

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

The Board of Supervisors met this 28th day of September 2021, at the Mills County Courthouse in Glenwood with Supervisors Richard Crouch and Lonnie Mayberry present. Supervisor Carol Vinton was present via telecommunication from a conference in Texas.

Motion by Mayberry, seconded by Vinton to approve Consent Agenda, minutes from September 21st, and Accounts Payables as presented. There was a liquor license renewal for Love's for a Class C Beer and Class B Wine with Sunday sales. Motion carried on a vote: Ayes: 3, Nays: 0

Mills County Engineer, Jacob Ferro was present for the next items on the agenda. Utility permit reports included: TelCom Construction on Gaston Ave fiber to home; MidAmerican Energy on 360th, Lambert Ave, 390th St., and Ellington Ave to replace poles.

Ferro's next item on the agenda was to request that the Board approve driveway variance for 57050 Glover Rd. Site distance was the reason for denial. This is a low volume road, and he could receive one around the corner. This request is a better option. Motion by Mayberry, seconded by Crouch to approve driveway variance. Motion carried on a vote: Ayes: 2, Nays: 0

Assistant Co Attorney Tyler Loontjer, Holly Jackson & Audra Krueger-Bldg & Zoning Dept joined the meeting at this time. Discussion regarding Pease Road repair options was next on the agenda, looking for new barrow sites due to restriction in the Loess Hills. Loontjer recommended using 195th Street-maintenance is acceptable use. Also, the 190th Street barrow, if mixed would be good use. No action was taken, this was just discussion.

During General Discussion, the Board discussed the potential of having the Engineer be the inspector for the CO₂ gas line going through. Engineer Ferro will attend the public meeting on October 11th for more information. Also, Ferro explained they have taken out the fence posts, and he will visit with Julie Lynes to see where she would like the fence and still accommodate the Secondary Roads yards. Ferro has not had an opportunity to secure bids for a replacement building.

Next item on agenda is Resolution 21-28 Establish Comprehensive Permit Fee Schedule. Motion by Mayberry, seconded by Vinton to approve Resolution 21-28. Motion carried on vote: Ayes 3, Nays 0 Roll Call vote: Mayberry Aye, Crouch Aye, Vinton Aye.

RESOLUTION 21-28
A RESOLUTION TO ESTABLISH 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, 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 Mills County Board of Supervisors resolved that the Building and Zoning Department will no longer make required inspections, but instead will accept reports of inspections by approved agencies or individuals pursuant to Mills County Ordinance 24.1.11;

WHEREAS, the Mills County Board of Supervisors finds it to be in the best interest of Mills County to reduce 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”.

Next item on agenda is contract for incomplete electrical projects. We have 75 incomplete electrical permits. Pottawattamie County and the State will not look at anything that is already started. Potential of asking Darin Whatcott either through Pott Co or separately. Loontjer felt this is the best option. Motion by Vinton, seconded by Mayberry to authorize County Attorney to contact Whatcott to see if he will finish these electrical permits only. Motion carried on vote: Ayes 3, Nays 0

Motion by Vinton, seconded by Mayberry to approve the Asst Co Attorney to put together an ad for Mowing & Cleanup of County-Owned Buyout Properties. Motion carried on vote: Ayes 3, Nays 0

Motion by Mayberry, seconded by Vinton to approve Resolution 21-30. Motion carried on vote: Ayes 3, Nays 0 Roll Call vote: Mayberry Aye, Crouch Aye, Vinton Aye.

RESOLUTION 21-30

RESOLUTION ADOPTING CERTAIN POLICIES, RULES, AND REGULATIONS FOR THE PERFORMANCE OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, Mills County desires to implement improvements to their water system located within Hamburg, Iowa; and,

WHEREAS, Mills County was awarded \$2,914,912.00 through the Iowa Economic Development Authority, Community Development Block Grant Program, Project #19-DRMB-004, in which to complete this work; and,

WHEREAS, Mills County must adopt certain policies and abide by certain rules and laws during the performance of this project.

