

The Board of Supervisors of Humboldt County, Iowa met at 8:30 a.m. on the 6th day of November 2017 with the following members present: Reimers, Mattes, Lee, Underberg and Pedersen. Absent: None.

The Chairman called the meeting to order.  
Moved by Lee and seconded by Mattes to approve the agenda for the November 6, 2017 Board meeting. All voting aye.  
Moved by Underberg and seconded by Lee to approve the minutes for the October 30, 2017 Board meeting. All voting aye.

Chairman Pedersen opened the meeting up for public concerns. Daryl Nostrom was present to discuss with the Board a county tile by the old county farm. He requested to have a hole dug to find out where the water is dumping in to. Gerry West discussed with the Board the possibility of revisiting the ordinance on wind turbines. No official Board action was taken on either item discussed.

The time of 8:35 a.m. having arrived and it being the place and time for a public hearing on entering into a General Obligation Emergency Communications Equipment Lease Agreement it was moved by Reimers and seconded by Lee to open the public hearing. All voting aye.

The Board discussed the lease proposed by Motorola for the LEC Equipment. No written comments were received from the public and no public in attendance spoke for or against the equipment lease. Moved by Mattes and seconded by Reimers to close the public hearing. All voting aye.

Moved by Reimers and seconded by Underberg to approve Resolution #2017-14, a Resolution approving and authorizing a General Obligation Emergency Communication Equipment Lease Agreement, providing for the levy of taxes to pay the same as follows:

#### RESOLUTION NO. 2017-14

Resolution approving and authorizing a General Obligation Emergency Communications Equipment Lease Agreement, providing for the levy of taxes to pay the same

WHEREAS, the Board of Supervisors of Humboldt County, Iowa (the "County"), heretofore proposed to enter into a General Obligation Emergency Communications Equipment Lease Agreement (the "Lease Agreement") with lease payments thereunder in a principal amount not to exceed \$950,000, pursuant to the provisions of Sections 331.402 and 331.441(2)(b)(17) of the Code of Iowa for the purpose of paying the cost, to that extent, of acquiring and installing emergency services communications equipment and systems (the "Project"), and has published notice of the proposed action and has held a hearing thereon on November 6, 2017; and

WHEREAS, it is now necessary to authorize the Lease Agreement;

NOW, THEREFORE, It Is Resolved by the Board of Supervisors of the Humboldt County, Iowa, as follows:

Section 1. The Lease Agreement with Motorola Solutions, Inc. in substantially the form as has been presented to and considered by this Board of Supervisors and containing substantially the same terms and provisions set forth therein, is hereby approved. The Chairperson and County Auditor are hereby authorized and directed to make such changes thereto as they with the advice of bond counsel, deem necessary and to execute and deliver the Lease Agreement and to execute any and all other documents and do any and all things deemed necessary in order to accomplish the purposes of the Lease Agreement and this resolution.

Section 2. The Lease Agreement provides for nine lease payments (the "Payments") due on each November 1, commencing November 1, 2019 and continuing to, and including, final payment on November 1, 2027 in the amounts as set forth in Schedule B of the Agreement. The Payments under the Lease Agreement shall be subject to the right of non-appropriation by the Board of Supervisors as set forth therein. The Lease Agreement also provides for 0% interest for the first two years which includes the first payment due on November 1, 2019.

Section 3. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the Payments, there is hereby ordered levied on all the taxable property in the County in each of the years while the Lease Agreement is outstanding, a tax sufficient for that purpose as follows:

For collection in the fiscal year beginning July 1, 2018, sufficient to produce the net annual sum of \$100,186;

For collection in the fiscal year beginning July 1, 2019, sufficient to produce the net annual sum of \$100,186;

For collection in the fiscal year beginning July 1, 2020, sufficient to produce the net annual sum of \$100,186;

For collection in the fiscal year beginning July 1, 2021, sufficient to produce the net annual sum of \$100,186;

For collection in the fiscal year beginning July 1, 2022, sufficient to produce the net annual sum of \$100,186;

For collection in the fiscal year beginning July 1, 2023, sufficient to produce the net annual sum of \$100,186;

For collection in the fiscal year beginning July 1, 2024, sufficient to produce the net annual sum of \$100,186;

For collection in the fiscal year beginning July 1, 2025, sufficient to produce the net annual sum of \$100,186; and

For collection in the fiscal year beginning July 1, 2026, sufficient to produce the net annual sum of \$100,186.

Section 4. A certified copy of this resolution shall be filed with the County Auditor, and said Auditor shall be and is hereby instructed to enter for collection and assess the tax hereby authorized, unless full provision is made to budget alternative, lawful funds of the County for the payment of the Payments. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the County and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the County and set aside therein as a special account to be used solely and only for the payment of the Payments hereby authorized and for no other purpose whatsoever.

Section 5. The Payments due in any year or years shall, if necessary, be paid promptly from current funds on hand in advance of taxes levied and when the taxes shall have been collected, reimbursement shall be made to such current funds in the sum thus advanced.

Section 6. It is the intention of the County that interest on the Payments be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof, the County covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with the applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Payments will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the County are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

The County hereby designates the Agreement as a "Qualified Tax Exempt Obligation" as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

Section 7. All resolutions and orders or parts thereof in conflict with the provisions of this resolution are, to the extent of such conflict, hereby repealed.

Section 8. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved November 6, 2017.

/s/Rick Pedersen  
Chairperson, Board of Supervisors

Attest:  
/s/Peggy J. Rice  
County Auditor

/s/Rick Pedersen  
Chairperson, Board of Supervisors

Attest:  
/s/Peggy J. Rice  
County Auditor

On motion and vote, the meeting adjourned.

All voting aye.  
Moved by Mattes and seconded by Lee to authorize the Chairman to sign the Certification of Cost Allocation Plan for Cost Advisory Services, Inc. All voting aye.

Moved by Mattes and seconded by Reimers to recess as the Board of Supervisors and convene as the Board of Trustees for DD# 2, Lateral M, DD#6 Main, DD#11 Open Ditch, DD#11 Sub5 Open Ditch, DD#11 Sub 5 and DD#11 Sub 1. All voting aye.

Moved by Mattes and seconded by Reimers to adjourn as the Board of Trustees for Drainage and reconvene as the Board of Supervisors. All voting aye.

The Board discussed with Paul Jacobson, County Engineer and Dave Powell, Assistant Engineer some county driveway matters and the Devine Bridge damage. No official Board action was taken.

Committee Reports:  
Lee 10/30 Veteran Affairs

Moved by Lee and seconded by Underberg to adjourn at 12:33 p.m. All voting aye.

Peggy J. Rice Auditor Rick Pedersen Chairman