

**MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON OCTOBER 10, 2017.**

Meeting called to order at 9:00 a.m. by Chairman Tom Heidenwirth with members Rusty Eddy and Greg Barnett present. Also present were Greg Forbes, Parkersburg Eclipse, Jim Willis, Group Benefit Partners and Fern Myers, Allison, Iowa.

Minutes of the previous meeting were read and approved as read.

Board held a public hearing on the issuance of not to exceed \$3,000,000 General Obligation Urban Renewal Bonds. Present were Engineer John Riherd, Greg Forbes, Parkersburg Eclipse, Jim Willis, Group Benefit Partner, Bruce Toenjes and Mike Tellinghuisen, Shell Rock, Iowa, and Fern Myers, Allison, Iowa. Auditor reported no written or oral comments were received. At the close of the public hearing, it was moved by Heidenwirth, second by Barnett to approve the following:

**RESOLUTION No. 886**

**RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$3,000,000 GENERAL OBLIGATION URBAN RENEWAL BONDS**

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of not to exceed \$3,000,000 General Obligation Urban Renewal Bonds, for essential county urban renewal purposes, in order to provide funds to pay the costs of aiding in the planning, undertaking and carrying out of urban renewal projects under the authority of Iowa Code chapter 403 and the Butler County Logistics Park Urban Renewal Plan, as amended, including costs associated with the reconstruction and improvement of bridges, and the construction, reconstruction, repairing and widening of secondary roads and other highway improvements, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Bonds; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the County and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUTLER COUNTY, STATE OF IOWA:

That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$3,000,000 General Obligation Urban Renewal Bonds, for the foregoing essential county urban renewal purposes.

This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Bonds. The amounts so advanced shall be reimbursed from the proceeds of the Bonds not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 10<sup>th</sup> day of October, 2017.

The vote thereon was as follows:

AYES: Greg Barnett                      NAYS: None  
Rusty Eddy  
Tom Heidenwirth

ATTEST: *Lizbeth Williams*, County Auditor

Moved by Heidenwirth, second by Eddy to approve the following:

**RESOLUTION No. 887**

**RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF \$3,000,000\* (SUBJECT TO ADJUSTMENT PURSUANT TO TERMS OF OFFERING) GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2017, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND OFFICIAL STATEMENT**

WHEREAS, the Issuer is in need of funds to pay costs of aiding in the planning, undertaking and carrying out of urban renewal projects under the authority of Iowa Code chapter 403 and the Butler County Logistics Park Urban Renewal Plan, as amended, including costs associated with the reconstruction and improvement of bridges, and the construction, reconstruction, repairing and widening of secondary roads and other highway improvements, essential county purpose(s), and it is deemed necessary and advisable that General Obligation Urban Renewal Bonds, to the amount of not to exceed \$3,000,000 be authorized for said purpose(s); and

WHEREAS, pursuant to notice published as required by Sections 403.12 and 331.443 of the Code of Iowa, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of the Bonds, and the Board is therefore now authorized to proceed with the issuance of said Bonds for such purpose(s); and

WHEREAS, in conjunction with its Municipal Advisor, Speer Financial, the County has caused a Preliminary Official Statement to be prepared outlining the details of the proposed sale of the Bonds; and

WHEREAS, the Board has received information from its Municipal Advisor evaluating and recommending the procedure hereinafter described for electronic, facsimile and internet bidding to maintain the integrity and security of the competitive bidding process and to facilitate the delivery of bids by interested parties; and

WHEREAS, in conjunction with its Municipal Advisor, Speer Financial, the County has caused a Preliminary Official Statement to be prepared outlining the details of the proposed sale of the Bonds; and

WHEREAS, the Board has received information from its Municipal Advisor evaluating and recommending the procedure hereinafter described for electronic, facsimile and internet bidding to maintain the integrity and security of the competitive bidding process and to facilitate the delivery of bids by interested parties; and

WHEREAS, the Board deems it in the best interests of the County and the residents thereof to receive bids to purchase such Bonds by means of both sealed and electronic internet communication.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BUTLER COUNTY, STATE OF IOWA:

That the receipt of electronic bids by facsimile machine and through the SpeerAuction Competitive Bidding System described in the Notice of Sale and Official Statement are hereby found and determined to provide reasonable security and to maintain the integrity of the competitive bidding process, and to facilitate the delivery of bids by interested parties in connection with the offering at public sale.

