

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

The Board of Supervisors met this 9th day of November 2021, at the Mills County Courthouse in Glenwood with Supervisors Richard Crouch, Lonnie Mayberry, and Carol Vinton present.

Motion by Vinton, seconded by Mayberry to approve the November 9, 2021 Consent Agenda and Accounts Payables, and minutes from October 26th as presented. There were no liquor license renewals. Motion carried on a vote: Ayes: 3, Nays: 0

Ken Demlow with HR Green explained that the Broadband project did not go quite as well. HR Green could not get the plans from their consultants for the project but still did inspections on the project. Demlow shared photos taken of the inspections, and changes to be made were given to the contractors. The photos that are time and date stamped will be retained by the County for future reference on this project. Demlow feels transport line is done, and we should be receiving a bill. Demlow felt MP Nexlevel did a great job.

Mills County Engineer Jacob Ferro was next on agenda. There was one utility permit for Telcom on 380th Street for 650' of cable to pole.

Motion by Mayberry, seconded by Vinton to approve payment to HGM for progress on design of Paddock Ave Bridge in the amount of \$8,861.64 to be paid from FM funds. Motion carried on a vote: Ayes: 3, Nays: 0

Motion by Mayberry, seconded by Vinton to approve variance on entrance permit for Dollar General to give them no less than 150' for driveway. Motion carried on a vote: Ayes: 3, Nays: 0

During General Discussion, Ferro stated we are still waiting for the contractor to do the retaining wall on Barrus Road to shave the bank down for site distance. Ferro also updated they were still taking applications for Matt McManigal's position. Engineer is putting together the job description for IVRM position that he hopes to hire this spring. He is also looking at the replacement of some trucks and will bring before the Board soon.

Sheriff Travis Oetter joined the session. Motion by Mayberry, seconded by Vinton to start the process for hiring jailers. Motion carried on a vote: Ayes: 3, Nays: 0

Motion by Vinton, seconded by Mayberry to start the process for hiring a replacement for Trent Walker who is retiring and to hire Spencer Rice who has passed all pre-employment testing beginning November 29, 2021 at a salary of \$54,542.00. Motion carried on a vote: Ayes: 3, Nays: 0

Motion by Vinton, seconded by Mayberry to approve a promotion for Kathryn Hartley from Jailer to Night Lead Jailer effective November 21, 2021 at a salary of \$44,456.00. Motion carried on a vote: Ayes: 3, Nays: 0

Motion by Mayberry, seconded by Vinton to approve the purchase of radar units at a price of \$1,900.00 for two units. Motion carried on a vote: Ayes: 3, Nays: 0

Sheriff Oetter updated the Board on two recent drug busts.

Larry Hurst-Emergency Management Agency/E911 Director joined the session regarding Emergency Management Request for Funding Support from County's American Rescue Fund (ARP) Allocation for Bi-Directional Amplifier (BDA) Project to Install Equipment in Mills County Sheriff's Facility & Courthouse to Correct RF Coverage Deficiencies. The costs are as follows: Sheriff's Office \$48,294.00; Courthouse \$45,818.00. Hurst said the only cost not included would be the licensing fees for FCC licenses, and he would be willing to take from the

EMA budget. The Board asked if they could think this over and will get back to Hurst soon with a response.

Motion by Vinton, seconded by Mayberry to approve Resolution #21-39 Electronic Services System 28E Agreement Amendment. Motion carried on a vote: Ayes: 3, Nays: 0 Roll Call: Mayberry-Aye, Crouch-Aye, Vinton-Aye

RESOLUTION 21-39

The Mills County Board of Supervisors sitting in session on this 9th day of November 2021 hereby approves the proposed amendment to the Electronic Services System 28E agreement. This agreement was approved by the Iowa County Recorders Association Executive Board and by the ESS Coordinating Committee on October 4, 2021, and executed by Deb Kupka, Tama County Recorder and Chair of the ESS Coordinating Committee on October 11, 2021, is hereby approved by the Mills County Board of Supervisors on a motion by Supervisor Mayberry and second by Supervisor Crouch on October 26, 2021, with the motion carried on vote.

