

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

2008 PUBLIC MEETING MINUTES

The enclosed minutes are for public informational purposes only and are not to be construed as the official documents of record. To examine the official documents please contact the Marion County Auditor office who acts in the official capacity as Secretary to the Board. The official Minutes are also published in designated official publications within the County.

While every effort has been made to meet high standards of accuracy and timeliness the documents presented in this format may be subject to change to correct any inadvertent errors or omissions. The Marion County Board of Supervisors makes no express or implied guarantee as to the accuracy of these unofficial minutes.

MARION COUNTY BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in regular session December 22, 2008, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Pothoven moved and Mater seconded to amend Agenda Item VIII. Resolutions 1.) Consider and take action on Resolution 08/52 adopting the annual "Construction Evaluation Resolution" using the Master Matrix regarding the construction of confinement feeding operation structures in Marion County between 02/01/2009 and 01/31/2010.

Agenda:

Mater moved and Pothoven seconded to approve the agenda as amended.

Communication: None

Consent Agenda:

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

1. Approval of Minutes – 12/08/08.
2. Approval of Special Session Minutes – 12/08/08, 12/16/08.
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Claims – Warrants #168333 – #168549.
5. Approval of Marion County Conservation Warrants #168297 - #168332 through December 16, 2008.
6. Approval of Work Beyond Right-of-Way Agreement between Marion Co. Sec. Road Dept. and Jason Sandholt.
7. Approval of Work Beyond Right-of-Way Agreement between Marion Co. Sec. Road Dept. and Dean Rowley.
8. Approval of Work Beyond Right-of-Way Agreement between Marion Co. Sec. Road Dept. and Don Light.

Public Hearings: None

Public Comments: None

Zoning Items: None

Resolutions:

1.) Mater moved and Pothoven seconded to approve Resolution 08/52 adopting the annual "Construction Evaluation Resolution" regarding the Master Matrix as follows:

Whereas, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a "construction evaluation resolution" relating to the construction of a confinement feeding operation structure; and

Whereas, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

Whereas, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR's decision regarding a specific application; and

Whereas, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2009 and January 31, 2010 and submit an adopted recommendation regarding that application to the DNR; and

Whereas, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board's recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

Now, Therefore, Be It Resolved by the Board of Supervisors of Marion County that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

Other Business:

1.) Sara Bixby, South Central Iowa Solid Waste Agency Director, presented the Board information regarding proposed tipping fees for the facility rising from \$30.00 /ton up to \$38.00 /ton. Bixby also briefed the Board regarding new DNR regulations and the need to construct a new "lined cell" in 2009. She indicated the SCISWA Board is exploring possibilities of bonding for the project. She indicated the SCISWA Board had been advised the 28E Agreement making up the Agency needed to be amended regarding financing and bonding protections for the members. She will be bringing the Board information on the proposed amendment in the future. Mater moved and Pothoven seconded to end discussion on Item #1.

2.) Mater moved and Pothoven seconded to approve a contract with Central Iowa Juvenile Detention Center Detention (CIJDC) from 12/22/08 through 06/30/09 for juvenile detention services including Option #2 Transportation Rate with CIJDC providing transportation services upon the Marion County Sheriff's request.

3.) Mater moved and Pothoven seconded to approve the Buwalda Cemetery Mowing and Maintenance Agreement between Marion County and Jean & Ron McKiernan-Struve for repair and upkeep of the pioneer cemetery known as Buwalda Cemetery located near 545 210th Avenue, Pella, IA.

Appointments: None

Closed Session: None

Adjournment:

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

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

I. Call to Order: The Marion County Board of Supervisors met for a special session on December 16, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

II. Agenda:

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

III. Other Business:

1. Mater moved to close non-emergency and non 24/7 Marion County offices and operations at 1:00 PM until the end of the normal working day on Christmas Eve, December 24, 2008. After discussion between the Board and various department heads involving logistics of the motion, Pothoven moved to second the motion. Clarification was given that any employee scheduled to take the entire day off would still use a full day of leave time and this was not considered a holiday.

1a.) The Board discussed the possibility of switching the "employee floating day" for all day Christmas Eve in 2009. There were additional ideas to evaluate the best case scenario each year due to the day of the holiday switching each calendar year. Any official change will be decided at the Board's Organizational Meeting. Pothoven moved and Mater seconded to end discussion on the second part of Item #1.

2.) The Board held general discussion on the upcoming FY 09/10 budget. Supervisor Pothoven indicated he thought departments should consider inserting 2% raises with the Board evaluating levels later. Supervisor Nichols encouraged the elected officials to contact their Compensation Board representatives. All departments were encouraged to submit budgets with level requests as last year due to economic conditions. Mater moved and Pothoven seconded to end discussion on Item #2.

