

**September 8, 2015**

The Mahaska County Board of Supervisors met in regular session on the above date at 9:00 a.m. in the third floor conference room of the Mahaska County courthouse. Present were the following board members: Chairman ó Mark Doland; Vice chairman ó Henry VanWeelden; Member ó Mike Vander Molen. Also present were Danielle Lunsford, Osky Herald; Ginger Allsup, Osky News; Eduardo Zamarripa, Jason Madison, CRI; Dave Sedivec, Mahaska County Conservation Director; Peggy Wright, Mahaska County Conservation Board; Ben Hoskinson, IRVM; Andrew Jensen, MCDG; Dale Brand, Co-Line Welding; Dave Shanahan, County Engineer; Julie Bak, Mid-Iowa Behavioral Health; Steve VanMaanen; Kaden VanMaanen and Susan Brown, Mahaska County Auditor.

This meeting was filmed by Communications Research Institute of William Penn University.

Chairman Doland opened the meeting at 9:00 a.m. with a moment of silence.

It was moved by VanWeelden seconded by Vander Molen to approve the agenda for today's meeting. All present voted aye. Motion carried.

It was moved by VanWeelden seconded by Vander Molen to open 9:00 a.m. public hearing regarding proposal to enter into Development Agreement with Welders Shield LLC and Co-Line Welding, Inc. All present voted aye. Motion carried.

Andrew Jensen spoke in support of this project for MCDG and the economic development perspective for the county and area.

It was moved by Doland seconded by VanWeelden to close public hearing. All present voted aye. Motion carried.

It was moved by Vander Molen seconded by VanWeelden to approve the following resolution. All present voted aye. Motion carried.

Resolution #2015-09-25

**RESOLUTION APPROVING AND AUTHORIZING  
EXECUTION OF A DEVELOPMENT AGREEMENT BY AND AMONG  
MAHASKA COUNTY, THE WELDERS SHIELD LLC, AND CO-LINE, INC.**

WHEREAS, by Resolution No. 2015-06-19, adopted June 15, 2015, this board found and determined that certain areas located within the County are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Northwest Urban Renewal Plan (the "Plan") for the Northwest Urban Renewal Area (the "Urban Renewal Area" or "Area") described therein, which Plan as amended, is on file in the office of the Recorder or Mahaska County; and

WHEREAS, it is desirable that properties within the Area be redeveloped as part of the overall redevelopment area covered by said Plan; and

WHEREAS, the County has received a proposal from The Welders Shield LLC (the "Developer"), in the form of a proposed Development Agreement (the "Agreement") by and among the County, the Developer, and Co-Line Welding, Inc. (the "Tenant") pursuant to which, among other things, the Developer would agree to construct certain Minimum Improvements (as defined in the Agreement) on certain real property located within the Northwest Urban Renewal Area as defined and legally described in the Agreement and consisting of the construction of a 120,000 square foot addition to the existing south factory building to be used for factory and warehouse space, as well as a training facility, together with all related site improvements, as outlined in the proposed Development Agreement; and

WHEREAS, the Agreement further proposes that the County will make up to fifteen (15) consecutive annual payments of Economic Development Grants to Developer consisting of 100% of the Tax Increments pursuant to Iowa Code Section 403.19 and generated by the construction of the Minimum Improvements, the cumulative total for all such payments not to exceed the lesser of \$991,000, or the amount accrued under the formula outlined in the proposed Development Agreement, under the terms and following satisfaction of the conditions set forth in the Agreement; and

WHEREAS, one of the obligations of the Tenant relates to employment retention and/or creation; and

WHEREAS, Iowa Code Chapters 15A and 403 authorize counties to make loans and grants for economic development in furtherance of the objectives of an urban renewal project and to appropriate such funds and make such expenditures as may be necessary to carry out the purposes of said Chapters, and to levy taxes and assessments for such purposes; and

WHEREAS, the Board has determined that the Agreement is in the best interests of the County and the residents thereof and that the performance by the County of its obligations thereunder is a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law and, further, that the Agreement and the County's performance thereunder is in furtherance of appropriate economic development activities and objectives of the County within the meaning of Chapters 15A and 403 of the Iowa Code taking into account any, or all of the factors set forth in Chapter 15A, to wit:

- a. Businesses that add diversity to or generate new opportunities for the Iowa economy should be favored over those that do not.
- b. Development policies in the dispensing of the funds should attract, retain, or expand businesses that produce exports or import substitutes or which generate tourism-related activities.
- c. Development policies in the dispensing or use of the funds should be targeted toward businesses that generate public gains and benefits, which gains and benefits are warranted in comparison to the amount of the funds dispensed.
- d. Development policies in dispensing the funds should not be used to attract a business presently located within the state to relocate to another portion of the state unless the business is considering in good faith to relocate outside the state or unless the relocation is related to an expansion which will generate significant new job creation. Jobs created as a result of other jobs in similar Iowa businesses being displaced shall not be considered direct jobs for the purpose of dispensing funds; and

WHEREAS, pursuant to notice published as required by law, this Board has held a public meeting and hearing upon the proposal to approve and authorize execution of the Agreement and has considered the extent of objections received from residents or property owners as to said proposed Agreement; and, accordingly the following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That the performance by the County of its obligations under the Agreement, including but not limited to making of loans and grants to the Developer in connection with the development of the Development Property under the terms set forth in the Agreement, be and is hereby declared to be a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law and, further, that the Agreement and the County's performance thereunder is in furtherance of appropriate economic development activities and objectives of the County within the meaning of Chapters 15A and 403 of the Iowa Code, taking into account the factors set forth therein.

