

The Marion County Board of Supervisors met in regular session June 11, 2001 with William G. Shepherd and Robert De Joode present. K.C. Valster was absent. Chairman Shepherd opened the meeting at 9:30 A.M.

De Joode moved and Shepherd seconded to approve the agenda as posted. Ayes all.

De Joode moved and Shepherd seconded that the minutes of May 29, 2001 meetings be approved as published. Ayes all.

De Joode moved and Shepherd seconded that warrants #120812 thru #121098 be approved for payment. Ayes all.

Rich De Heer, concerned citizen, asked some questions of the Board. Mr. De Heer asked about the status of planning and budgeting on the new cabins at Cordova Park. He then inquired about any planning and funding for a new county jail. He stated that he felt the Board should look at the high sum of money to house prisoners out of county. Chairman Shepherd indicated that the Conservation Board has plans, and has budgeted, to construct additional cabins in the upcoming budget year. Shepherd also indicated that the Board was very aware of the high costs of housing prisoners out of County, partly due to having to house State corrections prisoners with no reimbursement.

De Joode moved and Shepherd seconded to approve the reappointment of Richard Mason to the Commission of Veteran's Affairs for a three-year term ending June 30, 2004. Ayes all.

De Joode moved and Shepherd seconded to approve guidelines for General Assistance and Veteran's Affairs, Medical Examiner, and Autopsy Transportation Fees. Ayes all.

De Joode moved and Shepherd seconded to approve a Class C beer permit, with Sunday sales, for Louis Beener, d.b.a. Lou's Bait and Tackle. Ayes all.

De Joode moved and Shepherd seconded to approve an agreement with Country Life Health Care, Inc. for administrative services at the Marion County Care Facility. Ayes all.

De Joode moved and Shepherd seconded to approve the following Resolution:

WHEREAS a Treasurer's check issued in June, 1997 for \$5.00 is outstanding and,

WHEREAS the check has not been redeemed,

THEREFORE BE IT RESOLVED, that this check be void under the guidelines set forth by our software providers and the funds placed back in the fund balance in the amount shown.  
Ayes all.

De Joode moved and Shepherd seconded to approve the fees for County employee benefit plans. The new rates for medical insurance are \$230.00 for a single plan and \$450.00 for a family plan per month. The new rates for dental insurance are \$19.71 for a single plan and \$63.28 for a family plan. The new rates are effective as of July 01, 2001. Ayes all.

De Joode moved and Shepherd seconded to approve the Marion County, Iowa, Courthouse Security Plan. Ayes all. The plan is available for viewing at the County Auditor's Office.

De Joode moved and Shepherd seconded to approve the reappointments of the following individuals to the Marion County Development Commission for three year terms ending June 30, 2004: Dan McKay, Marv Rollings, John Franey, and Ruby Warren. Ayes all. Shepherd also indicated that there were three vacancies on the Development Board if anyone was interested.

De Joode moved and Shepherd seconded the approval of an agreement with West Group to provide the Marion County Law Library with a Westlaw resource plan and support. These resources will now be accessible online with a password system. Ayes all.

De Joode moved and Shepherd seconded to approve the following Resolution:

WHEREAS the Marion County Board of Supervisors approved the transfer of \$4500.00 from General Basic Fund to Urban Renewal Bonds Fund under the 00-01 budget, and,

WHEREAS ACCORDING TO chapter 331.432 of the Code of Iowa, the Board of Supervisors must approve the actual transfers,

THEREFORE BE IT RESOLVED that the transfer of \$4500.00 from General Basic Fund to Urban Renewal Bonds Fund be approved by the Marion County Board of Supervisors for the fiscal year of 2000-2001, and,

BE IT FURTHER RESOLVED that the Auditor and Treasurer be instructed to make the said transfer in a timely fashion.  
Ayes all.

De Joode moved and Shepherd seconded to approve supporting CIRTPA's 28E Agreement amendment to include Story City, Iowa. Ayes all.

De Joode moved and Shepherd seconded the approval of an agreement with the Iowa Department of Transportation for the Pleasantville bypass area. This plan will allow the upgrading of some roads involved in the bypass project. The \$190,125.00 project will be funded by 80% STP federal funds and 20% farm-to-market funds. Ayes all.

De Joode moved and Shepherd seconded the approval of 9 Work/Waste Dirt Agreements with the Secondary Road Department. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department including presenting the Board with the final IDOT approved plan for PROJECT NO. BROS-C063(28)—5F-63. locally known as the New Dollar Bridge Project. De Joode moved and Shepherd seconded to approve the final New Dollar Bridge Plan as approved by the IDOT. Ayes all.

There being no other business, De Joode moved and Shepherd seconded that the meeting be adjourned at 10:02 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in regular session June 25, 2001 with William G. Shepherd and K.C. Valster present. Robert De Joode was absent. Chairman Shepherd opened the meeting at 9:30 A.M.

Valster moved and Shepherd seconded to approve the agenda as posted. Ayes all.

Valster moved and Shepherd seconded that the minutes of June 11, 2001 meetings be approved as published. Ayes all.

Valster moved and Shepherd seconded that warrants #121156 thru #121407 be approved for payment. Ayes all.

Rich De Heer, concerned citizen, asked some questions of the Board. Mr. De Heer asked about the procedure for posting and filling County job openings. The Board stated that it was in the Marion County Employee Handbook to post job openings for 10 days, but each office handled their own hiring. It was not known if every elected official followed this procedure. It was also noted that this is not necessary to fill an elected officials deputy position.

Valster moved and Shepherd seconded to approve the following Resolution:

WHEREAS the Marion County Board of Supervisors approved the budget for FY 01-02, and

WHEREAS the monies need to be appropriated for each department to meet this budget,

THEREFORE BE IT RESOLVED that the following monies be appropriated for each department listed for the FY 01-02 year.

Supervisors	157,227
Auditor	228,094
Treasurer	352,076
Attorney	229,477
Sheriff	1,579,194
Court Services	99,900
Recorder	137,826
Zoning	44,787
Landfill	15,000
D.H.S.	81,977
Engineer	4,842,189
Veterans Affairs	60,434
Conservation	1,071,738
Health Board	1,830,805
Weed Commission	6,985
General Assistance	89,972
Medical Examiner	31,000
Libraries	70,000
Child Support Recovery	1,000
Ambulance	6,709
Care of Indigents	236,748
Sanitation	73,365
Custodial & Maintenance	369,372
Data Processing	174,324
Mental Health	2,892,186
Development	98,175
Substance Abuse	105,500
Joint Disaster Services	77,100
Nondepartmental	2,706,201
Total Appropriation	17,669,361

Ayes all.

Valster moved and Shepherd seconded to approve increasing the rate paid to reimburse mileage for County employees from \$0.28 to \$0.30. The increase will be effective July 01, 2001. Ayes all.

Valster moved and Shepherd seconded to approve the following resolution:

WHEREAS the Marion County Board of Supervisors approved the budget for FY 00-01, and

WHEREAS the monies were appropriated for each department to meet this budget, and

WHEREAS there is now a need to re-appropriate monies between certain departments within this budget,

THEREFORE BE IT RESOLVED that the following monies be re-appropriated for each department listed for the FY 00-01 year.

Auditor	(500)
Recorder	<u>500</u>

Ayes all.

Valster moved and Shepherd seconded to approve a request by Graham Fee, on behalf of the Crystal Lake Association, to hold a fireworks show on July 04, 2001, at Knoxville Estates. The rain date to be the following weekend. The request was approved upon proof of insurance, qualified technicians, and notification of local fire departments. Ayes all.

Valster moved and Shepherd seconded to approve a request by Jerry Van Wyk, on behalf of Federated Fellowship Church, to hold a fireworks show at the Kort Meer subdivision near Pella on July 08, 2001. The request was approved upon proof of insurance, qualified technicians, and notification of local fire departments. Ayes all.

Valster moved and Shepherd seconded to recommend and approve for certification the following people to become Sheriff's Reserves:

- |                         |                        |                       |
|-------------------------|------------------------|-----------------------|
| • Shane Joshua Sweitzer | • Teresa Jo Rietveld   | • Todd Timothy Lawler |
| • Kimberly Anne Bauer   | • Valerie Yvette Green | • Troy Charles Fisher |

Ayes all.

Valster moved and Shepherd seconded to approve an agreement with Capstone Center, Inc. for chemical dependency medical assessment, evaluation services, substance abuse treatment services, and defined mental health services. The approval is based on the clarification of a couple points of the agreement. Chairman Shepherd will follow through on these clarifications. Ayes all.

Valster moved and Shepherd seconded to approve a petition by Bob Karpan to upgrade 1800 feet of Shaw St. southwest of Melcher-Dallas. This is a dead-end road that is currently a Level B classed road. Mr. Karpan is to pay for half of the surfacing cost. The Secondary Road Department is to schedule the necessary work after receiving Mr. Karpan's payment. Ayes all.

Valster moved and Shepherd seconded, upon recommendation of the Engineer's Department, to enter into a lease/purchase agreement with Road Machinery & Supplies Company of Des Moines, Ia., for the purchase of a 2001 Gradall XL4100 Hydraulic Wheel Excavator. The purchase price is \$241,307.00 and will be delivered in mid August. This machine best fits the Secondary Road Departments needs and will replace two out-of-date machines. Ayes all

Valster moved and Shepherd seconded to approve the Secondary Road Payroll Policy for the FY 2001-2002. This is in accordance with the previously approved County budget. The approval is required by the Iowa Department of Transportation. Ayes all.

Valster moved and Shepherd seconded the approval of 1 Work/Waste Dirt Agreement with the Secondary Road Department. Ayes all.

Steve Mc Combs, Marion County Engineer's office, gave an update on the current activities of the Secondary Road Department. Ayes all.

There being no other business, Valster moved and Shepherd seconded that the meeting be adjourned at 9:58 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in regular session July 09, 2001 with William G. Shepherd, Robert De Joode, and K.C. Valster present. Chairman Shepherd opened the meeting at 9:30 A.M.

Chairman Shepherd amended the tentative agenda to add item #12: Review and take action on reappointing members to the County Magistrate Appointing Commission.

Valster moved and De Joode seconded to approve the agenda as amended. Ayes all.

Valster moved and De Joode seconded that the minutes of June 25, 2001, and July 02, 2001, meetings be approved as published. Ayes all.

Valster moved and De Joode seconded that warrants #121411 thru #121587 be approved for payment. Ayes all.

Valster moved and De Joode seconded to receive and file Marion County's General Relief and Veteran's Affairs quarterly reports. Ayes all.

Valster moved and De Joode seconded to approve the following two Resolutions. These were approved to complete the Marion County's Emergency Management Directors requirements in obtaining an emergency generator for the Marion County Care Facility.

