

Sibley, Iowa  
November 14, 2023

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

DeBoer moves to approve the November 14, 2023 agenda. Second by Helmers. All vote ayes. Motion carried.

It was moved by Jones, second by Schulte to approve the October 24, 2023 minutes. All vote aye. Motion carried.

Nick Schmalen, Weed Commissioner presented the 2023 weed commissioner report. Vande Hoef moves to approve the 2023 weed commissioner report. Second by DeBoer. All vote aye. Motion carried.

It was moved by Helmers, second by Jones to approve the 2024 weed commissioner certification. All vote aye. Motion carried.

The Board met with department heads.

Jones moves to approve truck shop contract with Graves Construction. Second by Helmers. All vote aye. Motion carried.

It was moved by Vande Hoef, second by Schulte to enter into closed session under Iowa Code 21.5 (1) (c) to discuss strategy regarding pending litigation with Dorsey and Whitney. Ayes-Vande Hoef, Schulte, Helmers, Jones, DeBoer. Nays-none. Motion carried.

Vande Hoef moves to enter into regular session. Second by DeBoer. Ayes- Vande Hoef, DeBoer, Helmers, Jones, Schulte. Nays -None. Motion carried.

It was moved by Jones, second by Helmers to approve Kwik Star #1165 class E retail alcohol license. All vote aye. Motion carried.

Vande Hoef was contacted by the City of Sibley for a letter of support from the county to have Ragbrai stay overnight in Sibley. Vande Hoef has received input from the county engineer and sheriff. The sheriff has concerns about the man power it would take to have Ragbrai overnight in Sibley. Vande Hoef moves to do a letter of support from the county. Second by Helmers. All vote aye. Motion carried.

It was moved by Vande Hoef, second by Schulte to reappoint Tom Wietzema and Karen Simington as the Board of Supervisors' representation on the compensation board. Ayes-Vande Hoef, Schulte. Nays-Jones, Helmers, DeBoer. Motion did not pass due to lack of support.

The Board discussed the DAK Landholding amendment to the development agreement. There was some confusion as some board members thought the county was terminating the original agreement and starting over with a new development agreement. Also, there were questions on the aggregate total in the amount not to exceed \$130,000 was questioning if should have in the agreement what was already paid in tax rebate. Vande Hoef moves to approve the Amendment to the development agreement with DAK Landholdings, LLC. Second by Schulte. Ayes- Vande Hoef, Schulte. Nays- Jones, Helmers, DeBoer. Motion did not pass due to a lack of support.

Vande Hoef asked how the Board is going to proceed with DAK Landholding development agreement. Jones will reach out to legal counsel with concerns the Board had with agreement.

Daniel Den Boer, Director of Operations and Sara Espey, Domestic Violence Victim Advocate for Osceola and O'Brien Counties from Family Crisis Center gave their yearly report and FY 24/25 funding request of \$3,500 which is the same as current fiscal year.

It was moved by Helmers, second by Jones to approve the bid from Bogenrief, Inc for \$16,000 to repair the center stain glass window. All vote aye. Motion carried.

Jones moves to approve bid from Renodry for \$19,838. Second by DeBoer. All vote aye. Motion carried.

The contractor for the new storage shed is waiting for the electrician before they can finish up the project. The Board discussed the old salt shed whether to fix it up or have that shed along with the white shed removed. It was moved by Vande Hoef, second by Jones to run an ad in the spring to have the two old buildings moved off property. Ayes-Vande Hoef, Jones, DeBoer, Schule. Nays-Helmrs. Motion carried.

Since the jail bond measure passed the Board's legal counsel suggested a conference call with a couple of supervisors, auditor, sheriff, and bond financial advisor. Jones and Schulte will be joining the conference call once it is scheduled.

