

SUPERVISOR'S MINUTE BOOK 2023

January 31, 2023

The meeting of the Board of Supervisors was called to order at 9:02am by Rick Thompson.

Present were Heath Hansen, Rick Thompson, Janell Remsburg, Tyler Thygesen, Chris Swensen, and Lisa Frederiksen.

Motion-Hansen Second-Thompson to approve the agenda. Vote-all in favor.

Suzanne Cooner & Paul Topliff of the Audubon County Memorial Hospital presented the 2022 Annual Report.

Scott Thielen presented to the board his interest in purchasing a piece of property in Brayton owned by the County.

Board has asked Chris Swensen, County Attorney, to investigate what the procedure would be to sell this property. They will inform Scott when we get this information.

Motion-Thompson Second-Hansen to approve the 1/5/2023 meeting minutes. Vote-all in favor.

Motion-Thompson Second-Hansen to approve the 1/17/2023 meeting minutes. Vote-all in favor.

Motion-Thompson Second-Hansen to approve the 1/23/2023 meeting minutes. Vote-all in favor.

Motion-Thompson Second Hansen to approve the 1/24/2023 meeting minutes. Vote-all in favor.

Motion-Hansen Second-Thompson to approve the 1/26/2023 meeting minutes. Vote-all in favor.

Motion-Hansen Second-Thompson to approve the 1/30/2023 meeting minutes. Vote-all in favor.

Motion-Thompson Second-Hansen to approve the summary of 2023-01 Zoning Ordinance for final publication. Vote-all in favor.

Motion-Hansen Second-Thompson to approve the Dissolution Resolution of the Region XII Western Iowa Workforce Services 28E Agreement. Vote-all in favor.

RESOLUTION 2023-07

A RESOLUTION TO WITHDRAW FROM THE ARTICLES OF AGREEMENT WHICH FORMED THE WORKFORCE DEVELOPMENT CHIEF ELECTED OFFICIAL CONSORTIUM FOR THE WORKFORCE INNOVATION AND OPPORTUNITY ACT OF 2014

WHEREAS, Audubon County previously signed a resolution to approve the Articles of Agreement creating the Workforce Development Chief Elected Official Consortium (CEO) together with 17 other counties in western and southwestern Iowa, known as the "Western Iowa Workforce Development Area" or WILWDA; and,

WHEREAS, this 28E Agreement was filed with the Iowa Secretary of State on July 7, 2020 and assigned filing number M512796; and,

WHEREAS, Article 13 of the Agreement allows counties, at their sole option, to withdraw from the Agreement at least 90 days prior to the beginning of the fiscal year (April 1 or any year); and,

WHEREAS, at their meeting on January 20, 2023, the CEO Board discussed the 28E Agreement, weighing the roles and responsibilities of counties as a result of the Agreement and impacts to services offered to their citizens both under the agreement and in absence of the Agreement; and,

WHEREAS, the CEO Board voted 11-0 at this meeting, after this discussion, to dissolve the 28E Agreement.

NOW, THEREFORE BE IT RESOLVED by the Audubon County Board of Supervisors that:

1. It does hereby invoke Article 13 of the Articles of Agreement which formed the Workforce Development Chief Elected Official Consortium for the Workforce Innovation and Opportunity Act of 2014 and withdraws from the Agreement at the end of the day June 30, 2023.
2. It understands and is its intention withdrawal of the Agreement by all 18 counties will terminate the Agreement.

Passed and approved this 31st day of January, 2023.

/s/Rick Thompson

Audubon County Board of Supervisors

ATTEST: /s/ Janell Remsburg

Audubon County Auditor Clerk

Motion-Thompson Second-Hansen to approve Resolution 2023-05 as follows. Vote-all in favor.

RESOLUTION 2023-05

Resolution Deleting Property from the Audubon County Consolidated Urban Renewal Area

WHEREAS, the Board of Supervisors (the "Board") of Audubon County, Iowa (the "County") has previously established the Audubon County Consolidated Urban Renewal Area (the "Urban Renewal Area") and has adopted an urban renewal plan (the "Plan") for the governance of projects and initiatives to be undertaken therein; and

WHEREAS, the Board now desires to decrease the size of the Urban Renewal Area by deleting certain property (the "Property") from the Urban Renewal Area, as set out on Exhibit A hereto; and

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Audubon County, Iowa, as follows:

Section 1. The Property as described on Exhibit A hereto is hereby deleted from the Urban Renewal Area.

