

April 22, 2019

THE SEVENTEENTH DAY

The Board of Supervisors of Howard County, Iowa met in regular session as required by law at the Office of the Howard County Board of Supervisors, Cresco, Iowa on April 22, 2019.

Unless noted in the minutes, all motions were passed unanimously.

The meeting was called to order by Chairman Pat Murray at 9:00 a.m.

Those present were: Chairman in the Chair Pat Murray, Jerry Steven and Joe Pisney.
Absent; None.

A motion by Jerry Steven and seconded by Joe Pisney to approve the agenda as posted with the addition of a lawn thatcher discussion to be acted upon in a timely manner. Motion passed.

A motion by Joe Pisney and seconded by Jerry Steven to approve the minutes of the last meeting. Motion passed.

A motion by Joe Pisney and seconded by Jerry Steven to approve to open the Public Hearing on the Urban Renewal Amendment at 9:00 a.m. Motion passed.

No public was in attendance.

A motion by Joe Pisney and seconded by Jerry Steven to approve to close the Public Hearing on the Urban Renewal Amendment at 9:05 a.m. Motion passed.

A motion by Jerry Steven and seconded by Joe Pisney to approve Resolution No. 1119-2019, RESOLUTION DETERMINING AN AREA OF THE COUNTY TO BE ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE COUNTY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 2 TO THE HOWARD COUNTY WIND FARM URBAN RENEWAL PLAN. The vote thereon was as follows: Ayes: Pisney, Steven and Murray. Nays: None. Resolution No. 1119-2019 passed unanimously. The full text of the resolution may be viewed at the Howard County Auditor's Office or on the Howard County website: <http://co.howard.ia.us/bosinfo/resolutions.htm>.

RESOLUTION NO. 1119-2019

RESOLUTION DETERMINING AN AREA OF THE COUNTY TO BE ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE COUNTY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 2 TO THE HOWARD COUNTY WIND FARM URBAN RENEWAL PLAN

WHEREAS, by Resolution No. 756, adopted September 13, 2010, this Board found and determined that certain areas located within the County are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Howard County Wind Farm Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the Howard County Wind Farm Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Howard County; and

WHEREAS, by Resolution No. 880-2013, adopted November 18, 2013, this Board of Supervisors approved and adopted an Amendment No. 1 to the Plan; and

WHEREAS, this Urban Renewal Area currently includes and consists of:

