



MARION COUNTY encourages all citizens of the county to attend Board of Supervisors' meetings. Board of Supervisors' chambers are handicapped accessible and county staff members are available to provide assistance. If you are hearing impaired, vision impaired, or a person with limited English proficiency and require an interpreter or reader, please contact us by noon on the business day prior to scheduled meetings to arrange for assistance (641 828-2231). TTY telephone service is available for the hearing impaired through Relay Iowa (800-735-2942). For questions about ADA compliance or related issues, contact Steve Edwards (641-828-2213 or 641-891-8225).



**The following information is available for participating in the meeting electronically.**

**If you wish to participate see instruction below:**

- All participants will be muted upon entering the meeting
- Participants are asked to use the chat feature to let the meeting controller know that they would like to address the Board, either during the open comments segment or if attending the meeting to address the Board for a specific agenda item.

Marion County is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us06web.zoom.us/j/88659967719?pwd=lonarjHDeBOQINwTGbKnyUEhMfsblb.1>

Meeting ID: 886 5996 7719

Passcode: 640654



# **MARION COUNTY BOARD OF SUPERVISORS REGULAR AGENDA**

**3014 E Main St, Knoxville, Iowa**

**September 26, 2023 9:00 A.M.**



# I. CALL TO ORDER AND ROLL CALL

Mark Raymie\_\_\_\_\_

Steve McCombs\_\_\_\_\_

Kisha Jahner\_\_\_\_\_



## II. AGENDA

### 1. September 26, 2023 - Regular Session Agenda



### III. COMMUNICATION



## IV. PUBLIC COMMENTS:

This is the portion of our agenda during which we hear any public comment about any item NOT on the agenda below. If you are here to be heard on an agenda item, please wait for that item's discussion portion of the agenda to make your comment about the item. Thank you.





## V. CONSENT AGENDA:

(All items listed under the consent agenda will be enacted by one motion.)

1. Marion County Claims through 9/26/2023.
2. Marion County Regular Session Board of Supervisor Minutes: 9/12/2023
3. Marion County employee salary adjustments. Complete list available in the Human Resource Office.
4. Marion County Conservation Warrants #251659 - #251706 through 9/19/2023.



## VI. BUSINESS:

### 1. Discussion/action:

Marion County Special Event Application

- Thrive Knoxville – Living Windows 11/16/2023



## SPECIAL EVENT PERMIT APPLICATION FORM

1. SPONSOR Thrive Knoxville

ADDRESS 418 S. Park Lane Dr., Knoxville, IA 50138

PHONE 641-751-5891

2. EVENT TYPE: (description) Living Windows – tree lighting on Courthouse grounds (5:30 p.m.), Chamber of Commerce Snowball drop in the bandstand (immediately following tree lighting), events in the Courthouse Rotunda (5:30 to 7:30 p.m.)

3. EVENT CONTACT PERSON(s) Cassi Pearson, Leta Burke  
PHONE 641-751-5891, 641-521-3338

ADDRESS 418 S. Park Lane Dr., Knoxville, IA 50138  
E-MAIL troy.cassi.pearson@gmail.com; leta.burke@iowatelecom.net

4. ON-SITE CONTACT PERSON(s) Cassi & Leta PHONE 641-751-5891, 641-521-3338

5. EVENT LOCATION Marion County Courthouse lawn & surrounding square

6. EVENT DATE 11/16/2023 EVENT START TIME 5 PM EVENT END TIME 8 PM

7. SET UP TIME 4 PM TAKE DOWN TIME 8 PM

8. RAIN DATE/TIME NA

9. RESTROOMS: NUMBER OF TOILETS BEING PROVIDED 0

LOCATION(S) OF TOILETS - \_\_\_\_\_

USE OF COURTHOUSE RESTROOMS REQUESTED? Yes (5:00 to 7:30 p.m.)

10. UTILITIES TO BE USED (LIST EQUIPMENT TYPES)(attach additional pages if necessary)

Electrical \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10a. ELECTRICAL SOURCE Christmas tree & trees on Courthouse lawn & bandstand

10b. WATER SOURCE NA

11. SECURITY NA

12. SITE PLAN ATTACHED. ☒ YES ☐ NO

13. INDEMNITY AGREEMENT SIGNED AND ATTACHED. ☒ YES ☐ NO

14. INSURANCE CERTIFICATE ATTACHED. ☒ YES ☐ NO

15. DAMAGE DEPOSIT INCLUDED (AMOUNT \$ \_\_\_\_\_) ☐ YES ☒ NO

*I have read this Special Event Agreement and Application packet and have accurately and truthfully completed the Application. I agree that I will obtain any other permits necessary and will follow the guidelines and requirements set forth in the packet.*

*Cassi Pearson*

9/18/2023

Signature

Date

## INDEMNITY AGREEMENT

In consideration for the granting of permission by the County of Marion, Iowa to the undersigned for the use of the following described property:

- Courthouse grounds for tree lighting (5:30 p.m.)
- Bandstand for Chamber of Commerce Snowball drop (immediately following tree lighting)
- Courthouse rotunda for events (5:30 to 7:30 p.m.)
- Courthouse restrooms (5:00 to 7:30 p.m.)

