

Sibley, Iowa
November 8, 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 November 8, 2022 agenda. Second by DeBoer. All vote aye. Motion carried.

It was moved by Jones, second by Vande Hoef to approve October 25, 2022 minutes. All vote aye. Motion carried.

Bids were received for insulation for the ambulance garage from Ymker Insulation Inc for \$24,750 and from Midwest Spray Foam for 3" closed cell for roof and 3" closed cell for gable end walls for \$15,227. Schulte moves to award bid to Midwest Spray Foam for \$15,227. Second by Jones. All vote aye. Motion carried.

The Board met with department heads.

Hugh Lively and Cindy Voss, Rides submitted their annual report. They also requested funding allocation of \$1,400 for FY 23/24 which remains the same as current fiscal year.

Two bids were received for windows and door replacement at the ambulance garage from Custom Windows Plus for \$26,823.04 and Schiebout Window & Door for \$47,367. It was moved by Jones, second by Helmers to award bid to Custom Windows Plus for \$26,823.04. All vote aye. Motion carried.

Brian Mino, representing JRJ Hotel Group, LLC informed the Board that the hotel is being sold effective December 1, 2022 to a KJSJ, LLC. Vande Hoef would like going forward that any legal fees occurred with any transfers of any development agreements that the company shall pay the legal fees associated with the transfer. JRJ Hotel Group, LLC will be paying the March tax installment and \$10,000 to Osceola County Economic Development. The County will rebate JRJ Hotel, LLC the March tax installment then going forward the County will pay KJSK, LLC. Vande Hoef moves to table the approval of resolution # 25 until talk with legal counsel on the discussed changes. Second by Jones. Ayes- Vande Hoef, Jones, DeBoer, Helmers. Nay-Schulte. Motion carried.

Bids were received for a new motor grader as follows: Caterpillar 140 - \$415,990; John Deere 772 - \$404,174; John Deere 672 - \$382,174. The recommendations from the secondary road department was the Caterpillar 140. It was moved by Vande Hoef, second by Helmers to approve the purchase of Caterpillar 140 for \$415,990. Ayes- Vande Hoef, Schulte, Helmers. Nays- DeBoer, Jones. Motion carried

Schulte moves to set November 22, 2022 at 9:30 as the public hearing date Ordinance #61 an Ordinance Providing for the Repeal of County Ordinance #47 Providing for the Division of Taxes Levied on Certain Taxable Property in Osceola County Urban Renewal Area 7. Second by Vande Hoef. All vote aye. Motion carried.

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

RESOLUTION NO. 26 22/23

Resolution Setting Date for a Public Hearing on the Proposal to Incur Non-Current Debt

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 an amount not to exceed \$152,370 (the "Advance") for the purposes of providing an economic development grant to MBN Brothers, LLC under the Grant Assistance Program; and

WHEREAS, pursuant to Section 331.479 of the Code of Iowa, it is now necessary to fix a date of meeting of the Board of Supervisors at which it is proposed to take action to approve the Advance and to give notice thereof as required by such law;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Osceola County, Iowa, as follows:

Section 1. This Board will meet at the Osceola County Courthouse Board Room, 300 7th St., Sibley, Iowa, on November 22, 2022, at 9:45 o'clock a.m., at which time and place a hearing will be held and proceedings will be instituted and action taken to approve the Advances.

Section 2. The County Auditor shall publish notice of said hearing, the same being in the form attached to this resolution, which publication shall be made in a legal newspaper of general circulation in Osceola County, which publication shall be not less than four (4) and not more than twenty (20) days before the date set for the hearing.

Section 3. NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS FOR THE INCURRENCE OF NONCURRENT DEBT IN A PRINCIPAL AMOUNT NOT TO EXCEED \$152,370

(NONCURRENT DEBT)

The Board of Supervisors of Osceola County, Iowa (the "County"), will meet on November 22, 2022, at the Osceola County Courthouse Board Room, 300 7th St., Sibley, Iowa, at 9:45 o'clock a.m., for the purpose of instituting proceedings and taking action on a proposal to incur noncurrent debt (the "Noncurrent Debt") in a principal amount not to exceed \$152,370 for the purpose of funding an economic development grant (the "Grant") to MBN Brothers, LLC under the County's Osceola County Enterprise Park Property Acquisition Grant Assistance Program (the "Grant Assistance Program"). The Grant Assistance Program is being undertaken as an urban renewal project in the County's 2003 Urban Renewal District 1 (Spirit Lake Ethanol, LLC a.k.a. Otter Creek Ethanol, LLC).

At that time and place, oral or written objections may be filed or made to the proposal to incur the Noncurrent Debt. After receiving objections, the County may determine to incur the Noncurrent Debt.

The Noncurrent Debt will be in the form of an internal advance (the "Internal Advance") of funds from the County's General Fund for the payment of costs of funding the Grant under the Grant Assistance Program and shall be repaid in one or more annual installments on or before June 1, 2026. The Noncurrent Debt will be incurred pursuant to authority contained in Chapter 403 and in Section 331.478 and Section 331.479 of the Code of Iowa.

By order of the Board of Supervisors of Osceola County, Iowa.

Rochelle Van Tilburg
County Auditor

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

Section 5. This resolution shall be in full force and effect immediately upon its approval and adoption, as provided by law.

Ayes-Vande Hoef, Jones, Schulte, DeBoer, Helmers. Nay- None. Passed and approved November 8, 2022.

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

Amended Resolution#21 22/23

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 \$28,275.63 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 8, 2022.

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: Aye- Jones, DeBoer, Vande Hoef, Schulte, 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 8, 2022.

It was moved by Vande Hoef, second by Jones to approve the following resolution with the change that under the Sheriff be changes to Iowa State Bank instead of Melvin Savings Bank:

RESOLUTION #27-22/23

RESOLUTION NAMING DEPOSITORIES

BE IT RESOLVED by the Board of Supervisors of Osceola County, Iowa:

That we do hereby designate the following named banks to be depositories of the county funds in amounts not to exceed the amounts shown opposite each of said designated depositories and the Osceola County Ambulance, Assessor, Recorder, Sheriff and Treasurer are hereby authorized to deposit said county funds in amounts not to exceed in the aggregate the amounts named for said banks as follows, to-wit:

Name of Depository	Location	Maximum Deposit Under Prior Resolution	Maximum Deposit Under This Resolution
Ambulance:			
Iowa State Bank	Melvin	75,000.00	125,000.00
Assessor:			
Sibley State Bank	Sibley	10,000.00	10,000.00
Recorder:			
Sibley State Bank	Sibley	100,000.00	100,000.00
Sheriff:			
Iowa State Bank	Melvin	200,000.00	200,000.00
Treasurer:			
US Bank (Sibley Branch)	Minneapolis	3,500,000.00	1,500,000.00
Sibley State Bank	Sibley	4,000,000.00	6,000,000.00
Ashton State Bank	Ashton	1,500,000.00	1,000,000.00
Iowa State Bank	Melvin	6,000,000.00	9,000,000.00
United Community Bank	Ocheyedan	500,000.00	500,000.00

The vote on the resolution is as follows: Ayes: Vande Hoef, Jones, DeBoer, Schulte, Helmers. Nays: None. DATED at Sibley this 8th day of November, 2022.

Payroll registers from November 2nd, 4th, and 7th were reviewed.

Jones moves to approve claim# 721 to Bosma Water Service. Second by DeBoer. Ayes-Jones, DeBoer, Schulte, Helmers. Nay-None. Abstain- Vande Hoef. Motion carried. It was moved by Jones, second by Helmers to approve the remainder of the claims. All vote aye. Motion carried.