

MARION COUNTY
BOARD OF SUPERVISORS
214 EAST MAIN
KNOXVILLE, IA 50138
641-828-2231

2009 PUBLIC MEETING MINUTES

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MARION COUNTY BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in special session July 2, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:00 A.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: none

Agenda:

Nichols moved and Kingery seconded to approve the agenda as posted.

Appointments: Upon the request of Dr. Earl McKeever, MD, Nichols moved and Kingery seconded to approve the following appointments:

- 1.) Teri Van Kooten – Marion County Medical Examiner Investigator
- 2.) Marv Van Der Wiel – Marion County Medical Examiner Investigator
- 3.) Doug Wiley – Marion County Medical Examiner Investigator
- 4.) Greg Higginbotham – Marion County Medical Examiner Investigator
- 5.) Chad Wichhart – Marion County Medical Examiner Investigator

Adjournment:

There being no other business, Kingery moved and Nichols seconded the meeting be adjourned at 9:05 A.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session June 29, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:00 A.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: none

Agenda:

Nichols moved and Kingery seconded to approve the agenda as posted.

Communications: Chairman Pothoven announced the following:

1.) Announcement: Announce Closed Session pursuant to Iowa Code Chapter 21.5 1(c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

2.) Announcement: Announce Closed Session pursuant to Iowa Code Chapter 21.5 1(j) to discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property. The minutes and the tape recording of a session closed under this paragraph shall be available for public examination when the transaction discussed is completed.

Consent Agenda:

Kingery moved and Nichols seconded to approve the consent agenda as follows:

1. Approval of Marion County Warrants #172503 - #172533 through June 29, 2009.

Public Hearings: None

Public Comments: -None

Zoning Items: - None

Ordinances: - None

Resolutions: - None

Other Business:

1.) The Board received a request from John Nichols, Bussey Memorial Hall Commissioner, to review and repair the sidewalk in front of the Bussey Memorial Hall. Mr. Nichols distributed pictures of the facility. The Board discussed the need to make sure any repairs were ADA compliant. Supervisor Kingery will follow-up with the City of Bussey on details of the proposed project. Nichols moved and Kingery seconded to end discussion on item #1.

2.) Dave Hansen, Marion County Human Resources, presented an overview on the status of the Marion County Safety Committee. The goal of the program is to provide an overall direction of safety for the departments. The departmental committee members take the initiatives for the respective departments. Pothoven commented on his desire to have each department be responsible for the program including purchase of safety equipment and supplies within their respective offices. He believes the department heads will take the program more seriously if they are responsible. Nichols also commented on his belief the departments should be responsible for their portion of the program. Discussion took place on the large amount of details that are necessary to implement a program of this magnitude. Nichols moved and Kingery seconded to end discussion on item #2.

Appointments: None

Closed Session:

1.) Nichols moved and Kingery seconded to enter into Closed Session pursuant to Iowa Code Chapter 21.5 1(c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. Closed session entered into at 9:48 AM.

2.) Nichols moved and Kingery seconded to reconvene from Closed Session at 10:25 AM.

3.) Nichols moved and Kingery seconded to enter into Closed Session pursuant to Iowa Code Chapter 21.5 1(j) to discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property. The minutes and the tape recording of a session closed under this paragraph shall be available for public examination when the transaction discussed is completed. Close session entered into at 10:35 AM.

4.) Kingery moved and Nichols seconded to reconvene from Closed Session at 11:20 AM.

Adjournment:

There being no other business, Nichols moved and Kingery seconded the meeting be adjourned at 11:20 A.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session June 22, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: none

Agenda:

Nichols moved and Kingery seconded to approve the agenda as posted.

Communications: None

Consent Agenda:

Kingery moved and Nichols seconded to approve the consent agenda as follows:

1. Approval of Minutes – 06/08/09
2. Approval of Special Session Minutes – 06/08/09
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor’s Office.
4. Approval of Marion County Warrants #171213 - #171499 through June 22, 2009.
5. Approval of Marion County Conservation Warrants #171163 - #171211 through June 16, 2009.

Public Hearings: None

Public Comments: -None

Zoning Items: - None

Ordinances: - None

Resolutions: -

1.) Nichols moved and Kingery seconded to approve Resolution 09/21 authorizing the annual Marion County Departmental appropriation of monies as budgeted for Fiscal Year 2009-2010 as follows:

Whereas the Marion County Board of Supervisors approved the budget for Fiscal Year 2009-2010, 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 09-10 year.

Supervisor	169,809
Auditor	320,495
Treasurer	466,535
Attorney	331,769
Sheriff	2,651,403
Court Services	155,671
Recorder	263,846
Zoning	78,131
E911	95,447
Human Resources/Risk Management	103,791
Dept. of Human Services	85,759
Geographic Information System (GIS)	83,643
Engineer	6,419,699
Veterans Affairs	64,288
Conservation	909,621
Community Health	1,825,131

Weed Commission	9,580
General Assistance	112,885
Medical Examiner	40,000
Libraries	80,000
Child Support Recovery	500
Ambulance	13,531
Care of Indigents	15,000
Sanitation	209,158
Custodial & Maintenance	391,598
Data Processing	180,363
Mental Health	2,309,255
Development Commission	142,570
Substance Abuse	123,000
Non-departmental	4,050,521
	<u>21,702,999</u>

2.) Nichols moved and Kingery seconded to approve Resolution 09/22 adjusting the Marion County Mileage Reimbursement rate as follows:

Whereas it has been the policy of Marion County to pay mileage at the rate of \$.41 per mile and,

Whereas said rate is no longer reflective of the actual cost of vehicle operation,

Now Therefore Be It Resolved ByThe Marion County Board of Supervisors that beginning for mileage driven on or after July 1, 2009, the mileage rate paid by Marion County is hereby increased to \$.45 per mile. The Marion County Board of Supervisors further resolve to review the Marion County Mileage Reimbursement rate the last meeting in June of every fiscal year for potential changes to be effective the following July 1.

Other Business:

1.) Nichols moved and Kingery seconded to approve the Class B Beer permit with Outdoor Service and Sunday Sales for Terry Rae Hoch d.b.a Wackos.

2.) Nichols moved and Kingery seconded to approve the fireworks permit request from Gateway Community Church, Monroe, IA for a fireworks display to be held July 5, 2009, on the farm of Danny Van Wyk located 1 mile north of the Mile Long Bridge on Hwy 14. The approval is contingent on the church acquiring the proper insurance coverage.

3.) After commenting on the accumulation process of overtime, Kingery moved and Nichols seconded to approve the FY 2009-2010 Marion County Secondary Road Payroll Policy.

Appointments: None

Closed Session: None

Adjournment:

There being no other business, Nichols moved and Kingery seconded the meeting be adjourned at 9:48 A.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session June 8, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: none

Agenda:

Nichols moved and Kingery seconded to remove Agenda Item XIII. Hearing 1.) Marion County Attorney – Tobacco Compliance – Red Rock Quick Shop – Hearing regarding the civil penalty prescribed by Iowa Code Section 453A.22(2)(a) for the violation of Iowa Code Section 453A.2(1).

Nichols moved and Kingery seconded to remove Agenda Item IV. Consent Agenda 4.) Approve Class C Beer Permit renewal with Sunday Sales for Terry Hoch, dba Wackos.

Nichols moved and Kingery seconded to approve the agenda as amended.

Communications: None

Consent Agenda:

Nichols moved and Kingery seconded to approve the consent agenda as follows:

1. Approval of Minutes – 05/26/09
2. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor’s Office.
3. Approval of Marion County Warrants #170916 - #171160 through June 8, 2009.
4. Approval of Work Beyond Right-of-Way agreement with Secondary Road Dept and Mark Drost.
5. Approval of Work Beyond Right-of-Way agreement with Secondary Road Dept and Kathryn Damon.
6. Approval of Work Beyond Right-of-Way agreement with Secondary Road Dept and Charles Parks.

Public Hearings: None

Public Comments: -None

Zoning Items: - None

Ordinances: - None

Resolutions: -

1.) Nichols moved and Kingery seconded to approve Resolution 09/20 Asking for Review of the Defense of Marriage Act by the Iowa Legislature and the People of Iowa as follows:

Whereas, the Iowa Legislature passed and the Governor signed in 1998 the Defense of Marriage Act, stating that marriage in Iowa is only between one man and one woman, and

Whereas, on April 3rd, 2009, the Iowa Supreme Court issued an opinion that is in conflict with that law, and

Whereas, Iowa Code Section 595.2 has not been amended or repealed, and

Whereas, the Iowa Legislature has the duty to check and balance the Iowa Judicial Branch,

Now Therefore, Be It Resolved that the Marion County Board of Supervisors demand that the Iowa Legislature resolve this issue by either passing legislation that will lead to a public vote to amend the Iowa Constitution or by passing legislation to conform Iowa Code Section 595.2 to the Iowa Supreme Court’s decision in Varnum v. Brien.

Other Business:

- 1.) Nichols moved and Kingery seconded to approve assigning tax certificate number 2007-77010. The property is parcel number 18962-000-00 and is deeded to Tax 218. The legal description for the parcel is Lot 5 & 6, Metz & Ush addition in Marysville, Iowa.
- 2.) Nichols moved and Kingery seconded to approve the Courthouse Security Plan for Marion County, Iowa.

Appointments:

- 1.) Marion County Commission of Veteran's Affairs – Al Van Zee – term ending 06/30/2012.

Closed Session: None

Hearing:

- 2.) Nichols moved and Kingery seconded to accept the tobacco compliance settlement agreement from Red Rock Quick Shop regarding the civil penalty prescribed by Iowa Code Section 453A.22(2)(a) for the violation of Iowa Code Section 453A.2(1).

Adjournment:

There being no other business, Nichols moved and Kingery seconded the meeting be adjourned at 9:55 A.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

I. Call to Order: The Marion County Board of Supervisors met for a special session on June 8, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 1:00 P.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: None

II. Agenda:

- 1.) Kingery moved and Nichols seconded to approve the agenda as posted.

III. Other Business:

1. Monthly departmental updates:
 - a. Howard Pothoven – Board of Supervisors
 - i. Prairie Meadows grant applications.
 - b. Steve Edwards – Conservation
 - i. Hunter Education Course
 - ii. Kids Fishing Day
 - iii. Roberts Creek Park – construction progress of new camping site addition
 - iv. Lake Red Rock 40th Birthday celebration
 - c. Kim Dorn – Public Health
 - i. Animal ordinance issues
 - d. John McCoy – E911
 - i. E911 signs – replacement progress
 - e. Melissa Poffenbarger – Zoning
 - i. Complaint process – junk/garbage in the unincorporated areas
 - f. Betty Moll – CPC
 - i. Contract renewals
 - ii. Working on new process for mental health committals
 - g. Mike Kuhn – Veterans Affairs / General Relief
 - i. New legislation rules
 - h. Roger Schletzbaum - Engineer
 - i. Hwy T17 Bridge / Open end of June
 - ii. Box culvert project on Erbe St.
 - iii. FEMA projects
 - iv. S-45 bridge decks
 - v. Melcher-Dallas railroad bridge project
 - vi. Update on status of temporary employees
 - vii. Update on Weed Commissioner 28E Agreement with Soil & Water Commissioners
 - viii. Corp of Engineers – Stimulus monies – access to Red Rock Lake
 - i. Jeff Anderson – EMA
 - i. Interoperable Radio Grant
 - ii. Fire extinguisher training finalized
 - iii. Safety committee – first aid kits
 - iv. Attica fire station paperwork facilitation.
 - j. Ron Goemaat – Sheriff
 - i. Out of county prisoners
 - ii. Contingency plan – weather conditions - Knoxville Raceway

IV. Adjournment:

- 1.) Nichols moved and Kingery seconded to close the meeting at 1:45 P.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session May 26, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: none

Agenda:

Nichols moved and Kingery seconded to approve the agenda as posted.

