

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

The Board of Supervisors met this 2nd day of May 2023, at the Mills County Courthouse in Glenwood with Supervisors Lonnie Mayberry, Carol Vinton and Richard Crouch present. The meeting opened with the Pledge of Allegiance.

Motion by Crouch, seconded by Vinton to approve the Consent Agenda to amend agenda to add a Resolution number to go along with Comprehensive Plan that was inadvertently missed, Minutes as presented from April 25, 2023 and a Liquor License renewal for MID-AM Racing Corp, 19340 Jesup Avenue, PJ, Special Class C Retail Alcohol License for 8 months. Motion carried on vote: Ayes: 3, Nays: 0

Visitors Jennie Davis and Brad Myer were present for the meeting.

Jennie Davis wished to thank Chief Deputy Josh England and Deputy Farnan for providing a deputy for the Bike ride last Sunday. Chief England was given late notice of the need and Deputy Farnan came in on his day off to help. Bikers rode from Glenwood to Plattsmouth, or Plattsmouth to Glenwood, where both cities had Fire Department Pancake feeds.

Jacob Ferro, Mills County Engineer, was present for his scheduled meeting. Motion by Vinton, seconded by Crouch on approval to sign 2023 FM Rock Plans for 32.18 miles for rock. There will be a bid letting May 9th. Motion carried on vote: Ayes: 3, Nays: 0

Motion by Crouch, seconded by Mayberry for approval for Chair to sign Department Transfer form for Part Time Office Assistant Audra Krueger. Motion carried on vote: Ayes: 3, Nays: 0

Ferro informed the Board the Gaston Ave project is in full force at this time. Supervisor Crouch told Ferro he has had nothing but good comments on the Bunge Road. Paddock project starts this week.

Bill Good, Tobey Jack's, joined the meeting for his scheduled meeting. Good, requested Board approval on road closures due to events he has scheduled. Bike with Mike, suicide awareness on June 10th, ½ road closure; June 29th Fireworks with partial road closure; and August 19th a 4-Band -J Allen and others from 2pm-11pm full road closure. Motion by Vinton, seconded by Mayberry to approve requests. Motion carried on vote: Ayes: 3, Nays: 0

Bonnie Millsap was present for her scheduled meeting with the Board. Millsap shared concerns about the proposed development of the GRC property. She feels there is more potential for the campus and prefers not tearing down buildings. Millsap discussed the area's need for a 24/7 clinic as well as a Veteran's home. She sent a letter to the Governor to express her concerns.

Josh England, Chief Deputy, was present for his meeting. Motion by Vinton, seconded by Crouch to approve Resolution 23-21 Increase Fees for Jail Room and Board Fees. Motion carried on Roll call vote: Crouch – Aye, Mayberry – Aye, Vinton – Aye

Resolution 23-21
A RESOLUTION TO AMEND THE FEES FOR
JAIL ROOM AND BOARD FEES

WHEREAS, the Mill's County Sheriff's Office expends a substantial amount of money housing inmates; and

WHEREAS, it is the best interest of Mills County, Iowa for the Mill's County Sheriff's Office to increase the room and board fees for housing inmates; and

WHEREAS, the increased fee will reimburse the Mill's County Sheriff's Office for additional fees incurred for meals and care costs of inmates; and

WHEREAS, the Mills County Board of Supervisors met on May 2, 2023 to consider and approve said fee increase for the housing of inmates.

NOW, THEREFORE, BE IT
RESOLVED BY THE MILLS
COUNTY BOARD OF SUPERVISORS

That the Mills County Board of Supervisors hereby authorizes the Mills County Sheriff's Office to increase the fee from the current Sixty (\$60.00) per day to Eighty (\$80.00) per day for inmate room and board housing.

Said Resolution becomes effective upon passage, approval and publication by law.

Approved this 2nd day of May 2023.

Travis Oetter, Sheriff, entered for his meeting. Motion by Crouch, seconded by Vinton to purchase replacement vehicle due to hail damage. The vehicle has been totaled in the amount of \$17,000 awaiting the amount on replacement from insurance. Motion carried on vote: Ayes: 3, Nays: 0

Motion by Vinton, seconded by Crouch to open the Public Hearing at 10:05 a.m. for the Budget Amendment FY22-23 hearing. Motion carried on Roll call vote: Crouch – Aye, Mayberry – Aye, Vinton – Aye

There were no questions written or Oral received during or prior to the meeting.

