

The Mills County Board of Supervisors met this 27th day of August, 2013, in the Courthouse in Glenwood with Richard Crouch, Lonnie Mayberry and Ron Kohn present.

Motion by Crouch, seconded by Mayberry to approve the August 27, 2013 agenda as presented and the August 20, 2013 minutes as corrected.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Mayberry, seconded by Crouch to approve the accounts payable as presented.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch seconded by Mayberry to approve the FY13 Annual Report for Mills County Secondary Roads Department.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Mayberry seconded by Crouch to approve Resolution 13-22 – Bridge Embargo List.

BRIDGE EMBARGO

WHEREAS: The Board of Supervisors is empowered under authority of Section 321.236 Sub. (8), 321.255, and 321.471 to 321.473 of the Code of Iowa to prohibit the operation of vehicles or impose limitations as to the weight thereof on designated highways or highway structures under their jurisdiction, and

WHEREAS: the Mills County Engineer has completed (or has caused to be completed) the Structural Inventory and Appraisal of certain bridges, in accordance with the National Bridge Inspection Standards and has determined (or it has been determined) that they are inadequate for two-lane legal loads at allowable operating stress.

NOW, THEREFORE, BE IT RESOLVED by the Mills County Board of Supervisors that vehicles and load limits be established and that signs be erected advising of permissible maximum weights thereof on the bridges listed, as follows:

FHWA #	County ID	Posting	Type of Vehicle	Fac. Carried	Feat. Crossed
246820	348535/A-157	21	All	LCL-DONNER AVE	LOCAL CREEK
246910	353554/A-243	15	All	LCL-FRY AVE	MUD CREEK
246630	370549/A-205	19	All	FA-370 TH ST	NISHNABOTNA R
246160	245614/C-140	10	All	LCL-245 TH ST	LOCAL CREEK
246180	259619/C-159	13	All	LCL-MONTAQUE	WAUBONSIE CR
246110	272577/C-39	22	All	LCL-272 ND ST	OVER BNSF RR
244850	368660/D-181	10	All	LCL-QUEEN AVE	DEER CREEK
244720	378640/D-94	21	All	LCL-OMAN AVE	DEER CREEK
244670	391630/D-56	17	All	LCL-NOYES AVE	DEER CREEK
244880	397670/D-224	3	All	LCL-RAINS AVE	HUNTERS BRANCH
244810	401662/D-155	10	All	LCL-400 TH ST	HUNTERS BRANCH
245630	380595/IC-122	25	All	LCL-380 TH ST	INDIAN CREEK
245600	395580/IC-99	15	All	LCL-INGRAHAM AVE	STREAM
245591	400575/IC-67	4	All	LCL-400 TH ST	INDIAN CREEK
245730	400602/IC-162	19	All	LCL-400 TH ST	INDIAN CREEK
245710	413604/IC-158	4	All	LCL-KROON ROAD	LOCAL STREAM
245681	418595/IC-153	7	All	LCL-JARRED AVE	CREEK

246950	273500/I-21	10	All	LCL-APPLEWOOD	STREAM
245390	207650/L-55	21	All	FM-PADDOCK RD	LOCAL CREEK
245460	215669/L-113	23	All	LCL-PAINTER RD	DRAINAGE
245490	215673/L-120	15	All	LCL-RIST AVE	DRAINAGE
245411	238660/L-80	10	All	LCL-QUANDT	WAUBONSIE CR
247090	244550/O-303	10	All	LCL-ELLINGTON	KEG CREEK
245281	245650/R-108	14	All	LCL-PATHFIELD	WAUBONSIE CR
245301	288665/R-161	12	All	LCL-QUIGG AVE	SPRING VALLEY CR
245870	303595/S-68	4	All	LCL-JAHNKE AVE	SILVER CREEK
245940	319610/S-94	25	All	FA-LAMBERT AVE	RAINES BR
245911	323605/S-76	17	All	LCL-KEYS AVE	RAINES BR
245040	330642/W-62	25	All	FA-330TH ST	NISHNABOTNA R
245005	340648/W-58	3	All	LCL-340TH ST	SMALL STREAM
244921	345620/W-4	8	All	LCL-MARH AVE	NISHNABOTNA R

Motion carried on a roll call vote: Crouch – Aye, Kohn – Aye, Mayberry – Aye

There were no utility permits to report this week.

