

BOARD PROCEEDINGS
March 12, 2019
REGULAR MARCH SESSION

The Board of Supervisors met pursuant to adjournment. Present were: Jack Plathe, Chairman, Galen Casey, Roger Tjarks and Kyle Stecker. Absent: Donnie Loss

Public discussion was held followed by discussion with Secondary Road Foreman.

Motion by Tjarks and 2nd by Casey to approve the agenda and the minutes of the previous meeting dated March 5, 2019. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: absent, Tjarks: yes, Plathe: yes. Motion carried.

Motion by Stecker and 2nd by Casey to go into closed session per Iowa Code 21.5 (1) (c) per request of the County Attorney. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: Absent, Tjarks: yes, Plathe: yes. Motion carried.

No decision was made following closed session.

Scott Curtis was present to discuss the monthly report for Kossuth Regional Health Center.

Motion by Tjarks and 2nd by Stecker to approve Resolution #03-12-19-01 which is a resolution regarding payment of the expenses of operation, maintenance, and funded depreciation of the hospital from other county funds or by tax levy. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: Absent, Tjarks: yes, Plathe: yes. Motion carried.

RESOLUTION #03-12-19-01

RESOLUTION REGARDING PAYMENT OF THE EXPENSES OF OPERATION, MAINTENANCE, AND FUNDED DEPRECIATION OF THE HOSPITAL FROM OTHER COUNTY FUNDS OR BY TAX LEVY

WHEREAS, Kossuth Regional Health Center is a hospital organized and operated pursuant to Iowa Code Chapter 347A; and

WHEREAS, Iowa Code Section 347A.3 provides:

If in any year, after payment of the accruing interest on and principal due of revenue bonds issued under chapter 331, division IV, part 4, and payable from the revenues derived from the operation of the county hospital, there is a balance of such revenues insufficient to pay the expenses of operation, maintenance, and funded depreciation of the hospital, the board of hospital trustees shall certify that fact as soon as ascertained to the board of supervisors of the county, and the board of supervisors shall make the amount of the deficiency for paying the expenses of operation, maintenance, and funded depreciation of the hospital available from other county funds or shall levy a tax not to exceed one dollar and eight cents per thousand dollars of assessed value in any one year on all the taxable property in the county in an amount sufficient for that purpose. However, general county funds or the proceeds of taxes shall not be used or applied to the payment of the interest on or principal of revenue bonds issued under chapter 331, division IV, part 4, but general county funds or proceeds of taxes may only be used and applied to pay expenses of operation, maintenance, and funded depreciation of the hospital which cannot be paid from available revenue derived from its operation; and

WHEREAS, the Kossuth Regional Health Center Board of Trustees have certified that after payment of the accruing interest on and principal due of revenue bonds issued under chapter 331, division IV, part 4, and payable from the revenues derived from the operation of the county hospital, there is a balance of such revenues insufficient to pay the expenses of operation, maintenance, and funded depreciation of the hospital; and

WHEREAS, the certified deficiency is \$ 866,974.84; and

WHEREAS, the Kossuth County Board of Supervisors is obligated to “make the amount of the deficiency for paying the expenses of operation, maintenance, and funded depreciation of the hospital available” from other county funds or by tax levy; and

WHEREAS, general county funds or proceeds of taxes “shall not be used or applied to the payment of the interest on or principal of revenue bonds issued under chapter 331, division IV, part 4, but general county funds or proceeds of taxes may only be used and applied to pay expenses of operation, maintenance, and funded depreciation of the hospital which cannot be paid from available revenue derived from its operation.”

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

1. That the Kossuth Regional Health Center Board of Trustees has certified to the Board the fact that after payment of the accruing interest on and principal due of revenue bonds issued under chapter 331, division IV, part 4, and payable from the revenues derived from the operation of the county hospital, there is a balance of such revenues insufficient to pay the expenses of operation, maintenance, and funded depreciation of the hospital.
2. That Kossuth Regional Health Center and its Board of Trustees is a “municipality” and a “certifying board” for purposes of Iowa Code Chapter 24. Therefore, they have the power to levy or certify a tax or sum of money to be collected by taxation. (See Iowa Op. Atty. Gen. 94-3-1(L))
3. That the Kossuth County Board of Supervisors shall make the amount of the deficiency for paying the expenses of operation, maintenance, and funded depreciation of the hospital available from other county funds or shall levy a tax not to exceed one dollar and eight cents per thousand dollars of assessed value in any one year on all the taxable property in the county in an amount sufficient for that purpose.
4. However, the general county funds or the proceeds of taxes shall not be used or applied to the payment of the interest on or principal of revenue bonds issued under chapter 331, division IV, part 4, but general county funds or proceeds of taxes may only be used and applied to pay expenses of operation, maintenance, and funded depreciation of the hospital which cannot be paid from available revenue derived from its operation.

Passed and approved this 12th day of March, 2019.

Jack Plathe, Chairperson
Kossuth County Board of Supervisors

ATTEST:

Amber Garman, Kossuth County Auditor

Motion by Stecker and 2nd by Casey to approve to make a change to the Kossuth County owned farmland that is leased from exempt to taxable. Chairman Plathe: called for a roll call vote: Casey: yes, Stecker: yes, Loss: Absent, Tjarks: No, Plathe: yes. Motion carried 3 to 1 with Tjarks being the no vote.

Motion by Stecker and 2nd by Plathe to approve purchasing parts from North Iowa Telecom in the amount of \$9,996 to replace the Courthouse Security Camera System. Chairman Plathe called for a roll call vote: Casey: yes, Stecker: yes, Loss: Absent, Tjarks: yes, Plathe: yes. Motion carried.

Discussion was held with Kossuth County Engineer/Kossuth County Zoning Administrator followed by Drainage.

Discussion with Kossuth County Auditor was held followed by Board Discussion and Committee Reports.

On motion adjournment was taken until March 19, 2019.

Attest:

Amber Garman
Kossuth County Auditor

Jack Plathe, Chairman
Kossuth County Board of Supervisors