

March 29, 2010

Be it duly noted these minutes of 3/29/10 are UNOFFICIAL minutes.

The Board of Supervisors met in regular session at 8:30AM with Board members Corey Eberling-Chairman, Michael Nolte and Jerry L. Plagge present.

Motion by Plagge, seconded by Nolte, approves the agenda as submitted. All ayes. Motion carried.

Motion by Nolte, seconded by Plagge, approves the minutes of March 22, 2010. All ayes. Motion carried.

The Board opened the meeting to public comment. No one was present from the public.
Committee meeting updates: ISAC Spring School last week.

At 9:30 AM Sandy Eckhardt-Drainage Clerk and Brent Johnson-Drainage Engineer-per phone call, were present. Mr. Johnson explained tile repair under the Union Pacific Railroad in Drainage District #21 and stated per Iowa Code 468.109, it says that railroads shall construct or cause for repair to drainage district any work within their rail right of way. Mr. Johnson wants to pursue this project on the basis it could reach the maximum dollar amount where a Public Hearing and notification of landowners would take place. He also mentioned railroads tend to renege on their responsibilities per the Code of Iowa and he was going to inquire to the State on the interpretation of the Code. The Board requested Mr. Johnson pursue his investigating and report back.

Motion by Plagge, seconded by Nolte, approves setting May 3, 2010 at 10:00 AM as the date and time for a Public Hearing to receive comments regarding repairs to tile under the Union Pacific railroad in Drainage District #21. All ayes. Motion carried.

Motion by Plagge, seconded by Nolte, opens at 10:00 AM a Public Hearing on the designation of the Franklin County Whispering Willow Urban Renewal Area and on a proposed Urban Renewal Plan and Project pursuant to Chapter 403, Code of Iowa. Public notice has been published according to law in the official newspapers on 3/18/10 and also as directed by the Board. This being the time and place the Board shall receive oral or written objections from any resident or property owner of the County. All ayes. Motion carried.

Present was: Russell Wood-Planning/Zoning Director

The Board of Supervisors investigated and found that notice of the intention of the Board to conduct a public hearing on the designation of the Franklin County Whispering Willow Urban Renewal Area and on an urban renewal plan and project for the Area had been published according to law and as directed by the Board and that this is the time and place at which the Board shall receive oral or written objections from any resident or property owner of the County. No oral or written objections, statements, and evidence heretofore were reported to the Board or the County Auditor. There being no objections, comments or evidence offered, the Chairperson announced the hearing be closed.

Motion by Nolte, seconded by Plagge, closes the Public Hearing at 10:04 AM. All ayes. Motion carried.

Motion by Plagge, seconded by Nolte, adopts Resolution 2010-11: To declare necessity and establish an urban renewal area, pursuant to Section 403.4 of the Code of Iowa and approve urban renewal plan and project for the Franklin County Whispering Willow Urban Renewal Area and based on the March 16, 2010 recommendation of the Franklin County Planning and Zoning Commission that said Urban Renewal Area is appropriate and falls in line with the County's Comprehensive Plan. Eberling-Aye, Nolte-Aye, Plagge-Aye. Resolution duly adopted.

Supervisor Eberling introduced an update to "Ordinance 1.12: An Ordinance providing for the Division of Taxes Levied on Taxable Property in the Franklin County Whispering Willow Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa".

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Motion by Nolte, seconded by Plagge, approves the statutory rule requiring an ordinance be considered and voted on for passage at two Board meetings prior to the meeting at which it is to be finally passed be suspended. This waives the First and Second Readings and moves directly to the Third and final Reading. All ayes. Motion carried.

Reading of Ordinance 1.12 took place.

Motion by Plagge, seconded by Nolte, that the updated ordinance entitled ‘Ordinance 1.12: An Ordinance providing for the Division of Taxes Levied on Taxable Property in the Franklin County Whispering Willow Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa’, now be put upon its final consideration and adoption. Eberling-Aye, Nolte-Aye, Plagge-Aye. Motion carried. The Chairperson declared the motion duly carried and the ordinance duly adopted as follows:

ORDINANCE NO. 1.12

An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Franklin County Whispering Willow Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

BE IT ENACTED by the Board of Supervisors of Franklin County, Iowa:

Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the Franklin County Whispering Willow Urban Renewal Area, each year by and for the benefit of the state, city, county, school districts or other taxing districts after the effective date of this ordinance in order to create a special fund to pay the principal of and interest on loans, moneys advanced to or indebtedness, including bonds proposed to be issued by Franklin County to finance projects in such area.

Definitions. For use within this ordinance the following terms shall have the following meanings:

‘County’ shall mean Franklin County, Iowa.

‘Urban Renewal Area’ shall mean the Franklin County Whispering Willow Urban Renewal Area, the boundaries of which are set out below, such area having been identified in the Urban Renewal Plan approved by the Board of Supervisors by resolution adopted on March 29, 2010:

TIF District Boundary Description for the Whispering Willows Wind Farm, Phase I located in Franklin County, Iowa and more particularly described as follows:

Beginning at the intersection of the east line of Mallard Avenue and north line of 80th Street; Thence East along the north line of 80th Street to a point 20 feet west of Turbine 114; Thence North to a point 20 feet west and 20 feet north of Turbine 114; Thence East to a point 20 feet east and 20 feet north of Turbine 114; Thence South to the north line of 80th Street; Thence East along said north line to the west line of Nettle Avenue;

Thence North along said west line to a point 20 feet south of Turbine 113; Thence West to a point 20 feet west and 20 feet south of Turbine 113; Thence North to a point 20 feet west and 20 feet north of Turbine 113; Thence East to the west line of Nettle Avenue;

