

The Worth County Board of Supervisors met pursuant to adjournment with Enos Loberg, Mark Smeby and A.J. Stone, present. All members voting “AYE” unless noted.

Meeting called to order by Stone at 8:30 A.M., followed by the Pledge of Allegiance.

Motion Smeby/Second Loberg to approve today’s agenda and minutes from the April 1, 2024 meeting. Motion carried.

Motion Loberg/Second Smeby to approve final construction progress voucher for project BHOS-SWAP-CO98(83) - - FB-98 for project closeout through the Iowa Department of Transportation. Motion carried.

Motion Smeby/Second Loberg to approve Secondary Roads FY25 Iowa Department of Transportation Budget and Five-year Construction Program. Motion carried.

Motion Loberg/Second Smeby to approve claims in the amount of \$172,026.62 as per the following schedule. Motion carried.

Agvantage Fs Inc	Fuel-Eng	9,407.33
Ahlers & Cooney, P.C.	Service-Sup	396.00
Ajb Enterprise Llc	Service-Gsr	79.25
Amazon Capital Services	Supplies	923.88
At&T Mobility	Service-Shf	2,008.96
Auditor Of State	Fee-Ndp	625.00
Austin Office Products	Supplies-Shf	17.09
Bcn Telecom	Service-Gsr	118.53
Black Hills Energy Inc	Service-Eng	723.98
Bmc Aggregates Llc	Rock-Eng	241.15
Bomgaars Supply, Inc	Supplies-Con	104.98
Brian M Kuchay, Md	Ems Contract	100.00
Carquest Auto Parts Inc	Supplies-Eng	1,473.92
Cemstone Concrete Materials, Llc	Sand-Eng	1,567.50
Central Ia Distributing Inc	Supplies-Con	3,366.00
City Of Fertile	Service-Eng	76.54
City Of Joice	Service-Eng	87.05
City Of Kensett	Service-Eng	33.24
City Of Manly	Service-Eng	63.94
City Of Northwood	Service-Gsr	486.75
Column Software Pbc	Service-Aud	44.50
Culligan Of Mason City	Service-Shf	226.15
Dana Young	Service-Mex	400.00
Five Star Cooperative	Fuel-Eng	204.37
Frank Stearns	Service-Mex	450.00
Gardiner + Company	Service-Ndp	9,675.00
Glaxosmithkline	Supplies-Phd	911.46
Greve Law Office	Rent & Payroll-Aty	6,888.00
Hartland Lubricants & Chemicals	Supplies-Eng	74.95
Heartland Power Coop	Service-Wwt	4,356.01
Helps Drain Cleaning	Service-Shf	200.00

Huber Supply Co Inc	Supplies-Eng	291.60
Ia County Atty's Assoc	Dues-Aty	343.00
Ia County Recorders Assn	Edu-Rec	150.00
Ia Dept Of Transportation	Supplies-Eng	29,787.43
Ia Prison Industries	Supplies-Eng	749.10
Isaca	Dues-Aud	250.00
Jacob Hanson	Mileage-Trs	41.54
Joe Rowe	Mileage-Asr	21.17
Joe's Collision & Performance Inc	Service-Shf	86.61
Kari Osheim	Mileage-Asr	24.79
Kelly Hardware	Supplies-Eng	247.57
Lair's 66	Fuel-Eng	125.00
Lake Mills Graphic	Service-Aud	64.00
Lawson Products Inc	Supplies-Eng	2,770.70
Lexisnexis	Service-Aty	189.00
Mail Services Llc	Service-Aud	3,010.81
Martin's Flag Company, Llc	Supplies-Gsr	180.03
Nassco Inc.	Supplies-Gsr	368.45
Nelson Family Trust	Rent-Shf	300.00
Newburg Fabrication, Llc	Service-Eng	2,047.58
Northwood Anchor Inc	Service-Juj	84.03
Pathology Assoc Of Mason City	Service-Mex	2,000.00
Purchase Power	Postage-Trs	95.45
Quality Pump & Control Inc	Service-Wwt	2,087.84
R80 Llc	Fuel-Sdp	10.00
Rebecca Martinson	Mileage-Asr	48.78
Reindl Law Firm, Plc	Service-Juj	591.58
Reserve Account	Postage-Aud	401.21
Rick Scholbrock	Mileage-Asr	26.13
Safety Solutions	Service-Eng	500.00
Seat Treasurer	Dues-Aud	200.00
Shi International Corp	Supplies-Dap	12,910.00
Singelstad's Hardware	Supplies-Eng	30.67
The Timbers	Election-Aud	100.00
T-Mobile	Service-Dap & Eng	245.82
Trading Post	Supplies-Eng	149.97
U S Postal Service	Renewal-Trs	154.00
Verizon Wireless	Service-Ema	40.01
Vertex Ammunition And Supply, Llc	Supplies-Shf	2,378.60
Wapsi Valley Archaeology, Inc.	Service-Eng	1,367.64
Wex Bank	Service-Tra	2,559.12
Winnebago Coop Telephone Assn	Service-Gsr	3,805.01
Worth Co Emergency Mgmt	4th Qtr Pymt-Dis/Ema	20,919.75
Worth County Engineer	Fuel-Shf	5,625.71
Young Plumbing & Heating Inc	Service-Wwt	2,350.00
Ziegler Inc	Service-Eng	26,965.39
	Grand Total	172,026.62

