

West Union, Fayette County, Iowa  
Monday, March 6, 2017

The Board of Supervisors of Fayette County, Iowa, met on Monday, March 6, 2017, at 9:00 o'clock a.m., at the Fayette County Supervisors' office.

The meeting was called to order by the Chairperson, and the roll was called showing the following Supervisors present and absent:

Present: Jeanine Tellin, Darrel Dolf & Janell Bradley

Absent: -None-

Motion was made by Dolf and seconded by Bradley to approve the current agenda. On roll call, all voted aye, none nay, and the motion was carried.

Motion was made by Bradley and seconded by Dolf to approve the minutes from the Monday, February 27, 2017 meeting. On roll call, all voted aye, none nay, and the motion was carried.

Motion was made by Dolf and seconded by Bradley to adopt the following resolution:

### **Resolution # 354**

**BE IT HEREBY RESOLVED** by the Board of Supervisors of Fayette County, Iowa that the County Auditor be and is hereby directed to issue the following transfer orders on the County Treasurer:

#1798 \$12,728.10 from General Basic Fund to Capital Projects Fund.

On roll call, all voted aye, none nay, and the resolution was adopted.

The following claims were approved:

A-1 Vacuum	Supplies	47.85	1
AcenTek	Phone Service	252.62	1
All Stop	Fuel	72.14	2
Alliant Energy	Utilities	6549.16	7
Anytime Laundry	Service	144.00	1
Area Transportation Systems	Service	462.50	1
Arlington, City	Utility	73.53	1
Auto X-Tras	Supplies	200.00	1
Baumler Impl Co, Inc.	Supplies	24.87	1
Lawrence Benda	DAV Driver	60.00	1
Black Hawk County Landfill	Service	399.48	1
Black Hills Energy	Utilities	1610.54	1
Bodensteiner Implement	Supplies	1978.19	3
BP Express	Fuel	43.98	1
Janell M Bradley	Reimbursement	163.38	1
Car Quest	Supplies	5213.91	1
Caterpillar Financial Services	Equipment	337945.27	1
Century Laundry Distr.	Service	1000.00	1
Century Link	Phone Service	264.62	8
CenturyLink	Phone Service	2507.05	13
CenturyLink	Service	21.80	1
City Laundry	Service	169.29	1
Bowman Dist.	Supplies	171.19	1
Cobblestone Hotel & Suites	Service	199.36	1
Contech Engineered Solutions	Supplies	16649.50	1

Dean's Destination Power Sport	Supplies	11753.00	1
Des Moines Stamp Mfg.	Supplies	28.05	1
DEW Investments	Rent	340.00	1
DMACC	Service	200.00	1
Darrel Dolf	Reimbursement	137.76	1
Dollar General Charge Sales	Supplies	107.35	2
Don's Truck Sales Inc.	Supplies	270.89	1
Donohue Law Office	Expenses/Rent	609.40	1
Earl's Locksmith	Supplies/Maint	67.50	1
Earthgrains Baking Co., Inc.	Supplies	391.43	1
Joel D Fantz	Reimbursement	100.00	1
Fauser Energy Resources	Supplies	259.20	1
Fayette County Recycling	Fee	20967.00	1
Fayette Co. Sheriff	Fees	302.70	2
Fayette County Soil and Water	Allocation	2000.00	1
Fay Co. Solid Waste	Fees	56960.36	1
Fayette County Treasurer	Taxes	3858.00	1
Fayette Publishing	Publications	529.95	3
Donald Fox	DAV Driver	105.00	1
Mick Gage Plumbing & Heating	Services	90.00	1
GovConnection, Inc	Fees	220.00	1
Grainger	Supplies	356.14	2
Gundersen Clinic LTD	Service	279.00	1
Hawkeye Telephone	Service	94.23	1
Kevin Hirsch	Reimbursement	125.00	1
Industrial Supply Solutions	Supplies	2842.20	1
Iowa County Attorneys Assn	Fee	65.00	1
Iowa Dept of Natural Resources	Permits	175.00	1
Iowa NENA	Registration	85.00	1
Iowa Prison Industries	Supplies	275.50	2
IA State Assn of Counties	Fee	170.00	1
Iowa State Assn of Counties	Fees	200.00	1
Iowa State Assn of Counties	Dues	200.00	1
Jay's Automotive	Supplies	30.00	1
John Deere Financial	Supplies	121.31	1
Ruth A Kearney	Reimbursement	3.88	1
Joe Kroack	DAV Driver	109.14	1
Nathan Lein	Reimbursement	254.10	1
Liebovich/PDM Steel&Alum	Supplies	1299.90	1
Loomis Plumbing & Heating	Supplies	626.20	1
Martin Bros. Dist.	Supplies	1305.04	2
Martin Equip of IA-Il	Supplies	9169.39	1
Martin Gardner Architecture	Service	614.24	2
City of Maynard	Wa/Sw/Landfill	59.40	1
April McDermott	Service	34.00	1
McKee Foods Corporation	Supplies	147.92	2
The Mealey, LLC	Rent	200.00	1
Meyer's Custom Chevy	Supplies	2740.00	1
Mid-Am Research Chem Corp	Supplies	119.13	1
Midwest Wheel Co.	Supplies	102.60	1
Modern Building Products & Re	Supplies	27.54	1
Lori A Moellers	Reimbursement	15.16	1
Moss Serv Ctr Inc.	Supplies	508.36	1
NAPA Auto Parts	Supplies	323.27	1
Northeast District of Assessor	Training	325.00	1
Oelwein City Clerk's Office	Service	49.36	1
Oelwein Publishing Company	Publications	440.65	2
Palmer HHA	Fees	8750.00	1
Peterbilt of La Crosse	Supplies	151.08	1
Peters Construction Corp	Service	12728.10	2
Petroleum Traders Corporation	Supplies	7779.77	1
Postmaster	Supplies	200.00	1
Prairie Farms Dairy	Supplies	571.45	2
PTS of America, LLC	Service	693.00	1
Purchase Power	Supplies	3000.00	1
Quillin's West Union	Supplies	69.19	2
Reinhart Food Serv.	Supplies	2087.74	2
Rite Price Ofc Supply	Supplies	2350.30	12
Sam's Club	Supplies	187.09	1
Saur and Saur	Expenses	827.84	1
Scott Van Keppel, LLC	Supplies	2435.90	1

