

**Board of Supervisors Office, Carroll, Iowa
Monday, September 14, 2009**

The Board of Supervisors of Carroll County, Iowa met in regular adjourned session in the Boardroom of the Courthouse, in Carroll, Iowa, the County seat of said County on Monday, September 14, 2009 at 9:00 a.m. Central Daylight Saving Time pursuant to law, the rules of said Board and to the adjournment with the following members present: Marty Danzer, Dan Nieland, Mark Beardmore, and Eugene Meiners. Del McDermott was absent.

Motion by Beardmore, second by Danzer to approve the agenda with three additions: IMWCA election, Manning Main Street project, and Manning Municipal Comm. & Television System Utility tax bill. On roll call, all present voted aye.

Motion by Nieland, second by Danzer to approve the minutes of the September 8, 2009 and September 11, 2009 meetings as presented. On roll call, all present voted aye.

Motion by Danzer, second by Nieland to approve \$3000 contribution to the 2010 Region XII COG Housing Trust Fund Grant application. On roll call, all present voted aye.

Motion by Beardmore, second by Danzer to approve claims for payment. On roll call, all present voted aye.

GENERAL BASIC

Employer's Share F.I.C.A.	\$16,848.55
Employer's Share I.P.E.R.S.	9,044.96
Employer's Share I.P.E.R.S.	1,771.39
Employer's Share I.P.E.R.S.	5,777.29

GENERAL SUPPLEMENTAL

Employer's Share F.I.C.A.	23.44
Employer's Share I.P.E.R.S.	27.58

MENTAL HEALTH

Employer's Share F.I.C.A.	1,144.92
Employer's Share I.P.E.R.S.	1,060.96

RURAL SERVICES

Employer's Share F.I.C.A.	1,328.04
Employer's Share I.P.E.R.S.	84.88
Employer's Share I.P.E.R.S.	1,266.40

SECONDARY ROAD FUND

Employer's Share F.I.C.A.	7,691.92
Employer's Share I.P.E.R.S.	6,940.91

DISASTER SERVICES

Employer's Share F.I.C.A.	199.62
Employer's Share I.P.E.R.S.	211.74

FOR CLAIMS ALLOWED BY DEPARTMENT SEE BOARD OF SUPERVISORS SUPPLEMENT BOOK A.

Board Member Dan Nieland introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$600,000 SEWER REVENUE CAPITAL LOAN NOTE, OF CARROLL COUNTY, STATE OF IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Board Member Marty Danzer seconded the motion to adopt. The roll was called and the vote was, AYES: Danzer, Nieland, Beardmore, Meiners; NAYS: None; ABSENT: McDermott.

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

RESOLUTION FIXING DATE FOR A MEETING ON THE
AUTHORIZATION OF A LOAN AGREEMENT AND THE
ISSUANCE OF NOT TO EXCEED \$600,000 SEWER REVENUE
CAPITAL LOAN NOTE, OF CARROLL COUNTY, STATE OF
IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE
THEREOF

WHEREAS, it is deemed necessary and advisable that Carroll County, State of Iowa (the "Issuer"), should provide for the authorization of a Loan Agreement and the issuance of a Sewer Revenue Capital Loan Note, in the amount of not to exceed \$600,000, as authorized by Sections 331.402 and 331.464, Code of Iowa, as amended, for the purpose of providing funds to pay costs as hereinafter described; and

WHEREAS, the Issuer has applied for a loan with the United States of America (the "Government"), acting under the provisions of the Consolidated Farm and Rural Development Act

(7 U.S.C. 1921 et seq.) pursuant to which the Government has agreed to purchase the Issuer's Note and has requested that such note be issued as a single note in a denomination equal to the total amount of the issue as authorized by Sections 331.402 and 331.464; and

WHEREAS, the Loan Agreement and Note shall be payable solely and only out of the net earnings of the Maple River Junction Wastewater Project Revenue Fund and shall be a first lien on the future net earnings thereof; and shall not be general obligations of the Issuer or payable in any manner by taxation and the Issuer shall be in no manner liable by reason of the failure of the net revenues to be sufficient for the payment of the Loan Agreement and Note; and

WHEREAS, before a Loan Agreement may be authorized and a Sewer Revenue Capital Loan Note may be issued to evidence the obligation of the Issuer thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the authorization of the Loan Agreement and Note and to receive oral and/or written objections from any resident or property owner of the Issuer to such action.

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

Section 1. That this Board meet in the County Courthouse, 114 E. 6th Street, Carroll, Iowa, at 10:00 o'clock A.M., on the 21st day of September, 2009, for the purpose of taking action on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$600,000 Sewer Revenue Capital Loan Note, to evidence the obligations of the Issuer thereunder, the proceeds of which will be used to provide funds to pay the costs of improvements and extensions to the Maple River Junction Sewer Utility System including those costs associated with the acquisition, construction and installation of sanitary sewer improvements, extensions and onsite systems in the Maple River Junction area of the County.

Section 2. That the Auditor is hereby directed to cause at least one publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in said County, said publication to be not less than four clear days nor more than twenty days before the date of said public meeting on the issuance of the Note.

