Marshall County Board of Supervisors
Regular Session February 25, 2014, at 9:00 a.m.

AGENDA

The Board will meet in regular session on Tuesday, February 25, 2014, at 9:00 a.m. in the Marshall County Courthouse, 3rd Floor, NE corner, meeting room #2, with ____ members present.

Pledge of Allegiance

Notice to the public**--**The Board of Supervisors welcomes comments from the public during the time allowed for discussion. You are requested to approach the microphone, state your name for the record and limit the time used to present your remarks in order that others may be given the opportunity to speak. The normal process on any agenda item is for the Chairperson to read the item from the agenda. The Board is given an opportunity to comment on the issue and/or place a motion on the floor. An opportunity for discussion may be presented at which time the public may participate and a roll call vote will follow.

1. **Approval or Amendment of Agenda—**

Motion by ___________, second by ___________, to __________ the agenda as printed.

Roll call vote:	Adams-	Grabenbauer-	Thompson-
	Vice Chairman	Member	Chair

2. **Years of Service Recognition-**Wesley Beane (Sheriff's Office) - 15 yrs.

3. **Courthouse Capital Projects-Public Hearing**

The Board of Supervisors of Marshall County, State of Iowa, met in regular session, in the Marshall County Courthouse, 1 East Main Street, Marshalltown, Iowa, at 9:00 o'clock A.M., on the above date. There were present Chairperson Thompson, in the chair, and the following named Board Members:

Deane Adams, Vice Chairman
Denny Grabenbauer, Member

The Chairperson announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed $550,000 General Obligation Capital Loan Notes, Series 2014, in order to provide funds to pay costs of constructing, remodeling, equipping and furnishing improvements to the County Courthouse, an essential county purpose, and that notice of the proposed action by the Board to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes, had been published pursuant to the provisions of Sections 331.402, 331.441, and 331.443 of the Code of Iowa, as amended.

The Chairperson then asked the Auditor whether any written objections had been filed by any county resident or property owner to the proposal. The Auditor advised the Chairperson and the Board that _____ written objections had been filed. The Chairperson then called for oral objections to the proposal and _____ were made.

Whereupon, the Chairperson declared the time for receiving oral and written objections to be closed.

Motion by _________, second by____________ to close the hearing.

Roll call vote:	Adams-	Grabenbauer-	Thompson-
	Vice Chairman	Member	Chair

4. Resolution #2014-0014-Courthouse Capital Projects

The Board then considered the proposed action and the extent of objections thereto.

Resolution #2014-0014

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED $550,000GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2014

WHEREAS, pursuant to notice published as required by law, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed $550,000 General Obligation Capital Loan Notes, Series 2014, for the purpose of paying costs of constructing, remodeling, equipping and furnishing improvements to the County Courthouse, and has considered the extent of objections received from residents or property owners as to the proposal and, accordingly the following action is now considered to be in the best interests of the County and residents thereof:

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

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization of a Loan Agreement and issuance in the manner required by law of not to exceed $550,000 General Obligation Capital Loan Notes, Series 2014, to evidence the obligation thereof for the foregoing purpose.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above loan agreement. The amounts so advanced shall be reimbursed from the proceeds of the Loan Agreement not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the loan amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

Motion by__________, second by_____________, to ___________Resolution #2014-0014 entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED $550,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2014"

Roll call vote:	Adams-	Grabenbauer-	Thompson-
	Vice Chairman	Member	Chair

PASSED AND APPROVED this 25th day of February, 2014.

______________________________ Attest: ______________________________

Dave Thompson
Board of Supervisors, Chairman

Dawn Williams
Marshall County
Auditor and Recorder

5. Secondary Road Dept. Trucks-Public Hearing

The Board of Supervisors of Marshall County, State of Iowa, met in regular session, in the Marshall County Courthouse, 1 East Main Street, Marshalltown, Iowa, at 9:00 o'clock A.M., on the above date. There were present Chairperson Thompson, in the chair, and the following named Board Members:

Deane Adams, Vice Chairman
Denny Grabenbauer, Member

The Chairperson announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed $200,000 General Obligation Capital Loan Notes, Series 2014, in order to provide funds to pay costs of acquisition of maintenance equipment for the Secondary Road Department, a general county purpose, and that notice of the proposed action by the Board to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes, had been published pursuant to the provisions of Sections 331.402, 331.441, and 331.442 of the Code of Iowa, as amended.

