

LYON COUNTY AUDITORS OFFICE
September 22, 2014

ROCK RAPIDS, IOWA

Chairman Randy Bosch convened the adjourned session with Peters, Bosch, Behrens, Koedam and Michael present. Motion carried assumes unanimous vote unless otherwise stated.

The minutes of the September 15, 2014 meeting were reviewed. Motion made by Behrens to approve minutes, seconded by Koedam. Motion carried.

Auditor Smit stated the Government Crime Policy will be tabled until Attorney Mayer can get more information.

Nathan Peters with Little Rock EMS was present to speak to the Board in respect to Lyon County Ambulance helping transport during daytime hours (6:00 AM to 6:00 PM). Also in attendance were Amy Borman, Lyon County Ambulance and Sheriff Stewart Vander Stoep. Questions were raised if it would be more beneficial for Little Rock and it's residents if Sibley Ambulance could help cover as it is closer. Nathan will contact Sibley ambulance to see if they would be able/willing to help out. It was decided that in the meantime, Little Rock would still need help and Lyon County will provide that coverage. Motion by Supervisor Peters, second by Behrens to approve and sign the contingency plan between Little Rock EMS and Lyon County Ambulance. Motion carried.

Auditor Smit pointed out the date to receive our audit report in the engagement letter received from DeNoble, Austin & Company is June 30, 2015. The Board has previously wondered if the audit could be delivered sooner. It was decided to have Smit sign current audit letter and ask DeNoble about the date at the pre-audit meetings.

Supervisor Peters received an estimate from Popkes Construction for the remodel of the old ambulance garage to accommodate office space for veteran's affairs and conservation. Popkes quote for labor and paint is \$7,900 to \$8,400. This estimate includes no materials and no windows. Peters stated the estimate may be low as the Board decided to put in two windows. The Board previously approved the project and contractor at their Sept. 8th meeting. Peters also updated the Board to the fact that the building needs a new furnace/AC unit. Peters has received a quote from DRG of \$6,610 for the replacement unit and labor. It was decided to ask Leutholds for a quote as well. It was motioned by Michael, seconded by Koedam to accept the lowest bid for a furnace/air conditioner for the former ambulance building once they are both received. Motion carried.

Kyle Peters, County Inspector with the Engineer's Office, was present in the absence of County Engineer Laura Sievers. The Board would like to sell the current Little Rock shop properties as the new shop will be complete soon. As there are two properties there is a resolution for each property. Resolutions 2014-26 and 2014-27 were introduced as follows:

Resolution 2014-26

**Resolution Proposing the Sale of Property of Lyon County, Iowa
By Public Auction & Fixing Date for Public Hearing**

WHEREAS, Lyon County, Iowa is the owner of the following described real estate:

Lots 4, 5, 6, and 7, all in Block 3, in the Town of Little Rock, Lyon County, Iowa.

WHEREAS, Lyon County is not currently using said real estate and sees no future use for said premises which would benefit Lyon County, Iowa; and

WHEREAS, the Lyon County Board of Supervisors propose it is in the best interests of the residents of Lyon County to sell said property at public auction and

WHEREAS, before said sale can be implemented it is necessary that a public hearing be held thereon and that due notice be given in accordance with the requirements of Sections 331.361 and 331.305 of the Code of Iowa.

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Lyon County, Iowa:

- It is proposed that it would be in the best interests of the residents of Lyon County, Iowa to sell said property at public auction.
- It is determined that it is in the best interests of the residents of Lyon County to hold a public hearing on the matter on the 13th day of October, 2014 at 10:15 A.M. in the Board of Supervisors Room, Lyon County Courthouse, Rock Rapids, Iowa.

BE IT FURTHER RESOLVED that the Auditor be and is hereby directed to publish notice of such hearing at least once, and not less than four (4) nor more than twenty (20) days before the public hearing as provided in Section 331.305 of the Code of Iowa, and that said Notice is attached hereto and is identified as Exhibit "A".

Dated this 22nd day of September, 2014.

