

The Marion County Board of Supervisors met in regular session at 3014 E Main St Knoxville, IA 50138 on Tuesday, November 9, 2021 with Mark Raymie, Kisha Jahner and Steve McCombs present. Public access to the meeting was available in-person and electronically. Chairman Raymie opened the regular session at 9:00 A.M.

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

Ayes: Raymie, Jahner, McCombs Nays: None Abstentions: None Absent: None

Agenda:

Jahner moved and Mc Combs seconded to approve agenda.

Communications: None

Public Comments: None

Consent Agenda:

McCombs moved and Jahner seconded to approve the consent agenda:

1. Approval of Marion County Warrants 242968-243231 through 11/9/2021.
2. Approval of Marion County Board of Supervisor Regular Session Minutes: 10/26/2021
3. Approval of Marion County employee salary adjustments. Complete list available in the Human Resource Office.

Business:

1. Jahner moved and Mc Combs seconded to approve Resolution 2021-78 approving authorization to enter a 28E Agreement amendment regarding Electronic Service System as follows:

Whereas, it is in the best interest of the citizens of Marion County to amend the Electronic Services System 28E Agreement regarding electronic; and

Whereas, the State of Iowa allows for joint agreements pursuant to the provision of Iowa Code Chapter 28E.

Now Therefore, Be It Resolved the Marion County Board of Supervisors gives authorization to enter an agreement between Marion County, Iowa, and the Electronic Services System as provided by Iowa Code Chapter 28E.

Adopted this 9th day of November, 2021.

2. Melissa Poffenbarger, Marion County Zoning Director explained to the Board the Marion County Zoning Commission is preparing to address Zoning ordinance changes to keep up with development and construction in Marion County. Poffenbarger requested the Board of Supervisors appoint a representative to attend upcoming Zoning Commission work sessions. Jahner moved and Raymie seconded to appoint Supervisor Steve Mc Combs.

3. Chairman Raymie opened a Public Hearing at 9:10 a.m. for proposed Marion County Ordinance 2021-4 rezoning from A-1 Agricultural to A-R Ag Residential for parcels 06983-030-00, 06981-000-00, 06982-001-00 in Section 26, Township 76 North, Range 19 West of the 5<sup>th</sup> P.M. No written or oral comments were received. Jahner moved and Mc Combs seconded to close the Public Hearing.

4. Jahner moved and Mc Combs seconded to approve 1<sup>st</sup> reading of proposed Marion County Ordinance 2021-4 amending Zoning Map from A1 Agricultural to A-R Ag Residential.

5. Jahner moved and Mc Combs seconded to waive 2<sup>nd</sup> and 3<sup>rd</sup> reading of proposed Marion County Ordinance 2021-4 and final approval amending zoning map and authorization of final publication.

6. Jahner moved and Mc Combs seconded to approve Resolution 2021-79, approving Final Plat Mart Farm Subdivision in Marion County, Iowa as follows:

Whereas, owners, Kevin and Debra Mart filed with Marion County, Iowa, a final plat known as "Mart Farm Subdivision", located in Marion County, Iowa, and more particularly described as follows, to-wit:

That part of the Northwest Quarter of Section 26, Township 76 North, Range 19 West of the Fifth Principal Meridian, Marion County, Iowa, described as follows:

Commencing at the northeast corner of the Northwest Quarter of said Section 26;  
thence South 89 degrees 51 minutes 49 seconds West 985.23 feet along the north line of Parcel C, recorded in Book 2015, Page 2338, at the Marion County, Iowa, Recorder's Office, the north line of Parcel E, recorded in Book 2019, Page 2579, at said Recorder's Office, and along the north line of said Northwest Quarter to the northwest corner of said Parcel E and the point of beginning;  
thence South 00 degrees 19 minutes 04 seconds East 671.60 feet along the west line of said Parcel E to the southwest corner of said Parcel E;  
thence South 61 degrees 04 minutes 47 seconds West 517.40 feet;  
thence North 78 degrees 47 minutes 25 seconds West 352.96 feet;  
thence South 85 degrees 36 minutes 02 seconds West 446.62 feet;  
thence South 00 degrees 03 minutes 30 seconds West 398.17 feet;  
thence North 89 degrees 56 minutes 30 seconds West 413.00 feet to the west line of the Northwest Quarter of said Section 26;  
thence North 00 degrees 03 minutes 30 seconds East 1021.43 feet along said west line to the southwest corner of Parcel B, recorded in Book 2007, Page 5454, at said Recorder's Office;  
thence North 85 degrees 18 minutes 13 seconds East 288.67 feet along the south line of said Parcel B to the southeast corner of said Parcel B and to the southwest corner of Parcel F, recorded in Book 2019, Page 4568, at said Recorder's Office;  
thence North 89 degrees 53 minutes 14 seconds East 327.33 feet along the south line of said Parcel F to the southeast corner of said Parcel F and the southwest corner of a tract of land described by a Warranty Deed recorded in Book 213, Page 251, at said Recorder's Office;  
thence North 89 degrees 51 minutes 49 seconds East 279.00 feet along the south line of said tract to the southeast corner of said tract;  
thence North 00 degrees 03 minutes 30 seconds East 237.00 feet along the east line of said tract to the northeast corner of said tract and to the north line of the Northwest Quarter of said Section 26;  
thence North 89 degrees 51 minutes 49 seconds East 758.77 feet along said north line to the northwest corner of said Parcel E and to the point of beginning.

Said tract contains 31.37 acres and is subject to a Marion County, Iowa, Highway Easements over the north and west 2.43 acres thereof and is subject to easements and encumbrances of record. and

Whereas, the subdivision has been reviewed and approved by the Marion County Engineer; and

Whereas, the subdivision has been reviewed and approved by the Marion County Environmental Health Officer; and

Whereas, the subdivision has been reviewed by officers of Marion County, Iowa, and are approved by Melissa Poffenbarger, Zoning Administrator, and has been approved by various utilities; and

Whereas, the supervisors of Marion County, Iowa, have inspected said final plat and find that it should be accepted and approved as recommended by the Marion County Zoning Commission.

Now, Therefore, Be It Resolved by the Board of Supervisors of Marion County, Iowa, that the Final Plat of Mart Farm Subdivision, be formally accepted and approved at this time.

7. Chairman Raymie opened a Public Hearing at 9:20 a.m. for proposed Marion County Ordinance 2021-5 rezoning from A-1 Agricultural to C-2 Highway Commercial Restricted for Utility purposed for parcel 17690-000-00 in Section 13, Township 74 North, Range 18 West of the 5<sup>th</sup> P.M. No written or oral comments were received. Jahner moved and Mc Combs seconded to close the Public Hearing.

8. Jahner moved and Mc Combs seconded to approve 1<sup>st</sup> reading of proposed Marion County Ordinance 2021-5 amending Zoning Map from A-1 Agricultural to C-2 Highway Commercial Restricted.

9. Jahner moved and Mc Combs seconded to waive 2<sup>nd</sup> and 3<sup>rd</sup> reading of proposed Marion County Ordinance 2021-5 and final approval amending Zoning map and authorization of final publication.

10. Jahner moved and Mc Combs seconded to approve Site Plan for Nextlink tower site located at 2438 Story Dr, Bussey Iowa.

11. Mc Combs moved and Jahner seconded to approve Resolution 2021-76, an award of contract for BROS-SWAP-CO63(138)-SE-63 for the replacement of a bridge on Story Drive near 94<sup>th</sup> Place as follows:

Whereas; on October 19, 2021 the IDOT took bids for project BROS-SWAP-CO63(138)—SE-63 for Bridge Replacement on Story Dr. near 94<sup>th</sup> Pl. in Marion County and;

Whereas; Herberger Construction Co., Inc, from Indianola, Iowa submitted the lowest responsible bid and;

Whereas; the low bid of \$849,684.67 is acceptable to Marion County;

Now Therefore, Be It Resolved; that Marion County approve the award of a construction contract and bonds for project BROS-SWAP-CO63(138)—SE-63 with; Herberger Construction Co., Inc. in the amount of \$849,684.67 for Bridge Replacement on Story Dr. in Marion County, IA.

12. Jahner moved and Mc Combs seconded to approve Resolution 2021-77, to award contract for FM-CO63(140)-55-63 for the PCC Patching of Highway G28 as follows:

Whereas; on October 19, 2021 the IDOT took bids for project FM-CO63(140)—55-63 for PCC Patching on G28 in Marion County and;

Whereas; Midwest Contractors, Inc. from Cedar Falls, Iowa submitted the lowest responsible bid and;

Whereas; the low bid of \$355,621.34 is acceptable to Marion County;

Now Therefore, Be It Resolved; that Marion County approve the award of a construction contract and bonds for project FM-CO63(140)—55-63 with; Midwest Contractors, Inc. in the amount of \$355,621.34 for PCC Patching on G28 in Marion County, IA.

13. Tyler Christian, Marion County Engineer presented Roads Department update. Projects and staff recognition discussed:

- a. Nationwide infrastructure grant program
- b. T14, finished paving shoulders
- c. Flashing beacons in 5 locations installed
- d. Overlay at 40<sup>th</sup> Ave
- e. Kennedy bridge to be completed in 2-3 weeks
- f. Story Dr project to be completed over winter
- g. G28 patching project to begin in spring
- h. Completing S45 and Long Lane brush cutting
- i. Junction 92 shop/office plan moving forward.
- j. Recognition to crew supervisors Jeff Moon, Bill Bauer and Dwight Kelderman for their outstanding efforts.

Jahner moved and Mc Combs seconded to close discussion.

14. Jahner moved and Mc Combs seconded to approve the following Class E Liquor License Renewal:  
New Star Newton LLC dba New Star Pella – 977 198<sup>th</sup> Pl, Pella IA 50219

15. Mc Combs moved and Jahner seconded to approve Resolution 2021-80, 2022 Marion County Employee Holidays as follows:

Whereas it is the policy of Marion County to recognize certain days of importance as holidays and pay employees for time off on that day and,

Whereas said days are established annually by the Board of Supervisors.

Now Therefore Be It Resolved by The Marion County Board of Supervisors the County authorizes the following days as Official 2022 Holidays:

December 31, 2021	Friday	New Year's Day -Observed
January 17, 2022	Monday	Martin Luther King Jr's Day
February 21, 2022	Monday	President's Day
May 30, 2022	Monday	Memorial Day
July 4, 2022	Monday	Independence Day
September 5, 2022	Monday	Labor Day
November 11, 2022	Friday	Veteran's Day
November 24, 2022	Thursday	Thanksgiving Day
November 25, 2022	Friday	Friday after Thanksgiving
December 26, 2022	Monday	Christmas Day - Observed
		Floating Day

Passed and approved this 9<sup>th</sup> day of November 2021

16. Discussion regarding disposal of Marion County property located at 113-117 S Third St in Knoxville Iowa. Consensus to move forward with disposition of the county property. Jahner moved and Mc Combs seconded to close discussion.

17. Discussion regarding CROSS Mental Health Region fund balance spend down. Mc Combs moved and Jahner seconded to close discussion.

18. Discussion regarding America Rescue Plan Act (ARPA). Projects to pursue with the funds that have been received (\$3,200,000) were narrowed. More discussion to be held at upcoming meeting. Jahner moved and Mc Combs seconded to close discussion.

Jahner moved and Raymie seconded to take a 5 minute recess.

Jahner moved and Mc Combs seconded to reconvene from recess.

19. Chris Nesteby, Marion County Facilities Director commented the demolition of the VA continues.

20. Tyler Christian, Marion County Engineer presented request for up to \$150,000 of LOSST funds for a project that would be matched with nearly \$600,000 of Federal Lands Access Program (FLAP) funding to pave Filmore Dr to the Roberts Creek East Campground. Jahner moved and Mc Combs seconded to close discussion.