Seedorff Service Center	Service	36.25	1
Sisters of Charity	Service	250.00	1
Solutions, Inc.	Data Processing	2709.74	3
Spahn & Rose Lumber	Supplies	1011.49	1
St. Luke's Cemetery	Soldiers Graves	256.00	1
Star Equipment Ltd.	Supplies	347.57	1
State Medical Examiner's Ofc	Fee	3187.00	1
Superior Welding Sup. Co.	Supplies	141.22	1
Debra Thorstenson	DAV Driver	40.00	1
Fayette County Union	Publications	626.95	4
United States Cellular	Phone Service	42.26	1
Brenda Vande Voorde	Reimbursement	151.95	1
Verizon Wireless - VSAT	Service	100.00	1
West Union Hardware	Supplies	14.99	1
City of West Union	Utilities	1202.60	3
City of Westgate	Utility	43.80	1
WEX Bank	Fuel	1996.01	1
Wilbur Ford	Service	49.22	1
Windstream Iowa Communications	Phone Service	637.75	1
Ziegler Inc.	Supplies	839.09	1

Motion was made by Bradley and seconded by Dolf to approve the following license: The application of Charles Downs, d/b/a Downs Produce for a 12 month Class B Native Wine Permit, including living quarters and Sunday Sales, for use in Westfield Twp. was submitted and recommendation made that the license be granted. On roll call, all voted aye, none nay, and the license was approved.

Motion was made by Dolf and seconded by Bradley to adopt the following resolution:

## **Resolution # 355**

### A RESOLUTION SUPPORTING THE HOME BASE IOWA INITIATIVE

WHEREAS, the Office of the Governor of the State of Iowa has launched a public-private partnership called Home Base Iowa initiative, which is an effort to match military veterans with jobs available across Iowa; and

WHEREAS, the Home Base Iowa initiative consists of two programs, Home Base Iowa Businesses and Home Base Iowa Communities; and

WHEREAS, Governor Branstad is requesting Iowa businesses and communities to promote and support the Home Base Iowa initiative and one of the requirements for Fayette County to be a Home Base Community is that the Board of Supervisors adopt a resolution of support; and

WHEREAS, the Board of Supervisors of Fayette County finds that it is in the best interests of Fayette County and veterans everywhere to support the Home Base Iowa initiative and adopt this resolution.

NOW, THEREFORE, it is resolved by the Board of Supervisors of Fayette County, Iowa as follows:

Section 1. The Board of Supervisors of Fayette County hereby proclaims its support for the Home Base Iowa initiative and encourages its residents to take whatever actions are necessary for Fayette County to become and continue to be a Home Base Iowa Community.

Section 2. The Board of Supervisors also encourages Fayette County businesses to take whatever actions are necessary to become and continue to be a Home Base Iowa Business.

Section 3. All resolutions, orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby repealed, and this resolution shall be in full force and effect immediately upon its adoption and approval.

On roll call, all voted aye, none nay, and the resolution was adopted.

