

Sibley, Iowa  
November 24, 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, Jayson VandeHoef, and Ed Jones. Absent: None.

Schulte moves to approve the November 24, 2020 agenda. Second by Helmers. All vote aye. Motion carried.

It was moved by VandeHoef with the addition of "Early Childhood Iowa" updates given by Jones, second by DeBoer to approve November 10, 2020 minutes. All vote aye. Motion carried.

Schulte moves to approve the December schedule as follows: December 11<sup>th</sup> meeting will be held in the courtroom and the meeting on the 22<sup>nd</sup> will be held at the First Baptist Church Fellowship Hall with claims being paid on the 11<sup>th</sup> and 22<sup>rd</sup>. Second by DeBoer. All vote aye. Motion carried.

The board discussed sharing an engineer with O'Brien County for 20 hours a week. It was moved by Schulte, second by Helmers to approve the Temporary Osceola-O'Brien Shared County Engineer 28 E Agreement. All vote aye. Motion carried.

It was moved by VandeHoef, second by DeBoer to approve the following resolution:

RESOLUTION # 17 - 20/21

BE IT RESOLVED by the Board of Supervisors of Osceola County, Iowa, that Scott Rinehart, the County Engineer of O'Brien County, as recited in the Osceola-O'Brien Shared County Engineer 28E Agreement be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said county to execute the certification of completion of work and final acceptance thereof in accordance with plans and specifications in connection with all Farm-to-Market and Federal or State aid construction projects in this county.

Ayes: - VandeHoef, DeBoer, Schulte, Helmers, Jones. Nay- None. Motion carried.

Passed and adopted this 24th day of November, 2020 in Sibley, Iowa.

Helmets received some calls about the four-way stop on Tyler Avenue and also about the jake brake noise. The county already has an Engine Noise Reduction Ordinance in place and there is a sign prohibiting such noise already posted on Highway 9 and A22. For now, the board will leave the four-way stop on Tyler Avenue.

The current policy for any new hires in the secondary road department is they don't receive paid holidays until after their six-month probation period is up. It was moved by VandeHoef, second by DeBoer to remove the holiday pay restrictions for any new hires in the secondary road department. All vote aye. Motion carried.

This being the time and place specified for taking action on the proposal to incur non-current debt in an amount not to exceed \$30,240, the County Auditor announced that no written objections had been placed on file. Whereupon, the Chairperson called for any written or oral objections, and there being none, the Chairperson closed the public hearing.

After due consideration and discussion, Supervisor Schulte introduced the following resolution and moved its adoption, seconded by Supervisor Helmers. The Chairperson put the question upon the adoption of said resolution, and the roll being called, the following Supervisors voted:

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

Whereupon, the Chairperson declared the resolution duly adopted, as hereinafter set out.

At the conclusion of the meeting and upon motion and vote, the Board adjourned.

RESOLUTION NO 18 20/21

Resolution Authorizing Internal Advance to Fund Grant Assistance Program Costs

WHEREAS, the Board of Supervisors of Osceola County, Iowa (the "County"), has established the 2003 Urban Renewal District 1 (Spirit Lake Ethanol, LLC a.k.a. Otter Creek Ethanol, LLC) (the "Urban Renewal Area") and has established the 2003 Urban Renewal District 1 (Spirit Lake Ethanol, LLC a.k.a. Otter Creek Ethanol, LLC) Tax Increment Revenue Fund (the "Tax Increment Fund") in connection therewith; and

WHEREAS, the County has undertaken the Osceola County Enterprise Park Property Acquisition Grant Assistance Program (the "Grant Assistance Program") as an urban renewal project in the Urban Renewal Area; and

WHEREAS, it has been proposed that the County facilitate an internal Advance of funds in the amount of \$30,240 (the "Advance") for the purpose of providing an economic development grant to Sunset Semi Retreat, LLC under the Grant Assistance Program, and the County desires to make the Advance eligible to be repaid from future incremental property tax revenues to be derived from the Urban Renewal Area;

NOW, THEREFORE, IT IS RESOLVED by the Board of Supervisors, as follows:

Section 1. It is hereby directed that the Advance in the amount of THIRTY THOUSAND TWO HUNDRED FORTY DOLLARS (\$30,240) be advanced for the funding of an economic development grant to Sunset Semi Retreat, LLC under the Grant Assistance Program from the County's General Fund. The Advance shall be repaid to the General Fund without interest, out of future incremental property tax revenues received into the Tax Increment Fund.

