



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/85341611069?pwd=ZMmXG8i4orlqQE0naxibuU7AbGYIAx.1>

Meeting ID: 853 4161 1069

Passcode: 010689



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

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

**October 10, 2023 9:00 A.M.**



# I. CALL TO ORDER AND ROLL CALL

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

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

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



## II. AGENDA

### 1. October 10, 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 10/10/2023.
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.



## VI. BUSINESS:

### 1. Public Hearing:

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.



**(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 County Auditor, Courthouse, Marion, 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 9th day of September, 2023.

Jake Grandia  
County Auditor, Marion County in the State of  
Iowa

(End of Notice)

02208083-1\19431-010



## 2. Resolution 2023-83:

Resolution Approving and Authorizing Execution of a Development Agreement By and Among Marion County, Adkins Specialized Carriers, LLC, and the City of Pleasantville, Iowa.



RESOLUTION NO. 2023-83

RESOLUTION APPROVING AND AUTHORIZING  
EXECUTION OF A DEVELOPMENT AGREEMENT BY AND  
AMONG MARION COUNTY, ADKINS SPECIALIZED  
CARRIERS, LLC, AND THE CITY OF PLEASANTVILLE,  
IOWA

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:

Section 1. 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.

Section 2. 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.

PASSED AND APPROVED this 10<sup>th</sup> day of October, 2023.

\_\_\_\_\_  
County, Board of Supervisors

ATTEST:

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

#### CERTIFICATE

STATE OF IOWA                                 )  
  ) SS  
COUNTY OF MARION                         )

I, the undersigned County Auditor of Marion County, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the County showing proceedings of the Board, and the same is a true and complete copy of the action taken by the Board with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Board and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Board pursuant to the local rules of the Board and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective county offices as indicated therein, that no Board vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the County or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Board hereto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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

(SEAL)

02214056-1\19431-010

### 3. Discussion/action:

Marion County Engineer – Knoxville area sinkhole update



## 4. Board of Supervisor Updates





## 5. Closed Session:

- a. Authorize: Closed Session pursuant to Iowa Code Chapter 21.5(1)(k)
- b. Reconvene from Closed Session
- c. Action as necessary from Closed Session



## VII. BOARD OF SUPERVISOR ADJOURNMENT