ATTEST: /s/ Jen Smit
County Auditor

/s/ Randy Bosch
Chairman, Board of Supervisors

Resolution 2014-27

**Resolution Proposing the Sale of Property of Lyon County, Iowa
By Public Auction & Fixing Date for Public Hearing**

WHEREAS, Lyon County, Iowa is the owner of the following described real estate:

The North One-half (N1/2) of Lot Twenty-Two (22), and all of Lots Twenty Three (23) and Twenty Four (24), all in Block Three (3), Town of Little Rock, Lyon County, Iowa; and

That part of Railroad Street lying between the East line of Second Avenue and a Northerly extension of the West line of the alley running in a North-South direction in Block Three (3), all in the Original Town of Little Rock, Lyon County, Iowa.

WHEREAS, Lyon County is not currently using said real estate and sees no future use for said premises which would benefit Lyon County, Iowa; and

WHEREAS, the Lyon County Board of Supervisors propose it is in the best interests of the residents of Lyon County to sell said property at public auction and

WHEREAS, before said sale can be implemented it is necessary that a public hearing be held thereon and that due notice be given in accordance with the requirements of Sections 331.361 and 331.305 of the Code of Iowa.

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Lyon County, Iowa:

- It is proposed that it would be in the best interests of the residents of Lyon County, Iowa to sell said property at public auction.
- It is determined that it is in the best interests of the residents of Lyon County to hold a public hearing on the matter on the 13th day of October, 2014 at 10:30 A.M. in the Board of Supervisors Room, Lyon County Courthouse, Rock Rapids, Iowa.

BE IT FURTHER RESOLVED that the Auditor be and is hereby directed to publish notice of such hearing at least once, and not less than four (4) nor more than twenty (20) days before the public hearing as provided in Section 331.305 of the Code of Iowa, and that said Notice is attached hereto and is identified as Exhibit "B".

Dated this 22nd day of September, 2014.

ATTEST: /s/ Jen Smit
County Auditor

/s/ Randy Bosch
Chairman, Board of Supervisors

Motion by Peters, second by Behrens to approve and have Chairman sign Resolution 2014-26 and Resolution 2014-27 to set the Public Hearing date as October 13, 2014 at 10:15 a.m. and 10:30 a.m. respectively. Motion carried.

Resolution 2014-28 was presented. The Board needs to set a public hearing date to take comments regarding expanding and updating the Urban Renewal Plan for the Lyon County Economic Development Urban Renewal Area.

RESOLUTION NO. 2014-28

Resolution setting date for public hearing on designation of the expanded Lyon County Economic Development Urban Renewal Area and on urban renewal plan amendment

WHEREAS, the Board of Supervisors (the "Board") of Lyon County, Iowa (the "County") by resolution previously established the Lyon County Economic Development Urban Renewal Area (the "Urban Renewal Area") and adopted an

urban renewal plan (the "Plan") for the governance of projects and initiatives to be undertaken 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") described on Exhibit A hereto; and

WHEREAS, this Board is desirous of obtaining as much information as possible from the residents of the County before making this decision; and

WHEREAS, an amendment (the "Amendment") to the Plan has been prepared which covers the addition of the Property to the Urban Renewal Area and authorizes the undertaking of a new urban renewal project in the Urban Renewal Area consisting of using tax increment financing to support the construction of bridge, culvert and highway improvements; and

WHEREAS, portions of the Property lies within two miles of the incorporated limits of the Cities of George and Alvord and pursuant to Section 403.17 the County must enter into joint agreements (the "Joint Agreements") with those cities in order to exercise urban renewal authority over such property; and

WHEREAS, it is now necessary that a date be set for a public hearing on the designation of the expansion of the Urban Renewal Area and on the Amendment;

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

This Board will meet at the Lyon County Courthouse, Rock Rapids, Iowa, on October 27, 2014, at 10:00 o'clock a.m., at which time and place it will hold a public hearing on the designation of an expanded Urban Renewal Area as described in the preamble hereof and on the Amendment.