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed, to the extent of such conflict.

EXHIBIT A

Legal Description of
Property Deleted from the
Audubon County Consolidated Urban Renewal Area
January 31, 2023

PARCEL A BEING LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 79 NORTH, RANGE 35 WEST OF THE 5TH P.M., AUDUBON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2; THENCE N00°18'06"E, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2, A DISTANCE OF 345.08 FEET, TO THE POINT OF BEGINNING; THENCE N89°41'54"W, 494.47 FEET; THENCE N00°18'06"E, 218.68 FEET; THENCE S89°41'54"E, 494.47 FEET, TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2; THENCE S00°18'06"W, ALONG SAID EAST LINE, 218.68 FEET, TO THE POINT OF BEGINNING.

DESCRIBED PARCEL CONTAINS 2.48 ACRES, WHICH INCLUDES 0.21 ACRE OF EXISTING ROAD EASEMENT.

Passed and approved January 31, 2023.

/s/Rick Thompson
Vice Chairperson, Board of Supervisors

Attest: /s/Lisa Frederiksen
Auditor

Motion-Hansen Second-Thompson to approve the introduction of Ordinance 2023-02 as follows. Vote-all in favor.

ORDINANCE NO. 2023-02

An Ordinance Deleting Property From the Tax Increment Financing District for the Audubon County Consolidated Urban Renewal Area of Audubon County, Iowa, Pursuant to Section 403.19 of the Code of Iowa

WHEREAS, the Board of Supervisors of Audubon County, Iowa (the "County") previously enacted an ordinance for the division of taxes levied on taxable property in the Audubon County Consolidated Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa; and

WHEREAS, pursuant to that ordinance, a portion of the Audubon County Consolidated Urban Renewal Area was designated a "tax increment district"; and

WHEREAS, the Board of Supervisors now desires to decrease the size of the "tax increment district" by deleting certain property;

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

Section 1. Purpose. The purpose of this ordinance is to delete certain property from the tax increment financing district for the Audubon County Consolidated Urban Renewal Area.

Section 2. Definitions. For use within this ordinance the following terms shall have the following meanings:

“Deleted Property” shall mean the following described real property in the Audubon County, Iowa: PARCEL A BEING LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 79 NORTH, RANGE 35 WEST OF THE 5TH P.M., AUDUBON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2; THENCE N00°18'06"E, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2, A DISTANCE OF 345.08 FEET, TO THE POINT OF BEGINNING; THENCE N89°41'54"W, 494.47 FEET; THENCE N00°18'06"E, 218.68 FEET; THENCE S89°41'54"E, 494.47 FEET, TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 2; THENCE S00°18'06"W, ALONG SAID EAST LINE, 218.68 FEET, TO THE POINT OF BEGINNING.

DESCRIBED PARCEL CONTAINS 2.48 ACRES, WHICH INCLUDES 0.21 ACRE OF EXISTING ROAD EASEMENT.

Section 3. The Deleted Property is hereby removed from the tax increment financing district for the Audubon County Consolidated Urban Renewal Area.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. 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.

Section 6. 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 Audubon County, Iowa, on January 31, 2023.

/s/Rick Thompson
Vice Chairperson, Board of Supervisors

Attest: /s/ Lisa Frederiksen
Auditor

Motion-Thompson Second-Hansen that the statutory rule requiring said ordinance to be considered and voted on for passage at two Board meetings prior to the meeting at which it is to be finally passed be suspended. Vote-all in favor. Motion-Thompson Second-Hansen to approve the aforementioned Ordinance be given its final consideration and that Ordinance 2023-02 be adopted. Vote-all in favor!