Motion by Vinton, seconded by Mayberry to open Public Hearing at 10:10 a.m. regarding Proposed Designation of Mills County Housing UR Area. Motion carried on roll call vote: Mayberry-Aye, Crouch-Aye, Vinton-Aye

Motion by Mayberry, seconded by Vinton to close Public Hearing at 10:15 a.m. Motion carried on roll call vote: Mayberry-Aye, Crouch-Aye, Vinton-Aye

Motion by Mayberry, seconded by Vinton to approve Resolution #21-40 Declare Necessity & Establish a UR Area Pursuant to Section 403.4 Code of IA & Approve UR Plan & Project. Motion carried on a vote: Ayes: 3, Nays: 0 Roll Call: Mayberry-Aye, Crouch-Aye, Vinton-Aye

RESOLUTION 21-40

A Resolution to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan and Project for the Mills County Housing Urban Renewal Area

WHEREAS, as a preliminary step to exercising the authority conferred upon Iowa counties by Chapter 403 of the Code of Iowa, the “Urban Renewal Law,” a county must adopt a resolution finding that one or more slums, blighted or economic development areas exist in the county and that the development of such area or areas is necessary in the interest of the public health, safety or welfare of the residents of the county; and

WHEREAS, it has been recommended to the Board of Supervisors of Mills County, Iowa (the “County”) that the Mills County Housing Urban Renewal Area (the “Urban Renewal Area”) be established containing the real property (the “Property”) described on Exhibit A to this Resolution; and

WHEREAS, the proposal demonstrates that sufficient need exists to warrant finding the Property to be an economic development area; and

WHEREAS, an urban renewal plan (the “Plan”) has been prepared for the governance of projects and initiatives to be undertaken within the Urban Renewal Area, and which authorizes a certain initial urban renewal project (the “Project”) to be undertaken in the Urban Renewal Area in connection with the construction of public infrastructure necessary to support the development of a residential subdivision in the Urban Renewal Area; and

WHEREAS, notice of a public hearing by the Board of Supervisors on the question of establishing the Urban Renewal Area and on the proposed Plan and the Project was heretofore given in strict compliance with the provisions of Chapter 403 of the Code of Iowa, and the Board has conducted said hearing on November 9, 2021; and

WHEREAS, the Plan was submitted to and considered by the Planning and Zoning Commission of the County; and

WHEREAS, copies of the Plan, notice of public hearing and notice of a consultation meeting with respect to the Plan were mailed to Glenwood Community School District; the consultation meeting was held; and responses to any comments or recommendations received following the consultation meeting were made as required by law;

NOW, THEREFORE, It Is Resolved by the Board of Supervisors of Mills County, Iowa, as follows:

An economic development area as defined in Chapter 403 of the Code of Iowa is found to exist on the Property.

The Property is hereby declared to be an urban renewal area, in conformance with the requirements of Chapter 403 of the Code of Iowa, and is hereby designated the Mills County Housing Urban Renewal Area.

The development of the Property is necessary in the interest of the public health, safety or welfare of the residents of the County.

It is hereby determined by this Board of Supervisors as follows:

The Plan conforms to the general plan for the development of the County;

Proposed commercial and industrial development in the Urban Renewal Area is necessary and appropriate to facilitate the proper growth and development of the County in accordance with sound planning standards and local community objectives; and

C. It is not anticipated that any families will be displaced in connection with the County's undertakings under the Plan. Should such issues arise, then the County will develop a feasible method of relocating any displaced persons into decent, safe and sanitary dwelling accommodations within their means and without undue hardship.

The Plan is made a part hereof and is hereby in all respects approved in the form presented to this Board, and the County is hereby authorized to undertake the projects and initiatives described therein.

Section 6. All resolutions or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved November 9, 2021.

Motion by Mayberry, seconded by Vinton to approve the First Reading of Ordinance 21-01 Providing for the Division of Taxes Levied on Taxable Property in the Mills County Housing & UR Area Pursuant to Sect 403.19 Code of IA. Motion carried on a vote: Ayes: 3, Nays: 0

Motion by Vinton, seconded by Mayberry to waive the Second and Third Reading of Ordinance 21-01. Motion carried on a vote: Ayes: 3, Nays: 0

Motion by Mayberry, seconded by Vinton to approve Ordinance 21-01 Providing for the Division of Taxes Levied on Taxable Property in the Mills County Housing & UR Area Pursuant to Sect 403.19 Code of IA. Motion carried on a vote: Ayes: 3, Nays: 0 Roll Call: Mayberry-Aye, Crouch-Aye, Vinton-Aye

ORDINANCE NO. 21-01

An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Mills County Housing Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

BE IT ENACTED by the Board of Supervisors of Mills County, Iowa:

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the Mills County Housing Urban Renewal Area, each year by and for the benefit of the state, city, county, school districts or other taxing districts after the effective date of this ordinance in order to create a special fund to pay the principal of and interest on loans, moneys advanced to or indebtedness, including bonds proposed to be issued by Mills County to finance projects in such area.