The Board took a short recess from 10:10 until 10:20.

3.) Roger Schletzbaum, Marion County Engineer, presented the Board with an overview of the Secondary Road Budget process and projected fund balances. Supervisor Mater was excused at 11:12 AM. Pothoven moved and Nichols seconded to end discussion on Item #3.

There being no other business, Pothoven moved and Nichols seconded the meeting be adjourned at 11:16 A.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session December 8, 2008, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Agenda:

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

Communication: None

Consent Agenda:

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

1. Approval of Minutes – 11/24/08.
2. Approval of Special Session Minutes – 11/12/08, 11/18/08, 12/03/08.
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Claims – Warrants #168074 – #168292.

Public Hearings: None

Public Comments: None

Zoning Items: None

Other Business:

1.) Mater moved and Pothoven seconded to approve Marion County Courthouse Window Project Change Order #3 with Vander Wilt Construction with a net increase of \$7,467.00 for work required to repair masonry and reframe bell tower window openings with the final contract equaling \$362,997.00.

2.) Mater moved and Pothoven seconded to approve an interim rate increase from \$60.00/day to \$63.50/day for Knoxville Residential and Indianola Residential for residential services effective 01/01/2009.

3.) Mater moved and Pothoven seconded to approve a contract renewal with HR-OneSource from February 1, 2009 through January 31, 2010 for Human Resources services.

4.) The Board received information and a request from Jean McKiernan-Struve to repair and maintain the pioneer cemetery known as Dykstra-Buwalda Cemetery located near 545 210th Ave., Pella, IA. She presented cost estimates and options for proceeding with maintaining the cemetery. Pothoven moved and Mater seconded to end the discussion on agenda item #4.

Resolutions:

1.) Mater moved and Pothoven seconded to approve Resolution 08/51 Accepting the Work of constructing certain courthouse improvements, according to plans and specifications entitled "Marion County Courthouse Window Replacement Project" as follows:

Be It Resolved By The Board Of Supervisors Of Marion County, Iowa: That the work of constructing certain courthouse improvements, according to plans and specifications entitled "Marion County Courthouse Window Replacement Project – Knoxville, Iowa," under the contract dated the 14th day of July, 2008, by and between Vander Wilt Construction Inc. of Pella, Iowa, and Marion County is hereby accepted by Marion County and that the final contract price is \$362,997.00 as determined by the Engineer's Certificate of Completion dated November 25, 2008.

Appointments: Pothoven moved and Mater seconded to approve the following appointment recommendations as follows:

- 1.) Recommendation – Jo Dorenkamp – Pella Community Development Commission – term ending 08/01/09.
- 2.) Recommendation – Teri Vos – Pella Planning and Zoning Commission – term ending 05/01/13.

Closed Session: None

Adjournment:

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

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

I. Call to Order: The Marion County Board of Supervisors met for a special session on December 8, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

II. Agenda:

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

III. Other Business:

1. Monthly departmental updates:

- a. Jeff Anderson – Emergency Management Coordinator
 - i. School districts – Emergency action plans
 - ii. Courthouse Security Committee recommendation – reviewing rack & reel fire houses in Courthouse
 - iii. Weather policy – review procedures for County operations
- b. Melissa Poffenbarger – Planning & Zoning
 - i. City of Knoxville – comprehensive plan
 - ii. Subdivision review with Snyder & Associates
- c. Kim Dorn – Public Health
 - i. In process of hiring new clerk.
 - ii. In process – acquiring bids for meals program
 - iii. FY 09/10 budget – preparing for Board of Health meeting
- d. Karen Schwanebeck – County Recorder
 - i. Passports & recorders on pace with last year.
 - ii. Renewing ATV and snowmobiles
 - iii. Iowa Land Records – sending index only
 - iv. Working on disaster preparation process
- e. Mike Kuhn – Veteran’s Affairs and General Relief
 - i. G.A. – Other county sources out of funds
 - ii. V.A. – Working on disability claims
 - iii. Exploring registering with DHS of Iowa for potential recovery of funds from Social Security Disability recipients.
- f. Martha Dykstra – Sheriff’s Office
 - i. Tom Wilson – retirement (jailer)
 - ii. Open positions – PT dispatch and PT jailer
- g. Betty Moll - CPC
 - i. Year end report – turned in to State before deadline
 - ii. State Paper Payments – turned in to State on time
 - iii. New mental health walk-ins – increasing numbers
- h. Ken Thrailkill – Maintenance
 - i. LEC – ordering replacement parts
 - ii. Annex – need new furnace
- i. Jake Grandia - Auditor
 - i. 01/01/2008 Valuations in progress

IV. Adjournment:

- 1.) Pothoven moved and Mater seconded to close the meeting at 2:05 P.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met in special session December 3, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Nichols, Mater Nays: none Abstentions: none. Absent: None

Announcement:

1.) Chairman Nichols announced a Closed Session pursuant to Iowa Code 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.

