

OFFICE OF THE

Appanoose County Auditor

KELLY HOWARD

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Meeting Agenda
July 2, 2018

The Appanoose County Board of Supervisors will meet Monday, July 2, 2018 at 9:00 A.M. in the Boardroom of the Courthouse. Items on the agenda include:

1. Pledge
2. Declaration of items to be added to the agenda
3. Approve minutes of the June 18, 2018 meeting
4. City of Centerville Mayor Proclamation
5. Save Our Square Project support
6. Approve beer license: Whistle Stop
7. Approve fireworks permit: City of Moravia
8. PILT Class Action Lawsuit
9. Committee Appointments
10. Open fuel bids
11. Accept resignation of Assistant to the Engineer
12. GIS and Construction Administration position
13. County Engineer
14. CDS Coordinator
15. Approve reports (payroll)
16. Approve bills
17. Public Comments
18. Adjourn

Posted 6/28/18

June 18, 2018

Appanoose County Board of Supervisors met in regular session June 18, 2018 at 9:00 A.M. in the Boardroom of the Courthouse. Present: Mark Waits, Chairman, Neal Smith and Linda Demry, Boardmembers. Absent: None.

Meeting started with the Pledge.

Smith motioned to approve the agenda. Seconded by Demry. All voted aye.

Demry motioned to approve the minutes of the June 4th and 11th, 2018 meetings. Seconded by Smith. All voted aye.

BJ Towe from Furever Friends presented to the board conceptual drawings of the shelter along with a noise chart. She requested the board vote to sell or lease the land. There was a break in discussion for 9:15 A.M. public hearing.

Demry motioned to open the public hearing for ZOMA 0518-01. Seconded by Smith. All voted aye. Zoning Administrator, Jon Foster, stated this was to change the land around the Country Music Theater from agricultural to commercial. The zoning board recommended this change. ZOMA 0518-01 was read. Rosalie Gladfelder read a letter opposing the change. Demry motioned to close the public hearing. Seconded by Smith. All voted aye. Demry motioned to follow the Zoning Board's recommendation and approve ZOMA 0518-01. Seconded by Smith. All voted aye. Smith motioned to waive the second and third readings of ZOMA 0518-01. Seconded by Demry. All voted aye.

Smith motioned to open the public hearing to designate two parcels as a commercial campground. Seconded by Demry. All voted aye. Foster stated this was to make the music theater and the parcel next to it a campground. Foster read a letter from Rick Reiner supporting the change. Lisa Robb and Jimmy Lindsey, owners of the property asked the board to approve the campground. Tim Gladfelder spoke in opposition. Smith motioned to close the public hearing. Seconded by Demry. All voted aye. Smith motioned to follow the Zoning Board's recommendation and not approve the commercial campground designation. Seconded by Demry. All voted aye.

Furever Friends discussion continued. Darcy Whitlow, Indrid Freeborn, Christine Pozo, residents on Cottage Street spoke opposed to the location of the project. Bruce Buttel questioned property values. Bob Padovich immediate neighbor to the project spoke against the location. Conservation Director, Phil Visser, discussed the concerns of the Conservation Board. Henry Ortmann, another Cottage Street resident spoke in opposition to the location and requested to be added to the next meeting's agenda. Waits listed several things needed to be completed prior to the board making a decision. Demry motioned to table a decision on the Leah Bradley land. Seconded by Smith. All voted aye.

Waits read a recommendation letter from VA Commissioners Ron Burger and Pete Schwaner. Demry motioned to reappoint James L. Carter to the Commission of Veteran Affairs, a three year term expiring June 30, 2021. Seconded by Smith. All voted aye.

Smith motioned to reappoint Randy McPherrren to the Conservation Board, a five year term expiring June 30, 2023. Seconded by Demry. All voted aye.

Waits read the resignation letter from VA Director, Lisa Owens. Waits motioned to accept the resignation of Lisa Owens effective June 30, 2018. Seconded by Demry. All voted aye.

Demry motioned to approve the FY19 Salary Certifications as approved earlier. Seconded by Smith. All voted aye.

APPROPRIATIONS RESOLUTION

NO. 2018-20

Whereas, it is desired to make 100% appropriations for each of the different officers and departments for the fiscal year beginning July 1, 2018 in accordance with Section 331.434, Subsection 6, Code of Iowa.

Now, therefore, be it resolved by the Board of Supervisors of Appanoose County, Iowa, as follows:

Section 1. The amounts itemized by fund and by department or offices on the attached schedule are hereby appropriated from the resources of each fund so itemized, to the department or office listed in the first column and on the same line on the attached schedule.

Section 2. Subject to the provisions of other county procedures and regulations, and applicable state law, the appropriations authorized under Section 2 shall constitute authorization for the department or officer listed to make expenditures or incur obligations from the itemized fund, effective July 1, 2018.

Section 3. In accordance with Section 331.437, Code of Iowa, no department or officer shall expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure or money for any purpose in excess of the amounts appropriated pursuant to this resolution.

Section 4. If at any time during the 2018-2019 budget year the auditor shall ascertain that the available resources of a fund for that year will be less than said fund's total appropriation, she shall immediately so inform the Board of Supervisors and recommend appropriate corrective action.

Section 5. The auditor shall establish separate accounts for the appropriations authorized in Section 1, each of which shall indicate the amount of the appropriation, the amounts charged thereto, and the unencumbered balance. The auditor shall report the status of such accounts to the applicable departments and officers during the 2018-2019 budget year.