## RESOLUTION OF PROCUREMENT POLICY

### PURPOSE

The purpose of this Procurement Policy is to insure that sound business judgment is utilized in all procurement transactions and that supplies, equipment, construction and services are obtained efficiently and economically and in compliance with applicable federal law and executive orders and to insure that all procurement transactions will be conducted in a manner that provides full and open competition.

### APPLICATION

This policy applies to the procurement of all supplies, equipment, construction, and services of and for Marion County related to the implementation and administration of the Housing Fund award. All procurement will be done in accordance with 24 CFR; Part 85.36.

### POLICY

#### METHODS OF PROCUREMENT

Procurement under grants shall be made by one of the following methods, as described herein: (a) small purchase procedures; (b) sealed bids (formal advertising); (c) competitive proposals; (d) noncompetitive proposals.

A. Small purchase procedures are relatively simple and informal procurement methods that are sound and appropriate for the procurement of services, supplies or other property costing in aggregate not more than \$100,000. If small purchase procedures are used for a procurement under a grant, price or rate quotations shall be obtained from an adequate number of qualified sources.

B. In sealed bids (formal advertising), sealed bids are publicly solicited and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all of the material terms and conditions of the invitation for bids, is the lowest price. The sealed bids method is the preferred method for procuring construction.

1. In order for formal advertising to be feasible, appropriate conditions must be present, including, at a minimum, the following:
  - (a) A complete, adequate and realistic specification or purchase description is available.
  - (b) Two or more responsible bidders are willing and able to compete effectively for Marion County's business; and
  - (c) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.
2. When sealed bids are used for a procurement under a grant the following requirements apply:
  - (a) A sufficient time prior to the date set for the opening of bids, bids shall be solicited (publicly advertised) from an adequate number of known suppliers.

- (b) The invitation of bids, including specifications and pertinent attachments, shall clearly define the items or services needed in order for the bidders to properly respond to the invitation for bids.
- (c) All bids shall be opened publicly at the time and place stated in the invitation for bids.
- (d) A firm fixed price contract award shall be made by written notice to that responsible bidder whose bid, conforming to the invitation for bids, is lowest. Where specified in the bidding documents, factors such as discounts, transportation costs and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine low bid when prior experience of Marion County indicates that such discounts are generally taken.
- (e) Any or all bids may be rejected if there are sound documented business reasons in the best interest of the program.

C. Procurement by competitive proposals is normally conducted with more than one source submitting an offer and either a fixed price or cost-reimbursable type contract is awarded, as appropriate. Competitive proposals are generally used when conditions are not appropriate for the use of sealed bids. If the competitive proposals method is used for a procurement under a grant the following requirements apply:

- 1. Requests for Proposals shall be publicized and identify all evaluation factors and their relative importance Any response to publicized requests for proposals shall be honored to the maximum extent practical.
- 2. Requests for Proposals shall be solicited from an adequate number of qualified sources.
- 3. Marion County shall have a method for conducting evaluations of the proposals received and for selecting awardees.
- 4. Awards will be made to the responsible offer or whose proposal will be most advantageous to Marion County, with price (other than architectural/engineering ) and other factors considered. Unsuccessful offerors will be promptly notified in writing.
- 5. Marion County may use competitive proposal procedures for qualification-based procurement of architectural/engineering (A/E) professional services whereby competitor's qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can **only** be used in the procurement of A/E professional services. It can not be used to procure other types of services (e.g., administration professional services) even though A/E firms are a potential source to perform the proposed effort.

D. Noncompetitive proposal is procurement through solicitation of a proposal from only one source, or after solicitation from a number of sources, competition is determined inadequate. Noncompetitive may be used only when the award of a contract is feasible under small purchase procedures, sealed bids (formal advertising), or competitive proposals. Circumstances under which a contract may be awarded by noncompetitive proposals are limited to the following:

- 1. The item is available from only a single source
- 2. After solicitation a number of sources competition is determined inadequate;
- 3. A public exigency or emergency exists when the urgency for the requirement will not permit a delay incident to competitive solicitation; and
- 4. The awarding agency (IDED) authorizes noncompetitive proposals. (Sole source procurement for supplies, equipment, construction and services valued at \$25,000 or more must have prior approval of the Iowa Department of Economic Development).

E. Marion County will provide, to the greatest extent possible, that contracts be awarded to qualified small and minority firms, women business enterprises and labor surplus area firms whenever they are potential sources.

F. Any other method of procurement must have prior approval of the Iowa Department of Economic Development.

#### CONTRACTING PRICING

- A. The cost plus a percentage of cost and percentage of construction cost method of contracting **shall not** be used.
- B. Marion County shall perform some form of cost/price analysis for every procurement action, including modifications, amendments or change orders.

#### PROCUREMENT RECORDS

Marion County shall maintain records sufficient to detail the significant history of a procurement, including the rationale for the method of procurement, selection of contract type, contractor selection or rejection and the basis for the contract price.

POLICY ON THE PROHIBITION OF THE USE OF EXCESSIVE FORCE

WHEREAS, Marion County has received federal funding through the Community Development Block Grant (CDBG) program, and

WHEREAS, Section 519 of the Department of Veterans Affairs and U.S. Department of Housing and Urban Development and Independent Agencies Appropriation Act of 1990 requires that all CDBG Recipients adopt and enforce a policy to prohibit the use of excessive force by law enforcement agencies within the recipients jurisdiction against any individuals engaged in nonviolent civil rights demonstrations, and

WHEREAS, all recipients of CDBG funds are further required to follow a policy of enforcing applicable local and state laws against physically barring entrances or exits to a facility that is the subject of a nonviolent protest or demonstration; and

WHEREAS, Marion County endorses a policy prohibiting the use of excessive force and will inform all law enforcement agencies within its jurisdiction of this policy,

NOW, THEREFORE BE IT RESOLVED, that Marion County hereby prohibits any law enforcement agency operating within its jurisdiction from using excessive force against any individuals engaged in nonviolent civil rights demonstrations. In addition, Marion County agrees to enforce any applicable local or state laws against physically barring entrances or exits from a facility or location that is the subject of a nonviolent protest demonstration. Marion County further pledges enforcement of this policy within its jurisdiction and encourages any individual or group who feels that Marion County has not complied with this policy to file a complaint.

The Marion County Sheriffs Office at the Marion County Courthouse shall provide information and assistance relative to excessive force complaints by calling 641-828-2220.

Ayes all.

Valster moved and De Joode seconded to approve, as presented to the Department of Transportation, Marion County's 5 year plan for Farm-to-Market projects for the Secondary Road Department. Ayes all.

Valster moved and De Joode seconded the approval of 2 Work/Waste Dirt Agreement with the Secondary Road Department. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department. Current activities include receiving seal coating bids, dust control, general road maintenance, and continuing work on the New Dollar Bridge Project.

Valster moved and De Joode seconded to approve the reappointments of Ron Goemaat, Janet Westberg, and MariAnn Lash to the County Magistrate Appointing Commission for a six year term. Ayes all.

There being no other business, Valster moved and De Joode seconded that the meeting be adjourned at 9:45 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in regular session July 23, 2001 with William G. Shepherd, Robert De Joode, and K.C. Valster present. Chairman Shepherd opened the meeting at 9:30 A.M.

Chairman Shepherd amended the tentative agenda to add item #14: Review and take action on approving a Class C beer permit for the Red Rock Quick Shop.

Valster moved and De Joode seconded to approve the agenda as amended. Ayes all.

Valster moved and De Joode seconded that the minutes of the July 09, 2001 Board meeting be approved as published. Ayes all.

De Joode moved and Valster seconded that warrants #121631 thru #121857 be approved for payment. Ayes all.

Valster moved and De Joode seconded to receive and file the County Treasurer's semi-annual report. Ayes all.

Valster moved and De Joode seconded to receive and file the County Sheriff's quarterly and year-end reports. Ayes all.

Jeff Edwards, owner of the Knoxville Farm and Home Store, stated they had relocated their business to a new location and their old building was available for purchase by the City of Knoxville or Marion County.

Bob Edwards, concerned citizen, asked about the possibility of the County hard surfacing the shoulders on T-15 from the Chrisman corner to the Red Rock Dam for bicycle riders.

Melvin Wallace, concerned citizen, asked some general questions about the division of the proceeds upon approval of the upcoming Local Option Sales Tax Election.

Valster moved and De Joode seconded to approve, as recommended by the Marion County Zoning Board, Petition #2106 by Loren Van Wyk d/b/a LDJ Manufacturing to rezone the SE1/4 of the SW1/4 of Sec. 25, T77N, R18W, from Agricultural to Industrial. Ayes all.

Valster moved and De Joode seconded to approve, as recommended by the Marion County Zoning Board, Petition #2108 by Logan Ver Ploeg to rezone the North 11 acres of part of the SW1/4 lying Southeast of the intersection of 198<sup>th</sup> Place and 216<sup>th</sup> Place in Sec. 20, T76N, R18W, from Agricultural to Commercial-2. Ayes all.

Valster moved and De Joode seconded to approve and accept a 28E Agreement between Marion County and the Central Iowa Employment and Training Consortium. Ayes all.

Valster moved and De Joode seconded, upon the Engineer Office's recommendation, to accept the bid from Sta-Bilt Construction Company for the 2001 Maintenance Seal Coat Project. Ayes all.

The bids were as follows: Manatts - \$88,719; Sta-Bilt - \$86,168.87; Municipal - \$87,737.79

De Joode moved and Valster seconded to approve 4 Work/Waste Dirt Agreements with the Secondary Road Department. Ayes all.

Jay Davis, Marion County Engineer's Office, gave an update on the current activities of the Secondary Road Department. Davis commented on a section of Jewell Dr. that has rapidly deteriorated. He said he had contacted two of the local asphalt companies for a immediate repair work order. The responses were as follows: Norris Asphalt Paving Company - \$9,501.30; Southern IA Asphalt Co. - \$11,379.75

Valster moved and De Joode seconded to approve a contract with Norris Asphalt Paving Company for \$9,501.30 to complete repairs on Jewell Drive. Ayes all.

Valster moved and De Joode seconded to approve a Class C Beer Permit for the Red Rock Quick Shop. Ayes all.

There being no other business, De Joode moved and Valster seconded that the meeting be adjourned at 9:55 A.M. Ayes all.



BOARD OF SUPERVISORS MEETING ONE HUNDRED FIFTH DAY JULY 23, 2001

The Marion County Board of Supervisors met in special session July 23, 2001 for the purpose of a public hearing as published. Board members present were William G. Shepherd, K.C. Valster, and Bob De Joode.

