

Sibley, Iowa
November 23, 2021

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

Helmets moves to approve the November 23, 2021 agenda. Second by DeBoer. All vote aye. Motion carried.

It was moved by Schulte, second by DeBoer to approve the November 9, 2021 minutes. Ayes- Schulte, DeBoer, Helmers, Jones. Nay- None. Abstain-VandeHoef. Motion carried.

It was moved by Schulte, second by VandeHoef to approve the December meeting schedule as follows: 7th, 14th, 16th at 1 pm and 28th with claims being paid on those on the 14th and 28th. All vote ayes. Motion carried.

Dan Bechler, EMA Director informed the Board about Alert Iowa. This is an app you can put on your phone and will get any severe weather alerts issued by the National Weather Service.

Jones has reached out to Sioux County and they are not interested in sharing engineers. The engineer in Sioux County is retiring at the end of the year and he might be interested working part-time for the county. Jones is to reach out to him at the end of year. The Board will look into hiring a headhunter to help assist the county in finding an engineer.

The Board discussed participating in the opioid settlement. VandeHoef moves to approve action necessary to proceed towards the proposed opioid settlement. Authorizing the chair to sign necessary documents and authorize the county attorney to take necessary steps to participate in the settlement. Second by Helmers. All vote aye. Motion carried.

At 9:00 am a FY 21/22 budget amendment public hearing was held. With no written or oral comments received the public hearing was closed. It was moved by Helmers, second by Schulte to approve the following resolution:

**Resolution#9-21/22
Budget Amendment**

WHEREAS, the Osceola County Board of Supervisors held a public hearing for a budget amendment, as provided by law;

WHEREAS, objections, if any, were received and considered, after which the Board decided to proceed;

WHEREAS, the Osceola County Board of Supervisors has complied with the requirements.

NOW, THEREFORE, BE IT RESOLVED, that the Osceola County Board of Supervisors hereby adopts a budget amendment as proposed and published in the Ocheyedan Press-Melvin News and Osceola County Gazette-Tribune. Budget amendment as follows:

	Total Budget as Certified Or Last Amended	Adopted Current Amendment	Total Budget After Current Amendment
Expenditures			
Service Area 01	1,837,545	10,000	1,847,545
Dept 36(Ambulance) – REC Ambulance Donation \$10,000			
Service Area 03	290,471	30,000	320,471
Dept. 23(Health Services) – Covid Grant \$ 30,000			
Service Area 06	719,785	29,500	749,285
Dept. 99 (Non-department) NW IA Planning Service \$2,500; Bright Beginning Donation \$10,000; Trail Repairs \$17,000			
Service Area 8	339,782	10,000	349,782
Dept. 2 (Auditor) Special Election Cost \$10,000			
Service Area 09	1,291,937	4,500	1,296,437
Dept. 02 (Auditor) Passport Envelopes - \$2,000; Dept. 51 (courthouse) jail repairs- \$2,500			
Service Area 10	153,537	164,984	318,521
Dept. 99 (Non-departmental) Green & Yellow Tax Rebate \$2,500; Harris TIF Collection Reimb. \$162,484			
Service Area 10	566,000	295,000	861,000
Dept. 22 (Conservation) Land Purchase- \$295,000			

Roll call vote: Aye – Helmers, Schulte, VandeHoef, DeBoer, Jones. Nays-None. Resolution#9-21/22 is approved and adopted this 23rd day of November, 2021.

DeBoer moves to approve the fireworks permit for Melvin 313 Club for December 4, 2021. Second by VandeHoef. All vote aye. Motion carried.

The Board discussed when both spouses work for the county how to handle the health insurance benefit. The county could pay for two single policies or pay 100% of the family premium. It was moved by Helmers, second by Schulte to pay 100% of the family health insurance premium retroactive to November 1, 2021. All vote aye. Motion carried.