Communications:

Announcement: Announce Closed Session pursuant to Iowa Code Chapter 21.5 1(c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

Consent Agenda:

Nichols moved and Kingery seconded to approve the consent agenda as follows:

1. Approval of Minutes – 05/11/09
2. Approval of Special Session Minutes – 05/11/09
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Warrants #170730 - #170915 through May 26, 2009.
5. Approval of Marion County Conservation Warrants #170695 - #170729 through May 19, 2009.
6. Approval of Class C Beer Permit renewal with Sunday Sales for Lake Red Rock Marina L.C.
7. Approval of Work Beyond Right-of-Way agreement with Secondary Road Dept and Melvin Rouwenhorst.
8. Approval of Work Beyond Right-of-Way agreement with Secondary Road Dept and Corwin Fee.
9. Approval of Work Beyond Right-of-Way agreement with Secondary Road Dept and Donald Murphy.
10. Approval of Work Beyond Right-of-Way agreement with Secondary Road Dept and Robert Boyd.
11. Approval of Work Beyond Right-of-Way agreement with Secondary Road Dept and Jon Miller.

Public Hearings: - Open – Chairman Pothoven

1.) Marion County Board of Supervisors – Proposed Marion County Budget Amendment for Fiscal Year July 1, 2008 and through June 30, 2009. Jake Grandia, Marion County Auditor, presented an overview of the various departmental budget requests. There were no written comments received by the Auditor's Office. Chairman Pothoven commented on his belief that amendments in future years will be difficult. There being no further comments, Nichols moved and Kingery seconded to close the public hearing.

Public Comments: -None

Zoning Items: - None

Ordinances: - None

Resolutions: -

1.) Kingery moved and Nichols seconded to approve Resolution 09/17 authorizing the Marion County Treasurer and Marion County Auditor to transfer funds from the Marion County General Basic Fund to the Marion County General Supplemental Fund to make the annual interfund loan principle payment for the Marion County Courthouse Re-Roof Project as approved in the FY 08-09 budget as follows:

Whereas, the Marion County Board of Supervisors approved a Non-Current Interfund Loan from the Marion County General Basic Supplemental Fund to the Marion County General Basic Fund under Resolution of the Board of Supervisors for partial costs of the Marion County Courthouse Re-Roof Project and,

Whereas, the Marion County Board of Supervisors now desire to make an annual payment of principle and interest from the General Basic Fund to the General Basic Supplemental Fund according to a payment schedule 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 funds for an Interfund Loan principle payment from the Marion County General Basic Fund to the Marion County General Basic Supplemental Fund be approved by the Marion County Board of Supervisors for the Fiscal Year of 08/09 for \$96,916.44 and,

Be It Further Resolved, that the Auditor and Treasurer be instructed to make the said transfers in a timely fashion.

2.) Nichols moved and Kingery seconded to approve Resolution 09/18 to adopt the Marion County Budget Amendment for the fiscal year beginning July 1, 2008 and ending June 30, 2009 per Iowa Code 331.435 as follows:

Whereas, IA Code 331.435 requires that after a budget amendment hearing, the Marion County Board of Supervisors shall adopt by resolution a budget amendment, and;

Whereas, the Marion County Board of Supervisors has met the budget publication requirements in IA Code 331.435 through publication in the Marion County News, Knoxville Journal-Express, and Pella Chronicle, and;

Whereas, the Marion County Board of Supervisors has met the budget hearing requirements in IA Code 331.435 through the public hearing held on 5/26/09 at 9:30 AM;

Therefore, Be It Resolved, on the 26th day of May 2009, that the Marion County Board of Supervisors hereby adopts by resolution the Amendment to County Budget for the fiscal year beginning July 1, 2008 and ending June 30, 2009.

3.) Nichols moved and Kingery seconded to approve Resolution 09/19 to appropriate budgetary monies according to the Marion County FY08-09 Budget Amendment as follows:

Whereas the Marion County Board of Supervisors approved a budget amendment for Fiscal Year 2008-2009, 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 amended department listed for the FY 08-09 year.

<u>Department</u>	<u>Original</u>	<u>Amendment</u>	<u>Total</u>
Sheriff	2,922,140	106,777	3,028,917
Court Services	155,671	23,500	179,171
Zoning	50,124	10,000	60,124
E911	0	80,648	80,648
DHS	76,849	6,500	83,349
Secondary Road	6,739,139	419,960	7,159,099
Veteran's Affairs	65,723	10,000	75,723
Conservation	929,834	50,000	979,834
Public Health	2,023,524	(220,400)	1,803,124
Social Services	100,597	16,800	117,397
Medical Examiner	40,000	6,000	46,000
Elderly Nutrition	274,678	(12,135)	262,543
Environmental Health	85,307	47,365	132,672
Maintenance	393,917	20,970	414,887
Mental Health	2,231,868	275,000	2,506,868
Non-Departmental	4,002,034	190,342	4,192,376

Other Business:

1.) Nichols moved and Kingery seconded to approve a Federal Aide Agreement for the completion of a bridge project to replace the bridge over the Union Pacific railroad on Virginia Street.

2.) Nichols moved and Kingery seconded to approve an agreement with the Iowa DOT to include pavement of certain intersections in a construction project on Highway 5/92.

Appointments:

1.) Board of Health – Dr. Bryan Schaeffer, MD – to fill a vacancy – term ending 12/31/09.

Closed Session:

1.) Nichols moved and Kingery seconded to enter into Closed Session at 10:01 AM pursuant to Iowa Code Chapter 21.5 1(c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

2.) Nichols moved and Kingery seconded to reconvene from Closed Session at 11:09 AM.

Adjournment:

There being no other business, Kingery moved and Nichols seconded the meeting be adjourned at 11:10 A.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

I. Call to Order: The Marion County Board of Supervisors met for a special session on May 11, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 10:30 AM.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: None

II. Agenda:

1.) Nichols moved and Kingery seconded to approve the agenda as posted.

III. Other Business:

1.) Roger Schletzbaum, Marion County Engineer, briefed the Board regarding the activities of the Secondary Road Department. The following topics were reviewed:

- a.) Current construction projects
- b.) IJOBS program
- c.) FEMA/State disaster reimbursements
- d.) Hunter's Ridge Bike Trail
- e.) Melcher-Dallas Railroad Bridge
- f.) Fuel usage
- g.) Salt preparedness
- h.) Rock usage
- i.) FY09 budget
- j.) FY10 budget and program
- k.) Temporary laborer position
- l.) Equipment purchase for FY10
- m.) Work order status
- n.) Road safety projects
- o.) Dust control, road vacations, and level C reclassifications
- p.) Trainings and seminars

Nichols moved and Kingery seconded to end discussion on agenda item #1.

IV. Adjournment:

1.) Nichols moved and Kingery seconded to adjourn the meeting at 12:05 PM.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session May 11, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: none

Agenda:

Kingery moved and Nichols seconded to approve the agenda as posted.

Communications: None

Consent Agenda:

Nichols moved and Kingery seconded to approve the consent agenda as follows:

1. Approval of Minutes – 04/27/09
2. Approval of Special Session Minutes – 04/29/09, 5/04/09
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Warrants #170477 - #170694 through May 11, 2009.
5. Approval of Work Beyond Right-of-Way agreement with Secondary Road Dept and Ron Able.

Public Hearings: - None

Public Comments: -None

Zoning Items: - None

Ordinances: - None

Resolutions: -

1.) Nichols moved and Kingery seconded to approve Resolution 09/15 authorizing the Marion County Treasurer and Marion County Auditor to transfer funds from the Marion County Local Option Sales and Services Fund to the Marion County Debt Service Fund as property tax relief for the Debt Service Fund as approved in the FY 08-09 budget as follows:

Whereas, the voters of Marion County approved a \$5,100,000 General Obligation Bond Issue to construct a new Marion County Law Enforcement Center.

Whereas, the Marion County Board of Supervisors believe it is in the best interest of the taxpayers of Marion County to supplement the annual debt service principal and interest payment on the Marion County Law Enforcement Center with funds from the proceeds of the Local Option Sales and Services Tax (LOSST) collected in Marion County. The Board approved in the Fiscal Year 2008-2009 budget to use \$300,000 LOSST Funds to reduce the required debt service levy to fund the construction of the Marion County Law Enforcement Center.

Whereas, According To Chapter 331.432 of the Code of Iowa, the Board of Supervisors must approve the actual transfer,

Therefore, Be It Resolved that the transfer of funds from the Marion County Local Option Sales and Services Fund to the Marion County Debt Service Fund be approved by the Marion County Board of Supervisors for the Fiscal Year of 2008/2009, and,

Be It Further Resolved, that the Auditor and Treasurer be instructed to make the said transfer in a timely fashion equal to the amount of the approved budgeted transfer of \$300,000.

2.) Nichols moved and Kingery seconded to approve Resolution 09/16 for reinstatement of accrued sick leave for elected officials who, immediately prior to becoming an elected official, were county employees as follows:

Whereas, on March 9, 2009, the Marion County Board of Supervisors amended the Sick Leave Policy in the Marion County Handbook to allow elected officials who were previously employees of Marion County to "bank" unused sick leave they had accumulated at the time they began serving as elected officials to be paid out at retirement, and

Now, Therefore be it Resolved, by the Marion County Board of Supervisors, in connection with that amended policy, that the Marion County Auditor's Office be instructed to reinstate the accrued sick leave "banked" hours to the affected current elected officials as follows.

<u>Elected Official</u>	<u>Sick Leave Hours*</u>	<u>Hourly Rate</u>
Jake Grandia	479.75 hours	\$16.39
Karen Schwanebeck	273.00 hours	\$17.81
Denise Emal	738.50 hours	\$15.11
Ron Goemaat	780.00 hours	\$28.32

*These sick leave hours will be divided in half at retirement (retirement as defined by IPERS) and the value of the remaining hours will be calculated at the hourly rate in effect while an employee.

The roll call vote as follows: Aye – Kingery, Nichols Nay – Pothoven Motion carried 2-1

Other Business:

- 1.) Kingery moved and Nichols seconded to approve a Marion County Credit Card Policy for Marion County Employees using County Credit cards.
- 2.) Nichols moved and Kingery seconded to approve establishing a new job classification in the Secondary Road Department for a Temporary Laborer.
- 3.) Nichols moved and Kingery seconded to approve a 28E Agreement with the Clarke County Juvenile Detention Center regarding juvenile detention services.
- 4.) Nichols moved and Kingery seconded to receive an update from Barb Adam, CCI – Marion County Care Facility Director, regarding activities at the Care Facility.

Appointments: None

Closed Session: None

Adjournment:

There being no other business, Nichols moved and Pothoven seconded the meeting be adjourned at 10:15 A.M.

Jess Clark, Marion County Designee

Howard Pothoven, Chairman Board of Supervisors

I. Call to Order: The Marion County Board of Supervisors met for a special session on May 4, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 8:02AM.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: None

II. Agenda:

- 1.) Nichols moved and Kingery seconded to approve the agenda as posted.

III. Other Business:

- 1.) Nichols moved and Kingery seconded to approve new rates for services for mental health services between Marion County and the Christian Opportunity Center.
- 2.) Kingery moved and Nichols seconded to approve Work Beyond Right-of Way Agreement between Secondary Road Dept. and Henry Van Steenwyk.
- 3.) Nichols moved and Kingery seconded to authorize Howard Pothoven, Marion County Chair., and Ron Goemaat, Marion County Sheriff , to obtain required training for three medical examiner deputies held in St. Louis at county expense, training for five medical examiner deputies held locally, and preparation of a contract outlining longevity requirements of the position regarding tuition reimbursement.

IV. Adjournment:

- 1.) Nichols moved and Kingery seconded to close the meeting at 8:50AM.

Lorri Jahner, Marion County Designee

Howard Pothoven, Chair Board of Supervisors

I. Call to Order: The Marion County Board of Supervisors met for a special session on April 29, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:02AM.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: None

II. Agenda:

- 1.) Nichols moved and Kingery seconded to approve the agenda as posted.

