

June 11, 2019 9:00 a.m.

The Jones County Board of Supervisors met in regular session. Present Chairman Rohwedder, Supervisors Eaken, Oswald, Manternach, and Zirkelbach.

Moved by Eaken seconded by Oswald to approve the minutes of the June 4, 2019 meeting. All aye. Motion carried.

Moved by Zirkelbach seconded by Manternach to approve claims #1906-0001 through #1906-0167. All aye. Motion carried.

Moved by Zirkelbach seconded by Oswald to approve a five-day Special Class C Liquor License (Beer/Wine), with Class B Native Wine, Outdoor Service, and Sunday Sales privileges, for St. Peter's Church Temple Hill at 20189 Temple Hill Rd., Cascade (Temple Hill Barbeque), to be effective June 27, 2019. All aye. Motion carried. [2019-061]

Moved by Oswald seconded by Eaken to void check #167983 in the amount of \$5,159.50 and check #167984 in the amount of \$4,840.50, both dated January 22, 2019 and both made payable to Jones County Economic Development Commission; and corresponding claims #1901-0281 and #1901-0364, with reason being the vendor has signed an affidavit stating the checks have been lost or never received. All aye. Motion carried.

Moved by Zirkelbach seconded by Eaken to void check #163475 in the amount of \$11.28, dated April 17, 2018, made payable to Doug Hilton; and corresponding claim #1804-0295 with reason being the vendor has signed an affidavit stating the check has been lost or never received. All aye. Motion carried.

Moved by Zirkelbach seconded by Oswald to acknowledge receipt of manure management plan updates from Bisinger Farms Pork/Jim Bisinger (facility #68189) for a facility located in Section 2 of Oxford Township; from Prairie Ridge Pork/Jason Russell (facility #65357) for a facility located in Linn County with manure application in Jones County; and from Russell Brothers Finisher Farm/Russell Brothers, LLC (facility #61924) for a facility located in Linn County with manure application in Jones County, with the County Auditor to retain the documents in a temporary file for public access for one year. All aye. Motion carried.

Moved by Eaken seconded by Manternach to authorize the Chairman to sign a GIS Data Agreement with HDR Engineering, Inc. to provide data for a project for the City of Monticello. All aye. Motion carried. [2019-062]

Moved by Oswald seconded by Manternach to approve, and authorize the Chairman to sign and place on file the First Amendment to the DHS Wrap-Around & Non-Licensed Support Contract #DCAT 4-19-050; the Third Amendment to the Community Partnership for Protecting Children Coordination Services Contract #DCAT 4-18-075; and the Fourth Amendment to the DECAT Project Coordination Services Contract #DCAT 4-18-074, all with the Iowa Department of Human Services for fiscal year 2020 services. All aye. Motion carried. [2019-063, 2019-064, 2019-065]

Supervisor Eaken introduced the following 2018/2019 INTERFUND TRANSFER RESOLUTION #18/19-4 and moved its adoption, seconded by Supervisor Manternach. On roll call vote: Oswald aye, Eaken aye, Zirkelbach aye, Manternach aye, Rohwedder aye, whereupon the Chairman declared the resolution passed and adopted.

2018/2019 INTERFUND TRANSFER RESOLUTION #18/19-4

IT IS HEREBY RESOLVED by the Jones County Board of Supervisors that the County Auditor is hereby directed to transfer \$2,000 from the General Basic Fund to the Capital Projects Fund. Said transfer is being made purely for cash flow purposes to temporarily assist with payment of capital projects expenditures until general obligation loan proceeds are obtained, at which time the

Board will consider a resolution to transfer all or a portion of said \$2,000 back to the General Basic Fund.

The Board and Auditor reviewed proposals from Citizens Bank, Exchange State Bank, F & M Bank, and Fidelity Bank & Trust, to provide a single day loan transaction for the County.

Moved by Oswald seconded by Zirkelbach to accept a proposal from Citizens Bank, Anamosa, to process a single day \$450,000 loan transaction at no cost to Jones County. All aye. Motion carried.

After due consideration and discussion, Supervisor Eaken introduced the resolution next hereinafter set out and moved its adoption, seconded by Supervisor Oswald. The Chairperson put the question upon the adoption of said resolution, and the roll being called, the following named Supervisors voted:

Ayes: Rohwedder, Oswald, Eaken, Zirkelbach,

Nays: Manternach.

