

Resolution # 413-97

Mitchell Co Reg Health Ctr/439786-1/1st 1/2 Co Hosp Rev Bonds

Please Return To
DORSEY & WHITNEY
ATTORNEYS AT LAW
801 Grand, Suite 3900
Des Moines, Iowa 50309

returned
9-12-97
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MINUTES TO SET DATE FOR HEARING
ON THE ISSUANCE OF HOSPITAL
REVENUE BONDS

439786-1 (N/I)

Osage, Iowa

September 9, 1997

The Board of Supervisors of Mitchell County, Iowa, met on September 9, 1997, at 9:00 o'clock a. m., at the County Courthouse, Osage, Iowa. The Chairperson presided and the roll was called showing the following members of the Board present and absent:

Present: Bob Pennington, Bill Squier, Betty McCarthy

Absent: none

Supervisor Squier introduced a resolution hereinafter next set out and moved its adoption, seconded by Supervisor Pennington; and after due consideration thereof by the Board, the Chairperson put the question upon the adoption of the said resolution and the roll being called, the following named Supervisors voted:

Ayes: Squier, Pennington, McCarthy

Nays: none

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

RESOLUTION NO. 413-97

To fix a date for a public hearing on entering into a loan agreement and
issuing hospital revenue bonds

WHEREAS, Mitchell County, Iowa (hereinafter referred to as the "County"), did heretofore establish a county public hospital pursuant to the provisions of Chapter 347 of the Code of Iowa, known as the Mitchell County Memorial Hospital, doing business as the Mitchell County Regional Health Center (hereinafter referred to as the "Hospital") pursuant to the provisions of Chapter 347 of the Code of Iowa; and

WHEREAS, the management and control of the Hospital are vested in the Board of Hospital Trustees (the "Hospital Board"); and

WHEREAS, the Hospital Board has determined it advisable to construct an addition to and renovate the Hospital's existing facilities and to acquire equipment and furnishings therefor (the "Project"); and

WHEREAS, at the request of the Hospital the County previously held a hearing on a proposal to enter into a loan agreement and borrow money in a principal amount not to exceed \$4,000,000 pursuant to the provisions of Section 331.402 of the Code of Iowa for the purpose of paying the cost, to that extent, of the Project; and

WHEREAS, at a meeting held on August 7, 1996 the Board of Supervisors met and held a hearing on the proposal to enter into the loan agreement as aforesaid and adopted a resolution taking additional action to enter into the loan agreement; and

WHEREAS, the Board of Supervisors has determined to utilize the provisions of Section 331.461(d)(2) of the Code of Iowa to provide for a hearing on the proposal to enter into the loan agreement and issue hospital revenue bonds (the "Bonds") pursuant to such loan agreement; and

WHEREAS, it is necessary to fix a date of meeting of this Board at which it is proposed to take action to enter into such loan agreement and to issue the Bonds and to give notice thereof pursuant to Section 331.461(2)(d) of the Code of Iowa, including notice of the right to petition for an election, under the provisions of Section 331.461(2)(d) of the Code of Iowa;

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

Section 1. This Board shall meet on the 23rd day of September, 1997, at the County Courthouse, Osage, Iowa, at 10:00 o'clock a.m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the loan agreement and to issue the Bonds.

Section 2. The County Auditor is hereby directed to give notice of the proposed action on the loan agreement and Bonds setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication twice, at least once each week for two consecutive weeks, in a legal newspaper of general circulation in the County.

The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE
PROCEEDINGS TO ENTER INTO A LOAN AGREEMENT, BORROW MONEY
AND ISSUE HOSPITAL REVENUE BONDS
IN A PRINCIPAL AMOUNT NOT TO EXCEED \$4,000,000

The Board of Supervisors of Mitchell County, Iowa, will meet on the 23rd day of September, 1997, at the County Courthouse, Osage, Iowa, at 10:00 o'clock a.m., for the purpose of instituting proceedings and taking action to enter into a loan agreement, borrow money and issue Hospital Revenue Bonds (the "Bonds") in a principal amount not to exceed \$4,000,000 for the purpose of paying the cost, to that extent, of the construction of an addition to and the renovation of the existing facilities of the Mitchell County Regional Health Center (the "Hospital") and to acquire equipment and furnishings therefor.

The Bonds will not constitute general obligations of the County but will be payable solely and only from the revenues of the Hospital pledged to their payment. The loan agreement is proposed to be entered into and the Bonds are proposed to be issued pursuant to authority contained in Sections 331.402 and 331.461(2)(d) of the Code of Iowa.

