

January 24, 2012

The Des Moines County Board of Supervisors met in regular session at the Court House in Burlington at 9 AM on Tuesday, January 24<sup>th</sup>, 2012, with Tom Broeker, Dan Cahill and Bob Beck present.

Unless otherwise noted, all motions passed unanimously.

Meet with Department Heads: County Engineer Brian Carter reported that he was interviewing applicants for the surveyor position this week. Conservation Director Kim Perlstein thanked the Supervisors for participating in the Polar Plunge last Saturday. Over \$1,500 was raised for Big Hollow. She also stated that Des Moines County Conservation is celebrating its 50<sup>th</sup> anniversary this year. CPC Ken Hyndman reported that he is paying hospitals outside the County for MH services using their host county contracted rates of reimbursement. St. Luke's in Cedar Rapids wants a contract with Linn County's rate.

The following correspondence was received: letter from Paul Greufe, offering services for HR audit; letter from the Corps of Engineers, regarding an environmental assessment of dredged material at Pool 18.

Accounts Payable Claims in the amount of \$41,146.00 were approved upon motion by Beck and second by Cahill. This was a special A/P for the last draw of the flood relief CDBG.

Beck moved to approve the list of Condemnation Commissioners for 2012. Seconded by Cahill.

#### **CONDEMNATION COMMISSIONERS FOR 2012**

##### **OWNERS AND OPERATORS OF AGRICULTURAL LAND:**

Howard Taeger	11328 S. Prairie Grove Road	West Burlington
Ray Robertson	22382 Pegtown Road	Mediapolis
Stan Nelson	18408 Roosevelt Street	Middletown
Lee Robertson	4478 - 260th St.	Oakville
Terry Jamison	11237 Memorial Park Road	Burlington
Larry Beck	19268 - 110th Street	Danville

##### **CITY AND TOWN OWNERS:**

Donald Reeder	513 Harglen Court	Burlington
Barry Geng	2700 S. Main Street	Burlington
John Horton	1212 Madison Avenue	Burlington
William Conkel	810 N. 5th Street	Burlington
Ron Snyder	949 N. Central	Burlington
Curt Brenneman	309 Ruthella	West Burlington
Dean E. Robinson	601 Swan	West Burlington

##### **REAL ESTATE BROKERS:**

Robert K. Gerdes	2012 Highland Avenue	Burlington
Barbara J. Kelley	2306 Miller	Burlington
Mary Wiegard	1018 Cook	Burlington
Terry Johnson	PO Box 254	Burlington
Gwen Wixom	1313 N. Roosevelt	Burlington
Diane Kroll	2721 Monarch	Burlington

##### **BANKERS-REAL ESTATE APPRAISER-AUCTIONEERS:**

Ron Kelley	2306 Miller	Burlington
	(Real Estate Appraiser)	
Kathy Conover	322 Curran St	Burlington
	(Real Estate Appraiser - Potter Appraisal Services)	
Paul Smith	1616 Parkway	Burlington
	(Owner - Auctions by Smith)	

Jeff Burgus	PO Box 397 (President - Mediapolis Savings Bank)	Mediapolis
Robert Hesler	205 S. Main Street (Banker - Retired)	Danville
Jerry Krause	5572 Oak Hills Drive (Banker - 1 <sup>st</sup> Federal Savings Bank)	Burlington
Steve Francis	2072 Highland (Farmers Savings Bank, Denmark)	Burlington
Kent Gaudian	222 N Main St (Banker - Burlington Bank & Trust)	Burlington

Judith Shotwell was appointed to the Civil Service Commission upon motion by Beck. Seconded by Cahill.

Lennis Kelley was appointed Trustee of Danville Township. Motion was made by Beck and seconded by Cahill.

Cahill moved to approve the Byar Trust quarterly report. Seconded by Beck. The County received \$59,822 in interest from this trust to reduce the county tax levy.

The following reports were received and filed:  
 Boarding of Prisoners, December 2011  
 Sheriff's Report of Fees and Mileage, November 2011  
 Sheriff's Report of Room & Board, November 2011  
 Sheriff's Report of Interest on Civil Checking, November 2011  
 Sheriff's Report of Monies Collected for December 2011

Beck moved to approve minutes for the Board meeting held on January 17<sup>th</sup>, 2012. Seconded by Cahill.

Mark Richardson and Todd Sladky with Great River Medical Center and David Claypool with Dorsey & Whitney Law Firm, Des Moines, met with the Board to request that the County issue conduit bonds under Iowa Code Chapter 419 on behalf of the hospital. GRMC wants to borrow \$60 million to cover construction of a nursing home and consolidate previous debt into one bond at less than 3% interest. The bond is projected to be paid within 15 years. Claypool assured the Board that there was no financial risk to the County. The hospital assumes all risk. Claypool gave the Supervisors a list of cities who have borrowed on behalf of hospitals. Cahill stated that he was not in a position to approve the request. He wants to have the County's bonding attorney check the documents first. Because the Supervisors should have their questions answered within a week, Cahill made a motion to approve the Resolution to approve a Memorandum of Agreement and set a date for a public hearing on the proposal to issue the bonds. Seconded by Beck. The public hearing will be on February 21<sup>st</sup>, 2012.

