

RESOLUTION #02-14-22-01

**RESOLUTION TAKING ACTION TO SET PUBLIC HEARING PROPOSAL
TO ENTER INTO GENERAL OBLIGATION LEVEE IMPROVEMENT
LOAN AGREEMENT IN AN AMOUNT NOT TO EXCEED \$3,400,000 TO
FINANCE THE MUSCATINE LOUISA ISLAND LEVY PROJECT PHASE 2**

WHEREAS, the Board of Supervisors (the "Board") of Muscatine County, Iowa (the "County") proposes to authorize the County to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$3,400,000, pursuant to the provisions of Section 331.402 of the Code of Iowa, for the purpose of paying the costs, to that extent, of undertaking flood control improvements, including strengthening and raising levees (the "Projects"), and it is necessary to fix a date of meeting of the Board at which it is proposed to hold a public hearing on the Loan Agreement and to give notice thereof as required by such law;

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

- Section 1. This Board shall meet on February 28, 2022, at the Muscatine County Administration Building, Muscatine, Iowa, at 9:00 a.m., at which time and place a hearing will be held and additional action taken on the Loan Agreement.
- Section 2. The County Auditor is hereby directed to give notice of the proposed action on the Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held, by publication at least once, not less than four (4) and not more than twenty (20) days before the hearing, in a legal newspaper of general circulation in the County. The notice shall be in substantially the following form:

**NOTICE OF PUBLIC HEARING ON PROPOSAL TO ENTER INTO A LOAN
AGREEMENT AND TO BORROW MONEY THEREUNDER IN A
PRINCIPAL AMOUNT NOT TO EXCEED \$3,400,000**

(GENERAL OBLIGATION)

The Board of Supervisors of Muscatine County, Iowa, will meet on February 28, 2022, at the Muscatine County Administration Building, Muscatine, Iowa, at 9:00 a.m. for the purpose holding a public hearing on a proposal to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$3,400,000 for the purpose of paying the costs, to that extent, of undertaking flood control improvements, including strengthening and raising levees.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 331.402 of the Code of Iowa. The Loan Agreement will constitute a general obligation of the County.

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

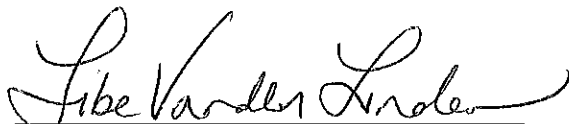
By order of the Board of Supervisors of Muscatine County, Iowa.

Tibe Vander Linden
County Auditor

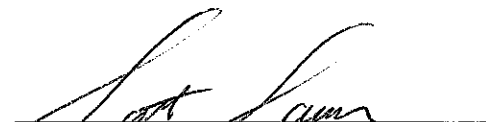
- Section 3. Pursuant to Section 1.150-2 of the Income Tax Regulations (the "Regulations") of the Internal Revenue Service, the County declares (a) that it intends to undertake the Projects which are reasonably estimated to cost \$3,400,000, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of bonds, notes or other obligations (the "Bonds"), or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the County, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Projects have heretofore been made by the County and no expenditures will be made by the County until after the date of this Resolution or a prior intent resolution of the County, and (c) that the County reasonably expects to reimburse the expenditures made for costs of the County out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.
- Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.
- Section 5. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

PASSED AND APPROVED this 14th day of February, 2022.

ATTEST:



Tibe Vander Linden
Muscatine County Auditor



Scott Sauer, Chairperson
Muscatine County Board of Supervisors