At 11 am the Board canvassed the results from the City/School Election held on November 7, 2023 with following declared elected: Ashton Mayor- Patrick H. DeVries; Ashton Council John Corbett, Mark VanderPol; Harris Mayor- Russell Meier; Harris Council James M. Morgan, Amy Muftah, Tammie Coenen; Melvin Mayor Paul Heitritter; Melvin Council Chris Michelson, Amy S. Baker; Ocheyedan Mayor Arlyn Duane Pedley; Ocheyedan Council Kevin L. Hertz, Travis Boeke, Jeremy Wulf; Sibley Council at Large Lynelle Thiner; Sibley Council Ward 2 Joshua Tangeman; Sibley-Ocheyedan School Director District 2 Jennifer Braun; Sibley-Ocheyedan School Director District 5 Kristen Beyer.

The results of the George-Little Rock, Harris-Lake Park, Hartley-Melvin-Sanborn, Sheldon Schools and Northwest Iowa Community College were canvassed. They will be sent to the respective control counties for the final canvass.

Vande Hoef moves to approve the canvass results from the City/School election held on November 7, 2023 and the election cost of \$13,727.61. Second by Jones. All vote aye. Motion carried.

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

R E S O L U T I O N #18 23/34

WHEREAS, the Board of Supervisors of Osceola County, State of Iowa, heretofore did legally call a special election held on November 7, 2023, and submitted thereat to the registered voters of the County, the following special measure proposition:

SHALL THE COUNTY OF OSCEOLA, STATE OF IOWA, ISSUE ITS GENERAL OBLIGATION BONDS OR GENERAL OBLIGATION CAPITAL LOAN NOTES IN AN AMOUNT NOT EXCEEDING THE AMOUNT OF \$5,000,000 FOR THE PURPOSE OF DESIGNING, ERECTING, RECONSTRUCTING, EXTENDING, EQUIPPING AND FURNISHING OF THE EXISTING OSCEOLA COUNTY LAW ENFORCEMENT CENTER INCLUDING PARTIAL DEMOLITION AND RELATED SITE IMPROVEMENTS?

WHEREAS, legal, sufficient and timely notice of the submission of the proposition at the election and of the date and hours of the election, and of the voting precinct or precincts thereof, with their corresponding polling place or places, was duly published and a correct and complete copy of such proposition was posted at each polling place or places during the day of election throughout the hours thereof, all in strict compliance with the orders of the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF OSCEOLA COUNTY, STATE OF IOWA:

Section 1. That it is hereby found, determined and declared: First - That said election was held and conducted in each of the voting precincts or precinct of the County at the respective polling place or places, pursuant to due notice, and in strict compliance with law, and that the proposition and the vote thereon complies with law. Second - That at said election, on the proposition above set out, there were cast 1201 ballots, of which 762 votes were cast "YES" and 414 votes were cast "NO" and 25 ballots were cast blank or defectively marked, the vote by precinct or precincts being as set forth and abstracted in the official tally list a copy of which is attached hereto.

That the total number of persons voting in all precincts at the election on the date, as is shown by the election registers and poll tally lists, was 1201.

Third - Neither the above proposition nor any proposal incorporating any portion thereof, was submitted to the registered voters of such County within the six months preceding the date of the election canvassed hereby.

Section 2. That the proposition and the results of the vote thereon, shall be entered at large in the minutes book, all in conformity with Chapter 50, and in particular Section 50.24 of the Code of Iowa.

Section 3. That a copy of this Resolution, the Abstract of Votes and the original tally lists, are hereby delivered to the Commissioner of Elections for filing as required by law. Ayes- Jones, Helmers, DeBoer, Vande Hoef, Schulte. Nay-None. All vote aye Motion carried.

Payroll registers from November 1st, 3<sup>rd</sup>, and 6<sup>th</sup> were reviewed.

Jones moves to approve claim# 841 to Bosma Water Service. Second by Helmers. Ayes- Jones, Helmers, DeBoer, Schulte. Nay- None. Abstain-Vande Hoef. Motion carried. It was moved by Helmers, second by DeBoer to approve the remainder of the claims. Motion carried.