

BOARD PROCEEDINGS

FORTY SIXTH DAY

APRIL 22, 2008

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

Motion by Wymore and 2nd by Besch to approve the minutes as read with corrections. Ayes 5, Nays 0. Motion carried unanimous.

Motion by Elsbecker and 2nd by McGregor to approve the agenda. Ayes 5, Nays 0. Motion carried unanimous.

Public discussion and committee reports were held.

Motion by Besch and 2nd by McGregor to approve the contract for three years with Cost Advisory Services, Inc. Ayes 5, Nays 0. Motion carried unanimous.

Bids were opened on the sale of a 1997 Tahoe from the Sheriff's Department. Bids will be approved at the next meeting.

Motion by Elsbecker and 2nd by McGregor to open Public Hearing for Otis Finisher Farm, LLC (Missal Finisher), Buffalo Township, Section 35. Ayes 5, Nays 0. Motion carried unanimous.

Motion by McGregor and 2nd by Besch to close Public Hearing for Otis Finisher Farm, LLC (Missal Finisher) Buffalo Township, Section 35. Ayes 5, Nays 0. Motion carried unanimous.

No negative comments by letter or from the public.

Motion by McGregor and 2nd by Wymore to open Public Hearing for Bar-BQ Pork LLC, Section 11, Fenton Township. Ayes 5, Nays 0. Motion carried unanimous.

Motion by McGregor and 2nd by Elsbecker to close Public Hearing for Bar-BQ Pork LLC, Section 11, Fenton Township. Ayes 5, Nays 0. Motion carried unanimous.

No negative comments by letter or from the public.

Kossuth Regional Health Center Management Report was given by Scott Curtis and can be viewed in the Auditor's office.

Motion by McGregor and 2nd by Besch that the Board of Supervisors of Kossuth County, Iowa, does hereby authorize and give its permission to Iowa Lakes Electric Cooperative, Estherville, IA, to upgrade an existing line from overhead to underground. Work will involve boring east to west under 20th Avenue, 1/8 miles south of the intersection with 405th Street, between Sections 31 and 32 Swea Township. Permit number 08-04-15 is on file in the Kossuth County Engineer's Office. Ayes 5, Nays 0. Motion carried unanimous.

Kossuth County Local Letting, bids were opened and will be reviewed by the Engineer Department of Secondary Road for L-C790460—73-55, L-C772303—73-55 and LFM-PB40—7X-55. These will be approved at a later date.

Motion by McGregor and 2nd by Plathe to approve application for Enterprise Zone Certification of 4.35 acres for Greater Bancroft Company LC. Ayes 3, Nays 1 (Besch). Absent Elsbecker

Motion by Wymore and 2nd by Plathe to approve application for Enterprise Zone Certification of 0.13 acres for Lori Hanchett. Ayes 3, Nays 1 (Besch) Absent Elsbecker.

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 **4.48 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 _____ day of _____, 200 ____.

Jack Plathe, Chairperson
Kossuth County Board of Supervisors

ATTEST:

Joann Bormann, Kossuth County Auditor

Motion by McGregor and 2nd by Wymore to approve Enterprise Zone Resolution #19/Kossuth County Resolution 04-22-08-01. Ayes 3, Nays 1 (Besch). Absent Elsbecker.

Motion by Plathe and 2nd by Besch to table Hoover Land Liquor Permit as not received from the state. Ayes 4, Nays 0. Motion carried unanimous. Absent Elsbecker.

On motion adjournment was taken until May 1, 2008.

Attest:

Joann Bormann
Kossuth County Auditor

Jack Plathe, Chairman
Board of Supervisors