmussen, Chairman
Wright County Board of Supervisors

Betty Ellis, Wright County Auditor