Section 6. All appropriations authorized pursuant to this resolution lapse at the close of business June 30, 2018.

The above and foregoing resolution was adopted by the Board of Supervisors of Appanoose County, Iowa on June 18, 2018,

/s/Mark Waits

/s/Neal Smith

/s/Linda Demry

Attest:/s/Kelly Howard, Auditor

Haden, updated the board on the secondary road projects. The Brinegar Bridge is still under construction. Progressive Rail has closed 540th for a couple days to apply a granular surface. It will be asphalted later. 458th St Bridge is open. The Smith Walker Bridge will start in August. Crews currently working on durapatching and concrete patching. He has received a call about thistles and wild parsnip. Landowners can call to get approval to spray the right-of-ways. Also currently dealing with Sundown Lake flood plain map.

CDS Coordinator, Stephanie Koch, informed the board the next governing board meeting is at 10 A.M. June 27th in Wapello County. At that meeting they will work on RFP's for mobile crisis in all four counties in the Region and also a RFP for a drop in center for Appanoose, Davis, and Mahaska. There currently is one in Ottumwa. C3 training continues as well as seeing clients for housing.

Smith motioned to approve the FY19 Solutions Agreements. Seconded by Demry. All voted aye.

Demry motioned to approve voiding outstanding warrants, #9375, 10186, 10521, 11820, 14137, 14350, & 14379 totaling \$362.00 Seconded by Smith. All voted aye.

Smith motioned to approve the Secondary Roads Quarterly Transfer for \$172,839.50. Seconded by Demry. All voted aye.

Demry motioned to approve payroll and the prisoner room and board transfer. Seconded by

Smith. All voted aye.

Access Sys	Off. Supplies & Forms	222.97
Iowegian	Typing-Print.-Bind.Serv.	4868.00
Agriland FS	Engineering Services	24988.97
Alliant	Engineering Services	2414.07
Amer Home Fdg	Juvenile Detention & Shel	139.95
App Co Auditor	Off. Supplies & Forms	26.75
App Co ISU Ext	Community Support Program	691.25
App Co Pub Hlth	Engineering Services	420.00
Sec Rds	Postage & Mailing	17111.19
Serv Agency	Salary-Regular Employees	15455.48
App Co Tourism	Contrib. & Purchase Serv	5269.72
App Co Treas	Off. Supplies & Forms	42.80
Co Treas/US Bank	Off. Supplies & Forms	916.14
App Comm Care	Homemaker-Home Health Aid	1526.55
Aramark	Engineering Services	335.28
B K Glass	Off. Equip Repair & Maint	250.56
Bailey Off	Off. Supplies & Forms	914.63
Baker's	Equipment Repair	5.20
L Ballanger	Election Official Comp	241.40
Banleaco	Office Equip. & Furniture	244.11
M Barber	Election Official Comp	30.00
Bob Barker	Jail Equip. & Furniture	151.13
D Barnthouse	Building Repair & Maintce	200.00
M Barth	Educational & Train.Serv.	49.50
N Barton	Medical & Health Services	250.00
M Benjamin	Election Official Comp	204.30
Bloomfield Comm	Off. Supplies & Forms	29.00
Blue Sun Graphics LLC	Uniforms	313.50
BOULDERS INN & SUITES-OELWEIN	Educational & Train.Serv.	72.80
C Bradley	Election Official Comp	180.00
L Bradley	Election Official Comp	180.00
Bratz Oil	Mileage & Transp. Expense	2489.69
Brown's Shoe	Engineering Services	187.00
C P Brunow	Election Official Comp	200.00
B Butler	Election Official Comp	180.00
C-D	Engineering Services	220.15
Calhoun Burns	Engineering Services	4729.54
CANTERA AGGREGATES LLC	Engineering Services	6778.90
CarQuest	Engineering Services	341.05
Carroll Construction Supply	Bridge & Culvert Maint.	76.60
Casey's	Transportation	151.26
Cass Co Sheriff	Sheriffs Transportation	107.23
CenTec	Care of Soldiers Graves	685.33
Cville Iron	Bridge & Culvert Maint.	77.50
Cville Wtrwks	Engineering Services	210.99
C'ville Produce & Feed	Engineering Services	1190.00
Central IA Det	Juvenile Detention & Shel	1710.00
CGS Admin	Off. Equip Repair & Maint	1539.60
Chariton Valley Elec	Engineering Services	339.49
City Cville	Salary-Regular Employees	5185.52
City of Plano	Maintenance Contract	181.66
City of Unionville	Maintenance Contract	156.30
Coast to Coast	Election Supplies	345.94
L Coltrain	Election Official Comp	255.80

