

March 18, 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, Rasmussen, and Helgevold.

Minutes of the previous regular meeting of March 11, 2019 were read and approved.

Approved claims for payment.

Held discussion concerning the Child Support Recovery Unit contract with Webster County being the host of the six county region. Motion by Kluss and seconded by Helgevold to approve signing the contract of the First Amendment to the Child Support County Staffing Contract between the Iowa Department of Human Services, bureau of collections and the Webster County (Host) Political Subdivision. Motion carries.

Motion by Kluss and seconded by Helgevold to approve the second reading of Ordinance #60 to provide for a change in zoning of real property from agriculture to industrial. Motion carries unanimously. The public hearing will be next week, March 25th along with action on the final reading of the Ordinance.

Motion by Kluss and seconded by Helgevold to approve Resolution 2019-18 on establishment of a 5 ton embargo on the Secondary Road System. By roll call vote: Ayes – Kluss, Helgevold, and Rasmussen; nays – none. Resolution 2019-18 duly passes and reads as follows:

RESOLUTION 2019-18

ESTABLISHMENT OF A 5 TON EMBARGO

WHEREAS, under the provisions of Chapter 321.471 and 321.472 of the Code of Iowa, the Board of Supervisors may establish a road embargo on the Secondary Road System, and

WHEREAS, inclement weather is producing a condition where heavy loading is extremely detrimental to the Secondary Road System.

NOW, THEREFORE, BE IT RESOLVED by the Wright County Board of Supervisors that the County Engineer be authorized to order any of the Secondary Roads closed to vehicles in excess of five (5) tons per axle, wherever he deems it necessary and for the period of time deemed expedient (not to exceed 90 days), by erecting signs in accordance with Section 321.472.

BE IT FURTHER RESOLVED that the County Engineer may grant permits of exemption upon a showing that there is a need to move to market farm produce of a type subject to rapid spoilage, or loss of value or to move any farm feeds or fuel for home heating purposes.

Over the weekend, Secondary Roads built 30 more road closure signs and proceeded to close 99 miles of roads of the 900 miles in the County.

Jeremy Abbas then presented Resolution 2019-19 on opposing senate study bill 1045 and senate file 184 passed by the senate committee on transportation. The counties concern on this bill is that if they allow certain trucks to haul up to 130,000 pounds on the primary and non-primary highways that would open the door to allowing all trucks haul that heavy of a load. The road system was not engineered for that type of a load system.

Motion by Kluss and seconded by Helgevold to approve Resolution 2019-19 on opposing senate study bill 1045 and senate file 184. By roll call vote: Ayes – Kluss, Helgevold, and Rasmussen; nays – none. Resolution 2019-19 duly passes and reads as follows:

Resolution 2019-19
A Resolution opposing Senate study bill 1045 and Senate file 184
passed by the Senate committee on Transportation.

WHEREAS, the Transportation Committee in the Iowa Senate has passed House Study Bill 1045 (SF 184) which would amend and make changes to Iowa Code Chapter 321 related to transportation of indivisible loads and raw forestry products on primary and non-primary highways, and;

WHEREAS, Wright County owns and maintains non-primary highways, and is fiscally and legally responsible for the non-primary highways within the County, and;

WHEREAS, Wright County owns and maintains 148 structures classified as bridges by the National Bridge Inspection Standards, and;

WHEREAS, many of the bridges owned by Wright County are aging and structurally deficient or functionally obsolete, and;

WHEREAS, current funding is not adequate to replace or rehabilitate these bridges at the rate their conditions are deteriorating, and;

WHEREAS, the non-primary roads and bridges owned by Wright County serve a critical need for residents, agricultural users, businesses, schools, post offices, and emergency responders, and;

WHEREAS, the proposed bill would allow the Iowa Department of Transportation to issue annual permits to forestry industry haulers for loads up to 130,000 pounds on non-primary highways throughout Iowa, without knowledge of or notice given to the agencies which own these highways and the structures thereon, and;

WHEREAS, bridges within Wright County have been designed for loads that were legal on Iowa roads at the time of their construction, and bridges have only been rated or posted with weight restrictions for loads that are currently legal on roads, and;

WHEREAS, each bridge within Wright County is unique based on its age, design, and current condition, and;

WHEREAS, load rating to ensure safe passage of loads greater than 80,000 pounds would be unique for each load on each individual bridge, and;

WHEREAS, the traversing of Wright County bridges by loads up to 130,000 pounds without the County being afforded the knowledge of or the ability to restrict each occurrence, would result in gradual and possibly sudden failure of bridges within the County, and;

WHEREAS, Wright County would likely bear legal and financial liability for subsequent failure of its bridges, even if such failures are caused by loads, they did not permit, and;

WHEREAS, Wright County is not financially able to repair or replace bridges which would be subject to accelerated deterioration by increased loads, and;

WHEREAS, Wright County and its residents, farmers, businesses, schools, post offices, and emergency responders, would be subjected to undue operational and economic hardships by further degradation of its road system and the structures thereon;

THEREFORE, BE IT RESOLVED, that the Wright County Board of Supervisors strongly urges all Iowa lawmakers to vote in opposition to this legislation.

Jennifer Sheehan, Disability Services Coordinator, presented information on an exception to General Assistance Policy. There is a citizen that had a situation that did not allow their disability medications to be paid. The General Assistance Policy allows up to \$500.00 on medication and this person was \$67.71 over the \$500.00. Motion by Kluss and seconded by Helgevold to approve the exception to the General Assistance Policy. Motion carries.