Thence North along said west line to a point 20 feet north of Turbine 111; Thence East to a point 20 feet east and 20 feet north of Turbine 111; Thence South to a point 20 feet east and 20 feet south of Turbine 111; Thence West to the east line of Nettle Avenue; Thence South along said east line to the north line of 80th Street;

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Thence East along said north line to a point 20 feet west of Turbine 110; Thence north to a point 20 feet west and 20 feet north of Turbine 110; Thence East to a point 20 feet east and 20 feet north of Turbine 110; Thence South to the north line of 80th Street; Thence East along said north line to the west line of Olive Avenue;

Thence North along said west line to a point 20 feet north of Turbine 106; Thence East along a line north of Turbine 106 to a point 20 feet north and 20 feet east of Turbine 105; Thence South to a point 20 feet east and 20 feet south of Turbine 105; Thence West along a line south of Turbine 106 to the east line of Olive Avenue; Thence South to the north line of 85th Street; Thence East along said north line to the west line of Highway 65;

Thence North along said west line to a point 20 feet south of Turbine 104; Thence West to a point 20 feet west and 20 feet south of Turbine 104; Thence North to a point 20 feet west and 20 feet north of Turbine 104; Thence East to the west line of Highway 65;

Thence North to a point 20 feet south of Turbine 107; Thence West along a line 20 feet south of Turbines 107, 108 and 109 to a point 20 feet west and 20 feet south of Turbine 109; Thence North to a point 20 feet west and 20 feet north of Turbine 109; Thence East along a line 20 feet north of Turbine 107, 108 and 109 to the east line of Highway 65; Thence South a long said east line to the south line of 85th Street;

Thence West along said south line to a point 20 feet east of Turbine 102; Thence South to a point 20 feet east and 20 feet south of Turbine 102; Thence West to a point 20 feet west and 20 feet south of Turbine 102; Thence North to the south line of 85th Street; Thence West along said south line to the east line of Olive Avenue;

Thence South along said east line to a point 160 feet north of Turbine 103; Thence East to a point 20 feet east and 160 feet north of Turbine 103; Thence South to a point 20 feet east and 20 feet south of Turbine 103; Thence West to a point 20 feet west and 20 feet south of Turbine 103; Thence North to a point 20 feet west and 155 feet north of Turbine 103; Thence West to the east line of Olive Avenue;

Thence South along said line to a point 20 feet north of Turbine 76; Thence East to a point 20 feet east and 20 feet north of Turbine 76; Thence South to a point 20 feet east and 20 feet south of Turbine 76; Thence West to the east line of Olive Avenue;

Thence South along said east line to a point 200 feet north of Turbine 73; Thence East to a point 20 feet east and 200 feet north of Turbine 73; Thence South to a point 20 feet east and 20 feet south of Turbine 73; Thence West to a point 20 feet west and 20 feet south of Turbine 73; Thence North to a point 20 feet west and 195 feet north of Turbine 73; Thence West to the east line of Olive Avenue; Thence South along said east line to the north line of 70th Street;

Thence East along said north line to a point 20 feet west of Turbine 71; Thence North to a point 20 feet west and 20 feet north of Turbine 71; Thence East to a point 20 feet east and 20 feet north of Turbine 71; Thence South to the north line of 70th Street;

Thence East along said north line to a point 20 feet west of Turbine 70; Thence North to a point 20 feet west and 20 feet north of Turbine 70; Thence East to a point 20 feet east and 20 feet north of Turbine 70; Thence South to the north line of 70th Street;

Thence East along said north line to a point 20 feet west of Turbine 69; Thence North to a point 20 feet west and 20 feet north of Turbine 69; Thence East to a point 20 feet east and 20 feet north of Turbine 69; Thence South to the north line of 70th Street; Thence East along said north line to the west line of Highway 65;

Thence North along said west line to a point 20 feet south of Turbine 72; Thence West to a point 20 feet west and 20 feet south of Turbine 72; Thence North to a point 20 feet west and 20 feet north of Turbine 72; Thence East to the west line of Highway 65;

Thence North along said west line to a point 20 feet south of Turbine 75; Thence West to a point 20 feet west and 20 feet south of Turbine 75; Thence North to a point 20 feet west and 20 feet north of Turbine 75; Thence East to a point 20 feet west of Turbine 74; Thence North to a point 20 feet north and 20 feet west of Turbine 74; Thence East

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to a point 20 feet east and 20 feet north of Turbine 74; Thence South to a point 20 feet north of Turbine 75; Thence East to the east line of Highway 65;

Thence South along said east line to a point 120 feet north of Turbine 62; Thence East to a point 20 feet east and 120 feet north of Turbine 62; Thence South to a point 20 feet east and 20 feet south of Turbine 62; Thence west to a point 20 feet west and 20 feet south of Turbine 62; Thence North to a point 20 feet west and 110 feet north of Turbine 62; Thence West to a point 20 feet east of Turbine 63; Thence South to a point 20 feet east and 20 feet south of Turbine 63; Thence West to a point 20 feet west and 20 feet south of Turbine 63; Thence North to a point 110 feet north of Turbine 62; Thence West to the east line of Highway 65; Thence South along said east line to the north line of 70th Street;

Thence East along said north line to a point 20 feet west of Turbine 61; Thence North to a point 20 feet west and 20 feet north of Turbine 61; Thence East to a point 20 feet east and 20 feet north of Turbine 61; Thence South to the north line of 70th Street; Thence East along said north line to the west line of Quail Avenue;