The County Auditor shall publish notice of said hearing, the same being in the form attached to this resolution, which publication shall be made in a legal newspaper of general circulation in Lyon County, which publication shall be not less than four (4) nor more than twenty (20) days before the date set for the hearing.

Pursuant to Section 403.5 of the Code of Iowa, the County Auditor and Steve Simons are hereby designated as the County's representatives in connection with the consultation process which is required under that section of the urban renewal law.

The proposed Amendment is hereby submitted to the County's Planning and Zoning Commission for review and recommendations, as required by Section 403.5, Code of Iowa.

The County Auditor and Steve Simons are hereby authorized and directed to present the Joint Agreements to the Cities of George and Alvord for approval, execution and delivery to the County prior to the public hearing on October 27, 2014.

Passed and approved September 22, 2014.

Attest: /s/ Jen Smit
County Auditor

/s/ Randy Bosch
Chairman, Board of Supervisors

Motion by Behrens, second by Supervisor Peters to approve and have Chairman sign Resolution 2014-28 to set Public Hearing date as October 27, 2014 at 10:00 a.m. Motion carried.

The project FEMA-CO60(LS)-73-60 for slide repairs on Able Blvd and 200th Street needs contract approval from the Board. Motion by Michael, second by Koedam to approve the contract with Caswell for \$111,272. Motion carried.

Project #ER-CO60(106)-58-60 for several locations in the county that need rip rap erosion control due to the flood, needs plan approval by the Board. Motion by Behrens, second by Supervisor Peters to approve plans for ER-CO60(106)-58-60. Motion carried.

Engineer Sievers, by email, had asked to have project STP-S-CO60(107)-5E-60 on L26 added to her correspondence as it is imperative to keeping the project on schedule as Board approval is needed to move forward. This project will resurface L26 from IA Hwy 9 south to A46 and also 1 mile of A22. Inspector Peters stated he is hopeful for a February letting for this project. Motion by Supervisor Peters, second by Behrens to approve and sign agreement for STP-S-CO60(107)-5E-60. Motion carried.

Regarding project BRS-CO60(96)-60-60 for the bridge over Little Rock River, as the landowner did not accept the counter offer by the deadline there was a motion by Michael, second by Koedam to direct the county attorney and the county engineer to proceed with condemnation proceedings. Motion carried.

At 11:08 a.m., Chairman Bosch opened the public hearing to take comments on the Urban Renewal Plan Amendment for the Lyon County - Sudenga Urban Renewal Area. In attendance were: Verdonna Kelly and Lyon County Economic Development Director Steve Simons. As there were no questions or comments received, Bosch closed the hearing at 11:12 a.m. Resolution 2014-29 was presented for approval.

RESOLUTION 2014-29

Approving Development Agreement with Sudenga Industries, Inc.,
Authorizing Tax Increment Payments and Pledging Certain Tax
Increment Revenues to the Payment of the Agreement

WHEREAS, Lyon 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 for the Lyon County-Sudenga Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, this Board of Supervisors 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 (the "Urban Renewal Tax Revenue Fund"), 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, a certain development agreement (the "Agreement") between the County and Sudenga Industries, Inc. (the "Company") has been prepared in connection with the expansion of the Company's Dur-A-Lift production facilities in the Urban Renewal Area (the "Project"); and

WHEREAS, under the Agreement, the County would provide tax increment payments to the Company in a total amount not exceeding \$215,000; and

WHEREAS, this Board of Supervisors, pursuant to Section 403.9 of the Code of Iowa, has published notice, has held a public hearing on the Agreement on September 22, 2014, and has otherwise complied with statutory requirements for the approval of the Agreement; and

WHEREAS, Chapter 15A of the Code of Iowa ("Chapter 15A") declares that economic development is a public purpose for which a County may provide grants, loans, tax incentives, guarantees and other financial assistance to or for the benefit of private persons; and

WHEREAS, Chapter 15A requires that before public funds are used for grants, loans, tax incentives or other financial assistance, a Board of Supervisors must determine that a public purpose will reasonably be accomplished by the spending or use of those funds; and

WHEREAS, Chapter 15A requires that in determining whether funds should be spent, a Board of Supervisors must consider any or all of a series of factors;

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

Section 1. Pursuant to the factors listed in Chapter 15A, the Board of Supervisors hereby finds that:

(a) The Project will add diversity and generate new opportunities for the Lyon County and Iowa economies;

(b) The Project will generate public gains and benefits, particularly in the creation of new jobs, which are warranted in comparison to the amount of the proposed financial incentives.

