

**MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON August 24, 2021.**

With social distancing guidelines being maintained at in-person meetings, an electronic participation option is made available. This complies with Iowa Code section 21.8 that outlines the guidelines to hold an electronic meeting when there are valid concerns that an in-person meeting is "impossible or impractical".

Meeting called to order at 9:00 A.M. by Chairman Greg Barnett with members Rusty Eddy and Tom Heidenwirth present. Moved by Eddy, second by Heidenwirth to approve the agenda. All ayes. Motion carried.

Minutes of the previous meeting were read. Motioned by Heidenwirth, second by Eddy to approve the minutes as read. All ayes. Motion carried.

No public comment received.

Time and place set for Public Hearing on the Not to Exceed \$5,000,000 General Obligation Urban Renewal Bonds. Motioned by Eddy, second by Heidenwirth to open the public hearing. All ayes. Motion carried. Barnett asked County Auditor, Leslie Groen, if she had received any oral or written comments, and the Auditor Groen reported that she has not received any oral or written comments. With no additional comments being seen or heard, motioned by Barnett, second Eddy to close the public hearing. All ayes. Motion carried.

Barnett introduced and the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$5,000,000 GENERAL OBLIGATION URBAN RENEWAL BONDS" as Resolution 994. Barnett explained the bond would fund road projects including the following: Sinclair Ave. shouldering, Sinclair Ave. paving, Butler Center Rd. shouldering, intersection work and Orchid Lane. Eddy confirmed Orchid Lane has a combination of funding between the county and City of Parkersburg. Barnett also explained the new bond would payoff a previous bond with a goal to maintain a debt levy consistent to what is has been, within a few pennies. Motioned by Eddy, second by Heidenwirth to approve Resolution 994 be adopted. The roll was called and the vote was: AYES: Heidenwirth, Barnett, Eddy. NAYS: 0 and the resolution was adopted as follows:

**RESOLUTION 994**

**RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$5,000,000 GENERAL OBLIGATION URBAN RENEWAL BONDS**

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of not to exceed \$5,000,000 General Obligation Urban Renewal Bonds, for essential county urban renewal purposes, in order to provide funds to pay the costs of aiding in the planning, undertaking and carrying out of urban renewal projects under the authority of Iowa Code chapter 403 and the Butler County Logistics Park Urban Renewal Plan, as amended, including costs associated with the construction, reconstruction, repairing and widening of secondary roads and other highway improvements to assist in economic development; and refunding or refinancing outstanding indebtedness of the County including General Obligation Urban Renewal Bonds, Series 2010, dated September 15, 2010, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Bonds; and no petition was filed calling for a referendum thereon. 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 BUTLER COUNTY, STATE OF IOWA:

That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$5,000,000 General Obligation Urban Renewal Bonds, for the foregoing essential county urban renewal purposes.

PASSED AND APPROVED this 24th day of August, 2021.

Greg Barnett  
Chairperson

ATTEST:  
Leslie Groen  
County Auditor

Barnett introduced the following Resolution entitled "RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF \$5,000,000\* (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2021, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND DISTRIBUTION OF PRELIMINARY OFFICIAL STATEMENT" as Resolution 995. Barnett explained this resolution is to move forward with the bond sale. Motioned by Heidenwirth, second by Eddy to approve Resolution 995 be adopted. The roll was called and the vote was: AYES: Heidenwirth, Barnett, Eddy. NAYS: 0 and the resolution was adopted as shown below. Following the adoption of Resolution 995, Groen, reviewed the following items included in the resolution: approval of the preliminary Official Statement and the bond sale date and time. Groen explained the resolution sets the bond bid reviews for 10:30 A.M. on September 7<sup>th</sup> and the resolution states the regular meeting on September 7<sup>th</sup> would be held at 1:00 P.M. to allow time for the bid reviews. Groen wanted to ensure the adopted resolution's proposed meeting time would work for each board member.

