

CASS COUNTY BOARD OF SUPERVISORS
RESOLUTION #2022-035

CASS COUNTY ENVIRONMENTAL CONTROL AGENCY
Not to Exceed \$194,082 Solid Waste Facilities Revenue Capital Loan Note

Board Member Steve Green introduced the following Resolution entitled "RESOLUTION CONSENTING TO THE ISSUANCE OF SOLID WASTE FACILITIES REVENUE CAPITAL LOAN NOTES BY THE BOARD OF THE CASS COUNTY ENVIRONMENTAL CONTROL AGENCY FOR THE PURPOSE OF ACQUISITION, CONSTRUCTION, RECONSTRUCTION, REPAIR, EXTENSION OR IMPROVEMENT OF ALL OR PART OF THE CASS COUNTY ENVIRONMENTAL CONTROL AGENCY SOLID WASTE FACILITIES SYSTEM UNDER THE TERMS OF THE 28E AGREEMENT, AND RELATED MATTERS", and moved that the same be adopted. Board Member Mark O'Brien seconded the motion to adopt. The roll was called and the vote was,

AYES: Steve Bair, Bernard Pettigor,

Steve Green, John Hartkopf, Mark O'Brien

NAYS: None

Whereupon, the Chairperson declared the Resolution duly adopted as follows:

RESOLUTION CONSENTING TO THE ISSUANCE OF SOLID WASTE FACILITIES REVENUE CAPITAL LOAN NOTES BY THE BOARD OF THE CASS COUNTY ENVIRONMENTAL CONTROL AGENCY FOR THE PURPOSE OF ACQUISITION, CONSTRUCTION, RECONSTRUCTION, REPAIR, EXTENSION OR IMPROVEMENT OF ALL OR PART OF THE CASS COUNTY ENVIRONMENTAL CONTROL AGENCY SOLID WASTE FACILITIES SYSTEM UNDER THE TERMS OF THE 28E AGREEMENT, AND RELATED MATTERS

WHEREAS, the City of Anita, Iowa, the City of Atlantic, Iowa, the City of Cumberland, Iowa, the City of Griswold, Iowa, the City of Lewis, Iowa, the City of Marne, Iowa, the City of Massena, Iowa, the City of Wiota, Iowa, and the County of Cass, Iowa (collectively, the "Members") are parties to an 28E Agreement creating the Cass County Environmental Control Agency on file with the Iowa Secretary of State, including any amendments or supplements thereto (together, the "28E Agreement"); and

Section 2. Not General Obligations. The principal of and interest on all Notes issued under the 28E Agreement shall be payable solely from and secured by the net revenues of the Cass County Environmental Control Agency Solid Waste Facilities System and from other funds of the Agency lawfully available therefore as provided in Section 28F.5 of the Code, or other applicable provisions of law, and the Solid Waste Facilities Revenue Capital Loan Notes shall not in any respect be general obligations of the County.

Section 3. Allocations of Debt Service. Following the issuance of the Notes and for so long as any of the Notes remain outstanding, the debt service thereon shall be allocated to the Members in accordance with the terms of the 28E Agreement, and the County agrees to pay its allocated share of such debt service to the Agency under the terms and at the times set forth in the 28E Agreement or as determined by the Agency, through the budget process or otherwise.

Section 4. Restriction on Withdrawal. The County further agrees that it may not withdraw or in any way terminate, amend, or modify in any way its obligations under the 28E Agreement to the detriment of the holders of the Notes while any of the Notes are outstanding and unpaid, and the provisions of Section 28F.3 of the Code with respect thereto are hereby approved and accepted.

Section 5. Certification. A certified copy of this resolution shall be promptly provided to the Director of the Cass County Environmental Control Agency.

PASSED AND APPROVED this 12th day of July, 2022.

Steve Baier

Chairperson

ATTEST:

Sara Claus

County Auditor

ITEMS TO INCLUDE ON AGENDA

CASS COUNTY, IOWA

Cass County Environmental Control Agency - Not to Exceed \$194,082 Solid Waste Facilities Revenue Capital Loan Notes.

- Resolution consenting to the issuance of Solid Waste Facilities Revenue Capital Loan Notes by the Board of the Cass County Environmental Control Agency for the purpose of acquisition, construction, reconstruction, repair, extension or improvement of all or part of the Cass County Environmental Control Agency Solid Waste Facilities System under the terms of the 28E Agreement, and related matters.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE COUNTY.

July 12, 2022

The Board of Supervisor of Cass County, State of Iowa, met in regular session, in the Cass County Courthouse, 5 West 7th Street, Atlantic, IA 50022, at 9:15 o'clock A.M., on the above date. There were present Chairperson J. Baser, in the chair, and the following named Board Members:

S. Green, J. Hartkopf,

M. O'Brien, B. Pettinger

Absent: NONE

2022-03C

FILED

JUL 15 2022

CASS COUNTY AUDITOR

Dale Sunderman
Cass County Auditor
Courthouse
5 W 7th Street
Atlantic, IA 50022-1492

Aubrey A Conroy P.C.
100 COURT AVE, SUITE 1000
DES MOINES, IA 50309-2231