ORIGINAL AREA

<u>Turbine ID</u>	<u>Township Name</u>	<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>County</u>	<u>Turbine ID</u>	<u>Township Name</u>	<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>County</u>
1	Oak Dale	T100N	R14W	8	Howard	57	Jamestown	T99N	R14W	5	Howard
2	Oak Dale	T100N	R14W	8	Howard	58	Jamestown	T99N	R14W	5	Howard
3	Oak Dale	T100N	R14W	9	Howard	59	Jamestown	T99N	R14W	5	Howard
4	Oak Dale	T100N	R14W	7	Howard	60	Jamestown	T99N	R14W	5	Howard
5	Oak Dale	T100N	R14W	7	Howard	61	Jamestown	T99N	R14W	9	Howard
6	Oak Dale	T100N	R14W	7	Howard	62	Jamestown	T99N	R14W	8	Howard
7	Oak Dale	T100N	R14W	7	Howard	63	Jamestown	T99N	R14W	8	Howard
8	Oak Dale	T100N	R14W	18	Howard	64	Jamestown	T99N	R14W	9	Howard
9	Oak Dale	T100N	R14W	17	Howard	65	Jamestown	T99N	R14W	3	Howard
10	Oak Dale	T100N	R14W	17	Howard	66	Jamestown	T99N	R14W	3	Howard
11	Oak Dale	T100N	R14W	17	Howard	67	Jamestown	T99N	R14W	3	Howard
12	Oak Dale	T100N	R14W	17	Howard	68	Jamestown	T99N	R14W	2	Howard
13	Oak Dale	T100N	R14W	16	Howard	69	Jamestown	T99N	R14W	10	Howard
14	Oak Dale	T100N	R14W	16	Howard	70	Jamestown	T99N	R14W	10	Howard
15	Oak Dale	T100N	R14W	16	Howard	71	Jamestown	T99N	R14W	10	Howard
16	Oak Dale	T100N	R14W	16	Howard	72	Jamestown	T99N	R14W	9	Howard
17	Oak Dale	T100N	R14W	18	Howard	73	Jamestown	T99N	R14W	16	Howard
18	Oak Dale	T100N	R14W	18	Howard	74	Jamestown	T99N	R14W	9	Howard
19	Oak Dale	T100N	R14W	18	Howard	75	Jamestown	T99N	R14W	9	Howard
20	Oak Dale	T100N	R14W	18	Howard	76	Jamestown	T99N	R14W	9	Howard
21	Oak Dale	T100N	R14W	20	Howard	77	Jamestown	T99N	R14W	9	Howard
22	Oak Dale	T100N	R14W	17	Howard	78	Jamestown	T99N	R14W	10	Howard
23	Oak Dale	T100N	R14W	17	Howard	79	Jamestown	T99N	R14W	11	Howard
24	Oak Dale	T100N	R14W	16	Howard	80	Jamestown	T99N	R14W	16	Howard
25	Oak Dale	T100N	R14W	16	Howard	81	Jamestown	T99N	R14W	16	Howard
26	Oak Dale	T100N	R14W	16	Howard	82	Jamestown	T99N	R14W	21	Howard
27	Oak Dale	T100N	R14W	16	Howard	83	Jamestown	T99N	R14W	21	Howard
28	Oak Dale	T100N	R14W	19	Howard	84	Jamestown	T99N	R14W	21	Howard
29	Oak Dale	T100N	R14W	20	Howard	85	Jamestown	T99N	R14W	21	Howard
30	Oak Dale	T100N	R14W	20	Howard	86	Jamestown	T99N	R14W	21	Howard
31	Oak Dale	T100N	R14W	20	Howard	87	Jamestown	T99N	R14W	21	Howard
32	Oak Dale	T100N	R14W	20	Howard	88	Jamestown	T99N	R14W	21	Howard
33	Oak Dale	T100N	R14W	30	Howard	89	Jamestown	T99N	R14W	22	Howard
34	Oak Dale	T100N	R14W	30	Howard	90	Jamestown	T99N	R14W	22	Howard
35	Oak Dale	T100N	R14W	30	Howard	91	Jamestown	T99N	R14W	14	Howard
36	Oak Dale	T100N	R14W	30	Howard	92	Jamestown	T99N	R14W	14	Howard
37	Oak Dale	T100N	R14W	29	Howard	93	Jamestown	T99N	R14W	14	Howard
38	Oak Dale	T100N	R14W	29	Howard	94	Jamestown	T99N	R14W	23	Howard
39	Oak Dale	T100N	R14W	29	Howard	95	Jamestown	T99N	R14W	23	Howard
40	Oak Dale	T100N	R14W	29	Howard	96	Jamestown	T99N	R14W	23	Howard

41	Oak Dale	T100N	R14W	28	Howard	97	Jamestown	T99N	R14W	1	Howard
42	Oak Dale	T100N	R14W	31	Howard	98	Jamestown	T99N	R14W	1	Howard
43	Oak Dale	T100N	R14W	31	Howard	99	Jamestown	T99N	R14W	1	Howard
44	Oak Dale	T100N	R14W	32	Howard	100	Jamestown	T99N	R14W	12	Howard
45	Oak Dale	T100N	R14W	32	Howard	101	Jamestown	T99N	R14W	12	Howard
46	Oak Dale	T100N	R14W	32	Howard	102	Jamestown	T99N	R14W	12	Howard
47	Oak Dale	T100N	R14W	32	Howard	103	Jamestown	T99N	R14W	12	Howard
48	Oak Dale	T100N	R14W	32	Howard	104	Jamestown	T99N	R14W	12	Howard
49	Oak Dale	T100N	R14W	34	Howard	105	Jamestown	T99N	R14W	13	Howard
50	Oak Dale	T100N	R14W	34	Howard	106	Jamestown	T99N	R14W	13	Howard
51	Oak Dale	T100N	R14W	34	Howard	107	Jamestown	T99N	R14W	13	Howard
52	Jamestown	T99N	R14W	5	Howard	108	Jamestown	T99N	R14W	13	Howard
53	Jamestown	T99N	R14W	5	Howard	109	Jamestown	T99N	R14W	13	Howard
54	Oak Dale	T100N	R14W	32	Howard	110	Saratoga	T99N	R13W	19	Howard
55	Oak Dale	T100N	R14W	32	Howard	111	Saratoga	T99N	R13W	8	Howard
56	Oak Dale	T100N	R14W	33	Howard	112	Saratoga	T99N	R13W	8	Howard

