

Sibley, Iowa  
July 26, 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.

Jones moves to approve the July 26, 2022 agenda. Second by DeBoer. All vote aye. Motion carried.

It was moved by Jones, second by Schulte to approve July 12, 2022 minutes. All vote aye. Motion carried.

DeBoer moves to approve the August schedule as follows: August 9<sup>th</sup>, 23<sup>rd</sup>, 26<sup>th</sup> and 30<sup>th</sup> with claims being paid on the 9<sup>th</sup> and the 23<sup>rd</sup>. Second by Jones. Ayes – DeBoer, Jones, Schulte, Helmers. Nay – None. Abstain – Vande Hoef. Motion carried.

The Board discussed the potential for a new ambulance garage. Sande Smith, ambulance coordinator and Dan Bechler, EMA were present. Sande will gather building quotes for a fully insulated building similar in size to the current ambulance shed. Further discussion and consideration will take place once building specs and quotes are received.

Motion was made by Vande Hoef, second by Jones to approve the appointment of the EMS Advisory Board Member as presented. All vote aye. Motion carried.

Bids were review for a Gravel Trailer purchase. It was moved by Schulte, second by Jones to award the bid to Crysteel Truck Equipment in the amount \$54,197. All vote aye. Motion carried.

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

### **RESOLUTION FOR PARTICIPATION IN SS4A GRANT APPLICATION**

#### **Osceola County Resolution No. 5 22/23**

WHEREAS, as part of the new Federal Transportation Bill, Infrastructure Investment and Jobs Act (IIJA), there is over \$1B of roadway safety funding available in the form of Safe Streets and Roads for All (SS4A) grants. To be an eligible applicant for this new safety funding, a county MUST have an eligible Action Plan in place; and  
WHEREAS, the Iowa County Engineers Association (ICEA) plans to apply for a SS4A grant to develop and supply all 99 counties in Iowa with an eligible Action Plan at no cost to the counties. ICEA encourages all 99 counties to participate in this grant application; and

WHEREAS, the Osceola County Board of Supervisors will commit to achieve significant declines in roadway fatalities and serious injuries in Osceola County; and

WHEREAS, the Osceola County Board of Supervisors recognizes the Action Plan and will assist the County Engineer's department in achieving the goal of a dramatic decrease in roadway fatalities and serious injuries and zero roadway fatalities and serious injuries by the years 2030 and 2050, respectively; and

WHEREAS, the Osceola County Board of Supervisors, after consulting with the Osceola County Engineer, desires to participate in a joint SS4A grant to develop and receive an eligible Action Plan for Osceola County.

THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF OSCEOLA COUNTY that this County does hereby request to be included in the statewide SS4A grant to develop Actions Plans for all 99 counties in Iowa.

Resolution adopted this 26 day of July, 2022.

Ayes – Jones, Schulte, Vande Hoef, DeBoer, Helmers. Nay – none. Motion carried. Resolution #5 – 22/23 is approved and adopted this 26<sup>th</sup> day of July, 2022.

It was moved by Jones, second by Helmers to approve the tax sale certificate purchase request in the amount of \$713.50 from 300 Acres, LLC for parcel number 150-090911020. All vote aye. Motion carried.

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

#### **RESOLUTION NO. 6 22/23**

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 and industrial enterprises in the Osceola County Enterprise Park; and

WHEREAS, the County has received a proposal from MBN Pallets LLC (the “Company”) which includes the construction of a new facility for use in the Company’s 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 twenty-one (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 Company of the Property available in the Office of the County Auditor. Proposals shall be due by no later than 12:00 p.m. on August 25, 2022 at the office of the County Auditor at the Osceola County Courthouse, Sibley, Iowa. Each proposal submitted shall set forth the proposed Company’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 a.m., on August 26, 2022, at the Osceola County Courthouse, 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 twenty-one (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 Company, 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 August 26, 2022, 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 26<sup>th</sup> day of July, 2022. Ayes – Jones, Schulte, DeBoer, Vande Hoef, Helmers. Nays – none. Motion carried.

It was moved by Jones, second by Schulte to approve the Nyhart Company Contract for Iowa 509A Actuarial Services. All vote aye. Motion carried.

It was moved by Jones, second by Schulte to approve the NW Iowa Development non-profit contract. All vote aye. Motion carried.

It was moved by Schulte, second by DeBoer to approve the Bright Beginnings non-profit contract. All vote aye. Motion carried.

It was moved by Jones, second by Vande Hoef to approve the CAASA non-profit contract. All vote aye. Motion carried.

It was moved by Jones, second by DeBoer to approve the Homestead Applications. All vote aye. Motion carried.

It was moved by Jones, second by Schulte to approve payments in the amount of \$32,542.36 & 14,303.62 to Schiebout Window & Door. All vote aye. Motion carried.

The Board discussed the courthouse roof repair. McDonald has provided an itemized billing, which has been forwarded to the insurance company.

It was moved by Jones, second by Schulte to approve the certified tax levies. All vote aye. Motion carried.

It was moved by Jones, second by Schulte to approve the payment of the Bosma Water claim. Ayes – Jones, Schulte, DeBoer, Helmers. Nays – none. Abstain – Vande Hoef.

It was moved by Jones, second by DeBoer to approve payment of the balance of the claims. All vote aye. Motion carried.

Ivan Droesler with ISG (via phone), explained the importance for the county to have a county wide utility crossing agreement of drainage facilities. This agreement would require a permit approval for crossing any county facilities for utility purposes such as rural water, pipeline, etc and could provide a guideline for landowners with private tiles to follow. The importance of this is to establish the expectation of a timeline and practice of how hazards would be addressed in relation to county facilities. It was moved by Vande Hoef, second by Schulte to authorize ISG to proceed with a draft agreement for a county wide utility crossing agreement of drainage facilities. All vote aye. Motion carried.

It was moved by Jones, second by DeBoer to approve ISG to work with Brian Yung as legal counsel in conjunction with drafting the county wide utility crossing agreement of drainage facilities. All vote aye. Motion carried.

Stephanie Nepl spoke on behalf of the Osceola County Child Care steering committee. The Osceola County Child Care Initiative Fund is intended to offer funding support for existing child care providers, provide incentive funds for new providers, and help toward capital improvements for new and/or existing daycares. A fund agreement is set to be signed August 10<sup>th</sup>, 2022 and the committee will then launch the fund, which is set up under the Community Foundation of Osceola County. Funds will be solicited, and a threshold will be met before it would be open to applications for funding requests. An advisory board will review and approve application requests accordingly. Nepl shared that the Osceola County Economic

Development Commission board has committed to a \$5,000 donation to the fund and requested the Board also consider joining as an early donor. It was moved by Schulte, second by Vande Hoef to match the EDC donation in the amount of \$5,000. All vote aye. Motion carried.

Vande Hoef confirmed the Board of Health approved the change in wage for Environmental Health.