Motion by Crouch, seconded by Vinton to close the Public Hearing at 10:08 a.m. for Budget Amendment FY22-23 hearing. Motion carried on Roll call vote: Crouch – Aye, Mayberry – Aye, Vinton – Aye

Motion by Crouch, seconded by Vinton to approve Resolution 23-22 FY22-23 Budget Amendment. Motion carried on Roll call vote: Crouch – Aye, Mayberry – Aye, Vinton – Aye

RESOLUTION 23-22

BE IT REMEMBERED on this 2nd day of May 2023, the Mills County Board of Supervisors met in session for the purpose of amending the current operation budget. There was present a quorum as required by law. Thereupon the Supervisors found that the notice of time and place of hearing has, according to law, been published in County papers, and that the affidavits of publication thereof were on file with the County Auditor. Thereafter, and on said date the amendment was taken up and considered and taxpayers heard for or against the amendment as follows:

EXPENDITURES:

Public Safety & Legal Services	from \$5,146,978 to \$5,234,129
County Environment & Educ	from \$2,153,850 to \$2,157,968
Roads & Transportation	from \$7,353,569 to \$7,879,651
Administration	from \$6,144,755 to \$6,184,312

Total Expenditures from \$23,963,266 to \$29,620,174 Including Transfers

REVENUES:

Miscellaneous	from \$265,865 to \$329,300
---------------	-----------------------------

Total Revenues & Other Sources from \$23,955,816 to \$24,019,251

The amendment does not increase the taxes to be collected in the fiscal year ending June 30, 2023. The Mills County Board of Supervisors does hereby approve the following changes of appropriations for the 2022-2023 fiscal year:

Holly Jackson, Building and Zoning, Chris Shires, Confluence, INC, David Levy, Attorney Baird Holm were all present for the Public Hearing.

Motion by Crouch, seconded by Vinton to open the Public Hearing at 10:18 a.m. for the Building & Zoning Renewable Chapter hearing. Motion carried on Roll call vote: Crouch – Aye, Mayberry – Aye, Vinton – Aye

Visitors in attendance were Michael Cressner, ORION Renewables, Karen Seipold, Mills County Resident, Andrew Rainbolt, MCEDF, and Sazzy Gourley, ORION Renewables.

Karen Seipold, Mills County Resident, addressed the Board on concerns she has with renewable energy, both with wind and solar. Seipold requested the Board to do more research on these topics before signing any contracts. Attorney David Levy explained the Board has no authority over individual landowners and contracts they may sign, if following our codes and ordinances. Procedures today are to adopt guidelines for renewables, such as solar, to protect the county and the constituents. These guidelines need to be in place, so the county isn't taken over with renewables. At least with guidelines the people have more control over where solar may or may not be utilized.

Motion by Crouch, seconded by Vinton to close the Public Hearing at 10:55a.m. for Building & Zoning Renewable Chapter hearing. Motion carried on Roll call vote: Crouch – Aye, Mayberry – Aye, Vinton – Aye

Motion by Crouch, seconded by Vinton to approve Resolution 23-24 Adding a Renewable Energy Chapter to the current Comprehensive Plan. Motion carried on Roll call vote: Crouch – Aye, Mayberry – Nay, Vinton – Aye

RESOLUTION NO. 23-24

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF MILLS COUNTY, IOWA,
APPROVING AND ADOPTING A RENEWABLE ENERGY CHAPTER AS PART OF THE
COMPREHENSIVE PLAN OF MILLS COUNTY, IOWA**

WHEREAS, Mills County, Iowa, (the "County") desires to create long-range plans for its future and adopt standards by which to regulate solar energy systems; and,

WHEREAS, the County hired a professional consulting firm to review the County's existing plans, analyze its existing conditions, meet with members of the general public, and prepare a new chapter on Renewable Energy for incorporation into the County's adopted Comprehensive Plan; and,

WHEREAS, public input for this new chapter on Renewable Energy was obtained through an online community survey and at four separate public workshops; and,