**RESOLUTION 995**

**RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF \$5,000,000\* (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) GENERAL OBLIGATION URBAN RENEWAL BONDS,**

**SERIES 2021, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND DISTRIBUTION OF PRELIMINARY OFFICIAL STATEMENT**

WHEREAS, the Issuer is in need of funds to pay costs of aiding in the planning, undertaking and carrying out of urban renewal projects under the authority of Iowa Code chapter 403 and the Butler County Logistics Park Urban Renewal Plan, as amended, including costs associated with the construction, reconstruction, repairing and widening of secondary roads and other highway improvements to assist in economic development; and refunding or refinancing outstanding urban renewal indebtedness of the County including General Obligation Urban Renewal Bonds, Series 2010, dated September 15, 2010, essential county purpose(s), and it is deemed necessary and advisable that General Obligation Urban Renewal Refunding Bonds, to the amount of Not to Exceed \$5,000,000 be authorized for said purpose(s); and

WHEREAS, pursuant to notice published as required by Sections 403.12 and 331.443 of the Code of Iowa, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of the Bonds, and the Board is therefore now authorized to proceed with the issuance of said Bonds for such purpose(s); and

WHEREAS, in conjunction with its Municipal Advisor, Speer Financial, the County has caused a Preliminary Official Statement to be prepared outlining the details of the proposed sale of the Bonds; and

WHEREAS, the Board has received information from its Municipal Advisor evaluating and recommending the procedure hereinafter described for electronic, facsimile and internet bidding to maintain the integrity and security of the competitive bidding process and to facilitate the delivery of bids by interested parties; and

WHEREAS, the Board deems it in the best interests of the County and the residents thereof to receive bids to purchase such Bonds by means of both sealed and electronic internet communication.

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

That the receipt of electronic bids by facsimile machine and through the SpeerAuction Competitive Bidding System described in the Notice of Sale and Official Statement are hereby found and determined to provide reasonable security and to maintain the integrity of the competitive bidding process, and to facilitate the delivery of bids by interested parties in connection with the offering at public sale.

That General Obligation Urban Renewal Bonds, Series 2021, of Butler County, State of Iowa, in the amount of \$5,000,000\* (Subject to Adjustment per Terms of Offering), to be issued as referred to in the preamble of this Resolution, to be dated October 6, 2021, be offered for sale pursuant to the published advertisement.

That the preliminary Official Statement in the form presented to this meeting be and the same hereby is approved as to form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission, subject to such revisions, corrections or modifications as the Chairperson and County Auditor, upon the advice of bond counsel and the County's Municipal Advisor, shall determine to be appropriate, and is authorized to be distributed in connection with the offering of the Bonds for sale.

That the Auditor is hereby directed to publish notice of sale of the Bonds at least once, the last one of which shall be not less than four clear days nor more than twenty days before the date of the sale. Publication shall be made in the "Butler County Tribune - Journal", and other papers as deemed necessary by the County, legal newspapers printed wholly in the English language, published within the county in which the Bonds are to be offered for sale or an adjacent county. The notice is given pursuant to Chapter 75 of the Code of Iowa, and shall state that this Board, on the 7th day of September, 2021, at 1:00 P.M., will hold a meeting to receive and act upon bids for said Bonds, which bids were previously received and opened by County Officials at 10:30 A.M. on said date. The notice shall be in substantially the following form:

**NOTICE OF BOND SALE**

Time and Place of Sealed Bids: Bids for the sale of Bonds of Butler County, State of Iowa, hereafter described, must be received at the office of the County Auditor, County Courthouse, 428 - 6th Street, Allison, Iowa 50602; Telephone: 319-267-2670 (the "Issuer") before 10:30 A.M. C.D.T., on the 7th day of September, 2021. The bids will then be publicly opened and referred for action to the meeting of the Board of Supervisors in conformity with the Terms of Offering.