Whereupon, the Chairperson declared the resolution duly adopted, as follows:

RESOLUTION

Resolution authorizing and approving a Loan Agreement and providing for the issuance of a General Obligation County Purpose Note

WHEREAS, the Board of Supervisors (the "Board") of Jones County, Iowa (the "County"), heretofore proposed to authorize the County to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$450,000, pursuant to the provisions of Section 331.402 of the Code of Iowa, for the purpose of paying the costs, to that extent, of (1) constructing repairs and improvements to County buildings and grounds, including the County Courthouse, the Broadway Place Annex, Conservation Department facilities and the Anamosa Secondary Road Maintenance Shop/Engineer's Office; (2) improving and equipping the regional transit authority; (3) constructing the Temple Hill Secondary Road Maintenance Shop; and (4) constructing a public works garage; and pursuant to law and duly published notice of the proposed action, has held a hearing thereon on March 6, 2018; and

WHEREAS, on March 6, 2018 the Board adopted a resolution (the "Prelevy Resolution") anticipating the future authorization of the Loan Agreement and providing for the levy of taxes to pay principal thereunder, and said taxes have been collected in the 2018-2019 fiscal year of the County; and

WHEREAS, it is necessary at this time to authorize and approve the Loan Agreement and to make provision for the issuance of the Note in evidence of the obligation of the County under the Loan Agreement;

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

Section 1. The County hereby determines to enter into the Loan Agreement with Citizens Bank, Anamosa, Iowa (the "Lender"), providing for a loan to the County in the principal amount of \$450,000 for the purpose or purposes 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 the principal amount of \$450,000, shall be dated as of the date of its delivery to the Lender (such date is anticipated to be June 18, 2019) and shall be payable in the manner hereinafter specified.

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."

Principal of the Note shall not bear interest. All of the principal of the Note shall be payable directly to the Lender on June 18, 2019.

The Note shall be executed on behalf of the County with the official manual or facsimile signature of the Chairperson and attested with 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 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 the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of any owners of the Note shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

The Note shall be in substantially the following form:

(Form of Note)

UNITED STATES OF AMERICA
STATE OF IOWA
JONES COUNTY

GENERAL OBLIGATION COUNTY PURPOSE NOTE

No. 1			\$450,000
	RATE	MATURITY DATE	NOTE DATE
	0%	June 18, 2019	June 18, 2019

Jones County (the "County"), Iowa, for value received, promises to pay on the maturity date of this Note to

Citizens Bank
Anamosa, Iowa

or registered assigns (the "Lender"), the principal sum of FOUR HUNDRED FIFTY THOUSAND DOLLARS.

Principal of this Note shall not bear interest. All of the principal of this Note shall be payable directly to the Lender on June 18, 2019.

This Note is issued by the County to evidence its obligation under a certain loan agreement, dated as of the date hereof (the "Loan Agreement") entered into by the County for the purpose of paying the costs, to that extent, of (1) constructing repairs and improvements to County buildings and grounds, including the County Courthouse, the Broadway Place Annex, Conservation Department facilities and the Anamosa Secondary Road Maintenance Shop/Engineer's Office; (2)

improving and equipping the regional transit authority; (3) constructing the Temple Hill Secondary Road Maintenance Shop; and (4) constructing a public works garage.

This Note is issued pursuant to and in strict compliance with the provisions of Chapter 76 and Chapter 384 of the Code of Iowa, 2019, and all other laws amendatory thereof and supplemental thereto, and in conformity with a resolution of the Board 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 Holder of this Note.

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 the assignment form hereon completed and 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; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the County for the payment of the principal of this Note as the same will respectively become due; and that the total indebtedness of the County, including this Note, does not exceed any constitutional or statutory limitations.

IN TESTIMONY WHEREOF, Jones 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 18, 2019.

JONES COUNTY, IOWA

By (DO NOT SIGN)
Chairperson, Board of Supervisors

Attest:

(DO NOT SIGN)

County Auditor

ABBREVIATIONS

The following abbreviations, when used in this Note, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM	- as tenants in common	UTMA	<u>(Custodian)</u>
TEN ENT	- as tenants by the entireties	As Custodian for	<u>(Minor)</u>
JT TEN	- as joint tenants with right of survivorship and not as tenants in common	under Uniform Transfers to Minors Act	<u>(State)</u>

Additional abbreviations may also be used though not in the list above.

ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Note to

(Please print or type name and address of Assignee)

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint _____, Attorney, to transfer this Note on the books kept for registration thereof with full power of substitution.

Dated: _____

Signature guaranteed: _____

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears on this Note in every particular, without alteration or enlargement or any change whatever.