The Chairperson then asked the Auditor whether any petition had been filed in the Auditor's Office, as contemplated in Section 331.306 of the Code of Iowa, and the Auditor reported that no such petition had been filed, requesting that the question of issuing said Notes be submitted to the qualified electors of the County.

The Chairperson then asked the Auditor whether any written objections had been filed by any county resident or property owner to the proposal. The Auditor advised the Chairperson and the Board that _____ written objections had been filed. The Chairperson then called for oral objections to the proposal and _____ were made.

Whereupon, the Chairperson declared the time for receiving oral and written objections to be closed.

Motion by _________, second by____________ to close the hearing.

Roll call vote:	Adams-	Grabenbauer-	Thompson-
	Vice Chairman	Member	Chair

6. Resolution #2014-0015-Secondary Road Dept. Trucks

The Board then considered the proposed action and the extent of objections thereto.

Resolution #2014-0015

"RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED $200,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2014"

WHEREAS, pursuant to notice published as required by law, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed $200,000 General Obligation Capital Loan Notes, Series 2014, for the purpose of paying costs of acquisition of maintenance equipment for the Secondary Road Department, and has considered the extent of objections received from residents or property owners as to the proposal and no petition has been filed and, accordingly the following action is now considered to be in the best interests of the County and residents thereof:

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

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization of a Loan Agreement and issuance in the manner required by law of not to exceed $200,000 General Obligation Capital Loan Notes, Series 2014, to evidence the obligation thereof for the foregoing purpose.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above loan agreement. The amounts so advanced shall be reimbursed from the proceeds of the Loan Agreement not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the loan amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

Motion by__________, second by___________, to ____________Resolution #2014-0015 entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED $200,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2014"

Roll call vote:	Adams-	Grabenbauer-	Thompson-
	Vice Chairman	Member	Chair

PASSED AND APPROVED this 25th day of February, 2014.

_____________________________ Attest: ______________________________

Dave Thompson
Board of Supervisors, Chairman

Dawn Williams
Marshall County
Auditor and Recorder

7. Jail Capital Projects-Public Hearing

The Board of Supervisors of Marshall County, State of Iowa, met in regular session, in the Marshall County Courthouse, 1 East Main Street, Marshalltown, Iowa, at 9:00 o'clock A.M., on the above date. There were present Chairperson Thompson, in the chair, and the following named Board Members:

Deane Adams, Vice Chairman
Denny Grabenbauer, Member

The Chairperson announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed $350,000 General Obligation Capital Loan Notes, Series 2014, in order to provide funds to pay costs of constructing, remodeling, equipping and furnishing improvements to the County Jail, an essential county purpose, and that notice of the proposed action by the Board to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes, had been published pursuant to the provisions of Sections 331.402, 331.441, and 331.443 of the Code of Iowa, as amended.

The Chairperson then asked the Auditor whether any written objections had been filed by any county resident or property owner to the proposal. The Auditor advised the Chairperson and the Board that _____ written objections had been filed. The Chairperson then called for oral objections to the proposal and _____ were made.

Whereupon, the Chairperson declared the time for receiving oral and written objections to be closed.

Motion by __________, second by__________, to close the hearing.

Roll call vote:	Adams-	Grabenbauer-	Thompson-
	Vice Chairman	Member	Chair

8. Resolution #2014-0016-Jail Capital Projects

The Board then considered the proposed action and the extent of objections thereto.

Resolution #2014-0016

"**RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED $350,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2014"**

WHEREAS, pursuant to notice published as required by law, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed $350,000 General Obligation Capital Loan Notes, Series 2014, for the purpose of paying costs of constructing, remodeling, equipping and furnishing improvements to the County Jail, and has considered the extent of objections received from residents or property owners as to the proposal and, accordingly the following action is now considered to be in the best interests of the County and residents thereof:

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

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization of a Loan Agreement and issuance in the manner required by law of not to exceed $350,000 General Obligation Capital Loan Notes, Series 2014, to evidence the obligation thereof for the foregoing purpose.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above loan agreement. The amounts so advanced shall be reimbursed from the proceeds of the Loan Agreement not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the loan amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

Motion by_________, second by____________, to ____________Resolution #2014-0016 entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED $350,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2014"

Roll call vote:	Adams-	Grabenbauer-	Thompson-
	Vice Chairman	Member	Chair

PASSED AND APPROVED this 25th day of February, 2014.