Section 2. The Board of Supervisors further finds that a public purpose will reasonably be accomplished by entering into the Agreement and providing the incremental property tax payments to the Company.

Section 3. The Agreement is hereby approved and the Chairperson and County Auditor are hereby authorized and directed to execute and deliver the Agreement on behalf of the County, in substantially the form and content in which the Agreement has been presented to this Board of Supervisors, and such

officers are also authorized to make such changes, modifications, additions or deletions as they, with the advice of bond counsel, may believe to be necessary, and to take such actions as may be necessary to carry out the provisions of the Agreement.

Section 4. As provided and required by Chapter 403 of the Code of Iowa, the County's obligations under the Agreement shall be payable solely from a subfund (the "Sudenga Subfund") which is hereby established, into which shall be paid that portion of the income and proceeds of the Urban Renewal Tax Revenue Fund attributable to property taxes derived from the property described as follows:

Certain real property situated in Lyon County, State of Iowa, more particularly described as follows: PARCEL E EXCEPT PARCEL F IN FRL NW ¼, 31-99-43, Lyon County, Iowa

Section 5. The County hereby pledges to the payment of the Agreement the Sudenga Subfund and the taxes referred to in Subsection 2 of Section 403.19 of the Code of Iowa to be paid into such Sudenga Subfund, provided, however, that no payment will be made under the Agreement unless and until monies from the Sudenga Subfund are appropriated for such purpose by the Board of Supervisors.

Section 6. After its adoption, a copy of this resolution shall be filed in the office of the County Auditor of Lyon County to evidence the continuing pledging of Sudenga Subfund and the portion of taxes to be paid into such Sudenga Subfund and, pursuant to the direction of Section 403.19 of the Code of Iowa, the Auditor shall allocate the taxes in accordance therewith and in accordance with the tax allocation ordinance referred to in the preamble hereof.

Section 7. All resolutions or parts thereof in conflict herewith are hereby repealed.

Passed and approved this 22nd day of September 2014.

Attest: /s/ Jen Smit
County Auditor

/s/ Randy Bosch
Chairperson

Motion by Behrens, second by Peters to approve and have Chairman sign Resolution 2014-29. Motion carried.

Sheriff Vander Stoep has notified the Board that jailer, Gonzalo Morales, has become certified as of August 13, 2014. Vander Stoep recommends his hourly rate increase to \$17.30/hr (74% of jail administrator wage) per the wage schedule.

County Engineer Sievers has temporarily hired Doug Wiarda on a part-time basis to help with inspections on various projects in Lyon County. Wiarda's wage will be \$22.45/hr per the Union contract.

The Board discussed entering a contract with Group Services, Inc. This contract would give healthcare reform and benefit management advice as well as include HR services that the county would need. Much discussion was had

regarding what Group Services could give that differs from the current services the County receives from Paul Greufe. Auditor Smit commented that Group Services can give the same services that Greufe can in the HR aspect. Supervisor Behrens noted that Attorney Mayer was going to contact Greufe to do HIPPA and sexual harassment trainings. There was discussion about discontinuing services with Greufe as the Board doesn't want to double up services. Smit stated that Greufe does offer services by situation or for a fee for service and could contact Greufe for prices for said services. There was a motion by Peters, to move to a per call basis with Greufe instead of the current monthly contract, second by Michael. Motion carried.

Motion by Peters, second by Behrens to enter contract with Group Services for \$34,580 (\$2,881 per month) for consulting services on healthcare reform and benefit management along with HR services. Motion carried.