Corydon Vet Clinic	Park Maint. & Supplies	60.00
C Cossolotto	Election Official Comp	186.30
K Cossolotto	Election Official Comp	214.40
S Cossolotto	Election Official Comp	180.00
C Coulter	Election Official Comp	200.00
M Coulter	Election Official Comp	180.00
Cunningham-Reis	Bridge & Culvert Maint.	57302.75
Davis Co Sch	Community Support Program	3238.46
Davis Co Daycare	Community Support Program	960.00
Davis Co Sheriff	Medical & Health Services	31346.53
Davis Co ISU Ext	Community Support Program	3042.08
C E Davis	Election Official Comp	180.00
Linda Demry	Mileage & Transp. Expense	89.10
B Dittmer	Election Official Comp	180.00
E Dittmer	Election Official Comp	6.30
C Dixon	Election Official Comp	180.00
Eastern IA Tire	Engineering Services	574.41
R Eggerman	Election Official Comp	180.00
Fareway	Food & Provisions	154.74
Fastenal Co	Engineering Services	1580.00
B Fike	Election Official Comp	180.00
Finish Line	Fuels	1437.01
First Bkcd	Dues & Memberships	112.20
Fogle TV	Park Maint. & Supplies	278.23
Forbes Office Solutions	Off. Supplies & Forms	33.40
C Foster	Election Official Comp	227.00
B Frevert	Election Official Comp	160.00
Charles Gabus Ford	Motor Vehicle	54598.28
GARMAN FARMS	Engineering Services	4077.19
S Golic	Election Official Comp	192.60
M Gorden	Election Official Comp	189.00
R Gorden	Election Official Comp	9.00
Stacy Gray	Legal Serv. Dep-Subp-Tran	54.25
Handcuff Warehouse	Jail Equip. & Furniture	1087.66
E Hargrave	Election Official Comp	14.40
Hartland Bobcat Services	Park Maint. & Supplies	14222.00
C Havens	Election Official Comp	216.00
J Havens	Election Official Comp	199.80
T Hetzler	Election Official Comp	193.50
HighCom	Uniforms	3167.96
Hills San	Engineering Services	315.00
J Hinojosa	Building Repair & Maintce	180.00
Historic Livingston Fdn	Contrib. & Purchase Serv	250.00
Hoffman Stump Grinding	Park Maint. & Supplies	750.00
Kelly Howard	Mileage & Transp. Expense	34.65
M A Hurley	Election Official Comp	188.10
Hy-Vee	Food Preparation Service	2188.00
IACCB	Dues & Memberships	1100.00
Inland Truck Parts	Engineering Services	399.32
IA Co Recorders Assn	Off. Equip Repair & Maint	1948.34
IA Prison Industries	Engineering Services	91.60
IPAC	Voter Registration Serv.	1675.76
ISAC	Educational & Train.Serv.	1050.00
J & S Electronic Business	Off. Equip Repair & Maint	76.55
JJP Properties	Community Support Program	500.00
J Jay	Election Official Comp	227.00
John Deere	Engineering Services	2613.45

K Jones	Election Official Comp	189.00
Junction Inn	Ongoing Rent Subsidy	688.00
Kids World	Community Support Program	693.00
S Kirby	Election Official Comp	180.00
Knox Co Stone	Engineering Services	3919.28
G Krsnak	Election Official Comp	30.00
P J Kruzich	Election Official Comp	192.15
L&W Quarries	Engineering Services	31289.31
R Lamb	Medical & Health Services	250.49
S Larson	Election Official Comp	186.30
Lee Co Hlth	Community Support Program	143.03
LexisNexis	Dues & Memberships	100.00
Lockridge	Engineering Services	10514.06
The Machinery Barn	Equipment Repair	87.59
Mahaska Hospital	Medical & Health Services	73.00
Mainstay Sys	Computer Services	7418.00
Jack Maletta	Community Support Program	500.00
B Marshall	Election Official Comp	189.00
E McGill	Election Official Comp	195.30
McGriff's	Park Maint. & Supplies	379.99
McKesson Med	Medical Supplies	60.96
Messerschmitt Ice	Engineering Services	101.75
Metal Culverts	Bridge & Culvert Maint.	5958.00
Milani, Pamela R	Election Official Comp	200.00
Monroe Pub Hlth	Community Support Program	142.55
Monroe Pub Hlth	Community Support Program	5665.25
Monroe Sheriff	Food Preparation Service	2350.00
Moravia Union	Typing-Print.-Bind.Serv.	613.31
D Moritz	Election Official Comp	200.00
G Moritz	Election Official Comp	30.00
Muscatine Co ME	Medical & Health Services	4140.50
NAPA	Engineering Services	1616.64
Natel	Telephone & Telegr.Serv.	615.21
O'Reilly	Engineering Services	571.79
Office Ctr	Off. Supplies & Forms	289.00
G Odgen	Election Official Comp	202.50
Orchard Pl	Community Support Program	2645.09
Orschelns	Park Maint. & Supplies	387.09
Ottumwa Printing	Off. Supplies & Forms	435.00
Owl Pharm	Prescriptions & Medicine	73.88
C Piatt	Election Official Comp	180.00
Prof Computer	Off. Equip Repair & Maint	14.95
Provantage	Off. Supplies & Forms	439.54
Quick Shop	Transportation	120.00
Quill	Off. Supplies & Forms	244.82
RACOM	Off. Supplies & Forms	46387.73
Rainbo Oil	Engineering Services	1958.26
RANKIN TRAILER SALES	Construction & Maint.	12500.00
RASWC	Engineering Services	77.80
RRWA	Water & Sewer	84.20
L Ray	Election Official Comp	193.50
RICOH	Off. Supplies & Forms	36.76
RLR	Contrib. & Purchase Serv	25784.52
RMA Armament Inc.	Uniforms	9262.82
SCICAP	Community Support Program	25819.77
Seymour Tire	Engineering Services	134.00
K Sherrard	Election Official Comp	227.00