It is intended that the Advance shall be repaid in one or more annual installment(s) on or before June 1, 2026, provided however that repayment of the Advance is subject to the determination of the Board of Supervisors that there are incremental property tax revenues available for such purpose which have been allocated to or accrued in the Tax Increment Fund relative to the Advance, and the Board of Supervisors reserves the right to appropriate funds, or to withhold such appropriation, at its discretion.

Section 2. A copy of this Resolution shall be filed in the office of the County Auditor of Osceola County, Iowa to evidence the Advance. Pursuant to Section 403.19 of the Code of Iowa, the County Auditor is hereby directed to certify, no later than December 1, 2020, the original amount of the Advance.

Section 3. All resolutions or parts thereof in conflict herewith, are hereby repealed, to the extent of such conflict.

PASSED AND APPROVED this November 24, 2020.

Pam Juber, agency director, Osceola Community Health Services gave FY 19/20 annual report and updates on Covid activities. Due to Covid the Local Home Health have had extra expenses. The county will look into additional funding to help offset those additional expenses.

Schulte moves to enter into closed session per Iowa Code 21.5(1) to discuss and consider potential engagement of counsel of opioid class action lawsuit settlement negotiations. Second by DeBoer. Ayes: Schulte, DeBoer, Helmers. VandeHoef, Jones. Nays-None. Motion carried.

It was moved by DeBoer, second by VandeHoef to enter into regular session. Ayes- DeBoer, VandeHoef, Helmers, Schulte, Jones. Nay-None. Motion carried.

VandeHoef moves to approve the engagement of Simmons Hanly Conroy LLC, Crueger Dickinson LLC, and von Briesen & Roper, s.c., as counsel in relation to claims against Opioid manufacturers, distributors and chain pharmacies. Second by Schulte. All vote aye. Motion carried.

it was moved by Schulte, second by Helmers to enter into closed session pursuant to Iowa Code Section 21.5(1)(c) to discuss strategy with counsel in matters that presently in litigation. Ayes- Schulte, Helmers, DeBoer. Nay-VandeHoef, Jones. Motion carried.

Schulte moves to enter into regular session. Second by DeBoer. Ayes- Schulte, DeBoer, Helmers, VandeHoef, Jones. Motion carried.

It was moved by Helmers, second by DeBoer to take no further action regarding re: Brueggman et al vs. Osceola County and City of Harris. Ayes-Helmers, Schulte, DeBoer, Jones. Nay-None. Abstain-VandeHoef. Motion carried.

Schulte moves to approve to Certify the TIF reports for FY 2020/2021 and approve the State reports for 2019/2020. Second by Helmers. All vote aye. Motion carried.

VandeHoef updated the board on the HSA plan the county will be offering in January, 2021. It was moved by VandeHoef, second by Helmers that the full county contribution to participating employee's HSA accounts occur annually in January. Pro-rated contributions will be made when participation begins at a time other than January. Ayes – Schulte, Helmers, DeBoer, Jones. Nays – VandeHoef. Motion carried.

VandeHoef moves to utilize Midwest Group Benefits as the HSA Administrator. Second by Schulte. All vote aye. Motion carried.

It was moved by VandeHoef, second by Schulte that Retirees do not receive County contributions to HSA accounts. All vote aye. Motion carried.

It was moved by VandeHoef, second by DeBoer to approve the payment of claims submitted by the auditor's office. All vote aye. Motion carried.

The courthouse will close at noon on December 31, 2020.

The board reviewed payroll registers from November 18<sup>th</sup> and 20<sup>th</sup>.

VandeHoef gave updates on Northwest Iowa Care Connections. Schulte gave RIDES meeting updates. Jones attended the pre-construction window meeting and he gave updates regarding that project. VandeHoef encourages the board to attend the ISAC district meeting.