Supervisor Peters would like to see discussion continue on the draft agreements for road projects that involve county and city roadways. Engineer Sievers had given the Board a draft agreement as to how payment should be decided for such projects. Auditor Smit will ask Sievers to redistribute the draft agreement to the supervisors to start the discussion.

Supervisor Behrens attended NWIA Care Connections and Jail Crisis services meetings.

Supervisor Peters attended safety committee and YES Board meetings.

Claims dated 9-16-2014 in the amount of \$2,001.12 were reviewed and approved. Check sequence #111702-111714. (veteran affairs)

Jerry M. Baatz	Mileage (20) Sept Mtg	10.00
Enventis	Telephone - July	52.68
Focus Newspaper	Service Officer Advertise	123.50
George Office Products	Printer Toner (Black & Color)	443.96
Dennis Hansmann	Mileage (30) Sept Mtg	15.00
Corey Heimensen	Office Rent/postage/faxes	159.90
Lyon County News	Service Officer Ad	62.40
MidAmerican Energy	Utility Assistance	235.00
Wilma Miller	Mileage Spencer Fair (80)	40.00
New Century Press	Service Officer Ad	183.68
Rocky Schlichter	Rent Assistance	350.00
Wanda Schlichter	Rent Assistance	325.00

General Basic Fund 2,001.12

Handwritten claim dated 9-17-14 to Wellmark BlueCross BlueShield in the amount of \$12,789.14 for payment of health insurance claims on 9-6-14 through 9-12-14 was reviewed and approved. Check sequence #111715.

Health Insurance Fund 12,789.14

Claims dated 9-22-2014 in the amount of \$66,986.63 were reviewed and approved. Check sequence #111716-111815.

Alliance Communications Attn:	Sept 911 Recurring	300.00
Alliant Energy	LR shop/shed	165.64
AT & T	911 Recurring	43.80
Bouma Excavating Verlyn Bouma	6" road crossing	825.00
C.J. Cooper & Associates	2 random drug tests	70.00
City of Rock Rapids Municipal	Utility Assistance	98.61
Cooperative Energy Company	562.67 G Gasahol,oil chg	1878.64
Corner Rexall Drugs	Reimb: Medical Supplies	42.51
Culligan Soft Water Serv.	9/4/14 Module/Annex	102.00
Dave's Bulk Service	3735 gal diesel fuel	11952.00
District III Auditors Assoc. J	FY2014 Auditor Dues	35.00
DJ's Service	Oil Change/Service	52.45
Dollar General-Regions 410526	HF Supplies	3.21
Doon Press	Ads,brd min,hearings,ord2014-01	577.98
Dusty's Auto Body David Dreesm	Windshield/Video Install	295.00
Family Crisis Center of NW IA	FY2015 Allocation	5000.00
Foundation 2	Aug Juv Shelter - C.A.	1446.15
Frontier	Sept 911 Recurring/GE telephn	176.34
GCC Alliance Concrete Inc.	43 cy grout	5675.00
George Office Products	Office Supplies,printer toner	776.07
GlaxoSmithKline	Flu Vaccine	3789.00
IMAGETek, Inc.	Maint on Treas Scanner	37.50
Iowa Community Services Assoc	FY2015 Dues	50.00
Iowa County Attorney Ass'n.	CA Fall Conference	325.00
Iowa Law Enforcement Intellige	LEIN Mtg 604 10/6-10/8	175.00
ISAC	Fall School - Heidloff	170.00
Lance Iwen	Reimb:JD Snow Blower Chutr	173.95
JCL Solutions-Janitors Closet	Custodial Supplies	63.82
Jebro Inc.	606 gal CRS-2	2121.00
Jim Hawk Tr Trailers Inc.	piggy back kit #123	42.00
John Deere Financial	connectors	2.43
Keith's Korner	Aug Fuel 134.1 G Gasahol	428.01
Law Enforcement Systems	Ticket Books	141.00
Lewis Family Drug, LLC	Inmate Meds	547.57
LexisNexis	Aug On-line services	112.00
Little Rock Free Lance	School Safety Ad	22.80
Rose Lloyd	Aug Cell Phone/printer ink	9.51
Lyon County News	School Safety Ad	54.60
Lyon County Sheriff Dept.	Sheriff Fees	149.58
Lyon Manor & Rehab Center	Aug Inmate Meals 188x\$4.5	846.00
Lyon Rural Electric Coop	utilities-LT/LR,install 200amp	498.65
Martin Marietta Materials	43.04 tons chips	477.74
Matheson Tri-Gas Inc	Oxygen 9-4 & 9-11-14	153.30
Merck Sharp & Dohme	Hep B for LR School	371.13
MidAmerican Energy	Inwood and Alvord shop	117.05
Joel Moser	Reimb:Postage 8/4/14	3.94
Myrl & Roy's Paving Inc.	15.10 Ton 1 1/2" Ballast	
	46.3 Ton Class B riprap	1107.20
Colette Nath	Township assess Mileage/meal	323.59
National Sheriffs' Association	NSA Dues thru 10/31/15	106.00
New Century Press	Brd Min,notices,Ord2014-02	840.86
Oak Street Station	Aug Fuel - 111.4 G E10	359.75
Osceola County Treasurer Becky	Drainage Assessment	136.89
PCC, Inc. Physician's Claim Co	8/1-8/31 Amb Billing	1454.91
Kyle Peters	steel toe shoes	180.00
Pitney Bowes	6/30/14-9/30/14 Postage Meter	370.59
Pitney Bowes Inc.	postage machine rent	53.85

