

May 24, 2021

The Bremer County Board of Supervisors met in session on Monday, May 24, 2021 in the Courthouse, Waverly, Iowa, at 8:30 a.m. Kammeyer, Hildebrandt, Neil present. Cassandra Johansen, Finance Director, also present. Unless otherwise noted all actions were approved unanimously. Resolutions and Ordinances herein are summary descriptions, full text is available for viewing M – F 8:00 AM to 4:30 PM in the Bremer County Auditor’s office and online at: https://www.bremercounty.iowa.gov/government/resolutions_and_ordinances.php

Meeting was called to order by Chairman Kammeyer. Hildebrandt moved/Neil second to approve the agenda.

Neil moved/Hildebrandt second to go into Closed Session to meet with the Veteran’s Affairs Commission and Director in accordance with Iowa Code 21.5(1)(i) to evaluate the competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual’s reputation and that individual requests a closed session.

Neil moved/Hildebrandt second to end the Closed Session at 8:55 a.m.

Hildebrandt moved/Neil second to open the Public Hearing on a proposal for Non-Current Debt and approving an internal advance. Finance Director Johansen explained the Wartburg Dorm urban renewal project tax increment financing revenue decreased as a result of the legislative action that changed the taxation classification of the property from commercial to multi-residential. The tax increment financing revenue will pay back the debt after bond payments are complete. The percentage of interest to be charged also needs to be determined.

Hildebrandt moved/Neil second to close Public Hearing.

Neil moved/Hildebrandt second to Adopt RESOLUTION NO 21-39 Resolution Authorizing Internal Advance to Fund Urban Renewal Project Costs. WHEREAS, the Board of Supervisors of Bremer County, Iowa (the “County”), has established the Wartburg College Urban Renewal Area (the “Urban Renewal Area”) and has established the Wartburg College Urban Renewal Area Tax Increment Revenue Fund (the “Tax Increment Fund”) in connection therewith; and WHEREAS, the County has undertaken a certain urban renewal project in the Urban Renewal Area, consisting of funding an economic development grant (the “Grant”) to Birdworks, LLC, a subsidiary of Cardinal Construction, related to the construction of student housing at Wartburg College; and WHEREAS, it has been proposed that the County facilitate an internal advance of funds in the amount of \$36,937 (the “Advance”) in order to refinance a portion of the costs of funding the Grant, and, pursuant to Section 331.479 of the Code of Iowa, the County has published notice and has held a public hearing on such proposal on May 24, 2021, and WHEREAS, the County desires to make the Advance eligible to be repaid from future incremental property tax revenues to be derived from the Urban Renewal Area; NOW, THEREFORE, IT IS RESOLVED by the Board of Supervisors, as follows:
Section 1. It is hereby directed that the Advance in the amount of Thirty-Six Thousand Nine Hundred Thirty-Seven Dollars (\$36,937) be advanced in order to refinance a portion of the costs of funding of the Grant from the General Fund (the “Source Fund”) to the Bremer County Debt Service Fund - 2000. The Advance shall be repaid to the Source Fund, with interest at the per annum rate of 2%, out of incremental property tax revenues received with respect to the Urban

Renewal Area. Interest shall be calculated from June 1, 2021 and shall be computed on the basis of the actual 365-day calendar year. It is intended that the Advance, plus accrued interest thereon, shall be repaid to the Source Fund on or before June 1 2026, provided however that repayment of the Advance is subject to the determination of the Board of Supervisors that there are incremental property tax revenues available for such purpose which have been allocated to or accrued in the Tax Increment Fund relative to the Advance, and the Board of Supervisors reserves the right to appropriate funds, or to withhold such appropriation, at its discretion. All payments made will be applied first to accrued interest and then to the Advance. Section 2. A copy of this Resolution shall be filed in the office of the County Auditor of Bremer County to evidence the Advance. Pursuant to Section 403.19 of the Code of Iowa, the County Auditor is hereby directed to certify, no later than December 1, 2021, the original amount of the Advance. Section 3. All resolutions or parts thereof in conflict herewith, are hereby repealed, to the extent of such conflict. PASSED AND APPROVED this 24th day of May, 2021.

Neil moved/Hildebrandt second to Adopt RESOLUTION NO 21-40 Fund Transfer. WHEREAS, Section 331.432 of the Code of Iowa requires the Board of Supervisors of Bremer County Iowa to authorize the transfer of funds by resolution; BE IT RESOLVED, that the Board of Supervisors authorizes the following transfer: From General Basic to Debt Service Fund \$35,437.00. So passed and adopted this 24th day of May 2021.

Board met with Scott LaRue, GIS/Maintenance for a department update.

Neil moved/Hildebrandt second to approve the 5/17/21 minutes.

Hildebrandt moved/Neil second to approve FY22 Cellular Phone Reimbursement Authorizations for Amy Koch, Health Department and Grant Walvatne, Maintenance.

