

The Marion County Board of Supervisors met in regular session at 3014 E. Main St. Knoxville, IA 50138 on Tuesday October 10, 2023 with Mark Raymie, Steve McCombs, and Kisha Jahner present in-person. Public access to the meeting was available in-person and electronically. Chairperson Jahner opened the regular session at 9:00 A.M.

Unless otherwise indicated, all the motions offered at this meeting were carried with the following vote:

Ayes: Raymie, McCombs, Jahner Nays: None Abstentions: None Absent: None

Agenda:

Raymie moved and McCombs seconded to approve the agenda as posted.

Communications: None

Public Comments: None

Consent Agenda:

Raymie moved and McCombs seconded to approve the consent agenda as follows:

1. Marion County Warrants #251838 - #251982 through 10/12/2023.
2. Marion County Regular Session Board of Supervisor Minutes: 9/26/2023
3. Marion County employee salary adjustments. Complete list available in the Human Resource Office.

Business:

1. Chair Jahner opened a Public Hearing at 9:01 A.M. on the Matter of the Proposal to Enter Into a Development Agreement with Adkins Specialized Carriers, LLC and the City of Pleasantville, IA. There were no public comments. Raymie moved and McCombs seconded to close the Public Hearing at 9:02 A.M.

2. Raymie moved and McCombs seconded to approve Resolution 2023-83 Approving and Authorizing Execution of a Development Agreement By and Among Marion County, Adkins Specialized Carriers, LLC, and the City of Pleasantville, Iowa as follows:

WHEREAS, by Resolution No. 2023-53, adopted May 9, 2023, this Board found and determined that certain areas located within the County are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Adkins Urban Renewal Plan (the "County Urban Renewal Plan" or "County Plan") for the Adkins Urban Renewal Area (the "County Urban Renewal Area" or "County Area") described therein; and

WHEREAS, the City Council of the City of Pleasantville, Iowa (the "City") has also found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Adkins Urban Renewal Plan (the "City Urban Renewal Plan" or "City Plan") for the Adkins Urban Renewal Area (the "City Urban Renewal Area" or "City Area") described therein; and

WHEREAS, the City Area and County Area include the same property and may be referred to collectively as the "Area" or "Urban Renewal Area"; and

WHEREAS, it is desirable that properties within the Area be redeveloped as part of the overall redevelopment area covered by said City Plan and County Plan; and

WHEREAS, the County and the City have received a proposal from Adkins Specialized Carriers, LLC (the "Developer"), in the form of a proposed Development Agreement (the "Agreement") by and between the County, the City, and the Developer, pursuant to which, among other things, the Developer would agree to construct certain Minimum Improvements (as defined in the Agreement) on certain real property located within the Urban Renewal Area as defined and legally described in the Agreement (the "Development Property") and consisting of the construction of a 27,300 square foot commercial building, together with all related site improvements, as outlined in the proposed Agreement; and

WHEREAS, the Agreement proposes that the City will construct certain Infrastructure Improvements (as defined in the Agreement), including streets, water mains, sanitary sewer mains, storm sewer infrastructure, and traffic control devices, and the Developer and the County will each contribute to the cost of the Infrastructure Improvements, under the terms and following satisfaction of the conditions set forth in the Agreement; and

WHEREAS, the Agreement also proposes that the County, Developer, and the City will enter into a Minimum Assessment Agreement setting the minimum actual value of the Minimum Improvements for tax purposes at not less than \$2,000,000; and

WHEREAS, the City will provide the County with Tax Increment Payments derived from the Development Property (as defined in the Agreement), up to the County's aggregate Debt Service payments (as defined in the Agreement); and

WHEREAS, Chapters 15A and 403, Code of Iowa, authorize counties to make grants for economic development in furtherance of the objectives of an urban renewal project and to appropriate such funds and make such expenditures as may be necessary to carry out the purposes of said Chapters, and to levy taxes and assessments for such purposes; and