Definitions. For use within this ordinance the following terms shall have the following meanings:

“County” shall mean Mills County, Iowa.

“Urban Renewal Area” shall mean the Mills County Housing Urban Renewal Area, the boundaries of which are set out below, such area having been identified in the Urban Renewal Plan approved by the Board of Supervisors by resolution adopted on November 9, 2021:

A parcel of land located in part of the Northwest Quarter of the Southwest Quarter (NW^{1/4} SW^{1/4}) of Section Thirteen (13), Township Seventy-three (73) North, Range Forty-three (43) West of the Fifth Principal Meridian, Mills County, Iowa, said parcel being more fully described as follows: Commencing at the Northeast Corner of said

NW¹/₄ SW¹/₄; thence S00°04'35"W along the East line of said NW¹/₄ SW's a distance of 820.41 feet to the beginning of a curve concave Northwesterly, having a central angle of 48°29'18" and a radius of 279.14 feet; thence Southwesterly along the centerline of a county road and along said curve an arc length of 236.23 feet with a chord bearing and distance of S24°19'14"W, 229.25 feet to the end of said curve; thence S48°33'54"W along said centerline a distance of 204.40 feet to the Point of Beginning; thence continuing S48°33'54"W along said centerline a distance of 56.28 feet to the beginning of a curve concave Northwesterly, having a central angle of 41°00'59" and a radius of 339.90 feet; thence Southwesterly along said centerline and along a portion of said curve an arc length of 180.44 feet with a chord bearing and distance of S63°46'20"W, 178.33 feet; thence N13°43'12"W a distance of 198.73 feet; thence N01°34'53"W a distance of 158.00 feet; thence N65°12'38"E a distance of 212.11 feet; thence S00°39'56"E a distance of 263.54 feet; thence S39°14'46"E a distance of 77.94 feet to the Point of Beginning. Note: The East line of the NW¹/₄ SW¹/₄ of said Section 13 is assumed to bear S00°04'35"W for this description.

And also:

A parcel of land located in part of the NW¹/₄ NW¹/₄ and in part of the SW¹/₄ NW¹/₄ and in part of the NW¹/₄ SW ¹/₄, all located in Section 13, Township 73 North, Range 43 West of the 5th Principal Meridian, Mills County, Iowa, said parcel being more fully described as follows: Commencing at the Northeast Corner of said NW¹/₄ NW¹/₄; thence S00°04'35"W along the East Line of said NW¹/₄ NW¹/₄ a distance of 466.69 feet to the Point of Beginning; thence continuing S00°04'35"W along said East line and along the East line of the SW¹/₄ NW¹/₄ and along a portion of the East line of said NW¹/₄ SW¹/₄ a distance of 2979.31 feet to the beginning of a curve concave Northwesterly having a central angle of 48°29'18" and a radius of 279.14 feet; thence Southwesterly along a portion of said curve on are length of 20.71 feet with a chord bearing and distance of S02°12'05"W, 20.70 feet; thence N89°55'25"W a distance of 299.23 feet; thence N00°04'35"E a distance of 3000.00 feet; thence S89°55'25"E a distance of 300.00 feet to the Point of Beginning. Said parcel contains 20.70 acres, more or less, including presently established county road right-of-way, and is subject to easements of record. Note: The North line of the NW¹/₄ of said Section 13 is assumed to bear N89°15'54"W for this description.

