

Sibley, Iowa
July 12, 2022

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

Schulte moves to approve the July 12, 2022 agenda. Second by DeBoer. All vote aye. Motion carried.

It was moved by Jones, second by Schulte to approve June 28, 2022 minutes. All vote aye. Motion carried.

Keith Brann, Engineer explained that the County's comprehensive land use plan was last updated in 1998. For Northwest Iowa Planning and Development Commission to update the comprehensive land use plan it will be \$18,000 and the process will take about 9 months to complete. Schulte moves to approve to move forward to have Northwest Iowa Planning and Development Commission update the County's comprehensive land use plan. Second by DeBoer. All vote aye Motion carried.

The Board met with department heads.

A quote from Premier Network Solutions was received for a disaster recovery appliance for 3-year contract it will cost \$8,400 a year. It was moved by Vande Hoef, second by Schulte to proceed to purchase the disaster recovery appliance for the 3- year contract at a cost of \$8,400 a year. All vote aye. Motion carried.

Pat DeVries. Mayor of Ashton informed the Board that the City Council would like to go ahead with the proposed project at the old Cedar Cabin property. The Council had concerns with parking that will need to be addressed. Keith Brann, Engineer is satisfied with the property the County and City will be swapping. Vande Hoef moves to proceed with the land swap and the development in Ashton. Second by DeBoer. All vote aye. Motion carried.

It was moved by DeBoer, second by Schulte to approve the related party vendor approval and an ad will be published in the paper. All vote aye. Motion carried.

Vande Hoef moves to approve Class C Beer Permit for Cooperative Energy Company. Second by Jones. All vote aye. Motion carried.

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

Resolution #1–22/23
Assessment of Drainage District

WHEREAS, the Board of Supervisors of Osceola County, Iowa in session on the 12th day of July, 2022, do determine that an assessment should be levied on all the tracts of land, lots, railroad companies and public highways within the boundaries of Drainage Districts #1, #3, #18 & #25 in Osceola County to procure funds with which to pay the cost anticipated for the general upkeep and maintenance of the aforementioned districts; and

WHEREAS, the Board determined and finds that the original/reclassified assessment furnishes a fair and equitable basis for a proper apportionment of the costs and expenses of said assessment and the Board concurs that no good reason exists for a new or different assessment.

THEREFORE, BE IT RESOLVED by the Board of Supervisors of Osceola County, Iowa that the following percentage of original/reclassified assessment be levied on each tract of land, lots, public roads and railroad companies in those districts and that the County Auditor of Osceola County be directed and ordered to extend assessment of the following percentage of the original/reclassified assessment and certify the same to the County Treasurer, to be collected by the Treasurer in the manner as provided by law.

D.D. #1 – Main Open – 106.47% - \$7,666.93

D.D. #3 – Main Open – 169.07% - \$2,000.06

D.D. #18 – Main Open – 9.74% - \$1,673.72

D.D. #25 – Main Open – 200.03% - \$8,601.29

Ayes: Jones, DeBoer, Vande Hoef, Schulte, Helmers. Nay: None. Motion carried. Resolution #1-22/23 is approved and adopted this 12th day of July, 2022.

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

Resolution #2 – 22/23
Assessment of Drainage District Joint 1 & Joint 2

WHEREAS, the Board of Supervisors of Osceola County, Iowa and Dickinson County, Iowa in session on the 12th day of July, 2022, do determine that an assessment should be levied on all the tracts of land, lots, railroad companies and public highways within the boundaries of Drainage Districts – Joint #1 & Joint #2 in Osceola County and Dickinson County to procure funds with which to pay the cost anticipated for the general upkeep and maintenance of the aforementioned districts; and

WHEREAS, the Boards determined and find that the original assessment furnishes a fair and equitable basis for a proper apportionment of the costs and expenses of said assessment and the Boards concur that no good reason exists for a new or different assessment.

THEREFORE, BE IT RESOLVED by the Board of Supervisors of Osceola County, Iowa and Dickinson County, Iowa that the following percentage of original assessment be levied on each tract of land, lots, public roads and railroad companies in those districts and that the County Auditor of Osceola County and Dickinson County be directed and ordered to extend assessment of the following percentage of the original assessment and certify the same to the County Treasurer of each county, to be collected by the Treasurer in the manner as provided by law.

D.D. JT#1 – 106.23% - \$37,608.93
Osceola County Share - \$21,555.30
Dickinson County Share - \$16,053.63
D.D. JT#2 – 15.87% - \$9,752.59
Osceola County Share - \$5,502.60
Dickinson County Share - \$4,249.99

Aye: Schulte, Jones, Vande Hoef, DeBoer, Helmers. Nay: None. Motion carried. Resolution #2–22/23 is approved and adopted this 12th day of July, 2022.