______________________________ Attest: ______________________________

Dave Thompson
Board of Supervisors, Chairman

Dawn Williams
Marshall County
Auditor and Recorder

9. Sheriff's Office and Conservation Dept. Vehicles-Public Hearing

The Board of Supervisors of Marshall County, State of Iowa, met in regular session, in the Marshall County Courthouse, 1 East Main Street, Marshalltown, Iowa, at 9:00 o'clock A.M., on the above date. There were present Chairperson Thompson, in the chair, and the following named Board Members:

Deane Adams, Vice Chairman
Denny Grabenbauer, Member

The Chairperson announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed $200,000 General Obligation Capital Loan Notes, Series 2014, in order to provide funds to pay costs of any other purpose which is necessary for the operation of the county or the health and welfare of its citizens, including acquisition and equipping of vehicles for the Sheriff and Conservation Departments, a general county purpose, and that notice of the proposed action by the Board to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes, had been published pursuant to the provisions of Sections 331.402, 331.441, and 331.442 of the Code of Iowa, as amended.

The Chairperson then asked the Auditor whether any petition had been filed in the Auditor's Office, as contemplated in Section 331.306 of the Code of Iowa, and the Auditor reported that no such petition had been filed, requesting that the question of issuing said Notes be submitted to the qualified electors of the County.

The Chairperson then asked the Auditor whether any written objections had been filed by any county resident or property owner to the proposal. The Auditor advised the Chairperson and the Board that _____ written objections had been filed. The Chairperson then called for oral objections to the proposal and _____ were made.

Whereupon, the Chairperson declared the time for receiving oral and written objections to be closed.

Motion by_______, second by____________, to close the hearing.

Roll call vote:	Adams-	Grabenbauer-	Thompson-
	Vice Chairman	Member	Chair

10. Resolution #2014-0017 - Sheriff's Office and Conservation Dept. Vehicles

The Board then considered the proposed action and the extent of objections thereto.

Resolution #2014-0017

"RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED $200,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2014"

WHEREAS, pursuant to notice published as required by law, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed $200,000 General Obligation Capital Loan Notes, Series 2014, for the purpose of paying costs of any other purpose which is necessary for the operation of the county or the health and welfare of its citizens, including acquisition and equipping of vehicles for the Sheriff and Conservation Departments, and has considered the extent of objections received from residents or property owners as to the proposal and no petition has been filed and, accordingly the following action is now considered to be in the best interests of the County and residents thereof:

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

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization of a Loan Agreement and issuance in the manner required by law of not to exceed $200,000 General Obligation Capital Loan Notes, Series 2014, to evidence the obligation thereof for the foregoing purpose.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above loan agreement. The amounts so advanced shall be reimbursed from the proceeds of the Loan Agreement not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the loan amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

Motion by________, second by____________, to _____________Resolution#2014-0017 "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED $200,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2014"

Roll call vote:	Adams-	Grabenbauer-	Thompson-
	Vice Chairman	Member	Chair

PASSED AND APPROVED this 25th day of February, 2014.

_____________________________ Attest: ______________________________

Dave Thompson
Board of Supervisors, Chairman

Dawn Williams
Marshall County
Auditor and Recorder

11. Post-Issuance Compliance Policy For Tax-Exempt Obligations-Establishing written procedures for compliance with Federal tax requirements regarding bond issuances. See full Compliance Policy at the end of the minutes.

Motion by_________, second by__________, to ___________this Compliance Policy.

Roll call vote:	Adams-	Grabenbauer-	Thompson-
	Vice Chairman	Member	Chair

12. Budget 2013-14 Amendment, Public Hearing—

At the public hearing, any resident may present objections to or arguments in favor of any part of the amendment to the current 2013-14 county budget.

There were ___ written comments, questions, or objections on file in the County Auditor and Recorder's Office. Of the ___ individuals attending the public hearing, ___ individual(s) presented oral comments, questions, or objections.

Motion by__________, second by__________, to__________, the public hearing.

