

PROCEEDINGS OF THE BOARD OF SUPERVISORS  
February 23, 2021

The Board of Supervisors of Cerro Gordo County, Iowa, met in regular session pursuant to adjournment. Present: Chairman Casey Callanan, Vice Chairman Chris Watts, Supervisor Tim Latham and various members of the public.

Chairman Callanan convened the meeting at 10:00 a.m.

Watts moved with Latham seconding, to approve today's agenda and the meeting minutes for the February 16, 2021 regular session. Motion passed unanimously.

Public comment session was held.

Latham moved with Watts seconding, to approve claims. Motion passed unanimously.

Latham moved with Watts seconding, to approve the payroll register for period ending 02/13/2021. Motion passed unanimously.

Watts moved with Latham seconding, to approve Resolution 2021-28, WHEREAS, the following payroll change request was submitted to the Board of Supervisors for review; and, WHEREAS, the Board of Supervisors of Cerro Gordo County, has reviewed and considered the change request as follows:

Department	Name
<u>Pay Change</u>	<u>Effective Date</u>
General Assistance	Kathye Gaines
\$18.00/hourly	02/23/2021

THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Cerro Gordo County does hereby approve the requests as shown above and directs the Auditor to make the necessary adjustments to the payroll. Motion passed unanimously.

Latham moved with Watts seconding to approve the following payroll changes:

Department	Name
<u>Pay Change</u>	<u>Effective Date</u>
Recorder	Colleen Young
\$19.92/hourly	03/01/2021
Sheriff	Cole Arndt
\$25.22/hourly	02/28/2021
Recorder	Amy Smalley
\$56,184.18/year	04/01/2021
Sheriff	Felicia Lucero
\$20.42/hourly	07/05/2021
Sheriff	Destiny Shuck
\$20.42/hourly	08/16/2021

Motion passed unanimously.

Latham moved with Watts seconding, to approve Resolution 2021-29, The Board of Supervisors of Cerro Gordo County acting for and on behalf of the drainage districts below FINDS:

1. There are insufficient funds in the drainage district accounts to pay for necessary repairs and maintenance and to provide for a sinking fund to pay future maintenance and repair costs in accordance with §468.61.

2. The drainage districts have incurred or shortly will incur costs for repair and maintenance. NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. Assessments in the following amounts shall be and are assessed against each individual tract of land and highway within the following Drainage Districts and Laterals in accordance with the classification schedules on file in the drainage district records in the office of the County Auditor. In accordance with §468.57, if the owner of any land against which a levy exceeding \$500.00 is made shall within thirty (30) days from the effective date of this Resolution agree in writing that in consideration of having a right to pay his assessment in ten (10) equal installments, he will not make any objection to the legality of his assessment or the levy of taxes against his property, such owner shall have the right to pay the assessment in ten (10) equal installments. Interest shall accrue on the unpaid assessment at the rate of 6% per annum as provided by law.

Joint Drainage District 6/56-Lateral 2-A	\$17,250.00
Joint Drainage District 6/56-Lateral 2-A1A	\$600.00

Joint Drainage District 1/31/86-Lateral 1 Upper Tile	\$12,000.00
Joint Drainage District 1/31/86-Lateral 1-L	\$2,000.00
Joint Drainage District 1/31/86-Lateral 4-C	\$1,800.00
Joint Drainage District 1/31/86-1 Lower System	\$5,000.00
Drainage District 5	\$1,000.00
Drainage District 6	\$1,000.00
Drainage District 19	\$1,000.00
Drainage District 22	\$1,000.00
Drainage District 24	\$6,600.00
Drainage District 35	\$4,700.00
Drainage District 86	\$1,500.00
Drainage District 97	\$1,300.00
Drainage District 118	\$2,000.00

2. The effective date of these assessments is the 23<sup>rd</sup> day of February, 2021.  
Motion passed unanimously.

Watts moved with Latham seconding, to cancel outstanding warrants more than one year old. Motion passed unanimously.

Latham moved with Watts seconding, to set the public hearing for the proposed tax levy for March 2, 2021 at 10:05 a.m. Motion passed unanimously.

Latham moved with Watts seconding, to approve the Assessor's recommendations for AY2020 Family Farm Credits. Motion passed unanimously.

Latham moved with Watts seconding, to authorize the Chair to sign contract with Cott Systems. Motion passed unanimously.