III. Other Business:

- 1.) Nichols moved and Kingery seconded to approve construction contracts with Norris Asphalt for the Farm to Market Project FM-C063(94)-55-63; HMA Overlay on the 110th Place and on Coolidge Street.
- 2.) Nichols moved and Kingery seconded to approve construction contracts with Norris Asphalt for Stimulus Project ESFM-C063 (96)-5S-63; HMA Overlay from Bussey to Highway 5.
- 3.) Nichols moved and Kingery seconded to approve construction contracts with Norris Asphalt for Stimulus Project ESFM-C63 (97)-5S-63; HMA Overlay from Highway 14 West to Washington Township Line.

IV. Adjournment:

- 1.) Nichols moved and Kingery seconded to close the meeting at 9:14AM.

Jess Clark, Marion County Designee

Howard Pothoven, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session April 27, 2009, with Howard Pothoven, Jim Kingery, and Sam L Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: none

Agenda:

Nichols moved and Kingery seconded to approve the agenda as posted.

Communications: None

Consent Agenda:

Kingery moved and Nichols seconded to approve the consent agenda as follows:

1. Approval of Minutes – 04/13/09
2. Approval of Special Session Minutes – 04/13/09
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Claims #170317 - #170476 through April 27, 2009.
5. Approval of Marion County Conservation warrants #170264 - #170316 through April 21, 2009.
6. Approval of Class C Liquor License, with Sunday sales, for D-Mack, Inc. dba Udders Steak House.
7. Approval of Class C Beer Permit, with Sunday Sales, for QT Ventures, LLC dba Red Rock Quick Shop.

Public Hearings: - None

Public Comments: -None

Zoning Items: - None

Ordinances: - None

Resolutions: -

1.) Nichols moved and Kingery seconded to approve Resolution 09/14 to reclassify a segment of Lucas Drive in Section 01-75-18 to a Level C road classification as follows:

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 desires 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 road in Marion County is hereby established as Area Service "C" with restricted access and a minimal level of maintenance. A segment of road known locally as Lucas Dr. located in Section 1, Township 75N, Range 18W of the 5th. PM beginning at a point 1080 feet south of the NW corner of the NE ¼ of the SW ¼ of Section 1, thence south and thence easterly to the west right-of-way line of 250th. Ave. (Mahaska Co. line) this point being 33 feet west of the NE corner of the SE ¼ of the SE ¼ of Section 1.

Other Business:

- 1.) Nichols moved and Kingery seconded to approve and file the Marion County FY 08/09 Audit as prepared by Hunt Kain and Associates.
- 2.) Nichols moved and Kingery seconded to approve the Marion County Environmental Health Fee Schedule as approved by the Marion County Board of Health as follows:

Onsite Wastewater Construction Permit (New)	\$200
Repair/alteration to permitted existing system	\$100
Time of Transfer inspection	\$250
Additional Trip Service Charge	\$100
Variance Request	\$100
New Well Construction	\$150
Wastewater Sampling	(Actual costs including Lab Fees)
Restaurant fees	(Refer to IDIA and 2006 Iowa Food Code)
Radon Test Kits	\$5
Well Water Sampling Kit	\$5
Extension of an existing Perc TEST OR Soil Analysis	\$75
Extension of an existing Onsite wastewater construction permit	\$75
Septic Pumper Truck Inspection (Refer to IDNR 28E Agreement)	

3.) Nichols moved and Kingery seconded to approve the request from Don Zoutte, AMVETS Post 63 Commander, to hold the Tomb of the Unknown Soldier Memorial on the Courthouse grounds west of the County Veteran's Memorial, subject to appropriate insurance coverage being obtained by May 11, 2009. The exhibit will be present May 15, 2009 through May 17, 2009.

Appointments: Kingery moved and Nichols seconded to approve the following appointment.

- 1.) Area Aging Resource (Advisory Council) – Marilyn Miller (to fill vacancy) – term ending 12/31/09.

Closed Session: None

Adjournment:

There being no other business, Nichols moved and Pothoven seconded the meeting be adjourned at 9:57 A.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

I. Call to Order: The Marion County Board of Supervisors met for a special session on April 13, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 1:00 P.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: None

II. Agenda:

1.) Nichols moved and Kingery seconded to approve the agenda as posted.

III. Other Business:

1. Monthly departmental updates:

- a. Steve Edwards – Conservation
 - i. Mushroom seminar
 - ii. Roberts Creek Campground expansion
 - iii. Volksweg Trail – Cordova – stimulus package
 - iv. Volksweg Trail – Pella – resurface possibilities 2010-2011
 - v. Park entrance signs – re-design process
- b. Melissa Poffenbarger – Zoning
 - i. New electric standards – information only
 - ii. Zoning Commission meeting – Snyder and Associates – April 23, 2009
- c. Ron Goemaat – Sheriff
 - i. Budget amendment
 - ii. Meeting – Medical Examiner possibilities
- d. Mike Kuhn – General Relief / Veteran’s Affairs
 - i. Spring School
 - ii. Budget amendment
 - iii. New clients increasing
- e. Betty Moll – CPC
 - i. Service requests increasing
- f. Ken Thrailkill – Maintenance
 - i. Roof – Law Library
 - ii. Air Conditioning system ready
 - iii. DHS – new door installed
- g. Roger Schletzbaum - Engineer
 - i. Hwy T17 / Hwy 92 project
 - ii. Hwy T17 detour ready
 - iii. G76 slides – grant funding
- h. Jeff Anderson – EMA
 - i. EMA Grant
 - ii. Interoperable Radio – Sec Rd Dept – 8/01/09
 - iii. Animal health trailer
 - iv. Hazmat mitigation plan – grant application proceeding
 - v. Unmet Disaster needs grant – State approved board

IV. Adjournment:

1.) Nichols moved and Kingery seconded to close the meeting at 1:38 P.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session April 13, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: none

Agenda:

Nichols moved and Kingery seconded to approve the agenda as posted.

Communications: None

Consent Agenda:

Nichols moved and Kingery seconded to approve the consent agenda as follows:

1. Approval of Minutes – 03/23/09.
2. Approval of Special Session Minutes – 04/01/09
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Claims #169972 - #170261 through April 13, 2009
5. Approve Work Beyond Right-of-Way Agreement between Secondary Road Department and Matt Harrington.

Public Hearings: - Open – Chairman Pothoven

1.) Marion County Board of Supervisors – County Ordinance Chapter 40: An ordinance amending the current general Environmental Health Regulations and Repeals Marion County Code of Ordinance Chapter 34. This Chapter is an ordinance to define and regulate Environmental Health issues including Environmental Health Hazards and Nuisances in Marion County.

- o Garbage & Refuse control
- o Separation of yard waste required
- o Special disposal procedures for emergency conditions
- o Health Hazards
- o Open Dumping
- o Sanitary Disposal
- o Nuisances & abatement of Nuisances
- o Rodent attraction, Harborage & Control
- o Enforcement
- o Right to Enter, Refusal of admittance
- o Appeal

Cory Frank, Marion County Environmental Health Director, read the proposed Ordinance Chapter 40 and then reviewed the highlights. There were no written comments received by the Auditor or Environmental Health Offices. The Board received general comments from the public. There being no further comments, Nichols moved and Pothoven seconded to close that portion of the public hearing.

2.) Marion County Board of Supervisors – County Ordinance Chapter 43: An ordinance amending the current Non Public Water Wells. This Chapter protects the health of Marion County residents by protecting the quality of drinking water from non-public water wells and/or by implementing State Standards for non public water.

- o Occupied Dwelling & Structures shall have approved, safe water supply for human consumption
- o Adopts State Code IAC 567, Chapter 49 “Non-Public Water Wells”
- o Permit requirements
- o Inspection Requirements
- o Abandoned Wells
- o Geothermal Heat Pump Wells
- o Infractions and Appeals

Cory Frank reviewed highlights of the ordinance. There were no written comments received by the Auditor or Environmental Health Offices. The Board received general comments from the public. There being no further comments, Nichols moved and Kingery seconded to close that portion of the public hearing.

3.) Marion County Board of Supervisors – County Ordinance Chapter 44: An ordinance amending On-Site Wastewater Treatment and Disposal Systems. This Chapter protects the health of residents of Marion County to prevent increased health risks due to on-site wastewater treatment systems. It defines, regulates, and implements state on-site treatment standards, adopting Iowa Administrative Code 567, Chapter 69, in its entirety with modifications as listed for Marion County.

- Discharge Restrictions
- State Code Adopted
- Intermittent Sand Filters
- Qualified Sampler Requirement
- Mechanical Aerobic Systems
- Failed Systems
- Permit Requirements
- Inspections
- Water Lines/Utility Service Lines
- Wells
- Variances
- Appeals
- Registered Contractors
- Infractions

Cory Frank, reviewed highlights of the ordinance. There were no written comments received by the Auditor or Environmental Health Offices. The Board received general comments from the public. There being no further comments, Nichols moved and Kingery seconded to close that portion of the public hearing.

4.) Marion County Board of Supervisors – County Ordinance Chapter 46: Septic Contractor – System Design Engineer License. This ordinance defines and regulates the requirements for septic system contractors and design engineers in Marion County.

- General Requirements
- Septic Contractor License
- System Design Engineer License

Cory Frank, reviewed highlights of the ordinance. There were no written comments received by the Auditor or Environmental Health Offices. The Board received general comments from the public. There being no further comments, Nichols moved and Kingery seconded to close that portion of the public hearing.

5.) Marion County Board of Supervisors – County Ordinance Chapter 47: Animal Control. This Chapter repeals Marion County Ordinance Chapter 35, and implements Chapter 47, providing for the health and safety protection of residents. The chapter defines and regulates the keeping of domesticated animals, including household animals, livestock, breeding animals, vicious dogs, and dangerous animals kept as pets, setting the conditions for the impoundment of such animals, and the providing of penalties.

- Responsibilities of Owners
- Conditions for Impoundment
- Confinement
- Keeping of Potentially Dangerous Dogs
- Right to Kill
- Keeping of Vicious Dogs and Dangerous Animals Prohibited
- Vicious Dog and Dangerous Animal Exceptions
- Abatement Procedures
- Animal Welfare and Care
- Infractions

Cory Frank, reviewed highlights of the ordinance. There were no written comments received by the Auditor or Environmental Health Offices. The Board received general comments from the public. There being no further comments, Nichols moved and Kingery seconded to close that portion of the public hearing.

6.) Marion County Board of Supervisors - Marion County Ordinance for Isolation and Quarantine. This chapter defines and regulates the public health practice and policy to establish isolation and/or quarantine to minimize transmission of disease by separating those with disease or at increase risk of developing disease from those with lower risk.

- General Provisions
- Conditions and Principles
- Isolation and Quarantine Premises
- Powers and Authority
- Implementation
- Appeals
- Individual Rights
- Consolidation of Claims
- Enforcement
- Penalties
- Refusal of Admittance
- Emergency Rules
- Amendments

Kim Dorn, Marion County Public Health Director, reviewed highlights of the ordinance. There were no written comments received by the Auditor or Public Health Department. There were no general comments from the public. There being no further comments, Nichols moved and Kingery seconded to close that portion of the public hearing.

7.) Marion County Board of Supervisors - Marion County Ordinance for Lead. This chapter defines and regulates environmental lead hazards in dwellings, including establishing minimum standards for inspections and providing penalties for violations.

- Scope and Applicability
- Use or Sale of Lead Based Paint
- Disposal of Lead Based paint
- Inspections
- Refusal of Admittance
- Hazard Reduction
- Retaliatory Actions
- Appeals
- Jurisdiction
- Enforcement
- Injunction
- Penalty
- Variances

Kim Dorn, Marion County Public Health Director, reviewed highlights of the ordinance. There were no written comments received by the Auditor or Public Health Department. The Board received general comments from the public. There being no further comments, Nichols moved and Kingery seconded to close that portion of the public hearing.