Neil moved/Hildebrandt second to approve 75 hours of vacation carryover for Sue Lahr, CBS to be used by December 31, 2021.

Neil moved/Hildebrandt second to authorize Board Chair to pre-approve Community Based Services new hire additions ahead of full board approval until December 31, 2021.

Neil moved/Hildebrandt second to approve a claim to pay White County Sheriff, Carmi, Illinois \$36.00 for service fee and authorize Auditor to issue a check.

Hildebrandt moved/Neil second to open Public Hearing for FY21 budget amendment. Jan Heidemann, MHDD/GA/SA present. No comments received in protest.

Hildebrandt moved/Neil second to close the Public Hearing.

Hildebrandt moved/Neil second adopt RESOLUTION NO 21- 41 FY21 Budget Amendment WHEREAS the FY21 Budget originally adopted March 16, 2020 and amended December 21, 2020 and March 22, 2021 requires a decrease in revenues and expenditures for the department of Health, as well as an increase in expenditures for the departments of Treasurer and Med Exam/Testing, and WHEREAS a public hearing concerning the proposed amendment was held on May 24, 2021, THEREFORE, BE IT RESOLVED by the Board of Supervisors to amend the

FY21 Budget as published and in accordance with Iowa Code Section 331.435. So Passed and Adopted this 24th Day of May, 2021.

Neil moved/Hildebrandt second to adopt RESOLUTION NO 21-42 FY21 Budget Amendment Appropriation. WHEREAS the FY21 Budget was amended to account for increases/decreases in expenditures adopted in the original published budget: BE IT RESOLVED by the Board of Supervisors of Bremer County, Iowa that the following appropriation changes are made to the respective department for fiscal year ending June 30, 2021, as presented in the following table:

Department Name	Appropriated	Change	New Appropriation
03 Treasurer	\$540,726	\$8,000	\$548,726
28 Med Exam/Testing	\$81,075	\$15,000	\$96,075
55 Health Dept.	\$1,231,872	(\$458,982)	\$772,890

So Passed and Adopted this 24th Day of May, 2021.

Discussion was held with Jan Heidemann, MHDD/GA/SA, in regard to recent legislation dictating Mental Health & Disability services management, levy rate, and fund balances.

Board/Committee updates: Kammeyer attended INRCOG Ec. Development Board meeting; Hildebrandt attended INRCOG Executive & Transportation board meetings.

Board met with Landon Moore, Engineer, for a weekly Secondary Roads department update.

Public comment: Neil relayed a compliment received praising farm land tenant Schaufenbuels for improving the soil with their farming practice.

Board moved to the Courthouse 1st floor meeting room to meet with Ben Wilkens, B & Z Admin. to consider an ordinance.

Hildebrandt moved/Neil second to open Public Hearing for the Third Reading of Ordinance #21-05, an ordinance providing for a change in zoning for J.D. Francis, Inc. from A-1 to A-2 on the following described property: SE¼ of the SW¼ of Sec 15, T92N, R14W of the 5th P.M., except the S339.92' thereof and the N175' of the W1000' thereof all in Bremer County, IA. J. D.

Francis, owner proposing to develop a residential subdivision on the property and Rich Dane spoke in support. Speaking in opposition were Mick Weiss, Leon McNeilus, Marv Folkerts, Kathy Folkerts Gaylord Hinderaker, Lindee McNeilus, Michael Aubrey, Tim Spratt, Christine Spratt, Mark Norton, Wayne Gipple, Bruce Gipple, Margyne Smith, Russ Smith. Supervisor Kammeyer declared his stance is to follow the Bremer County Comprehensive land use plan. Neil responded to criticisms and clarified statements made in private conversations and in the previous public hearings.

Hildebrandt moved/Neil second to close the Public Hearing.

Hildebrandt affirmed he heard all comments, that this is not easy but he believes in personal property rights, that a land owner has a right to make a living and that his decision is not about dollars and cents, it's about individual rights. Hildebrandt also stated the concerns heard in the public hearings will be addressed when/if affected. Neil emphasized being torn, that he is not taking this decision lightly and is doing his best to look past the sentimental reasoning's. He didn't realize the water issue was as severe as presented today. Not having a definitive answer that the proposed pond will work to resolve that issue is a concern. Hildebrandt referred to the

court findings stating that these types of decision are in the hands of the Board of Supervisors for a lot of reasons.

Hildebrandt moved/Neil second not to concur with the P & Z Commission's recommendation and approve the Third reading of Ordinance #21-05. Aye: Hildebrandt; Nays: Neil, Kammeyer.

Hildebrandt moved/Neil second to adjourn at 12:06 p.m.

The above and foregoing is a true and correct copy of the minutes and proceedings of a regular session of the May 24, 2021 meeting of the Bremer County Board of Supervisors.

Ken Kammeyer, Chairman

Attest: _____
Shelley Wolf, Auditor