Roll call vote:	Adams-	Grabenbauer-	Thompson-
	Vice Chairman	Member	Chair

13. Resolution #2014-0018

Budget 2013-14 Amendment—

The proposed 2013-14 budget amendment was published in the Marshalltown Times-Republican, Marshalltown, Iowa, and the Mid Iowa Enterprise, State Center, Iowa on February 13, 2014; and

There were ____ written comments, questions, or objections on file in the Auditor and Recorder's Office, and there were ____ individuals attending the public hearing. There were ____ oral comments, questions, or objections at the hearing.

Now, Therefore, Be It Resolved by the Marshall County Board of Supervisors that the 2013-14 county budget amendment be adopted and the County Auditor and Recorder be authorized to certify and file the budget amendment as published and presented at the hearing.

Dated at Marshalltown, Iowa this 25th day of February, 2014.

Motion by __________, second by __________, to __________ this Resolution #2014-0018, Budget 2013-14 Amendment.

Roll call vote:	Adams-	Grabenbauer-	Thompson-
	Vice Chairman	Member	Chair

_____________________________ Attest: _____________________________

Dave Thompson
Board of Supervisors, Chairman

Dawn Williams
Marshall County
Auditor and Recorder

14. Resolution #2014-0019

Re-Appropriation of Funds for FY 2013-14—

Be It Resolved that the estimated appropriations approved by the Board for the various funds and departments in the County at the beginning and during the fiscal year are adjusted to reflect the expenditures incurred and to be incurred by funds.

Department	Current Appropriation	Re-Appropriation
#01 – Supervisors	179,400	179,400
#02 – Auditor	684,310	968,210
#03 – Treasurer	596,375	596,375
#04 - County Attorney	1,103,410	1,103,410
#05 – Sheriff	5,181,510	5,181,510
#07 – Recorder	236,510	234,810
#08 – Buildings & Grounds	1,550,050	1,494,350
#09 – Zoning	55,310	55,360
#15 - Information Systems	636,660	656,660
#16 – GIS	185,045	185,045
#19 - General Assistance	26,885	26,885
#20 - County Engineer	6,637,600	6,643,600
#21 - Veteran Affairs	87,740	87,740

Department	Current Appropriation	Re-Appropriation
#22 - County Conservation	805,586	873,134
#23 - Local Health Board	353,770	392,770
#24 - Weed Eradication	74,810	74,810
#25 - Dept. of Human Services	162,176	162,176
#28 - Medical Examiner	69,650	112,700
#31 - District Court	412,200	412,200
#33 - County Library Contract	69,442	69,442
#40 – Harvester TIF	190,000	190,000
#42 – Gateway TIF	38,000	38,000
#60 - Mental Health Admin	1,966,715	1,966,715
#70 - Local Emergency Mgmt.	20,202	20,202
#84 - County Capital Building	50,000	62,300
#99 - Nondepartmental	1,555,828	1,585,828
Total	22,929,184	23,373,632

Dated at Marshalltown, Iowa this 25th day of February, 2014.

Motion by ________, second by _________, to _______ this Resolution #2014-0019, Re-appropriation of funds for FY 2013-14.

Roll call vote:	Adams-	Grabenbauer-	Thompson-
	Vice Chairman	Member	Chair

______________________________ Attest: ______________________________

Dave Thompson
Board of Supervisors, Chairman

Dawn Williams
Marshall County
Auditor and Recorder

15. Budget 2014-15, Public Hearing—

At the public hearing, any resident may present objections to or arguments in favor of any part of the proposed budget.

There were ____ written comments, questions, or objections on file in the County Auditor and Recorder's Office. Of the ____ individuals attending the public hearing, ____ individual presented oral comments, questions, or objections.

Motion by __________, second by __________, to__________ the public hearing.

Roll call vote:	Adams-	Grabenbauer-	Thompson-
	Vice Chairman	Member	Chair

16. Resolution #2014-0020

Adopt Budget and Certify Taxes for Fiscal Year 2014-15—

The proposed 2014-15 County Budget was published in the Marshalltown Times-Republican, Marshalltown, Iowa, and the Mid Iowa Enterprise, State Center, Iowa, on February 13, 2014; and

There were ____ written comments, questions, or objections on file in the County Auditor and Recorder's Office; and ____ individual(s) presented oral comments and questions, or objections at the hearing.

Now, Therefore, Be It Resolved that the County Budget for fiscal year 2014-15 be adopted as published and the County Auditor and Recorder authorized to certify and file the budget and certificate of taxes as adopted.

Dated at Marshalltown, Iowa this 25th day of February, 2014.