WHEREAS, the Board has determined that the Agreement is in the best interests of the County and the residents thereof and that the performance by the County of its obligations thereunder is a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law and, further, that the Agreement and the County's performance thereunder is in furtherance of appropriate economic development activities and objectives of the County within the meaning of Chapters 15A and 403, Code of Iowa, taking into account any or all of the factors set forth in Chapter 15A, Code of Iowa, to wit:

- a. Businesses that add diversity to or generate new opportunities for the Iowa economy should be favored over those that do not.
- b. Development policies in the dispensing of the funds should attract, retain, or expand businesses that produce exports or import substitutes, or which generate tourism-related activities.
- c. Development policies in the dispensing or use of the funds should be targeted toward businesses that generate public gains and benefits, which gains and benefits are warranted in comparison to the amount of the funds dispensed.
- d. Development policies in dispensing the funds should not be used to attract a business presently located within the state to relocate to another portion of the state unless the business is considering in good faith to relocate outside the state or unless the relocation is related to an expansion which will generate significant new job creation. Jobs created as a result of other jobs in similar Iowa businesses being displaced shall not be considered direct jobs for the purpose of dispensing funds; and

WHEREAS, pursuant to notice published as required by law, this Board has held a public meeting and hearing upon the proposal to approve and authorize execution of the Agreement and has considered the extent of objections received from residents or property owners as to said proposed Agreement; and, accordingly the following action is now considered to be in the best interests of the County and residents thereof.

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF SUPERVISORS OF MARION COUNTY IN THE STATE OF IOWA:

That the performance by the County of its obligations under the Agreement under the terms set forth in the Agreement, be and is hereby declared to be a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law and, further, that the Agreement and the County's performance thereunder is in furtherance of appropriate economic development activities and objectives of the County within the meaning of Chapters 15A and 403, Code of Iowa, taking into account the factors set forth therein.

That the form and content of the Agreement, the provisions of which are incorporated herein by reference, be and the same hereby are in all respects authorized, approved and confirmed, and the Chairperson and the County Auditor be and they hereby are authorized, empowered and directed to execute, attest, seal and deliver the Agreement for and on behalf of the County in substantially the form and content now before this meeting, but with such changes, modifications, additions or deletions therein as shall be approved by such officers, and that from and after the execution and delivery of the Agreement, the Chairperson and the County Auditor are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Agreement as executed.

3. Marion County Engineer Tyler Christian provided an update regarding the ongoing remediation project of the sinkhole located south of the City of Knoxville. Christian reports Bruening Rock Products is in progress with the remediation after working through a series of project design plans. The road is still closed during this project. Marion County Rural Water is responsible for the water line in the affected area. Communication with legislators is ongoing regarding any potential

legislation attempting to improve the oversight of these types of mining incidents. McCombs moved and Raymie seconded to close discussion.

4. Board of Supervisor Updates:

Raymie: none

McCombs: CIRTPA potential reorganization, MIPA reorganization, Update on CIRTPA by Tyler Christian.

Jahner: Central IA Workforce meeting, Encourage BOS to think about upcoming Legislative priorities and lobbyist contract.

5.(a) Jahner moved and McCombs seconded to enter Closed Session pursuant to Iowa Code Chapter 21.5(1)(k) at 9:22A.M.

5.(b) Raymie moved and McCombs seconded to reconvene into Open Session at 10:00 A.M.

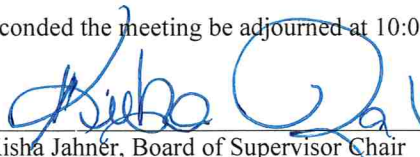
5.(c) No Board action

Adjournment:

There being no other business, Raymie moved and McCombs seconded the meeting be adjourned at 10:01 A.M.



Jake Grandia, Auditor



Kisha Jahner, Board of Supervisor Chair