Engineer Mayberry discussed the delay of paving on the 284th Street & L31 project. He also updated the Board that he has received a call from the City of Pacific Junction stating that they are going to pay to have Jinkins seal coated along with their regular City streets.

Other road concerns were discussed.

Motion by Crouch seconded by Mayberry to approve the hire of Deanna Shaw as a dispatcher effective September 3, 2013 at a starting wage of \$14.39 per hour. She has passed all required medical, background and psychological testing. Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch seconded by Mayberry to accept and approve the Treasurer’s Semi-Annual Report.

Semi-Annual Report

8/28/13 Rebecca Killpack Treasurer Mills County Glenwood, IA

Certification Date June 30, 2013 For the period from January 1, 2013 - June 30, 2013 Inclusive

Fund	Balance January 1, 2013	Revenues	Total To be Accounted For	Disbursements	Fund Balance June 30, 2013	Auditor's Warrants Outstanding
01 General Basic	2,974,431.15	2,612,363.27	5,586,794.42	3,178,393.51	2,408,400.91	632,824.26
02 General Supplemental	1,141,117.65	619,103.33	1,760,220.98	701,483.05	1,058,737.93	81,989.57
03 Rural Services Basic	397,044.73	833,821.07	1,230,865.80	1,062,968.52	167,897.28	20,325.50
05 Secondary Roads	1,345,525.45	2,228,585.93	3,574,111.38	2,082,617.22	1,491,494.16	113,641.43
06 Revenue Sharing	.00	.00	.00	.00	.00	.00
07 Flood & Erosion Control	.00	.00	.00	.00	.00	.00
10 Drivers License Pilot Project	.00	38,273.00	38,273.00	38,273.00	.00	.00
11 County Municipal Assistance	.00	.00	.00	.00	.00	.00
12 Capital Projects	.00	.00	.00	.00	.00	.00
13 Debt Service	.00	.00	.00	.00	.00	.00
14 Drainage Control	1,319,246.40	126,311.89	1,445,558.29	552,074.89	893,483.40	14,146.03
16 Joint Disaster Service	56,348.89	96,905.00	153,253.89	78,034.62	75,219.27	11,584.56
18 Property Tax Agency	355,131.89	320,101.42	675,233.31	27,966.20	647,267.11	.00
20 Township Control	4,904.51	142,048.55	146,953.06	144,705.57	2,247.49	.00
21 Corporation Control	44,952.79	1,438,014.32	1,482,967.11	1,426,812.89	56,154.22	.00
22 School Control	183,055.28	5,672,913.22	5,855,968.50	5,727,651.47	128,317.03	.00
23 Area School Control	12,987.20	401,157.46	414,144.66	404,705.82	9,438.84	.00
24 Decat	111,231.09	21,476.99	132,708.08	98,803.57	33,904.51	2,557.28
29 County Ag. Extension	2,927.03	90,154.60	93,081.63	90,955.49	2,126.14	.00
30 Co. Cons. Land Aqu. Trust	189,669.74	21,748.81	211,418.55	5,000.00	206,418.55	.00
31 County Assessor	193,994.78	242,627.33	436,622.11	227,356.25	209,265.86	10,270.60
32 Motor Vehicle Trust	396,872.60	2,359,773.71	2,756,646.31	2,367,379.36	389,266.95	.00
33 Use Tax Trust	507.50	507.50	.00	.00	.00	.00
34 City Spec Assessment Contro	5,929.95	6,107.64	12,037.59	10,343.77	1,693.82	.00