Watts moved with Latham seconding, to approve Resolution 2021-30, WHEREAS, In 2010, Iowa lawmakers passed legislation authorizing the creation of Watershed Management Authorities. WHEREAS, A Watershed Management Authority (WMA) is a mechanism for cities, counties, Soil and Water Conservation Districts (SWCDs) and stakeholders to cooperatively engage in watershed planning and management. WHEREAS, the County desires to enter into an Agreement that would establish a Watershed Management Authority within the Shell Rock River Watershed (Hydrologic Unit Code #07080202), referred to officially as the Shell Rock River Watershed Management Coalition, to enable cooperation in watershed planning and improvements pursuant to Iowa Code Chapter 466B.23 and; WHEREAS, Chapter 28E of the Code of Iowa provides the authority for public agencies to enter into agreements for their mutual advantage and; WHEREAS, this Agreement is made and entered into by the eligible political subdivisions within the Shell Rock River Watershed that adopt these Articles of Agreement, including but not limited to the Cities of Clarksville, Shell Rock, Dougherty, Marble Rock, Rudd, Nora Springs, Rock Falls, Plymouth, Manly, Grafton, Kensett, Northwood, Lake Mills, and Greene; Winnebago, Mitchell, Worth, Cerro Gordo, Floyd, Bremer, Franklin, Butler, Black Hawk Counties; and Winnebago, Mitchell, Worth, Cerro Gordo, Floyd, Bremer, Franklin, Butler, Black Hawk Soil and Water Conservation Districts; NOW BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CERRO GORDO COUNTY, IOWA that the Chair is hereby authorized to sign and execute the Articles of Agreement for Shell Rock River Watershed Management Coalition, a copy of which is attached hereto and incorporated herein by this reference; and BE IT FURTHER RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF CERRO GORDO, IOWA that said Agreement is hereby approved as to form and content and is found to be in the best interest of the County of Cerro Gordo, Iowa and the eligible political subdivisions that adopt these Articles of Agreement, including but not limited to the Cities of Clarksville, Shell Rock, Dougherty, Marble Rock, Rudd, Nora Springs, Rock Falls, Plymouth, Manly, Grafton, Kensett, Northwood, Lake Mills, and Greene; Winnebago, Mitchell, Worth, Cerro Gordo, Floyd, Bremer, Franklin, Butler, Black Hawk Counties; and Winnebago, Mitchell, Worth, Cerro Gordo, Floyd, Bremer, Franklin, Butler, Black Hawk Soil and Water Conservation Districts; BE IT FURTHER RESOLVED BY THE BOARD OF SUPERVISORS OF CERRO GORDO COUNTY that the Auditor is hereby authorized to file a copy of this Resolution and Agreement with the Secretary of State, as required by Chapter 28E, Iowa Code. Motion passed unanimously.

Latham moved with Watts seconding, to authorize the Chair to sign Certificate of Appointment of Amy Smalley as Deputy Recorder. Motion passed unanimously.

Latham moved with Watts seconding, to approve Resolution 2021-31, WHEREAS, Cerro Gordo County, sometimes hereinafter referred to as the County, is a political subdivision duly incorporated, organized and existing under and by virtue of the Constitution and laws of the State of Iowa; and WHEREAS, it is deemed necessary that the County should enter into a Loan Agreement and borrow the amount of \$4,573,000 as authorized by Sections 331.402 and 331.443, Code of Iowa as amended; and WHEREAS, proposals have been requested and received from financial institutions offering to enter into such Loan Agreement; and WHEREAS, after a review of all the proposals received, it has been determined that the best and most favorable proposal is that of MBT BANK of Forest City, IA; and WHEREAS, it is the intention of this Board of Supervisors to enter into a Loan Agreement in accordance with said proposal dated February 17, 2021. NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF SUPERVISORS OF CERRO GORDO COUNTY, STATE OF IOWA:  
Section 1. That this Board of Supervisors does hereby accept the attached proposal of MBT BANK of Forest City, IA, and takes additional action to permit the entering into of a Loan Agreement.  
Section 2. The Chairperson and County Auditor are authorized and directed to proceed on behalf of the County to enter into such Loan Agreement, to negotiate the final terms of a Loan Agreement to take all action necessary to permit the entering into of a Loan Agreement on a basis favorable to the County and acceptable to the Purchaser, and to proceed to meet the conditions of this accepted proposal. Motion passed unanimously.