Motion was made by Dolf and seconded by Bradley to open the Public Hearing at 9:30 o'clock a.m., at the Courthouse Boardroom in West Union, Iowa, for the purpose of conducting a public hearing on the designation of an urban renewal area and on a proposed urban renewal plan amendment. The Chairperson presided and the roll being called the following Supervisors were present and absent:

Present: Tellin, Dolf & Bradley

Absent: -None-

The Board investigated and found that notice of the intention of the Board to conduct a public hearing on the designation of the March, 2017 Addition to the Fayette County 2013 Urban Renewal Area and on an urban renewal plan amendment 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 were no oral objections, statements, or evidence presented.

There being no objections, comments, or evidence offered, motion was made by Bradley and seconded by Dolf to close the Public Hearing at 9:34 a.m. On roll call, all voted aye, none nay, and the motion was carried.

Supervisor Dolf moved the adoption of a resolution entitled "Resolution to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan Amendment for the Fayette County 2013 Urban Renewal Area", seconded by Supervisor Bradley. After due consideration, the Chairperson put the question on the motion and the roll being called, the following named Supervisors voted:

Ayes: Tellin, Dolf & Bradley

Nays: -None-.

Whereupon, the Chairperson declared the resolution duly adopted and signed approval thereto.

## **Resolution # 356**

Resolution to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan Amendment for the Fayette County 2013 Urban Renewal Area

WHEREAS, as a preliminary step to exercising the authority conferred upon Iowa counties by Chapter 403 of the Code of Iowa (the “Urban Renewal Law”) a county must adopt a resolution finding that one or more slums, blighted or economic development areas exist in the county and that the development of such area or areas is necessary in the interest of the public health, safety or welfare of the residents of the county; and

WHEREAS, the Board of Supervisors of Fayette County (the “County”) has previously created the Fayette County 2013 Urban Renewal Area (the “Urban Renewal Area”) and adopted an urban renewal plan (the “Plan”) for the governance of projects and initiatives therein; and

WHEREAS, a proposal has been made which shows the desirability of expanding the Urban Renewal Area to add and include all the property (the “Property”) lying within the legal description set out in Exhibit A hereto; and

WHEREAS, the proposal demonstrates that sufficient need exists to warrant finding the Property to be an economic development area; and

WHEREAS, an amendment (the “Amendment”) to the Plan has been prepared which (i) covers the addition of the Property to the Urban Renewal Area; and (ii) authorizes the undertaking of new urban renewal projects in the Urban Renewal Area consisting of (a) using tax increment financing to pay the costs of reconstructing a portion of the West Charles Street Viaduct situated in the City of Oelwein, Iowa (the “City”), and (b) using tax increment financing to support the construction of necessary improvements to County Road W14 for the promotion of commercial, industrial, agribusiness and economic development; and

WHEREAS, notice of a public hearing by the Board of Supervisors of the County on the question of establishing the Property as part of the Urban Renewal Area and on the proposal to adopt the Amendment was heretofore given in strict compliance with the provisions of Chapter 403 of the Code of Iowa, and the Council has conducted said hearing on March 6, 2017; and

WHEREAS, the Planning and Zoning Commission of the County has reviewed and commented on the proposed Amendment; and

WHEREAS, notice of a consultation meeting with respect to the Amendment was mailed to the City and to the Oelwein Community School District; the consultation meeting was held; and responses to any comments or recommendations received following the consultation meeting were made as required by law; and

WHEREAS, the City has executed and delivered a joint agreement (the “Joint Agreement”) consenting to the County’s proposed urban renewal activity on the Property; and

NOW, THEREFORE, It Is Resolved by the Board of Supervisors of Fayette County, Iowa, as follows:

An economic development area as defined in Chapter 403 of the Code of Iowa is found to exist on the Property.

The Property is hereby declared to be an urban renewal area, in conformance with the requirements of Chapter 403 of the Code of Iowa, and is hereby designated the March, 2017 Addition to the Fayette County 2013 Urban Renewal Area.

The development of the Property is necessary in the interest of the public health, safety or welfare of the residents of the County.

It is hereby determined by this Board of Supervisors as follows:

A. The projects proposed in the Amendment conform to the general plan of the County;

B. The proposed agribusiness, commercial and industrial development projects described in the Amendment are necessary and appropriate to facilitate the proper growth and development of the County in accordance with sound planning standards and local community objectives.

The Amendment, attached hereto and made a part hereof, is hereby in all respects approved.