PJGreufe & Associates	Sept HR	1500.00
Prevent Child Abuse America	Core Training/Supv Training	1105.00
Radio & TV Center	3 TV's for Jail	1842.00
Rapid Auto Repair Michael D. K	4 Tires for F.Exp/A2 Oilchg	727.67
RB Electric	light switch - Larchwood	78.07
Rock Rapids Ace Hardware	Fasteners/batteries/hardware	48.34
Rock Rapids Machine & Welding	Bolts/Sheriff	14.32
Sanford Health	random drug test	24.00
Sanford USD Medical Center	Medical Supplies/Aug PT	91.61
Sanitation Products, Inc.	sprocket, shaft, ck flood damage	3140.60
Siebring Electric & Lock	Keys made 8/7/14 Crthouse	24.00
Sioux County Engineer	6-35' piling - box repair-Flood	2760.00
Sioux Falls Two Way Radio	cable kit, antenna, brkt	57.97
Sirchie Finger Print Laborator	Evidence Labels	59.86
Vicki Slack	Sept Amb Laundry	100.00
Sara Sprock	8/27/14 Mileage IW TIF	22.50
State Hygienic Laboratory	Well Water Test - R.Kooiker	19.00
Sturdevant's	Floor Mats	28.48
Sunshine Foods	Aug Inmate Supplies	358.53
The Shop	Tire Repair	75.00
Pamela R. Tille	Meal-Taxation Review Mtg/mileage	167.91
Trane	Sept Generator Maint	322.16
Treasurer State of Iowa ATTN:	FY2015 CoJuv Base	1855.00
United Farmers Coop	Fuel 46.79 G Gasahol/headlight	162.02
University of Iowa National Re	Deposit-Workshop MS/JM	400.00
US Bank - Purchase Card Purcha	Copier maint kit,496.2G gasohol	
	Lodging/meals/conferences	5969.44
J.C. VanderZee D.D.S. Family D	9/11/14 Sharps Disposal	13.00
Verizon Wireless	Wireless Internet/cellphn	121.53
Western Iowa Tech Community Co	Housing Cost / Moore	567.00

General Basic Fund	34,459.17
Mental Health Fund	602.98
Rural Services Basic Fund	52.31
Economic Development Fund	532.96
Secondary Road Fund	29,646.92
Surcharge on E911	473.75
Emergency Management Services	172.11
Co. Assessor Agency Fund	1,046.43

There being no further business there was a motion by Michael, seconded by Peters to adjourn. Motion carried.

ATTEST

County Auditor

APPROVED

Chairman