DeBoer moves to approve Kwik Trip, Inc Class E Liquor License. Second by Helmers. All vote aye. Motion carried.

It was moved by Helmers, second by Jones to approve Kwik Trip, Inc cigarette permit. All vote aye. Motion carried.

Schulte moves to approve to Certify the TIF reports for FY 2021/2022 and approve the State reports for 2020/2021. Second by DeBoer. All vote aye. Motion carried.

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

Resolution#10 21/22
Operating Transfer

WHEREAS, it is desired to transfer monies from the County TIF Project#2-Cenex Fund to Secondary Road Fund;

WHEREAS, said operating transfer is in accordance with Section 331.432, Code of Iowa;

NOW, THEREFORE be it resolved by the Board of Supervisors of Osceola County, Iowa as follows:

Section 1. The sum of \$17,827.92 is ordered to be transferred from the County TIF Project#2-Cenex Fund (Fund#40010) to Secondary Road Fund (Fund#20000) effective November 23,2021

Section 2. The auditor is directed to make the appropriate transfer and to notify the Treasurer of this operating transfer, accompany the notification with a copy of this resolution.

Roll call vote: Ayes – VandeHoef, Jones, Schulte, DeBoer, Helmers. Nay- None. Motion carried. THEREFORE, the above foregoing resolution was approved and adopted by the Board of Supervisors of Osceola County, Iowa on November 23, 2021.

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

Resolution#11 21/22
Operating Transfers

WHEREAS, it is desired to transfer monies from the Amended Ethanol TIF-Bosma to Amended Ethanol TIF P & I;

WHEREAS, said operating transfer is in accordance with Section 331.432, Code of Iowa:

NOW, THEREFORE be it resolved by the Board of Supervisors of Osceola County, Iowa as follows:

Section 1. The sum of \$4,911.41 is ordered to be transferred from the Amended Ethanol TIF-Bosma (Fund-40020) to Amended Ethanol TIF P & I (Fund#45000) effective November 23, 2021.

Section 2. The auditor is directed to make the appropriate transfer and to notify the Treasurer of this operating transfer, accompany the notification with a copy of this resolution:

Roll call vote: Ayes- DeBoer, Helmers, VandeHoef, Schulte, Jones. Nays-None. Motion carried.

THEREFORE, the above foregoing resolution was approved and adopted by the Board of Supervisors of Osceola County, Iowa on November 23, 2021.

It was moved by Schulte second by Helmers to approve the following resolution:

Resolution#12-21/22
Operating Transfers

WHEREAS, it is desired to transfer monies from the Amended Ethanol TIF-Green/Yellow to Amended Ethanol TIF P & I;

WHEREAS, said operating transfer is in accordance with Section 331.432, Code of Iowa;

NOW, THEREFORE be it resolved by the Board of Supervisors of Osceola County, Iowa as follows:

Section 1. The sum of \$14,093.51 is ordered to be transferred from the Amended Ethanol TIF-Green/Yellow (Fund#40030) to Amended Ethanol TIF P & I (Fund#45000) effective November 23, 2021.

Section 2. The auditor is directed to make the appropriate transfer and to notify the Treasurer of this operating transfer, accompany the notification with a copy of this resolution.

Roll call vote: Ayes- Schulte, Helmers, VandeHoef, Schulte, Jones. Nays-None. Motion carried.

THEREFORE, the above foregoing resolution was approved and adopted by the Board of Supervisors of Osceola County, Iowa on November 23, 2021.

It was moved by Schulte second by Jones to approve the following resolution:

Resolution#13 21/22

Operating Transfer

WHEREAS, it is desired to transfer monies from the Amended Ethanol TIF-JRJ to Amended Ethanol TIF P & I:

WHEREAS, said operating transfer is in accordance with Section 331.432, Code of Iowa;

NOW, THEREFORE be it resolved by the Board of Supervisors of Osceola County, Iowa as follows:

Section 1. The sum of \$3,778.44 is ordered to be transferred from the Amended Ethanol TIF-JRJ (Fund 40060) to Amended Ethanol TIF P & I (Fund 45000) effective November 23, 2021.