35 Tax Redemption Trust	365.00	82,654.12	83,019.12	82,773.13	245.99	.00
36 Mh/Dd Services Fund	864,082.83	286,266.51	1,150,349.34	87,019.95	1,063,329.39	10,382.44
37 Data Processing	.00	.00	.00	.00	.00	.00
40 Recorders Record Mngt	19,325.55	1,891.87	21,217.42	3,685.70	17,531.72	.00
41 Reap Trust	108,488.60	66.40	108,555.00	.00	108,555.00	.00
42 Anatomical Gift Fund	.00	.00	.00	.00	.00	.00
43 Holding Account	4,783.98	.00	4,783.98	.00	4,783.98	.00
44 Urban Renewal Tax revenue fund	439,616.30	140,842.65	580,458.95	90,585.00	489,873.95	393.60
45 Feed Energy UR TIF Rebate	.00	.00	.00	.00	.00	.00
46 MAM I-29/34 UR TIF Rebate	.00	.00	.00	.00	.00	.00
47 Recorders Electronic Fund	.00	1,886.00	1,886.00	1,272.00	614.00	.00
48 Woodfield UR Tax Revenue	2,943.55	16,326.34	19,269.89	17,317.00	1,952.89	.00
53 Dare	.00	.00	.00	.00	.00	.00
54 K9 Fund	5,548.50	165.00	5,713.50	391.98	5,321.52	.00
55 Drug Forfeiture	7,822.23	348.17	8,170.40	.00	8,170.40	.00
56 Explorers	.00	.00	.00	.00	.00	.00
57 County Attorney Drug Dollars	3,150.75	1.58	3,152.33	.00	3,152.33	.00
59 MH Trust and Agency	35,486.19	285,759.33	321,245.52	271,942.94	49,302.58	16,112.84
60 County Conservation	124,735.90	6,925.75	131,661.65	11,135.05	120,526.60	.00
77 E911 Surcharge	62,066.18	56,216.79	118,282.97	93,073.85	25,209.12	7,667.31
78 E911 Contributions	52,326.20	3,906.62	56,232.82	.00	56,232.82	.00
79 Bunge	.00	27,500.00	27,500.00	27,500.00	.00	.00
99 Woodlands Benefited Water Dist	81,796.61	158.07	81,954.68	807.00	81,147.68	.00
	10,548,417.00	18,181,895.24	28,730,312.24	18,913,028.80	9,817,283.44	921,895.42

Motion carried on a vote: Ayes: 3 Nays: 0

County Attorney Eric Hansen, Engineer Kevin Mayberry and Deputy Real Estate Auditor Kristine Schoening were present for the Mark Allen Drainage – Tile Project discussion.

It was determined that since this project only involves one property owner and an easement was obtained, a public hearing is not required. Questions to Mr. Allen were; how deep he will be boring under roads, the approximate cost estimate, the size of the field he is intending to drain and why the pipe is so large. Mr. Allen answered all questions and stated he will meet with the Engineer for the cost estimate and the Engineer will keep the Board informed.

Motion by Crouch seconded by Mayberry to approve the payment of a Chantry Drainage claim in the amount of \$225.00 payable to David Jennings for spraying of trees and noxious weeds.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch seconded by Mayberry to approve Resolution 13-25 – Abatement of Taxes for A&M Green Power.
Resolution 13-25

The Mills County Board of Supervisors entered into a Relocation Agreement with A&M Green Power Group LC which stated the County would abate property taxes for the A&M business location on a sliding fee scale for a period of (5) years. Said scale and its payments are as follows: The County shall abate 75% of all property taxes due for the 2010 assessment due September 2011 and March 2012. The County will then abate 60% for the 2011 assessment, abate 45% for the 2012 assessment, abate 30% for the 2013 assessment, abate 15% for the 2014 assessment and the full amount will be due with the 2015 assessment.

