

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON NOVEMBER 14, 2023.

Meeting called to order at 9:03 A.M. by Chairman Greg Barnett with members Rusty Eddy and Wayne Dralle present. Moved by Dralle second by Eddy to approve the agenda. All ayes. Motion carried.

Minutes of the previous meeting were read. Motioned by Eddy, second by Dralle to approve the minutes as read. All ayes. Motion carried.

No public comment was received.

Motioned by Eddy, second by Dralle to open a Public Hearing on the proposal to enter into a Development Agreement with Butler-Grundy Development Alliance. Jeff Kolb, Butler-Grundy Development Alliance, discussed the agreement provides reimbursement for IRUA and land acquired in Logistics Park, east of Shell Roy Soy Processing, LLC. All of the funds will be coming from TIF. With no additional public comments, it was motioned by Eddy, second by Dralle to close the public hearing. All ayes. Motion carried.

Board considered Resolution 1091-2023 approving and authorizing execution of a Development Agreement by and between Butler County and Butler-Grundy Development Alliance. Motioned by Eddy, second by Dralle to approve Resolution 1091-2023. Roll Call: Ayes – Eddy, Barnett, Dralle. Nays – None and Resolution No 1091-2023 was approved as follows:

RESOLUTION NO. 1091-2023

RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT BY AND BETWEEN BUTLER COUNTY AND BUTLER-GRUNDY DEVELOPMENT ALLIANCE

WHEREAS, by Resolution No. 692, adopted April 27, 2010, 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 Butler County Logistics Park Urban Renewal Plan (the "Plan") for the Butler County Logistics Park Urban Renewal Area (the "Urban Renewal Area" or "Area") described therein, which Plan, as amended, is on file in the office of the Recorder of Butler County, Iowa; and

WHEREAS, it is desirable that properties within the Area be developed as part of the overall development area covered by said Plan; and

WHEREAS, the County has received a proposal from Butler-Grundy Development Alliance (the "Developer"), in the form of a proposed Development Agreement (the "Agreement") by and between the County and the Developer, pursuant to which, among other things, the Developer would agree to expand and prepare for development the Logistics Industrial Park ("Park") within the Urban Renewal Area in order to promote economic development and create and maintain jobs within the County; and

WHEREAS, in furtherance of this goal, the Iowa Regional Utilities Association (the "Association") has expended \$1,283,076.00 to construct and install public water supply services and public wastewater services to serve the Park and advance development therein, and the Developer is considering an agreement to reimburse the Association up to \$1,000,000 of those costs ("IRUA Agreement"); and

WHEREAS, Developer has also entered into a purchase agreement to acquire additional property within the Park and Urban Renewal Area for the price of \$260,000 ("Purchase Agreement") and Developer purchased such land in order to increase the availability of industrial sites for employers in the County; and

WHEREAS, the County is willing to provide Developer with economic development grants comprised of available incremental tax revenues from the Urban Renewal Area to reimburse the Developer for the obligations Developer has assumed under the IRUA Agreement and the Purchase Agreement; and

WHEREAS, the activities of IRUA and Developer described in these preambles were previously identified as urban renewal projects in the Plan; and

WHEREAS, the Agreement proposes that the County will make up to ten (10) consecutive annual payments of IRUA Economic Development Grants to Developer, the cumulative total for all such payments not to exceed the lesser of \$1,000,000, or the amount accrued under the schedule outlined in the proposed Agreement, under the terms and following satisfaction of the conditions set forth in the Agreement; and

WHEREAS, the Agreement also proposes that the County will make up to ten (10) consecutive annual payments of Purchase Agreement Economic Development Grants to

Developer, the cumulative total for all such payments not to exceed the lesser of \$260,000, or the amount accrued under the schedule outlined in the proposed Agreement, under the terms and following satisfaction of the conditions set forth 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 BUTLER COUNTY IN THE STATE OF IOWA:

That the performance by the County of its obligations under the Agreement, including but not limited to making of grants to the Developer in connection with the development of the Development Property 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, including certifying debt under Iowa Code 403.19 by December 1, 2023 in order to fund the first IRUA Economic Development Grant and the first Purchase Agreement Economic Development Agreement Grant.

PASSED AND APPROVED this 14th day of November, 2023.

Greg Barnett
County, Board of Supervisors

ATTEST: Leslie Groen
County Auditor

Board considered 2024 County Health Insurance Rates – Josh Budke, The Accel Group, provided an update and recommendations from the Butler County Insurance Committee for

the 2024 County Health Insurance Rates. Updates included a change in dental insurance to Blue Dental and the new health plan rates. While some health plans had small rate increases others decreased resulting in a net change of zero for the County. Motioned by Dralle, second by Eddy to approve the new rates and change in dental insurance as the Insurance Committee recommended. All ayes. Motion carried.

Board reviewed Family Farm Credits. Dave Wangsness, Assessor, outlined the credits. Barnett moved to approve the Family Farm Credits, second by Eddy. All ayes. Motion carried.

An Engineer's update was provided by John Riherd, Engineer. Riherd stated that the temporary overflow bridge by Unverferth is 90% completed. Riherd discussed a possibility being part of a grant through the Federal Rail Administration that would be specifically for the area around the Logistics Park. There are two additional positions that are now advertised.

The 1st Tier Canvass Results of the November 7, 2023 City/School Election were read.

Motioned by Eddy, second by Barnett to approve claims. All ayes. Motion carried.

Motioned by Eddy, second by Dralle to adjourn the regular meeting at 10:50 A.M. to November 21, 2023 at 9:00 A.M. All ayes. Motion carried.

The above and foregoing is a true and correct copy of the minutes and proceedings of a regular adjourned meeting of the Board of Supervisors of Butler County, Iowa on November 14, 2023.

Attest: Leslie Groen
Butler County Auditor

Greg Barnett
Chairman of the Board of Supervisors