Motion Smeby/Second Loberg to approve the sheriff's monthly report and the sheriff & recorder's quarterly reports. Motion carried.

Motion Smeby/Second Loberg to approve the Iowa Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for Kum & Go #119. Motion carried.

Motion Smeby/Second Loberg to approve Resolution #2024-13. Roll call vote – Loberg – Aye; Smeby – Aye; Stone – Aye. Motion carried.

RESOLUTION NO. 2023-13  
RESOLUTION FOR THE DESTRUCTION OF NOXIOUS WEEDS  
2024 CROP YEAR

Be it resolved, by the Board of Supervisors of Worth County, Iowa, that pursuant to the provisions of Chapter 317 of the *Code of Iowa*, as amended, it is hereby ordered:

1. That each owner and each person in the possession or control of any land in Worth County, Iowa, shall cut, burn or otherwise destroy all noxious weeds thereon, as defined in this chapter, at such time in each year and in such manner as shall prevent said weeds from blooming or coming into maturity and shall keep such lands free from such growth of any other weeds as shall render the streets or highways adjoining said lands unsafe for public travel. Noxious weeds shall be cut, or otherwise destroyed.

**Primary noxious weeds, which shall include:** quack grass, bull thistle, perennial sow thistle, horse nettle, Canada thistle, leafy spurge, perennial pepper-grass, European morning glory or field bindweed, Russian knapweed, buckthorn and palmer amaranth

**Secondary noxious weeds, which shall include:** butterprint annual, wild carrot biennial & perennial, sour dock perennial, multiflora rose, teasel biennial, cocklebur annual, buckthorn perennial, smooth dock perennial, wild sunflower annual, shattercane annual, wild mustard annual, sheep sorrel, poison hemlock and puncture vine annual

2. That all weeds on county trunk and local county roads and between fence lines thereof will be taken care **of by the county**.
3. That if the owners or persons in possession or control of any lands in Worth County fail to comply with the forgoing order, the Weed Commissioner shall cause this to be done and that the expense of said work, including costs of serving notices and other costs, if any, to be assessed against the real estate.
4. That the county auditor be and is hereby directed to cause notice of the making and entering of the forgoing order by publication in each of the official newspapers of the county by request of County Weed Commissioner, Mike Bode at 1000 Central Ave, Northwood, IA (641) 390-0268.
5. The Weed Commissioner be given full authority and power to carry out the provisions of the resolution.

Published upon order of the Worth County Board of Supervisors, Aaron Stone, Chair, this 8<sup>th</sup> Day of April, 2024.

Attest: Jacki A. Backhaus, County Auditor

Motion Loberg/Second Smeby to approve Resolution #2024-14. Roll call vote – Loberg – Aye; Smeby – Aye; Stone – Aye. Motion carried.

RESOLUTION NO. 2024-14

WHEREBY the Worth County Board of Supervisors have previously entered into a hay lease with Brian Nelson that currently runs through March 1, 2025, if not canceled or terminated; and the Board of Supervisors are considering selling part of said land subject to the existing lease. That in the event the land is sold Worth County and Brian Nelson have negotiated and agreed to an amended contract that will amend or terminate the existing hay lease and compensate Brian Nelson for the loss of use of said property.

IT IS HEREBY RESOLVED that the Worth County Board of Supervisors do hereby approve the terms of the said amendment or termination of the Hay Lease on the following described property, located in Worth County, Iowa, to wit: That part of the South One-Half (S ½) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section Thirty (30), Township One Hundred (100) North, Range Twenty-One (21) West of the 5th P.M., Worth County, Iowa, excluding the Well and Water tower located on the East 523.4 feet and the South 602.2 feet consisting of approximately 10 acres not including ROW for roads.