The Board took recess: 10:58 AM – 11:05 AM

Public Comments: -None

Zoning Items: - None

Ordinances: -

- 1.) Nichols moved and Pothoven seconded to approve the 1st reading and waive the 2nd and 3rd reading of the proposed Marion County Ordinance Chapter 40 amending the current general Environmental Health Regulations and Repealing Marion County Code of Ordinance Chapter 34. This Chapter is an ordinance to define and regulate Environmental Health issues including Environmental Health Hazards and Nuisances in Marion County.
- 2.) Nichols moved and Kingery seconded to take final action and approve Marion County Ordinance Chapter 40 amending the current general Environmental Health Regulations and repealing Marion County Code of Ordinance Chapter 34.
- 3.) Nichols moved and Pothoven seconded to approve the 1st reading and waive the 2nd and 3rd readings of the proposed Marion County Ordinance Chapter 43 amending the current Non Public Water Wells. This chapter protects the health of Marion County residents by protecting the quality of drinking water from non-public water wells and/or by implementing State Standards for non public water.
- 4.) Nichols moved and Kingery seconded to take final action and approve Marion County Ordinance Chapter 43 amending the current Non Public Water Wells.
- 5.) Nichols moved and Kingery seconded to approve the 1st reading and waive the 2nd and 3rd reading of the proposed Marion County Ordinance Chapter 44 amending On-Site Wastewater Treatment and Disposal Systems. This Chapter protects the health of residents of Marion County to prevent increased health risks due to on-site wastewater treatment systems. It defines, regulates, and implements state on-site treatment standards, adopting Iowa Administrative Code 567, Chapter 69, in its entirety with modifications as listed for Marion County.
- 6.) Nichols moved and Kingery seconded to take final action and approve Marion County Ordinance Chapter 44 amending On-Site Wastewater Treatment and Disposal Systems.
- 7.) Kingery moved and Nichols seconded to approve the 1st reading and waive the 2nd and 3rd reading of the revised proposed Marion County Ordinance Chapter 46 Septic Contractor – System Design Engineer License. This ordinance defines and regulates the requirements for septic system contractors and design engineers in Marion County.
- 8.) Kingery moved and Nichols seconded to take final action and approve Marion County Ordinance Chapter 46 Septic Contractor – System Design Engineer License.
- 9.) Nichols moved and Kingery seconded to approve the 1st reading and waive the 2nd and 3rd reading of the proposed Marion County Ordinance Chapter 47 Animal Control. This Chapter repeals Marion County Ordinance Chapter 35, and implements Chapter 47, providing for the health and safety protection of residents. The chapter defines and regulates the keeping of domesticated animals, including household animals, livestock, breeding animals, vicious dogs, and dangerous animals kept as pets, setting the conditions for the impoundment of such animals, and the providing of penalties.
- 10.) Kingery moved and Nichols seconded to take final action and approve Marion County Ordinance Chapter 47 providing for the health and safety protection of Marion County residents and repealing Marion County Ordinance Chapter 35.
- 11.) Nichols moved and Kingery seconded to approve the 1st reading and waive the 2nd and 3rd reading of the proposed Marion County Ordinance for Isolation and Quarantine. This chapter defines and regulates the public health practice and policy to establish isolation and/or quarantine to minimize transmission of disease by separating those with disease or at increase risk of developing disease from those with lower risk.
- 12.) Kingery moved and Nichols seconded to take final action and approve Marion County Ordinance for Isolation and Quarantine.
- 13.) Kingery moved and Nichols seconded to approve the 1st reading and waive the 2nd and 3rd reading of the proposed Marion County Ordinance for Lead. This chapter defines and regulates environmental lead hazards in dwellings, including establishing minimum standards for inspections and providing penalties for violations.
- 14.) Kingery moved and Nichols seconded to take final action and approve Marion County Ordinance for Lead.

Resolutions: -

- 1.) Nichols moved and Kingery seconded to approve Resolution 09/13 to consider an agreement to facilitate data transfer between the City of Knoxville, Iowa, and Marion County, Iowa as follows:

Whereas, the Iowa Code provides, in Chapter 28E, that governmental agencies may enter into joint agreements; and

Whereas, in order to better facilitate orderly data transfer between the City of Knoxville and Marion County and to maximize efficiencies of governmental administration and reduce redundancy of information with respect to GIS (Geographical Information Systems), mapping, aerial mapping, and other electronic or hard copy data records,

Now Therefore Be It Resolved That the Marion County, Iowa, Board of Supervisors agrees to enter into a joint agreement described in the Iowa Code in Chapter 28E, with the City of Knoxville, Iowa for the facilitation of an orderly data transfer between the City and County and mutually share data which benefits each entity.

Other Business:

- 1.) Kingery moved and Nichols seconded to approve the Marion County Mental Health 3 Year Strategic Plan.
- 2.) Nichols moved and Kingery seconded to approve the request from Larry Rowley to use the Marion County Courthouse east parking area for Ag in the City on June 19, 2009 and June 20, 2009.
- 3.) Nichols moved and Kingery moved to approve the request from Maxyne Chambers to use an area west of the Courthouse for Knoxville Farmers Market in 2009. The dates of operation will be from May 23, 2009 through October 10, 2009. The hours of operation will be 2:30 pm – 6:00 pm on Tuesdays and 8:00 am – 12:00 pm on Saturday.

Appointments: None

Closed Session: None

Adjournment:

There being no other business, Nichols moved and Pothoven seconded the meeting be adjourned at 11:35 A.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special session on April 1, 2009, with Howard Pothoven, Jim Kingery and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:00AM.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

1.) Nichols moved and Kingery seconded to approve the agenda as posted.

Other Business:

1.) Red Rock Community Action regarding office space: Nancy Hulkan, Community Action, led discussion on finding a bigger office space for Community Action offices. There are some issues with the current building and the lease has not been updated in 10 years. Board Of Supervisors are in the process looking for a place to buy or lease that will comply for all offices, Public Health, Wic, Community Action, and Capstone. There will be more discussion of this to come.

Nichols moved and Kingery seconded to close discussion on item #1.

2.) Update on Medical Examiner Deputies for Northern part of county: Ron Goemaat, Marion County Sheriff, commented that the Pella Dr's were looking at taking a 4 hour course for Medical Examiner. This would allow any of the on call Dr's to be able to do a Medical Examiner Report.

Nichols moved and Kingery seconded to close discussion on item #2.

3.) Marion County Care Facility: Topics discussed were as follows.

- a. Roof- Final completion of project still on going
- b. Washing Machine- Considering purchase of the machine to stay with the building
- c. Replacing 8 Post- Considering sharing cost
- d. Electricity to storage building- Project still ongoing.

Kingery moved and Nichols seconded to close discussion on item #3.

4.) Phone system update: Jake Grandia (Auditor) commented that a Quote has been acquired for getting the remaining offices in the courthouse on the same phone system. This would allow the rest of the remaining offices to have some of the same features as the rest of the courthouse.

Nichols moved and Kingery seconded to close discussion on item #4.

5.) Weed Commissioner Duties: Marion County Soil and Water Board are willing to act as Weed Commissioner. Cost estimate will be in by Dec 1st and the payment will have to be received by July 15th. Roger Schletzbaum, County Engineer, has put together an agreement process using Iowa code Chapter 317.

Nichols moved and Kingery seconded to close discussion on item #5.

6.) Review and prepare potential new policies as update: The following Potential Policies were discussed and reviewed.

- a. Policy on early dismissal (12:00PM) on certain Christmas Eve days: Every day but when Christmas falls on a Sunday or Monday. HR will pursue policy.
- b. Policy on minor change in earned vacation in first year of employment: HR will pursue potential change. HR will also look into changing vacation from earned to accrued.
- c. Policy on requirements for County credit card use: Draft prepared and ready for review.
- d. Policy on purchasing copy machine and printer paper on First Floor courthouse. Solution being each department buy a box of paper for the copy machine, and each department purchase their own paper for their own printers.

Nichols moved and Kingery seconded to close discussion on item #6.

Nichols moved and Kingery seconded the motion to adjourn the meeting at 11:02A.M.

Jess Clark, Marion County Designee

Howard Pothoven, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session March 23, 2009, with Howard Pothoven and Jim Kingery present. Sam Nichols was excused. Chairman Pothoven opened the meeting at 9:30 A.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery Nays: none Abstentions: none. Absent: Nichols

Agenda:

Kingery moved and Pothoven seconded to approve the agenda as posted.

Communications: None

Consent Agenda:

Kingery moved and Pothoven seconded to approve the consent agenda as follows:

1. Approval of Minutes – 03/09/09.
2. Approval of Special Session Minutes – 03/09/09
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor’s Office.
4. Approval of Marion County Claims #169756 - #169971 through March 23, 2009
5. Approval of Marion County Conservation Warrants #169716 - #169755 through March 17, 2009
6. Approve Work Beyond Right-of-Way Agreement between Secondary Road Department and Jeff Heaberlin.

Kingery moved and Pothoven second to close Consent Agenda.

Public Hearings: - None

Public Comments: -None

Zoning Items: - None

Resolutions: - None

Other Business:

- 1.) Kingery moved and Pothoven seconded to approve a letter of support regarding the I-80 to Red Rock Area Connectivity Study.
- 2.) Kingery moved and Pothoven seconded the approval of Agreements (2) for Federal Highway Stimulus Program Project with the Iowa Department of Transportation. The 2 projects are an asphalt overlay of county road G-71 from Hwy 5 to Bussey and the asphalt overlay of county road G-76 from Hwy 14 to the Dallas-Washington township line

Appointments: None

Closed Session: None

Adjournment:

There being no other business, Pothoven moved and Kingery seconded the meeting be adjourned at 9:40 A.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session March 9, 2009, with Howard Pothoven, Sam L. Nichols, and Jim Kingery present. Chairman Pothoven opened the meeting at 9:30 A.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: None

Agenda:

Nichols moved and Kingery seconded to approve the agenda as posted.

Communications: None

Consent Agenda:

Nichols moved and Kingery seconded to approve the consent agenda as follows:

1. Approval of Minutes – 02/23/09.
2. Approval of Special Session Minutes – 02/23/09
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Warrants #169491 - #169711.
5. Approval of Class C Beer Permit renewal for Danise Slagter dbaDeer Point Bait and Tackle.

Public Hearings: Open – Chairman Pothoven

1.) Marion County Board of Supervisors: Proposed Marion County Budget for July 1, 2009 through June 30, 2010. There were no public comments. There were no written comments received by the Marion County Auditor's Office. Nichols moved and Kingery seconded to close the public hearing.

2.) Zoning – Petition #704: US Cellular is requesting a rezoning of a tract a land described as a part of the Southeast 1/4 of the Southeast 1/4 of 12-76N-20W, Marion County, Iowa, owned by Brian and Marilyn Lange from Ag to C-2 for a cell tower. This is a parcel 525' x 475' for a 250' cell tower. Melissa Poffenbarger, Zoning Director, presented an overview of the proposed zoning change. Representatives of US Cellular presented their request. Neighbors of the affected area presented concerns to the Board. The petitioner recorded his support of the request. There were no written comments received by the Marion County Auditors Office. Kingery moved and Nichols seconded to close the public hearing.

Public Comments:

1.) Larry Rowley, landowner near proposed US Cellular tower, asked further questions regarding the cell tower regarding access on the private road. Discussion from the Board centered on the fact that this needed to be dealt with by US Cellular and the landowners as this is a private drive.

Zoning Items:

1.) Zoning Petition #704 – Nichols moved and Kingery seconded to approve Zoning Petition #704 to rezone a tract a land described as a part of the Southeast 1/4 of the Southeast 1/4 of 12-76N-20W, Marion County, Iowa, owned by Brian and Marilyn Lange from Ag to C-2 for a cell tower.

Resolutions:

1.) Nichols moved and Kingery seconded to approve Resolution 09/12 adopting the Marion County Budget for FY 09/10 as follows:

Whereas, IA Code 331.435 requires that after a budget hearing, the Marion County Board of Supervisors shall adopt by resolution a budget, and;

Whereas, the Marion County Board of Supervisors has met the budget publication requirements in IA Code 331.435 through publication in the Marion County News, Knoxville Journal-Express, and Pella Chronicle, and;

Whereas, the Marion County Board of Supervisors has met the budget hearing requirements in IA Code 331.435 through the public hearing held on 3/09/09 at 9:30 AM;

Therefore, Be It Resolved, on the 9th day of March 2009, the Marion County Board of Supervisors hereby adopts by resolution the County Budget for the fiscal year beginning July 1, 2009 and ending June 30, 2010.