Simmons Bldg Materials	Building Repair & Maintce	235.60
Smith Fertilizer	Engineering Services	220.00
Solutions	Educational & Train.Serv.	796.25
So Central Behavioral Hlth	Disb between MHDS Reg & c	81353.75
Southern IA Plumbing	Jail Equip. & Furniture	1301.25
E Spencer	Election Official Comp	163.60
M Stickler	Election Official Comp	198.00
P Stickler	Election Official Comp	8.10
Ed Stivers Ford	Motor Vehicle	30310.00
Storey Kenworthy	Election Supplies	37.35
O J Tarbell	Election Official Comp	180.00
J Thompson	Election Official Comp	207.00
Tiki	Vehicle Repair & Maintce	101.00
R Tisue	Off. Supplies & Forms	81.37
Sandra Tripp	Rent Payments	400.00
US Treasury	Health Insurance	167.30
UnityPoint	Engineering Services	42.00
US Bank	Off. Supplies & Forms	6055.85
US Cellular	Telephone & Telegr.Serv.	353.86
USPS	Postage & Mailing	700.00
US Records Midwest	Off. Equip Repair & Maint	2623.14
P Visser	Off. Supplies & Forms	212.43
Walmart	Park Maint. & Supplies	438.68
J Ward	Election Official Comp	207.45
Wayne Co Hospital	Medical & Health Services	177.00
Wayne Co Sheriff	Food Preparation Service	7380.00
P White	Election Official Comp	207.90
J Willier	Legal Aid	342.00
C Wilson	Election Official Comp	180.00
H Wiltamuth	Park Maint. & Supplies	162.61
Windstream	Off. Supplies & Forms	1694.26
S Wood	Election Official Comp	160.00
Ziegler	Engineering Services	24284.78
Grand Total		667321.34

Waits motioned to approve bills. Seconded by Smith. All voted aye.

Public comments: Jason Fraser said they will be discussing the ambulance issue at the council meeting tonight.

Smith motioned to adjourn. Seconded by Demry. All voted aye.

The Board adjourned to meet at the call of the Auditor at 10:25 A.M.

Appanoose County Board of Supervisors

Attest:

Kelly Howard, Appanoose County Auditor



CITY OF CENTERVILLE

312 East Maple St, PO Box 578

Centerville, IA 52544

www.centerville-ia.org

Phone: (641) 437-4339 Fax: (641) 437-1498

Proclamation Office of the Mayor

WHEREAS, The City of Centerville, IA is ordained by the Citizens of Centerville to provide for the health and well-being of its citizens; and

WHEREAS, Emergency Medical Services are critical in providing residents of the City of Centerville access to lifesaving medical support prior to being able to receive medical attention at medical facilities; and

WHEREAS, access to proficient EMS increases the likelihood of a positive medical outcome in emergency medical situations; and

WHEREAS, declaration of an essential service is the first step in allowing a county in the State of Iowa to levy for sustainable financial support of public services; and

WHEREAS, the City Council of Centerville provided via motion during a regular Council meeting on June 18th, 2018 their support for a declaration of Emergency Medical Service as an essential service by the Appanoose County Board of Supervisors; and

NOW THEREFORE BE IT RESOLVED,

That I, Mayor Michael O'Connor, on behalf of the City Council and the citizens of the City of Centerville, IA, proclaim our support for the Appanoose County Board of Supervisor's declaring that Emergency Medical Services are an essential service to be provided to the residents of Centerville and Appanoose County.

Mike O'Connor, Mayor

Save Our Square Update June 27, 2018



To Historic Square Building Owners,

SURVEY RESULT MEETINGS – Pat McAfee has completed the transfer of surveyor notes to the report forms. You will be contacted to set up a meeting to go over the surveyor findings, discuss what you would like to accomplish with grant funds and decide which grant fund would work for your project.

After meeting with participating building owners to clarify the “scope” of your restoration plans, we will make a list of buildings requesting similar repairs (i.e. replacement of second story windows, or tuck pointing) and send these lists to qualified contractors to get cost estimates. This step will provide building owners with solid numbers regarding the total cost of their proposed project and give you time to rethink the scope of your project. You will have the opportunity to re-size your project up to the time the construction contract is signed.

URGENT REQUEST FOR HELP – We have hit a major barrier towards qualifying for DTR grants funds. As reported last month the pre-application costs are estimated at \$25,000-\$30,000 (these costs are in addition to the cash contributions that will be required by the City of Centerville in the next fiscal year). These funds must be raised before September in to meet the grant timetable. When the State passed its new budget, they informed the City of Centerville they would not receive funds they had previously guaranteed. We have to raise the pre-application funds from the community. Please consider making a donation in any amount toward the Save or Square Project.

We also need letters of support (see sample attached).

Address Letters of Support and Cash Donations to:

ACCA

Mail or drop off to Main Street Centerville

115 East Van Buren

Centerville, Iowa 52544

Make a note regarding “SOS Phase 1 Project”

The SOS Team is working hard to bring \$700,000 of grant funds to Centerville. Questions regarding the grant application process can be directed to Pat McAfee at 641-895-9223.



MAIN STREET

LETTER OF SUPPORT FOR SAVE OUR SQUARE PROJECT

RE: Save Our Square Phase 1

To: Appanoose County Coalition for the Arts

Main Street Centerville

City of Centerville, Iowa

The Save Our Square Committee ("SOS")

As the owner of a building located in Appanoose County Historic Square District, I am writing to express my support for the Save Our Square Phase 1 Project. The Centerville Square is the heart of Appanoose County - the place where we conduct business, meet friends and celebrate our culture. It is our identity and must be preserved. The Save Our Square Project is essential for us to reach this goal.