Section 3. The notice of the proposed action shall be in substantially the following form:
NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF CARROLL COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$600,000 SEWER REVENUE CAPITAL LOAN NOTE, AND THE PUBLIC HEARING ON THE AUTHORIZATION AND ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Carroll County, State of Iowa, will hold a public hearing on the 21st day of September, 2009, at 10:00 o'clock A.M., in the County Courthouse, 114 E. 6th Street, Carroll, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$600,000 Sewer Revenue Capital Loan Note, in order to provide funds to pay the costs of improvements and extensions to the Maple River Junction Sewer Utility System including those costs associated with the acquisition, construction and installation of sanitary sewer improvements, extensions and onsite systems in the Maple River Junction area of the County. The Note will not constitute general obligations or be payable in any manner by taxation, but will be payable from and secured by the net revenues of the Maple River Junction Wastewater Project Revenue Fund.

The proceeds of the Sewer Revenue Capital Loan Note may be applied to pay project costs directly or to pay interim project notes which will be issued in the amount of not to exceed \$600,000 in anticipation of the future receipt of funds or note proceeds applicable to the foregoing project and purposes.

At the above meeting the Board shall receive oral or written objections from any resident or property owner of the Issuer, to the above action. After all objections have been received and considered, the Board will at this meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of Note or will abandon the proposal to issue the Note.

This Notice is given by order of the Board of Supervisors of Carroll County, State of Iowa, as provided by Sections 331.402 and 331.464 of the Code of Iowa, as amended.

Dated this 14th day of September, 2009.

s/Joan Schettler

County Auditor of Carroll County, State of Iowa

PASSED AND APPROVED this 14th day of September, 2009.

s/Eugene Meiners

Chairperson

ATTEST:

s/Joan Schettler

County Auditor

Motion by Beardmore, second by Danzer to approve casting votes for Wayne Clinton, Story County Board of Supervisors, Kelly Hayworth, Coralville City Administrator, and Theresa Phillips, Williamsburg City Council, as IMWCA Board of Trustees members for terms ending October 2012. On roll call, all present voted aye.

Meiners reported on a meeting with Manning Mayor, Harvey Dales, regarding funding for the Manning Main Street project. Manning has received funding for the current year from the Warren Timmerman Trust, but is requesting funding from the County for the second and third

years in an amount from \$2500 to \$3000 per year. This will probably be an ongoing request. In order to attract other funding, the city needs to show local support. The City of Manning believes the tax base will be increased and that will make county funding a worthwhile investment. Motion by Beardmore, second by Danzer to approve funding of \$2500 in both FY2011 and FY2012 for the Manning Main Street project. On roll call, all present voted aye.

County Engineer, Dave Paulson, reviewed four utility permits. Motion by Danzer, second by Beardmore to approve the following utility permits: Iowa Telecom in Newton Township, Western Iowa Power Cooperative in Washington Township, Glidden REC in Kniest Township, and Arcadia Telephone in Arcadia Township. On roll call, all present voted aye.

Paulson reported on gravel that is being hauled from Hallett's by two local vendors and some county trucks. They are hauling a little more than 1,000 tons a day and plan to haul 14,000 tons.

Paulson visited with Sac County personnel concerning the mower used on gravel road shoulders. Sac uses an old Kuhn mower that has been modified to fit a spare grader. Nieland thought it would be beneficial to mow shoulders on gravel roads that are on school bus routes.

Paulson discussed the purchase of a new grader. After trade-in, the quote from Ziegler Cat of Des Moines is approximately \$200,000. This amount is budgeted in FY10, but the Mack truck payment was not in the FY10 budget, as it was anticipated they would be paid for in FY09. The Secondary Road budget would need to be amended to reflect the payment of the Mack trucks. The Supervisors asked Paulson to verify Ziegler's quote and report back next week. Delaying the grader purchase increases the possibility of expensive repairs on the current graders.

Paulson also discussed a Level "C" road by Hobbs Pits that will be upgraded to Level "B".

Board reviewed manure management annual updates for Schon Finisher, Section 34, Richland Township and Nissly & Nissly Site 1, Section 32, Arcadia Township.

Meiners reported on an error made by Manning Municipal Comm. & Television System Utility that resulted in a large increase in their tax bill. An erroneous amount was reported to the Department of Revenue by Manning Municipal Comm. & Television System Utility. Meiners suggested that the company contact the taxing authorities who will be affected by any change in the tax billing. If the taxing bodies are agreeable to a lesser amount, the Supervisors will consider abating part of the taxes. Motion by Beardmore, second by Nieland to direct Manning Municipal Comm. & Television System Utility to contact all the taxing authorities (City of Manning, Manning Community School, Carroll County, DMACC, County Assessor and Agricultural Extension), and explain the situation. Documentation will be required from all taxing authorities stating that they are in agreement, or are not in agreement, to receiving a lesser amount of taxes. After documentation is presented to the Supervisors, a decision will be made regarding the amount of taxes to be paid by Manning Municipal Comm. & Television System Utility. On roll call, all present voted aye.

Danzer reported on M&M RC&D, Region XII, Hungry Canyons, flight breakfast and Dedham tractor ride.

Nieland reported school elections canvass.

Beardmore reported on a personnel meeting, school elections canvass and Courthouse limestone repair.

Meiners reported on school elections canvass, Liquor Control meeting, and Manning Municipal Comm. & Television System Utility meeting.

Motion by Beardmore, second by Nieland to adjourn at 10:46 a.m. On roll call, all present voted aye.

Joan Schettler, County Auditor

Eugene Meiners, Chairman