Other Business:

Nichols moved and Kingery seconded to approve the Income Guidelines for determination of eligibility for assistance in Marion County effective March 1, 2009 at 150%.

Kingery moved and Nichols seconded to approve amending the Marion County Handbook regarding Eligibility and Accrual of sick leave for elected officials and a policy for elected officials who were former employees. Roll call vote as follows:

Ayes: Nichols / Kingery Nays: Pothoven Motion carried: 2-1

Appointments: None

Closed Session: None

Adjournment:

There being no other business, Nichols moved and Kingery seconded the meeting be adjourned at 10:10 A.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

I. Call to Order: The Marion County Board of Supervisors met for a special session on March 9, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 1:00 P.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: None

II. Agenda:

1.) Nichols moved and Kingery seconded to approve the agenda as posted.

III. Other Business:

1. Monthly departmental updates:

- a. Carla Eysink – Development
 - i. Manufacturing study in progress
 - ii. Attending various travel shows
 - iii. Participating in Washington DC trip to promote Cordova Project
- b. Ron Goemaat – Sheriff
 - i. Jail population varies – housing a few Warren County prisoners
 - ii. Deadbolts will be installed Courthouse office doors
- c. Melissa Poffenbarger – Zoning
 - i. Progressing with Snyder and Associates review
 - ii. New permit activity slow
- d. Karen Schwanebeck – County Recorder
 - i. Passports activity steady with last year
 - ii. Document recordings up due to level of refinancing
 - iii. Septic system time of transfer begins July 1, 2009
- e. Cory Frank – Environmental Health
 - i. Tracy sewer project – waiting for funding release
 - ii. Board of Health – ordinance changes reviewed by County Attorney
 - iii. Nuisance complaints increasing
- f. John McCoy – E911
 - i. E911 budget approved
 - ii. New E911 signs – New permits will have to begin paying a fee for sign
- g. Mike Kuhn – Veteran’s Affairs / General Relief
 - i. G.A – February activity slowed down
 - ii. V.A – Stretch Dollars event
 - iii. V.A. – New sign-ups for military disabilities
- h. Betty Moll - CPC
 - i. New mental health demand – increasing numbers
- i. Ken Thraillkill – Maintenance
 - i. Top screens for new windows being installed
 - ii. Shankster Masonry giving quote for basement storeroom
 - iii. DHS building – new door ordered
- j. Jake Grandia - Auditor
 - i. Budgets due to State on 3/15/09

IV. Adjournment:

1.) Nichols moved and Kingery seconded to close the meeting at 1:23 P.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session February 23, 2009, with Howard Pothoven, Sam L. Nichols, and Jim Kingery present. Chairman Pothoven opened the meeting at 9:30 A.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: None

Agenda:

Nichols moved and Kingery seconded to approve the agenda as posted.

Consent Agenda:

Nichols moved and Kingery seconded to approve the consent agenda as follows:

1. Approval of Minutes – 02/09/09.
2. Approval of Special Session Minutes – 02/02/09, 02/04/09, 02/05/09, 02/06/09, 02/10/09, 02/12/09
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Warrants #169296 - #169488.
5. Approval of Marion County Conservation Department Warrants #169264 - #169294 through 02/17/09.
6. Approval of Class C Beer Permit renewal for QT Ventures, LLC dba Red Rock Quick Stop.

Public Hearings: None

Public Comments: None

Zoning Items: None

Resolutions: None

Other Business: None

Closed Session: None

Adjournment:

There being no other business, Kingery moved and Nichols seconded the meeting be adjourned at 9:35A.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special session on February 23, 2009, with Howard Pothoven, Jim Kingery and Sam L. Nichols present. Chairman Pothoven opened the meeting at 1:00 P.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

1.) Kingery moved and Nichols seconded to approve the agenda as posted.

Other Business:

1.) First floor Courthouse copier:

- a. Discussion on usage of copier
- b. Supervisor's to pay for maintenance program
- c. Each department will use own paper in machine.

Nichols moved and Kingery seconded to close discussion on item #1.

2.) Courthouse telephone system:

- a. County to pursue acquiring quote to get all remaining offices on unified phone system in Courthouse.

Nichols moved and Kingery seconded to close discussion on item #2.

3.) DHS building maintenance:

- a. New door required
- b. Landscaping required by entrance
- c. Lightening protection for phone system will be investigated by Iowatelecom engineer.

Kingery moved and Nichols seconded to close discussion on item #3.

4.) County Care Facility – Barb Adam, CCI:

- a. New roof has leaking issues. Corrective responses too be investigated.
- b. Egress security system needed for building.
- c. Old milk refrigerator no longer needed. Will be disposed.
- d. Population at 32. Day Hab services are being utilized.

Nichols moved and Kingery seconded to close discussion on item #4.

5.) Countywide credit card policy:

- a. Auditor and HR departments to write a draft policy for the BOS to review.

Nichols moved and Kingery seconded to close discussion on item #5.

6.) Elected official sick leave policy:

a. Lengthy discussion on proposed policy to along current employees that become elected officials to bank their accrued sick leave for use if retire under IPERS. There was also discussion on if elected officials should accrue sick leave. HR will draft proposed change in handbook for review and further consideration.

Kingery moved and Nichols seconded to close discussion on item #6.

7.) Accrued vacation policy:

a. Proposed policy to allow employees to accrue vacation instead of earned vacation. Discussion on philosophy of process and details of conversion. All details need to be reviewed by HR before on policy is considered.

Kingery moved and Nichols seconded to close discussion on item #7.

8.) County farm rent:

a. Discussion on possibility of reducing the rent on the County farm land. Details of the contract reviewed and possibilities discussed.

Pothoven moved and Kingery seconded to close discussion on item #8.

9.) County Medical Examiner Deputies:

a. Update on status of medical examiner deputy appointments. Pella area appointees are still being pursued.
Nichols moved and Kingery seconded to close discussion on item #9.

Nichols moved and Kingery seconded the motion to adjourn the meeting at 3:45 P.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session February 12, 2009, with Howard Pothoven, Sam L. Nichols, and Jim Kingery present. Chairman Pothoven opened the meeting at 1:34 P.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: None

Announcement: Announce Closes Session pursuant to Iowa Code Chapter 21.5 1(c) to discuss strategy with counsel in the matter that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

Nichols moved and Kingery seconded to amend the agenda by moving closed session to prior to other business.

Agenda:

Nichols moved and Kingery seconded to approve the agenda as amended.

Closed Agenda:

Nichols moved and Kingery seconded to approve entering into closed session pursuant to Iowa Code Chapter 21.5 1(c) to discuss strategy with counsel in the matter that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

Nichols moved and Kingery seconded to reconvene from closed session at 2:09 P.M.

Other Business:

1.) Kingery moved and Pothoven seconded to receive updates and discuss ongoing projects of the Secondary Road Department. Roger Schletzbaum, County Engineer, or Steve Mc Combs, Secondary Road Dept, will give Arvin Vos, landowner, the number for Supervisor Pothoven for further discussion on the topic of drainage ditch north of Pella.

Adjournment:

There being no other business, Kingery moved and Pothoven seconded the meeting be adjourned at 2:37P.M.

Jessica Clark, Marion County Designee

Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special session on February 10, 2009, with Howard Pothoven, Jim Kingery and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:05 A.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

1.) Nichols moved and Kingery seconded to approve the agenda as posted.

Other Business:

1. Individual department budget request discussions:
 - a. Roger Schletzbaum: Secondary Road Department

Nichols moved and Kingery seconded the motion to adjourn the meeting at 11:10 A.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session February 9, 2009, with Howard Pothoven, Sam L. Nichols, and Jim Kingery present. Chairman Pothoven opened the meeting at 9:30 A.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: None

Agenda:

Nichols moved and Kingery seconded to approve the agenda as posted.

Consent Agenda:

Nichols moved and Kingery seconded to approve the consent agenda as follows:

1. Approval of Minutes – 1/26/09.
2. Approval of Special Session Minutes – 01/28/09, 01/30/09.
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Warrants #168996 - #169261.
5. Approval of Work Beyond Right-of-Way Agreement between Marion Co. Sec. Road Dept. and James Hodson.
6. Approval of Work Beyond Right-of-Way Agreement between Marion Co. Sec. Road Dept. and Donald Beebout.
7. Approval of Work Beyond Right-of-Way Agreement between Marion Co. Sec. Road Dept. and Marvin Clark.
8. Approval of Work Beyond Right-of-Way Agreement between Marion Co. Sec. Road Dept. and Rodney Jordan.
9. Approval of Work Beyond Right-of-Way Agreement between Marion Co. Sec. Road Dept. and Melvin Wallace.

Public Hearings: Open- Chairman Pothoven

1.) Board of Supervisors- Public Notice is hereby given regarding South Central Iowa Solid Waste Agency as Follows:

Resolution approving, and authorizing execution and delivery of an Amended and Restated Intergovernmental Agreement creating the South Central Iowa Solid Waste Agency, consenting to the issuance of Notes by the Board of South Central Iowa Solid Waste Agency for the purpose of constructing improvements under the terms of said agreement, and related matters. Sarah Bixby, SCISWA director, presented the board with an overview of the amended 28E agreement and proposed issuance of revenue bonds. There were no written comments received by the Marion County Auditor's office. There being no other public comment Nichols moved and Pothoven seconded to close the public hearing.

Public Comments: None

Zoning Items: None

Resolutions:

1.) Nichols moved and Kingery seconded to approve Resolution 09/08 to approve and authorize execution and delivery of an amended and restated intergovernmental agreement creating the South Central Iowa Solid Waste Agency, consenting to the issuance of notes by the Board of South Central Iowa Solid Waste Agency for the purpose if constructing improvements under the terms said agreement, and related matters as follows:

Whereas, the Counties of Lucas, Marion, Monroe and Poweshiek (the "Constituent Counties") are parties to the Intergovernmental Agreement dated February 11, 2009, or to one or more of the Supplements thereto (together, the "28E Agreement");

Whereas, it has been proposed that the Constituent Counties amend and restate the 28E Agreement in order to provide clear authority to issue revenue notes under Chapter 28F, Code of Iowa under the 28E Agreement and

Whereas, there has been prepared an Amended and Restated Intergovernmental Agreement creating the South Central Iowa Solid Waste Agency, (the "Amended Agreement"), a copy of which is now before this Board and incorporated herein by reference; and

Whereas, the Amended Agreement, among other things, establishes the South Central Iowa Solid Waste Agency (SCISWA) as a separate legal entity, and authorizes the issuance of revenue notes under Chapter 28F, Code of Iowa for the purpose of funding certain activities by SCISWA, and provides a means of allocating the budgeted costs to each of the Participating Counties; and

Whereas, this Board has reviewed the Amended Agreement and has determined that the approval of the same is in the best interests of the County and the residents thereof, and that the Board should evidence its consent to the issuance of not to exceed \$2,100,000 of Solid Waste Revenue Notes as provided in the Amended Agreement.

Now, Therefore, Be It Resolved By The Board of Supervisors of Marion County, State of Iowa:

Section 1. Approval of Amended Agreement. The form and content of the Amended Agreement is in all respects authorized, confirmed and approved, and the Board Chair and County Auditor are hereby authorized, empowered and directed to execute, attest, seal and deliver the Agreement for and on behalf of the County, and that from and after the execution and delivery of the Amended Agreement, the Board Chair and County Auditor are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Amended Agreement, including any such certificates or documents as may be necessary or desirable in order to further evidence the authorization of the County with respect to the issuance of any Solid Waste Revenue Notes as provided in the Amended Agreement.