Motion by __________, second by __________, to__________, this Resolution #2014-0020, Adopt Budget and Certify Taxes for Fiscal Year 2014-15.

Roll call vote:	Adams-	Grabenbauer-	Thompson-
	Vice Chairman	Member	Chair

______________________________ Attest: ______________________________

Dave Thompson
Board of Supervisors, Chairman

Dawn Williams
Marshall County
Auditor and Recorder

Consent Agenda:

17. **Approve Minutes--**from Regular Session of February 11, 2014.
18. **Manure Management Plan Update-**Breeze Hill Farms, LLC, id no. 65770, update report received and placed on file with the following changes made to the MMP; changed crop rotation or optimal yields using a manure analysis for determining application rates when applying manure.
19. **Request for Use of Courthouse Grounds-**Oktemberfest Inc. requests permission to hold "Oktemberfest" activities on the Courthouse grounds Thursday, September 25th, 2014 through Sunday, September 28th, 2014**.**
20. **File Clerk of District Court Report-1-14**
    General Supplemental Fund 10% Surcharge - $577.47
21. **Approve Claims—**as audited and authorize the County Auditor and Recorder to issue payment of same. The listing of claims paid at this meeting will be included with all claims paid for the month of February; the February list of claims will be a part of the first meeting in March

Motion by ____________, second by ___________ to ______________ the consent agenda as printed above**.**

Roll call vote:	Adams-	Grabenbauer-	Thompson-
	Vice Chairman	Member	Chair

22. Resolution #2014-0021

2014 Business Property Tax Credits SF295

Whereas, pursuant to SF295 the Marshall County Board of Supervisors has received the Business Property Tax Credits from the County Auditor for the 2013 taxes Payable 14/15.

Be It Resolved, that all claims filed are allowed except those recommended for disallowance by the county Assessor, a list of which is on file in the County Auditor's Office.

826 Credits were signed which were applied to 1007 parcels. No applications were received for 46 parcels.

Be It Further Resolved that the Chairman of the Board is hereby authorized to sign notices of disallowance to claimants whose applications for Business Property Tax Credits have been disallowed.

Dated at Marshalltown, Iowa this 25th day of February, 2014.

Motion by__________, second by_________, to _________Resolution #2014-0021, 2014 Business Property Tax Credits SF295.

Roll call vote:	Adams-	Grabenbauer-	Thompson-
	Vice Chairman	Member	Chair

______________________________ Attest: ______________________________

Dave Thompson
Board of Supervisors, Chairman

Dawn Williams
Marshall County
Auditor and Recorder

23. Mead Family Farms, LLC, (Non Matrix) Construction Permit Application for an Existing Confinement Feeding Operation Expansion --Setting the Date and Time for the Public Hearing—

Discussion and possible action on setting the date and time for March 11, 2014 at 9:00am for the public hearing for Mead Family Farms, LLC construction permit application for an existing confinement feeding operation.

Motion by _________, second by ___________, to set Tuesday, March 11, 2014 at 9:00 a.m. as the date and time for the public hearing for Mead Family Farms, LLC construction permit application for an existing confinement feeding operation.

Roll call vote:	Adams-	Grabenbauer-	Thompson-
	Vice Chairman	Member	Chair

24. Class C Beer Permit (BC) with Sunday Sales Privilege, Class E Liquor License— Application for renewal license (one year) for a Class "C" Beer Permit with Sunday Sales Privilege #BC0027644 and Class E Liquor license #LE0001781 from Randhawa's Travel Center, 1659-D Marshalltown Blvd., Melbourne, Iowa. The current licenses expire March 15, 2014 and March 7, 2017 respectively.

Motion by__________, second by __________, to__________ the renewal of Randhawa's Travel Center beer permit #BC0027644 and liquor license #LE0001781.

Roll call vote:	Adams-	Grabenbauer-	Thompson-
	Vice Chairman	Member	Chair

25. Public Forum— is a time set aside for the public to make comments on topics of County business other than those listed on this agenda. No action will be taken on any of these topics brought up in the public forum.

26. Adjournment--The next regular session is March 11, 2014, at 9:00 a.m. All business to be acted upon at that session should be submitted to the County Auditor and Recorder's Office or the Board of Supervisors' Office by **Thursday**, March 6, 2014, at 1:00 p.m. There being no further business to come before the Board, the meeting is adjourned at ______ a.m.