IT IS FURTHER RESOLVED that A. J. Stone as chair of the Board of Supervisors is authorized to enter into the proposed contract or contracts to accomplish the same, in the event that Worth County, Iowa sells such ground.

ADOPTED this 8<sup>TH</sup> day of April, 2024.

A. J. Stone, Chairperson  
Worth County Board of Supervisors

ATTEST: Jacki Backhaus, Worth County Auditor

Motion Loberg/Second Smeby to approve Resolution 2024-15. Roll call vote – Loberg – Aye; Smeby – Aye; Stone – Aye. Motion carried.

RESOLUTION NO. 2024-15

Resolution to fix a date for public hearing on proposal to enter into a General Obligation Urban Renewal Loan Agreement and to borrow money thereunder

WHEREAS, the Board of Supervisors (the “Board”) of Worth County, Iowa (the “County”), proposes to enter into a General Obligation Urban Renewal Loan Agreement (the “Loan Agreement”) and to issue general obligation bonds in a principal amount not to exceed \$6,000,000 pursuant to the provisions of Subsection 331.441(2)(b)(14), Section 331.402, Section 331.442, and Chapter 403 of the Code of Iowa, for the purpose of paying the cost, to that extent, of undertaking the 2024-2025 County Facilities Improvements Project an urban renewal project of the County authorized by action of the Board of Supervisors on April 8, 2024 (the “Project”), and in lieu of calling an election thereon, the County desires to institute proceedings to enter into the Loan Agreement by causing a notice of such proposal to be published, including notice of the right to petition for an election, under the provisions of Section 331.442(5) of the Code of Iowa; and it is now necessary to fix a date of meeting of the Board of Supervisors at which it is proposed to take action to enter into the Loan Agreement and to give notice thereof as required by such law;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Worth County, Iowa, as follows:

Section 1. This Board will meet on May 6, 2024, at the Supervisors' Room, Worth County Courthouse, Northwood, Iowa, at 9:00 o'clock a.m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Loan Agreement.

Section 2. The County Auditor is hereby directed to give notice of the proposed action on the Loan Agreement and setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once and not less than 10 and not more than 20 days before the date selected for the meeting, in a legal newspaper which has a general circulation in the County. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO ENTER INTO A  
LOAN AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL  
AMOUNT NOT TO EXCEED \$6,000,000

(GENERAL OBLIGATION)

The Board of Supervisors of Worth County, Iowa, will meet on May 6, 2024, at the Supervisors' Room, Worth County Courthouse, Northwood, Iowa, at 9:00 o'clock a.m., for the purpose of instituting proceedings and taking action on a proposal to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$6,000,000 for the purpose of paying the costs, to that extent, of undertaking the 2024-2025 County Facilities Improvements Project an urban renewal project of the County authorized by action of the Board of Supervisors on April 8, 2024.

The Loan Agreement is proposed to be entered into, and bonds will be issued thereunder, pursuant to authority contained in Section 331.402 and Section 331.441(2)(b)(14) of the Code of Iowa. The Loan Agreement and the bonds will constitute a general obligation of the County.

At that time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the County may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

At any time before the date fixed for taking action to enter into the Loan Agreement, a petition may be filed with the County Auditor asking that the question of entering into the Loan Agreement be submitted to the registered voters of the County, pursuant to the provisions of Section 331.441(2)(b)(14) of the Code of Iowa.

By order of the Board of Supervisors of Worth County, Iowa.

Jacki A. Backhaus  
County Auditor

Section 3. Pursuant to Section 1.150-2 of the Income Tax Regulations (the "Regulations") of the Internal Revenue Service, the County declares (a) that it intends to undertake the Project which is reasonably estimated to cost approximately \$6,000,000, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of bonds, notes or other obligations (the "Bonds"), or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the County, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Project has heretofore been made by the County and no expenditures will be made by the County until after the date of this Resolution or a prior intent resolution of the County, and (c) that the County reasonably expects to reimburse the expenditures made for costs of the County out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This resolution shall be in full force and effect immediately after its adoption and approval, as provided by law.

Passed and approved April 8, 2024.

Aaron Stone, Chairperson, Board of Supervisors

Attest: Jacki A. Backhaus, County Auditor

Motion Smeby/Second Loberg to approve the 2024-2027 agreement between Worth County, Iowa (Sheriff's Office) and Iowa AFSCME Council 61. Motion carried.

Motion Smeby /Second Loberg, carried to adjourn at 9:27 A.M. Motion carried.

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Jacki A. Backhaus  
Auditor

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Aaron Stone  
Chairperson