Agenda:

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

Other Business:

1.) Dwight Mater briefed the Board on the status of the South Central Youth and Family Services facility in Indianola. He indicated he would like to see the County no longer be a member of the 28E agreement overseeing the operations of the facility. The county could still use the facility on a fee for service basis yet not have to pay the annual grant for operations. He will continue to pursue this possibility.

Executive Session:

1.) Pothoven moved and Mater seconded to approve entering 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.
Closed Session entered at 1:26 P.M.

1.) Mater moved and Pothoven seconded to enter into regular session at 2:46 P.M.

Adjournment:

There being no other business, Mater moved and Pothoven seconded the meeting be adjourned at 2:46 P.M.

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session November 24, 2008, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Agenda:

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

Communication: None

Consent Agenda:

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

1. Approval of Minutes – 11/10/08.
2. Approval of Special Session Minutes – 11/10/08, 11/12/08, 10/18/08.
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Claims – Warrants #167730 – #167844 and #167872 - #168073.
5. Approval of Marion County Conservation Warrants #167845 - #167871 through November 18, 2008.
6. Approval of Work Beyond Right-of-Way Agreement between Marion Co. Sec. Road Department and Betty Bishop.

Public Hearings: Open – Chairman Nichols

1.) Zoning Petition #693 - Cole Vander Linden is requesting approval of Vander Linden Subdivision Final Plat located in SE1/4 of 24-77N-20W of 5th P.M. in Marion County, Iowa. (Full legal description is available in the Marion County Zoning Office) The subdivision is a 10 lot subdivision with at least 1.5 acres per lot. Melissa Poffenbarger, Zoning Director, briefed the Board on the background of this petition. She had received one information request from an adjoining land owner on the future of the road in the development. The road in the development will be a private drive. The Auditor's Office had not received any comments. There being no further comments, Pothoven moved and Mater seconded to close the public hearing.

Public Comments: None

Zoning Items: None

Resolutions:

1.) Mater moved and Pothoven seconded to approve Resolution 08/47 approving Final Plat of the Vander Linden Subdivision – Plat 1 as follows:

Whereas, Cole Vander Linden, filed with Marion County, Iowa, a final plat known as "Vander Linden Subdivision – Plat 1", located in Marion County, Iowa, and more particularly described as follows, to-wit: A subdivision of a parcel of land located in the SE ¼ of Section 24, Township 77 North, Range 20 West of the 5th P.M. in Marion County, Iowa, described as: Beginning at the SE Corner of Section 24, Township 77 North, Range 20 West of the 5th P.M., thence North 90° 00' West 408.0 ft. along the south line of the SE ¼ of said Section 24, thence North 00° 00' West 242.6 ft. along the east line of Parcel B of the SE ¼ of the SE ¼ (Book 2004, Page 6120), thence South 86° 06' West 139.1 ft. along the north line of said Parcel B, thence South 01° 11' East 8.2 ft. along said north line of Parcel B, thence North 85° 12' West 161.4 ft. along said north line of Parcel B, thence North 00° 09' East 899.3 ft., thence North 90° 00' East 300.0 ft., thence North 00° 09' East 281.0 ft., thence North 90° 00' East 408.0 ft., thence South 00° 09' West 1418.7 ft. along the East line of the SE ¼ of said Section 24 to the point of beginning containing 19.51 acres, more or less, including the public roads established along the south and east sides thereof which contain 3.98 acres. and

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

Now, Therefore, Be It Resolved by the Board of Supervisors of Marion County, Iowa, that the final plat of Vander Linden Subdivision – Plat 1, be formally accepted and approved at this time.

2.) Pothoven moved and Mater seconded to approve Resolution 08/48 approving the appointment of Sheriff Reserve Cody Rankin 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 reserve 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 Reserve Peace Officers:

Cody Rankin

Adopted this 24th day of November, 2008.

3.) Pothoven moved and Mater seconded to approve Resolution 08/49 entering into a Memorandum of Understanding with the Iowa Internet Crimes Against Children Task Force as follows:

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

Whereas, the Code of Iowa establishes the rules and procedure of carrying out the powers and duties of the sheriff's office, and;

Whereas, the Marion County Sheriff's Office desires to enter into a Memorandum of Understanding with the Iowa Department of Public Safety, Division of Criminal Investigation to join the Iowa Internet Crimes Against Children Task Force to deter, prevent, investigate, and prosecute predators who seek to exploit or engage minors in sexual activity through the use of computers and the Internet.

