

September 25, 2017

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

Minutes of the previous regular meeting of September 18, 2017 were read and approved.

Approved claims for payment.

Adam Clemons, Wright County Engineer, presented Resolution 2017-35 to revise the 2018 five-year road program. This resolution will add \$200,000 to the Farm to Market HMA Paving and adds \$4.68 million of new projects however most of this will be RISE Grant funded.

Motion by Watne and seconded by Helgevold to approve Resolution 2017-35 revised 2018 five-year road program and put out to bid in January 2018. By roll call vote: Ayes – Helgevold, Watne, and Rasmussen; nays – none. Resolution 2018-35 duly passes and reads as follows.

**Resolution to Revise Wright County
2018 Five Year Road Program**

Resolution No. 2017-35

Unforeseen circumstances have arisen since adoption of the approved Secondary Road Construction Program, and previous revisions, requiring changes to the sequence, funding and timing of the proposed work plan,

The Board of Supervisors of Wright County, Iowa, in accordance with Iowa Code section 309.22, initiates and recommends modification of the following project(s) in the accomplishment year (State Fiscal Year 2018), for approval by the Iowa Department of Transportation (Iowa DOT), per Iowa Code 309.23 and Iowa DOT Instructional Memorandum 2.050.

The following approved Priority Year projects shall be ADDED to the Program's Accomplishment year:

Project Number Local ID TPMS #	Project Location Description of work	AADT Length NBIS #	Type Work Fund basis	Accomplishment Year (\$1000's of dollars)		
					New amount	
FM-C099()--55-99 C70 - Interlayer/HMA Paving TPMS ID: 37022	On C70, from Hwy 17 East 3.519 Miles to End of concrete paving near Woolstock, IA Project will consist of 1" Nominal Milling, 1" Asphalt Interlayer, 4" HMA Paving	560 3.519	HMA Paving FM		\$1000	
RC-C099(088)--9A-99 C-56 - Prestage Project TPMS ID: 37030	On C56, from Webster Co Cooperate Limits East 3.00 Miles to Intersection of Hwy 17 & C-56 Project consists of 2.5 mi. of 4" CIP with 3" HMA and 0.5 mi of Grade and Pave with 9" of PCC	970 3 MI	RISE		\$3680	

Totals	\$4680
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The following PRE-EXISTING Accomplishment Year projects shall be MODIFIED as follows:

Project Number Local ID TPMS #	Project Location Description of work	AADT Length NBIS #	Type Work Fund basis	Modification(s) applied	Accomplishment Year (\$1000's of dollars)		
					Previous Amount	New amount	Net change
FM-C099(89)--55-99 2018 Patching TPMS ID: 36472	On R33, from Hwy 3 North to Hancock County Line and on C20 from R33 to Hwy 69. Miscellaneous patching on R33 from Holmes to Kanawha Blacktop and on C20 from Kanawha Blacktop to Hwy 69, on C54 from Hwy 69 to R33	380 23.177	HMA Paving FM	Changed funding amount Changed Project Number / Type of Work	\$450	\$650	\$200
Totals					\$450	\$650	\$200

Fund ID	Accomplishment year (\$1000's of dollars)		
	Previous Amount	New Amount	Net Change
Local Funds	\$65	\$65	\$0
Farm to Market Funds	\$450	\$1,650	\$1,200
Special Funds	\$0	\$3,680	\$3,680
Federal Aid Funds	\$200	\$200	\$0
Total construction cost (All funds)	\$715	\$5,595	\$4,880
Local 020 Construction cost totals (Local Funds + BROS-8J FA funds)	\$265	\$265	\$0

Clemons then presented information on the Iowa DOT detour agreement for use of the C-54 and R-33 for Hwy 17 Construction. DOT will be replacing Hwy 17 from Eagle Grove to Goldfield. Motion by Watne and seconded by Rasmussen to table the agreement to next week. Motion carries.

The board then reviewed the Iowa DOT Gravel Road Runout proposal for Hwy 17. This proposal is for the portion that the county is to pay for the run outs in the right-of-way to the gravel roads.

Kathy Nichols, Public Health Administrator, introduced Maria Martinez as a full time employee in the Public Health department. She will be an interpreter liaison for the county and can be available for other departments also if needed. This move from part-time to full-time was also approved by the Board of Health.

Went on conference call with John Danos and Cristina Kuhn with Dorsey & Whitney Attorney Firm to discuss the “intent” resolution from Prestage Foods LLC and the letter from Cristina explaining the conduit bonding process. The resolution is not a binding commitment to issue the bonds for Prestage but an initial intent to issue the bonds. Key points addressed were: 1. Under Iowa law, conduit bonds are not a debt of the County. 2. Under Iowa law, the county has no liability or responsibility to repay the conduit bonds; the borrower is solely responsible to pay the purchasers under the bond documents. 3. No county funds or tax dollars are being given to the Borrower through this process. 4. The count is not responsible for any ongoing monitoring or collection of payments; the borrower repays the purchasers directly. 5. The borrower is making this request to obtain a lower interest rate on the loan to finance the project. 6. The borrower is responsible for paying the county for any direct costs incurred by the county related to the issuance of the bonds, such as costs for copying, postage, publication of notices and legal fees. Some issuers charge an issuer fee in addition to reimbursement for direct costs.