Section 2. The auditor is directed to make the appropriate transfer and to notify the Treasurer of this operating transfer, accompany the notification with a copy of this resolution.

Roll call vote: Ayes – Schulte, Jones, DeBoer. Nay-None. Abstaining-Helmers, VandeHoef. Motion carried. THEREFORE, the above foregoing resolution was approved and adopted by the Board of Supervisors of Osceola County, Iowa this 23rd day of November, 2021.

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

Resolution#14 21/22

Operating Transfers

WHEREAS, it is desired to transfer monies from the Amended Ethanol TIF-Langstraat Autoworks to Amended Ethanol TIF P & I;

WHEREAS, said operating transfer is in accordance with Section 331.432, Code of Iowa;

NOW, THEREFORE be it resolved by the Board of Supervisors of Osceola County, Iowa as follows:

Section 1. The sum of \$1,389.38 is ordered to be transferred from the Amended Ethanol TIF-Langstraat Autoworks (Fund#40080) to Amended Ethanol TIF P & I (Fund#45000) effective November 23, 2021.

Section 2. The auditor is directed to make the appropriate transfer and to notify the Treasurer of this operating transfer, accompany the notification with a copy of this resolution.

Roll call vote: Ayes-VandeHoef, DeBoer, Helmers, Schulte, Jones. Nays-None. Motion carried.

THEREFORE, the above foregoing resolution was approved and adopted by the Board of Supervisors of Osceola County, Iowa on November 23, 2021.

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

Resolution#15 21/22

Operating Transfers

WHEREAS, it is desired to transfer monies from the 2017 CFE Project Fund to CFE TIF P & I Fund;

WHEREAS, said operating transfer is in accordance with Section 331.432, Code of Iowa:

NOW, THEREFORE be it resolved by the Board of Supervisors of Osceola County, Iowa as follows:

Section 1. The sum of \$126,003.68 is ordered to be transferred from the 2017 CFE Project Fund (Fund#40090) to CFE TIF P & I Fund (Fund#46000) effective November 23, 2021.

Section 2. The auditor is directed to make the appropriate transfer and to notify the Treasurer of this operating transfer, accompany the notification with a copy of this resolution:

Roll call vote: Ayes-VandeHoef, Helmers, Schulte, DeBoer, Jones. Nays-None. Motion carried.

THEREFORE, the above foregoing resolution was approved and adopted by the Board of Supervisors of Osceola County, Iowa on November 23, 2021.

It was moved by Helmers second by Schulte to approve the following resolution:

Resolution#16 21/22

Operating Transfers

WHEREAS, it is desired to transfer monies from the CFE Project Fund to Amended Ethanol TIF P & I;

WHEREAS, said operating transfer is in accordance with Section 331.432, Code of Iowa;

NOW, THEREFORE be it resolved by the Board of Supervisors of Osceola County, Iowa as follows:

Section 1. The sum of \$49,394.94 is ordered to be transferred from the CFE Project Fund (Fund#33000) to Amended Ethanol TIF P & I (Fund#45000) effective November 23, 2021.

Section 2. The auditor is directed to make the appropriate transfer and to notify the Treasurer of this operating transfer, accompany the notification with a copy of this resolution.

Roll call vote: Ayes- Helmers, Schulte, VandeHoef, DeBoer, Jones. Nays-None. Motion carried.

THEREFORE, the above foregoing resolution was approved and adopted by the Board of Supervisors of Osceola County, Iowa on November 23, 2021.