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

EXHIBIT A  
Legal Description  
Expanded Fayette County 2013 Urban Renewal Area  
(March, 2017 Addition)

Certain real property situated in Fayette County, State of Iowa described as follows:

A portion of the public right-of-way of West Charles Street situated in the City of Oelwein, Iowa beginning at its intersection with 5<sup>th</sup> Avenue NW and continuing east to its intersection with 3<sup>rd</sup> Avenue NW; and

A portion of the railroad right-of-way owned by Transco Railway Products, Inc. beginning at its intersection with West Charles Street situated in the City of Oelwein, Iowa and continuing northeast to the termination of the railroad tracks on certain property situated in Fayette County, Iowa and bearing Fayette County Property Tax Parcel Identification Number 1806300012; and

A portion of the public right-of-way of County Road W14 from its intersection with the railroad right-of-way with Transco Railway Products, Inc. on the south and continuing north to and including its intersection with 210<sup>th</sup> Street.

Supervisor Dolf introduced the resolution next hereinafter set out and moved its adoption, seconded by Supervisor Bradley; and after due consideration thereof by the Board, the Chairperson put the question upon the adoption of the resolution, and the roll being called, the following named Supervisors voted:

Ayes: Tellin, Dolf & Bradley

Nays: -None-.

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

### **Resolution # 357**

Resolution to Fix a Date of Meeting at Which it is Proposed to Approve a Development Agreement with the City of Oelwein, Including Tax Increment Payments in an Amount not to Exceed \$75,000

WHEREAS, Fayette 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 adopted an Urban Renewal Plan (the “Plan”) for the Fayette County 2013 Urban Renewal Area (the “Urban Renewal Area”); and

WHEREAS, this 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, 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, the County amended the Plan to include the authorization of the West Charles Street Viaduct Improvement Project as an urban renewal project of the County; and

WHEREAS, the County proposes to enter into an economic development support agreement (the "Agreement") with the City of Oelwein (the "City") with respect to the reconstruction of a portion of the West Charles Street Viaduct situated in the Urban Renewal Area; and

WHEREAS, under the Agreement the County would provide financial support to the City in the form of incremental property tax payments in an amount not to exceed \$75,000 under the authority of Section 403.9(1) of the Code of Iowa; and

WHEREAS, it is necessary to set a date for a public hearing on the Development Agreement, pursuant to Section 403.9 of the Code of Iowa;

NOW THEREFORE, IT IS RESOLVED by the Board of Supervisors of Fayette County, Iowa, as follows:

Section 1. This Board shall meet on March 20, 2017, at 9:30 o'clock a.m., at the Courthouse Boardroom, West Union, Iowa, at which time and place proceedings will be instituted and action taken to approve the Development Agreement and to authorize the incremental property tax payments in a total amount not exceeding \$75,000.

Section 2. The County Auditor is hereby directed to give notice of the proposed action, the time when and place where the meeting will be held, by publication at least once not less than four days and not more than twenty days before the date of said meeting in a legal newspaper of general circulation in the County. Said notice shall be in substantially the following form:

**NOTICE OF MEETING FOR APPROVAL OF ECONOMIC DEVELOPMENT SUPPORT AGREEMENT WITH THE CITY OF OELWEIN AND AUTHORIZATION OF TAX INCREMENT PAYMENTS**

The Board of Supervisors of Fayette County, Iowa, will meet at the Courthouse Boardroom, West Union, Iowa, on the 20<sup>th</sup> day of March, 2017, at 9:30 o'clock a.m., at which time and place proceedings will be instituted and action taken to approve an Economic Development Support Agreement (the "Agreement") between the County and the City of Oelwein, Iowa (the "City"), with respect to the reconstruction of a portion of the West Charles Street Viaduct situated in the Fayette County 2013 Urban Renewal Area, which Agreement provides for certain financial support from the County in the form of incremental property tax payments to the City in a total amount not exceeding \$75,000, as authorized by Section 403.9 of the Code of Iowa.

The Agreement to make incremental property tax payments to the City will not be a general obligation of the County, but will be payable solely and only from incremental property tax revenues generated within the Fayette County 2013 Urban Renewal Area.



At the meeting, the Board will receive oral or written objections from any resident or property owner of the County. Thereafter, the Board may, at the meeting or at an adjournment thereof, take additional action to approve the Agreement or may abandon the proposal.

This notice is given by order of the Board of Supervisors of Fayette County, Iowa, in accordance with Section 403.9 of the Code of Iowa.

Lori Moellers  
County Auditor

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

The Board met with Joel Fantz, County Engineer, for a secondary roads update.

The Board had a discussion regarding geothermal for the Courthouse with Jon Biederman, Fehr Graham, and Jim Bear, via conference call.

Motion was made by Bradley and seconded by Dolf to move forward with installing geothermal in the Courthouse. On roll call, all voted aye, none nay, and the motion was carried.

The Board adjourned.

Upon request, this information could be made available in large print, and/or computer disk.

---

Lori Moellers  
County Auditor

---

Jeanine Tellin  
Chair of the Board