

Sibley, Iowa  
September 25, 2020

The Osceola County Board of Supervisors met pursuant to law and adjournment at 8:45 am at First Baptist Church Fellowship Hall in Sibley, Iowa with the following members present: Jerry Helmers, Mike Schulte, LeRoy DeBoer, Ed Jones and via phone- Jayson VandeHoef. Absent: None.

Schulte moves to approve the September 25<sup>th</sup>, 2020 agenda. Second by Helmers. All vote aye. Motion carried.

It was moved by Helmers, second by DeBoer to approve to September 18<sup>th</sup>, 2020 minutes with the following revision "VandeHoef moves to have HR consultant proceed with offering applicant a contract in line with what discussed in closed session. Second by Schulte." All vote aye. Motion carried.

Schulte moves to approve the October schedule as follows: October 9th meeting will be held in the courtroom and the meeting on the 23<sup>rd</sup> will be held at the First Baptist Church Fellowship Hall with claims being paid on the 9<sup>th</sup> and 23<sup>rd</sup>. Second by Helmers. All vote aye. Motion carried.

The Board of Supervisors took up for consideration a resolution fixing a date of meeting for public hearing on the receipt and approval of proposals for the disposal and development of certain County-owned real property in the 2003 Urban Renewal District 1 (Spirit Lake Ethanol, LLC a/k/a Otter Creek Ethanol, LLC).

Supervisor Schulte introduced a resolution hereinafter next set out and moved its adoption, seconded by Supervisor DeBoer. The Chairperson put the question upon the adoption of said resolution, and the roll being called, the following Supervisors voted:

Ayes: Schulte, DeBoer, Helmers, Jones. Nays: None. Abstain: -VandeHoef

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

RESOLUTION NO. 4 20/21

Resolution Fixing a Date of Meeting for Public Hearing on the Receipt and Approval of Proposals for the Disposal and Development of Certain County-Owned Real Property in the 2003 Urban Renewal District 1 (Spirit Lake Ethanol, LLC a/k/a Otter Creek Ethanol, LLC)

WHEREAS, Osceola County, Iowa (the "County") has previously established the 2003 Urban Renewal District 1 (Spirit Lake Ethanol, LLC a/k/a Otter Creek Ethanol, LLC) (the "Urban Renewal Area"); and

WHEREAS, one of the County's objectives for the Urban Renewal Area is to promote the development of new commercial enterprises in the Osceola County Enterprise Park; and

WHEREAS, the County has received a proposal from Carson Trucking, LLC (the "Developer") which includes the construction of a new shop, storage building, and staging area for use in the Developer's tool distribution business operations (the "Project") on certain real property (the "Property") currently owned by the County, the description of which is set forth as Exhibit A hereto; and

WHEREAS, it is now necessary to make provision for the disposition of the Property, in accordance with the provisions of Sections 403.8 and 331.361 of the Code of Iowa, to a developer who can undertake the development thereof;

NOW, THEREFORE, IT IS RESOLVED by the Board of Supervisors (the "Board") of Osceola County, Iowa, as follows:

Section 1. In accordance with the provisions of Section 403.8.1 of the Code of Iowa, the Board hereby prescribes the following process for the disposition of the Property:

A. The Board will advertise for proposals for the acquisition and development of the Property in a newspaper of general circulation in the County at least once not less than 21 days in advance of the date on which the proposals shall be due. In addition, the County shall advertise for proposals by posting the advertisement at the Osceola County Courthouse and through available electronic means as soon as may be practical.

B. The Board will make information packets (the "Development Proposal Packets") detailing the development objectives for the Property and the expectations to be placed upon the developer of the Property available in the Office of the County Auditor. Proposals shall be due by no later than 12:00 p.m. on October 22, 2020 at the office of the County Auditor at the Osceola County Courthouse, Sibley, Iowa. Each proposal submitted shall set forth the proposed developer's plan for developing the Property in accordance with the Development Proposal Packet.

C. A public hearing will be held on the proposal to sell the Property as set forth in Section 2 of this Resolution. Following the public hearing, the Board may determine to dispose of the Property to the developer whose proposal, if carried out, would be in the best interests of the County in light of the urban renewal and development objectives of the County as set forth in the Development Proposal Packet.

Section 2. The Board will hold a public hearing on the proposal to sell the Property as set out in the preamble hereof at 9 o'clock a.m., on October 23, 2020, at the First Baptist Church Fellowship Hall, Sibley, Iowa. Following the public hearing the Board may accept the proposal deemed to be in the best interests of the County and proceed with the disposition of the Property.

Section 3. The County Auditor is hereby authorized and directed to give notice of this resolution and of the public hearing on the proposal to sell the Property, by publication, at least once, not less than 21 days prior to the date set for acceptance of proposals, in a newspaper of general circulation in the County. Furthermore, the County Auditor is hereby authorized and directed to give notice by posting notice at the Osceola County Courthouse and by such reasonable electronic means as may be available to the County as soon as practical following the adoption of this resolution. Such notice shall be substantially in the form which is attached to this resolution.

Section 4. The Board hereby declares that a proposal for the development of the Property has been received from the Developer, and unless a subsequent proposal is submitted which better represents the best interests of the County with respect to the development of the Property as set forth in the Development Proposal Packets, this proposal shall be approved by the Board on October 23, 2020, and the Property shall be subsequently disposed of in accordance therewith. The Board further declares that this Resolution constitutes the notification of intent to accept proposal as provided for in Section 403.8 of the Code of Iowa. The County reserves the right to consider the legal and financial ability of developers submitting proposals to carry out the desired development of the Property. Furthermore, the County reserves the right to negotiate for proposals with respect to the desired development of the Property.

Section 5. All resolutions or parts thereof which are in conflict herewith are hereby repealed. Passed and approved this 25<sup>th</sup> day of September, 2020.

Stephanie Neppl, economic development director informed the board that after according to the Iowa Department of Inspections and Appeals, the proposed county-wide shopping promotion is not a legal raffle. She will look into other options the county could possibly do.

Stephanie Neppl, economic development director told the board she has had inquiries from potential businesses interested in the buildings that are for sale at the Enterprise Park. She has been asked if the county would consider any tax incentives. Each business will need to present their request to the board before they would consider any tax incentives.

It was moved by Helmers, second by DeBoer to approve the Osceola County Election Security Policy. All vote aye. Motion carried.

Payroll registers from September 23<sup>rd</sup> and 25<sup>th</sup> were reviewed.

Helmers moves to approve claim #2839 to Bosma Water Service. Second by Jones. Aye-Helmets, Jones, DeBoer, Schulte. Nay-None. Abstain-VandeHoef. It was moved by Schulte, second by Helmers to pay the remainder of the claims submitted by the auditor's office. All vote aye. Motion carried.