WHEREAS, the process to create the new chapter on Renewable Energy was led by a steering committee of community leaders and stakeholders; and,

WHEREAS, the Mills County Planning and Zoning Commission held a meeting on April 12, 2023, to review the new chapter on Renewable Energy and receive public comment; and,

WHEREAS, the Planning and Zoning Commission at their April 12, 2023, meeting passed a resolution recommending the Mills County Board of Supervisors approve and adopt the new chapter on Renewable Energy as part of the Comprehensive Plan of Mills County; and,

WHEREAS, the Board of Supervisors held a duly noticed, public hearing on May 2, 2023, to review the new chapter on Renewable Energy, receive public comment, and consider the recommendation of the Planning and Zoning Commission.

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

1. The new chapter on Renewable Energy, as presented at the Board meeting held on May 2, 2023, is hereby approved and adopted as part of the official Comprehensive Plan of Mills County, Iowa.

ADOPTED this 2nd day of May 2023.

Motion by Vinton, seconded by Crouch to open the Public Hearing at 11:00 a.m. for the Building & Zoning Amendment of Chapter 27-Sec 12 Solar Energy Systems – Ordinance #23-02 hearing. Motion carried on Roll call vote: Crouch – Aye, Mayberry – Aye, Vinton – Aye

Motion by Vinton, seconded by Crouch to close the Public Hearing at 11:04a.m. for Building & Zoning Amendment of Chapter 27-Sec 12 Solar Energy Systems – Ordinance #23-02 hearing. Motion carried on Roll call vote: Crouch – Aye, Mayberry – Aye, Vinton – Aye

Motion by Crouch, seconded by Vinton to approve First Reading of Ordinance #23-02 Adopt an Amendment of Chapter 27-Sec 12 Solar Energy Systems – Ordinance #23-02 of Mills County Ordinances for Solar Energy. Motion carried on Roll call vote: Crouch – Aye, Mayberry – Nay, Vinton – Aye

Motion by Vinton, seconded by Crouch to waive the Second and Third Reading. Motion did not carry on Roll call vote: Crouch – Nay, Mayberry - Nay, Vinton – Aye
The Second and Third Readings will be rescheduled for May 9th.

Patrick Binns, IT Director, joined the meeting for his scheduled appointment. KPE Representatives & Kiernan Scott, Public Health Director, were present. There were two bids, (1) Building Crafts Inc of Red Oak, IA, in the amount of \$934,000 with an alternate bid of \$41,000; (2) Kingery Construction of Lincoln, NE, in the amount of \$749,000 with an alternate bid of \$41,000. KPE will take back the bids and look them over, bids were higher than anticipated. Bids will be brought back on the agenda next week for either approval or determine if we need to make changes and potentially put back for rebidding.

Steve Poole, Head Building and Grounds Supervisor, was present for his scheduled meeting. Three bids were received for the bathroom remodel. (1) Silver Creek Renovations, LLC, in the amount of \$49,875.00; (2) Ideal Construction Co, Omaha, in the amount of \$59,272.00; and (3) Pinnacle Construction Co. in the amount of \$106,455.00. Decision was tabled asking Poole to contact the bidders to request their dates from start to finish. Start date would begin from when all products are ordered and inhouse.

Elizabeth Richardson, Veteran's Affairs Director, was present for her meeting to update the Board regarding her department. Operation Recognition is a program started to recognize thousands of young men and women across the country who left high school to serve in the

armed forces. Their sacrifice ensured our freedom and shaped the course of history throughout the world. After the wars ended, many of these veterans were not able to finish high school for various reasons, but led productive lives and built our communities over their lifetime. This is an overdue gesture of our nation's gratitude for the sacrifices these individuals made. Washington State Legislature passed three bills to issue high school diplomas to veterans of WWII, Korea and Vietnam.

Jill Ford, Treasurer, was present for her scheduled meeting with the Board. Ford informed the Board of a trailer resident that hasn't paid taxes since 2004 on a 1989 trailer and has been in tax sale. Ford learned the resident passed away and the family is looking at paying this off from proceeds from life insurance.

