

Supervisors
Courthouse

Board of
Calhoun County

Rockwell City, Iowa
Tuesday, November 19, 2013

The Board of Supervisors of Calhoun County met with the following members present: Nicholson and Hoag, Sr. Absent: Jacobs

Agenda additions: none

It was moved by Hoag, Sr. and seconded by Nicholson to approve the agenda. Ayes all. Motion carried.

The minutes of the last meeting were read. It was moved by Hoag, Sr. and seconded by Nicholson to approve the minutes. Ayes all. Motion carried.

Ron Haden, Engineer, and Steve Goins, Assistant to the Engineer, met with the Board to update them on Secondary Road projects.

It was moved by Hoag, Sr. and seconded by Nicholson to approve Underground Permit #28-2013 for Mediacom to replace 150' of fiber cable on the east side Section 6, Sherman township. Ayes all. Motion carried.

It was moved by Hoag, Sr. and seconded by Nicholson to approve the Application and Permit for Snowmobile Trail Grooming within Calhoun County Secondary Road Right-of-Way for the 2013-2014 Snowmobile Season. Ayes all. Motion carried.

Joan Wagner, Assessor, met with the Board to review the Development Agreement and Tax Increment Payments for Al's Corner Oil Company.

The Board of Supervisors of Calhoun County Iowa met at the Courthouse, Rockwell City, Iowa, on November 19, 2013, at 10:30 o'clock a.m. The Chairperson presided and the roll being called, the following named Supervisors were present and absent: Present: Gary Nicholson and Dean G. Hoag, Sr. Absent: Scott Jacobs. Supervisor Hoag, Sr. introduced the resolution next hereinafter set out and moved its adoption, seconded by Supervisor Nicholson; 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: Nicholson and Hoag, Sr. Whereupon, the Chairperson declared said resolution duly adopted, as follows:

RESOLUTION NO. 2013-36

To fix a date of meeting at which it is proposed to approve a Development Agreement with Al's Corner Oil Company, including tax increment payments in an amount not to exceed \$300,000

WHEREAS, Calhoun 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 Calhoun 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 proposes to enter into an agreement (the "Development Agreement") with Al's Corner Oil Company (the "Company") with respect to the development of a commercial truck stop in the Urban Renewal Area; and

WHEREAS, under the Development Agreement the County would provide financial incentives to the Company in the form of incremental property tax payments in an amount not to exceed \$300,000 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 Calhoun County, Iowa, as follows:

Section 1. This Board shall meet on the 3rd day of December, 2013, at 10:30 o'clock a.m., at the Courthouse, Rockwell City, 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 \$300,000.

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 DEVELOPMENT AGREEMENT WITH AL'S CORNER
OIL COMPANY AND AUTHORIZATION OF TAX INCREMENT PAYMENTS

The Board of Supervisors of Calhoun County, Iowa, will meet at the Courthouse, Rockwell City, Iowa, on the 3rd day of December, 2013, at 10:30 o'clock a.m., at which time and place proceedings will be instituted and action taken to approve a Development Agreement between the County and Al's Corner Oil Company with respect to the development of a commercial truck stop in the Calhoun County 2013 Urban Renewal Area, which Agreement provides for certain financial incentives in the form of incremental property tax payments in a total amount not exceeding \$300,000, as authorized by Section 403.9 of the Code of Iowa.

The Agreement to make incremental property tax payments will not be a general obligation of the County, but will be payable solely and only from incremental property tax revenues generated within the Calhoun 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 Development Agreement or may abandon the proposal.

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

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

Section 4. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.
Passed and approved November 19, 2013

Jim Henkenius, CFO (Chief Financial Officer) for Stewart Memorial Hospital, and Jane Moeller, Pharmacy Director, met with the Board concerning updating the Memorandum of Understanding Between Calhoun County and Stewart Memorial Community Hospital for one year. It was moved by Hoag, Sr. and seconded by Nicholson to approve the Memorandum. Ayes all. Motion carried.

Scott Jacobs joined by telephone.

John Torberg, Director of Iowa Drainage District, met with the Board to review the report of the association railroad cases and legislation. Also present was: Wayne Dowling, Drainage Clerk.

Scott Jacobs left the meeting by telephone.

The hearing for JT DD #35-37 Calhoun and Pocahontas was held at the KC Hall, Fonda, Ia, to review the Proposed Open Ditch Repairs Engineer's Report.

It was moved by Hoag, Sr. and seconded by Nicholson to adjourn until Tuesday, November 26, 2013 at 9:00 am for their regular Board meeting. Ayes all. Motion carried.

Gary Nicholson, Chairman

Judy Howrey, Auditor

Dean G. Hoag, Sr., Vice Chairman

Scott Jacobs