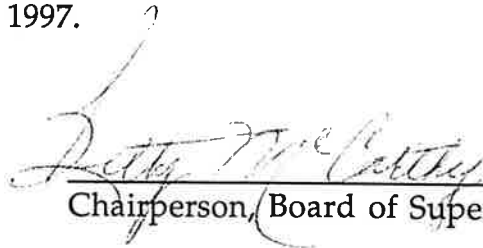
If, within 30 days following the date of the first publication of this notice, a petition requesting an election on the proposal to enter into the loan agreement and issue the Bonds signed by qualified voters of the County equal to at least 20% of the votes cast at the preceding election for governor is filed with the County Auditor, the proposal to enter into the loan agreement and issue the Bonds will be subject to the election requirements in Section 331.442, subsections (2), (3) and (4), of the Code of Iowa.

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

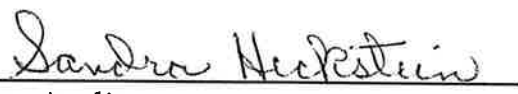
Sandra Heckstein
County Auditor

Section 3. All resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Passed and approved September 9, 1997.

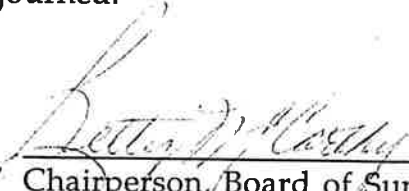

Chairperson, Board of Supervisors

Attest:

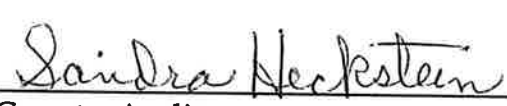

County Auditor

• • • •

On motion and vote, the meeting adjourned.


Chairperson, Board of Supervisors

Attest:


County Auditor

STATE OF IOWA

SS:

MITCHELL COUNTY

I, the undersigned, County Auditor of the aforementioned County, do hereby certify that attached hereto is a true and correct copy of the proceedings of the Board of Supervisors relating to fixing a date for hearing on the Board's proposal to issue hospital revenue bonds, as referred to therein.

WITNESS MY HAND and the seal of the County hereto affixed this
9th day of September, 1997.

Sandra Heckstein
County Auditor

(Seal)

STATE OF IOWA

SS:

MITCHELL COUNTY

I, the undersigned County Auditor of the aforementioned County, do hereby certify that the aforementioned County is organized and operating under the provisions of Title IX of the Code of Iowa and that there is not pending or threatened any question or litigation whatsoever touching the organization or existence of the County, the inclusion of any territory within its limits or the incumbency in office of any of the officials hereinafter named.

And I do further certify that the following named parties are officials of the County as indicated:

<u>Betty McCarthy</u>	Supervisor/Chairperson
<u>Sandra Heckstein</u>	County Auditor
<u>Carol J. Zerck</u>	County Treasurer
<u>William Squier</u>	Supervisor
<u>Bob Pennington</u>	Supervisor

WITNESS MY HAND and the seal of the County hereto affixed this
9th day of September, 1997.

Sandra Heckstein
County Auditor

(Seal)

(PLEASE NOTE: Do not date and return this certificate until you have received the publisher's affidavit and have verified that the notice was published on the date indicated in the affidavit but please return all other completed pages to us as soon as they are available.)

STATE OF IOWA

SS:

MITCHELL COUNTY

I, the undersigned, County Auditor of the aforementioned County, do hereby certify that pursuant to the resolution of the Board of Supervisors fixing a date of meeting at which it is proposed to take action to issue hospital revenue bonds, the notice, of which the printed slip attached to the publisher's affidavit hereto attached is a true and complete copy, was published on the dates and in the newspaper specified in such affidavit, which newspaper is of general circulation in the County.

WITNESS MY HAND and the seal of the County hereto affixed this
19th day of September, 1997.

Sandra Heckstein
County Auditor

(Seal)

(Attach here the publisher's original affidavit with clipping of the notice, as published.)

PUBLISHER'S AFFIDAVIT

IN THE DISTRICT COURT OF THE STATE OF IOWA, IN AND FOR MITCHELL COUNTY

STATE OF IOWA)
County of Mitchell) ss.