Chairman Shepherd opened the public hearing at 9:00 A.M.

The first item, Zoning Petition #2106 by Loren Van Wyk d/b/a LDJ Manufacturing, Inc., was a request to rezone the property located at 1837 Hwy 163, Pella, IA, from Agricultural to Industrial. The parcel is described as the SE ¼ SW ¼ of Section 25, Township 77N, Range 19W. John Mc Coy, Marion County Zoning Administrator, gave an overview of why Mr. Van Wyk had requested the zoning change. He then stated that Mr. Van Wyk had adequately addressed his concerns of traffic flow, electric, and fire control. The property meets the minimum requirements of the County's Comprehensive Plan and is recommended by the Marion County Zoning Board.

There being no other comments, Valster moved and De Joode seconded to close the portion of the hearing regarding Petition #2106. Ayes all.

The second item, Zoning Petition # 2108 by Logan Ver Ploeg, was a request to change zoning from Agricultural to Commercial-2. The parcel in question is described as approximately the North 11 acres of part of the SW1/4 lying southeast of the intersection of 198<sup>th</sup> Place and 216<sup>th</sup> Place in Section 20, Township 76N, Range 18W. John Mc Coy gave an overview of the petition and stated that the property was located above the 100 year flood plain. He also stated that this property was extremely limited in commercial growth due to the proximity of the flood plain. The Ver Ploegs stated that they had no intentions of selling off any ground for commercial uses other than proposed. McCoy then commented on some objections that had been raised by the City of Pella in coordination with the City's Comprehensive Plan. Roberta Goemaat asked what other types of businesses would be allowed on the site. It was stated that the usage would be very limited due to the proximity of the flood plain. McCoy stated the Petition does meet the minimum requirements of the County's Comprehensive Plan and is recommended by the Marion County Zoning Board.

There being no other comments, De Joode moved and Valster seconded to close the public hearing. Ayes all. The public hearing was adjourned at 9:14 A.M.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of Supervisors



The Marion County Board of Supervisors met in regular session August 13, 2001 with William G. Shepherd, Robert De Joode, and K.C. Valster present. Chairman Shepherd opened the meeting at 9:30 A.M.

Valster moved and De Joode seconded to approve the agenda as posted. Ayes all.

Valster moved and De Joode seconded that the minutes of the July 23, 2001, Regular and Special Board meetings be approved as published. Ayes all.

De Joode moved and Valster seconded that warrants #121864 thru #122188 be approved for payment. Ayes all.

Valster moved and De Joode seconded to approve a Class C Beer Permit for Alice L. Avery dba Lakeridge Enterprises. Ayes all.

Valster moved and De Joode seconded to approve an agreement between Marion County and the cities of Pella and Knoxville. The agreement is regarding the allocation of Local Options Sales and Services Tax Revenues. Valster stated that a functional agreement was necessary between the affected entities if an alternate formula for distribution/allocation of the revenues was to be used in lieu of the standard State formula depending on the outcome of the public referendum. Ted Zylstra, Mayor of Pella, stated he would like to see approval of the agreement. Chairman Shepherd indicated he felt an agreement of this nature provided for a fairer distribution of the revenues. Ayes all.

Valster moved and De Joode seconded to approve an agreement with DMG-Maximus, Inc. to cover the Counties cost allocation plan. Ayes all.

Valster moved and De Joode seconded to receive and file a letter from the Marion County Safety Committee concerning County safety concerns. Chairman Shepherd is going to meet with Ray Stone, Emergency Management Coordinator, regarding these issues. Ayes all.

Valster moved and De Joode seconded to approve a lease agreement with the City of Bussey concerning a property known as the former Art's Sinclair site. The site is to be used as parking for the City Library. Ayes all.

Valster moved and De Joode seconded, upon the Engineer Office's recommendation, to accept the low bid from Iowa Erosion Control for the Full Depth PCC Patching Project 2001 on Highways G-28 & T-17. Ayes all.  
The bids were as follows: Iowa Erosion Control - \$76,406.33; Gus Construction - \$83,220.40; TEK Builders - \$83,846.00; Midwest Contractors - \$88,732.55; Denco Corporation - \$102,602.90.

Valster moved and De Joode seconded to reject, upon the Engineer's recommendation, the \$28,690.99 bid from Norris Asphalt for the Calcium Chloride Base & Seal Coat Project on Newbold Drive. Ayes all. The County Engineer is going to re-open the project for additional bids.

De Joode moved and Valster seconded to approve the following Resolution. Ayes all.

Whereas, Marion County desires to classify certain roads on the area service system in the County to provide for a minimal level of maintenance; and

Whereas, the County after consultation with the County Engineer, has the authority to specify certain roads within the County as Area Service "C" roads pursuant to Iowa Code Section 309.57; and

Whereas, the County has received a petition, attached to this resolution, signed by all landowners adjoining the road, requesting that the following road be classified as an Area Service "C" road; and

Whereas, the said road may have access restricted by means of a locked gate assembly, consisting of the gates, corner posts, brace posts, and braces, purchased and installed by the County. The County shall be reimbursed for the cost of materials for the gate assembly, by the property owners adjacent to the road to be classified level "C", prior to installation. Maintenance of the gate assembly will be the responsibility of the adjacent property owners. If not so maintained the County may remove the gate; and

Whereas, the only persons who will have access rights to the roads shall be:

1. the owner, lessee, or person in lawful possession of any adjoining land,
2. the agent or employee of the owner, lessee or person in lawful possession of any adjoining land

3. any peace officer
4. any magistrate
5. any public employee whose duty it is to supervise the use or perform maintenance of the road
6. any agent or employee of any utility located upon the road

Whereas, the minimal level of maintenance will be as follows:

1. Blading. Blading or dragging will not be Performed on a regular basis.
2. Snow and Ice Removal. Snow and ice will not be removed, nor will the road surface be sanded on a regular basis.
3. Signing. Except for load limit posting for bridges, signing shall not be continued or provided. All area service level C roads shall be identified with a sign at all points of access to warn the public of the lower level of maintenance.
4. Weeds, Brush and Trees. Mowing and spraying of weeds, cutting brush, and tree removal will not be performed on a regular basis. Adequate site distances will not be maintained.
5. Structures. Bridges and culverts may not be maintained to carry legal loads. Upon failure or loss, the replacement structure will be appropriate for the traffic thereon.
6. Shoulders. Shoulders will not be maintained on a regular basis.
7. Crown. A crowned road cross section will not be maintained on a regular basis.
8. Road Surfacing. There will be no surfacing materials applied to Area Service System "C" Roads on a regular basis.
9. Repairs. Road repairs will not be made on a regular basis.
10. Uniform Width. Uniform width of the traveled portion of the roadway will not be maintained on a regular basis.
11. Inspections. Regular inspections will not be performed.

Therefore, be it Resolved by the Board of Supervisors of Marion County that the following described roads in Marion County are hereby established as Area Service "C" with restricted access and a minimal level of maintenance.

Part of road # 1025 in the Road Establishment Book, established October 4, 1894 also known as Virginia St., in Sections 29,30, & 31 in Township 74 North, Range 18 West, of the 5<sup>th</sup>. P.M. More particularly being described as; beginning at the West Corporate boundary of the town of Marysville thence West and South approximately 5050 feet to the termination of said road. Under agreement with the city of Marysville, access to said segment of road will be restricted at a point approximately 2150 feet East of said corporate boundary.

De Joode moved and Valster seconded to approve 19 Work/Waste Dirt Agreements with the Secondary Road Department. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

There being no other business, De Joode moved and Valster seconded that the meeting be adjourned at 9:56 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in regular session August 27, 2001 with William G. Shepherd, Robert De Joode, and K.C. Valster present. Chairman Shepherd opened the meeting at 9:35 A.M.

Valster moved and De Joode seconded to approve the agenda as posted. Ayes all.

Valster moved and De Joode seconded that the minutes of the August 13, 2001, meeting be approved as published. Ayes all.

De Joode moved and Valster seconded that warrants #122254 thru #122392 be approved for payment. Ayes all.

Valster moved and De Joode seconded to approval of the following resolution:

WHEREAS, the Marion County Board of Supervisors is contemplating the sale of the following described real property located in Marion County, Iowa:

Beg 1.93 chains E of SW Corner of NE NW, E to the W road ROW N22 degrees 10' E 1.83 ½ chains W to a pt. 1.83 ½ chains N 22 degrees 10' E of a pt of beg, thence 22 degrees 10' W 1.83 ½ chains to pt of beg.

Comm 210' N & 378' E of NE Corner of Twn of Hamilton, thence N 80', thence E approx 290' to ROW line of Co Rd T-23 thence SW to N ROW line of Depot St. thence S & W along said ROW line to pt of beg.

PURSUANT to Iowa Code Section 331.361(2), the Marion County Board of Supervisors hereby gives Notice that a public hearing on the proposed sale will be held on the 10<sup>th</sup> day of September, 2001, at 9:00 A.M. at the board room of the Marion County Board of Supervisors at the courthouse in Knoxville, Iowa. After this public meeting, the Board will make a final determination on this proposal. Ayes All.

De Joode moved and Valster seconded to approve 4 Work/Waste Dirt Agreements with the Secondary Road Department. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

There being no other business, De Joode moved and Valster seconded that the meeting be adjourned at 9:40 A.M. Ayes all.

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LISA SHIVES, DEPUTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

BOARD OF SUPERVISORS MEETING ONE HUNDRED EIGHTH DAY SEPTEMBER 04, 2001

The Marion County Board of Supervisors met in special session September 04, 2001 for the purpose of canvassing the vote from the August 28, 2001 Local Option Sales and Services Tax Election. Board members present were William G. Shepherd, K.C. Valster, and Bob De Joode.

Chairman Shepherd opened the special meeting at 8:03 A.M.

The canvass was completed and the official results are on file in the Auditor's Office.

De Joode moved and Valster seconded that the special session be adjourned. Ayes all.  
The special session was adjourned at 9:05 A.M.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of  
Supervisors

The Marion County Board of Supervisors met in regular session September 10, 2001, G. Shepherd and Robert De Joode were present. K.C. Valster was absent. Chairman Shepherd opened the meeting at 9:35 a.m.

De Joode moved and Shepherd seconded to approve the agenda as posted. Ayes all.

De Joode moved and Shepherd seconded that the minutes of the August 27, 2001 and September 10, 2001 meeting be approved as published. Ayes all.

De Joode moved and Shepherd seconded that warrants #122476 thru #122690 be approved for payment. Ayes all.

De Joode moved and Shepherd seconded the approval of Wellmark Blue Cross/Blue Shield as the Administrator for the County's Employee Health Care Plan. Ayes all.