That General Obligation Urban Renewal Bonds, Series 2017, of Butler County, State of Iowa, in the amount of \$3,000,000\* (Subject to Adjustment Pursuant to Terms of Offering), to be issued as referred to in the preamble of this Resolution, to be dated November 21, 2017, be offered for sale pursuant to the published advertisement.

That the preliminary Official Statement in the form presented to this meeting be and the same hereby is approved as to form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission, subject to such revisions, corrections or modifications as the Chairperson and County Auditor, upon the advice of bond counsel and the County's Financial Advisor, shall determine to be appropriate, and is authorized to be distributed in connection with the offering of the Bonds for sale.

That the Auditor is hereby directed to publish notice of sale of the Bonds at least once, the last one of which shall be not less than four clear days nor more than twenty days before the date of the sale. Publication shall be made in the "Butler County Tribune - Journal", a legal newspaper, printed wholly in the English language, published within the county in which the Bonds are to be offered for sale or an adjacent county. The notice is given pursuant to Chapter 75 of the Code of Iowa, and shall state that this Board, on the 24<sup>th</sup> day of October, 2017, at 2:30 P.M., will hold a meeting to receive and act upon bids for said Bonds, which bids were previously received and opened by County Officials at 10:30 A.M. on said date. The notice shall be in substantially the following form:

#### NOTICE OF BOND SALE

**Time and Place of Sealed Bids:** Bids for the sale of Bonds of Butler County, State of Iowa, hereafter described, must be received at the office of the County Auditor, County Courthouse, 428 - 6th Street, Allison, Iowa 50602; Telephone: 319-267-2670 (the "Issuer") before 10:30 A.M., on the 24<sup>th</sup> day of October, 2017. The bids will then be publicly opened and referred for action to the meeting of the Board of Supervisors in conformity with the TERMS OF OFFERING.

**The Bonds:** The Bonds to be offered are the following:

GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2017, in the amount of \$3,000,000\* to be dated November 21, 2017 (the "Bonds")

\*Subject to principal adjustment pursuant to official Terms of Offering.

**Manner of Bidding:** Open bids will not be received. Bids will be received in any of the following methods:

- **Sealed Bidding:** Sealed bids may be submitted and will be received at the office of the County Auditor at County Courthouse, 428 - 6th Street, Allison, Iowa 50602.
- **Electronic Internet Bidding:** Electronic internet bids will be received at the office of the County Auditor at County Courthouse, 428 - 6th Street, Allison, Iowa 50602. The bids must be submitted through the SPEERAUCTION competitive bidding system.
- **Electronic Facsimile Bidding:** Electronic facsimile bids will be received at the office of the County's Municipal Advisor, Speer Financial, Waterloo, Iowa (facsimile number: (319) 291-8628). Electronic facsimile bids will be treated as sealed bids.

**Consideration of Bids:** After the time for receipt of bids has passed, the close of sealed bids will be announced. Sealed bids will then be publicly opened and announced. Finally, electronic internet bids will be accessed and announced.

**Sale and Award:** The sale and award of the Bonds will be held at the Board Room, County Courthouse, 428 - 6th Street, Allison, Iowa at a meeting of the Board of Supervisors on the above date at 2:30 P.M.

**Official Statement:** The Issuer has issued an Official Statement of information pertaining to the Bonds to be offered, including a statement of the Terms of Offering and an Official Bid Form, which is incorporated by reference as a part of this notice. The Official Statement may be obtained by request addressed to the County Auditor, County Courthouse, 428 - 6th Street, Allison, Iowa 50602; Telephone: 319-267-2670 or the Issuer's Municipal Advisor, Speer Financial, 531 Commercial Street, Waterloo, Iowa, 50703, Telephone: 319-291-2077.

