

REGULAR SESSION

MAY 2, 2011

The Union County Board of Supervisors met in regular session on Monday, May 2, 2011. The meeting was called to order at 9:00 AM with the following members present: Lois Monday, Bob Brown, Bob Jansen, Dennis Brown, and Ron Riley.

AGENDA: Motion by Dennis Brown and seconded by Monday to approve the Agenda. All voting aye, motion carried.

MINUTES: Motion by Bob Brown and seconded by Jansen to approve the Minutes from the April 25, 2011 meeting. All voting aye, motion carried.

OPEN FORUM: The following citizens were present: Mary Jane Weisshaar, Marsha Fulton, and Leslie Wurster. Weisshaar and Fulton expressed their concerns about the County Health Insurance Plan. They would like to see the Board going back to the basics with the plan and feel the county cannot afford the health insurance currently provided. Wurster asked about the closed session on the agenda.

RESOLUTION TO SET PUBLIC HEARING FOR BONDING: Motion by Bob Jansen and seconded by Lois Monday to renew CF Bond for a lower interest rate, not extended the term date and to issue a new bond for road improvement per Resolution #43 FY2011 to fix a date for a public hearing on a General Obligation Urban Renewal Loan Agreement. WHEREAS, the Board of Supervisors (the "Board") of Union County, Iowa (the "County") previously issued its \$5,285,000 General obligation Urban Renewal Refunding Bonds, Series 2004, (the "Series 2004 Bonds"), pursuant to a resolution adopted May 10, 2004 (the "Series 2004 Bond Issuance Resolution"), a portion of which remain outstanding; and WHEREAS, pursuant to the Series 2004 bond Issuance Resolution, the Board reserved the right to call and redeem all of the Series 2004 Bonds maturing in each of the years 2012 to 2017, inclusive, (the "Callable 2004 Bonds") on June 1, 2011 or on any date thereafter; and WHEREAS, the Board proposes to enter into a loan agreement (the "Loan Agreement") in a principal amount not to exceed \$3,375,000 pursuant to the provisions of Sections 331.402 and 403.9 of the Code of Iowa for the purpose of carrying out projects in the Union County Urban Renewal Areas consisting of reconstruction of and improvements to county roads and bridges and refunding the Callable 2004 Bonds, and, in lieu of calling an election therefore, the Board desires to institute 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; NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Union County, Iowa, as follows: Section 1. The Board shall meet on the 23rd day of May, 2011 at the Union County Courthouse, Creston, Iowa, at 10:00a.m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Loan Agreement. Section 2. The County Auditor is hereby directed to give notice of the proposed action on the Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once and not less than 10 nor more than 20 days before the date of said meeting, in a legal newspaper of general circulation in the County. The notice shall be in substantially the following form: NOTICE OF PROCEED HEARING ON GENERAL OBLIGATION URBAN RENEWAL COUNTY ROAD AND REFUNDING LOAN AGREEMENT IN A PRINCIPAL AMOUNT NOT TO EXCEED \$3,375,000 (GENERAL OBLIGATION) The Board of Supervisors of Union County, Iowa will meet on the 23rd day of May, 2011, at the Union County Courthouse, Creston, Iowa, at 10:00a.m., for the purpose of holding a public hearing and taking action to enter into a loan agreement (the "Loan Agreement") in a principal amount not to exceed \$3,375,000 for the purpose of paying the cost, to that extent, of carrying out projects in the Union County Urban Renewal Areas consisting of reconstruction of and improvements to county roads and bridges and refunding the outstanding balance of the County's General Obligation Urban Renewal Refunding Bonds, Series 2004. The Loan Agreement is proposed to be entered into pursuant to authority contained in Sections 331.402 and 403.9 of the Code of Iowa. The Loan Agreement will constitute a general obligation of the County. The maximum rate of interest which may be paid under the Loan Agreement is 7% per annum. At any time before the date fixed for the hearing and taking action to enter into the Loan Agreement, a petition may be filed with the County Auditor asking that the question of entering into the Loan Agreement be submitted to the registered voters of the County. By the order of the Board of Supervisors of Union County, Iowa. Sandy Hysell, County Auditor. Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict. Passed and approved May 2, 2011. Roll Call Vote: Dennis Brown, aye. Bob Brown, aye. Monday, aye. Jansen, aye. Riley, aye. Motion carried.

ENGINEER: Steve Akes, County Engineer, presented and discussed the maintenance activity report, the Green Valley Road Maintenance and 2 requests for Rock on Level B Roads. **Utility Permit:** Motion by Jansen and seconded by Bob Brown for WindStream Communications to place 350 ft of 12 pair copper telephone cable and a new pedestal at 2198 REA Rd Lincoln and Dodge Twp Sec 7 (12 & 13) for Crestview Amish and Mennonite Church. All voting aye, motion carried. **Tile Permit:** Motion by Monday and seconded by Dennis Brown to accept a tile application for Walter Glynn to construct or install a 6" tile line within the highway right of way, located near the East ¼ Corner of Douglas Township (Section 14 Township 72, Range 31) at 1873 High & Dry Road as specifications established by the County Engineer. All voting aye, motion carried.

CLOSED SESSION: Motion by Dennis Brown and seconded by Bob Brown to go into closed session at 10:25 AM per Iowa Code section 21.5 (1)(c). Roll Call Vote: Dennis Brown, aye. Bob Brown, aye. Monday, aye; Jansen, aye; Riley, aye. Motion carried. Closed session ended at 11:35 AM.

REIMBURSEMENT LETTER OF REQUEST: Motion by Monday and seconded by Bob Brown to authorize County Attorney Tim Kenyon to send former County Supervisor Mike King an invoice requesting reimbursement of litigation charges in the amount of \$45,820.45, based on the results of the State Auditors findings, and Mr. King's public position on repaying the County for his litigation. Roll Call Vote: Dennis Brown, aye. Bob Brown, aye. Monday, aye. Jansen, abstained. Riley, aye. Motion carried.

KENT: Tim Kenyon, County Attorney, Louis Boeckman, County Environmental Specialist and Bob Brown, Supervisor, discussed with and presented to the Board of Supervisors some deadlines that the Board of Health have come up with (due to DNR requirements) for the residents of Kent to comply to the sewer system issues as follows: 1. New permits for Kent properties are due July 1, 2011. 2. Those with current permits will be extended to December 1, 2011. 3. All have completion dates of December 1, 2011. Failure to comply will result in legal action. Letters will be sent to Kent property owners with copies of each sent to the DNR and Union County Attorney.

HANDWRITTEN CLAIMS: Motion by Jansen and seconded by Monday to approve the handwritten claims to Union County Health Insurance for \$25,196.61 and to Union County LEC Fund for \$2,742.02. All voting aye. Motion carried.

Recessed for Lunch at 12:15 PM
Reconvened at 1:15 PM

TRI-STAR BENEFIT ADMINSTRATORS: Frank DeMarco, Tri-Star presented a health insurance proposal for the County

Dennis Brown left at 2:45 PM

ADJOURNMENT: There being no further business, the meeting was adjourned at 3:23 PM.

ATTEST: _____
SANDY HYSELL, COUNTY AUDITOR

BY: _____
RONALD J. RILEY, CHAIRMAN, BOARD OF SUPERVISORS