The Mills County Board of Supervisors hereby directs the Treasurer to abate the taxes on parcel #0402900000000000 described as NE ¼ SE ¼ of Section 18, Township 72, Range 43 approximately **38.48 net acres** in Plattville Township in the amount of **\$58,497.30** which represents the 45% abatement of taxes for the 2012 assessment and send a revised tax statement for assessed taxes that are due and payable on September 1, 2013 and March 1, 2014 to A& M Green Power Group LC in the amount of **\$71,496.70**.

Motion carried on a roll call vote: Crouch – Aye, Mayberry – Aye, Kohn – Aye

Motion by Crouch seconded by Mayberry to approve Resolution 13-26 – Abatement of Taxes for Bunge.
Resolution 13-26

A Minimum Assessment Agreement as stated in IA Code 403.6(19) was created on December 29, 1998 by and among the Bunge Corporation, Pottawattamie County Board of Supervisors and Mills County Board of Supervisors and the Mills County Assessor and the Pottawattamie County Assessor for the purpose of creating an exemption of real estate taxation for a period of ten (10) years to construct a soybean crusher/refinery complex that said real estate is situated in both Mills and Pottawattamie Counties. The taxation of any said improvements thereafter be phased in over the next ten (10) years. Commencing with the January 1, 1998 assessment and continuing through January 1, 2007 assessment of said taxation would be based on the value of the unimproved site. Beginning with the January 1, 2008 assessment would generate a tax of \$100,000 representing year 11 and \$103,500 for year 12, \$107,100 for year 13, \$110,900 for year 14, \$114,800 for year 15, \$118,800 for year 16, \$122,900 for year 17, \$127,200 for year 18 \$131,700 for year 19 and \$136,300 for year 20. Along with the Minimum Assessment Agreement a Revenue Sharing Agreement between Pottawattamie County and Mills County was signed on December 30, 1998 which stated that the taxes collected by Mills County, Iowa on the improvements to the property covered by the Minimum Assessment Agreement will be split with Pottawattamie County fifty-fifty for years eleven through twenty. Mills County agrees to pay out of their general fund, fifty percent of the taxes to Pottawattamie County. There was a typographical error made in Resolution 12-27 which stated that the assessment would be \$110,000 for year 13 and it should have been for

\$110,900 per the agreement so the agreement states that in year 14 the assessment should be \$114,800 and to correct the error the assessment will be \$115,700.

The Board of Supervisors of Mills County setting in session on this 27th day of August ,2013 pursuant to the Minimum Assessment Agreement at IA Code 403. 6 (19) shall direct the treasurer of Mills County to send a tax statement for fiscal year 2012 taxes due and payable on September 1, 2013 and March 1, 2014 to Bunge Corporation for \$115,700 and abate the total taxes generated on these parcels in the amount of \$15,248.00 and direct the treasurer to make payment of \$57,850.00 to Pottawattamie County reflecting the Revenue Sharing Agreement and Mills County will then be allowed to apportion their share of the \$57,850.00 in taxes to the appropriate entities.

Motion carried on a roll call vote: Crouch – Aye, Mayberry – Aye, Kohn – Aye

Motion by Mayberry seconded by Crouch to approve the Class C liquor license renewal including catering privilege, living quarters and outdoor and Sunday sales for Castle Unicorn.

Motion carried on a vote: Ayes: 3 Nays: 0

Motion by Crouch seconded by Mayberry to approve the Class C liquor license renewal with outdoor and Sunday sales for Fairview County Club.

Motion carried on a vote: Ayes: 3 Nays: 0

The Board received the Sheriff's transaction report for July.

Bill Huey from Prochaska and Associates was present during general discussion to update the Board on the revised drawings for well drilling and drainage issues. He stated there has been continuous contact made between the contractors, architects, Glenwood Municipal Utilities and the City Engineer to keep everyone informed throughout the project.

There being no further business to come before the Board at this time, they adjourned to meet on Tuesday, September 3, 2013.

Mills County Board of Supervisors

Ron Kohn – Chairperson

Attest: _____

Carol Robertson, Auditor