**Terms of Offering:** All bids shall be in conformity with and the sale shall be in accordance with the Terms of Offering as set forth in the Official Statement.

**Legal Opinion:** The Bonds will be sold subject to the opinion of Ahlers & Cooney, P.C., Attorneys of Des Moines, Iowa, as to the legality and their opinion will be furnished together with the printed Bonds without cost to the purchaser and all bids will be so conditioned. Except to the extent necessary to issue their opinion as to the legality of the Bonds, the attorneys will not examine or review or express any opinion with respect to the accuracy or completeness of documents, materials or statements made or furnished in connection with the sale, issuance or marketing of the Bonds.

**Rights Reserved:** The right is reserved to reject any or all bids, and to waive any irregularities as deemed to be in the best interests of the public.

By order of the Board of Supervisors of Butler County, State of Iowa.

PASSED AND APPROVED this 10<sup>th</sup> day of October, 2017.

The vote thereon was as follows:

AYES: Rusty Eddy                      NAYS: None  
      Tom Heidenwirth  
      Greg Barnett

ATTEST: *Lizbeth Williams*, County Auditor

Board met with Bruce Toenjes, City Attorney for Shell Rock, Iowa. Following discussion, it was moved by Barnett, second by Heidenwirth to approve the following:

**RESOLUTION No. 888**

**A RESOLUTION APPROVING AN AGREEMENT EXTENDING THE ABILITY OF SHELL ROCK TO COLLECT TAX INCREMENT IN THE WILLOW TREE URBAN RENEWAL AREA FOR UP TO 15 YEARS.**

WHEREAS, the City of Shell Rock is undertaking to amend the Willow Tree Urban Renewal Area with the intent of entering into a Development Agreement to encourage the development of a new 24 lot residential subdivision in Shell Rock, Iowa; and

WHEREAS, to accomplish the development of the subdivision, the City of Shell Rock has requested that Butler County and the Waverly -Shell Rock School District consent to an extension of the ability of the City of Shell Rock to collect Tax Increment in the Willow Tree Urban Renewal Area for up to 15 years, and has proposed an Agreement by and among the City of Shell Rock, the County of Butler, and Waverly-Shell Rock Community School District to accomplish the extension;

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF SUPERVISORS OF BUTLER COUNTY IOWA, as follows:

1. That the Agreement by and among the City of Shell Rock, the County of Butler, and Waverly-Shell Rock Community School District is approved in the form attached to this Resolution.
2. That the Chair of the Board of Supervisors and the County Auditor are authorized to sign the Agreement on behalf of Butler County.

Passed and approved the 10<sup>th</sup> day of October, 2017.

The vote thereon was as follows:

AYES: Tom Heidenwirth                      NAYS: None  
      Greg Barnett  
      Rusty Eddy

ATTEST: *Lizbeth Williams*, County Auditor

Board considered a Resolution declaring support and intent of the placement of Historic Route 20 signage in Butler County. Following discussion, it was moved by Heidenwirth to approve. Motion died for lack of a second.

Board considered a contract with Accord Architects, Mason City, Iowa for schematic design for proposed Community Services Building. Moved by Eddy, second by Heidenwirth to approve \$8,000 for said services with Accord Architects. Barnett voted nay. Motion carried.

Board met with Jim Willis, Group Benefit Partners to discuss health insurance and benefits. Mr. Willis is requesting health insurance renewal be with Group Benefit Partners. Following discussion, it was moved by Eddy, second by Heidenwirth to appoint Jim Willis, Group Benefit Partners as agent for Butler County employee benefits. All ayes. Motion carried.

Board reviewed Quarterly Report of Recorder and ordered placed on file.

Board approved claims as submitted.

Moved by Heidenwirth, second by Eddy to adjourn the meeting at 10:20 A.M. to Tuesday, October 17, 2017 at 9:00 A.M. Motion carried.

The above and foregoing is a true and correct copy of the minutes and proceedings of a regular adjourned meeting of the Board of Supervisors of Butler County, Iowa on October 10, 2017.