

November 20, 2017

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 Mark Groenendyk. Also present were Amanda DeVore, CRI; Angie Holland, Osky Herald; Miranda Keeler, KBOE; Ken Allsup, Osky News; Dave Sedivec, Conservation Director; John Hansen; Jeremy Oden; Mike Adkins; Russ VanRenterghem, Sheriff; Dave Shanahan, Engineer; Jim Blomgren, Co Attorney; Beth Danowsky; Tim Flaherty; Alven Meppelink; 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 Groenendyk seconded by VanWeelden to approve agenda. All present voted aye. Motion carried.

Public Comments: Co Attorney asked for special meeting to act on changing a part time position in his office to full time as he seeks a replacement staff person. Board will meet Wed., Nov 22, at 9:00 a.m.

It was moved by VanWeelden seconded by Groenendyk to approve minutes from November 6th and 9th meetings. All present voted aye. Motion carried.

Dave Sedivec, Conservation Dir., gave monthly report and it was placed on file. John Hansen from Midwest Construction Consultants also provided an update on Environmental Learning Center construction progress. Grading complete, footings poured, underground electric in process. Should begin installation of precast panels later in December.

It was moved by VanWeelden seconded by Doland to add the following current Mahaska County Sheriff Reserve officers to payroll in the sheriff's department as part time employees for occasional shift coverage: John Doty, Jim Arment, Jon Holmes and Mark Roorda. Rate will be \$10.00 per hour. Effective immediately. All present voted aye. Motion carried.

It was moved by Groenendyk seconded by VanWeelden to approve hiring and adding to secondary road payroll Andrew Rust as maintenance and equipment operator starting at 90% of position salary \$19.63/hr with six month probation and Jacob Bell as motor grader operator starting at 90% of position salary \$19.89/hr with six month probation. All present voted aye. Motion carried.

It was moved by VanWeelden seconded by Groenendyk to approve 28E agreement with Iowa DOT for new shared salt facility. All present voted aye. Motion carried.

It was moved by VanWeelden seconded by Doland to deny request for personal use of Truax County Shop building. All present voted aye. Motion carried. Board will work with county attorney to draft policy for facility use.

It was moved by VanWeelden seconded by Groenendyk to disallow two Business Property Tax Credit applications for FY2017 as recommended by assessor. Both were classed as multi-residential. All present voted aye. Motion carried.

It was moved by VanWeelden seconded by Groenendyk to approve the following amendment. All present voted aye. Motion carried.

AMENDMENT No. 1
to
AGREEMENT FOR PRIVATE DEVELOPMENT

THIS AMENDMENT NO. 1 (öAmendmentö) to that certain Agreement for Private Development dated September 1, 2015, by and between Mahaska County, Iowa, The Welders Shield LLC, and Co-Line Welding, Inc. (öOriginal Agreementö) is made and entered into on or as of the 15th day of November, 2017 (the öEffective Dateö), by and between MAHASKA COUNTY, IOWA, a municipality (the öCountyö), THE WELDERS SHIELD LLC, an Iowa limited liability company (the öDeveloperö), and CO-LINE WELDING, INC., an Iowa corporation (the öTenantö).

WHEREAS, the parties previously executed the Original Agreement, which obligates the Developer to build certain Minimum Improvements on Development Property in the Northwest Urban Renewal Area more particularly described as:

Lot 6 Brand Subdivision, a subdivision of the NW fractional quarter of Section 4, Township 77 North, Range 17 West of the 5th P.M., Mahaska County, Iowa

Parcel No. 0104100024 in Mahaska County; and

WHEREAS, pursuant to the Original Agreement, the Developer is obligated to lease the Minimum Improvements to Tenant and Tenant is obligated to employ employees therein; and

WHEREAS, in exchange for and conditioned on the Developer and Tenant complying with the obligations and terms of the Original Agreement, the Original Agreement sets forth a schedule of Economic Development Grants to be paid to Developer; and

WHEREAS, the Economic Development Grants are not scheduled to begin until the Minimum Improvements are fully assessed and the Developer files an Annual Certification with the County showing the same; and

WHEREAS, the Minimum Improvements have not yet been fully assessed; and

WHEREAS, the Original Agreement provides that certain costs incurred by the County related to the drafting, adoption, and execution of the Original Agreement and the Urban Renewal Plan for the Northwest Urban Renewal Area (öCounty Costsö) will be reimbursed by Developer at the time the first Economic Development Grant(s) are paid under the terms of the Original Agreement; and

WHEREAS, the County has incurred \$14,200 in County Costs to date, and anticipates it may incur additional costs prior to the completion of the Project; and

WHEREAS, the parties agree that the County should expedite the reimbursement of the County Costs prior to the making of the first Economic Development Grant by certifying those costs for reimbursement through tax increment financing pursuant to Section 403.19 of the Code of Iowa; and

WHEREAS, such certification will establish a base value for the Development Property under Section 403.19 of the Code of Iowa.