Thence North along said west line to a point 20 feet south of Turbine 64; Thence West along a line 20 feet south of Turbines 64, 65 and 66 to a point 20 feet west and 20 feet south of Turbine 66; Thence North to a point 20 feet west and 20 feet north of Turbine 66; Thence East along a line 20 feet north of Turbines 66, 65 and 64 to the west line of Quail Avenue; Thence North along said west line to a point 150 feet south of Turbine 68; Thence West to a point 2770 feet east and 150 feet south of Turbine 68; Thence North to a point 2770 feet east and 150 feet south of Turbine 68; Thence West along a line 20 feet south of Turbines 67 and 68 to a point 20 feet west and 20 feet south of Turbine 68; Thence North to a point 20 feet west and 20 feet north of Turbine 68; Thence East along a line 20 feet north of Turbines 68 and 67 to a point 2780 feet east and 20 feet north of Turbine 68; Thence South to a point 140 feet south of Turbine 68; Thence East to the west line of Quail Avenue;

Thence North along said west line to a point 20 feet south of Turbine 94; Thence West along a line 20 feet south of Turbines 94, 95, and 96 to a point 20 feet west and 20 feet south of Turbine 96; Thence North to a point 20 feet west and 20 feet north of Turbine 96; Thence East to a point 20 feet west of Turbine 98; Thence North to a point 20 feet west and 20 feet north of Turbine 98; Thence East to a point 20 feet west of Turbine 99; Thence North to a point 20 feet west and 20 feet south of Turbine 99; Thence West to a point 20 feet west and 20 feet south of Turbine 100; Thence North to a point 20 feet west and 20 feet north of Turbine 100; Thence East to a point 20 feet east and 20 feet north of Turbine 99; Thence South to a point 20 feet north of Turbine 97; Thence East to a point 20 feet east and 20 feet north of Turbine 97; Thence South to a point 20 feet east and 20 feet south of Turbine 97; Thence East to a point 20 feet east and 20 feet south of Turbine 98; Thence South to a point 20 feet north of Turbine 96; Thence East along a line 20 feet north of Turbines 95 and 94 to the west line of Quail Avenue; Thence North to the centerline of 105th Street; Thence East to the east line of Quail Avenue;

Thence South along said east line to a point 20 feet north of Turbine 91; Thence East to a point 20 feet east and 20 feet north of Turbine 91; Thence South to a point 20 feet east and 20 feet south of Turbine 91; Thence West to the west line of Quail Avenue; Thence South along said west line to the north line of 70th Street; Thence East along said north line to the west line of Raven Avenue;

Thence North along said west line to a point 20 feet south of Turbine 58; Thence West to a point 20 feet west and 20 feet south of Turbine 58; Thence North to a point 20 feet west and 20 feet north of Turbine 58; Thence East to the east line of Raven Avenue; Thence South along said east line to the north line of 70th Street; Thence east along said north line to the east line of Spruce Avenue; Thence South along said east line to the centerline of Highway 57; Thence West to the southerly projection of the west line of Spruce Avenue; Thence North along said west line to the south line of 70th Street; Thence West along said south line to the east line of Raven Avenue;

Thence South along said east line to a point 20 feet north of Turbine 36; Thence East to a point 20 feet east and 20 feet north of Turbine 36; Thence South to a point 20 feet east and 20 feet south of Turbine 36; Thence West to the east line of Raven Avenue;

Thence South along said east line to a point 20 feet north of Turbine 11; Thence East to a point 20 feet east and 20 feet north of Turbine 11; Thence South to a point 20 feet east and 20 feet south of Turbine 11; Thence West to the east line of Raven Avenue;

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Thence South along said east line to a point 20 feet north of Turbine 1; Thence East to a point 20 feet east and 20 feet north of Turbine 1; Thence South to a point 20 feet east and 20 feet south of Turbine 1; Thence West to the west line of Raven Avenue; Thence North along said west line to a point 20 feet south of Turbine 3; Thence west to a point 20 feet east of Turbine 2; Thence South to a point 20 feet east and 20 feet south of Turbine 2; Thence West to a point 20 feet west and 20 feet south of Turbine 2; Thence North to a point 20 feet south of Turbine 3; Thence West to a point 20 feet west and 20 feet south of Turbine 3; Thence North to a point 20 feet west and 20 feet north of Turbine 3; Thence East to the west line of Raven Avenue; Thence North along said west line to the south line of 50th Street; Thence west along said south line to the east line of Quail Avenue;

Thence South along said east line to a point 20 feet south of Turbine 4; Thence West along a line 20 feet south of Turbine 4 and 5 to a point 20 feet west and 20 feet south of Turbine 5; Thence North to a point 20 feet west and 20 feet north of Turbine 5; Thence East along a line 20 feet north of Turbines 5 and 4 to the west line of Quail Avenue; Thence North along said west line to the south line of 50th Street; Thence West along said south line to the east line of Highway 65;

Thence South along said east line to a point 20 feet north of Turbine 6; Thence East to a point 20 feet east and 20 feet north of Turbine 6; Thence South to a point 20 feet east and 20 feet south of Turbine 6; Thence West to the west line of Highway 65;

Thence North along said west line to a point 20 feet south of Turbine 7; Thence West to a point 20 feet west and 20 feet south of Turbine 7; Thence North to a point 20 feet west and 20 feet north of Turbine 7; Thence East to the west line of Highway 65;

Thence North along said west line to a point 20 feet south of Turbine 22; Thence West to a point 20 feet west and 20 feet south of Turbine 22; Thence North to a point 20 feet west and 20 feet north of Turbine 22; Thence East to the west line of Highway 65;