### **RESOLUTION**

A Resolution authorizing the execution of a Memorandum of Agreement with Great River Medical Center and fixing a date for a hearing on the proposed Issuance of revenue bonds, in one or more series pursuant to Chapter 419 of the Iowa Code.

WHEREAS, Des Moines County, Iowa ( the "Issuer") is a county and political subdivision of the State of Iowa authorized and empowered by the provisions of Chapter 419 of the Code of Iowa, as amended (the "Act"), to issue revenue bonds or notes for a project located within, or within eight miles of, the Issuer for the purpose of financing the cost of acquiring, by construction or purchase, land, buildings, improvements and equipment, or any interest therein, suitable for the use of any facility for an organization described in Section 501(c)(3) of the Internal Revenue Code ( the "Code") which is exempt from federal income tax under Section 501(A) OF THE Code (a "Tax Exempt Organization") and to refund any bonds issued pursuant to the Act and to retire any existing indebtedness of a Tax Exempt Organization; and

WHEREAS, the Issuer has been requested by Great River Medical Center the "Borrower"), a Tax Exempt Organization, to issue its revenue bonds, in one or more series, in an aggregate principal amount not to exceed \$60,000,000 (the "Bonds") for the purpose of: (1)

financing a portion of the costs of the construction, renovation, expansion, equipping, and furnishing a nursing facility and related facility and improvements all located on the Borrower's campus at 1221 South Gear Avenue, West Burlington, Iowa (the "Project"); (2) retiring existing indebtedness of the Borrower by refunding the previous issue of Healthcare Revenue Bonds, Series 2001 (Great River Medical Center (the "Prior Bonds") issued by the Iowa Finance Authority for the benefit of the Borrower; (3) funding a debt service reserve fund for the Bonds; and (4) paying costs of issuance and certain other costs associated with the issuance of the Bonds; and

WHEREAS, it is proposed to finance the foregoing through the issuance of the Bonds and to loan the proceeds from the sale of the Bonds to the Borrower pursuant to a Loan Agreement between the Issuer and the Borrower, the obligations of the Borrower under which will be sufficient to pay the principal of and interest on the Bonds; and

WHEREAS, the Bonds, if issued, shall be limited obligations of the Issuer, and shall not constitute nor give rise to a pecuniary liability of the Issuer or a charge against its general credit or taxing powers, and the principal of, interest and premium, if any, on the Bonds shall be payable solely out of the revenues derived from payments by the Borrower under the Loan Agreement; and

WHEREAS, a Memorandum of Agreement in the form and with the contents set forth in Exhibit A attached hereto, has been presented to the Issuer under the terms of which the Issuer agrees, subject to the provisions of such Agreement, to pursue proceedings necessary under the Act to issue the Bonds for such purpose;

NOW, THEREFORE, IT IS RESOLVED by the Board of Supervisors of the Issuer, as follows:

Section 1. The Memorandum of Agreement in the form and with the contents set forth in Exhibit A attached hereto is hereby approved and the Chairperson is hereby authorized to execute said Memorandum of Agreement and the County Auditor is hereby authorized to attest the same and to affix the seal of the Issuer thereto; said Memorandum of Agreement, which constitutes and is hereby made a part of this Resolution, to be substantially the form, text and containing the provisions set forth in Exhibit A. attached hereto.

Section 2. Officials of the Issuer are hereby authorized to take such further action as may be necessary to carry out the intent and purpose of the Memorandum of Agreement.

Section 3. This Board shall meet on the 21<sup>st</sup> day of February, 2012, at the Board of Supervisors' meeting room, Des Moines County Courthouse, 513 N. Main Street, Burlington, Iowa at 9:00 o'clock A.M. at which time and place any resident or property owner of the Issuer may present oral or written objections on the proposal to issue the Bonds referred to in the preamble hereof.

Section 4. The County Auditor is hereby directed to give notice of intention to issue the Bonds, setting forth the amount and purpose thereof, the time when and place where the hearing will be held, by publication at least once not less than fifteen (15) days prior to the date fixed for the hearing, in a newspaper published and having a general circulation within the Issuer. The notice shall be in substantially the following form.

(Resolution packet in its entirety can be viewed at the Auditor's Office).

The Election for Burlington North Bottoms Levee & Drainage District held on Tuesday, January 10th, 2012, was canvassed. Chris Smith, with Case New Holland, received 5 votes and was declared the winner. Motion to approve was made by Cahill and seconded by Beck.

The Election for Levee District 16 was held on Saturday, January 14th, 2012. The Board found 15 votes for Kenny Oetken and he was declared the winner. Motion to approve was made by Cahill and seconded by Beck.

Future agenda items: Public Hearing regarding GRMC bonds on February 21, 2012.

During committee reports, Beck had attended the annual meeting of Highway 61 Coalition and Eggs & Issues on Saturday with area Legislators.

Meeting was adjourned at 10:26 AM.

A work session was held regarding the proposed budget. Cuts to County Maintenance, the Conservation Department and Sheriff were made.

This Board meeting is recorded and the tape is kept on file for two years. The minutes are also posted on the county's website [www.co.des-moines.ia.us](http://www.co.des-moines.ia.us).

Approved January 31, 2012  
Thomas Broeker, Chair  
Attest: Carol S. Copeland, Auditor