

The Office of Mills County Auditor
Carol Robertson
Mills County Courthouse
Glenwood, IA

The Board of Supervisors met this 26th day of April 2022, at the Mills County Courthouse in Glenwood with Supervisors Richard Crouch, Lonnie Mayberry, and Carol Vinton present.

Motion by Crouch, seconded by Mayberry to approve the consent Agenda, and minutes as corrected from April 19, 2022 and the liquor license renewals for KLK Enterprises, d/b/a Lake Ohana Market for a Class C Liquor with Sunday Sales. Motion carried on vote: Ayes: 3, Nays: 0.

Deputy Assistant County Attorney Ryan Dale was present along with; Fred Van Sant, Mark & Rhonda Walenz and Joe Foreman, Glenwood Opinion Tribune. Rusty Hobart did not show up for his scheduled appointment. Van Sant spoke first regarding the concerns he has as a neighbor near the Landfill. Van Sant recognized the high wind blowing trash but that was not the only time things have blown on people's property in the subdivision across the road or along highway 34. Van Sant said the amount of traffic entering the landfill has at least doubled since last year. Tickets need to be issued to the trucks. Chief Deputy England was present and stated the IDOT had ticketed one of the trash haulers and took the truck out of service, it's hard to catch them day to day. Supervisor Crouch mentioned he had contacted the IDOT in Pacific Junction and was told they do not have enough manpower to pick up the trash along Hwy 34 which belongs to the State. Crouch also contacted DNR, EPA and IDOT in Council Bluffs and Atlantic. Justin Franks of Iowa Waste Systems was unable to attend the meeting this morning because he was out of town but talked with the Supervisors and let them know they were doing the best they could and plan to hire more people to assist with clean up and stated that they are contemplating closing down when winds are 40 mph or more. Also, a tree Company was hired to try and help with the bags in the trees. Supervisor Vinton felt that if they spent more time tarping both in and out of the facility, we would not be seeing the amount of trash along the road. The Walenz's also commented the amount of items that have landed in their yards from things that have blown out of the trucks of bio waste and personal identity items and Supervisor Crouch suggested they contact Public Health specifically regarding the biohazard items. Mr. Walenz thought that if the Board of Supervisors would be willing to send a stern letter to the owners of the landfill along with letters to DNR and the Governor. If the County could implement stronger fees and court costs for littering would also maybe start hitting the trucker's pocket books and they may start to try more preventative measures of keeping things covered both entering and leaving the landfill.

Jacob Ferro, Engineer joined the session at this time for his scheduled meeting. Ferro reported that he had no utility permits for this week.

Motion by Crouch, seconded by Mayberry to approve the amended driveway variance at the recommendation of the Engineer to change the minimum site distance to 280' per site distance requirements and place a 25-mph advisory sign of the curve for future safety concerns. Motion carried on vote: Ayes: 3, Nays: 0.

Motion by Mayberry, seconded by Crouch to approve a driveway variance for Alan Hughes parcel #0025000000, it does not meet the separation distance in the County ordinance; solution to this if the farmer is in favor, an extension to extend the culvert will work. Motion carried on vote: Ayes: 3, Nays: 0.

Motion by Mayberry, seconded by Crouch to approve the request from the Engineer to purchase and have installed an electronic gate for the Secondary Roads facility which includes the gate, one operator, 10 remotes and a Fire Department lock box from Aksarben Fence in the amount of \$7,010.85. Motion carried on vote: Ayes: 3, Nays: 0.

During general discussion, the Engineer proposed updating the fees for utility permits by offering some options and discussion with the board. Ferro explained they still have not received the Grader that was ordered in September and the pickups ordered in November and since these were budgeted in the current fiscal year if he could potentially pay for them out of this budget

year. The Auditor will contact the State Auditor's office for guidance but because the Engineer's budget carries over each year, the ability to budget amend in next fiscal year should not be a problem because generally the Auditor's do not allow you to pay for something you have not received. The Auditor will get back to the Engineer when she has an answer. Ferro told the Supervisors his next Safety meeting will be May 18th.