Thence North along said west line to a point 20 feet south of Turbine 46; Thence West to a point 20 feet east of Turbine 45; Thence South to a point 20 feet east and 20 feet south of Turbine 45; Thence West to a point 20 feet west and 20 feet south of Turbine 45; Thence North to a point 20 feet south of Turbine 46; Thence West to a point 20 feet west and 20 feet south of Turbine 46; Thence North to a point 20 feet west and 20 feet north of Turbine 46; Thence East to the west line of Highway 65;

Thence North along said west line to a point 20 feet north of Turbine 41; Thence East to a point 20 feet east and 20 feet north of Turbine 41; Thence South to a point 20 feet east and 20 feet south of Turbine 41; Thence west to the east line of Highway 65;

Thence South along said east line to a point 20 feet north of Turbine 19; Thence East to a point 20 feet east and 20 feet north of Turbine 19; Thence South to a point 20 feet east and 20 feet south of Turbine 19; Thence West to the east line of Highway 65; Thence South along said east line to the north line of 50th Street;

Thence East along said north line to a point 20 feet west of Turbine 17; Thence North to a point 20 feet west and 20 feet north of Turbine 17; Thence East to a point 20 feet east and 20 feet north of Turbine 17; Thence South to the north line of 50th Street; Thence East along said north line to the west line of Quail Avenue;

Thence North along said west line to a point 20 feet south of Turbine 18; Thence West to a point 20 feet west and 20 feet south of Turbine 18; Thence North to a point 20 feet west and 20 feet north of Turbine 18; Thence East to the west line of Quail Avenue; Thence North along said west line to the westerly extension of the north line of 60th Street;

Thence East along said north line to a point 20 feet west of Turbine 37; Thence North to a point 20 feet west and 20 feet north of Turbine 37; Thence East to a point 20 feet east and 20 feet north of Turbine 37; Thence South to the south line of 60th Street; Thence West along said south line to the east line of Quail Avenue;

Thence South along said east line to a point 20 feet north of Turbine 16; Thence East along a line 20 feet north of Turbines 16, 15 and 14 to a point 20 feet east and 20 feet north of Turbine 14; Thence South to a point 20 feet east and 20 feet south of Turbine 14; Thence West along a line 20 feet south of Turbines 14, 15 and 16 to the east line of Quail Avenue; Thence South along said east line to the north line of 50th Street;

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Thence East along said north line to a point 20 feet west of Turbine 13; Thence North to a point 20 feet west and 20 feet north of Turbine 13; Thence East to a point 20 feet east and 20 feet north of Turbine 13; Thence South to the north line of 50th Street;

Thence East along said north line to a point 20 feet west of Turbine 12; Thence North to a point 20 feet west and 20 feet north of Turbine 12; Thence East to a point 20 feet east and 20 feet north of Turbine 12; Thence South to the north line of 50th Street; Thence East along said north line to the west line of Raven Avenue; Thence North along said west line to the south line of 70th Street;

Thence West along said south line to a point 20 feet east of Turbine 38; Thence South to a point 20 feet east and 20 feet south of Turbine 38; Thence West to a point 20 feet west and 20 feet south of Turbine 38; Thence North to the south line of 70th Street;

Thence West along said south line to a point 20 feet east of Turbine 39; Thence South to a point 20 feet east and 20 feet south of Turbine 39; Thence West to a point 20 feet west and 20 feet south of Turbine 39; Thence North to the south line of 70th Street;

Thence West along said south line to a point 20 feet east of Turbine 42; Thence South to a point 20 feet east and 20 feet south of Turbine 42; Thence West to a point 20 feet west and 20 feet south of Turbine 42; Thence North to the south line of 70th Street;

Thence West along said south line to a point 20 feet east of Turbine 43; Thence South to a point 20 feet east and 20 feet south of Turbine 43; Thence West to a point 20 feet west and 20 feet south of Turbine 44; Thence North to a point 20 feet west and 20 feet north of Turbine 44; Thence East to a point 20 feet west and 20 feet north of Turbine 43; Thence North to the south line of 70th Street;

Thence West along said south line to a point 20 feet east of Turbine 48; Thence South to a point 20 feet east and 20 feet south of Turbine 48; Thence West to a point 20 feet west and 20 feet south of Turbine 48; Thence North to the south line of 70th Street;

Thence West along said south line to a point 20 feet east of Turbine 49; Thence South to a point 20 feet east and 20 feet south of Turbine 49; Thence West to a point 20 feet west and 20 feet south of Turbine 49; Thence North to the south line of 70th Street;

Thence West along said south line to a point 20 feet east of Turbine 53; Thence South to a point 20 feet east and 20 feet south of Turbine 53; Thence West to a point 20 feet west and 20 feet south of Turbine 53; Thence North to the south line of 70th Street;

Thence West along said south line to a point 550 feet east of the west line of the Northwest Quarter of Section 8, T90N, R20W; Thence South to a point 550 feet east of said west line and 475 feet south of the north line of said Northwest Quarter; Thence West to the east line of Nuthatch Avenue;

Thence South along said east line to a point 20 feet north of Turbine 203; Thence East to a point 20 feet east and 20 feet north of Turbine 203; Thence South to a point 20 feet east and 20 feet south of Turbine 203; Thence West to the east line of Nuthatch Avenue;