De Joode moved and Shepherd seconded the offer of \$100.00 and incurred transfer costs made by Jeff Hugen for the transfer of real property located in the Town of Hamilton in Section 35, Township 74N, Range 18W pending a survey. Ayes all.

De Joode moved and Shepherd seconded the approval of the following resolution:

WHEREAS, the Marion County Board of Supervisors is contemplating the sale of the following described real property located in Marion County, Iowa:

Beg 1.93 chains E of SW Corner of NE NW, E to the W road ROW N22 degrees 10' E 1.83 ½ chains W to a pt. 1.83 ½ chains N 22 degrees 10' E of a pt of beg, thence 22 degrees 10' W 1.83 ½ chains to pt of beg.

Comm 210' N & 378' E of NE Corner of Twn of Hamilton, thence N 80', thence E approx 290' to ROW line of Co Rd T-23 thence SW to N ROW line of Depot St. thence S & W along said ROW line to pt of beg.

PURSUANT to Iowa Code Section 331.361(2), the Marion County Board of Supervisors hereby gives Notice that a public hearing on the proposed sale will be held on the 10<sup>th</sup> day of September, 2001, at 9:00 A.M. at the board room of the Marion County Board of Supervisors at the courthouse in Knoxville, Iowa. After this public meeting, the Board will make a final determination on this proposal. Ayes all.

De Joode moved and Shepherd seconded the sale of used equipment to the highest bidder submitted by sealed bids. The bids are on file in the County Engineer's Office. Ayes all.

De Joode moved and Shepherd seconded to approve the following resolution:

WHEREAS, the Hammond Covered Bridge exists in the Southeast portion in Marion County, and

WHEREAS, the Marion County Board of Supervisors has an interest in preserving this historically significant bridge.

NOW THEREFORE BE IT RESOLVED THAT the Marion County Board of Supervisors authorizes the Marion County Engineer to apply for a statewide transportation enhancement grant for a project to rehabilitate and/or relocate said bridge and upon completion of said project agrees to maintain said bridge for 20 years following completion of the project. Ayes all.

De Joode moved and Shepherd seconded, upon Engineer's recommendation, to accept the low bid from Iowa Erosion Control for the bridge deck partial depth patching on a bridge located on County Road T-17. Ayes all.

The bids were as follows: Iowa Erosion Control - \$12,237.41; Denco - \$19,895.96; Cedar Falls Construction - \$25,185.39; Cramer & Associates - \$27,200.83; Equity Contractors - \$38,820.78.

De Joode moved and Shepherd seconded the approval to purchase a single axle truck with an 11ft box, snowplow and spreader for the Secondary Road Department.

De Joode moved and Shepherd seconded to accept and sign a contract with Schmidt Construction Company from Mount Union, Iowa, for the construction of the new Dollar Bridge. Ayes all.

De Joode moved and Shepherd seconded, upon the Engineer's recommendation, to accept the low bid from Municipal Street Improvements for the Newbold Drive chloride base and seal coat project. Ayes all.

The bids were as follows: Municipal Street Improvements - \$20,852.90; Sta-Bilt - \$28,611.40; Norris Asphalt - \$28,690.99

De Joode moved and Shepherd seconded to approve 5 Work/Waste Dirt Agreements with the Secondary Road Department. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

There being no other business, De Joode moved and Shepherd seconded that the meeting be adjourned at 10:05 a.m. Ayes all.

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LISA SHIVES, DEPUTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS



MARION COUNTY BOARD OF SUPERVISORS ONE HUNDRED-NINETH DAY SEPTEMBER 10, 2001

The Marion County Board of Supervisors met in special session September 10, 2001, for the purpose of a public hearing on the proposed transfer of property in the Town of Hamilton in Section 35, Township 74N, Range 18W. William G. Shepherd and Robert De Joode were present.

Chairman Shepherd opened the public hearing at 9:03 a.m.

Chairman Shepherd gave an overview to the property being considered and showed the location on a map. Jeff Hugen stated an interest in the property that adjoins his property.

There being no other comments, De Joode moved and Shepherd seconded to close the public hearing. Ayes all.

De Joode moved and Shepherd seconded that the public hearing be adjourned. Ayes all.

The session was adjourned at 9:10 a.m.

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Lisa Shives, Deputy Auditor

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William G. Shepherd, Chairman Board of Supervisors

BOARD OF SUPERVISORS MEETING ONE HUNDRED TENTH DAY SEPTEMBER 14, 2001

The Marion County Board of Supervisors met in special session September 14, 2001 for the purpose of canvassing the vote from the September 11, 2001 Regular School Board Election. Board members present were William G. Shepherd and Bob De Joode. K.C. Valster was absent.

Chairman Shepherd opened the special meeting at 8:05 A.M.

The canvass was completed and the official results are on file in the Auditor's Office.

De Joode moved and Shepherd seconded that the special session be adjourned. Ayes all.  
The special session was adjourned at 9:35 A.M.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of  
Supervisors

The Marion County Board of Supervisors met in regular session September 24, 2001. William G. Shepherd, Robert De Joode, and K.C. Valster were present. Chairman Shepherd opened the meeting at 9:30 a.m.

Valster moved and De Joode seconded to approve the agenda as posted. Ayes all.

Valster moved and De Joode seconded the minutes of the September 10, 2001 and September 14, 2001 meetings be approved as published. Ayes all.

De Joode moved and Valster seconded that warrants #122741 thru #122977 be approved for payment. Ayes all.

Valster moved and De Joode seconded to accept the offer of \$100.00 and incurred transfer costs made by David Hugen for the transfer of real property located in the Town of Hamilton in Section 35, Township 74N, Range 18W pending a survey. Ayes all.

De Joode moved and Shepherd seconded the approval of the following resolution:

WHEREAS, the Marion County Board of Supervisors is contemplating the sale of the following described real property located in Marion County, Iowa:

Part of the S1/2 of the NW1/4 of Section 35, Township 74 North, Range 18 West of the 5<sup>th</sup> P.M. described as follows:

That part of the Depot Grounds of the C.B.& Q. RR Co. lying South of Mitchell Street and adjacent to the East side of Lot 1, Block 1, in Reddish Addition to the Town of Hamilton, IA.

PURSUANT to Iowa Code Section 331.361(2), the Marion County Board of Supervisors hereby gives Notice that a public hearing on the proposed sale will be held on the 8<sup>th</sup> day of October, 2001, at 9:00 A.M. in the Board Room of the Marion County Board of Supervisors at the courthouse in Knoxville, Iowa. After this public meeting, the Board will make a final determination on this proposal. Ayes all.

De Joode moved and Valster seconded to approve the following appointments to the Marion County Board of Health. Ayes all.

Dr. Matt Gritters – unexpired 3 year term ending 12/31/2003

Linda Bailey – unexpired 3 year term ending 12/31/2001

Valster moved and De Joode seconded to approve the following appointments to the Marion County Board of Adjustment. The Board stated that there was still a open seat on the board if anyone had an interest. Ayes all.

Jan Szlachetka – unexpired 3 year term 12/31/200.

J.D. Karns – unexpired 3 year term 12/31/2002

De Joode moved and Valster seconded the appointment of Marc Wallace as the new Marion County Assistant Attorney. Ayes all.

Valster moved and De Joode seconded the following Resolution regarding the final plat of Hunter's Ridge Subdivision – Plat 2. The Board stated that the original specifications of a maximum of 20 houses on the current sewage system was still in effect.

WHEREAS, VKB Development Company have caused certain real estate located in the Marion County, Iowa, to be surveyed and platted, and have presented the final plat thereof to the Board of Supervisors of Marion County, Iowa, for approval and acceptance; and

WHEREAS, said plat has been reviewed by the Marion County Zoning Administrator and the Marion County Engineer and they have approved said plat; and

WHEREAS, said plat has been reviewed and approved by the Planning and Zoning Commission and the City Council of the City of Pella, Iowa;

WHEREAS, said plat conforms in all respects with the laws of the State of Iowa;

NOW, THEREFORE, BE IT RESOLVED by the Marion County Board of Supervisors, that the final plat the following described real estate situated in Marion County, Iowa, known as "Hunter's Ridge Addition – Plat 2", and having a legal description as follows:

A subdivision of the East Half (E1/2) of the Southwest Quarter (SW1/4) of Section 1 – Township 76 North – Range 19 West of the 5<sup>th</sup> P.M. in Marion County, Iowa described as follows: Commencing at the northwest corner of Lot 28 Hunter's Ridge Plat 1; thence N 83 deg. 03' 12" W 66.00 feet; thence Southwesterly 31.09 feet along a 567.00 foot radius curve, concave Northwesterly having a chord bearing S 08 deg. 40'

12" W 31.09 feet to the Point of Beginning; thence Southwesterly 188.44 feet along a 567.00 foot radius curve, concave Northwesterly, having a chord bearing S 19 deg. 45' 44" W 187.58 feet; thence Southwesterly 182.40 feet along a 633.00 foot radius curve, concave Southeasterly, having a chord bearing S 20 deg. 42' 00" W 181.77 feet; thence N 76 deg. 41' 32" W 279.39 feet; thence N 40 deg. 26' 00" W 185.52 feet; thence N 33 deg. 42' 57" W 87.11 feet; thence N 81 deg. 15' 20" W 175.48 feet; thence N 14 deg. 36' 08" E 217.14 feet; thence N 83 deg. 59' 31" E 365.26 feet; thence S 57 deg. 28' 18" E 383.91 feet to the Point of Beginning containing 5.81 acres be formally adopted at this time. Ayes all.