Board Member Helgevold introduced the following Resolution 2017-34 and moved its adoption, seconded by Board Member Watne; and after due consideration thereof by the Board, the Chairperson put the question on the motion and upon the roll being called, the following named Board Members voted: Ayes- Watne, Rasmussen, and Helgevold; Nays- none. Whereupon, the Chairperson declared the motion duly carried and the resolution adopted as follows:

RESOLUTION NO. 2017-34

RESOLUTION DECLARING THE INTENTION OF THE BOARD OF SUPERVISORS OF WRIGHT COUNTY, IOWA, TO ISSUE REVENUE BONDS, FROM TIME TO TIME OR AT ONE TIME, IN ONE OR MORE ISSUES OR SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED ONE HUNDRED MILLION DOLLARS (\$100,000,000) TO DEFRAY THE COST OF ACQUIRING, CONSTRUCTING AND EQUIPPING CERTAIN WASTE WATER TREATMENT AND/OR SOLID WASTE DISPOSAL FACILITIES AT A PORK PROCESSING PLANT FOR PRESTAGE FOODS OF IOWA, LLC AND/OR ONE OR MORE OF ITS AFFILIATES AND SUBSIDIARIES TO BE LOCATED IN WRIGHT COUNTY, IOWA; AND FOR RELATED PURPOSES.

WHEREAS, the Board of Supervisors of Wright County, Iowa (the “Board of Supervisors”), acting for and on behalf of Wright County, Iowa (the “County”), is a “municipality” as defined in Chapter 419 of the Iowa Code, as amended (the “Act”); and

WHEREAS, the Board of Supervisors desires to adopt this resolution to express the County’s intent to issue its revenue bonds, from time to time or at one time, in one or more issues or series, in an aggregate principal amount not to exceed \$100,000,000 (the “Bonds”) to defray the cost of the acquisition, construction and equipping of certain waste water treatment and/or solid waste disposal facilities at a pork processing plant of Prestage Foods of Iowa, LLC and/or one or more of its affiliates and/or subsidiaries (individually and collectively, the “Company”), to be located in the County (collectively, the “Project”) pursuant to the Act;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WRIGHT COUNTY, IOWA, AS FOLLOWS:

Section 1. Pursuant to the authority of the Act, the Board of Supervisors, acting for and on behalf of the County, does hereby declare its intention to issue the Bonds in an aggregate principal amount not to exceed \$100,000,000, from time to time or at one time, in one or more issues or series, to provide funds to defray the cost of the acquisition, construction and equipping of the Project. This intent resolution is not a binding legal commitment by the County to issue the Bonds, and such issuance is subject to further action and approval by the Board of Supervisors. The Bonds shall be limited obligations of the County. The principal of and interest on the Bonds shall be payable solely out of the

revenues derived from the Project under the provisions of the Act. The Bonds and the interest thereon shall never constitute an indebtedness of the County, within the meaning of any state constitutional provision or statutory limitation, and shall not constitute nor give rise to a pecuniary liability of the County or a charge against its general credit or taxing powers.

Section 2. The members, agents and employees of the County are hereby authorized to work with the Company and others to prepare all approvals and documents necessary to effect the authorization, issuance and sale of the Bonds.

Section 3. This resolution shall take effect immediately and is hereby declared to constitute an expression of the official intent of the County within the meaning of U.S. Treasury Regulations Section 1.150-2(e).

Passed and approved September 25, 2017.

Motion by Watne and seconded by Helgevold to follow the Iowa finance authority issuer fee schedule chart as presented for all conduit bonding applications. As per this fee schedule, the county will charge \$22,500.00 for 40 million conduit bond. Motion carries.

Bryce Davis, Wright County Economic Development Director, presented Resolution 2017-36 on Construction Loan Application. If qualified, this loan will be at 2% over 20 years. There was then a motion by Watne and seconded by Helgevold to approve Resolution 2017-36 on approving the construction loan application for the State Revolving Fund. By roll call vote: Ayes – Helgevold, Watne, and Rasmussen, Nays – none. Resolution 2017-36 duly passes and reads as follows:

RESOLUTION NO. 2017-36

Resolution approving and authorizing the submission of Wright County's Construction Loan Application

WHEREAS, the management and control of the Utility are vested with the Eagle Grove Utility Board (the "Board") and no board of trustees exists for this purpose; and

WHEREAS, Wright County (the "County"), in the State of Iowa, did heretofore establish an agreement with the Board to improve the Municipal Sanitary Sewer Utility System (the "Utility") in and for the City of Eagle Grove which has continuously supplied sanitary sewer service in and to the County and its inhabitants since its establishment; and

WHEREAS, it is deemed advisable by the Board of Supervisors of Wright County, Iowa (the "County") that the County undertake a certain Construction Loan Project (the "Project") to be financed through the Iowa Finance Authority and its State Revolving Fund Loan Program in conjunction with the financing of a certain sewer improvement project; and

WHEREAS, in order to receive approval for the financing of the Project, the County must submit a Construction Loan Application (the "Application") to the Iowa Finance Authority (the "Authority"); and

WHEREAS, I&S Group (the "Engineer"), as engineer to the County, has completed the Application and the Board has reviewed the Application;

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

Section 1. The Application referred to in the preamble hereof is hereby approved, and the County Auditor and/or the Engineer is hereby authorized and directed to submit the Application to the Authority.

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

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

Motion by Watne and seconded by Helgevold to approve the Wright County EMS System Advisory Council By-Laws. These by-laws shall establish and govern the Wright County Emergency Medical Services System Advisory Council. Motion carries.

Then Jim Lester presented the 2017 Wright County EMS Response Area Map. There was then a motion by Rasmussen and seconded by Watne to approve the fee payment schedule for ambulance service as presented by Jim Lester due in June of every year.

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

Rick Rasmussen, Chairman
Wright County Board of Supervisors

Betty Ellis, Wright County Auditor