Thence South along said east line to a point 20 feet north of Turbine 47; Thence East to a point 20 feet east and 20 feet north of Turbine 47; Thence South to a point 20 feet east and 20 feet south of Turbine 47; Thence West to a point 20 feet east of Turbine 202; Thence South to a point 20 feet north of Turbine 24; Thence East along a line 20 feet north of Turbines 24 and 23 to a point 20 feet east and 20 feet north of Turbine 23; Thence South to a point 20 feet east and 20 feet south of Turbine 23; Thence West along a line 20 feet south of Turbines 23 and 24 to a point 20 feet east of Turbine 30; Thence South to a point 20 feet east and 20 feet south of Turbine 30; Thence West to a point 20 feet west and 20 feet south of Turbine 30; Thence North to a point 20 feet west and 25 feet north of Turbine 30; Thence East to a point 20 feet west of Turbine 202; Thence North to a point 20 feet west of Turbine 202 and 20 feet south of Turbine 47; Thence West to a point 20 feet east of Turbine 201; Thence South to a point 20 feet east and 20 feet south of Turbine 201; Thence West to a point 20 feet west and 20 feet south of Turbine 201; Thence North to a point 20 feet south of Turbine 47; Thence West to the east line of Nuthatch Avenue;

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Thence South along said east line to a point 20 feet north of Turbine 31; Thence East to a point 20 feet east and 20 feet north of Turbine 31; Thence South to a point 20 feet east and 20 feet south of Turbine 31; Thence West to the east line of Nuthatch Avenue;

Thence South along said east line to a point 20 feet north of Turbine 27; Thence East along a line 20 feet north of Turbines 27, 26, 21 and 20 to a point 20 feet east and 20 feet north of Turbine 20; Thence South to a point 20 feet east and 20 feet south of Turbine 20; Thence West along a line 20 feet south of Turbines 20, 21, 26 and 27 to the east line of Nuthatch Avenue; Thence South along said east line to the north line of 40th Street;

Thence East along said north line to a point 20 feet west of Turbine 9; Thence North to a point 20 feet west of Turbine 9 and 20 feet north of Turbine 8; Thence East to a point 20 feet east and 20 feet north of Turbine 8; Thence South to a point 20 feet east and 20 feet south of Turbine 8; Thence West to a point 20 feet east of Turbine 9; Thence South to the north line of 40th Street;

Thence East along the north line of 40th Street to the west line of Highway 65; Thence South to the south line of 40th Street; Thence West along said south line to the east line of Mallard Avenue; Thence North to the north line of 40th Street; Thence East along said north line to the west line of Nuthatch Avenue; Thence North along said west line to the south line of 50th Street; Thence West along said south line to the West line of Mallard Avenue; Thence North to the north line of 50th Street;

Thence East along said north line to a point 20 feet west of Turbine 33; Thence North to a point 20 feet south of Turbine 35; Thence West to a point 20 feet west and 20 feet south of Turbine 35; Thence North to a point 20 feet west and 20 feet north of Turbine 35; Thence East to a point 20 feet east and 20 feet north of Turbine 34; Thence South to a point 20 feet east and 20 feet south of Turbine 34; Thence West to a point 20 feet east of Turbine 33; Thence South to the north line of 50th Street;

Thence East along said north line to a point 20 feet west of Turbine 25; Thence North to a point 20 feet west and 20 feet north of Turbine 25; Thence East to a point 20 feet east and 20 feet north of Turbine 25; Thence South to the north line of 50th Street; Thence East to the west line of Nuthatch Avenue;

Thence North along said west line to a point 20 feet south of Turbine 29; Thence West to a point 20 feet west and 20 feet south of Turbine 29; Thence North to a point 20 feet west and 20 feet north of Turbine 29; Thence East to a point 20 feet west of Turbine 28; Thence north to a point 20 feet west and 20 feet north of Turbine 28; Thence East to a point 20 feet east and 20 feet north of Turbine 28; Thence South to a point 20 feet north of Turbine 29; Thence East to the west line of Nuthatch Avenue;

Thence North along said west line to a point 20 feet south of Turbine 32; Thence West to a point 20 feet west and 20 feet south of Turbine 32; Thence North to a point 20 feet west and 20 feet north of Turbine 32; Thence East to the west line of Nuthatch Avenue;

Thence North along said west line to a point 20 feet south of Turbine 50; Thence West along a line 20 feet south of Turbines 50 and 51 to a point 20 feet west and 20 feet south of Turbine 51; Thence North to a point 20 feet west and 20 feet north of Turbine 51; Thence East along a line 20 feet north of Turbines 51 and 50 to the west line of Nuthatch Avenue;

Thence North along said west line to a point 20 feet south of Turbine 52; Thence West to a point 20 feet west and 20 feet south of Turbine 52; Thence North to a point 20 feet west and 20 feet north of Turbine 52; Thence East to the west line of Nuthatch Avenue; Thence North to the south line of 70th Street;

Thence West along said south line to a point 20 feet east of Turbine 54; Thence South to a point 20 feet east and 20 feet south of Turbine 54; Thence West to a point 20 feet west and 20 feet south of Turbine 54; Thence North to the south line of 70th Street; Thence West to the east line of Mallard Avenue; Thence South along said east line to a point 400 feet north of the centerline of Harding Avenue; Thence East to a point 500 feet east of Mallard Avenue and 400 feet north of the centerline of Hardin Road; Thence South to the Centerline of Hardin Road; Thence west along said centerline to the west line of Grouse Avenue; Thence North along said west line to the north line of 40th Street; Thence East along said north line to the west line of Heather Avenue; Thence South to the south line of 40th Street; Thence West along said south line to the east line of Grouse Avenue; Thence South along said east line to the north line of Hardin Road; Thence East along said north line to the west line of Heather Avenue; Thence North