Held discussion concerning the farm ground at the Agri-Business Park. Currently, the county bid out to cash rent the South 40 acres of the Agri-business Park. The board has been meeting with Engineers concerning the construction of the infrastructure of the park. Land on the South 40 of the park will be

taken for the water retention facility and it is uncertain how much dirt will be moved for the infrastructure. Motion by Kluss and seconded by Helgevold to not rent the South 40 acres of the Agri-Business Park and to contact Josh and Jacob Christiansen to notify them. Motion carries.

Opened the public hearing on the Development Agreement with ReNewTrient 1, LLC. Cindy Litwiller, Wright County Economic Development Director, presented information on the Development Agreement with ReNewTrient 1, LLC. The agreements lays out a minimum assessment agreement, rebate agreement of three years of 50 percent paid back, and the county to build a hard surface road. The Board of Supervisors investigated and found that notice of the intention of the Board of Supervisors to conduct a public hearing to approve a Development Agreement between the County and ReNewTrient 1, LLC had been published according to law and as directed by the Board 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. All written objections, statements, and evidence heretofore filed were reported to the Board, and all oral objections, statements, and all other exhibits presented were considered. There being no comments written or oral submitted the public hearing was closed.

There was then a motion by Kluss and seconded by Helgevold to approve Resolution 2019-17 on approving development agreement with ReNewTrient 1, LLC. By roll call vote: Ayes – Kluss, Helgevold, and Rasmussen; nays – none. Resolution 2019-17 duly passes and reads as follows:

RESOLUTION 2019-17

Resolution Approving Development Agreement with ReNewTrient 1, LLC, Authorizing Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement

WHEREAS, Wright County, Iowa (the “County”), pursuant to and in strict compliance with all laws applicable to the County, and in particular the provisions of Chapter 403 of the Code of Iowa, has previously adopted an Urban Renewal Plan for the 2019 Wright County Economic Development Urban Renewal Area (the “Urban Renewal Area”); and

WHEREAS, the Board has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa (the “Urban Renewal Tax Revenue Fund”), which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the County for the payment of the principal and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, a certain Development Agreement (the “Agreement”) between the County and ReNewTrient 1, LLC, (the “Company”) has been prepared in connection with the construction and operation of new buildings and facilities for use in its business operations in the Urban Renewal Area (the “Project”); and

WHEREAS, under the Agreement, the County would provide tax increment payments to the Company in a total amount not exceeding \$90,000; and

WHEREAS, the Board of Supervisors, pursuant to Section 403.9 of the Code of Iowa, has published notice, has held a public hearing on the Agreement on March 18, 2019, and has otherwise complied with statutory requirements for the approval of the Agreement; and

WHEREAS, Chapter 15A of the Code of Iowa (“Chapter 15A”) declares that economic development is a public purpose for which a county may provide grants, loans, tax incentives, guarantees and other financial assistance to or for the benefit of private persons; and

WHEREAS, Chapter 15A requires that before public funds are used for grants, loans, tax incentives or other financial assistance, a board of supervisors must determine that a public purpose will reasonably be accomplished by the spending or use of those funds; and

WHEREAS, Chapter 15A requires that in determining whether funds should be spent, a Board of Supervisors must consider any or all of a series of factors; and

WHEREAS, pursuant to the Plan and Chapter 403 of the Code of Iowa, the County may undertake projects and initiatives for the promotion of economic development and the elimination and prevention of blight;

NOW, THEREFORE, It Is Resolved by the Board of Supervisors of Wright County, Iowa, as follows: Pursuant to the factors listed in Chapter 15A, the Board hereby finds that:

The Project will add diversity and generate new opportunities for the Wright County and Iowa economies;

The Project will generate public gains and benefits, particularly in the creation of new jobs, which are warranted in comparison to the amount of the proposed property tax incentives.

The Board further finds that a public purpose will reasonably be accomplished by entering into the Agreement and providing the incremental property tax payments to the Company.

The Agreement is hereby approved and the Chairperson and County Auditor are hereby authorized and directed to execute and deliver the Agreement on behalf of the County, in substantially the form and content in which the Agreement has been presented to this Board of Supervisors, and such officers are also authorized to make such changes, modifications, additions or deletions as they, with the advice of bond counsel, may believe to be necessary, and to take such actions as may be necessary to carry out the provisions of the Agreement.

Section 4. As provided and required by Chapter 403 of the Code of Iowa, the County's obligations under the Agreement shall be payable solely from a subfund (the "ReNewTrient 1 Subfund") which is hereby established, into which shall be paid that portion of the income and proceeds of the Urban Renewal Tax Revenue Fund attributable to property taxes derived from the property described as follows:

The West ½ of the Northeast ¼ of the Southwest ¼ of Section 36, Township 91 North, Range 24 West of the 5th P.M., Wright County, Iowa.

Section 5. The County hereby pledges to the payment of the Agreement the ReNewTrient 1 Subfund and the taxes referred to in Subsection 2 of Section 403.19 of the Code of Iowa to be paid into such Subfund.

Section 6. After its adoption, a copy of this resolution shall be filed in the office of the County Auditor of Wright County to evidence the continuing pledging of the ReNewTrient 1 Subfund and the portion of taxes to be paid into such Subfund and, pursuant to the direction of Section 403.19 of the Code of Iowa, the County Auditor shall allocate the taxes in accordance therewith and in accordance with the tax allocation ordinance referred to in the preamble hereof.

Section 7. All resolutions or parts thereof in conflict herewith are hereby repealed.

Passed and approved March 18, 2019.

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