_____________________________ Attest: _____________________________

Dave Thompson
Board of Supervisors, Chairman

Dawn Williams
Marshall County
Auditor and Recorder

EXHIBIT "A"

Marshall County IOWA

POST-ISSUANCE COMPLIANCE POLICY FOR TAX-EXEMPT OBLIGATIONS

1. Compliance Coordinator:

a) The Auditor and Recorder ("Coordinator") shall be responsible for monitoring post-issuance compliance.

b) The Coordinator will maintain a copy of the transcript of proceedings in connection with the issuance of any tax-exempt obligations. Coordinator will obtain such records as are necessary to meet the requirements of this policy.

c) The Coordinator shall consult with bond counsel, a rebate consultant, financial advisor, IRS publications and such other resources as are necessary to understand and meet the requirements of this policy.

d) Training and education of Coordinator will be sought and implemented upon the occurrence of new developments and upon the hiring of new personnel to implement this policy.

2. Financing Transcripts. The Coordinator shall confirm the proper filing of an 8038 Series return, and maintain a transcript of proceedings for all tax-exempt obligations issued by the County, including but not limited to all tax-exempt bonds, notes and lease-purchase contracts. Each transcript shall be maintained until eleven (11) years after the tax-exempt obligation it documents has been retired. Said transcript shall include, at a minimum:

a) Form 8038s;
b) minutes, resolutions, and certificates;
c) certifications of issue price from the underwriter;
d) formal elections required by the IRS;
e) trustee statements;
f) records of refunded bonds, if applicable;
g) correspondence relating to bond financings; and
h) reports of any IRS examinations for bond financings.

3. Proper Use of Proceeds. The Coordinator shall review the resolution authorizing issuance for each tax-exempt obligation issued by the County, and that the County shall:

a) obtain a computation of the yield on such issue from the County's financial advisor;

b) create a separate Project Fund (with as many sub-funds as shall be necessary to allocate proceeds among the projects being funded by the issue) into which the proceeds of issue shall be deposited;

c) review all requisitions, draw schedules, draw requests, invoices and bills requesting payment from the Project Fund;

d) determine whether payment from the Project Fund is appropriate, and if so, make payment from the Project Fund (and appropriate sub-fund if applicable);

e) maintain records of the payment requests and corresponding records showing payment;

f) maintain records showing the earnings on, and investment of, the Project Fund;

g) ensure that all investments acquired with proceeds are purchased at fair market value;

h) identify bond proceeds or applicable debt service allocations that must be invested with a yield-restriction and monitor the investments of any yield-restricted funds to ensure that the yield on such investments does not exceed the yield to which such investments are restricted;

i) maintain records related to any investment contracts, credit enhancement transactions, and the bidding of financial products related to the proceeds;

4. Timely Expenditure and Arbitrage/Rebate Compliance. The Coordinator shall review the Tax-Exemption Certificate (or equivalent) for each tax-exempt obligation issued by the County and the expenditure records provided in Section 2 of this policy, above, and shall:

a) monitor and ensure that proceeds of each such issue are spent within the temporary period set forth in such certificate;

b) if the County does not meet the "small issuer" exception for said obligation, monitor and ensure that the proceeds are spent in accordance with one or more of the applicable exceptions to rebate as set forth in such certificate;

c) not less than 60 days prior to a required expenditure date confer with bond counsel and a rebate consultant if the County will fail to meet the applicable temporary period or rebate exception expenditure requirements of the Tax-Exemption Certificate; and

d) in the event the County fails to meet a temporary period or rebate exception:

  i. procure a timely computation of any rebate liability and, if rebate is due, file a Form 8038-T and arrange for payment of such rebate liability;

  ii. arrange for timely computation and payment of "yield reduction payments" (as such term is defined in the Code and Treasury Regulations), if applicable.

5. Proper Use of Bond Financed Assets. The Coordinator shall:

a) maintain appropriate records and a list of all bond financed assets. Such records shall include the actual amount of proceeds (including investment earnings) spent on each of the bond financed assets;

b) with respect to each bond financed asset, the Coordinator will monitor and confer with bond counsel with respect to all proposed:

  i. management contracts,
  ii. service agreements,
  iii. research contracts,
  iv. naming rights contracts,
  v. leases or sub-leases,
  vi. joint venture, limited liability or partnership arrangements,
  vii. sale of property; or
  viii. any other change in use of such asset;

c) maintain a copy of the proposed agreement, contract, lease or arrangement, together with the response by bond counsel with respect to said proposal for at least three (3) years after retirement of all tax-exempt obligations issued to fund all or any portion of bond financed assets; and

d) In the event the County takes an action with respect to a bond financed asset, which causes the private business tests or private loan financing test to be met, the Coordinator shall contact bond counsel and ensure timely remedial action under IRS Regulation Sections 1.141-12.