Valster moved and De Joode seconded the following Resolution regarding the final plat of Hunter's Ridge Subdivision – Plat 3:

WHEREAS, VKB Development Company have caused certain real estate located in the Marion County, Iowa, to be surveyed and platted, and have presented the final plat thereof to the Board of Supervisors of Marion County, Iowa, for approval and acceptance; and

WHEREAS, said plat has been reviewed by the Marion County Zoning Administrator and the Marion County Engineer and they have approved said plat; and

WHEREAS, said plat has been reviewed and approved by the Planning and Zoning Commission and the City Council of the City of Pella, Iowa;

WHEREAS, said plat conforms in all respects with the laws of the State of Iowa;

NOW, THEREFORE, BE IT RESOLVED by the Marion County Board of Supervisors, that the final plat the following described real estate situated in Marion County, Iowa, known as "Hunter's Ridge Addition – Plat 3", and having a legal description as follows:

A subdivision of the East Half (E1/2) of the Southwest Quarter (SW1/4) of Section 1 – Township 76 North – Range 19 West of the 5<sup>th</sup> P.M. in Marion County, Iowa lying North of the centerline of the county road described as follows: Beginning at the Northwest corner of Lot 11 of Plat 1 of Hunter's Ridge Subdivision: thence S 03 deg. 23' 16" W 426.0 feet to the centerline of Marion County Road G-28; thence N 86 deg. 36' 44" W 227.16 feet along said centerline; thence continuing along said centerline Westerly 94.21 feet along a 17,190.0 foot radius curve concave Southerly, tangent to the preceding course having a chord bearing N 86 deg. 46' 09" W 94.21 feet; thence N 0 deg. 00' 00" E 628.63 feet; thence S 90 deg. 00' 00" E 141.59 feet; thence Southerly 22.10 feet along a 153.0 radius curve concave Easterly, having a chord bearing S 04 deg. 08' 20" W 22.08 feet; thence S 90 deg. 00' 00" E 66.00 feet; thence S 00 deg. 00' 00" W 44.8 feet; thence S 90 deg. 00' 00" E 140.00 feet; thence S 00 deg. 00' 00" W 155.28 feet to the Point of Beginning containing 4.70 acres and subject to the public roadway along the entire southerly side thereof, and any and all other easements or restrictions recorded or non-recorded, be formally accepted and approved at this time. Ayes all.

Valster moved and DeJoode seconded to approve a request, upon the Marion County Zoning Commission recommendation, from Jeff Wallace to change the zoning from Industrial to Agricultural on his property described as the NW1/4 of the NE1/4 of Section 9, Township 75 North, Range 19 West of the 5<sup>th</sup> P.M. lying North of the North right-of-way line of the Burlington Northern Railroad Company. Ayes all.

Valster moved and De Joode seconded to approve, upon recommendation of the Zoning Commission, the final plat of Pheasant Ridge Acres. Ayes All.

Valster moved and De Joode seconded to approve a lease agreement between Marion County and the DHS Case Management Unit for office space in the Marion County DHS Building. Ayes all.

De Joode moved and Valster seconded to approve the following Resolution regarding the transfer of funds to the Secondary Roads Department. Valster stated that this was simply following the Code of Iowa by specifying the annual total amount of funds the County's General Fund and Rural Basic Fund could transfer to the Secondary Road Department for operating expenses. The funds are transferred monthly based upon tax collection.

WHEREAS the Marion County Board of Supervisors approved the transfer of \$145,654.00 from the General Basic Fund and \$1,240,479.00 from the Rural Basic Fund to the Secondary Road Fund under the 01-02 budget, and,

WHEREAS ACCORDING TO chapter 331.432 of the Code of Iowa, the Board of Supervisors must approve the actual transfers,

THEREFORE BE IT RESOLVED that the transfer of \$145,654.00 from the General Basic Fund and \$1,240,479.00 from the Rural Basic Fund to the Secondary Road Fund be approved by the Marion County Board of Supervisors for the fiscal year of 2001-2002, and,

BE IT FURTHER RESOLVED that the Auditor and Treasurer be instructed to make the said transfer in a timely fashion. Ayes All.

Valster moved and De Joode seconded the first reading of the Ordinance to establish a Local Option Sales and Services Tax

in Marion County for entities that approved the local referendum. Ayes All.

Valster moved and De Joode seconded the following Resolution regarding motor vehicle records checks on current and potential Marion County employees:

WHEREAS, in the interest of improving loss control in Marion County Government and to establish guidelines for a written policy on Vehicle Driver License for Marion County Employees and,

WHEREAS, the Marion County Board of Supervisors with advisement from the Iowa Municipalities Workers Compensation Association deems it necessary to provide such policy for Marion County in the interest of Safety and Loss Control for all employees, and

WHEREAS, The Marion County Board of Supervisors has instructed said policy to be established and set forth in writing for implementation in Marion County as policy, and

WHEREAS, said policy is written and presented before the Marion County Board of Supervisors for action.

NOW THEREFORE BE IT RESOLVED by the Marion County Supervisors that the Policy on Vehicle Driver License for Marion County Employees be presented and hereby adopted this 24<sup>th</sup> day of September, 2001.  
Ayes All.

Valster moved and DeJoode seconded the following Resolution regarding establishing guidelines on the use of personal vehicles for Marion county business:

WHEREAS, in the interest of improving loss control in Marion County Government and to establish guidelines for a written policy on The Use of Personal Vehicles for Marion County Business for all employees of Marion County and,

WHEREAS, The Marion County Board of Supervisors with advisement from the Iowa Municipalities Workers Compensation Association deems it necessary to provide such policy for Marion County in the interest of Safety and Loss Control for all employees, and

WHEREAS, The Marion County Board of Supervisors has instructed said policy to be established and set forth in implementation in Marion County as policy, and

WHEREAS, said policy is written and presented before the Marion County Board of Supervisors for action.

NOW THEREFORE BE IT RESOLVED by the Marion County Board of Supervisors that the Policy on The Use of Personal Vehicles for Marion County Business be presented and hereby be adopted this 24<sup>th</sup> day of September, 2001.  
Ayes All.

Valster moved and DeJoode seconded to approve the bid from New Alliance FS for L.P. gas for use in Marion County departments. Ayes All. The bids were as follows: New Alliance FS - \$.658 and Two Rivers Cooperative - \$.75

Valster moved and DeJoode seconded the approval of a Supplemental Agreement for General Services During Construction with Calhoun-Burns and Associates, Inc. and Allender-Butzke Engineers, Inc. from West Des Moines, IA, on the New Dollar Bridge Project. Ayes All.

Valster moved and DeJoode seconded the following Resolution regarding a road classification change:

WHEREAS, Marion County desires to classify certain roads on the area service system in the County to provide for a minimal level of maintenance; and

WHEREAS, the County after consultation with the County Engineer, has the authority to specify certain roads within the County as Area Service "C" roads pursuant to Iowa Code Section 309.57; and

WHEREAS, the County has received a petition, attached to this resolution, signed by all landowners adjoining the road, requesting that the following road be classified as an Area Service "C" road; and

WHEREAS, the said road may have access restricted by means of a locked gate assembly, consisting of the gates, corner posts, brace posts, and braces, purchased and installed by the County. The County shall be reimbursed for the cost of materials for the gate assembly, by the property owners adjacent to the road to be classified level "C", prior to installation. Maintenance of the gate assembly will be the responsibility of the adjacent property owners. If not so maintained the County may remove the gate; and

WHEREAS, the only persons who will have access rights to the roads shall be:

1. the owner, lessee, or person in lawful possession of any adjoining land,
2. the agent or employee of the owner, lessee or person in lawful possession of any adjoining land
3. any peace officer
4. any magistrate
5. any public employee whose duty it is to supervise the use or perform maintenance of the road
6. any agent or employee of any utility located upon the road

WHEREAS, the minimal level of maintenance will be as follows:

1. Blading. Blading or dragging will not be performed on a regular basis.
2. Snow and Ice Removal. Snow and ice will not be removed, nor will the road surface be sanded on a regular basis.
3. Signing. Except for load limit posting for bridges, signing shall not be continued or provided. ALL AREA SERVICE LEVEL C ROADS SHALL BE IDENTIFIED WITH A SIGN AT ALL POINTS OF ACCESS TO WARN THE PUBLIC OF THE LOWER LEVEL OF MAINTENANCE.
4. Weeds, Brush and Trees. Mowing and spraying of weeds, cutting brush, and tree removal will not be performed on a regular basis. Adequate site distances will not be maintained.
5. Structures. Bridges and culverts may not be maintained to carry legal loads. Upon failure or loss, the replacement structure will be appropriate for the traffic thereon.
6. Shoulders. Shoulders will not be maintained on a regular basis.
7. Crown. A crowned road cross section will not be maintained on a regular basis.
8. Road Surfacing. There will be no surfacing materials applied to Area Service System "C" Roads on a regular basis.
9. Repairs. Road repairs will not be made on a regular basis.
10. Uniform Width. Uniform width of the traveled portion of the roadway will not be maintained on a regular basis.
11. Inspections. Regular inspections will not be performed.

THEREFORE, BE IT RESOLVED by the Board of Supervisors of Marion County that the following described roads in Marion County are hereby established as Area Service "C" with restricted access and a minimal level of maintenance.

Part of road # 1072 in the Road Establishment Book, established May 2<sup>nd</sup>, 1910 also known as 160th. Ave., in Sections 33, & 34 in Township 74 North, Range 19 West, of the 5<sup>th</sup> P.M. More particularly being described as; beginning at the North line of the NW ¼ of the NW ¼ of Section 34, Township 74 North, Range 19 West thence South along said road approximately 2700 feet to the SW corner of the NW ¼ of Section 34 to termination of said road.

Ayes All.

De Joode moved and Shepherd seconded to approve 4 Work/Waste Dirt Agreements with the Secondary Road Department. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

There being no other business, Valster moved and DeJoode seconded the meeting be adjourned at 10:10 a.m. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

MARION COUNTY BOARD OF SUPERVISORS ONE HUNDRED ELEVENTH DAY SEPTEMBER 24, 2001

The Marion County Board of Supervisors met in special session September 24, 2001. William G. Shepherd, Robert De Joode, and K.C. Valster were present.

Chairman Shepherd opened the public hearing at 9:00 a.m.

The first item involved a small piece of Marion County property located in Hamilton. Chairman Shepherd gave an overview of the property being considered for transfer. The property, former RR right-of-way, being considered is located in part of the SW1/4 of the NW1/4 and part of the SE1/4 of the NW1/4 of Section 35, Township 74 North, Range 18 West of the 5<sup>th</sup> P.M. described as follows: Commencing 149.5 feet North and 468.5 feet East of the NE corner of the original town plat of Hamilton, Iowa, thence North to the South ROW of Depot St., thence Northeasterly to the West ROW of Hwy T23, thence Southwesterly along said ROW line to the North ROW line of Mitchell St., thence Easterly to the SW corner of Lot 1 of Odd Fellows Addition, thence Northeasterly to point of beginning. David Hugen stated an interest in the property that adjoins his property. There being no other comments, Valster moved and De Joode seconded to close that portion of the public hearing. Ayes all.

The second item, Zoning Petition #2140 by Jeff Wallace, was a request to change the zoning from Industrial to Agricultural. Mr. Wallace also requested approval of the final plat of Pheasant Ridge Acres. Both requests were on his property described as the NW1/4 of the NE1/4 of Section 9, Township 75 North, Range 19 West of the 5<sup>th</sup> p.m., lying North of the North right-of-way line of the Burlington Northern Railroad Company. John McCoy, Marion County Zoning Director, gave an overview of the proposed items. McCoy discussed some issues the City of Knoxville had regarding the paving of the road leading to the property. Mr. Wallace indicated that all he intended on doing was building a home. The Marion County Zoning Commission previously approved the petition. There being no other comments, Valster moved and De Joode seconded to close that portion of the public hearing. Ayes all.

