

Sibley, Iowa
June 13, 2023

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

Vande Hoef moves to approve the June 13, 2023 agenda. Second by Jones. All vote aye. Motion carried.

It was moved DeBoer, second by Helmers to approve June 6, 2023 minutes. All vote aye. Motion carried.

Jones moves to approve William F. Alland Post# 7373 class c retail alcohol license. Second by Helmers. All vote aye. Motion carried.

Jones moves to approve G20 Bridge Iowa DOT Federal Aid Agreement. Second by Vande Hoef. All vote aye. Motion carried.

The Board met with department heads.

Nolan McGowan, County Attorney explained the Iowa Code section 331.207 pertaining to the petition that was filed to call for a special election to vote on supervisor representation plans. After discussing this matter. It was moved by VandeHoef to renew the motion to accept the petition and call for a special election. Second by Schulte. Ayes- Vande Hoef, Schulte. Nays- Jones, Helmers, DeBoer. Motion did not pass. Jones moves to call for a special election on August 1, 2023 to vote on supervisor's representation plans. Second by Helmers. All vote aye. Motion carried.

The Board received two bids to reside the ambulance garage from Konz Brothers Construction, LLC for \$41,400 and Home Improvement Center for \$40,111. It was moved by Vande Hoef, second by Helmers to approve the bid to Konz Brothers Construction, LLC. All vote aye. Motion carried.

DAK Landholding, LLC request for an urban renewal amendment was discussed. After talking to bond counsel at Ahlers and Cooney, PC they need to know what the Board's intent is before can proceed with the amendment to the urban renewal area. Jones would like for DAK Landholding to exhaust any grants or revolving loans available to them before proceeding to amend the urban renewal plan.

Jones moves to suspend the regular meeting and enter into a joint drainage district # 64 and #65 completion public hearing. Second by Helmers. All vote aye. Motion carried.

It was moved by Helmers, second by DeBoer to enter into the regular board meeting. All vote aye. Motion carried.

Ivan Droessler, ISG explained there was an error on their part when calculating interest which caused an excess fund reserve for drainage districts #9 and #43. ISG consulted with legal counsel Brian Yung on what options the Board has to refund the landowners. Per Iowa Code 468.61 since more than one-half of the assessments have been paid but not all of the assessments have been paid the Board can refund 50% of the landowners their assessments paid.

Spencer Pech, ISG presented two draft resolutions regarding drainage district utility and pipeline construction easement. The template for these resolutions came from Iowa Drainage Associations and Brian Yung, legal counsel reviewed the resolutions. ISG will set up a time at the upcoming board meeting with Brian Yung to finalize and approve those resolutions.

ISG has worked with Sharon Wolter, Assessor to get her shape files on all of the rights-of-way in the drainage districts so she can take them off the tax rolls. ISG is recommending getting record on file for the right-of-way in the drainage ditches. They could do maps and are estimating a cost around \$7,000 with cost identified and assessed to districts. Jones moves to approve to update the right-of-way maps for the drainage districts and outside boundaries of the drainage districts. Second by Helmers. All vote aye. Motion carried.

It was moved by Jones, second by Helmers to have ISG proceed with legal counsel to do a drainage district wetland mitigation policy to be paid out of the General Fund. Ayes- Jones, Helmers, DeBoer, Schulte. Nay- Vande Hoef. Motion carried.

Ivan Droessler, ISG explained to the Board that since O'Brien County annexed lands from Osceola County into O'Brien County drainage district #5 per code since crossed county lines it should have been a joint

drainage district between the two counties. Droessler suggested the board talks to the O'Brien County regarding this matter.

Maggie Burger, Speer Financial had a conference call with the Board. She presented several different preliminary debt schedules for the jail remodel project.

After receiving more information on the bids for residing the ambulance garage it was discovered that Konz Brothers Construction, LLC bid did not include soffit and fascia gutters. Vande Hoef moves to reconsider the bids for siding the ambulance garage. Second by Jones. All vote aye. Motion carried. It was moved by Vande Hoef, second by Jones to approve the bid to Home Improvement Center for \$40,111. All vote aye. Motion carried.

Helmerts talked to the land manager regarding the level b road in section 31 of Harrison Township. He wanted to know the difference of closing versus vacating a road. They would like to farm to the middle of the road but if not allowed to do that then would like the road to be maintained. Keith Brann, Engineer told the Board that O'Brien County maintains that road.

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

Resolution #52-22/23
Assessment of Drainage Districts

WHEREAS, the Board of Supervisors of Osceola County, Iowa in session on the 13th day of June, 2023, 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, #22, #25, #39, #64 & #65 and their corresponding laterals/branches as listed below 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.

<u>D.D. #:</u>	<u>%:</u>	<u>\$:</u>	<u>D.D. #:</u>	<u>%:</u>	<u>\$:</u>
#1 Main OD	29.50%	\$2,130.73	#22 Main OD	10.50%	\$2,151.91
#25 Main OD	51.00%	\$2,193.00	#39 Main Tile	26.32%	\$26,840.16
#39 Lat 1	8.50%	\$8,559.62	#39 Lat 2	6.00%	\$6,215.09
#64 Main OD	265.10%	\$265,100.03	#64 Br 1	9.42%	\$942.00
#64 Br 2	8.01%	\$801.00	#64 Br 3	9.65%	\$964.99
#64 Br 4	7.36%	\$736.00	#64 Br 5	9.57%	\$957.01
#64 Br 6	8.52%	\$851.99	#64 Br 7	7.92%	\$792.00
#64 Br 8	11.27%	\$1,126.99	#65 Main OD	114.13%	\$114,131.13
#65 Main Tile	4.80%	\$4,810.01			

Ayes: - Helmerts, Jones, Vande Hoef, DeBoer, Schulte. Nays: - None. Motion carried. Resolution #52-22/23 is approved and adopted this 13th day of June, 2023.

Payroll registers from May 31, June 2, and June 5 were reviewed.

Jones moves to approve claims #2094 and # 2095 to Bosma Water Service. Second by Helmerts. Ayes- Jones, Helmerts, DeBoer, Schulte. Nay-None. Abstain-Vande Hoef. Motion carried. It was moved by Jones, second by Helmerts to approve the remainder of the claims. All vote aye. Motion carried.