Section 2. That the form and content of the Agreement, the provisions of which are incorporated herein by reference, be and the same hereby are in all respects authorized, approved and confirmed, and the Chairperson and the County Auditor be and they hereby are authorized, empowered and directed to execute, attest, seal and deliver the Agreement for and on behalf of the County in substantially the form and content now before this meeting, but with such changes, modifications, additions or deletions therein as shall be approved by such officers, and that from and after the execution and delivery of the Agreement, the Chairperson and the County Auditor are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Agreement as executed.

PASSED AND APPROVED this 8<sup>th</sup> day of September, 2015.

s/Mark Doland, Chairperson, Board of Supervisors

Attest: s/Susan L. Brown, County Auditor

Dale Brand expressed appreciation to the Board for their work and willingness to move forward with this project.

It was moved by VanWeelden seconded by Vander Molen to approve minutes from August 17<sup>th</sup> meeting. All present voted aye. Motion carried.

It was moved by VanWeelden seconded by Vander Molen to approve August bills totaling \$603,864.46. All present voted aye. Motion carried.

It was moved by Vander Molen seconded by VanWeelden to approve five day Class C liquor license (Commercial) for Cater 2 U beginning 10/03/2015 and expiring on 10/17/2015. All present voted aye. Motion carried.

It was moved by Vander Molen seconded by VanWeelden to approve twelve month Class B Native Wine Permit for Frisian Farms Cheese expiring September 15, 2016. All present voted aye. Motion carried.

It was moved by Vander Molen seconded by VanWeelden to approve two payroll changes submitted by Sheriff's department. Thomas Holdsworth as a part-time jailer beginning August 20<sup>th</sup>, 2015 at \$11.00/hour with no benefits. Jonathon Angove as full-time jailer beginning August 24<sup>th</sup>, 2015 at \$36,000/year with benefits. All present voted aye. Motion carried.

It was moved by Vander Molen seconded by VanWeelden to approve the following resolution. All present voted aye. Motion carried.

Resolution # 2015-09-26

A Resolution to Approve Agreement with Iowa DOT for a Living Roadway Trust Fund Grant for Counties

BE IT RESOLVED BY THE MAHASKA COUNTY BOARD OF SUPERVISORS to:

Section 1. Approve the agreement with the Iowa DOT for a Living Roadway Trust Fund Grant for a spray/hydroseeding truck; and

Section 2. Authorize the Chairperson of the Board of Supervisors to execute the agreement on behalf of the County.

PASSED, APPROVED AND ADOPTED this 8<sup>th</sup> day of September, 2015.

s/Mark Doland, Chairperson, Mahaska County Board of Supervisors

Attest: s/Susan L. Brown, Mahaska County Auditor

Conservation Director, Dave Sedivec, discussed with the board a possible land acquisition the conservation board is considering.

It was moved by Vander Molen seconded by VanWeelden to accept the bid for auction services submitted by Steve Weller to sell equipment owned by Country Life/Mahaska County. All present voted aye. Motion carried.

It was moved by Doland seconded by Vander Molen to leave employee benefit eligibility as is for dental, vision and life at a 37.5 hr/week threshold rather than follow Affordable Care Act requirements at 30/hr week. Doland ó aye. VanWeelden ó nay. Vander Molen ó aye. Motion carried.

Discussion held regarding requested waiver of setback distance for livestock confinement building. Supervisor VanWeelden will check with county attorney as to allowing a variance to Ordinance #35.

It was moved by Vander Molen seconded by Doland to control all cross intersections in the county. Doland ó aye. VanWeelden ó did not vote. Vander Molen - aye. Motion carried.

Hazardous Material drop off site locations were discussed. A DNR representative will be contacted to attend the next Mahaska County Solid Waste Commission meeting.

A decision from the appeal hearing held on August 31<sup>st</sup> regarding the continuance of Mid Iowa Behavioral Health Region has not been received at this time.

Public Comments: None

It was moved by Vander Molen seconded by VanWeelden to adjourn. All present voted aye. Motion carried.

Attest: \_\_\_\_\_  
Susan L. Brown  
Mahaska County Auditor

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Mark Doland  
Mahaska County Board of Supervisors