The third item, Zoning Petition #2152 by Bill Bogaards, was a request to rezone a property from R-2 and Agricultural to R-3. The property can be described as a part of the NW1/4 and a part of Lot 3 of the NW1/4 of the NE1/4 in Section 34, Township 77 North, Range 18 West of the 5<sup>th</sup> P.M. John McCoy gave an overview of the request. Jeff Bogaards stated that there would be no additional building and the commercial tenant had been removed from the property. The Marion County Zoning Commission has tabled the request until their next meeting. There being no other comments, Valster moved and De Joode seconded to close that portion of the public hearing. Ayes all.

The final item was a request from Daryl Van Hall on the approval of the final plat of Hunter's Ridge Subdivision-Plats 2 & 3. The property is located in the E1/2 of the SW1/4 of Section 1, Township 76 North, Range 18 West of the 5<sup>th</sup> P.M. John McCoy gave an overview of the subdivision. The Zoning Commission previously approved the final plat with a reminder of the 20 house limit on the current waste system. There being no other comments, Valster moved and De Joode seconded to close that portion of the public hearing. Ayes all.

Valster moved and De Joode seconded that the public hearing be adjourned. Ayes all.

The session was adjourned at 9:20 a.m.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session October 8, 2001. William G. Shepherd, Robert De Joode, and K.C. Valster were present. Chairman Shepherd opened the meeting at 9:30 a.m.

Valster moved and De Joode seconded to approve the agenda as posted. Ayes all.

Valster moved and De Joode seconded the minutes of the September 24, 2001 meeting be approved as published. Ayes all.

De Joode moved and Valster seconded that warrants #122979 thru #123244 be approved for payment. Ayes all.

Valster moved and De Joode seconded to receive and file the General Assistance and Veteran's Affairs Quarterly Report for the period ending September 30, 2001. Ayes all.

Valster moved and De Joode seconded to receive and file the Marion County Sheriff's Quarterly report for the period ending September 30, 2001. Ayes all.

Valster moved and De Joode seconded to accept the offer of \$100.00 and incurred transfer costs made by Scott Klobnak for the transfer of real property located in the Town of Hamilton in Section 35, Township 74N, Range 18W pending a survey. Ayes all.

Valster moved and De Joode seconded to approve the second reading of the Ordinance to establish a Local Option Sales and Services Tax in Marion County for entities that approved the August 28, 2001 local referendum. Valster stated his desire to have the entities involved to assist their local retailers in the administration of these monies. Ayes All.

De Joode moved Valster seconded to approve a Class B Beer Permit for Roger Carter dba Wacko's. Ayes all.

Valster moved and De Joode seconded, upon the Commissioner of Elections recommendation, the following Resolution regarding the establishment of voting precincts in Marion County:

WHEREAS the Census 2000 has been completed, and

WHEREAS the Marion County Board of Supervisors must act to establish the precincts to be used for the next ten years whether there are any changes or not,

THEREFORE BE IT RESOLVED that the following voting precincts be established for use in Marion County:

Clay Township – Harvey Precinct, No Change

Clay Township – Tracy Precinct, No Change

Dallas Township including Melcher-Dallas, No Change

Franklin Township, No Change

Indiana Township, No Change

Knoxville Township, No Change

Lake Prairie Township, No Change

Liberty Township including Bussey, Hamilton, and Marysville, No Change

Pleasant Grove Township including Pleasantville and Swan, No Change

Red Rock Township, No Change

Summit Township, No Change

Union Township, No Change



Washington Township, No Change  
Ayes all.

Valster moved and De Joode seconded to approve the following Resolution regarding a road vacation in Knoxville Estates. The Engineer was directed to issue the Quit Claim Deed for the entire parcel to Central Iowa Recreational Development Company.

WHEREAS, a public hearing was held at 9:00 A.M. on the 8<sup>th</sup> day of October, 2001, in the office of the Marion County Board of Supervisors and,

WHEREAS, There being an objection to the vacating of part of the Marion County road right-of-way as advertised more particularly described as Lot P, a.k.a. Pine St.

WHEREAS, There being no claim for damages,

NOW THEREFORE BE IT RESOLVED THAT, That part of Knoxville Estates in Section 8, Township 75 North, Range 19 West of the 5<sup>th</sup> P.M. as established in an amended and substituted plat in May of 1971 and more particularly described as; Lot (Z) a.k.a. West St. in Block 379 adjacent to Lot's 58 thru 63 and not Lot P a.k.a. Pine Street.

BE HEREBY VACATED.  
Ayes all.

Valster moved and De Joode seconded to approve an agreement with the Iowa Department of Transportation for snow removal on Iowa Highway #156 and Iowa Highway #181. Shepherd stated these are priority roads to be cleared for essential County traffic. Ayes all.

Valster moved and DeJoode seconded the approval of a Supplemental Engineering Design Services Agreement with Calhoun-Burns and Associates, Inc. for an amount of \$35,400 for design of a rigid frame culvert in association with the proposed project to grade Keokuk drive for future paving. Ayes All.

De Joode moved and Shepherd seconded to approve 15 Work/Waste Dirt Agreements with the Secondary Road Department. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

Valster moved and De Joode seconded to receive and file the proposed Marion County Recreation Plan as presented by Carla Ferguson, Marion County Development Director. Ayes all.

There being no other business, Valster moved and DeJoode seconded the meeting be adjourned at 9:54 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

MARION COUNTY BOARD OF SUPERVISORS ONE HUNDRED TWELTH DAY OCTOBER 8, 2001

The Marion County Board of Supervisors met in special session October 8, 2001 for the purpose of a public hearing. William G. Shepherd, Robert De Joode, and K.C. Valster were present.

Chairman Shepherd opened the public hearing at 9:00 a.m.

The first item involved a small piece of Marion County property located in Hamilton. Chairman Shepherd gave an overview of the property being considered for transfer. The property, former RR right-of-way, being considered is located in part of the S1/2 of the NW1/4 of Section 35, Township 74 North, Range 18 West of the 5<sup>th</sup> P.M. described as follows: That part of the Depot Grounds of the C.B. & RR Co. lying South of Mitchell Street and adjacent to the East side of Lot 1, Block 1, in Reddish Addition to the Town of Hamilton, IA. Mr. and Mrs. Klobnak indicated their grandson, Scott Klobnak, had an interest in the property as it borders his property. There being no other comments, Valster moved and De Joode seconded to close that portion of the public hearing. Ayes all.

The second item involved a possible road vacation of two cul-de-sacs in Knoxville Estates. The initial request for these road vacations came from Earl Evinger, owner of Central Iowa Recreational Development. The two streets involved are Pine Street and West Street. Steve McCombs, Marion County Engineers Office, gave an overview of the possible vacations. He stated these roads had never been accepted for maintenance by the Secondary Road Department and were not presently used as roadway. Mr. Evinger indicated he no longer wished for West Street to be vacated. There being no other comments, Valster moved and De Joode seconded to close that portion of the public hearing. Ayes all.

Valster moved and De Joode seconded that the public hearing be adjourned. Ayes all.

The session was adjourned at 9:14 a.m.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session October 22, 2001. William G. Shepherd, Robert De Joode, and K.C. Valster were present. Chairman Shepherd opened the meeting at 9:30 a.m.

Valster moved and De Joode seconded to add item #12, review and take action on the appointment of Graham Fee to the Aging Resources Advisory Council, to the agenda. Ayes all.

Valster moved and De Joode seconded to approve the agenda as amended. Ayes all.

Valster moved and De Joode seconded the minutes of the October 8, 2001 meeting be approved as published. Ayes all.

De Joode moved and Valster seconded that warrants # 123292 thru #123510 be approved for payment. Ayes all.

Valster moved and De Joode seconded to approve the third reading and adopt the Ordinance to establish a Local Option Sales and Services Tax in Marion County for entities that approved the August 28, 2001 local referendum. Valster again stated his desire to have the entities involved to assist their local retailers in the administration of these monies. It was stated that a representative from the Department of Revenue will be holding a couple informational meetings in Pella. Ayes all.

Valster moved and De Joode seconded to modify the October 05, 1977, Proclamation that was discovered in the 26 year old Time Capsule which was opened on October 15, 2001. The Board moved to donate the contents of the Time Capsule to the Marion County Historical Society to display at their discretion. Ayes all.

Valster moved and De Joode seconded to approve the following Resolution regarding new weight limits on 2 Marion County bridges.

WHEREAS, the inspection and analysis of Marion County bridges is performed as required by the Federal Highway Administration Rules and Regulations.

WHEREAS, the results of the inspection and analysis indicate a safe operating load capacity for certain Marion County bridges as listed below.

Bridge No. 54242718	5 Tons
Bridge No. 79100034	24 Tons

NOW THEREFORE, BE IT RESOLVED, this 22 day of October, 2001, that the above recommended weight limits corresponding to the bridge numbers listed are hereby adopted, and that proper signs shall be erected and maintained to post the adopted load limit until the posted bridge is repaired, reconstructed, or removed.

Ayes all.

Valster moved and De Joode seconded to approve the following Resolution regarding the disposal of excess soil material outside of the road right-of-way on County projects.

WHEREAS, periodically the Marion County Road Department performs certain road maintenance activities which may result in excess soil material and;

WHEREAS, private property owners within the county have expressed an interest in obtaining the material from the county and;

WHEREAS, it is beneficial to the county to dispose of this material as close to the point of generation as possible and;

WHEREAS, disposing of this dirt on private property requires county maintenance equipment to go beyond established road Rights of Way and;

WHEREAS, the county has an established policy for the disposal of dirt on private property requiring the property owners signature on a Work Waste Dirt Agreement

NOW THEREFORE BE IT RESOLVED that the County Engineer be authorized to approve such work/waste waste agreements for the sole purpose of disposal of waste dirt. Any other work which may be performed beyond the Right of Way shall be approved by the Board of Supervisors.

Ayes all.

De Joode moved and Shepherd seconded to approve 1 Work/Waste Dirt Agreements with the Secondary Road Department. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

Valster moved and De Joode seconded to approve the appointment of Graham Fee to the Advisory Council of Aging Resources of Central Iowa. Ayes all.

There being no other business, Valster moved and DeJoode seconded the meeting be adjourned at 9:55 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

BOARD OF SUPERVISORS MEETING ONE HUNDRED THIRTEENTH DAY OCTOBER 22, 2001

The Marion County Board of Supervisors met in special session October 22, 2001 for the purpose of canvassing the vote from the October 16, 2001 Special Melcher-Dallas School Bond Election. Board members present were William G. Shepherd and Bob De Joode. K.C. Valster was absent.