Section 2. Consent to Issuance of Notes. The Board hereby consents to and authorizes the SCISWA Board, pursuant to Section 28F.3 of the Code of Iowa, as amended, (the "Code"), to issue Solid Waste Revenue Notes in the aggregate principal amount of not to exceed \$2,100,000 for the purposes contemplated by the Agreement. The County consents to and agrees that such Notes may be issued and sold by the SCISWA Board in multiple series, at such times and from time to time over a period of years, in such amounts, to such purchasers and for such purposes, by either public or private sale, at fixed or variable rates of interest as shall be prevailing at the time of issuance of the Notes, but which shall not exceed 9% in any event, with such covenants and terms and in such form and manner as the SCISWA Board shall determine to be appropriate, in its sole discretion

Section 3. Not General Obligations. The principal of and interest on all Solid Waste Revenue Notes issued under the Amended Agreement shall be payable solely from and secured by the net revenues of the SCISWA System facilities and from other funds of SCISWA lawfully available therefore as provided in Section 28F.5 of the Code, or other applicable provisions of law, and the Solid Waste Revenue Notes shall not in any respect be general obligations of the County.

Section 4. Allocations of Debt Service. Following the issuance of the Solid Waste Revenue Notes and for so long as any of the Solid Waste Revenue Notes remain outstanding, the Debt Service thereon shall be allocated to the Participating Counties in accordance with Article III(a) of the Amended Agreement, and the County agrees to pay its allocated share of such Debt Service to SCISWA under the terms and at the times set

forth in the Amended Agreement. Said allocation shall also constitute the County's allocation of the Solid Waste Revenue Notes under Section 265 of the Internal Revenue Code.

Section 5. Restriction on Withdrawal. The County further agrees that it may not withdraw or in any way terminate, amend or modify in any way its obligations under the Amended Agreement to the detriment of the holders of the Solid Waste Revenue Notes while any of the Solid Waste Revenue Notes are outstanding and unpaid, and the provisions of Section 28F.3 of the Code with respect thereto are hereby amended, approved and accepted.

Section 6. Certification. A certified copy of this resolution and the executed signature page to the Amended Agreement shall be promptly provided to the Director of SCISWA.

2.) Nichols moved and Kingery second to approve Resolution 09/09 to approve Sheriff Deputy Cliff Wilson's re-appointment as a Marion County Sheriff Deputy as follows:

Whereas, it is in the best interest to the citizens of Marion County for the sheriff's office to keep the peace and provide public safety, and;

Whereas, the Code of Iowa has established the rules and procedures of carrying out the powers and duties of the sheriff, and;

Whereas, the Code of Iowa allows for the appointment of sheriff's deputies to assist in executing the powers and duties of the sheriff.

Now, Therefore Be It Resolved By The Marion County, Iowa, Board of Supervisors, for the benefit of all Marion County Citizens, that the Marion County Sheriff be allowed to hire: Cliff Wilson

3.) Kingery moved and Nichols second to approve Resolution 09/10 to appoint representatives to the Central Iowa Regional Housing Authority (CIRHA) as follows:

Whereas, the County of Marion, Iowa, has considered and adopted a Resolution declaring the need for a Housing Authority in the County of Marion, Iowa, said Resolution #96/04, dated February 12, 1996, and,

Whereas, the County of Marion, Iowa, has adopted the Articles of Agreement creating the Central Iowa Regional Housing Authority (CIRHA), dated February 12, 1980, and;

Whereas, each member government shall have one Representative and one Alternate to CIRHA to serve for a term of three years, and:

Whereas, such Representative and Alternate shall be appointed by the Chairperson with the approval of the local governing body.

Now, Therefore Be It Resolved, pursuant to the provisions of Chapter 28E, Code of Iowa, 1981, and by virtue of our office, we hereby approve the Chairperson's appointment of the persons hereinafter named to serve as Representative and Alternate to CIRHA, representing this County and to serve for the number of years appearing, as specified above, respectfully, from this 9th day of February, 2009.

- 1.) Representative: James Calhoun
- 2.) Alternate Representative: Howard Pothoven

4.) Nichols moved and Kingery seconded to approve action on modifying the FY 09 Marion County Five Year Program (CFYP) to include projects in the FY 09 Local program and add Emergency Repair and Economic Stimulus projects to the CFYP and State Transportation Improvement Program as follows:

Be It Resolved: That the Board of Supervisors of Marion County, Iowa, initiates and recommends that the following project(s) be approved by the Iowa Department of Transportation (Iowa DOT) for improvement with the funds as shown below for the period covering the current secondary road construction program.

Funding Source	Project Number	Type of Work and Location of Project	Length Miles	Estimated Costs
Local	L-492909-1	Vermont East of 140 th Culvert Replacement with RR Tank Cars	60Ft	27,000
Local	L-400809-2	80 th South of Shaw, Replace bridge with beam in slab bridge	30 Ft	56,000
FM	S-71 Slide	Emergency Repair on S-71 foreslope \$116,000 Er, 29,000 FM	1500ft	145,000
FM	G-71 overlay	Overlay G-71 from Hwy 5 to Bussey \$385,000 Economic Stimulus, 45,000 FM	4.5	430,000
FM	G-76	Overlay G-76 from Hwy 14 to D/W twnshp line \$337,000 Economic Stimulus, \$78,000 FM	4.5	415,000

Other Business:

- 1.) Kingery moved and Nichols seconded to approve/receive and file the Marion County Treasurer's semi annual report for the time period 07/01/08 through 12/31/08.
- 2.) Nichols moved and Kingery seconded to approve to take action on approving a revised Marion County Investment Policy. Start date will be as of 02/09/09.
- 3.) Nichols moved and Kingery seconded to approve to take action on 5 day C Liquor License, with catering privileges, for Teresa Rowley dba Knoxville Bike Night Bar Association.

Closed Session: None

Adjournment:

There being no other business, Kingery moved and Pothoven seconded the meeting be adjourned at 11:05A.M.

Jessica Clark, Marion County Designee

Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special session on February 6, 2009, with Howard Pothoven, Jim Kingery and Sam L, Nichols, present. Chairman Pothoven opened the meeting at 10:00 A.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

1.) Nichols moved and Kingery seconded to approve the agenda as posted.

Other Business:

1. Individual department budget request discussions:
 - a. Carla Eysink: Development

Nichols moved and Kingery seconded the motion to adjourn the meeting at 11:04 A.M.

Jessica Clark, Marion County Designee

Howard Pothoven, Chair Board of Supervisors

The Marion County Board of Supervisors met for a special session on February 5, 2009, with Howard Pothoven, Jim Kingery and Sam L, Nichols, present. Chairman Pothoven opened the meeting at 1:00P.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

1.) Kingery moved and Nichols seconded to approve the agenda as posted.

Other Business:

1. Individual department budget request discussions:
 - a. Kim Dorn, Tara Jordan: Public Health
 - b. Cory Frank: Environmental Health
 - c. Dawn Beaver : Elderly Nutrition

Kingery moved and Nichols seconded the motion to adjourn the meeting at 2:35 P.M.

Jessica Clark, Marion County Designee

Howard Pothoven, Chair Board of Supervisors

The Marion County Board of Supervisors met for a special session on February 4, 2009, with Howard Pothoven, Jim Kingery, and Sam L, Nichols, present. Chairman Pothoven opened the meeting at 9:02 A.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

1.) Nichols moved and Kingery seconded to approve the agenda as posted.

Other Business:

1. Individual department budget request discussions:
 - a. Wendy Street: Library
 - b. Mike Kuhn: Veteran's Affairs/General Relief

Kingery moved and Nichols seconded to take a recess for lunch 10:20 A.M.

Nichols moved and Kingery second the motion to reconvene for approving the agenda posted 1:02 P.M

2. Individual department budget request discussions:
 - a. Jake Grandia: Auditor/Data Processing
 - b. Jake Grandia: Human Resources/Non-Departmental

Nichols moved and Kingery seconded the motion to adjourn the meeting at 4:02 P.M.

Jessica Clark, Marion County Designee

Howard Pothoven, Chair Board of Supervisors

The Marion County Board of Supervisors met for a special session on February 2, 2009, with Howard Pothoven, and Jim Kingery and Sam L, Nichols, present. Chairman Pothoven opened the meeting at 9:00A.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

1.) Nichols moved and Kingery seconded to approve the agenda as posted.

Other Business:

1. Individual department budget request discussions:
 - a. Darren Thompson: DHS
 - b. Ron Goematt/Scott Jerkins/Martha Dykstra: Sheriff's Department

Pothoven moved and Kingery seconded to take a recess for lunch 11:06 A.M.

Pothoven moved and Nichols second the motion to reconvene for approving the agenda posted 1:02 P.M

2. Individual department budget request discussions:
 - a. Terry Rachels: County Attorney
 - b. Bill Buttrey: GIS Department

Nichols moved and Kingery seconded the motion to adjourn the meeting at 3:00 P.M.

Jessica Clark, Marion County Designee

Howard Pothoven, Chair Board of Supervisors

The Marion County Board of Supervisors met for a special session on January 30, 2009, with Howard Pothoven, and Jim Kingery present. Chairman Pothoven opened the meeting at 9:20A.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery Nays: none Abstentions: none. Absent: None

Consent Agenda:

1.) Pothoven moved and Kingery seconded to approve the agenda as posted.

Other Business:

1. Individual department budget request discussions:
 - a. Steve Edwards: Conservation Board
 - b. Missy Poffenbarger: Planning and Zoning

Pothoven moved and Kingery seconded to take a recess for lunch 11:21 A.M.

Pothoven moved and Nichols second the motion to reconvene for approving the agenda posted 1:05 P.M

2. Individual department budget request discussions:
 - a. Ken Thraikill: Maintenance Department
 - b. John Mc Coy: E911 Department

Nichols moved and Kingery seconded the motion to adjourn the meeting at 2:30 P.M.

Jessica Clark, Marion County Designee

Howard Pothoven, Chair Board of Supervisors

The Marion County Board of Supervisors met for a special session on January 28, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 12:30 P.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

1.) Nichols moved and Kingery seconded to approve the agenda as posted.

Other Business:

1. Individual department budget request discussions:
 - a. Denise Emal: Treasurer's Office
 - b. Karen Schwanebeck: Recorder's Office

Nichols moved and Pothoven seconded to adjourn the meeting at 2:05 P.M.

Jessica Clark, Marion County Designee

Howard Pothoven, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session January 26, 2009, with Howard Pothoven, Sam L. Nichols, and Jim Kingery present. Chairman Pothoven opened the meeting at 9:30 A.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: None

Agenda:

Nichols moved and Kingery seconded to approve the agenda as posted.

Communication:

1.) Jeff Anderson, Marion County Emergency Management Coordinator, briefed the Board regarding the status of the ongoing disaster FEMA funds recovery effort. Anderson then presented special recognition plaques to two Secondary Road Employees, Tom Wadle and Steve McCombs, for their efforts in negotiating all the FEMA paperwork during and after the disaster recovery.

Consent Agenda:

Nichols moved and Kingery seconded to approve the consent agenda as follows:

1. Approval of Minutes – 1/12/09.
2. Approval of Special Session Minutes – 01/06/09, 01/13/09.
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Claims – Warrants #168827 – #168994.
5. Approval of Marion County Conservation Warrants #168781 - #168826 through January 20, 2009.
6. Approval of Work Beyond Right-of-Way Agreement between Marion Co. Sec. Road Dept. and Delmar Johnson.
7. Approval of Work Beyond Right-of-Way Agreement between Marion Co. Sec. Road Dept. and Mike Vrban.

Public Hearings: None

Public Comments: None

Zoning Items: None

Resolutions:

1.) Nichols moved and Kingery seconded to approve Resolution 09/07 authorizing Marion County to withdraw from the Mid-Iowa Development Fund as follows:

Whereas, Marion County has been a member of the Mid-Iowa Development Fund (Fund), and;

Whereas, said Fund has become largely inactive and of little or no value to Marion County;

Therefore, Be It Resolved By the Board that Marion County does hereby withdraw from the Mid-Iowa Development Fund effective upon the passage of this Resolution.

It Is Further Resolved that any funds contributed or paid over to the Mid-Iowa Development Fund by Marion County during its membership in the Fund, or any other assets held by said Fund that Marion County might have some right or claim to shall remain with the Fund and become property of the Fund.