The Bonds: The Bonds to be offered are the following:

GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2021, in the amount of \$5,000,000\*, to be dated October 6, 2021\* (the "Bonds").

\*Subject to principal adjustment pursuant to official Terms of Offering.

Manner of Bidding: Open bids will not be received. Bids will be received in any of the following methods:

- Sealed Bidding: Sealed bids may be submitted and will be received at the office of the County Auditor at the County Courthouse, 428 6th Street, Allison, Iowa 50602.
- Electronic Internet Bidding: Electronic internet bids will be received at the office of the County Auditor at the County Courthouse, 428 6th Street, Allison, Iowa 50602. The bids must be submitted through the SPEERAUCTION competitive bidding system.
- Electronic Facsimile Bidding: Electronic facsimile bids will be received at the office of the County's Municipal Advisor, Speer Financial (facsimile number: 319-291-8628). Electronic facsimile bids will be treated as sealed bids.

**Consideration of Bids:** After the time for receipt of bids has passed, the close of sealed bids will be announced. Sealed bids will then be publicly opened and announced. Finally, electronic internet bids will be accessed and announced.

**Sale and Award:** The sale and award of the Bonds will be held at the Board Room, County Courthouse, 428 6th Street, Allison, Iowa at a meeting of the Board of Supervisors on the above date at 1:00 P.M.

**Official Statement:** The Issuer has issued an Official Statement of information pertaining to the Bonds to be offered, including a statement of the Terms of Offering and an Official Bid Form, which is incorporated by reference as a part of this notice. The Official Statement may be obtained by request addressed to the County Auditor, County Courthouse, 428 - 6th Street, Allison, Iowa 50602; Telephone: 319-267-2670 or the Issuer's Municipal Advisor, Speer Financial, Inc., 531 Commercial Street, Waterloo, Iowa, 50703, Telephone: 319-291-2077.

**Terms of Offering:** All bids shall be in conformity with and the sale shall be in accordance with the Terms of Offering as set forth in the Official Statement.

**Legal Opinion:** The Bonds will be sold subject to the opinion of Ahlers & Cooney, P.C., Attorneys of Des Moines, Iowa, as to the legality and their opinion will be furnished together with the printed Bonds without cost to the purchaser and all bids will be so conditioned. Except to the extent necessary to issue their opinion as to the legality of the Bonds, the attorneys will not examine or review or express any opinion with respect to the accuracy or completeness of documents, materials or statements made or furnished in connection with the sale, issuance or marketing of the Bonds.

**Rights Reserved:** The right is reserved to reject any or all bids, and to waive any irregularities as deemed to be in the best interests of the public.

By order of the Board of Supervisors of Butler County, State of Iowa.

Leslie Groen  
County Auditor, Butler County, State of Iowa

(End of Notice)

PASSED AND APPROVED this 24th day of August, 2021.

Greg Barnett  
Chairperson

ATTEST:

Leslie Groen  
County Auditor

Susie Jacobs, on behalf of the Wellness Committee, requested approval to offer flu shots to full and part-time employees, including anyone covered under an employee's insurance. Jacobs explained Public Health Director, Jennifer Becker, mentioned that they could be done sometime in October. Motioned by Barnett, second by Eddy to approve flu shots on a date to be determined later. All ayes. Motion carried.

Motioned by Barnett, second by Heidenwirth to approve claims. All ayes. Motion carried.

Board acknowledged receipt of Manure Management Plan Annual Updates for Rig East, Rig 2 West, and DCI – Williams.

Motioned by Eddy, second by Barnett to adjourn the regular meeting at 9:13 A.M. to August 31, 2021 at 9:00 A.M. All ayes. Motion carried.

The above and foregoing is a true and correct copy of the minutes and proceedings of a regular adjourned meeting of the Board of Supervisors of Butler County, Iowa on August 24, 2021.

Attest: Leslie Groen  
Butler County Auditor

Greg Barnett  
Chairman of the Board of Supervisors