For the following purpose only: Living Windows

On the following date(s): 11/16/2023

The undersigned agrees to defend, indemnify and hold harmless the County of Marion, its agents, officers and employees, from and against any and all claims for injury or damages to persons or property arising out of or caused by the use of such property.

The undersigned further agrees upon receipt of notice from the County of Marion to defend at its own expense the County of Marion, its agents, officers and employees from any action or proceeding against the County of Marion, its agents, officers or employees arising out of or caused by the use of such property. The undersigned agrees that a judgment obtained in any such action or proceeding shall be conclusive in any action by the County, its agents, officers or employees against the undersigned, when so notified as to the undersigned's cause of the injury or damage, as to the liability of the County, its agents, officers and employees to the plaintiff in the first named action, and as to the amount of the damage or injury. The County of Marion, its agents, officers and employees may maintain an action against the undersigned to recover the amount of the judgment together with all the expenses incurred by the County, its agents, officers and employees in the action.

I HAVE READ THIS INDEMNITY AGREEMENT, I UNDERSTAND THE EFFECT OF THIS INDEMNITY AGREEMENT, I AM AUTHORIZED TO SIGN THIS INDEMNITY AGREEMENT, AND I AM SIGNING THIS INDEMNITY AGREEMENT VOLUNTARILY.

Dated this 18 day of September, 2023.

Organization: Thrive Knoxville

By:

Title: Chair

## SITE PLAN

Attach site plan here.

Same location for the Christmas tree as previous years.

Events in the Courthouse Rotunda as previous years.

Christmas lights will be placed on the Courthouse lawn trees & bandstand the first part of November and taken down the first part of January.

## 2. Discussion/action:

Special Class C Retail Native Wine License Application  
- Thunder Creek Winery – 574 210<sup>th</sup> Ave. Pella, IA  
10/11/2023 – 10/10/2024





# State of Iowa

Alcoholic Beverages Division

## Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
Ronald P. Vande Lune	Thunder Creek Winery	(641) 629-6009		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
574 210th Avenue		Pella	Marion	50219
MAILING ADDRESS	CITY	STATE	ZIP	
574 210th Avenue	Pella	Iowa	50219	

## Contact Person

NAME	PHONE	EMAIL
Kris Vande Lune	(641) 629-6009	rkvl@myyahoo.com

## License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
	Special Class C Retail Native Wine License	12 Month	Submitted to Local Authority
TENTATIVE EFFECTIVE DATE	TENTATIVE EXPIRATION DATE	LAST DAY OF BUSINESS	
Oct 11, 2023	Oct 10, 2024		
SUB-PERMITS			
Special Class C Retail Native Wine License			



# State of Iowa

Alcoholic Beverages Division

## PRIVILEGES

Living Quarters, Outdoor Service

## Status of Business

### BUSINESS TYPE

Sole Proprietor

## Ownership

### • Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Ronald Vande Lune	Pella	Iowa	50219	Owner	100.00	Yes

## Insurance Company Information

INSURANCE COMPANY	POLICY EFFECTIVE DATE	POLICY EXPIRATION DATE
Western Agricultural Insurance Company	June 1, 2023	June 1, 2024
DRAM CANCEL DATE	OUTDOOR SERVICE EFFECTIVE DATE	OUTDOOR SERVICE EXPIRATION DATE
BOND EFFECTIVE DATE	TEMP TRANSFER EFFECTIVE DATE	TEMP TRANSFER EXPIRATION DATE

## Thunder Creek Winery 2022



### Overview



### Legend

- Parcels
- Parcel
- BLL
- Survey Townships
- 911 Roads
- Address Points
- Corporate Limits

Parcel ID	1350801000	Alternate ID	n/a	Owner Address	Vande Lune, Ronald P
Sec/Twp/Rng	2B-77-18	Class	R		574 210th Ave
Property Address	574 210TH AVE	Acreage	3.55		Pella, IA 50219-
	PELLA				
District	LAKE PRAIRIE PELLA				
Brief Tax Description	SW1/4 APPROX S94.7' OF W344.5' OF NW SW& N35.2' OF W344.1' OF SW SW				
	(Note: Not to be used on legal documents)				

Before starting any construction projects, contact the Marion County Zoning department about Building Permit requirements.

Date created: 9/8/2022

Last Data Uploaded: 9/8/2022 2:56:35 AM

Developed by  **Schneider**  
GEOSPATIAL

### 3. Resolution 2023-60:

Fixing Date for a Public Hearing on the Proposal to Enter Into a Development Agreement with Adkins Specialized Carriers, LLC and the City of Pleasantville, Iowa, and Providing for Publication of Notice Therof.