It Is Further Resolved that Marion County will not be liable for any future claims, liabilities, damages, judgments, or debts asserted against, imposed, or incurred by the Fund from the date of this Resolution.

Other Business:

1.) Nichols moved and Kingery seconded to approve the recommendation of the Marion County Engineer for the County to enter into an agreement with Agriland Farm Service to provide diesel and 10% ethanol to Marion County for a period of February 2009 through January 2010. Contract price range is \$1.68 /gal - \$2.03/gal.

Closed Session: None

Adjournment:

There being no other business, Nichols moved and Kingery seconded the meeting be adjourned at 10:02 A.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special agenda January 13, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Nichols, Kingery Nays: none Abstentions: none. Absent: None

I. Agenda:

- 1.) Nichols moved and Kingery seconded to approve the agenda as posted.

II. Other Business:

- 1.) Discussion regarding Interoperable Radio Grant, was headed up by Jeff Anderson Emergency Management. Jeff explained to the board what the radio grant entailed. \$1.6 Million has been granted to Marion County for this project. There are six counties involved. Marion county will have to budget out of pocket not to exceed \$80,000.00 to fund this project. If another county cannot meet the budget and forfeits then Marion County can get more grant money and pay less out of pocket. Every county has to pay 20% and the shortfall. Anderson states as of right now all counties are on board. Budget funding is in the 2009/2010 fiscal year. Supervisors will have decided what funding this will come from. Discussion was brought up by Roger Schletzbaum Road Department, that at some point in the future there may be a need to discuss Marion County having their own radio tower for repeaters.

Adjournment:

There being no other business, Kingery moved and Nichols seconded the meeting be adjourned at 10:28 A.M.

Jessica Clark, Marion County Designee

Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session January 12, 2009, with Howard Pothoven, Sam L. Nichols, and Jim Kingery present. Chairman Pothoven opened the meeting at 9:30 A.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Kingery, Nichols Nays: none Abstentions: none. Absent: None

Agenda:

Nichols moved and Kingery seconded to approve the agenda as posted.

Communication: None

Consent Agenda:

Nichols moved and Kingery seconded to approve the consent agenda as follows:

1. Approval of Minutes – 12/22/08.
2. Approval of Special Session Minutes – 01/02/09.
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Claims – Warrants #168551 – #168778.
5. Approval of Work Beyond Right-of-Way Agreement between Marion Co. Sec. Road Dept. and Chad Clark.
6. Approval of Work Beyond Right-of-Way Agreement between Marion Co. Sec. Road Dept. and Danny Harvey.

Public Hearings: None

Public Comments: None

Zoning Items: None

Resolutions:

1.) Kingery moved and Nichols seconded to approve Resolution 09/06 adopting the Statewide Mutual Aid Compact (also known as Iowa Mutual Aid Compact IMAC) as follows:

Whereas, emergencies and disasters transcend jurisdictional boundaries, making intergovernmental coordination essential in successful emergency response; and

Whereas, there will inevitably be emergencies which require immediate access to outside resources due to the fact that few individual governments have all of the resources they may need in every type of emergency; and

Whereas, Senate File 2124, approved by the Second Session of the 79th General Assembly in 2002, creates Iowa Code section 29C.22, the Statewide Mutual Aid Compact; and

Whereas, the Statewide Mutual Aid Compact allows participating counties, cities and other political subdivisions to provide in advance for mutual assistance in managing any emergency or disaster;

Now Therefore Be It Resolved by the Marion County Board of Supervisors that in order to maximize the prompt, full and effective use of resources of all participating governments in the event of emergency or disaster, Marion County hereby adopts the Statewide Mutual Aid Compact which is attached hereto and incorporated by reference.

Other Business:

1.) Nichols moved and Kingery seconded to select Iowa Mutual Aid Compact (IMAC) authorized representatives on behalf of the political subdivision, Marion County, Iowa, to obligate funds and personnel as follows:

- 1.) Howard Pothoven – Board of Supervisor, chair
- 2.) Sam Nichols – Board of Supervisor
- 3.) Jim Kingery – Board of Supervisor

2.) Nichols moved and Kingery seconded to select Iowa Mutual Aid Compact (IMAC) designated contacts on behalf of the political subdivision, Marion County, Iowa, to obligate funds and personnel as follows:

- 1.) Jeff Anderson – EMA Coordinator – Primary Contact

- 2.) John McCoy – E911 Coordinator – Secondary Contact
- 3.) Jake Grandia – Auditor – Tertiary Contact

3.) Nichols moved and Kingery seconded to receive and file the FY 2009/2010 Marion County Compensation Board recommendations and end the discussion on agenda item #3. There was lengthy discussion between members of the Compensation Board and BOS regarding the responsibilities and approach of the compensation board. The BOS members offered their initial thought process from the Compensation Board recommendations for department heads to use in presenting budgets as follows:

- 1.) Pothoven – reduce recommendation by 50%.
- 2.) Nichols – accept recommendation.
- 3.) Kingery – support for good employees receiving good pay.

4.) Nichols moved and Kingery seconded to approve a contract renewal with Ottumwa Regional Health Center through June 30, 2009 for substance abuse treatment services.

5.) Nichols moved and Kingery seconded to receive and file the FY 07/08 Semi Annual Report as presented by Denise Emal, Marion County Treasurer.

6.) Kingery moved and Nichols seconded to rescind the following Marion County Medical Examiner appointments from the 01/02/09 Board of Supervisor Organizational Meeting per Iowa Code 331.801.

- 1.) Dr. Michael Van Netta
- 2.) Dr. Mitch Blom

7.) Nichols moved and Kingery seconded on appointing the following Marion County Deputy Medical Examiner per Iowa Code 331.801.

- 1.) Dr. Michael Van Netta

8.) Nichols moved and Kingery seconded to approve abating delinquent penalties/taxes and assigning Marion County tax certificate #2007-77008 property in Bussey, Iowa, described as Original Town Lot 2 East 25' and East 30' Lot 3 and 4, Block 13 to the City of Bussey, Iowa.

9.) Nichols moved and Kingery seconded to approve an Actuarial Services Agreement through December 31, 2011, with Silverstone Group, Inc. regarding Other Post Employment Benefits (OPEB) fulfilling new reporting requirements of GASB 45.

Appointments: Kingery moved and Nichols seconded to approve the following appointments.

- 1.) Board of Health – Virginia Pettyjohn – term ending 12/31/2011
- 2.) Board of Health – Dr. J Bhama – term ending 12/31/2009
- 3.) Central Iowa Regional Housing Authority – James Calhoun – term ending 12/31/2011
- 4.) Marion County Conservation Board – Will Prather – term ending 12/31/2013
- 5.) Greenbelt Commission – Steve Edwards – term ending 12/31/2009
- 6.) Memorial Hall Commission – Pella – Alan Naaktgeboren – term ending 12/31/2009
- 7.) Memorial Hall Commission – Pella – Dick Van Zante – term ending 12/31/2011
- 8.) Memorial Hall Commission – Pella – Alvin Van Zee – term ending 12/31/2011
- 9.) Memorial Hall Commission – Knoxville – Gary Hudson – term ending 12/31/2011
- 10.) Memorial Hall Commission – Knoxville – Dick Reed – term ending 12/31/2011
- 11.) Memorial Hall Commission – Pleasantville – Gordon Mecham – term ending 12/31/2011
- 12.) Memorial Hall Commission – Bussey – Mike Benjamin – term ending 12/31/2011
- 13.) Memorial Hall Commission – Bussey – Randy Dunkin – term ending 12/31/2011
- 14.) Memorial Hall Commission – Bussey – John Nichols – term ending 12/31/2011
- 15.) South Central Youth & Family Services – Jim Kingery – term ending 12/31/2009
- 16.) Capstone Center, Inc – Sam Nichols – term ending 12/31/2009
- 17.) Heart of Iowa Regional Transit Agency (HIRTA) – Howard Pothoven – term ending 12/31/2009
- 18.) Heart of Iowa Regional Transit Agency (HIRTA) (alternate) – Sam Nichols – term ending 12/31/2009
- 19.) Red Rock Community Action Program – Sam Nichols – term ending 12/31/2009
- 20.) Mental Health Institute Advisory Board – Jim Kingery – term ending 12/31/2009
- 21.) County Home Board – Howard Pothoven – term ending 12/31/2009
- 22.) County Home Board – Jim Kingery – term ending 12/31/2009
- 23.) County Home Board – Sam Nichols – term ending 12/31/2009
- 24.) Area Aging Resources Board – Jim Kingery – term ending 12/31/2009
- 25.) FEMA Advisory Board – Howard Pothoven – term ending 12/31/2009
- 26.) Emergency Management Commission – Howard Pothoven – term ending 12/31/2009
- 27.) Heartland Resource Conservation & Development – Sam Nichols – term ending 12/31/2009

- 28.) Board of Health – Sam Nichols – term ending 12/31/2009
- 29.) Des Moines River Greenbelt Commission – Sam Nichols – term ending 12/31/2009
- 30.) Dept. of Justice-Courthouse Security Advisory Board – Sam Nichols – term ending 12/31/2009
- 31.) Child Welfare Decategorization Program: Executive Board – Jim Kingery – term ending 12/31/2009
- 32.) Whitebreast Watershed Association – Sam Nichols – term ending 12/31/2009
- 33.) Whitebreast Watershed Association (alternate) – Jim McCoy – term ending 12/31/2009
- 34.) Pella Planning and Zoning Commission – Howard Pothoven – term ending 12/31/2009
- 35.) E-911 Board – Howard Pothoven – term ending 12/31/2009
- 36.) South Central Iowa Solid Waste Agency (alternate) – Jim Kingery – term ending 12/31/2009
- 37.) S.E. Iowa 28E Contracting Consortium – Jim Kingery – term ending 12/31/2009
- 38.) Pella Area Development Commission (PADCO) – Howard Pothoven – term ending 12/31/2009
- 39.) CIRTPA – Transportation Policy – Howard Pothoven – term ending 12/31/2009
- 40.) CIRTPA – Transportation Policy (alternate) – Roger Schletzbaum – term ending 12/31/2009
- 41.) CIRTPA – Technical Committee – Roger Schletzbaum – term ending 12/31/2009
- 42.) CIRTPA – Technical Committee – (alternate) – Jay Davis – term ending 12/31/2009
- 43.) Empowerment Board – Jim Kingery – term ending 12/31/2009
- 44.) Central Iowa Regional Housing Authority (alternate) – Howard Pothoven – term ending 12/31/2009
- 45.) IDHS Advisory Board – Jim Kingery – term ending 12/31/2009

Closed Session: None

Adjournment:

There being no other business, Nichols moved and Kingery seconded the meeting be adjourned at 10:30 A.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special agenda January 6, 2009, with Howard Pothoven, Jim Kingery., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:00 A.M.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:

Ayes: Pothoven, Nichols, Kingery Nays: none Abstentions: none. Absent: None

I. Agenda:

- 1.) Nichols moved and Kingery seconded to approve the agenda as posted.