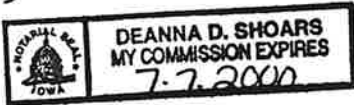
I, David Ranky being first
duly sworn on oath, depose and say that I
am the Publisher of the Mitchell
County Press and Osage News, a weekly news-
paper published at Osage, Mitchell County,
Iowa, and that the annexed _____

_____ was published in said newspaper for 1
consecutive weeks and that the dates of said
publications were:

Sept 10 1997
Sept 17 1997
_____ 19_____
and Ronald Stutz 19_____
_____ 19_____

Sworn to before me and subscribed in my pres-
ence this 18 day of

Sept A.D. 1997
Deanna D Shoars



NOTICE OF PROPOSED ACTION TO
INSTITUTE PROCEEDINGS TO
ENTER INTO A LOAN AGREEMENT,
BORROW MONEY AND ISSUE
HOSPITAL REVENUE BONDS IN A
PRINCIPAL AMOUNT NOT TO
EXCEED \$4,000,000.

The Board of Supervisors of Mitchell
County, Iowa, will meet on the 23rd day
of September, 1997, at the County
Courthouse, Osage, Iowa, at 10:00
o'clock a.m., for the purpose of Insti-
tuting proceedings and taking action to
enter into a loan agreement, borrow
money and issue Hospital Revenue
Bonds (the "Bonds") in a principal
amount not to exceed \$4,000,000 for
the purpose of paying the cost, to that
extent, of the construction of an addi-
tion to and the renovation of the exist-
ing facilities of the Mitchell County
Regional Health Center (the "Hospital")
and to acquire equipment and furnish-
ings therefor.

The Bonds will not constitute gen-
eral obligations of the County but will
be payable solely and only from the
revenues of the Hospital pledged to
their payment. The loan agreement is
proposed to be entered into and the
Bonds are proposed to be issued pur-
suant to authority contained in Sections
331.402 and 331.461(2) (d) of the Code
of Iowa.

If, within 30 days following the date
of the first publication of this notice, a
petition requesting an election on the
proposal to enter into the loan agree-
ment and issue the Bonds signed by
qualified voters of the County equal to
at least 20% of the votes cast at the
preceding election for governor is filed
with the County Auditor, the proposal
to enter into the loan agreement and
issue the Bonds will be subject to the
election requirements in Section
331.442, subsections (2), (3) and (4),
of the Code of Iowa.

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

Sandra Heckstein
County Auditor
2-37

Publisher's Fee \$ 35.85

COPY

*original
Sent to David Claypool
9-19-97*

PUBLISHER'S AFFIDAVIT

In the District Court of the State of Iowa,
in and for Mitchell County

County of Mitchell,) SS
State of Iowa)

I, David Padua

being duly sworn on oath depose and say that I am
the publisher of the St. Ansgar Enterprise Journal, a
weekly newspaper published at St. Ansgar, Mitchell
County, Iowa, and that the annexed proof:

Notice Institute loan

proceedings Issue

hospital revenue bonds

was published in said newspaper for 1
consecutive weeks, and that the dates of said
publication were:

September 11 19 97

19

19

19

Sworn to before me and subscribed in my presence

by the said David Padua

this 19th day of September A.D., 19 97

Publisher's Fee \$ _____



Legal Notice

NOTICE OF PROPOSED ACTION TO
INSTITUTE PROCEEDINGS TO ENTER
INTO A LOAN AGREEMENT, BORROW
MONEY AND ISSUE HOSPITAL REVENUE
BONDS IN A PRINCIPAL AMOUNT
NOT TO EXCEED \$4,000,000.

The Board of Supervisors of Mitchell
County, Iowa, will meet on the 23rd day of
September, 1997, at the County Court-
house, Osage, Iowa, at 10:00 o'clock
a.m., for the purpose of instituting pro-
ceedings and taking action to enter into a
loan agreement, borrow money and issue
Hospital Revenue Bonds (the "Bonds") in
a principal amount not to exceed
\$4,000,000 for the purpose of paying the
cost, to that extent, of the construction of
an addition to and the renovation of the
existing facilities of the Mitchell County
Regional Health Center (the "Hospital")
and to acquire equipment and furnishings
therefor.

The Bonds will not constitute general
obligations of the County but will be
payable solely and only from the revenues
of the Hospital pledged to their payment.
The loan agreement is proposed to be
entered into and the Bonds are proposed
to be issued pursuant to authority con-
tained in Sections 331.402 and
331.461(2), (d) of the Code of Iowa.

If, within 30 days following the date of
the first publication of this notice, a petition
requesting an election on the proposal to
enter into the loan agreement and issue
the Bonds signed by qualified voters of the
County equal to at least 20% of the votes
cast at the preceding election for governor
is filed with the County Auditor, the pro-
posal to enter into the loan agreement and
issue the Bonds will be subject to the elec-
tion requirements in Section 331.442,
subsections (2), (3) and (4), of the Code of
Iowa.

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

Sandra Heckstein,
County Auditor