6. General Project Records. For each project financed with tax-exempt obligations, the Coordinator shall maintain, until three (3) years after retirement of the tax-exempt obligations or obligations issued to refund those obligations, the following:

a) appraisals, demand surveys or feasibility studies,
b) applications, approvals and other documentation of grants,
c) depreciation schedules,
d) contracts respecting the project.

7. Advance Refundings. The Coordinator, shall be responsible for the following current, post issuance and record retention procedures with respect to advance refunding bonds:

a) Identify and select bonds to be advance refunded with advice from internal financial personnel, and a financial advisor;

b) The Coordinator shall identify, with advice from the financial advisor and bond counsel, any possible federal tax compliance issues prior to structuring any advance refunding;

c) The Coordinator shall review the structure with the input of the financial advisor and bond counsel, of advance refunding issues prior to the issuance to ensure (i) that the proposed refunding is permitted pursuant to applicable federal tax requirements if there has been a prior refunding of the original bond issue; (ii) that the proposed issuance complies with federal income tax requirements which might impose restrictions on the redemption date of the refunded bonds; (iii) that the proposed issuance complies with federal income tax requirements which allow for the proceeds and replacement proceeds of an issue to be invested temporarily in higher yielding investments without causing the advance refunding bonds to become "arbitrage bonds"; and (iv) that the proposed issuance will not result in the issuer's exploitation of the difference between tax exempt and taxable interest rates to obtain an financial advantage nor overburden the tax exempt market in a way that might be considered an abusive transaction for federal tax purposes.

d) The Coordinator shall collect and review data related to arbitrage yield restriction and rebate requirements for advance refunding bonds. To ensure such compliance, the Coordinator shall engage a rebate consultant to prepare a verification report in connection with the advance refunding issuance. Said report shall ensure said requirements are satisfied.

e) The Coordinator shall, whenever possible, purchase SLGS to size each advance refunding escrow. The financial advisor shall be included in the process of subscribing SLGS. To the extent SLGS are not available for purchase, the Coordinator shall, in consultation with bond counsel and the financial advisor, comply with IRS regulations.

f) To the extent as issuer elects to the purchase a guaranteed investment contract, the Coordinator shall ensure, after input from bond counsel, compliance with any bidding requirements set forth by the IRS regulations.

g) In determining the issue price for any advance refunding issuance, the Coordinator shall obtain and retain issue price certification by the purchasing underwriter at closing.

h) After the issuance of an advance refunding issue, the Coordinator shall ensure timely identification of violations of any federal tax requirements and engage bond counsel in attempt to remediate same in accordance with IRS regulations.

8. Continuing Disclosure. The Coordinator shall assure compliance with each continuing disclosure certificate and annually, per continuing disclosure agreements, file audited annual financial statements and other information required by each continuing disclosure agreement. The Coordinator will monitor material events as described in each continuing disclosure agreement and assure compliance with material event disclosure. Events to be reported shall be reported promptly, but in no event not later than ten (10) Business Days after the day of the occurrence of the event. Currently, such notice shall be given in the event of:

a) Principal and interest payment delinquencies;

b) Non-payment related defaults, if material;

c) Unscheduled draws on debt service reserves reflecting financial difficulties;

d) Unscheduled draws on credit enhancements relating to the bonds reflecting financial difficulties;

e) Substitution of credit or liquidity providers, or their failure to perform;

f) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax-exempt status of the bonds, or material events affecting the tax-exempt status of the bonds;

g) Modifications to rights of Holders of the Bonds, if material;

h) Bond calls (excluding sinking fund mandatory redemptions), if material, and tender offers;

i) Defeasances of the bonds;

j) Release, substitution, or sale of property securing repayment of the bonds, if material;

k) Rating changes on the bonds;

l) Bankruptcy, insolvency, receivership or similar event of the Issuer;

m) The consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and

n) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

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