NOW THEREFORE, the parties agree as follows:

1. All capitalized terms used herein and not specifically defined herein shall have the same definitions as in the Original Agreement.

2. Section 10.5(a) of the Original Agreement is hereby deleted and a new Section 10.5(a) is inserted in lieu thereof as follows:

öa. At any time, the County may certify as indebtedness under Section 403.19 of the Code of Iowa an amount equal to the actual costs incurred by the County in connection with the drafting and adoption/execution of the Urban Renewal Plan and the Agreement (including any amendment thereto), including, but not limited to publication fees for legal notices, actual costs associated with County Board of Supervisors meetings, and reasonable planning and legal fees of the County, associated with the negotiation, drafting, and authorization of the Agreement, any amendment thereto, and preparation and adoption of the Urban Renewal Plan. The County shall be entitled to utilize up to \$25,000 of the available Tax Increments to reimburse itself for said costs even if such utilization of the Tax Increments results in a reduction in the amount of the first Economic Development Grant(s) to be paid to the Developer.ö

3. The terms and provisions of the Original Agreement not otherwise modified or amended by this Amendment remain in full force and effect. To the extent that there are any conflicts between the Original Agreement and this Amendment, this Amendment shall govern. The parties do hereby ratify and affirm the Original Agreement as amended by this Amendment.

4. This Amendment may be executed in two or more counterparts, each of which shall be deemed an original, but all of which taken together shall constitute one and the same agreement. A signed copy of this Amendment delivered by facsimile, email or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Amendment.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be duly executed on or as of the Effective Date.

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

RESOLUTION NO. 2017-21

RESOLUTION AUTHORIZING ADVANCEMENT OF COSTS FOR AN URBAN RENEWAL PROJECT AND CERTIFICATION OF EXPENSES INCURRED BY THE COUNTY FOR PAYMENT UNDER IOWA CODE SECTION 403.19

WHEREAS, the County of Mahaska, Iowa has adopted the Northwest Urban Renewal Plan, as amended (the "Plan") for the Northwest Urban Renewal Area (the "Urban Renewal Area") for the purpose of undertaking urban renewal projects, including the project described as Administrative Costs, (the "Project") within the Urban Renewal Area; and

WHEREAS, the Project is located in the Urban Renewal Area; is described on page 6 of the Plan; does not exceed the projected Project cost estimate on page 6 of the Plan; and, in the judgment of the Board will further one or more of the objectives of the Plan. Therefore, the Project constitutes a public use and purpose as provided by Iowa Code Chapters 15A and 403; and

WHEREAS, the County intends to advance or has advanced costs from the General Fund to pay costs associated with the Project, and thereafter reimburse said fund with tax increment; and

WHEREAS, before approving an urban renewal project for reimbursement with tax increment, it is necessary to make certain findings under Chapter 403; and

WHEREAS, it is the intention of the County to certify the amount of funds advanced for reimbursement under Iowa Code Section 403.19 before December 1, 2017; and

WHEREAS, the amount of funds advanced or to be advanced for the Project is currently estimated at \$14,200.00.

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

Section 1. Pursuant to Ordinance No. 14 - , there has been established the Northwest Urban Renewal Area ó TIF Fund (the "Tax Increment Fund"), into which all incremental property tax revenues received from the Urban Renewal Area, as amended, are deposited. The Board finds the Project to be an Urban Renewal Project as defined in Iowa Code Chapter 403, and further finds that said Project is included in the Plan for the Urban Renewal Area.

Section 2. It is hereby directed that the total costs for the Project advanced from time to time from the General Fund in order to pay the costs of the Project shall be treated as an internal loan (the "Loan") from the Tax Increment Fund and the General Fund shall be reimbursed the total actual Project cost from the Tax Increment Fund.

Section 3. All Project costs to be incurred for the Project are approved, to be advanced as described in Section 2. The Project is currently estimated to cost approximately \$14,200.00.

Section 4. Certification for reimbursement under Iowa Code Section 403.19 shall be made by the Board on or before December 1, 2017.

ADOPTED AND PASSED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF MAHASKA, STATE OF IOWA, this 20th day of November, 2017.

It was moved by Groenendyk seconded by VanWeelden to reappoint the following four representatives to the Mahaska County Solid Waste Commission for 2018: Peggy Wright, John Jacobs, Alan DeBruin and Mark Groenendyk. All present voted aye. Motion carried.

Committee reports: Supervisor Doland reported all positions at Chamber office are now filled. Meetings are quarterly with all four groups. Mental Health region is creating a task force to identify some expanded core services. Will be spending down balance in fund.

Public Comments: None

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

Attest: _____
Susan L. Brown
Mahaska County Auditor

Mark Doland
Mahaska County Board of Supervisors