Board Member [REDACTED] then introduced the following proposed Resolution entitled "RESOLUTION 2023-60 FIXING DATE FOR A PUBLIC HEARING ON THE PROPOSAL TO ENTER INTO A DEVELOPMENT AGREEMENT WITH ADKINS SPECIALIZED CARRIERS, LLC AND THE CITY OF PLEASANTVILLE, IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Board Member [REDACTED] seconded the motion to adopt. The roll was called, and the vote was:

AYES: [REDACTED]

[REDACTED]

NAYS: [REDACTED]

Whereupon, the Chairperson declared the Resolution duly adopted as follows:

#### RESOLUTION NO. 2023-60

#### RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON THE PROPOSAL TO ENTER INTO A DEVELOPMENT AGREEMENT WITH ADKINS SPECIALIZED CARRIERS, LLC AND THE CITY OF PLEASANTVILLE, IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

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 "Urban Renewal Plan" or "Plan") for the Adkins 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 Marion County; 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, which Plan as amended, is on file in the office of the Recorder of Marion County; 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 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, (the "Urban Renewal Law") 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 Chapter, 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 the factors set forth therein; and

WHEREAS, neither the Urban Renewal Law nor any other Code provision sets forth any procedural action required to be taken before said economic development activities can occur under the Agreement, and pursuant to Section 331.301(5), Code of Iowa, it is deemed sufficient if the action hereinafter described be taken and the County Auditor publish notice of the proposal and of the time and place of the meeting at which the Board proposes to take action thereon and to receive oral and/or written objections from any resident or property owner of said County to such action.

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

Section 1. That this Board meet in the Board Conference Room, 3014 East Main Street, Knoxville, Iowa, at 9:00 A.M. on October 10, 2023, for the purpose of taking action on the matter of the proposal to enter into a Development Agreement with Adkins Specialized Carriers, LLC and the City of Pleasantville, Iowa.

Section 2. That the County Auditor is hereby directed to cause at least one publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in said County, said publication to be not less than four (4) clear days nor more than twenty (20) days before the date of said public meeting.

Section 3. The notice of the proposed action shall be in substantially the following form:

(One publication required)

NOTICE OF PUBLIC HEARING OF THE BOARD OF SUPERVISORS OF MARION COUNTY IN THE STATE OF IOWA, ON THE MATTER OF THE PROPOSAL TO ENTER INTO A DEVELOPMENT AGREEMENT WITH ADKINS SPECIALIZED CARRIERS, LLC AND THE CITY OF PLEASANTVILLE, IOWA, AND THE HEARING THEREON

PUBLIC NOTICE is hereby given that the Board of Marion County in the State of Iowa, will hold a public hearing on October 10, 2023, at 9:00 A.M. in the Board Conference Room, 3014 East Main Street, Knoxville, Iowa, at which meeting the Board proposes to take action on the proposal to enter into a Development Agreement (the "Agreement") with Adkins Specialized Carriers, LLC (the "Developer") and the City of Pleasantville, Iowa (the "City").

The Agreement would obligate the Developer to construct certain Minimum Improvements (as defined in the Agreement) on certain real property located within the Adkins Urban Renewal Area as defined and legally described in the Agreement, consisting of the construction of a 27,300 square foot commercial building, together with all related site improvements, under the terms and following satisfaction of the conditions set forth in the Agreement.

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.

The Agreement also proposes that the County would issue Bonds to be used to finance the County Contribution of \$2,031,025 toward the cost of the Infrastructure Improvements, under the terms and following satisfaction of the conditions set forth in the Agreement. In addition, the City will provide the County with Tax Increment Payments derived from the Development Property, up to the County's aggregate Debt Service payments (as defined in the Agreement) associated with the Bonds.

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

A copy of the Agreement is on file for public inspection during regular business hours in the office of the Marion County Auditor, Courthouse, Knoxville, Iowa.

At the above meeting the Board shall receive oral or written objections from any resident or property owner of said County, to the proposal to enter into the Agreement with the Developer and the City. After all objections have been received and considered, the Board will at this meeting or at any adjournment thereof, take additional action on the proposal or will abandon the proposal to authorize said Agreement.

This notice is given by order of the Board of Supervisors of Marion County in the State of Iowa, as provided by Sections 331.301(5) and 331.305, Code of Iowa.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
County Auditor, Marion County in the State of  
Iowa

(End of Notice)

PASSED AND APPROVED this 26<sup>th</sup> day of September, 2023.

\_\_\_\_\_  
Chairperson, Board of Supervisors

ATTEST:

\_\_\_\_\_  
County Auditor

#### 4. Discussion/action:

Marion Count Property – 104 S. 6<sup>th</sup> St. Knoxville, IA



## 5. Discussion/action:

### Road Department Update



## 6. Board of Supervisor Updates



## VII. BOARD OF SUPERVISOR ADJOURNMENT