Chairman Shepherd opened the special meeting at 8:05 A.M.

The canvass was completed and the official results are on file in the Auditor's Office.

De Joode moved and Shepherd seconded that the special session be adjourned. Ayes all.  
The special session was adjourned at 8:15 A.M.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of  
Supervisors

BOARD OF SUPERVISORS MEETING ONE HUNDRED FOURTEENTH DAY NOV. 08, 2001

The Marion County Board of Supervisors met in special session November 8, 2001 for the purpose of canvassing the vote from the November 6, 2001 Regular Pella City Election. Board members present were William G. Shepherd, Bob De Joode, and K.C. Valster.

Chairman Shepherd opened the special meeting at 8:05 A.M.

The canvass was completed and the official results are on file in the Auditor's Office.

De Joode moved and Valster seconded that the special session be adjourned. Ayes all.  
The special session was adjourned at 8:20 A.M.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of  
Supervisors

The Marion County Board of Supervisors met in regular session November 13, 2001. William G. Shepherd, Robert De Joode, and K.C. Valster were present. Chairman Shepherd opened the meeting at 9:30 a.m.

Valster moved and De Joode seconded to approve the agenda as posted. Ayes all.

Valster moved and De Joode seconded the minutes of the Oct. 22, 2001 and Nov. 8, 2001 meetings be approved as published. Ayes all.

De Joode moved and Valster seconded that warrants #123515 thru #123861 be approved for payment. Ayes all.

Valster moved and De Joode seconded to approve the first reading of the proposed Marion County Precinct Ordinance. Ayes all

Valster moved and De Joode then motioned to waive the 2<sup>nd</sup> and 3<sup>rd</sup> readings of the proposed Ordinance and adopt it. Ayes all.

De Joode moved and Valster seconded to approve the distribution of payments to be received for flood control monies. These are payments from rent on land taken out of taxation for Red Rock Lake. Ayes all. The distribution is as follows.

Schools	65% apportionment done by Auditor
Townships	10% apportionment done by Treasurer
Secondary Rds	25%

De Joode moved and Valster seconded to approve a Class C Beer Permit for the Tracy General Store, Inc. Ayes all.

Valster moved and De Joode seconded to approve the appointment of Ryan Ellis as an Assistant Marion County Attorney. Ayes all.

Valster moved and De Joode seconded to approve Marion County filing an application to join the Federal Employees Credit Union. This will allow County employees to join the credit union. The County will be allowed to align itself with only one credit union. Ayes all.

Valster moved and De Joode seconded to approve the following Resolution regarding a speed limit change on County Road G-71.

WHEREAS, the City of Bussey, Iowa, has requested that Marion County review the speed limit on County Road G-71 and,

WHEREAS, the County Engineer has conducted an engineering study on County Road G-71 East of the Town of Bussey, Iowa, from the Bussey East City Limits Line to the Mahaska/Marion County Line for the purpose of reevaluating the speed limit, and

WHEREAS, the result of the study found that the current speed signing does not allow adequate transition from the unposted speed zone to the city posted speed zone of 25 M.P.H., and

WHEREAS, the County Engineer recommends a maximum speed limit of 45 M.P.H. be established on Highway G-71 East of Bussey from the East City Limits Line to the Marion/Mahaska County Line.

NOW, THEREFORE BE IT RESOLVED, that a maximum speed limit of 45 M.P.H. be established on County Road G-71 East of Bussey from the East City Limits Line to the Marion/Mahaska County Line.  
Ayes all.

De Joode moved and Shepherd seconded to approve three (3) Work/Waste Dirt Agreements with the Secondary Road Department. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

There being no other business, Valster moved and DeJoode seconded the meeting be adjourned at 9:44 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

MARION COUNTY BOARD OF SUPERVISORS ONE HUNDRED FIFTEENTH DAY NOV. 13, 2001

The Marion County Board of Supervisors met in special session November 13, 2001 for the purpose of a public hearing. William G. Shepherd, Robert De Joode, and K.C. Valster were present.

Chairman Shepherd opened the public hearing at 9:15 a.m.

Jake Grandia, Marion County Auditor, gave an overview of the proposed voting precincts. There is no change in the precincts from the prior census. This is fulfilling a requirement of the Code of Iowa to officially accept the precincts.

Valster moved and De Joode seconded that the public hearing be adjourned. Ayes all.

The session was adjourned at 9:20 a.m.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of Supervisors



BOARD OF SUPERVISORS MEETING ONE HUNDRED FIFTEENTH DAY NOV. 13, 2001

The Marion County Board of Supervisors met in special session November 13, 2001 for the purpose of canvassing the vote from the November 6, 2001 Regular City Elections. Board members present were William G. Shepherd, Bob De Joode, and K.C. Valster.

Chairman Shepherd opened the special meeting at 8:05 A.M.

Valster moved and De Joode seconded to recess the special session until after the Board's regular scheduled meeting. Ayes all.  
Meeting recessed at 9:10 A.M.

Chairman Shepherd reopened the special session at 9:50 A.M.

The canvass was completed and the official results are on file in the Auditor's Office.

De Joode moved and Valster seconded that the special session be adjourned. Ayes all.  
The special session was adjourned at 10:35 A.M.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of  
Supervisors

The Marion County Board of Supervisors met in regular session November 26, 2001. William G. Shepherd, Robert De Joode, and K.C. Valster were present. Chairman Shepherd opened the meeting at 9:30 a.m.

Valster moved and De Joode seconded to approve the agenda as posted. Ayes all.

Valster moved and De Joode seconded the minutes of the November 13, 2001 meeting be approved as published. Ayes all.

De Joode moved and Valster seconded that warrants #123894 thru #124056 be approved for payment. Ayes all.

De Joode moved and Valster seconded to approve the application of Daniel Griffith to the Marion County Sheriff's Reserves. Ayes all.

Valster moved and De Joode seconded to approve the request of Bill Bogaards to rezone 5.4 acres from R-2 and Agricultural to R-3. The property is located at 601 Hwy T-14 in Pella. Ayes all.

Valster moved and De Joode seconded to approve an agreement with the Iowa Department of Transportation to use Federal Road Funds to improve County Road G-28 from Iowa Hwy 14 easterly to the Pella City Limits. Ayes all.

Valster moved and De Joode seconded to approve the proposal from the Secondary Road Department to pave Jesup Drive from Old Hwy 5 to New Hwy 5 due to the Pleasantville By-pass. Ayes all.

De Joode moved and Shepherd seconded to approve two (2) Work/Waste Dirt Agreements with the Secondary Road Department. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

There being no other business, Valster moved and DeJoode seconded the meeting be adjourned at 9:43 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in regular session December 10, 2001, William G. Shepherd, Robert De Joode, and K.C. Valster were present. Chairman Shepherd opened the meeting at 9:30 a.m.

Valster moved and De Joode seconded to approve the agenda as posted. Ayes all.

Valster moved and De Joode seconded the minutes of the November 26, 2001 meeting be approved as published. Ayes all.

De Joode moved and Valster seconded that warrants #124059 thru #124302 be approved for payment. Ayes all.

Valster moved and De Joode seconded to approve the following Resolution. Ayes all.

**WHEREAS**, Marion County shows interest in parcels of real property, and

**WHEREAS**, it is in the best interest of the citizens of Marion County to sell said real property to private citizens for personal use and to place the property on county tax rolls, and

**WHEREAS**, the Marion County Board of Supervisors held public hearings on three separate parcels of real property legally described as:

Parcel #1: Parcel B of the NE ¼ of the NW ¼ of Section 35-74-18 and Parcel C of the SE ¼ of the NW ¼ of Section 35-74-18 according to the Plat recorded in Book 2001, Page 6657

Parcel #2: Parcel D of the S ½ of the NW ¼ of Section 35-74-18 according to the Plat recorded in Book 2001, Page 6657

Parcel #3: Parcel E of the S ½ of the NW ¼ of Section 35-74-18 according to the Plat recorded in Book 2001, Page 6657

**WHEREAS**, the Marion County Board of Supervisors accepted offers of purchase for the parcels from the following:

Parcel #1: Jeff & Laura Hugen

Parcel #2: David Lyle Hugen

Parcel #3: Scott Klobnak

**NOW, THEREFORE**, be it resolved that the real property described herein be conveyed by Quit Claim Deed to the parties named herein and that the chairman be authorized to execute said deed on behalf of Marion County.

Valster moved and De Joode seconded to approve Marion County Zoning Commission Petition #2167. Request from Frank De Jong to change the zoning of his property from Agricultural to Commercial C-2. Ayes all.

Valster moved and De Joode seconded to approve Marion County Zoning Commission Petition #2168. Request from Marjorie Swank to change the zoning of a portion of her property from Agricultural to Commercial C-2. Ayes all.

Valster moved and De Joode seconded to enter into the Whitebreast Creek Watershed Project 28-E Agreement and authorize signatures for official documents. Ayes all. Valster gave an overview of the project and recommended the County enter this agreement with several other counties and the State of Iowa.

Valster moved and De Joode seconded to enter into the South Central Iowa Clandestine Lab Enforcement Mutual Aid 28-E Agreement and authorize signatures for official documents. Ayes all. Marvin Van Haften, Marion County Sheriff, gave an overview of the program which involves a Federal Grant to provide participating Counties a share of a clandestine drug lab clean-up operation.

Valster moved and De Joode seconded to authorize Roger Schletzbaum, Marion County Engineer, to submit an application to the National Historic Covered Bridge Preservation Program for the Hammond Covered Bridge, through the Federal Highway Administration. Ayes all.

De Joode moved and Shepherd seconded to approve five (5) Work/Waste Dirt Agreements with the Secondary Road Department and Daniel L. Steenhoek, Jim Vande Voort, Roger Van Vark, Gary Vermeer, and Carl Boat. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

There being no other business, Valster moved and DeJoode seconded the meeting be adjourned at 9:57 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

MARION COUNTY BOARD OF SUPERVISORS ONE HUNDRED SEVENTEENTH DAY DEC. 10, 2001

The Marion County Board of Supervisors met in special session December 10, 2001 for the purpose of a public hearing. William G. Shepherd, Robert De Joode, and K.C. Valster were present.

Chairman Shepherd opened the public hearing at 9:00 a.m.