It was moved by DeBoer, second by Vande Hoef moves to approve the following resolution:

Resolution #3 – 22/23

Assessment of Drainage District Joint 6

WHEREAS, the Board of Supervisors of Osceola County, Iowa and O’Brien County, Iowa in session on the 12th day of July, 2022, do determine that an assessment should be levied on all the tracts of land, lots, railroad companies and public highways within the boundaries of Drainage District – Joint #6 in Osceola County and O’Brien County to procure funds with which to pay the cost anticipated for the general upkeep and maintenance of the aforementioned districts; and

WHEREAS, the Boards determined and find that the original assessment furnishes a fair and equitable basis for a proper apportionment of the costs and expenses of said assessment and the Boards concur that no good reason exists for a new or different assessment.

THEREFORE, BE IT RESOLVED by the Board of Supervisors of Osceola County, Iowa and O’Brien County, Iowa that the following percentage of original assessment be levied on each tract of land, lots, public roads and railroad companies in those districts and that the County Auditor of Osceola County and O’Brien County be directed and ordered to extend assessment of the following percentage of the original assessment and certify the same to the County Treasurer of each county, to be collected by the Treasurer in the manner as provided by law.

D.D. JT#6 – 10.51% - \$2,574.95
Osceola County Share - \$1,095.98
O’Brien County Share - \$1,478.97

Aye: DeBoer, Vande Hoef, Schulte, Jones, Helmers. Nay: None. Motion carried. Resolution #3–22/23 is approved and adopted this 12th day of July, 2022.

It was moved by Vande Hoef, second by Jones to approve the following resolution:

RESOLUTION NUMBER # 4 22/23

WHEREAS, certain areas of Osceola County are subject to periodic flooding causing damages to properties within these areas; and

WHEREAS, relief is available in the form of Federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, it is the intent of this Board of Supervisors, to require the recognition and evaluation of flood hazards in all official actions relating to land use in areas having these hazards; and

WHEREAS, this body has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to Chapter 331, Code of Iowa.

NOW, THEREFORE, BE IT RESOLVED, that this Board hereby:

1. Assures the Federal Insurance Administration that it will enact as necessary, and maintain in force in those areas having flood hazards, adequate land use and control measures with effective enforcement provisions consistent with the Criteria set forth in Section 60 of the National Flood Insurance Program Regulations,
2. Vests the Osceola County Engineer Keith Brann, with the responsibility, authority, and means to:
 - a. Assist the Federal Insurance Administrator, at his request, in his delineation of the limits of the area having special flood hazards.

- b. Provide such information as the Administrator may request concerning present uses and occupancy of the flood plain areas.
 - c. Cooperate with Federal, State, and local agencies and private firms which undertake to study, survey, map, and identify flood plain areas, and cooperate with neighboring communities and the county with respect to management of adjoining flood plain areas in order to prevent aggravation of existing hazards.
 - d. When received from the Administrator, complete and submit those reports which advise the Administrator on the progress made within the community in the development and implementation of flood plain management measures.
 - e. Upon occurrence, notify the Administrator in writing whenever the boundaries of the community have been modified by annexation or loss of authority to adopt and enforce flood plain management regulations for a particular area. Included in such notification will be a map of the community, suitable for reproduction, which clearly delineates the new or deleted areas.
3. Appoints the Osceola County Engineer Keith Brann, to maintain for public inspection and to furnish upon request, for the determination of applicable flood insurance risk premium rates any certificates of flood-proofing and information on the elevation (in relation to North American Vertical Datum 1988) of the level of the lowest floor (including basement) of all new or substantially improved structures, and
 4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the program. ADOPTED AND PASSED by the Board of Supervisors of the County of Osceola, Iowa this 12th day of July, 2022.

Brett Doeden, MBN Pallets told the Board where he is putting his building and explained that it will not obstruct the waterway. He also explained does not plan to burn and instead will be stockpiling scraps and will grind the material to be used to heat his building.

Vande Hoef moves to approve the first reading of Ordinance #59 Floodplain Management. Second by Schulte. All vote aye. Motion carried

It was moved by Jones, second by DeBoer to approve August 9th, 2022 at 9 am as a public hearing date for Ordinance#59 Floodplain Management. All vote aye. Motion carried.

The Board review quarterly report submitted by the Auditor and Recorder's office.

Payroll registers from June 29th, June 30th, and July 1st were reviewed

Jones moves to approve the payment of claims. Second by Schulte. All vote aye. Motion carried.

Dave DeNoble from De Noble, Austin, and Company presented FY 20/21 audit findings.

Sande Smith, Ambulance Coordinator received another bid for garage doors from D & K Door, LLC for \$23,212. Previous bids received were from Overhead Door Co. for \$28,300 and Schnepf Lumber for \$23,230.45 but with Schnepf's bid someone else would need to install the garage doors. It was moved by Schulte, second by DeBoer to approve the bid from D & K Door, LLC for \$23,212 and advertise for sealed bids for old garage doors if no bids received then have D & K Door take the old garage doors. Ayes- Schulte, DeBoer, Helmers. Nays- Jones, Vande Hoef. Motion carried.