AND

The Area also includes the traveled portion, including shoulders, bridge approaches and culvert locations, of the following public roads:

Addison Ave between 10th St. and the North corporate limits of Riceville.

Bell Ave. between 130th St. and 140th St.

Birch Ave. between 10th St. and 130th St.

Crescent Ave. between 115th St. and 140th St.

Dale Ave. between 10th St. and Hwy. 9.

Douglas Ave. between Hwy. 9 and 170th St.

Elm Ave. between Hwy. 9 and Hwy. 9.

Elm Ave. between 170th St. and 200th St.

Fir Ave. between 40th St. and 150th St.

Garden Ave. between 25th St. and 60th St.

Grove Ave. between 70th St. and 115th St.

Holly Ave. between 25th St. and Hwy. 9.

Holly Ave. between 170th St. and 185th St.

Howard Ave. between 110th St. and Maple Leaf Rd.

Iris Ave. between 60th St. and Hwy. 9.

Ivy Ave. between 40th St. and 60th St.

Jade Ave. between 50th St. and 125th St.

Jade Ave. between 135th St. and Crane Creek Rd.

Key Ave. between Hwy. 63 and 40th St.

Lincoln Ave. between 175th St. and 200th St.

May Ave. between 25th St. and Mill Rd.

Maple Leaf Rd. between Howard Ave. and 135th St.

Crane Creek Rd. between Jade Ave. and 150th St.

Mill Rd. between Major Rd. and Oak Ave.

Oak Ave. between 35th St. and Orange Rd.

Quail Ave. between 35th St. and 70th St.

Quail Ave. between 180th St. and 200th St.

Robin Ave. between 65th St. and Hwy. 9.

Royal Ave. between 200th St. and 100th St.

Saint Ave. between 80th St. and 85th St.

Saint Ave. between 150th St. and 200th St.

Timber Ave. between 80th St. and 90th St.

Unity Ave. between 50th St. and Hwy. 9.
Valley Ave. between 90th St. and 150th St.
Vernon Rd. between South corporate limits of Cresco and Valley Ave.
Victory Ave. between 10th St. and 50th St.
Willow Ave. between 78th St. and 80th St.
Yankee Ave. between 30th St. and 95th St.
Yankee Ave. between 150th St. and 180th St.

10th St. between Addison Ave. and Dale Ave.
20th St. between Addison Ave. and Birch Ave.
25th St. between Addison Ave. and Birch Ave.
25th St. between Elm Ave. and Holly Ave.
25th St. between Hwy. 63 and May Ave.
30th St. between Yankee Ave. and 345th St.
35th St. between Oak Ave. and Quail Ave.
40th St. between Addison Ave. and Key Ave.
50th St. between Addison Ave. and Jade Ave.
50th St. between Unity Ave. and Victory Ave.
60th St. between Addison Ave. and Ivy Ave.
65th St. between Quail Ave. and Robin Ave.
70th St. between Birch Ave. and Jade Ave.
70th St. between Quail Ave. and Robin Ave.
75th St. between Addison Ave. and Fir Ave.
78th St. between Willow Ave. and Yankee Ave.
80th St. between Iris Ave. and Jade Ave.
80th St. between Robin Ave. and Saint Ave.
80th St. between Timber Ave. and Willow Ave.
85th St. between Saint Ave. and Timber Ave.
90th St. between Birch Ave. and Jade Ave.
90th St. between Timber Ave. and Valley Ave.
95th St. between Addison Ave. and Birch Ave.
95th St. between Yankee Ave. and 345th St.
100th St. between Hwy. 63 and county bridge NO-36.
110th St. between Grove Ave. and Jade Ave.
110th St. between Vernon Rd. and 345th St.
115th St. between Addison Ave. and Grove Ave.
125th St. between Crescent Ave. and Douglas Ave.
125th St. between Maple Leaf Rd. and Jade Ave.
130th St. between Addison Ave. and Crescent Ave.
135th St. between Maple Leaf Rd. and Jade Ave.
140th St. between Addison Ave. and Fir Ave.
150th St. between Addison Ave. and 345th St.
170th St. between Bell Ave. and Holly Ave.
175th St. between Holly Ave. and Hwy. 63.
180th St. between Addison Ave. and Elm Ave.
180th St. between Quail Ave. and 345th St.
200th St. between Lincoln Ave. and Saint Ave.
345th St. between Hwy 9 and 110th St.

