

Sibley, Iowa  
November 15, 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.

DeBoer moves to approve the November 15, 2022 agenda. Second by Vande Hoef. All vote aye. Motion carried.

It was moved by Schulte, second by Jones to approve November 8, 2022 minutes. All vote aye. Motion carried.

Brian Mino, representing JRJ Hotel Group, LLC presented the Board an updated Assignment of Development agreement with what was discussed at the previous board meeting. It was moved by Schulte, second by Vande Hoef to following the resolution:

RESOLUTION NO 25 22/23

Resolution Consenting to Assignment of Development Agreement and Tax Increment Payments

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

WHEREAS, the County previously authorized and entered into a development agreement (the "Development Agreement") with JRJ Hospitality Group, L.L.C., dated September 15, 2015, in connection with the development, construction and operation of a hotel in the Urban Renewal Area; and

WHEREAS, the County previously authorized the assignment of the Development Agreement to JRJ Hotel Group, LLC (the "Developer Assignor"), dated May 14, 2021; and

WHEREAS, under the Development Agreement, assignment of rights and responsibilities thereunder was made subject to prior consent of the contracting parties; and

WHEREAS, the Developer Assignor has requested that the County consent to the assignment of all of its rights and responsibilities under the Development Agreement to KJSJ, LLC (the "Developer Assignee"); and

WHEREAS, it is now necessary for the County to provide consent to the assignment of the Development Agreement;

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

Section 1. The County hereby consents to the request by the Developer Assignor that all of its rights, including its rights to receive incremental property tax payments, and responsibilities under the Development Agreement be assigned to the Developer Assignee, and the assignment is hereby consented to and approved. The Chairperson and the County Auditor are hereby authorized and directed to execute and deliver any additional documentation and to make any changes thereto as are deemed necessary to carry out the assignment of the Development Agreement to Developer Assignee.

Section 2. Subject to due authorization, execution and delivery of the assignment agreement between Developer Assignor and Developer Assignee; the Developer Assignor is hereby released from all remaining duties to be performed under the Development Agreement, and all remaining communications and payments (except for the payment coming due on December 1, 2022, which payment shall be made to Developer Assignor) to be made with respect to the Development Agreement shall exclusively be directed to the Developer Assignee. The Developer Assignee shall in all ways be substituted into the Development Agreement on the same terms and basis as the Developer Assignor.

Section 3. Nothing contemplated herein shall be interpreted as interfering with the division of incremental property tax revenues and the payments to be funded therefrom as contemplated in the Agreement regardless of the future recipient of such payments.

Section 4. All resolutions or parts thereof in conflict herewith, are hereby repealed, to the extent of such conflict.

Ayes: Schulte, Vande Hoef, Jones, DeBoer, Helmers. Nays: None. PASSED AND APPROVED this November 15, 2022.

The Board discussed beaver bounty fees. Currently the County pays \$35 per beaver in a non-drainage district and \$40 in a drainage district. Vande Hoef stated that if beavers are on private property then he thinks the property owners should be responsible to remove the beavers without getting paid the bounty fee and that discrepancies between drainage and non-drainage districts is unreasonable. Jones moves to continue with the bounty fee as is of \$35 in non-drainage district and \$40 in a drainage district. Second by Schulte. Ayes- Jones, Schulte, DeBoer, Helmers. Nay- Vande Hoef. Motion carried.

The Board received 3 bids for the storage shed. Vande Hoef is abstaining from this discussion since Bosma Water Service was asked to put a plumbing bid in for this project. He did ask for clarity on the plumbing

since it was not specified in the original specs for the building. This discussion was tabled to later in the meeting.

Rob Jacobs and Dave Muilenburg, CFE informed the Board about possible expansion of addition storage tanks in Ocheyedon. CFE is asking for an easement of the former railroad right away to the main railroad line. A survey would need to be done. It was moved by Schulte, second by DeBoer to give CFE an easement for \$ 1.00 and have CFE do the survey. Ayes- Schulte, DeBoer, Jones, Helmers. Nay- Vande Hoef. Motion carried.

Pam Juber, Osceola County Public Health gave a quarterly report of public health services.

Paul Greufe, HR One Source gave a compensation wage matrix presentation.

Vande Hoef did some checking on the complaint of a property owner about the temporary alley that was put in at the ambulance garage. The Board discussed some options. It was moved by Jones, second by Helmers to have the County Attorney draft a letter to send to neighbors, the tenant and property owner addressing them treating the property as an alley. All vote aye. Motion carried.

The Board discussed the storage shed bids again and making an addendum to the original specs to include a sink. Will reach out to the bidders requesting more of an itemized bid to make sure everyone is bidding according to specs. Jones moves to approve the addendum to the original spec to include a sink to the building. Second by Schulte. Ayes- Jones, Schulte, DeBoer, Helmers. Nay- None. Abstain- Vande Hoef. Motion passed.

It was moved by Schulte, second by Jones to approve the appointment of Barb Sievert as auditor clerk and treasurer clerk with a salary of \$37,500. All vote aye. Motion carried.

The board proceeded to conduct the canvass of the General Election held on November 8, 2022. Following county candidates were declared winners: Supervisor District 1 LeRoy E. DeBoer; Supervisor District 3 Michael Schulte; County Treasurer Becky S. Marco; County Recorder Sheila Christians; County Attorney Nolan Michael McGowan; Soil and Water District Commissioner: Alvin Van Wyk and Dennis Monier; County Agricultural Extension Council: Sarah Loerts, Taylor Hibbing, Thomas Croatt, Timothy Nappe, and Lindsey Helmers; County Agricultural Extension Council (to fill a vacancy) Jaime Huls. County of Osceola Public Measure B passed. It was moved by Vande Hoef, second by Jones to approve General Election canvass. All vote aye. Motion carried. Results for Federal and State candidates will be forwarded on to the Secretary of State's Office for the State canvass

Vande Hoef moves to table the compensation wage matrix to a December meeting. Second by Schulte. All vote aye. Motion carried.

It was moved by Schulte, second by Jones. All vote aye. Motion carried.

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Chairman

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Auditor