And also:

A parcel of land located in part of the NW¹/₄ NW¹/₄ and in part of the SW¹/₄ NW¹/₄ and in part of the NW¹/₄ SW¹/₄ of Section 13, and in part of the NE¹/₄ NE¹/₄ and in part of the SE¹/₄ NE¹/₄ and in part of the SW¹/₄ NE¹/₄ and in part of the NE¹/₄ SE¹/₄ and in part of the NW¹/₄ SE¹/₄ of Section 14, all in Township 73 North, Range 43 West of the 5th Principal Meridian, Mills County, Iowa, said parcel being more fully described as follows: Commencing at the Northeast Corner of said NW¹/₄ NW¹/₄; thence N89°59'06"W along the North line of said NW¹/₄ NW¹/₄ a distance of 589.36 feet to the Point of Beginning; thence S00°37'23"E a distance of 774.98 feet; thence N89°25'35"E a distance of 289.38 feet to the West line of Ohana Ridge Subdivision; thence S00°38'07"E along said West line a distance of 1966.48 feet to the Northeast Corner of Lake Ohana – Phase 1A Subdivision; thence S21°35'00"W along the North line of said Lake Ohana – Phase 1A Subdivision a distance of 124.86 feet; thence S26°28'39"W along said North line a distance of 175.21 feet; thence S40°40'44"W along said North line a distance of 111.09; thence S32°46'25"W along said North line a distance of 85.79 feet; thence S38°34'12"W along said North line a distance of 197.73 feet; thence S50°30'56"W along said North line a distance of 65.23 feet; thence S59°02'49"W along said North line a distance of 95.58 feet; N90°00'00"W along said North line a distance of 584.76 feet; thence N77°43'26"W along said North line a distance of 160.39 feet; thence N84°20'45"W along said North line a distance of 159.37 feet; thence N79°14'01"W along said North line a distance of 33.08 feet to a point on a curve having a central angle of 155°34'44"W and a radius of 55.00 feet; thence Northwesterly along said curve an arc length of 149.33 feet with a chord bearing and distance of N66°52'26"W, 107.51 feet; thence N90°00'00"W along said North line a distance of 234.32 feet; thence N00°00'00"E a distance of 226.41 feet; thence N90°00'00"W a distance of 627.29 feet; thence N00°00'00"E a distance of 717.01 feet; thence N90°00'00"E a distance of 630.36 feet; thence N90°00'00"E a

distance of 718.10 feet; thence N90°00'00"E a distance of 18.00 feet; thence N00°00'00"E a distance of 1089.99 feet; thence S89°28'05"W a distance of 207.47 feet; thence N00°00'00"E a distance of 175.48 feet; thence N90°00'00"W a distance of 66.00 feet; thence N00°00'00"E a distance of 252.07 feet; thence N45°46'51"W a distance of 30.51 feet to the South right-of-way line of a county road (Barrus Road); thus N00°00'00"E a distance of 102.61 feet to the North line of said NE1/4 NE 1/4; thence N89°06'23"E along said North line a distance of 964.69 feet to the Northeast Corner of said Section 14; thence N89°59'06"E along the North line of said NW1/4 NW1/4 a distance of 754.35 feet to the Point of Beginning. Said parcel contains 140.76 acres, more or less, and is subject to easements of record.

Note: The North line of the NW1/4 NW1/4 of said Section 13 is assumed to bear N89°59'06"W for this description.

And also:

A Parcel of land located in part of the NW1/4 NW1/4 of Section 13, Township 73 North, Range 43 West of the 5th Principal Meridian, Mills County, Iowa, said parcel being more fully described as follows

Commencing at the Northeast Corner of said NW1/4 NW1/4 and the Point of Beginning; thence S00°37'23"E along the East line of said NW1/4 NW1/4 a distance of 466.84 feet to the Northeast Corner of Lot 1 of Ohana Ridge Subdivision; thence S89°21'53"W along the North line of said Lot 1 a distance of 300.00 feet to the Northwest Corner of said Lot 1; thence S00°38'07"E along the West line of said Lot 1 and along part of the West line of Lot 2 of said Ohana Ridge Subdivision a distance of 301.76 feet; thence S89°25'35"W a distance of 289.38 feet; thence N00°37'23"W a distance of 774.98 feet to the North line of said NW1/4 NW1/4; thence S89°59'06"E along said North line a distance of 589.36 feet to the Point of Beginning. Said parcel contains 8.36 acres, more or less, including presently established county road right-of-way (1.36 ac.), and is subject to easements of record.

Note: The North line of the NW1/4 of said Section 13 is assumed to bear N89°59'06"W for this description.

