

BOARD PROCEEDING

THIRTY-SECOND DAY

JULY 20, 2004

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

Motion by Besch and 2nd by Cink to approve the minutes of the previous meeting. Ayes all, Nays none. Motion carried unanimous.

Motion by Elsbecker and 2nd by Froehlich to approve the agenda. Ayes all, Nays none. Motion carried unanimous.

Public Discussion and committee reports were held with Robert Josten attending.

Kossuth County Resolution No. 07-20-04-01

RESOLUTION 07-20-04-01

WHEREAS, there has been presented to the Board of Supervisors of Kossuth County, Iowa, for the consideration of said Board a certain proposed Plat and Dedication of "GREEN ACRES, KOSSUTH COUNTY, IOWA", covering the following described real estate, to-wit:

A subdivision of that part of the Northwest Quarter of the Northeast Quarter of Section 35, Township 96 North, Range 29 West of the 5^h P.M., Kossuth County, Iowa, described as follows:

Commencing at the Northwest corner of the Northeast Quarter of said Section 35; thence South 0°30.5' West 960.67 feet along the westerly line of said Northeast Quarter; thence South 89°45.2' East 122.59 feet to the point of beginning at the easterly right-of-way line of U.S. Highway #169 at a point 60 feet from the centerline of said Highway and at a point previously recorded as 961 feet South and 129.7 feet East of the Northwest corner of said Northeast Quarter; thence continuing South 89°45.2' East 180.00 feet along a line parallel with, and 100 feet distant northerly from, the North line of the property originally conveyed to Harry Moore, by Warranty Deed recorded in Deed Record Book #90, Page 36, in the Office of the Kossuth County Recorder (and memorialized by the Land Survey recorded in Book #3, Page 8, of Land Plats in said office); thence South 0°27.0' East 97.77 feet; thence North 89°32.2' East 60.00 feet; thence North 0°27.0' West 197.03 feet; thence South 89°45.2' East 300.06 feet; thence North 0°27.0' West 307.00 feet; thence North 89°45.2' West 540.06 feet to the easterly right-of-way line of U.S. Highway #169; thence South 0°27.0' East 407.00 feet along said Highway right-of-way line and parallel with the centerline of said Highway to the point of beginning, containing 4.49 acres;

From which it appears that Richard A. Besch and Marsha L. Besch, husband and wife, are the owners of said real estate and that the said Richard A. Besch and Marsha L. Besch, husband and wife, desire to plat and dedicate the same as "GREEN ACRES, KOSSUTH COUNTY, IOWA", and which Plat and Dedication are presented to this Commission for approval; and

WHEREAS, said Plat and Dedication have been approved by the Kossuth County Regional Planning Commission, who has recommended to the Kossuth County Board of Supervisors that said Plat and Dedication as filed be approved; and

WHEREAS, upon consideration of the same, the Kossuth County Board of Supervisors finds that said Plat and Dedication are in proper form and should be approved.

NOW, THEREFORE, BE IT RESOLVED by the Kossuth County Board of Supervisors that said Final Plat and Dedication be approved.

BE IT FINALLY RESOLVED that the Chairman of the Board of Supervisors and the Auditor of Kossuth County, Iowa, be and they are authorized and directed to endorse the approval of the Kossuth County Board of Supervisors upon said Plat and Dedication and to certify this Resolution of Approval which shall be affixed to said proceedings.

At the conclusion of the reading of the Resolution, it was moved by Bob Cink and seconded by Don Besch that the Resolution be adopted as read.

Ayes: All
Nays: None

Motion carried unanimous.

Motion by Besch and 2nd by Froehlich to open Public Hearing to vacate Lots 1 and 3 Western Hills Addition, Section 14-95-29 Cresco Township. Ayes all, Nays none. Motion carried unanimous.

Motion by Cink and 2nd by Elsbecker to close Public Hearing. Ayes all, Nays none. Motion carried unanimous.

Motion by Froehlich and 2nd by Besch to table the request to vacate Lots 1 and 3 Western Hills Addition. Ayes all, Nays none. Motion carried unanimous.

Midwest Grain Processors, Expansion Resolution was tabled until Robert Josten, Bonding Attorney has had time to review and talk to primary lender.

Motion by Besch and 2nd by Froehlich to table until a later date the appointment of Larry Scobba as Commissioner of Veterans Affairs. Ayes all Nays none. Motion carried unanimous.

Motion by Elsbecker and 2nd by Cink to approve the Quarterly Report of the Veterans Affairs. Ayes all, Nays none. Motion carried unanimous.

Motion by Cink and 2nd by Froehlich to approve the application for Enterprise Zone, with the following Resolution #8.

Kossuth County, Iowa
Resolution No. 8

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.

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 **14 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 ____.

Don McGregor, Chairperson
Kossuth County Board of Supervisors

ATTEST:

Joann Bormann, Kossuth County Auditor

Roll Call Vote: Besch pass, Cink yes, Elsbecker yes, Froehlich yes, McGregor yes, back to Besch yes. Motion carried unanimous.

Resolution 07-20-04-02

Motion by Cink and 2nd by Elsbecker to approve the following resolution:

Roll Call Vote: Besch no, Cink yes, Elsbecker yes, Froehlich yes, McGregor yes. Motion carried.

Resolution to add Locally Funded Project not in the current program.

Be it Resolved: That the Board of Supervisors of Kossuth County, Iowa initiates and recommends that the following project be approved by the Iowa Department of Transportation (Iowa DOT) for improvement with the funds as shown below for the period covering the current secondary road construction program.
L-C571060—73-55 Culvert Replacement, N. Line Section 10, Prairie, Cost \$50,000.

Don McGregor, Chairperson Date
Kossuth County Board of Supervisors

Richard Schiek, PE & LS Date
Kossuth County Engineer

County Auditor

On motion adjournment was taken until July 27, 2004.

Attest _____
Joann Bormann
Kossuth County Auditor

Don McGregor, Chairman
Board of Supervisors