The fact that the buildings on the Centerville Square are listed on the National Register of Historic Places is evidence of their value as a national treasure. But our buildings are also more than 100 years old and have been damaged as a result of years of weathering. The costs associated with maintaining century old buildings go beyond the expected expenses associated with normal wear and tear repairs. Grant funds available in the Save Our Square Phase 1 Project are needed to help building owners address larger building revitalization issues such as window and wall deterioration.

Revitalizing the Appanoose County Historic Square District will stabilize our commercial economic base and sustain Appanoose County Seat District as one of Iowa's Great Places.

Sincerely,

Applicant License Application ()

Name of Applicant: <u>Rebecca Wray</u>		
Name of Business (DBA): <u>Whistle Stop</u>		
Address of Premises: <u>24377 180th Avenue</u>		
City <u>Numa</u>	County: <u>Appanoose</u>	Zip: <u>52544</u>
Business	<u>(641) 455-0111</u>	
Mailing	<u>24381 180th Ave</u>	
City <u>Numa</u>	State <u>IA</u>	Zip: <u>52544</u>

Contact Person

Name <u>Becky Wray</u>	
Phone: <u>(641) 895-3105</u>	Email <u>whistlestop24377@gmail.com</u>

Classification Class B Beer (BB) (Includes Wine Coolers)

Term: 12 months

Effective Date: 05/15/2018

Expiration Date: 01/01/1900

Privileges:

Class B Beer (BB) (Includes Wine Coolers)

Sunday Sales

Status of Business

Business Type: <u>Sole Proprietorship</u>	
Corporate ID Number: <u>XXXXXXXXXX</u>	Federal Employer ID <u>XXXXXXXXXX</u>

Ownership

Rebecca Wray

First Name: Rebecca

Last Name: Wray

City: Numa

State: Iowa

Zip: 52544

Position: Owner

% of Ownership: 100.00%

U.S. Citizen: Yes

Derrick Wray

First Name: Derrick

Last Name: Wray

City: Numa

State: Iowa

Zip: 52544

Position: Owner

% of Ownership: 0.00%

U.S. Citizen: Yes

Insurance Company Information

Insurance Company: <u>Specialty Risk of America</u>
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Fireworks Permit Application Appanoose County, Iowa

Instructions: The applicant must complete the application, including Attachments, and have their signature notarized. The application should be submitted to the Appanoose County Auditor. The application will be forwarded to the Board of Supervisors for action.

Applicant Name

Daytime telephone

Moravia Fire Department

641-895-5670

Address

118 N. Williams St. Moravia

Event Location

Description of Event

Moravia School

Fireworks

Date

Duration

07-04-18

2 hours

Estimated # of Persons to attend

Responsible party on-site during event, if different from applicant

(on site) (Depending on location and number of attendees,

Security arrangements may be required for large gatherings)

500

Moravia Fire Dept + First responders

Fireworks Operator Name

Daytime Telephone

Moravia Fire Dept.

641-895-5670

Address

Credentials/licenses

118 N. Williams St.

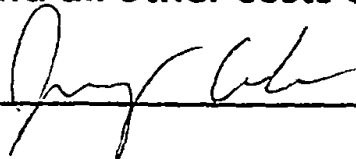
Neighborhood Notification Plan

Describe your proposed method of notifying your neighbors (1 mile radius) of the event.

Annual event - Advertised on Facebook, radio + newspaper

I hereby certify and affirm that the information given herein is true and correct to the best of my knowledge. I understand that if it is found that the terms of the permit are not adhered to, it may be summarily revoked, and the event immediately terminated.

Furthermore, I agree to indemnify, defend, and hold harmless Appanoose County and its officials and employees from any and all claims of liability for personal injury or property damage that may be made against them arising from the event described herein, including reasonable attorney's fees and all other costs of defense, settlement and judgement.



06-26-18

Applicant Signature

Date

State of Iowa

County of Appanoose



This application was acknowledged before me on

June 26, 2018 by Jeremy Cole



Signature of Notary Public

Seal

Attachments: Proof of operator insurance required



Certificate No. 2
Member Number: 217

CERTIFICATE OF COVERAGE

This Certificate is issued as a matter of information only and confers no rights upon the Certificate holder. This Certificate does not amend, extend or alter the coverage afforded by the coverage document(s) listed below.

NAME & ADDRESS OF MEMBER: City of Moravia
PO Box 246
Moravia, IA 52571-0246

This is to certify that the coverage document(s) listed below have been issued to the Member named above and are in force at this time. Notwithstanding any requirement, term or condition of any agreement or other document with respect to which this Certificate may be issued or may pertain, the coverage(s) afforded is subject to all the terms, exclusions and conditions of the Coverage Agreement(s).

TYPE OF COVERAGE	EFFECTIVE DATE	EXPIRATION DATE	LIMIT OF COVERAGE
General Liability	07/01/2017	07/01/2018	\$2,000,000 Each Occurrence \$0 Deductible

CANCELLATION: Should the above described coverage document(s) be cancelled, the Iowa Communities Assurance Pool will endeavor to mail 10 days written notice to the below named Certificate holder, but failure to mail such notice shall impose no obligation or liability of any kind upon the pool.