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

Resolution#17 21/22

Operating Transfers

WHEREAS, it is desired to transfer monies from the Amended Ethanol TIF-Lonneman to Amended Ethanol TIF P & I;

WHEREAS, said operating transfer is in accordance with Section 331.432, Code of Iowa;

NOW, THEREFORE be it resolved by the Board of Supervisors of Osceola County, Iowa as follows:

Section 1. The sum of \$494.32 is ordered to be transferred from the Amended Ethanol TIF-Lonneman (Fund#40100) to Amended Ethanol TIF P & I (Fund#45000) effective November 23, 2021.

Section 2. The auditor is directed to make the appropriate transfer and to notify the Treasurer of this operating transfer, accompany the notification with a copy of this resolution.

Roll call vote: Ayes- DeBoer, Jones, Schulte, VandeHoef, Helmers. Nays-None. Motion carried.

THEREFORE, the above foregoing resolution was approved and adopted by the Board of Supervisors of Osceola County, Iowa on November 23, 2021.

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

Resolution#18 21/22

Operating Transfer

WHEREAS, it is desired to transfer monies from the Amended Ethanol TIF Debt Collection Fund to Amended Ethanol TIF P & I Fund;

WHEREAS, said operating transfer is in accordance with Section 331.432, Code of Iowa;

NOW, THEREFORE be it resolved by the Board of Supervisors of Osceola County, Iowa as follows:

Section 1. The sum of \$107,343.77 is ordered to be transferred from the Amended Ethanol TIF Debt Collection Fund (Fund#32000) to the Amended Ethanol TIF P & I (Fund#45000) effective November 23, 2021.

Section 2. The auditor is directed to make the appropriate transfer and to notify the Treasurer of this operating transfer, accompany the notification with a copy of this resolution:

Roll call vote: Ayes-VandeHoef, Schulte, DeBoer, Helmers, Jones. Nays- None. Motion carried.

THEREFORE, the above foregoing resolution was approved and adopted by the Board of Supervisors of Osceola County, Iowa on November 23, 2021.

Sande Smith, Ambulance Coordinator visited with the Board regarding a policy concerning vaccine mandates. Smith went on Page, Wolfberg & Wirth, LLC website regarding vaccine mandates for EMS. As of November 18, 2021, that firms opinion is that the EMS, providers are not regulated by CMS health and safety standards so are not subject to the vaccine mandate. Smith will keep the Board updated if there are any changes.

Tiffany Kruiuzenga, ISG Pipeline Office Administrator talked with the Board about having the opportunity to be the engineering firm to do the inspection for the Navigator pipeline project going through the county. ISG will bill the county and the county bill Navigator for reimbursement. The Board has concerns what happens if Navigator doesn't reimburse the county and also the reimbursement for the extra works it will involve for the county to do the paperwork. VandeHoef moves to proceed with the letter of intent with having the county attorney review the letter and make modifications regarding the concerns discussed. Second by Helmers. All vote aye. Motion carried.

Hugh Lively, Rides Chief Executive Officer and Cindy Voss, Rides Chief Operating Officer presented their annual report.

Payroll registers from November 17th and 19th were reviewed.

It was moved by Helmers, second by Jones to approve claim# 855 to Bosma Water Services. Ayes-Helmers, Jones, Schulte, DeBoer. Nay-None. Abstain-VandeHoef. Motion carried. Helmers moves to pay the remainder of the claims presented by the Auditor's office. Second by DeBoer. All vote. Motion carried.

Dan DeKoter, City of Harris Attorney informed the Board that the City of Harris has filed a lawsuit against Dorsey and Whitney, LLP. DeKoter is requesting from the Board permission to request all the legal bills from Steve Kersten be released to him to use as evidence in the lawsuit. Since the County and the City of Harris had the same attorney. He need permission from both the County and City of Harris before Mr. Kersten will release the requested information. If there are any legal fees recovered the insurance company will have the right for reimbursement. It was moved by Schulte, second by DeBoer to approve to release any legal bills from Steve Kersten to Dan DeKoter, Attorney for City of Harris. All vote aye. Motion carried.