Petition #2167 is a request from Frank De Jong to rezone the property locally known as 2484 Highway 163, Pella, from Agricultural to Commercial C-2. The property is described as Lot "B" according to survey and subdivision made by A.M. Hovey, dated December 1, 1927, and recorded in Book 3, Page 139 of Irregular Surveys in the office of the Recorder of Marion County, Iowa, lying South of the public highway and North of Highway 163 Bypass R.O.W. as now located all in the Northeast Quarter of Section 13, Township 76N, Range 18W in Marion County, Iowa. John McCoy, Marion County Planning and Zoning Director, gave an overview of the request for rezoning. Mc Coy indicated the Marion County Zoning Board had approved the request on a 3-1 vote. He also indicated the City of Pella had registered a letter of opposition to the proposal on the basis that this was "speculative zoning." Frank De Jong, petitioner, stated his intent to keep the property "neat as long as we are here", and stated he had already turned down two offers of purchase. George Wesselhoft, Pella City Planner, voiced the city's objection to the proposal and asked the Board to either deny the request or table their decision until after the December 13, 2001 annexation decision.

Petition #2168 is a request from Marjorie Swank to rezone a portion of her property from Agricultural to Commercial C-2. The property is a part of the Northwest Quarter Section 22 – Township 77N – Range 19W of the 5<sup>th</sup> P.M., Marion County, Iowa more particularly described as follows: Commencing at the center of said Section 22; thence S 89° 52 ¼' W 298.4 feet along the South line thereof to the Southwesterly right-of-way line of Iowa Highway No. 163; thence N 39° 40 ¼' W 263.8 feet along said ROW line to Station 231+ 00 on said ROW line and the Point of Beginning; thence continuing along said ROW line as follows: N 39° 40 ¼' W 100.00 feet; thence N 34° 54 ¼' W 520.6 feet; thence N 29° 35 ¾' W 522.3 feet; thence N 20° 29 ¼' W 418.7 feet; thence N 9° 24 ¼' W 380.2 feet to the South line of Lot 3 in the subdivision of the NE ¼ - NW ¼ of said Section 22; thence S 83° 55 ½' W along said South line extended to the NE corner of a tract of land described and recorded in Book 115 at page 358B, Marion County Records; thence Southwesterly along the easterly line of said tract to the South line of the NW ¼ - NW ¼ of said Section 22; thence East along said South line to a point which is 300 feet perpendicular distance from the Southwesterly ROW line of said Highway 163; thence Southeasterly along a line which is 300 feet distant from and parallel with said Southwesterly ROW line to a point which is 30 feet perpendicular distance from Station 231 + 00 on said ROW line; thence N 50° 19' 45" E 300 feet to the Point of Beginning. John Mc Coy gave an overview of the proposal and stated the Marion County Zoning Board had approved the request. He stated once again this rezoning was somewhat speculative as there was no definite use proposed at this time. Steve Swank stated they had been approached by a couple individuals expressing interest in the property and were trying to position themselves to be prepared for development. He also stated he had received permission from the IDOT to create an access off of State Highway 163 for access to this property.

Valster moved and De Joode seconded to close the Public Hearing. Ayes all.

Valster moved and De Joode seconded that the public hearing be adjourned. Ayes all.

The session was adjourned at 9:23 a.m.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session December 24, 2001, with William G. Shepherd and K.C. Valster present. Bob De Joode was absent. Chairman Shepherd opened the meeting at 9:30 a.m.

Valster moved and Shepherd seconded to approve the agenda as amended by removing item #15. Ayes all.

Valster moved and Shepherd seconded the minutes of the December 10, 2001 meeting be approved as published. Ayes all.

Valster moved and Shepherd seconded that warrants #124350 thru #124554 be approved for payment. Ayes all.

Valster moved and Shepherd seconded to approve the following Resolution. Ayes all.

WHEREAS, Park Hills Development Company, L.C. had caused certain real estate located in the Marion County, Iowa, to be surveyed and platted, and have presented the final plat thereof to the Board of Supervisors of Marion County, Iowa, for approval and acceptance; and

WHEREAS, said plat has been reviewed by the Marion County Zoning Administrator and the Marion County Engineer and they have approved said plat; and

WHEREAS, said plat has complied in all respects with the rules and procedures concerning the sub-division of lands in Marion County, Iowa; and

WHEREAS, said plat has been reviewed and approved by the Planning and Zoning Commission and the City Council of the City of Pella, Iowa;

WHEREAS, said plat conforms in all respects with the laws of the State of Iowa;

NOW, THEREFORE, BE IT RESOLVED by the Marion County Board of Supervisors, that the final plat of the following described real estate situated in Marion County, Iowa, known as "Park Hills Development Plat II", and having a legal description as follows: A subdivision of a parcel of land located in Sections 28 and 33 of Summit Township in Marion County, Iowa, described as: Beginning at the NE corner of Section 33, Township 77 North, Range 19 West of the 5<sup>th</sup> P.M. in Marion County, Iowa, thence South 00° 01' East 449.0 ft., thence South 66° 30' West 143.9 ft., thence South 70° 04' West 152.4 ft., thence North 80° 31' West 174.7 ft., thence North 69° 13' West 187.4 ft., thence North 10° 51' West 144.2 ft., thence North 37° 44' East 125.2 ft., thence North 85° 52' East 203.6 ft., thence North 70° 45' East 319.6 ft., thence North 03° 50' East 35.8 ft., thence North 00° 01' West 66.7 ft. to a point of the north line of said Section 33, thence North 00° 09' West 232.2 ft., thence Northwesterly on 267.0 ft. radius curve concave Southwesterly and subtended by a chord bearing North 14° 11' West and a length of 130.9 ft., thence South 35° 49' West 148.9 ft., thence North 74° 02' West 172.5 ft., thence North 75° 13' West 171.0 ft., thence North 32° 41' West 258.1 ft., thence North 35° 51' East 200.2 ft., thence 54° 14' West 111.7 ft., thence South 45° 33' West 190.7 ft., thence North 49° 28' West 100.1 ft., thence North 31° 44' West 229.5 ft., thence North 14° 01' West 260.0 ft., thence North 00° 00' West 820.0 ft., thence North 89° 55' East 216.0 ft., thence South 00° 00' East 815.9 ft., thence Southeasterly on a 335.6 ft. radius curve concave Northeasterly and subtended by a chord bearing South 27° 06' East and a length of 305.9 ft., thence South 54° 14' East 479.3 ft., thence Southeasterly on a 60.0 ft. radius curve concave Southeasterly and subtended by a chord bearing South 54° 14' East and a length of 100.0 ft., thence South 54° 14' East 246.1 ft., to a point of the east line of Section 28, Township 77 North, Range 19 West of the 5<sup>th</sup> P.M., thence South 00° 09' East 402.1 ft. along said east line to the point of beginning containing 16.49 acres, more or less.

Note: Lots "A" and "B" are for roadway and utility purposes. Lot "C" is for ingress and egress to property south of lots 10 and 11.

Be formally accepted and approved at this time.  
Ayes all.

Valster moved and Shepherd seconded to approve an extension of the contract with Capstone Center Inc. for chemical dependency medical assessment, evaluation services, substance abuse treatment services, and defined mental health services thru June 30, 2002. Ayes all.

Valster moved and Shepherd seconded to approve an agreement between Lucas County Health Center and Marion County for drug and alcohol detoxification and treatment services. Ayes all.

Valster moved and Shepherd seconded to approve the appointment of Jim Dingeman to the Marion County Conservation Board for a five year term ending 12/31/06. Ayes all.

Valster moved and Shepherd seconded to approve the reappointments of Sue Ashton and Linda Bailey to the Marion County Board of Health for a three year terms ending 12/31/04. Ayes all.

Valster moved and Shepherd seconded to approve the reappointment of Duane Jones to the Marion County Board of Adjustment for a three year term ending 12/31/04. Ayes all.

Valster moved and Shepherd seconded to approve the reappointment of Alan Terpstra to the Marion County Zoning Commission for a three year term ending 12/31/04. Ayes all.

Valster moved and Shepherd seconded to approve the following appointments to the Central Iowa Regional Transportation Planning Alliance. Ayes all. Transportation Policy Committee – Marion County Engineer with Vice Chair of the Board of Supervisors as alternate  
Transportation Technical Committee – Marion County Engineer with Asst. Engineer as alternate.

Valster moved and Shepherd seconded to approve the Marion County Board of Compensation recommendations for Marion County Elected Officials salaries for the year 2002-2003 as follows. Ayes all.

Supervisors	\$28,617.63 (Chairperson to receive an additional \$100 per month.)
Sheriff	\$57,884.90
Auditor	\$45,358.33
Treasurer	\$44,193.03
Recorder	\$43,414.33
Attorney	\$69,059.23

Valster moved and Shepherd seconded to approve the following Resolution:

WHEREAS, Marion County has an interest in entering into a joint agreement with the Counties of Lucas, Warren, Clarke; and the Soil and Water Conservation Districts of these four counties; also the Iowa Department of Natural Resources and the Iowa Department of Agriculture and Land Stewardship, Division of Soil Conservation, and

WHEREAS, pursuant to Iowa Code Chapter 28E, Counties are allowed to enter into agreements on joint projects, and

NOW, THEREFORE, BE IT RESOLVED THAT the Marion County Board of Supervisors agrees to enter into a 28E Agreement with the above named entities concerning the Whitebreast Creek Watershed Project.

Ayes all.

Valster moved and Shepherd seconded to approve two (2) Work/Waste Dirt Agreements with the Secondary Road Dept. and Edward De Vries and James Zaffiro. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

There being no other business, Valster moved and Shepherd seconded the meeting be adjourned at 9:46 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

MARION COUNTY BOARD OF SUPERVISORS ONE HUNDRED EIGHTEENTH DAY DEC. 24, 2001

The Marion County Board of Supervisors met in special session December 24, 2001 for the purpose of a public hearing. William G. Shepherd and K.C. Valster were present. Bob De Joode was absent.

Chairman Shepherd opened the public hearing at 9:00 a.m.

Roger Schletzbaum, Marion County Engineer, gave an overview of a proposed road right-of-way vacation. The vacation is part of road #150, being 66 ft. wide as recorded in Book #1, page 221 of the Road Record Book, but not in existence and described as beginning at the S.E. corner of the W. ½ of the S.E. ¼ of the S.E. ¼ of Section 22, Twp. 77, Range 21 of the 5<sup>th</sup>. P.M., thence North, Northwesterly for a distance of approximately 1800 ft. to the West line of the W ½ of the N.E. ¼ of the S.E. ¼ pf Section 22. Schletzbaum stated the Engineer's office had received a letter of concern from the Corps of Engineers. He was attempting to work with the adjoining landowner and the Corps to reach a workable solution.

Valster moved and Shepherd seconded to close the Public Hearing. Ayes all.

Valster moved and Shepherd seconded that the public hearing be adjourned. Ayes all.

The session was adjourned at 9:09 a.m.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of Supervisors