II. Other Business:

- 1.) Discussion from the board on Compensation Board Recommendation for FY 2009/2010. Was brought to Boards attention by Jake Grandia that there were three options and the board will have to decide on one of the three following decisions, Accept, Reduce, or Reject. Board will then decide for the elected officials and Deputies on compensation. Nichols moved and Kingery second to end the discussion #1.
- 2.) Jeff Anderson Emergency Management; Proposed keeping the IMAC Mutual aid program agreement. Jeff stated he would like to get the City School Districts and City Fire Departments on board. The program needs to have three elected coordinators and approval by the three Supervisors. Nichols moved and Kingery second to end the discussion of #2.
- 3.) Betty Moll CPC, lead discussion of understanding the contract for the Ottumwa Regional Health Center for Substance abuse services. Betty stated Ottumwa Regional Health Center was half a year behind on the contract so it was being updated to catch up with the six month contract to end of the fiscal year. Fees have also changed with now being a daily fee. First day rate is \$1360.00, second, third, fourth and fifth day rates are \$460.00. Kingery moved and Nichols second to end the discussion of #3.
- 4.) Roger Scheltzboom, Secondary Road Department headed up discussion concerning compensation and benefit suggestion by the roads department. Dave Hansen, HR Representative stated that there needed to be practices put in place so employees are not communicating directly to the board of supervisors. Nichols moved and Kingery second to end the discussion for #4.
- 5.) Chairman Howard Pothoven, began the discussion of a solution to appoint a medical examiner. Conclusion came to having one appointed medical examiner with at least 2 deputies that can back up if the main examiner is for some reason out of reach. Main medical examiner Dr. McKeever, with the following deputies, Dr. Vanetta and Dr. Blom. Nichols moved and Kingery second to end the discussion of #5. Waiting to hear from Medical Examiners.
- 6.) Chairman Howard Pothoven led discussion for date on the Marion County Conference Board Meeting. Board agreed that January 22nd . Meeting is to go over Drew Sanders, Assessors budget. Nichols moved and Kingery second to end the discussion of #6.
- 7.) Denise Emal, Treasure, updated the board on the taxes and process for the tax certificate for the property in Bussey. Taxes have not been paid in the past eight years. City of Bussey would like to proceed with tax sale and deed so they can tear the building down. Would cost \$400.00 to redeem the property. Chairman Howard Pothoven stated he would give up the \$400.00 to have the building torn down. Nichols moved and Kingery second to end the discussion of #7.
- 8.) Roger Schletzboom Secondary Roads Department, headed up discussion on who should be appointed Weed commissioner. Road Department takes care of this now. Discussion was on if the Road department should keep this or another department. Supervisor Sam Nichols spoke with Jay from the

NRCS office who might be interested in helping out with this on a contract term of some kind, more information and discussion to come on this. Nichols moved and Kingery second to end the discussion of #8.

- 9.) Chairman Howard Pothoven brought to discussion the board of Supervisors assignments. Agreed by all Supervisors that Jim Kingery will take all of Dewight Maters assignments, except Board of Health which Sam Nichols will take. Jim will also take over the Empowerment. Nichols moved and Kingery second to end the discussion of #9.

Adjournment:

There being no other business, Kingery moved and Nichols seconded the meeting be adjourned at 11:06 A.M.

Jessica Clark, Marion County Designee

Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met January 02, 2009, for their annual organizational meeting with Howard Pothoven, Jim Kingery, and Sam L. Nichols present.

Unless otherwise indicated, all of the motions offered at this meeting were carried with the following vote:
Ayes: Pothoven, Kingery, and Nichols Nays: none. Abstentions: none. Absent: none

Jake Grandia, Marion County Auditor, called the meeting to order at 9:00 A.M. He then entertained motions for Chairman of the Marion County Board of Supervisors for the year of 2009. Kingery moved and Nichols seconded for approval of Howard Pothoven as 2009 Marion County Board of Supervisor Chairman with authorization to sign for Official County Business.

Chairman Pothoven then assumed leadership of the meeting.

Kingery moved and Pothoven seconded for approval of Sam L. Nichols as 2009 Vice-Chairman of the Marion County Board of Supervisors with authorization to sign for Official County Business.

Nichols moved and Kingery seconded the official meetings of the Board of Supervisors be set for the 2nd and 4th Mondays of every month at 9:30 A.M. unless it lands on an official holiday thus making the meeting on the following Tuesday.

Nichols moved and Kingery seconded that per their Official Requests, The Marion County News, Pella Chronicle, and Knoxville Journal Express be named the Official Newspapers for the County's publications.

Nichols moved and Kingery seconded the approval of the following Resolution 09/01 as follows:

RESOLVED, that the Marion County Board of Supervisors of Marion County in Marion County, Iowa, approves the following list of financial institutions to be depositories of the Marion County funds in conformance with all applicable provisions of Iowa Code Chapters 452 and 453 (1983), as amended by 1984 Iowa Acts, S.F. 2220. The Named Offices and Officers is hereby authorized to deposit the Marion County funds in amounts not to exceed the maximum approved for each respective financial institution as set out below.

DEPOSITORY NAME	LOCATION OF HOME OFFICE	MAXIMUM BALANCE IN EFFECT UNDER PRIOR RESOLUTION	MAXIMUM BALANCE IN EFFECT UNDER THIS RESOLUTION
County Auditor Wells Fargo Bank Iowa N.A. M.C. Emp Acct.	Knoxville	50,000	50,000
County Auditor Wells Fargo Bank Iowa N.A. M.C. Dental Insurance Acct	Knoxville	100,000	100,000
County Auditor Iowa State Savings Bank Eureka Cemetery Trust	Knoxville	5,000	5,000
County Auditor Iowa State Savings Bank M.C. Fully Fund Health Ins	Knoxville	250,000	250,000
County Recorder Wells Fargo Bank Iowa N.A.	Knoxville	100,000	100,000
County Recorder Iowa State Savings Bank	Knoxville	30,000	30,000
County Recorder Wells Fargo Bank Iowa N.A. Vitals	Knoxville	15,000	15,000
County Sheriff Iowa State Savings Bank	Knoxville	1,252,000	1,252,000
County Treasurer Iowa State Savings Bank	Knoxville	13,000,000	13,000,000

County Treasurer State Bank of Bussey	Bussey	1,000,000	1,000,000
County Treasurer Wells Fargo Bank Iowa N.A.	Knoxville	10,000,000	10,000,000
County Treasurer US Bank	Pella	1,000,000	1,000,000
County Treasurer Marion County State Bank	Pella	6,000,000	6,000,000
County Treasurer Pleasantville State Bank	Pleasantville	2,000,000	2,000,000
County Treasurer Leighton State Bank	Leighton	2,000,000	2,000,000
County Treasurer Midwest One	Pella	250,000	250,000
County Treasurer Iowa State Savings Bank DOT	Knoxville	250,000	250,000
County Treasurer Edwards Jones Investments	Knoxville	1,000,000	1,000,000
County Extension Iowa State Savings Bank	Knoxville	70,000	150,000
Elderly Nutrition Iowa State Savings Bank	Knoxville	25,000	25,000
Elderly Nutrition State Bank of Bussey	Bussey	25,000	25,000
Elderly Nutrition Wells Fargo Bank Iowa N.A.	Knoxville	25,000	25,000
Elderly Nutrition Pleasantville State Bank	Pleasantville	25,000	25,000
Elderly Nutrition US Bank	Pella	25,000	25,000
Elderly Nutrition Wells Fargo Bank Iowa N.A. Travis Trust	Knoxville	200,000	200,000
Senior Activity Wells Fargo Bank Iowa N.A.	Knoxville	2,000	2,000

CERTIFICATION. I hereby certify that the foregoing is a true and correct copy of a resolution of the Marion County Board of Supervisors adopted at a meeting of said public body, duly called and held on the 2nd day of January 2009, a quorum being present, as said resolution remains of record in the minutes of said meeting, and it is now in full force and effect. Dated this 2nd day of January 2009.

Kingery moved and Nichols seconded to approve the following Resolution 09/02 as follows:

Be It Resolved, by the Board of Supervisors of Marion County, Iowa, that Roger Schletzbaum, the County Engineer of Marion County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the certification of completion of work and final acceptance thereof in accordance with plans and specifications therefore in connection with all Farm-to-Market construction projects in this county.

Nichols moved and Kingery seconded the approval of the following Official Holidays as listed for the County.

New Years Day

Thursday

January 1, 2009

President's Day	Monday	February 16, 2009
Memorial Day	Monday	May 25, 2009
Independence Day	Friday	July 3, 2009
Labor Day	Monday	September 7, 2009
Veteran's Day	Wednesday	November 11, 2009
Thanksgiving Day	Thursday	November 26, 2009
Friday after Thanksgiving	Friday	November 27, 2009
Christmas Day	Friday	December 25, 2009
Personal Floating Day		

Kingery moved and Nichols seconded that Steve Edwards be reappointed as Marion County A.D.A. Coordinator and will be compensated at the same level as the previous year. (\$2,000 per year)

Nichols moved and Kingery seconded to approve Resolution 09/03 as follows:

Whereas, it is in the best interest to the citizens of Marion County for the sheriff's office to keep the peace and provide public safety, and;

Whereas, the Code of Iowa has established the rules and procedures of carrying out the powers and duties of the sheriff, and;

Whereas, the Code of Iowa allows for the appointment of sheriff's deputies to assist in executing the powers and duties of the sheriff,

Now, Therefore be it Resolved By The Marion County, Iowa Board Of Supervisors, for the benefit of all Marion County Citizens, that the following be approved as appointed Marion County Sheriff Deputies:

Sheriff	(63-1)	Ron Goemaat
Chief Deputy	(63-2)	Mel Vander Wiel
Deputy	(63-3)	Charles W. Puyear
Deputy	(63-4)	Troy C. Fisher
Deputy	(63-5)	Justin Kingrey
Lieutenant	(63-6)	Timothy P. Cox
Deputy	(63-7)	Bobbi J. Bassett
Deputy	(63-8)	Brian P. Bigaouette
Deputy	(63-9)	Matt Boender
Lieutenant	(63-10)	Thomas J. Morgan
Deputy	(63-11)	Jeffrey D. Koder
Deputy	(63-12)	Robert Wittkowski

Kingery moved and Nichols seconded to approve Resolution 09/04 as follows:

Whereas, it is in the best interest to the citizens of Marion County for the sheriff's office to keep the peace and provide public safety, and;

Whereas, the Code of Iowa has established the rules and procedures for the establishment of a force of reserve peace officers,

Now, Therefore be it Resolved By The Marion County, Iowa Board Of Supervisors, for the benefit of all Marion County Citizens, that the following be approved as appointed Marion County Sheriff Reserve Peace Officers:

Kelly Carlson	Rick Routh
Lee Dachenbach	Don Rowland
Doug DeRonde	Melvin (Skeeter) Schone
Joe Ferguson	Jason Spencer
John Greatbach	Mark Sweitzer
Valerie Green	Curtis Van Vark
Ed Marshall	John Walker
Steve McCombs	Patrick Zeimet
Tim Micetich	Jeff Zentner

Duane (DJ) Reed

Nichols moved and Kingery seconded to approve Resolution 09/05 as follows:

Whereas, it is in the best interest to the citizens of Marion County to provide for the detention and or confinement of persons charged or convicted of offences as defined by the authority of the court, and;

Whereas, the Code of Iowa has established the rules and procedures of carrying out the powers and duties of the sheriff in regards to jails and their use as prisons,

Now, Therefore be it Resolved By The Marion County, Iowa Board of Supervisors, for the benefit of all Marion County Citizens, that the Marion County Sheriff, Ron Goemaat be approved as the appointed person in charge of the custody of the prisoners and the county jail as provided and defined in the Code of Iowa:

Nichols moved and Kingery seconded that Roger Schletzbaum be appointed as Marion County's Designated County Representative for Federal D.O.T. drug and alcohol testing.

Nichols moved and Kingery seconded that Dr. Mitch Blom, Dr. Michael Van Natta, and Dr. Earl McKeever, or their representatives, be appointed as the Marion County Medical Examiners with allowance for their respective designees.

Nichols moved and Kingery seconded to designate the County Engineer, Roger Schletzbaum, to the South Central Iowa Solid Waste Authority Board with Supervisor Jim Kingery as alternate.

Nichols moved and Kingery seconded the appointments to Boards and Commissions as listed. Ayes all

5th Judicial District Advisory Board	Sam L. Nichols	1 yr.
CIRTPA - Transportation Policy	Howard Pothoven	1 yr.
CIRTPA - Transportation Policy (alt)	Roger Schletzbaum	1 yr.
County Magistrate Appointing Commission	Sharon Dennison	12/31/2014
County Magistrate Appointing Commission	Dwight Mater Jr.	12/31/2014
County Magistrate Appointing Commission	Harvey E. Sprafka	12/31/2014

There being no other business Nichols moved and Kingery seconded the meeting be adjourned.

Meeting adjourned 10:13 A.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors