

BOARD PROCEEDINGS
REGULAR FEBRUARY SESSION

EIGHTH DAY

FEBRUARY 21, 2006

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

Motion by McGregor and 2nd by Besch to approve the minutes. Ayes all, Nays none. Motion carried unanimous.

Motion by McGregor and 2nd by Plathe to table the 10:20 a.m. and 10:30 a.m. items on agenda until 1:30 p.m. Ayes all, Nays none. Motion carried unanimous.

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

Public discussion and committee reports were held.

Motion by Besch and 2nd by Plathe to table Matrix approval for Wayne Gerhart and Tom and Hollie Struecker until March 1, 2006. Representatives of the Board will meet with the DNR when the buildings are staked. Ayes all, Nays none. Motion carried unanimous.

Motion by McGregor and 2nd by Elsbecker to approve the signing of the Corn Belt Power Loan Agreement for the Nature Center. In attendance were Lisa Shimkat, representative for Corn Belt, Todd Holmes, Kossuth County Attorney, and Kendall Stumme, Conservation Director. This is a \$300,000 interest free loan. Ayes all, Nays none. Motion carried unanimous.

Motion by McGregor and 2nd by Plathe that the Board of Supervisors of Kossuth County, Iowa, does hereby authorize and give its permission to Iowa Telecommunications Services, Inc., Grinnell, Iowa to install a buried telecommunication cable across 490th Street between Sections 18 and 19, Eagle Township. Permit number 06-02-03 is on file in the Kossuth County Engineer's Office. Ayes all, Nays none. Motion carried unanimous.

Motion by Besch and 2nd by McGregor that the Board of Supervisors of Kossuth County, Iowa, does hereby authorize and give its permission to Qwest Communications, Des Moines, Iowa to bore facilities under the road in the vicinity of 2408 220th Street, from Prairie Township Section 1 to Wesley Township Section 36. Permit number 06-02-02 is on file in the Kossuth County Engineer's Office. Ayes all, Nays none. Motion carried unanimous.

Discussion was held with Todd Holmes, Kossuth County Attorney regarding the Enterprise Zone Resolution # 1. By signing the Board did not give away their taxing authority. The Commission can only present to the Board of Supervisors and they must approve.

Motion by Elsbecker and 2nd by McGregor to approve the Certification for East Fork Bio Diesel LLC to the Enterprise Zone with 496.65 acres. Ayes all, Nays none. Motion carried unanimous.

Motion by Plathe and 2nd by McGregor to approve the Certification for Louscher Dental Clinic, to the Enterprise Zone with .80 acres. Ayes all, Nays none. Motion carried unanimous.

Motion by Plathe and 2nd by McGregor to approve Resolution #15. Ayes all, Nays none. Motion carried unanimous.

Kossuth County, Iowa
Resolution No. 15

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 **497.45 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 21th day of February, 2006.

On motion adjournment was taken until March 1, 2006.

Attest: _____
Joann Bormann
Kossuth County Auditor

Lee Froehlich, Chairman
Board of Supervisors