SPECIAL CONDITIONS/OTHER COVERAGES:

YOUR fireworks display. Coverage is continuous until cancelled.

NAME & ADDRESS OF CERTIFICATE HOLDER:
Appanoose County Board of Supervisors
Courthouse
Centerville, IA 52544

DATE ISSUED: 08/01/2017

J.T. Bobich
Authorized Representative

Class Action Opt-In Notice Form

UNITED STATES COURT OF FEDERAL CLAIMS
Kane County, Utah v. United States
Case Nos. 17-739C and 17-1991C (Consolidated)

1. To participate in this lawsuit as a Class Member, please fill out this form completely and legibly. **It must be submitted, postmarked, or delivered no later than September 14, 2018.**

See Paragraph 5 below for the addresses for (a) electronic submission via the internet; (b) first class mail; and (c) delivery by pre-paid delivery service.

2. Please fill in the name of the unit of local government [i.e., County, City, Town, Borough, Parish, etc.] opting into the *Kane County, Utah v. United States* Class Action lawsuit:

_____, State _____
Unit of local government

3. Please fill in the following information for the unit of local government:

Name of the person who will act as contact for the unit of local government regarding the Class Action lawsuit:

His /Her:

Title _____

Mailing

Address: _____

Telephone number: _____

E-mail address: _____

4. By signing your name in the space below (or filling in an electronic signature in the format /s/ *First name Last name* if submitting via the internet) you are declaring under penalty of perjury under the laws of the United States that:

(a) The unit of local government named above wishes to opt into the Class Action lawsuit: *Kane County, Utah v. United States*, Case Nos. 17-739C and 17-1991-C (Consolidated).

(b) You are authorized by the unit of local government named above to sign this document on its behalf.

Sign Your Name: _____ Date: _____

Print/Type Your Name: _____

Your Position or title with the unit of local government: _____

Your e-mail address: _____

Your phone number: _____

5. Submit this completed form to:

On Line:

by clicking "Submit" at <http://www.PILTpayments.com>

- A copy of this Class Action Opt-In Notice Form may also be downloaded at this website.

By First Class Mail:

PILT Payments Class Action
P. O. Box 65876
Washington, D.C. 20035-5876

Pre-paid Delivery Service:

PILT Payments Class Action
1025 Connecticut Avenue, N.W., Suite 600
Washington, D.C. 20036

United States Court of Federal Claims
Washington, D.C.

OFFICIAL NOTICE

The United States Court of Federal Claims has certified a **CLASS ACTION** lawsuit regarding your right to recover additional sums under the **PAYMENTS IN LIEU OF TAXES ACT** [PILT Act] for fiscal years 2015, 2016, and 2017.

This is not a solicitation from a lawyer.

The Court of Federal Claims, in the case of *Kane County, Utah v. United States*, Case Nos. 17-739C and 17-1991C (Consolidated) [the Lawsuit], has directed sending this notice to a Class made up of: **“All ‘unit[s] of general local government,’ as defined in 31 U.S.C. § 6901(2), that received payment under 31 U.S.C. § 6902(a) of the Payment in Lieu of Taxes Act [PILT Act] in fiscal years 2015, 2016 and/or 2017.”**

You are receiving this notice because you are a unit of local government believed (1) to be a member of that Class, and (2) to have been underpaid in those years.

The Lawsuit seeks to recover monies that the Court has determined that the federal government owes each Class Member for the underpayment of its respective PILT Act entitlement in fiscal years 2015, 2016, and/or 2017.

To obtain the money that the federal government owes you, *without having to file your own lawsuit*, you must submit a Class Action Opt-In Notice Form which can be done quickly and securely online at www.PILTPayments.com. You may also complete and return the enclosed copy of the Class Action Opt-In Notice Form by first class mail or pre-paid delivery service.

To participate in the Lawsuit, you must submit your completed Class Action Opt-In Notice no later than September 14, 2018.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT

- This Notice has been sent to you by order of a federal court. **Please read this Notice carefully and fully.** It explains the opportunity you now have to join a Class Action Lawsuit currently pending before the Court.
- The Court is neither encouraging nor discouraging you to join the Lawsuit. You have the right to participate in the Lawsuit as a Class Member, or to do nothing and be excluded from the Lawsuit.

- **Please Note: This particular Class Action differs from many other class actions in the United States because,**
 - **if you do nothing, you will not be able to participate in the Lawsuit, and**
 - **the Court has already ruled that the federal government owes each Class Member for underpayments in fiscal years 2015, 2016, and/or 2017.**

SUMMARY OF YOUR RIGHTS AND OPTIONS IN THIS LAWSUIT	
ASK TO BE INCLUDED (OPT INTO THE CLASS ACTION LAWSUIT)	<p>By submitting a Class Action Opt-In Notice Form you are asking to be included in the Lawsuit, receive any PILT Act underpayments recovered in the Lawsuit, and be bound by its results.</p> <ul style="list-style-type: none"> • You acquire rights to any money that the Court determines that you are due as a result of underpayment, in fiscal years 2015 through 2017, of your entitlement under Section 6902 of the PILT Act. • You will be bound by the outcome of the case, whether favorable or unfavorable to you. <p>You will also give up the right to sue the federal government on your own, and at your own expense, for the same legal claims made in the lawsuit.</p> <p>In order to join the Lawsuit, you must submit a completed Class Action Opt-In Notice Form online, by first class mail, or by pre-paid delivery service. The Class Action Opt-In Notice Form must be submitted, postmarked, or delivered no later than September 14, 2018.</p>
DO NOTHING	<p>If you do nothing, you will not be included in the Lawsuit, and you will have no right to any money recovered in the Lawsuit. But you will keep the right to sue the federal government for any alleged PILT Act underpayments in fiscal years 2015 through 2017, on your own and at your own expense.</p>

- Your rights and options, and the deadline to exercise them, are further explained below.
- This Notice may affect your legal rights. Read it carefully.