Patrick Binns, IT Director, and Chief Deputy Josh England joined the session at this time to open bids for the Jail Control System. Bids are as follows: 1) Corvinus Corp. LLC out of Wheat Ridge, Colorado \$214,600 2)Montgomery Tech Systems LLC out of Greenville, Alabama \$157,565 3) Electronic Contracting LLC out of Omaha, Nebraska in the amount of \$201,978.53. Binns will look over the bids and return later in the agenda for an action item.

Jerad Getter, Conservation Director joined the session at this time to request the board to allow Conservation to plant the County buyout property located at 18049 Gaston Ave in native prairie grasses. Just north of this property is ground being managed by DNR. There has been some interest in this ground by a local farmer too, Getter explained he would like it to be in crop for the next couple of years so that it could effectively work well planted to the native grasses. Getter stated he would contact a couple of farmers in the area to see if they would want to plant it in crops. Motion by Mayberry, seconded by Crouch to authorize Getter to contact the farmers in that area and see if there is an interest in farming it and proceed with planting it in the native grasses. Motion carried on vote: Ayes: 3, Nays: 0.

Motion by Mayberry, seconded by Crouch to approve Resolution 22-10A the amendment to Resolution to 22-10 with corrections. Motion carried on vote: Ayes: 3, Nays: 0. Roll call vote: Crouch, Aye, Mayberry, Aye, Vinton Aye.

RESOLUTION 22-10A

A RESOLUTION TO MODIFY FEES AUTHORIZED BY MILLS COUNTY BUILDING CODE ORDINANCE

WHEREAS, Resolution 09-06, passed by the Mills County Board of Supervisors on February 3, 2009, created a Comprehensive Schedule of Fees for Mills County, Iowa.

WHEREAS, Resolution 21-23, passed by the Mills County Board of Supervisors on July 20, 2021, established an updated Comprehensive Schedule of Fees for Mills County, Iowa.

WHEREAS, Resolution 21-28, passed by the Mills County Board of Supervisors on September 28, 2021, established an updated Comprehensive Schedule of Fees for Mills County, Iowa.

WHEREAS, the Building Permit Fee Schedule, Attachment "A" of the Comprehensive Schedule of Fees, updates the fees authorized by the Mills County Building Code Ordinance.

WHEREAS, the Zoning Permit Fee Schedule, Attachment "B" of the Comprehensive Schedule of fees, updates the fees authorized by the Mills County Building Code Ordinance to be effective July 1, 2022.

WHEREAS the Mills County Board of Supervisors finds it to be in the best interest of Mills County to adjust building permit fees.

THEREFORE BE IT RESOLVED by the Mills County Board of Supervisors that the Building Permit Fee Schedule will be amended as set out in Attachment "A."

THEREFORE, BE IT RESOLVED by the Mills County Board of Supervisors that the Zoning Permit Fee Schedule will be amended effective July 1, 2022 as set out in Attachment "B".

Approved this 26th day of April, 2022.

ATTACHMENT A

BUILDING PERMIT FEES

PERMIT TYPE	FEE
Carports:	\$50.00
Lean to/Awning:	\$50.00
Demolition:	\$75.00
Decks, Covered Patios, and Porches:	\$100.00
Above Ground Pool:	\$50.00
Inground Pool:	\$500.00
Accessory Structures (including garages):	
Less Than 200 Sq Ft.	No permit required
200 Sq. Ft. – 1,000 Sq Ft.	\$300
1,001 Sq. Ft. or Greater	\$500
Each additional finished area i.e., full bathroom, recreational room, office space, etc.	\$100 per room
New Residences:	
Single-Family Residence	\$1,000
Multi-Family Residence (2+ units)	\$1,000 first unit + \$250.00 per additional unit
Residential Addition to Existing Structure:	
	\$500.00
Residential Interior Renovation:	
	\$250.00
Mobile/Modular/Manufactured Homes:	
	\$250.00
Mobile Home in Mobile Home Park:	
	\$150.00
Relocation of Existing Structure:	
	\$500.00
Signs:	
Wall; Projecting; Window:	\$100.00
Directional; Pole; Monument:	\$500.00
Commercial Structures:	
	One percent of valuation and a minimum permit fee of \$300
Permanent Structured Gate:	
	\$100.00
Permanent Grandstand Seating:	
	\$100.00
Communication Towers:	
New Towers:	\$2,500.00
Existing Towers:	\$1,000.00
Generators:	\$500.00
Solar Energy Systems:	
Residential:	\$100.00
Commercial:	
System Size: 0-50 kilowatts (kW-dc)	\$300.00
51-100 kilowatts (kW-dc)	\$500.00
101-500 kilowatts (kW-dc)	\$1,000.00
501 - 1000 kilowatts (kW-dc)	\$3,000.00
1001 - 2000 kilowatts (kW-dc)	\$6,000.00
> 2000 kilowatts (kW-dc)	\$200.00 for each additional 0-100 kilowatts (Maximum of \$10,000.00)