Section 3. 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 Lender on June 18, 2019, 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 4. The County hereby pledges the debt service property taxes received pursuant to the Prelevy Resolution for the full and prompt payment of the principal of the Note.

Section 5. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. This resolution shall be in full force and effect immediately upon its approval and adoption, as provided by law.

Passed and approved on June 11, 2019. [2019-066]

Moved by Zirkelbach seconded by Manternach to approve, and place on file, the Clerk's Report of Fees Collected for the month ending May 31, 2019. All aye. Motion carried. [2019-067]

Moved by Zirkelbach seconded by Oswald to authorize the Auditor to issue a check payable to Citizen's Bank in the amount of \$450,000 on June 18, 2019 as payment for a General Obligation loan to be processed on June 18, 2019. Ayes: Oswald, Eaken, Zirkelbach, Rohwedder. Nay: Manternach. Motion carried.

The Auditor shared correspondence from the Jones County Amateur Radio Club, and from the chairperson of the Jones County Historic Preservation Commission regarding a cost estimate to rehabilitate Ely's Stone Bridge. The Auditor noted that seven employment applications had been received to date for the JETS Director position with the application period closing at the end of the day on June 12, 2019, and discussed concerns regarding after hours access to the courthouse during construction at the west entrance to the building.

Tim Getty and Kelli Kapparos, Heritage Agency on Aging, and the Senior Dining Director met with the Board to discuss the findings of the annual compliance review for the Senior Dining program, noting that Jones County's dining program is often used as a model for other programs.

The Land Use Administrator met with the Board to review nuisance complaints for properties in Cass and Richland Townships, noting that a thirty-day courtesy letter had been sent to both property owners with no response from the property owners.

Moved by Oswald seconded by Eaken to authorize the Land Use Administrator to issue a formal notice of violation of the Jones County Nuisance Ordinance to Faron Fritz for property located at 24052 Ridge Rd. E28, Anamosa, in Section 31 of Cass Township, and providing thirty days to abate the nuisance or to request a hearing before the Board of Supervisors. All aye. Motion carried.

Moved by Manternach seconded by Zirkelbach to authorize the Land Use Administrator to issue a formal notice of violation of the Jones County Nuisance Ordinance to Patricia O'Shea Moore for property located at 24453 Hwy 151, Cascade, in Section 4 of Richland Township, and providing thirty days to abate the nuisance or to request a hearing before the Board of Supervisors. All aye. Motion carried.

Derek Lumsden, Jones County Economic Development Director, met with the Board to determine their interest in providing a letter of support and financial assistance for a Main Street Iowa program project to enhance the downtown area of the City of Monticello. The Board and Lumsden further discussed funding from other counties for Main Street Iowa programs in cities.

Moved by Manternach seconded by Oswald to issue a letter of support for a Main Street Iowa program project to enhance the downtown area of the City of Monticello. All aye. Motion carried. [2019-068]

The Engineer met with the Board to recommend acceptance of the bid received at the June 4, 2019 meeting from the low bidder for the fueling facility project; to review the contract documents with Horsfield Construction for the Shaw Rd. resurfacing and bridge replacement project; to provide updates on the 140th Ave., County Rd. E45, and Shaw Rd. and Wapsipinicon Trail projects; to note the commencement of contract rock hauling activities by two of the three vendors; the schedule for dust control applications, surface stabilization, roadside mowing, and pavement marking activities; and reported on a request from a property owner to hard surface a portion of 195th St. east from Highway 38 at the property owner's expense.

Moved by Oswald seconded by Eaken to accept a bid from Dick's Petroleum Co. in the amount of \$98,989.63 to provide a fueling facility and autonomous fuel management system, consisting of an above ground double-walled split fuel tank to hold 8,000 gallons of gasoline and 12,000 gallons of diesel fuel, and an automated fuel management system to control the dispensing equipment and provide accounting of all fuel products dispensed through the system. All aye. Motion carried.

The Board members inquired about various road maintenance matters, including a noxious weed complaint.

The Board discussed a letter to be issued to Senators Grassley and Ernst regarding funding concerns for the Fairview Sanitary Sewer System.

Moved by Eaken seconded by Manternach to issue letters to U.S. Senators Grassley and Ernst regarding funding concerns for the Fairview Sanitary Sewer System and lack of cooperation from the U.S. D. A. over the many years the project has been in existence. All aye. Motion carried. [2019-069, 2019-070]

Moved by Oswald seconded by Eaken to adjourn at 11:05 a.m. All aye. Motion carried.

Attest: Janine Sulzner, Auditor

Ned Rohwedder, Chairman