BASIC INFORMATION

1. Why did I get this Notice?

The federal government's records show that you are a unit of local government that received a payment pursuant to Section 6902 of the PILT Act in fiscal years 2015, 2016, and/or 2017. This Notice advises you that:

- a. The Court has allowed, or "certified," a Class Action Lawsuit against the United States to recover amounts which the Court has determined that the government was required to pay units of local government under 31 U.S.C. § 6902, but did not pay in full in fiscal years 2015, 2016 and 2017.
- b. You are eligible to participate in the Lawsuit by completing and timely submitting a Class Action Opt-In Notice Form. The Form may be completed and submitted online at www.PILTPayments.com.

Alternatively, you may complete the enclosed copy of that Class Action Opt-In Notice Form and submit it by first class mail or by pre-paid delivery service.

2. What is this Lawsuit about?

This Lawsuit is about whether the federal government was required to pay in full the amounts due to units of local government under Section 6902 of the PILT Act in fiscal years 2015, 2016, and 2017. The Class Representative (Kane County, Utah) contended that the federal government underpaid units of local government in those years, and that all Class Members are entitled to recover the underpayment amounts. The government denied that any units of local government were entitled to any additional PILT payments beyond the amounts already paid for those years.

3. What has the Court decided?

The Court has ruled that provisions of Section 6902 of the PILT Act obligated the federal government to pay eligible units of local government the full amounts calculated by a formula set forth in the Act even though Congress failed to appropriate sufficient funds to do so in fiscal years 2015 through 2017 (noting that Kane County had not challenged (and the decision did not therefore extend to) the portion the government's reduction of its fiscal year 2015 PILT payments caused by the sequestration of part of the funds appropriated to make FY 2015 PILT payments). The Court granted summary judgment, in favor of the Class, as to the government's liability for underpaying Class Members in those years. The Court has not yet determined the amount by which the Class as a whole, or any individual Class Member, was underpaid in those years. As of the date of this notice, Class Counsel

and counsel for the government have agreed on the amount of the underpayment in fiscal years 2015 and 2016, and anticipate reaching agreement on the amount of the underpayment in fiscal year 2017. The Court's decision is subject to appeal.

4. What is a Class Action and who is involved?

In a class action, one or more Class Representatives (in this case, Kane County, Utah) sues on behalf of all Class Members (in this case, units of local government that receive PILT payments) who have the same or similar claims. Kane County and all other Class Members who choose to participate in the Lawsuit are the "Plaintiffs." The United States is the "Defendant." In a class action at the United States Court of Federal Claims, the Court resolves all issues for all Class Members who choose to participate in the Lawsuit. Here, that includes the Court's decision that the government is liable, described in paragraph 3 above.

5. Why is this lawsuit a Class Action?

The Court has decided that this Lawsuit meets the requirements of Rule 23 of the Rules of the United States Court of Federal Claims, which governs class actions in that Court. Specifically, the Court has ruled that:

- The potential Class is so numerous that joinder of all Class Members is impractical;
- There are legal questions and facts common to each Class Member's claim;
- The Class Representative's claim is typical of the claims of other Class Members;
- The Class Representative, Kane County, Utah, and Class Counsel, Alan I. Saltman, a partner in the Washington, D.C. office of Smith, Currie & Hancock LLP, will fairly and adequately represent the interests of the Class;
- The common legal and factual questions predominate over questions affecting only individual Class Members; and
- This Class Action will be more efficient than having many individual lawsuits.

6. What is requested in this Lawsuit?

The Class Representative seeks, for itself and for all other Class Members who choose to participate in the Lawsuit, payment of the amounts by which each was underpaid in fiscal years 2015 through 2017. Class Counsel will also ask the Court for an award of attorney's fees and expenses.

WHO MAY PARTICIPATE IN THE CLASS ACTION

7. Am I part of this Class Action Lawsuit?

You must decide whether you wish to participate in the Lawsuit. **You cannot participate unless and until you fill out and submit—online, by first class mail, or by pre-paid delivery service—the Class Action Opt-In Notice Form found on the website www.PILTPayments.com.** A copy of the Form is also enclosed. The Rules of the United States Court of Federal Claims require that Class Members choose whether to “opt into” the lawsuit. If you fit the description in the next question—and the government’s records indicate that you do—you may opt into and participate in this Lawsuit. If you do nothing, you will be excluded from the Lawsuit and will forfeit your right to receive any monies recovered in the Lawsuit.

8. Who can participate in the Lawsuit?

The Court has decided that the Class consists of:

“All ‘unit[s] of local government,’ as defined in 31 U.S.C. § 6901(2), that received payment under 31 U.S.C. § 6902(a) of the Payment in Lieu of Taxes Act in fiscal years 2015, 2016, and/or 2017.”

Any unit of local government meeting this definition may participate in this Lawsuit by timely submitting a completed Class Action Opt-In Notice Form.

9. Does participating in the Lawsuit cost any money?

No.