Hwy. 9 between Douglas Ave. and Elm Ave.
Hwy. 63 between Key Ave. and 25th St.

The area located within the boundaries of Lake Hendricks Park, which is owned by Howard County, and managed by the Howard County Conservation Board.

The area located within the boundaries of Lylah's Marsh, which is owned by Howard County, and managed by the Howard County Conservation Board.

The area located within the boundaries of the Bonair Shooting Range, which is owned by Howard County, and managed by the Howard County Conservation Board.

The area located within the boundaries of Lidtke Park, which is owned by Howard County, and managed by the Howard County Conservation Board.

The area located within the boundaries of Florenceville Park, which is owned by Howard County, and managed by the Howard County Conservation Board.

The area located within the boundaries of Vernon Springs Park, which is owned by Howard County, and managed by the Howard County Conservation Board.

The area located within the boundaries of Lidtke Park, which is owned by Howard County, and managed by the Howard County Conservation Board.

The area located within the boundaries of the Prairie Farmer Trail, which travels East from the City limits of Cresco, IA to the Howard and Winneshiek County line, and is managed by the Howard County Conservation Board.

The area located within the boundaries of the Prairie Springs Trail which travels from the South City limits of Cresco, IA South to Vernon Springs Park, and is owned by Howard County, and managed by the Howard County Conservation Board.

The area located within the boundaries of the Wapsi-Great Western Line Trail which travels North from 200th St. to Douglas Ave. and is owned by Howard County, and managed by the Howard County Conservation Board.

AND

The easement and/or leasehold interests belonging to the wind energy conversion property owners. These access roads for which the easement rights are included are shown on the map identified as "Exhibit B" to the Original Plan.

AMENDMENT #1 AREA

The traveled portion, including shoulders, bridge approaches and culvert locations of the following public roads:

Willow Avenue between 90th Street and 80th Street,

Willow Avenue between 78th Street and 50th Street,

50th Street between Victory Avenue and Willow Avenue,

Unity Avenue between 50th Street and 45th Street,

45th Street between Unity Avenue and east Lime Springs city limits.

WHEREAS, a proposed Amendment No. 2 to the Howard County Wind Farm Urban Renewal Plan ("Amendment No. 2" or "Amendment") for the Urban Renewal Area described above has been prepared, which proposed Amendment has been on file in the office of the County Auditor and which is incorporated herein by reference, the purpose of which is to add/or confirm the list of proposed projects to be undertaken within the Urban Renewal Area; and

WHEREAS, this proposed Amendment No. 2 adds no new land to the Urban Renewal Area; and

WHEREAS, it is desirable that the Area be redeveloped as part of the activities described within the proposed Amendment No. 2; and

WHEREAS, by resolution adopted on March 25, 2019, this Board directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Amendment No. 2 and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Amendment No. 2 be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the Board of Supervisors and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of the County Auditor, or her delegate, filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by resolution this Board also set a public hearing on the adoption of the proposed Amendment No. 2 for this meeting of the Board, and due and proper notice of the public hearing was given, as provided by law, by timely publication in the Times Plain Dealer and the Monitor Recorder, which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Amendment No. 2, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Board in connection therewith and the public hearing has been closed.

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

Section 1. That the findings and conclusions set forth or contained in Amendment No. 2 concerning the area of Howard County, State of Iowa, described in the preamble hereof, be and the same are hereby ratified and confirmed in all respects as the findings of this Board for this area.

