

## BOARD PROCEEDINGS

NINETEENTH DAY

APRIL 19, 2005

The Board of Supervisors met pursuant to adjournment. Present were Eugene Elsbecker, Chairman, Lee Froehlich, Don McGregor, Don Besch, and Jack Plathe. Absent none.

Motion by Besch and 2<sup>nd</sup> by McGregor to approve the minutes of the previous meeting. Ayes all, Nays none. Motion carried unanimous.

Motion by Froehlich and 2<sup>nd</sup> by McGregor to approve the agenda. Ayes all, Nays none. Motion carried unanimous.

Public Discussion and Committee Reports were held.

Motion by McGregor and 2<sup>nd</sup> by Plathe to approve and sign the Master Matrix letter for Section 23, Pork Inc and send to the Department of Natural Resources. Ayes all, Nays none. Motion carried unanimous.

Motion by McGregor and 2<sup>nd</sup> by Froehlich to sign 28E Agreement for provision of Interim County Attorney Services for Criminal and Juvenile Prosecution with Humboldt and Kossuth County for six weeks, ending the week of May 30<sup>th</sup>. Ayes all, Nays none. Motion carried unanimous.

Motion by Besch and 2<sup>nd</sup> by Froehlich to approve liquor permit for Racers. Ayes all, Nays none. Motion carried unanimous.

Motion by McGregor and 2<sup>nd</sup> by Froehlich to approve application for Enterprise Zone Certification for City of Algona, City of Whittemore, City of Swea City, Whittemore Truck and Trailer. Ayes 4, Nays 1, Roll Call Vote: Besch no, Froehlich yes, McGregor yes, Plathe yes, Elsbecker yes. Motion carried.

Motion by McGregor and 2<sup>nd</sup> by Plathe to approve Resolution # 11 for Enterprise Zone. . Ayes 4, Nays 1, Roll Call Vote: Besch no, Froehlich yes, McGregor yes, Plathe yes, Elsbecker yes. Motion carried.

### Kossuth County, Iowa Resolution No. 11

#### RESOLUTION APPROVING THE APPLICATION TO THE IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT REQUESTING CERTIFICATION OF AN ENTERPRISE ZONE IN KOSSUTH COUNTY.

WHEREAS, Kossuth County, Iowa, (hereinafter referred to as “County”) is a political subdivision organized and existing under the laws and the constitution of the State of Iowa (hereinafter referred to as “State”); and

WHEREAS, the purpose of Iowa Code Sections 15E.191 through 15E.196 is to promote new economic development in economically distressed areas by encouraging communities to target resources in ways that attract productive private investment; and

WHEREAS, administrative rules adopted by the Iowa Department of Economic Development (hereinafter referred to as “Department”) require the County to approve, by resolution, the establishment of an enterprise zone and the submission of an application requesting certification to the Iowa Department of Economic Development Board (hereinafter referred to as “Board”); and

WHEREAS, Iowa Code Section 15E.196 enumerates incentives or assistance for an eligible business located in an enterprise zone. For purposes of determining the incentives or assistance provided in Section 15E.196, “*eligible business*” means a business which has been approved to receive incentives and assistance by the Department pursuant to application as provided in Section 15E.196 of the Iowa Code. One of the incentives listed is the County for which an eligible enterprise zone is certified may exempt from all property taxation all or a portion of the value added to the property upon which an eligible business locates or expands in an enterprise zone and which is used in the operation of the eligible business. (Under Article 8; Section 6, the Commission will utilize the decision matrix forms in determining the property tax exemption under the Enterprise Zone Benefits. Refer to Attachment Amended Resolution #1).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF KOSSUTH COUNTY AS FOLLOWS:

SECTION 1. The County certifies that it is an eligible participant and meets the following required distress criteria pursuant to Iowa Code Section 15E.194: (Choose all that apply – must have at least 2)

- The County has an average weekly wage that ranks among the bottom twenty-five counties in the state based on the 2000 annual average weekly wage for employees in private business.
- The County has a family poverty rate that ranks among the top twenty-five counties in the state based on the 2000 census.
- The County has experienced a percentage population loss that ranks among the top twenty-five counties in the state between 1995 and 2000.
- The County has a percentage of persons sixty-five years of age or older that ranks among the top twenty-five counties in the state based on the 2000 census.

SECTION 2. The County hereby requests enterprise zone certification from the Board, pursuant to Iowa Code Section 15E.192, for **801.04 acres** described below, which the County verifies the total amount of land designated as enterprise zones under Iowa Code Section 15E.192, Subsections 1 and 2, and any other enterprise zones certified by the Department, excluding those approved pursuant to Iowa Code Section 15E.194, Subsection 4, does not exceed in the aggregate one (1) percent of the total county area (623,248 or 623,251.20 acres).

(See attached legal descriptions and site maps)

SECTION 3. The County shall provide a copy of this resolution to the Department and shall file this resolution with the Kossuth County Assessor.

SECTION 4. All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. The provisions of this resolution are hereby declared to be severable and if any section, phrase, or provision shall be for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereof.

SECTION 6. This resolution shall become effective immediately upon its passage and approval.

Passed and approved this 19th day of April, 2005.

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Eugene Elsbecker, Chairperson  
Kossuth County Board of Supervisors

ATTEST:

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Joann Bormann, Kossuth County Auditor

Motion by Besch and 2<sup>nd</sup> by McGregor that the Board of Supervisors of Kossuth County, Iowa does hereby authorize and give its permission to Iowa Lakes Electric Cooperative, Estherville, Iowa. The purpose of the construction is to replace existing overhead three phase power lines with three phase 7200/12470 volt underground electric power lines. Work will cross at 4402 150<sup>th</sup> Avenue, between sections 8 and 9 of Ledyard Township, as per agreement and permit number 05-04-11 on file in the Kossuth County Engineer's Office. Ayes all, Nays none. Motion carried unanimous.

Motion by Froehlich and 2<sup>nd</sup> by Plathe that the Board of Supervisors of Kossuth County, Iowa does hereby authorize and give its permission to HickoryTeck, Rock Valley, Iowa to bore a new 25 pair cable on the west side of 160<sup>th</sup> Avenue, north across 380<sup>th</sup> Street setting a new pedestal, then plowing west on the north side of 380<sup>th</sup> Street to 1507 380<sup>th</sup> Street. Work will take place in sections 9 and 16 of Ramsey Township, as per agreement and permit number 05-04-10 on file in the Kossuth County Engineer's Office. Ayes all, Nays none. Motion carried unanimous.

Motion by McGregor and 2<sup>nd</sup> by Elsbecker to approve and authorize the chair to sign the contracts and bonds of Midwest Contracting, LLC. Of Marshall, MN, for culvert construction for the following project: LFM-C093604—7X-55 for \$93,520.00. Ayes all, Nays none. Motion carried unanimous.

Motion by McGregor and 2<sup>nd</sup> by Plathe to approve and authorize the chair to sign the contracts and bonds of Peterson Contractors, Inc, of Reinbeck, Iowa, for culvert construction for the following project: LFM-C803400—7X-55 for \$114,991.00. Ayes all, Nays none. Motion carried unanimous.

Mid Iowa Growth Partnership presented their Economic Development Marketing Program to the Board of Supervisors and stated the membership for the year would be \$3250. No decision was made.

On motion adjournment was taken until April 26, 2005

Attest:

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Joann Bormann  
Kossuth County Auditor

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Eugene Elsbecker, Chairman  
Board of Supervisors