Motion by Vinton, seconded by Crouch to approve Resolution 23-18 County Held Tax Sale on mobile home on Gingry Lane. Fire in April 2022 and is no longer there. Motion carried on Roll call vote: Crouch – Aye, Mayberry – Aye, Vinton – Aye

Resolution 23-18

The Mills County Board of Supervisors sitting in session on this 2nd day of May 2023 upon recommendation from the Treasurer and as per Senate file 478 and IA Code 445.16 shall abate the taxes, 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 taxes pertaining to the 1984, Schult, Mobile Home owned by Michael Glen Adams.; VIN # 191996; Mills County Title #65AA92457; located at Lot 33 Gingry Lane; Mobile Home Park 56752 255 St, LLC formerly Timber Ridge Mobile Home Park; Glenwood, IA; Mills County. The Mills County Treasurer recommends Mills County Tax Sale 2022-22307 be cancelled in the amount of \$404.00 (Tax Sale \$326.00 plus interest \$ 78.00) and taxes be abated in the amount of \$126.00 for taxes 2022-2023; and penalty in the amount of \$14.00. Total abated amount \$544.00.

Per the Mobile Home manager, the mobile home was removed over a year ago, due to a fire in April 2022. The lot is now vacant.

Motion by Vinton, seconded by Crouch to approve Resolution 23-19 Mobile Home Demo Abate Taxes at 56752 255th LLC formerly Timber Ridge Mobile Home Park; formerly Fuoss MHP; Glenwood, IA; Mills County . County has not received taxes on it since 2021. Home removed a year ago. Motion carried on Roll call vote: Crouch – Aye, Mayberry – Aye, Vinton – Aye

Resolution 23-19

The Mills County Board of Supervisors sitting in session on this 2nd day of May 2023 upon recommendation from the Treasurer and as per Senate file 478 and IA Code 445.16 shall abate the taxes, 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 taxes pertaining to the 1969, SKL, Mobile Home owned by Bernard W. Hoer.; VIN # SE2138C; Mills County Title #65W044338; located at Lot 25 Gingry Lane; Mobile Home Park 56752 255 St, LLC formerly Timber Ridge Mobile Home Park; formerly Fuoss MHP; Glenwood, IA; Mills County. The Mills County Treasurer recommends the taxes be abated in the amount of \$216.00 for taxes 2021-2023; and penalty in the amount of \$43.00. Total abated amount \$259.00.

Per the Mobile Home manager, the mobile home was removed over a year ago, and the lot is now vacant.

Motion by Vinton, seconded by Crouch to approve Resolution 23-20 Mobile Home Tax Sale County Held, 2013 Tax Sale home is no longer there. Motion carried on Roll call vote: Crouch – Aye, Mayberry – Aye, Vinton – Aye

Resolution 23-20

The Mills County Board of Supervisors sitting in session on this 2nd day of May 2023 upon recommendation from the Treasurer and as per Senate file 478 and IA Code 445.16 shall abate the taxes, 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 taxes pertaining to the 1978, Clifton Deluxe, Mobile Home owned by Kasey Luther Johnson.; VIN # J81RG5175J7511302; Mills County Title #65AA25557; located at Lot 54 Genns Lane; Mobile Home Park 56752 255 St, LLC formerly Timber Ridge Mobile Home Park; formerly Fuoss MHP; Glenwood, IA; Mills County. The Mills County Treasurer recommends Mills County Tax Sale 2013-13016 be cancelled in the amount of

\$1,299.00 (Tax Sale \$382.00 plus interest \$917.00) and taxes be abated in the amount \$1,425.00 for taxes 2013-2023; and penalty in the amount of \$1193.00. Total abated amount \$3,917.00

Per the Mobile Home manager, this Mobile Home is no longer there. The lot is being occupied by a newer mobile home with a different owner.

The Board of Supervisors met as Trustees of the Chantry Drainage District at this time. The Board would like the district to levy 15% and will table it until next week when they have the amount. There is a limited amount of money in the fund and the Board has not done a levy on the district for several years. The amount of the levy option will be presented at the next board meeting.

There being no further business to come before the Board, they adjourned to meet on Tuesday, May 9, 2023.

Lonnie Mayberry, Chair

ATTEST:

Carol Robertson, Auditor