YOUR OPTIONS

10. How can I participate in this Lawsuit?

You can complete and submit your Class Action Opt-In Notice Form online at www.PILTPayments.com.

Alternatively, you can complete the enclosed Class Action Opt-In Notice Form and send it by first class mail to: PILT Payments Class Action, P.O. Box 65876, Washington, D.C. 20035-5876; or by pre-paid delivery service to: PILT Payments Class Action, 1025 Connecticut Avenue NW, Suite 600, Washington, D.C. 20036. However you transmit it, you **must** submit your completed Form **no later than September 14, 2018** if you wish to participate in the Lawsuit. **Do not delay.**

11. What happens once I choose to participate in this Lawsuit?

As a Class Member who chooses to participate in the lawsuit, you will be represented by Class Counsel, who will take all actions necessary to protect your rights. You will receive the benefit of, and be bound by, all rulings, orders, judgments entered, or settlements approved by the Court, whether favorable or unfavorable. You will **not**, however, be asked to make any out-of-pocket payment of attorney's fees or expenses in the case.

12. If I choose to participate in the Lawsuit, what will I be required to do?

After timely submitting a completed Class Action Opt-In Notice Form, the parties currently do not anticipate that you will have to do anything else.

13. What happens if I choose not to participate in the Lawsuit?

If you do not submit a completed Class Action Opt-In Notice Form online **on or before September 14, 2018**; by first class mail **postmarked on or before September 14, 2018**; or by pre-paid delivery service **delivered no later than September 14, 2018**, you will be barred from participating in the Lawsuit and will not be entitled to any portion of any monetary recovery by judgment or settlement of the Lawsuit. You will retain the right to sue the federal government on your own about the same legal claims made in the Lawsuit, and will not be bound by the Court's judgment in the Lawsuit. If you decide to pursue your claim independently, outside of this Lawsuit, you should consult an attorney and do so promptly because certain statutes of limitation may bar or limit your claim. If you choose to hire your own attorney, you will be responsible for paying the full cost of that attorney.

THE LAWYERS REPRESENTING YOU

14. If I choose to participate in the Lawsuit, do I have to hire a lawyer to represent me?

No. The Court has decided that Alan I. Saltman and the firm of Smith, Currie & Hancock LLP are qualified to represent you and all other Class Members who choose to participate. They are called "Class Counsel."

Mr. Saltman is experienced in handling similar cases against the federal government. If you choose to file a Class Action Opt-In Notice Form, you agree to legal representation by Mr. Saltman and his firm.

15. Should I hire my own lawyer?

If you decide to participate in the Lawsuit, you do not need to hire a lawyer because Class Counsel is and will continue working on your behalf. But you are permitted to hire your own lawyer if you would like to do so. For

example, you may have your own lawyer appear in Court if you want someone other than Class Counsel to speak for you. Of course, if you choose to hire your own lawyer, you will be responsible for paying the full cost of that lawyer.

16. How will Class Counsel be paid?

Class Counsel will submit a request for its fees and expenses to the Court. You will not have to pay any fees or expenses directly. The fees and expenses that the Court determines should be paid to Class Counsel, if any, might be deducted from the money obtained for the Class and might reduce the amount available for distribution to Class Members, and therefore reduce the amount of money you receive.

LITIGATION INFORMATION

17. How and when will the Court decide the amount of the underpayments?

Class Counsel and counsel for the government have already agreed on the amount of the underpayments in fiscal years 2015 and 2016, and anticipate that they will also reach agreement on the amount of the underpayment in fiscal year 2017. Should that not occur, Class Counsel will have to prove the amount of the underpayments in fiscal year 2017 at trial. No trial date has been set. The Court has not yet entered judgment in any amounts for any of the years involved in the Lawsuit.

18. If there is a trial on damages, must I attend?

If there is a trial on damages, you do not need to attend. Class Counsel will present the case on behalf of all Class Members participating in the Lawsuit. You and/or your own lawyer are welcome, and entitled, to attend at your own expense.

19. When will I get any money from the lawsuit?

After the Court has determined (a) which Class Members have chosen to participate in the lawsuit, (b) the underpayment amounts, and (c) the fees and expenses that should be paid to Class Counsel, you will be notified about how and when you will receive your payment. At this time, the parties do not know how long that will take, or whether there will be any appeal from the Court's decisions that could impact the entitlement, timing, or amount of any payments.

GETTING MORE INFORMATION

20. Is more information available from the Court?

The pleadings and other records in the Lawsuit may be examined during regular business hours at the Office of the Clerk of the United States Court of Federal Claims. The Court's address is:

United States Court of Federal Claims
717 Madison Place, N.W.
Washington, D.C. 20005

THE COURT HAS INSTRUCTED THAT YOU SHOULD NOT CONTACT THE CLERK'S OFFICE BY TELEPHONE, E-MAIL, OR MAIL FOR INFORMATION ABOUT THIS CASE. Please do **not** contact the United States Court of Federal Claims with questions or requests for information.

21. Who can I contact if I have a question or need additional information?

Both a copy of the Court's decisions on Kane County's Motions for Summary Judgment, and its Order certifying the Class are also available at www.Smithcurrie.com/PILTPaymentsInfo.

Any questions you have can be submitted at www.Smithcurrie.com/PILTPaymentsInfo and Class Counsel will respond. The answers to Frequently Asked Questions, and to submitted questions of general interest, will also be posted there.