

BOARD OF SUPERVISOR'S Regular Meeting
January 29, 2019 10:00 a.m. Board of Supervisors' Room
Webster County Courthouse

The Board of Supervisors met in Session on the above date with the following members present: Campbell, Dencklau and Thode Absent: Carlson and Conrad

Moved by Dencklau, seconded by Thode to approve the Agenda as presented. Motion carried unanimously.

Moved by Thode, seconded by Dencklau to approve the January 22, 2019 Meeting Minutes. Motion carried unanimously.

Moved by Dencklau, seconded by Thode to approve proposal from Total Animal Control Company for a 2% increase in Fiscal Year 2019 Contract for services to control of animals in and around the rural areas of Webster County, Iowa. Motion carried unanimously.

Moved by Thode, seconded by Dencklau to table the recommendation from Snyder & Associates, Inc. Engineer Paul Jacobson, to award the contract for the Bank Building Skylight until February 5, 2019 board meeting. Motion carried unanimously.

Moved by Dencklau, seconded by Thode to receive and place on file the following proposals for Courthouse Water Softeners:

	Time Softner	Clock	Metered Softner
Riley Armstrong			
Plumbing	\$2,314.72		\$2,893.00
Mid State Plbg & Htg	\$4,315.00		\$4,815.00
Dan Riley Plumbing	\$5,552.00		\$6,332.00
Winger	\$5,200.00		\$5,900.00

Motion carried unanimously.

Moved by Dencklau, seconded by Thode to award low bid proposal from Riley Armstrong Plumbing for a Metered Courthouse Water Softener in the amount of \$2,893.00. Motion carried unanimously.

Moved by Thode, seconded by Dencklau to rescind motion to approve bid from Carpet World in the amount of \$3,545.35 on January 22, 2019 due to a computation error. Motion carried unanimously.

Moved by Dencklau, seconded by Thode to award Auditor's Office Carpet proposal to Jim's Flooring One in the amount of \$3,880.00. Motion carried unanimously.

Moved by Thode, seconded by Thode to approve and authorize Chair to sign final payment voucher for Bridge Replacement Project FM-CO94(104)—55-94 over Gypsum Creek on 210th Street west of Paragon Avenue. Motion carried unanimously.

Moved by Thode, seconded by Dencklau to approve and authorize Chair to sign contract with Fort Dodge Asphalt Company, Inc., Fort Dodge, Iowa, for HMA Resurfacing with Milling, Project #FM-CO94(117)- 55-94, on P56 from the Fort Dodge City Limits to C56, and on C56 from P56 to Highway 169. Motion carried unanimously.

Moved by Thode, seconded by Dencklau to postpone the Public Hearing until 10:30 a.m. Motion carried unanimously.

Moved by Dencklau, seconded by Thode to postpone the adoption of Resolution No. 2019-03 until after the 10:30 a.m. hearing. Motion carried unanimously.

Moved by Thode, seconded by Dencklau to postpone Ordinance No. 054 until after the 10:30 a.m. hearing. Motion carried unanimously.

Community & Family Resources gave a presentation of services that are provided by their organization.

10:30 a.m. A Public Hearing was held for the purpose of a proposed Amendment to the Webster County Regional Urban Renewal Area. No written or oral comments were received.

Moved by Dencklau, seconded by Thode to adopt Resolution No. 2019-03:

RESOLUTION NO. 2019-03

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 Webster County Regional 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 Webster County, Iowa (the “County”) has previously created the Webster County Regional 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 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 (1) covers the addition of the Property to the Urban Renewal Area; and (2) authorizes the undertaking of new urban renewal projects in the Urban Renewal Area consisting of (i) providing tax increment financing support to Cargill, Incorporated (“Cargill”) in connection with Cargill’s continued business operations and to assist Cargill with costs of certain sanitary sewer and waterworks system infrastructure; (ii) providing tax increment financing support to Crimmins Investment L.L.C. (the “Company”) in connection with the construction and operation of a new warehouse facility for use in the Company’s business operations; (iii) using tax increment financing to pay the costs of constructing a new industrial building for leasing and use by Iowa Central Community College as a bio fuels testing facility; and (iv) using tax increment financing to pay the costs of acquiring certain real property for future commercial, industrial and agribusiness development in the Iowa Crossroads of Global Innovation; and