Discussion on next agenda item regarding urban renewal plan amendment. Motion-Thompson Second-Hansen to schedule the city/school consultation meeting for February 7, 2023 at 10:00am in the Supervisor’s Room. Vote-all in favor. Auditor will be responsible for getting notices out to cities and schools immediately prior to their next council meetings.

Motion-Thompson Second-Hansen to approve Resolution 2023-06 as follows. Vote-all in favor.

RESOLUTION NO. 2023-06

Resolution Setting Date for Public Hearing on Designation of the Expanded Audubon County Consolidated Urban Renewal Area and on Urban Renewal Plan Amendment

WHEREAS, the Board of Supervisors (the “Board”) of Audubon County, Iowa (the “County”) by resolution previously established the Audubon County Consolidated Urban Renewal Area (the “Urban Renewal Area”) and adopted an urban renewal plan (the “Plan”) for the governance of projects and initiatives to be undertaken therein; and

WHEREAS, a proposal has been made which shows the desirability of expanding the Urban Renewal Area to add and include all the property (the “Property”) described on Exhibit A hereto; and

WHEREAS, this Board is desirous of obtaining as much information as possible from the residents of the County before making this decision; and

WHEREAS, an amendment (the “Amendment”) to the Plan has been prepared which (1) covers the addition of the Property to the Urban Renewal Area; (2) updates the description of the County Infrastructure Project previously approved in the April, 2020 Amendment to the Plan; (3) updates the description of the Litchfield Recreation Area Improvement Project previously approved in the May, 2021 Amendment to the Plan; and (4) authorizes the undertaking of new urban renewal projects in the Urban Renewal Area consisting of (a) constructing county road and bridge improvements in order

to enhance transportation infrastructure and encourage the promotion of economic development; and (b) providing tax-increment financing support to Hamlin Feed Mill, LLC in connection with the construction of a feed mill; and

WHEREAS, portions of the Property lie within and within two miles of the incorporated limits of the Cities of Audubon, Iowa; Brayton, Iowa; Exira, Iowa; Gray, Iowa; Kimballton, Iowa; and Elk Horn, Iowa (collectively known as the "Cities"), and pursuant to Section 403.17, the County must enter into joint agreements (the "Joint Agreements") with such Cities in order to exercise urban renewal authority over such portions of the Property; and

WHEREAS, it is now necessary that a date be set for a public hearing on the expansion of the Urban Renewal Area and on the Amendment;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Audubon County, Iowa, as follows:

Section 1. This Board will meet at the Supervisor's Room, Audubon, Iowa, on February 28, 2023, at 10:00am, at which time and place it will hold a public hearing on the designation of an expanded Urban Renewal Area as described in the preamble hereof and on the Amendment.

The County Auditor shall publish notice of said hearing, the same being in the form attached to this resolution, which publication shall be made in a legal newspaper of general circulation in the County, which publication shall be not less than four (4) and not more than twenty (20) days before the date set for the hearing.

Section 2. Pursuant to Section 403.5 of the Code of Iowa, the County Auditor is hereby designated as the County's representative in connection with the consultation process which is required under that section of the urban renewal law.

Section 3. The proposed Amendment is hereby submitted to the County's Planning and Zoning Commission for review and recommendations, as required by Section 403.5, Code of Iowa.

Section 4. The County Auditor is hereby authorized and directed to present the Joint Agreements to the Cities for approval, execution and delivery to the County prior to the public hearing on February 28, 2023.

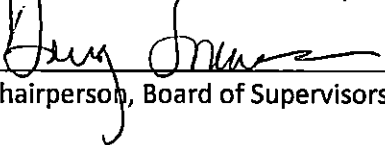
Passed and approved January 31, 2023.

/s/Rick Thompson
Chairperson, Board of Supervisors

Attest:
/s/Lisa Frederiksen
Auditor

Discussion with Mitch Rydl, Secondary Roads – busy clearing roads, cutting trees, and doing bridge maintenance work orders. Will be working on employee evaluations soon. There was some discussion about turning over maintenance of city bridges back to the city.

Motion-Hansen Second-Thompson to adjourn at 11:51am. Vote-all in favor.


Chairperson, Board of Supervisors


Audubon County Auditor-Clerk