And also:

A Parcel of land located in part of the NW1/4 SW1/4 of Section 13, and in part of the NE1/4 SE1/4 of Section 14, all located in Township 73 North, Range 43 West of the 5th Principal Meridian, Mills County, Iowa, said parcel being more fully described as follows; Commencing at the Southwest Corner of the NW1/4 SW1/4 of said Section 13; thence S87°55'09"W along the South line of the NE1/4 SE1/4 of said Section 14 a distance of 993.65 feet; thence N00°00'00"E a distance of 358.23 feet; thence N90°00'00"E a distance of 62.95 feet; thence N01°44'05"W a distance of 298.34 feet; thence N90°00'00"E a distance of 435.13 feet to a point on a curve to the right having a central angle of 270°04'17" and a radius of 55.00 feet; thence along the arc of the curve, 149.33 feet with a chord bearing and distance of S66°52'26"E, 107.51 feet; thence S79°14'01"E a distance of 33.08 feet; thence S84°20'45"E a distance of 159.37 feet; thence S77°43'26"E a distance of 160.39 feet; thence N90°00'00"E a distance of 584.76 feet; thence N59°02'49"E a distance of 95.58 feet; thence N50°30'56"E a distance of 65.23 feet; thence N38°34'12"E a distance of 197.73 feet; thence N32°46'25"E a distance of 85.79 feet; thence N40°40'44"E a distance of 111.09 feet; thence N26°28'39"E a distance of 175.21 feet; thence N21°35'00"E a distance of 124.86 feet to the West line of Lot 12, Ohana Ridge Subdivision as platted in Mills County, Iowa; thence S00°38'07"E along the West line of said Ohana Ridge Subdivision a distance of 731.77 feet; thence S64°29'59"W along said West line a distance of 212.11 feet; thence S00°52'09"W a distance of 158.00 feet; thence S14°25'52"E a distance of 198.73 feet to a point on a curve to the right having a central angle of 41°01'02" and a radius of 339.90 feet; thence along the arc of the curve 62.89 feet with a chord bearing and distance of S83°34'14"W, 62.80 feet to the end of said curve; thence S88°52'10"W along the North line of Van Pelt Addition a distance of 827.55 feet to the Point of Beginning. Said parcel contains 27.08 acres, more or less, including public road right-of-way (4.90 ac.) and overhead electric line easement (2.43 ac.), and is subject to other easements of record.

Note: The East line of the SE1/4 of Section 14 is assumed to bear S00°41'52"E for this description,

And also:

A parcel of land located in part of the NW 1/4 SW 1/4 of Section 13, Township 73 North, Range 43 West of the 5th Principal Meridian, Mills County, Iowa, said parcel being more fully described as follows:

Commencing at the Northeast Corner of said NW 1/4 SW 1/4; thence S00°04'35" along the East line of said NW 1/4 SW 1/4 a distance of 820.41 feet to the beginning of a curve concave Northwesterly, having a central angle of 48°29'18" and a radius of 279.14 feet; thence Southwesterly along the centerline of a county road and along a portion of said curve an arc length of 20.71 feet with a chord bearing and distance of S02°12'05"W 20.70 feet to the Point of Beginning; thence continuing Southwesterly along said centerline and along a portion of said curve an arc length of 215.52 feet with a chord bearing and distance of S26°26'44"W 210.21 feet to the end of said curve; thence S48°35'54"W along said centerline a distance of 204.40 feet; thence N39°14'16"W a distance of 77.94 feet; thence N00°39'56"W a distance of 263.54 feet; thence S89°55'25"E a distance of 299.23 feet to the Point of Beginning, less and except that portion of land taken for county road right-of-way.

NOTE: The East line of the NW 1/4 SW 1/4 of said Section 13 is assumed to bear S00°04'35"W for this description.