WHEREAS, notice of a public hearing by the Board of Supervisors of the County on the question of establishing the Property as an urban renewal area and on the proposed Amendment for the Urban Renewal Area was heretofore given in strict

compliance with the provisions of Chapter 403 of the Code of Iowa, and the Board has conducted said hearing on January 29, 2019; and

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

WHEREAS, copies of the Amendment, notice of public hearing and notice of a consultation meeting with respect to the Amendment were mailed to the Prairie Valley Community School District; the consultation meeting was held on the 9th day of January, 2019; and responses to any comments or recommendations received following the consultation meeting were made as required by law; and

WHEREAS, pursuant to Section 403.17 of the Code of Iowa, the County has received the consent of all owners of "agricultural land" proposed for inclusion in the Urban Renewal Area;

WHEREAS, the City of Fort Dodge, Iowa 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 Webster County, Iowa, as follows:

Section 1. An economic development area as defined in Chapter 403 of the Code of Iowa is found to exist on the Property.

Section 2. 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 January, 2019 Addition to the Urban Renewal Area.

Section 3. The development of the property is necessary in the interest of the public health, safety or welfare of the residents of the County.

Section 4. It is hereby determined by this Board of Supervisors as follows:

- A. The Amendment and the projects and initiatives described therein conform to the general plan of the County as a whole;
- B. 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.
- C. It is not anticipated that any families will be displaced in connection with the County's undertakings under the Amendment. Should such issues arise with future projects, then the County will develop a feasible method of relocating any displaced persons into decent, safe and sanitary dwelling accommodations within their means and without undue hardship.

Section 5. The Amendment attached hereto and made a part hereof, is hereby in all respects approved.

Section 6. All resolutions or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved January 29, 2019.

s/Mark Campbell

Attest:

Chairperson

s/Doreen Pliner, Webster County Auditor

Motion carried unanimously.

Moved by Thode, seconded by Dencklau to adopt Ordinance No. 054:

An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the January, 2019 Addition to the Webster County Regional Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

WHEREAS, the Board of Supervisors of Webster County, Iowa (the "County") previously enacted an ordinance entitled "An Ordinance Providing For The Division Of Taxes Levied On Taxable property In The Webster County Regional Urban Renewal Area, Pursuant to Section 403.319 of the Code of Iowa"; and

WHEREAS, pursuant to that ordinance, certain taxable property within the Webster County Regional Urban Renewal Area in the County was designated a "tax increment district; and

WHEREAS, the Board of Supervisors now desires to increase the size of the "tax increment district" by adding additional property;

BE IT ENACTED by the Board of Supervisors of Webster County, Iowa:

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the 2019 Addition to the Webster County Regional Urban Renewal Area of the County, each year by and for the benefit of the state, city, county, school districts or other taxing districts after the effective date of this ordinance in order to create a special fund to pay the principal of and interest on loans, moneys advanced to or indebtedness, including bonds proposed to be issued by the County to finance projects in such Area.

Section 2. Definitions. For use within this ordinance the following terms shall have the following meanings:

"County" shall mean Webster County, Iowa.

"2019 Urban Renewal Area Addition" shall mean the January, 2019 Addition to the Webster County Regional Urban Renewal Area of Webster County, Iowa, the legal description of which is set out below, approved by the Board of Supervisors by resolution adopted on January 29, 2019:

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

A tract of land in the Northeast Fractional Quarter (NE Frac. ¼) of the Northwest Fractional Quarter (NW Frac. ¼) of section Four (4), Township Eighty-eight (88) North, Range Twenty-nine (29) West of the Fifth Principal Meridian, Iowa; described as follows: Beginning at a point on the East line of said NW Frac. ¼, where the Chicago and North Western Transportation Company Southerly Right-of-way line intersects said East line of the NW Frac. ¼, said point being 545.59 feet south of the Northeast Corner (N1/4 Corner of Section 4-88-29 of the NW Frac. ¼, thence South 1489.82 feet, along said East line of the NW Frac ¼, to the Southeast Corner of the said NE Frac. ¼ of the NW Frac. ¼, thence South Eighty-nine (89) degrees, Forty-four (44) minutes, Eighteen (18) seconds West 1311.70 feet, to the Southwest Corner of the NE Frac. ¼ of the NW Frac. ¼, thence North zero (0) degrees, Four (4) minutes, Fifty-six (56) seconds East 676.48 feet, to the Chicago and North Western Transportation Company Southerly Right-of-way line, thence North Fifty-seven (57) degrees, Fifty-nine (59) minutes, Twenty-six (26) seconds, East 1545.73 feet, along said Southerly Right-of way line, to the place of beginning, containing 32.60 acres, more or less. Note: The East line of the NW Frac. ¼ is assumed to bear due North and South....Also, easements granted as follows: (1) Use of the tile lines across Grantors' property now used to drain the above described real estate subject to payment of proportionate share of costs of repairs and upkeep; (2) Use of the private driveway extending from the Northwest corner of the above described real estate across Grantors' land to U.S. Highway No. 20, until such time as Grantees may be able to obtain other means of ingress and egress; however, Grantors have no duty to maintain said private drive to make it usable.

“Urban Renewal Area” shall mean the entirety of the Webster County Regional Urban Renewal Area as amended from time to time.

Section 3. Provisions for Division of Taxes Levied on Taxable Property in the 2019 Urban Renewal Area Addition. After the effective date of this ordinance, the taxes levied on the taxable property in the 2019 Urban Renewal Area Addition each year by and for the benefit of the State of Iowa, the County any city, school district or other taxing district in which the 2019 Urban Renewal Area Addition is located, shall be divided as follows:

(a.) that portion of the taxes which would be produced by the rate at which the tax levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the 2019 Urban Renewal Area Addition, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the County certifies to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the special fund referred to in paragraph (b) below, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. For the purpose of allocating taxes levied by or for any taxing district which did not include the territory in the 2019 Urban Renewal Area Addition on the effective date of this ordinance, but to which the territory has been annexed or otherwise included after the effective date, the assessment roll applicable to property in the annexed territory as of January 1 of the calendar year preceding the effective date of the ordinance which amends the plan for the 2019 Urban Renewal Area Addition to include the annexed area, shall be used in determining the assessed valuation of the taxable property in the annexed area.

(b) that portion of the taxes each year in excess of such amounts shall be allocated to and when collected be paid into a special fund of the County to pay the principal of and interest on loans, moneys advanced to or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under the authority of Section 403.9(1), of the Code of Iowa, incurred by the County to finance or refinance, in whole or in part, projects in the Urban Renewal Area, and to provide assistance for low and moderate-income family housing as provided in Section 403.22, except that taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2 of the Code of Iowa, taxes for the instructional support program levy of a school district imposed pursuant to Section 257.19 of the Code of Iowa and taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the taxing district without limitation by the provisions of this ordinance. Unless and until the total assessed valuation of the taxable property in the 2019 Urban Renewal Area Addition exceeds the total assessed value of the taxable property in such area as shown by the assessment roll referred to in subsection (a) of this section, all of the taxes levied and collected upon the taxable property in the 2019 Urban Renewal Area Addition shall be paid into the funds for the respective taxing districts as taxes by or for said taxing districts in the same manner as all other property taxes. When such loans, advances, indebtedness, and bonds, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in the Urban Renewal Area Addition shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

(c) the portion of taxes mentioned in subsection (b) of this section and the special fund into which that portion shall be paid may be irrevocably pledged by the County for the payment of principal and interest on loans, advances, bonds issued under the authority of Section 403.9(1) of the Code of Iowa, or indebtedness incurred by the County to finance or refinance in whole or in part projects in the Urban Renewal Area.

(d) as used in this section, the word “taxes” includes, but is not limited to, all levies on an ad valorem basis upon land or real property.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Saving Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed by the Board of Supervisors of Webster County, Iowa, on January 29, 2019.

Attest:

s/Doreen Pliner, Webster County Auditor

s/Mark Campbell
Chairperson

Motion carried unanimously.

There being no further business it was moved by Dencklau, seconded by Thode to adjourn.
Motion carried unanimously.

s/Doreen Pliner
Webster County Auditor

s/Mark Campbell
Chairman, Board of Supervisors