NOW THEREFORE BE IT RESOLVED by the Mills County Board of Supervisors as follows:

Mills County hereby adopts the following policies and statements and authorizes and directs the Board Chairman to sign the same:

- Mills County - Code of Conduct
- Mills County - Procurement Policy
- Mills County - Equal Opportunity Policy
- Mills County - Excessive Force Requirements
- Mills County - Affirmative Fair Housing Policy
- Mills County - Residential Anti-Displacement and Relocation Assistance Plan

Upon signature, said policies shall become and remain effective for the duration of the CDBG project. In the event any policy shall be at conflict with an existing Mills County policy, the above-referenced policies will be applicable exclusively for and to the CDBG project. Existing Mills County policies will remain in full force and effect as enacted for all other projects.

Josh England, Chief Deputy Sheriff joined the session to request approval for a second lead jailer for night supervisor. England has contacted Pottawattamie Co for assistance with questions for interviewing. Motion by Mayberry, seconded by Vinton to approve second lead jailer position since it has been budgeted for. Motion carried on vote: Ayes 3, Nays 0

Bradley Gardner, Natural Resources District Conservationist joined the session to discuss Pony Creek Watershed inspection results. The County is required to maintain these structures along with the Watershed Board. Gardner provided the Board of Supervisors with a printout showing the assessment of maintenance needed in the various areas. No action was taken, discussion only.

Supervisor Vinton left the session briefly.

Motion by Mayberry, seconded by Crouch to authorize Chair to Sign 28E Agreement Malvern Communication Services. Motion carried on vote: Ayes 2, Nays 0

An error was made, and St. Johns Evangelical Lutheran Church was accidentally placed on the tax rolls instead of just the parsonage. The request to abate the church taxes are being requested. Motion by Mayberry, seconded by Crouch to approve Resolution 21-29 Abatement of Taxes. Motion carried on vote: Ayes 2, Nays 0 Roll Call vote: Mayberry Aye, Crouch Aye, Vinton Absent

Resolution 21-29

The Mills County Board of Supervisors sitting in session on this 28th day of September, 2021 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 property St. Johns Evangelical Lutheran Church located in rural Hastings, Iowa in Mills County, IA., parcel # 090800000000000, in the amount of \$984.00 be abated for the 2021-2022 assessment. This property was taxed in error and shall be exempt from taxes going forward.

Craig Nakamoto & Attorney Matt Woods joined the session. Mr. Nakamoto provided the Board of Supervisors on his desire to put his subdivision in an Urban Renewal area to develop more and use the incremental values between 2020 & 2021 to pay the potential \$1,786,249.28 in infrastructure costs. There were a couple questions raised regarding the actual dollar amount and if there were fluctuations in expenditures and also if it is acceptable to use lots as a legal description. The Auditor will forward these questions on to John Danos at Dorsey & Whitney. Supervisors Crouch and Mayberry are in favor of moving forward on a 10-year rebate with Mr. Nakamoto once he gets his questions answered.

Recorder Lu Anne Christiansen joined the session to request approval for digitizing records in the amount of \$70,905.00. The Board said that this can be paid with APRA funding. However, these funds will not be available for spending until a budget amendment is in place on October 26th. Christiansen will contact Cott Systems and see if this contract can be signed now without the funds to accompany. This will be put on the agenda next week.

Larry Hurst came in to request APRA funds to assist with amplifiers for the Courthouse, Glenwood Police Dept, and Jail to assist in communications within the buildings. A study was done previously and for safety purposes this would be an acceptable expense to fund with those dollars. Hurst provided bids. The Board will take into consideration. Hurst also polled all the fire chiefs regarding a burn ban. It was determined the majority felt it was a good idea especially until harvest is complete.

There being no further business to come before the Board, they adjourned to meet on October 5, 2021.

Richard Crouch, Chair

ATTEST:

Carol Robertson, Auditor