Provisions for Division of Taxes Levied on Taxable Property in the Urban Renewal Area. After the effective date of this ordinance, the taxes levied on the taxable property in the Urban Renewal Area each year by and for the benefit of the State of Iowa, the County and any city, school district or other taxing district in which the Urban Renewal Area is located, shall be divided as follows:

that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the County certifies to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the special fund referred to in paragraph (b) below, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. For the purpose of allocating taxes levied by or for any taxing district which did not include the territory in the Urban Renewal Area on the effective date of this ordinance, but to which the territory has been annexed or otherwise included after the effective date, the assessment roll applicable to property in the annexed territory as of January 1 of the calendar year preceding the effective date of the ordinance which amends the plan for the Urban Renewal Area to include the annexed area, shall be used in determining the assessed valuation of the taxable property in the annexed area.

that portion of the taxes each year in excess of such amounts shall be allocated to and when collected be paid into a special fund of the County to pay the principal of and interest on loans, moneys advanced to or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under the authority of Section 403.9(1), of the Code of Iowa, incurred by the County to finance or refinance, in whole or in part, projects in the Urban Renewal Area, and to provide assistance for low and moderate-income family housing as provided in Section 403.22, except that taxes for the instructional support program of a school district imposed pursuant to Section 257.19 of the Code of Iowa and for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2 of the Code of Iowa, and taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the taxing district without limitation by the provisions of this ordinance. Unless and until the total assessed valuation of the taxable property in the Urban Renewal Area exceeds the total assessed value of the taxable property in such area as shown by the assessment roll referred to in subsection (a) of this section, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for said taxing districts in the same manner as all other property taxes. When such loans, advances, indebtedness, and bonds, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in

the Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

the portion of taxes mentioned in subsection (b) of this section and the special fund into which that portion shall be paid may be irrevocably pledged by the County for the payment of the principal and interest on loans, advances, bonds issued under the authority of Section 403.9(1) of the Code of Iowa, or indebtedness incurred by the County to finance or refinance in whole or in part projects in the Urban Renewal Area.

as used in this section, the word “taxes” includes, but is not limited to, all levies on an ad valorem basis upon land or real property.

Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Saving Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed and approved by the Board of Supervisors of Mills County, Iowa, on November 9, 2021.

Motion by Mayberry, seconded by Vinton to approve Resolution #21-41 Set Date of Meeting to Propose a Development Agreement with N-T Lands, LLC Including Tax Increment Payments to be held November 23, 2021 at 10:45 a.m. Motion carried on a vote: Ayes: 3, Nays: 0 Roll Call: Mayberry-Aye, Crouch-Aye, Vinton-Aye

RESOLUTION 21-41

Resolution Setting a Date of Meeting at Which it is Proposed to Approve a Development Agreement with N-T Lands, L.L.C., Including Tax Increment Payments

WHEREAS, Mills County, Iowa (the “County”), pursuant to and in strict compliance with all laws applicable to the County, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an urban renewal plan for the Mills County Housing Urban Renewal Area (the “Urban Renewal Area”); and

WHEREAS, this Board of Supervisors has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa, which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the County for the payment of the principal of and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, the County proposes to enter into a certain development agreement (the “Development Agreement”) with N-T Lands, L.L.C. (the “Developer”) in connection with the construction of public infrastructure necessary to support the development of a residential subdivision in the Urban Renewal Area; and

WHEREAS, the Development Agreement would provide financial incentives to the Developer including certain incremental property tax payments in an amount not to exceed \$1,800,000 (the “TIF Payments”) under the authority of Section 403.9(1) of the Code of Iowa; and

WHEREAS, it is necessary to set a date for a public hearing on the Development Agreement and the TIF Payments, pursuant to Section 403.9 of the Code of Iowa;

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

Section 1. This Board of Supervisors shall meet on November 23, 2021, at 10:45 o’clock a.m., at the Board Meeting room, Glenwood, Iowa, at which time and place proceedings will be instituted and action taken to approve the Development Agreement and to authorize the TIF Payments.

Section 2. The County Auditor is hereby directed to give notice of the proposed action, the time when and place where said meeting will be held, by publication at least once not less than

four (4) days and not more than twenty (20) days before the date of said meeting in a legal newspaper of general circulation in the Mills County. Said notice shall be in substantially the following form:

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Section 4. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law. Passed and approved November 9, 2021.