Section 2. This Board further finds:

a) Although relocation is not expected, a feasible method exists for the relocation of any families who will be displaced from the Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

b) The Plan, as amended, and Amendment No. 2 conform to the general plan for the development of the County as a whole; and

c) Acquisition by the County is not immediately expected, however, as to any areas of open land to be acquired by the County included within the Urban Renewal Area:

i. Residential use is not expected, however, with reference to any portions thereof which are to be developed for residential uses, this Board of Supervisors hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the County; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

a. That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.

b. That conditions of blight in the municipality and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, and welfare.

c. That the provision of public improvements related to housing and residential development will encourage housing and residential development which is necessary to encourage the retention or relocation of industrial and commercial enterprises in this state and its municipalities.

d. The acquisition of the area is necessary to provide for the construction of housing for low and moderate income families.

ii. Non-residential use is expected and with reference to those portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the County in accordance with sound planning standards and local community objectives.

Section 3. That the Urban Renewal Area, as amended, continues to be an economic development area within the meaning of Iowa Code Chapter 403; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403 of the Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this County.

Section 4. That Amendment No. 2 to the Howard County Wind Farm Urban Renewal Plan of Howard County, State of Iowa, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as "Amendment No. 2 to the Howard County Wind Farm Urban Renewal Plan for Howard County, State of Iowa"; Amendment No. 2, including all of the exhibits attached thereto, is hereby in all respects approved; and the County Auditor is hereby directed to file a certified copy of Amendment No. 2 with the proceedings of this meeting.

Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, Amendment No. 2 shall be in full force and effect from the date of this Resolution until the Board amends or repeals the Plan. The proposed Amendment No. 2 shall be forthwith certified by the County Auditor, along with a copy of this Resolution, to the Recorder for Howard County, Iowa, to be filed and recorded in the manner provided by law.

Section 6. That all other provisions of the Plan not affected or otherwise revised by the terms of Amendment No. 2, as well as all resolutions previously adopted by this Board of Supervisors related to the Plan be and the same are hereby ratified, confirmed and approved in all respects.

PASSED AND APPROVED this 22nd day of April, 2019.

(Signed) Pat Murray
Chairperson, Board of Supervisors

ATTEST:

(Signed) Julie Chapman
County Auditor

Nick Rissman came before the board to discuss Secondary Roads Business.

1. Project updates.
2. Discuss 30th St. vacations.
3. Approve truck equipment quote.
4. Approval to advertise for AL-14 & AL-13 material bids.
5. Other road issues.

A motion by Jerry Steven and seconded by Joe Pisney to approve the low truck equipment quote from Michael's Truck Equipment of La Crosse at a cost of \$38,655.00 for a Champion Hoist. Motion passed.

A motion by Joe Pisney and seconded by Jerry Steven to approve to advertise for material bids for AL-14 & AL-13. Motion passed.

Pat Murray attended a CSS - 1 Payer meeting in West Union, UERPC in Postville and E-911 Commission meeting in Cresco.

Larry Walters came before the board to discuss some stop signs on Timber Avenue, Saint Avenue and 35th Street.

John Hansen and Mike Miner came before the board to give a New Jail Update.

A motion by Jerry Steven and seconded by Joe Pisney to approve Contract No. 1 Change Order No. 7 to Cresco Building Service for a total amount of \$27,661.00 for the following: \$13,631.00 for vestibule brick, \$3,900 for cabinets, \$264 for insulation, \$1,750 for curb, \$1900 to move transformer/landscaping and \$6,216 for signage. Motion passed.

A motion by Jerry Steven and seconded by Joe Pisney to approve to pay \$286,209.74 in New Jail Expenses. Motion passed.

A motion by Jerry Steven and seconded by Joe Pisney to approve an E-911 cabinet not to exceed \$5119.00 and a UPS and Surge Protector for \$4,757.00 and \$827.00. Motion passed.

The board discussed and will purchase a lawn thatcher for the Courthouse.

Chairman, Pat Murray adjourned to a Library Tour at 10:10 a.m.

ATTEST:

Julie Chapman, Howard County
Auditor

Pat Murray, Chair Howard County
Board of Supervisors