21. Jahner moved and Mc Combs seconded to approve Resolution 2021-81, sealed bid opening and assignment of County Held Tax Sale 2019-63007 as follows:

Whereas, Marion County, Iowa, is the owner and holder of Tax Sale Certificate number 2019-63007 for the following described parcel, and

Whereas, delinquent taxes have continued to accrue against said parcels, and

Whereas, Jay Galaezzi have consented to sign an Agreement for Assignment of Marion County Tax Sale Certificate number 2019-63007,

Whereas, Jay Galaezzi, has agreed per the request of the Treasurer to pay the assignment fee of \$10.00, in order that the said Tax Sale Certificate may be assigned to Jay Galaezzi,

Whereas, the authority for assignment of county held Tax Sale Certificates rests with the Board of Supervisors,

Now, Therefore, Be, It Resolved, by the Board of Supervisors of Marion County, Iowa, that the Chairperson of the Board of Supervisors is authorized to assign the following Tax Sale Certificate to Jay Galaezzi.

#### TAX SALE ASSIGNMENT

Tax Sale Certificate: 2019-63007

Acquired: June 17, 2019

Parcel: 814600000

Legal Description: Lot 28 in Southshore Heights Plat No. 1 according to the plat thereof recorded in Book 92, Page 419, Land Deed Records, Marion County, Iowa, subject to easements and restrictive covenants of record.

Taxes for Previous Assessment Years:	\$
Subsequent Tax Amount:	\$
Additional to be Apportioned	\$
Assignment Fee:	\$ 10.00
Grand Total:	\$10.00

22. Mc Combs moved and Jahner seconded to approve Resolution 2021-82, sealed bid opening and assignment of County Held Tax Sale 2017-17900 as follows:

Whereas, Marion County, Iowa, is the owner and holder of Tax Sale Certificate number 2019-63007 for the following described parcel, and

Whereas, delinquent taxes have continued to accrue against said parcels, and,

Whereas, Bret Childs have consented to sign an Agreement for Assignment of Marion County Tax Sale Certificate number 2017-17900,

Whereas, Bret Childs, has agreed per the request of the Treasurer to pay the assignment fee of \$10.00, in order that the said Tax Sale Certificate may be assigned to Bret Childs,

Whereas, the authority for assignment of county held Tax Sale Certificates rests with the Board of Supervisors,

Now Therefore Be It Resolved by the Board of Supervisors of Marion County, Iowa, that the Chairperson of the Board of Supervisors is authorized to assign the following Tax Sale Certificate to Bret Childs.

#### TAX SALE ASSIGNMENT

Tax Sale Certificate: 2017-17900

Acquired: June 19, 2017

Parcel: 814300000

Legal Description: Lot 25 in Southshore Heights Plat No. 1 according to the plat thereof recorded in Book 92, Page 419, Land Deed Records, Marion County, Iowa, subject to easements and restrictive covenants of record.

Taxes for Previous Assessment Years:	\$
Subsequent Tax Amount:	\$
Additional to be Apportioned	\$
Assignment Fee:	\$ 10.00
Grand Total:	\$10.00

23. Jahner moved and Mc Combs seconded to approve Special Event Application submitted by:  
Thrive – Knoxville Living Windows on 11/18/21

24. Jahner moved and Mc Combs seconded to approve Special Event Application, pending signoff from Facilities Director, submitted by:  
Knoxville Federated Garden Club – Christmas Wreath Silent Auction on 11/18/21

25. Jahner moved and Mc Combs seconded to authorize Marion County Attorney Ed Bull to be the signatory on all settlement documents related to Class Action Settlement regarding Opioids.

26. Board of Supervisor Updates:  
- McCombs – None  
- Jahner – None

- Raymie – None

Jahner moved and Mc Combs seconded to move into Closed Session at 12:20 p.m.

Jahner moved and Mc Combs seconded to Reconvene from Closed Session.

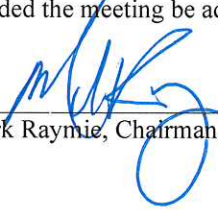
27. Mc Combs moved and Jahner seconded to authorize appropriate County Offices to begin process of advertising and drafting certain legal documents associated with the sale of County owned property located at 113 – 117 S Third St, Knoxville, IA. Raymie further discussed this will be a sealed bid process, minimum bid threshold amount set at \$40,000 and bids will be opened on December 28, 2021 during the Board's Regular Session.

Adjournment:

There being no other business, Jahner moved and McCombs seconded the meeting be adjourned at 12:35 P.M.



Jake Grandia, County Auditor



Mark Raymie, Chairman, Board of Supervisors