Motion by Mayberry, seconded by Vinton to approve to CDBG -NDR Contract Amendments, extending contracts and make sure wording is corrected. Motion carried on a vote: Ayes: 3, Nays: 0

Motion by Vinton, seconded by Mayberry to approve Amendment #1 Administrative Assistance & Direct Services Contract Mills Co IA Flood Related Property Acquisition & Demolition Program. Motion carried on a vote: Ayes: 3, Nays: 0

Patrick Binns, IT Director joined the meeting to request timesheet software purchase. Motion by Vinton, seconded by Mayberry to authorize purchase of timesheet software which is web based for all departments at \$16,050.00 with an annual renewal of \$8,550.00 for years 2 & 3 from RT Vision. Binns requested funding from County ARPA funds. Motion carried on a vote: Ayes: 3, Nays: 0

Motion by Vinton, seconded by Mayberry to authorize Binns to junk a retired server and remove from Capital Assets inventory. Motion carried on a vote: Ayes: 3, Nays: 0

The Board received tablets from the IT Department through a grant so they could use for their meetings. Patrick Binns and Donny Hull of IT instructed the Board on the use and applications loaded on their tablets.

The Board received October Recorder's report of fees. The Board also received October month end financial reports.

The Mills County Board of Supervisors met as a Board of Canvassers to canvass the City/School Election from November 2, 2021. Motion by Mayberry, seconded by Vinton to approve the Canvass of November 2, 2021 City/School Election. Motion carried on a vote: Ayes: 3, Nays: 0

Results are as follows:

East Mills Schools

Board of Director At-Large 4 year term -Rebecca Bell 364 votes, 11 scattered.

East Mills DD1 East 4 year term - Matthew G. Urban 274 votes, Kent Harry Poncelow 171 votes, scattering 1

East Mills DD2 West 4 year term - Alan Obermiller 348 votes, scattering 7

City of Emerson

Mayor At-Large 2 year term - Larry R Johnson 81 votes, scattering 2

Emerson City Council At-Large 4 year term - Cathy Douglas-Bruce 81 votes, Ann W Roth 69 votes, scattering 2 votes.

City of Glenwood

Glenwood Mayor At-Large 2 year term - Ron Kohn 220 votes, scattering 7 votes

City Council At-Large 4 year term - Holly Jackson 161 votes, William McGinnis 68 votes, scattering 2 votes

City Council Ward 3 – 4 year term - Laurie Mead Smithers 100 votes, scattering 2 votes

City of Hastings

Mayor At-Large 2 year term - Ryan Campbell 15 votes, scattering 0 votes

City Council At-Large 2 year term – Alan D Crouse 13 votes, Dustin Crouse 15 votes, Christine Ford 14 votes, Troy Hatcher 15 votes, Anthony Rasco 3 write in votes

Treasurer At-Large 2 year term – Jesse Jones 10 votes, scattering 0 votes

City of Henderson

Mayor At-Large 2 year term - Joel E Tomford 21 votes, scattering 1 vote

City Council At-Large 4 year term: Keith Richard Newell – 14 votes, Rachel Knight 11 votes, Sandra Diehl 10 votes, James Stone 2 write-in votes

City of Malvern

Mayor At-Large 2 year term – Douglas R Shere 114 votes, Fred Moreau 12 write in votes, scattered 5 votes

City Council At-Large 4 year term – Heather West 133 votes, Amber Lidgett 115 votes, Christina Androy 90 votes, Russell J Holbert 47 votes, scattered 13 votes

City of Pacific Junction

Mayor At-Large 2 year term – Andy Young 31 votes, Shannon Snipes 24 votes

City Council At-Large 2 year term – Terry Parham 45 votes, Kimberly O’Conner 40 votes, Holly Chafin 39 votes, Cherry Parham 30 votes, Matthew B Fritz 36 votes, Dianna Irick 29 votes, Connie Turner 26 votes, scattering 2 votes

City of Silver City

Mayor 2 year term – Sharon McNutt 40 votes, Rose Schoening 39 votes, scattering 1 vote

City Council to fill a vacancy 2 year term – Sue McPeck 63 votes, Ron Damewood 60 votes, Brett Christensen 49 votes, Kathy Bauge 14 write in votes, scattering 9 votes

City Council At-Large 4 year term – Terrell Ramsey 55 votes, Thomas Boehm 40 votes, Mitzi Fink 37 votes, scattering 5 votes

Glenwood School Board At-Large 4 year term – Matt Portrey 384 votes, Elizabeth Richardson 349 votes, John J Zak IV 330 votes

There being no further business to come before the Board, they adjourned to meet on November 16, 2021.

Richard Crouch, Chair

ATTEST:

Carol Robertson, Auditor