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along said west line to the North line of 85th Street; Thence East to the east line of Heather Avenue; Thence South along said east line to the north line of Hardin Road; Thence East along said north line to the west line of Ironwood Avenue; Thence North along said west line to the south line of 70th Street; Thence East along said south line to the east line of 70th Street; Thence South along said east line to the north line of Hardin Road; Thence East along said north line to the west line of Mallard Avenue; Thence North along said west line to the south line of 70th Street; Thence West along said south line to the east line of Heather Avenue; Thence North along said east line to the north line of 70th Street; Thence East along said north line to the west line of Indigo Avenue; Thence North along said west line to the south line of 120th Street; Thence West along said south line to the west line of Heather Avenue; Thence North to the north line of 120th Street; Thence East along said north line to the west line of Indigo Avenue; Thence North along said west line to the south line of 130th Street; Thence East to the east line of Indigo Avenue; Thence South along said east line to the north line of 120th Street; Thence East along said north line to the west line of Mallard Avenue; Thence South along said west line to the south line of 120th Street; Thence West along said south line to the east line of Indigo Avenue; Thence South along said east line to the north line of 70th Street; Thence East along said north line to the west line of Jonquil Avenue;

Thence North along said west line to a point 20 feet south of Turbine 88; Thence West to a point 20 feet west and 20 feet south of Turbine 88; Thence North to a point 20 feet west and 20 feet north of Turbine 88; Thence East to the west line of Jonquil Avenue; Thence North along said west line to the south line of 90th Street; Thence West along said south line to the east line of Ironwood Avenue;

Thence South along said east line and southerly extension thereof to a point 20 feet north of Turbine 128; Thence East to a point 20 feet east and 20 feet north of Turbine 128; Thence South to a point 20 feet east and 20 feet south of Turbine 128; Thence West to said southerly extension of the east line of Ironwood Avenue;

Thence South along said extension to a point 20 feet north of Turbine 127; Thence East to a point 20 feet east and 20 feet north of Turbine 127; Thence South to a point 20 feet east and 20 feet south of Turbine 127; Thence West to the west line of the E ½ of Section 33, T91N, R21W of the 5th P.M.; Thence North along said west line to the north line of 90th Street;

Thence East along said north line to a point 20 feet west of Turbine 136; Thence North to a point 20 feet west and 20 feet north of Turbine 136; Thence East to a point 20 feet east and 20 feet north of Turbine 136; Thence South to the north line of 90th Street; Thence East along said north line to the west line of Jonquil Avenue; Thence North along said west line to the south line of 120th Street; Thence East along said south line to the east line of Jonquil Avenue;

Thence South along said east line to a point 20 feet north of Turbine 135; Thence East to a point 20 feet east and 20 feet north of Turbine 135; Thence South to a point 20 feet east and 20 feet south of Turbine 135; Thence West to the east line of Jonquil Avenue;

Thence South along said east line to a point 20 feet north of Turbine 134; Thence East to a point 20 feet east and 20 feet north of Turbine 134; Thence South to a point 20 feet east and 20 feet south of Turbine 134; Thence West to the east line of Jonquil Avenue; Thence South along said east line to the north line of 90th Street;

Thence East along said north line to a point 20 feet west of Turbine 133; Thence North to a point 20 feet west and 20 feet north of Turbine 133; Thence East to a point 20 feet east and 20 feet north of Turbine 133; Thence South to the north line of 90th Street; Thence East along said north line to the west line of Mallard Avenue; Thence North a long said west line to the south line of Highway 3; Thence East along said south line to the east line of Mallard Avenue; Thence South along said east line to the north line of 140th Street; Thence East along said north line to the east line of Highway 65; Thence South along said east line to the south line of 140th Street; Thence West along said south line to the east line of Mallard Avenue; Thence South along said east line to the north line of 75th Street; Thence East along said north line and extension thereof to the east line of Nettle Avenue; Thence South along said east line to the north line of 70th Street; Thence West along said north line to the west line of Nettle Avenue; Thence North along said west line to the south line of 75th Street and extension thereof; Thence West along said south line to the east line of Mallard Avenue; Thence South along said east line to the north line of 70th Street; Thence West along said north line to the west line of Mallard Avenue;

Thence North along said west line to a point 20 feet south of Turbine 117; Thence West to a point 20 feet west and 20 feet south of Turbine 117; Thence North to a point 20 feet west and 20 feet north of Turbine 117; Thence East to the west line of Mallard Avenue; Thence North along said west line to the south line of 90th Street;

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Thence West along said south line to a point 20 feet east of Turbine 205; Thence South to a point 20 feet east and 20 feet south of Turbine 205; Thence West to a point 20 feet west and 20 feet south of Turbine 205; Thence North to the south line of 90th Street;

Thence West along said south line to a point 20 feet east of Turbine 118; Thence South to a point 20 feet east and 20 feet south of Turbine 118; Thence West to a point 20 feet west and 20 feet south of Turbine 118; Thence North to the south line of 90th Street; Thence West along said south line to the east line of Killdeer Avenue;

Thence South along said east line to a point 20 feet north of Turbine 85; Thence East along a line 20 feet north of Turbine 85 to a point 20 feet east of Turbine 84; Thence South to a point 20 feet east and 20 feet south of Turbine 84; Thence West to a point 20 feet west and 20 feet south of Turbine 84; Thence North to a point 20 feet south of Turbine 85; Thence West along a line 20 feet south of Turbine 85 to the west line of Killdeer Avenue;

Thence North along said west line to a point 20 feet south of Turbine 86; Thence West to a point 20 feet west and 20 feet south of Turbine 86; Thence North to a point 20 feet west and 20 feet north of Turbine 86; Thence East to the west line of Killdeer Avenue;

Thence North to a point 20 feet south of Turbine 122; Thence West along a line 20 feet south of Turbine 122 to a point 20 feet east of Turbine 119; Thence South along a line 20 feet east of Turbine 119 to a point 20 feet south of Turbine 120; Thence West to a point 20 feet west and 20 feet south of Turbine 120; Thence North to a point 20 feet west and 20 feet north of Turbine 120; Thence East to a point 20 feet west of Turbine 119; Thence North along a line 20 feet west of Turbine 119 to a point 20 feet south of Turbine 123; Thence West to a point 20 feet west and 20 feet south of Turbine 123; Thence North to a point 20 feet west and 20 feet north of Turbine 123; Thence East along a line 20 feet north of Turbines 123 and 122 to the west line of Killdeer Avenue;

Thence North along said west line to a point 20 feet south of Turbine 124; Thence West to a point 20 feet west and 20 feet south of Turbine 124; Thence North to a point 20 feet west and 20 feet north of Turbine 124; Thence East to the west line of Killdeer Avenue; Thence North along said west line to the south line of 90th Street;

Thence west along said south line to a point 20 feet east of Turbine 125; Thence South to a point 20 feet east and 20 feet south of Turbine 125; Thence West to a point 20 feet west and 20 feet south of Turbine 125; Thence North to the south line of 90th Street;

Thence west along said south line to a point 20 feet east of Turbine 126; Thence South to a point 20 feet east and 20 feet south of Turbine 126; Thence West to a point 20 feet west and 20 feet south of Turbine 126; Thence North to the south line of 90th Street; Thence West along said south line to the east line of Jonquil Avenue;

Thence South along said east line to a point 20 feet north of Turbine 121; Thence East to a point 20 feet east and 20 feet north of Turbine 121; Thence South to a point 20 feet east and 20 feet south of Turbine 121; Thence West to the east line of Jonquil Avenue;

Thence South along said east line to a point 20 feet north of Turbine 87; Thence East to a point 20 feet east and 20 feet north of Turbine 87; Thence South to a point 20 feet east and 20 feet south of Turbine 87; Thence West to the east line of Jonquil Avenue; Thence South along said east line to the north line of 70th Street; Thence East along said north line to the west line of Lemon Avenue;

Thence North along said west line to a point 20 feet south of Turbine 80; Thence West to a point 20 feet west and 20 feet south of Turbine 80; Thence North to a point 20 feet west and 20 feet north of Turbine 80; Thence East to the west line of Lemon Avenue;

Thence North along said west line to a point 20 feet south of Turbine 82; Thence West to a point 20 feet west and 20 feet south of Turbine 82; Thence North to a point 20 feet west and 20 feet north of Turbine 82; Thence East to a point 20 feet west of Turbine 81; Thence North to a point 20 feet west and 20 feet north of Turbine 81; Thence East to a point 20 feet east and 20 feet north of Turbine 81; Thence South to a point 20 feet north of Turbine 82; Thence East to the west line of Lemon Avenue; Thence North along said west line to the north line of 80th Street;

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Thence East along said north line to a point 20 feet west of Turbine 116; Thence North to a point 20 feet west and 20 feet north of Turbine 116; Thence East to a point 20 feet east and 20 feet north of Turbine 116; Thence South to the north line of 80th Street; Thence East along said north line to the west line of Mallard Avenue; Thence South along said west line to the south line of 80th Street; Thence West along said south line to the east line of Lemon Avenue; Thence South along said east line to the north line of 70th Street;

Thence East along said north line to a point 20 feet west of Turbine 77; Thence North to a point 20 feet west and 20 feet north of Turbine 77; Thence East to a point 20 feet east and 20 feet north of Turbine 77; Thence South to the north line of 70th Street; Thence East to the west line of Olive Avenue;

Thence North to a point 20 feet south of Turbine 78; Thence West to a point 20 feet west and 20 feet south of Turbine 78; Thence North to a point 20 feet west and 20 feet north of Turbine 78; Thence East to the west line of Olive Avenue; Thence North to the south line of 80th Street;

Thence West to a point 20 feet east of Turbine 79; Thence South to a point 20 feet east and 20 feet south of Turbine 79; Thence West to a point 20 feet west and 20 feet south of Turbine 79; Thence North to the south line of 80th Street; Thence West along said south line to the east line of Mallard Avenue; Thence North along said east line to the north line of 80th Street and point of beginning;

- AND County Route S25 from 85th Street to 140th Street;
- AND County Route C47 from S25 to Wright Avenue;
- AND Olive Avenue (County Route S43) from County Route C47 to County Route C25;
- AND County Route C25 from County Route S33 to Franklin Avenue;
- AND County Route S53 from County Route C25 to 220th Street;
- AND County Route C47 from Olive Avenue to US Highway 65;
- AND County Route C55 from County Route S55 to County Route S56;
- AND County Route S56 from County Route C55 to 30th Street;
- AND 30th Street from County Route S56 to Tulip Avenue;
- AND Warbler Avenue from 40th Street to State Highway 57;
- AND 40th Street from Violet Avenue to Warbler Avenue;
- AND County Route C31 from County Route S43 to Mallard Avenue;
- AND Mallard Avenue from County Route C31 to US Highway 3;
- AND Beed's Lake Drive from County Route C31 to Lake Drive;
- AND 165th Street from Lake Drive to County Route S42;
- AND County Route S42 from 165th Street to US Highway 3;
- AND County Route S33 from 180th Street to 220th Street;
- AND Indigo Avenue from 130th Street to US Highway 3;
- AND 130th Street from County Route S25 to Indigo Avenue;
- AND County Route C65 from County Route S25 to County Route S41;
- AND Vine Avenue from County Route S56 south to railroad tracks;
- AND Railroad Street from 75th Street (2nd Avenue) to Main Street in Bradford;
- AND Main Street from Railroad Street to Nettle Avenue in Bradford.

Provisions for Division of Taxes Levied on Taxable Property in the Urban Renewal Area. After the effective date of this ordinance, the taxes levied on the taxable property in the Urban Renewal Area each year by and for the benefit of the State of Iowa, the County and any city, school district or other taxing district in which the Urban Renewal Area is located, shall be divided as follows:

that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the County certifies to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the special fund referred to in paragraph (b) below, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. For the purpose of allocating taxes levied by or for any taxing district which did not include the territory in the Urban Renewal Area on the effective date of this ordinance, but to which the territory has been annexed or otherwise included after the effective date, the assessment roll applicable to property in the annexed territory as of January 1 of the calendar year

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preceding the effective date of the ordinance which amends the plan for the Urban Renewal Area to include the annexed area, shall be used in determining the assessed valuation of the taxable property in the annexed area.

that portion of the taxes each year in excess of such amounts shall be allocated to and when collected be paid into a special fund of the County to pay the principal of and interest on loans, moneys advanced to or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under the authority of Section 403.9(1), of the Code of Iowa, incurred by the County to finance or refinance, in whole or in part, projects in the Urban Renewal Area, and to provide assistance for low and moderate-income family housing as provided in Section 403.22, except that taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2 of the Code of Iowa, and taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the taxing district without limitation by the provisions of this ordinance. Unless and until the total assessed valuation of the taxable property in the Urban Renewal Area exceeds the total assessed value of the taxable property in such area as shown by the assessment roll referred to in subsection (a) of this section, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for said taxing districts in the same manner as all other property taxes. When such loans, advances, indebtedness, and bonds, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

the portion of taxes mentioned in subsection (b) of this section and the special fund into which that portion shall be paid may be irrevocably pledged by the County for the payment of the principal and interest on loans, advances, bonds issued under the authority of Section 403.9(1) of the Code of Iowa, or indebtedness incurred by the County to finance or refinance in whole or in part projects in the Urban Renewal Area.

as used in this section, the word “taxes” includes, but is not limited to, all levies on an ad valorem basis upon land or real property.

Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Saving Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law. Passed and approved by the Board of Supervisors of Franklin County, Iowa, on March 29, 2010.

Motion by Nolte, seconded by Plagge, adopts Resolution 2010-12: approving an update to Franklin County Ordinance 1.12 as stated above. Eberling-Aye, Nolte-Aye, Plagge-Aye. Resolution duly adopted.

Motion by Plagge, seconded by Nolte, adopts Resolution 2010-13: Setting April 12, 2010 at 10:00 AM as the date and time for a Public Hearing on a General Obligation Urban Renewal County Road Improvement Loan Agreement in a principal amount not to exceed \$18,655,000. Pursuant to the provisions of Iowa Code 331.402 and 331.441.b (14) for essential county purpose of paying the costs of undertaking an urban renewal project in the Whispering Willow Urban Renewal Area consisting of constructing improvements to county roads, bridges and culverts and on pledge of incremental property tax revenues. Eberling-Aye, Nolte-Aye, Plagge-Aye. Resolution duly adopted.

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At 10:30 AM Russell Wood-Planning/Zoning Director met with the Board regarding the Comprehensive Land Use Plan update. The Board will review this Plan and address it on the April 5, 2010 agenda. No action taken.

At 11:00 AM Darren Chipp-Landowner, met with the Board regarding a piece of unknown property in the city limits of Hampton. The discovered unknown property is surrounded by property already owned by Darren Chipp and he requests the Boards permission to pursue ownership of the property. The property sits parallel to the south edge of Beed's Second Addition to Hampton. Due to this being a metes and bounds description, the County requires a survey before a parcel can be identified and numbered; once this survey is recorded, a probable Quit Claim Deed can be issued. Mr. Chipp will look into a survey. No action taken.

At 11:30 AM Debbie Kalousek-Hampton Main Street met with the Board regarding the installation of a bench on the Courthouse square. A gentleman with historical ties to Hampton would like to donate a black granite bench in memory of his father. The Board asked Debbie to bring back designs layouts for the Board to review and suggested placement. No action taken.

At 12:00 AM Jeff Heil-Northland Securities met to help the Board with a conference call by means of Standard and Poor's rating. The Board responded to several questions regarding the County economy, finance, valuation and finance management. No action was taken.

The Board acknowledged receipt of the Franklin County Alcoholism Service Center Activity Report for November 10, 2009 thru March 15, 2010.

The Board acknowledged Manure Management Plan Renewals for: 1) Matt Showalter #58693, owner Matt Showalter Hampton, site located 1822 Mallard Avenue, Hampton, Section 6, Mott Township; 2) DJ Pork #65242, owner Dusti Showalter, site located 215th Street, Sheffield, Section 25, Ross Township; 3) Jerry Miller Farm #59027, owner Jerry Miller-Hampton, site located 1652 180th Street, Hampton, Section 10, Mott Township.

Motion by Plagge, seconded by Nolte, adjourns at 1:13 PM, until April 5, 2010. All ayes. Motion carried.

Corey Eberling, Chairman

ATTEST: _____
Michelle S. Giddings, Auditor & Clerk to Board