

BOARD PROCEEDINGS

TWENTY-THIRD DAY

MAY 17, 2005

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

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

Motion by Froehlich and 2nd by Besch to approve the agenda with the omission of the 10:15 and 11:00 a.m. items. Ayes all, Nays none. Motion carried unanimous.

Motion by Froehlich and 2nd by Plathe to amend Resolution No. 11 to read 777.01 acres, taking off 24.03 acres.. This will be Resolution 05-17-05-01. Ayes all, Nays none. Motion carried unanimous.

Kossuth County, Iowa Resolution No. 11 Amended

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 **777.01 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 17th day of May, 2005.

Motion by McGregor and 2nd by Froehlich to approve Enterprise Zone Applications for 728.07 acres. Roll Call Vote: Plathe yes, McGregor yes, Froehlich yes, Besch yes, Elsbecker yes. Motion carried unanimous.

Motion by McGregor and 2nd by Plathe to approve Resolution No. 12, 05-17-05-02. Ayes all, Nays none. Motion carried unanimous.

Kossuth County, Iowa
Resolution No. 12

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 **728.07 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 17th day of May, 2005.

Motion by Besch and 2nd by McGregor to open Public Hearing for Budget Amendment. Ayes all Nays none. Motion carried unanimous.

Motion by Plathe and 2nd by Froehlich to close the Public Hearing for Budget Amendment. Ayes all, Nays none. Motion carried unanimous.

Resolution 05-17-05-04

Be it resolved that the Board of Supervisors of Kossuth County, Iowa, approves the Budget Amendments and appropriation of funds For FY 04-05 this 17th day of May, 2005.. Ayes all, Nays none. Motion carried unanimous.

Revenue:

Local Option Sales Tax	
Law Enforcement Center	126,000.00
Rural Basic	14,000.00
Conservation Reserve	9,000.00
TOTAL REVENUES	149,000.00

Expenses:

2003-2004 Audit	5,000.00
Unemployment	7,500.00
Law Enforcement Loan Principal	157,000.00
Trees for Conservation	12,220.00
Land acquisition	15,945.00

TOTAL EXPENDITURES

197,665.00

Transfer \$5000 from the General Basic Fund to the Conservation Reserve Fund per
Board Resolution on August 2, 2004

Resolution 05-17-05-03

BE IT RESOLVED, The Board of Supervisors of Kossuth County, at the Public Hearing held May 17, 2005, have agreed to decrease appropriation of \$18,000 in salaries from the Relief budget. Of this amount, \$12,000 will be moved and appropriated to the Veterans Affairs budget for salaries and \$6000 moved and appropriated to the general basic CPC line item for Youth Guidance Services. The accounts are within the same fund and service area. Motion by Besch and 2nd by McGregor. Ayes all, Nays none. Motion carried unanimous.

Motion by Plathe and 2nd by McGregor to table RAGBRAI permission to use parking lots until next week. Ayes all, Nays none. Motion carried unanimous.

Motion by Plathe and 2nd by Besch to table Contract with ES & S Election Equipment until next week. Ayes all, Nays none. Motion carried unanimous.

Motion by Froehlich and 2nd by Plathe to hold a Public Hearing, June 1st, 7:00 p.m., Assembly Room for a USDA Rural Economic Development Loan, Grant Program and Cornbelt Power Revolving Loan for the Natural Center. Ayes all, Nays none. Motion carried unanimous.

On motion adjournment was taken until May 24, 2005.

Joann Bormann
Kossuth County Auditor

Eugene Elsbecker, Chairman
Kossuth County Supervisors