Watts moved with Latham seconding, to approve Resolution 2021-32, WHEREAS, the County did by resolution dated January 10, 2012, authorize the issuance of \$9,365,000 General Obligation Refunding Capital Loan Notes, Series 2012A, (the "Notes") dated January 26, 2012; and WHEREAS, the Notes are redeemable in any order of their numbering on June 1, 2021 or any date thereafter upon giving notice in the manner provided in the resolution authorizing the issuance of the Notes; and WHEREAS, it is deemed necessary and advisable that \$4,520,000 be so redeemed on June 1, 2021 and notice of redemption be given according to the terms of the resolution authorizing issuance of the Notes. NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CERRO GORDO COUNTY, STATE OF IOWA:

Section 1. That outstanding General Obligation Refunding Capital Loan Notes, dated January 26, 2012, in the principal amount of \$4,520,000, be and the same are hereby redeemed as of June 1, 2021.

Section 2. The Registrar and Paying Agent, UMB Bank, n.a. of West Des Moines, Iowa, successor to Banker Trust Company of Des Moines, Iowa, is hereby authorized and directed to cause notice of such redemption to be given not less than thirty (30) days prior to the redemption date and to cause notice of redemption to be mailed to the registered owners of the Notes by registered mail, and to notify DTC.

Section 3. The County Treasurer is hereby authorized and directed to cause to be deposited in a separate fund sum sufficient to pay all principal and interest on the redeemed Notes to the date of redemption and to notify the County's dissemination agent to post the Notice of Redemption to the MSRB's website (EMMA) in searchable PDF format for the refunded Notes in accordance with the Continuing Disclosure Certificate for the Notes.

Section 4. That the form of such notice be substantially as follows:

NOTICE OF THE CALL OF NOTES FOR REDEMPTION TO THE HOLDERS OF THE FOLLOWING DESCRIBED NOTES:

Please take notice that the Notes described below have been called for redemption. Owners of the Notes should present their Notes for payment on the redemption date.  
Issuer: Cerro Gordo County, State of Iowa  
Original Issue Amount: \$9,365,000  
Note Issue: General Obligation Refunding Capital Loan Notes, Series 2012A

Dated Date: January 26, 2012

Redemption Date: June 1, 2021

Redemption Price: Par, plus accrued interest

Notes Called for Redemption				
CUSIP	Principal	Interest	Maturity	
Numbers	Amount	Rate	June 1 <sup>st</sup>	
156843 DQ4	\$865,000	2.100%	2022	
156843 DR2	\$880,000	2.250%	2023	

156843 DS0	\$900,000	2.400%	2024
156843 DT8	\$925,000	2.550%	2025
156843 DU5	\$950,000	2.650%	2026

No representation is made as to the accuracy of the CUSIP numbers printed herein or on the Notes.

The above Notes should be presented to UMB Bank, N.A. of West Des Moines, Iowa, successor to Banker Trust Company of Des Moines, Iowa. This represents a full call of the outstanding obligations. All interest will cease to accrue on the Redemption Date.

UMB Bank, NA. of West Des Moines

Motion passed unanimously.

Latham moved with Watts seconding, to authorize the Chair and Budget Manager to sign Final Bank Term Sheet. Motion passed unanimously.

Watts moved with Latham seconding, to rescind Iowa DOT Agreement No. 2-20-HBP-SWAP-060 and approve Iowa DOT Agreement No. 2-20-HBP-SWAP-035 and authorize the Chair to sign. Motion passed unanimously.

Latham moved with Watts seconding, to approve dock permit 52P. Motion passed unanimously.

Watts moved with Latham seconding, to authorize the Chair to sign Subrecipient Agreement between Cerro Gordo County and YSS Francis Lauer. Motion passed unanimously.

Latham moved with Watts seconding, to approve the report from the Zoning Director and the Environmental Health Service Manager concerning Manure Management Plans filed by Gene Baker (site #71450) and EJ Pork (site #58107) and forward to the DNR. Motion passed unanimously.

Latham moved with Watts seconding, to adjourn at 10:31 a.m. Motion passed unanimously.

Various tabulations, reports, correspondence and other documents that were presented at today's meeting are placed on file with the supplemental minutes.

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Chairman Casey Callanan  
Board of Supervisors

ATTEST:

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Adam V. Wedmore, Auditor  
Cerro Gordo County