ATTACHMENT B
ZONING PERMIT FEES
TO BE EFFECTIVE JULY 1, 2022

PERMIT TYPE	FEE
Conditional Use Permit	\$350.00
Conditional Use Permit for Resource Extraction	\$450.00
Variance	\$300.00
Zoning District Amendment	\$500.00

Motion by Mayberry, seconded by Crouch to approve Resolution 22-12 Allocation of American Rescue Plan Account Funds as Lost Revenue. Motion carried on vote: Ayes: 3, Nays: 0. Roll call vote: Crouch, Aye, Mayberry, Aye, Vinton, Aye.

Resolution 22-12

RESOLUTION ALLOCATING AMERICAN RESCUE PLAN ACT FUNDS

WHEREAS, in March 2021, the federal government established the American Rescue Plan Act of 2021 (ARPA) which included the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) to provide state, local and Tribal governments with the resources needed to respond to the pandemic and its economic effects; and

WHEREAS the U.S. Department of the Treasury issued an Interim Final Rule implementing the SLFRF program on May 10, 2021, which included replacing lost revenue to County governments, and

WHEREAS, on January 6, 2022, the Treasury issued final rules for the SLFRF program, including authorization for counties to allocate up to \$10,000,000 of their total SLFRF allocation as lost revenue to spend on government services.

NOW, THEREFORE, BE IT RESOLVED, that the Mills County Board of Supervisors approves allocating its total SLFRF allocation in the expected amount of \$2,759,698 as lost revenue to spend on government services.

HEREBY RESOLVED by the Mills County Board of Supervisors this 26th day of April, 2022.

Motion by Mayberry, seconded by Crouch to approve Gax#85 CDBG 13-NDRI-008 in the amount of \$22,447. Motion carried on vote: Ayes: 3, Nays: 0.

Patrick Binns, IT Director & Chief Deputy Josh England rejoined the session to award the bid for the Jail Control System. Motion by Mayberry, seconded by Crouch to award the bid to Electronic Contracting Inc of Omaha, NE in the amount of \$201,978.53 who was the only local bidder and could give a 2-hour response time to troubleshoot any problems. Both of the other vendors were more than a 2-hour response time. Motion carried on vote: Aye: 3, Nays: 0.

Jill Ford, Treasurer joined the session to request the board approve Resolution 22-13 to abate penalties on a Mills County Tax Sale #2008-0819.

Motion by Mayberry, seconded by Crouch to approve Resolution 22-13. Motion carried on vote: Ayes: 3, Nays: 0. Roll Call vote: Crouch, Aye, Mayberry, Aye, Vinton, Aye.

Resolution 22-13

The Mills County Board of Supervisors sitting in session on this 26th day of April 2022 upon recommendation from the Treasurer and as per Senate file 478 and IA Code 445.16 shall abate the interest and penalties on the following described property and direct the County Treasurer to strike the amount due from the County system: The Mills County Treasurer recommends that the interest and penalties pertaining to Kruse, Gail, 502 Indian Ave. Lots Four Hundred Forty (440) and Four Hundred Forty-one (41) located in the town of Hastings, Iowa; East Mills School District in Mills County, IA., parcel # 100480000000000, in the amount of \$34,659.00 be abated for Mills County held Tax Sale 2008-0819 and tax years 2008-2021. Motion by Mayberry, seconded by Crouch to approve and accept the agreement for Assignment of 502 Indian Ave, Hastings from Sites Cultivation LLC in the amount of \$17,410.43 which includes abatement of the interest. Motion carried on vote: Ayes: 3, Nays: 0.

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There being no further business to come before the Board, they adjourned to meet on May 3, 2022.

Carol Vinton, Chair

ATTEST: _____
Carol Robertson, Auditor