Now, Therefore be it resolved by the Marion County, Iowa, Board of Supervisors in the spirit of cooperation authorize the Marion County Sheriff Department to enter into the Iowa Internet Crimes Against Children Task Force.

4.) Mater moved and Pothoven seconded to approve Resolution 08/50 to change Federal Functional Classifications of Certain Roads in Marion County as follows:

Whereas, functional classification is the process by which streets and highways are grouped into classes according to the character of service they are intended to provide; and

Whereas, Marion County periodically reviews the system of streets and highways for appropriate changes needed to the classification of various segments of the system; and

Whereas, a recent review of the system has revealed the need for changes to Hwy T 17, Hwy G46, and 216th Place due to the change in traffic volumes since the completion of the Des Moines River Bridge on T 17.

Therefore, Be It Resolved that the Board of Supervisors of Marion County hereby requests the Iowa Department of Transportation to request the Federal Highway Administration to make the following changes in the federal functional classification system:

Change Hwy T 17 from Pella Corporate Limit to 216th Place from Minor Collector to Major Collector

Change Hwy T 17 from 216th Place to Hwy G 46 from Local to Major Collector

Change Hwy G 46 from Hwy T17 to Hwy T 15 from Major Collector to Minor Collector

Change 216th Place from T 17 to Lowe Drive from Minor Collector to Local

Resolution adopted this 24th day of November, 2008.

Other Business:

1.) The Board received a request from representatives of St. Mary's Catholic Church to consider hard surfacing 218th Place from Washington Street to the new St. Mary's Catholic Church. The Board advised the county engineer to look into the situation and respond with options. The representatives were also directed to visit with the City of Pella as the road is located on the city limits. Mater moved and Pothoven seconded to end the discussion on item #1.

2.) Tony Reed, Executive Director of Central Iowa Juvenile Detention Center, presented a 28E Membership Proposal to become a member, and use the juvenile detention services, of the facility. Lengthy discussion took place between the Board, Mr. Reed, Mia Gehringer, Juvenile Court Officer, Ron Goemaat, Marion County Sheriff, and Jake Grandia, Marion County Auditor. The discussion revolved around financial costs of the service provided, location of the facility, and County responsibilities of joining the 28E Agreement. After lengthy discussion, Mater moved and Pothoven seconded to not enter into the 28E Agreement with Central Iowa Juvenile Detention Center.

Appointments: None

Closed Session: None

Adjournment:

There being no other business, Pothoven moved and Mater seconded the meeting be adjourned at 10:57 A.M.

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session November 14, 2008 for the purpose of canvassing the vote from the November 4, 2008, General Election for the County of Marion, Iowa. Present were Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr.

Chairman Nichols opened the special canvass at 11:00 A.M.

Auditor Jake Grandia announced there were 20 provisional ballots; 20 counted and 0 rejected for various reasons per Iowa Code. Chairperson Nichols read the results for the November 4, 2008, General Election.

Mater moved and Pothoven seconded to declare the canvass complete and certify the results of the election to the County Auditor and Iowa Secretary of State. Ayes all.

The following persons were elected at the November 4, 2008, General Election:

Board of Supervisor: Sam L Nichols, Republican

Board of Supervisor: Jim Kingery, Republican

County Auditor: Jake Grandia, Republican

County Sheriff: Ronald Goemaat, Republican

Clay Township Trustee: Paul Harrington

Dallas Township Trustee: Josh Schneider

Franklin Township Trustee: Susan Phillips

Indiana Township Trustee: Jim Force

Knoxville Township Trustee: Robert Crozier

Liberty Township Trustee: Bob Smith

Lake Prairie Township Trustee: Arvin Van Wyk

Pleasant Grove Township Trustee: Jeff Anderson

Red Rock Township Trustee: Michael Hotovec

Summit Township Trustee: Carl Weyers

Union Township Trustee: Frank Schumacher

Washington Township Trustee: Joy Pierce

Clay Township Trustee: Bryce Kelderman

Dallas Township Trustee: Danny Haselhuhn

Franklin Township Trustee: Shawn Breazeale

Indiana Township Trustee: Richard Lambirth

Knoxville Township Trustee: Myles Murphy

Liberty Township Trustee: Cliff De Jong

Lake Prairie Township Trustee: Bradley Rietveld

Pleasant Grove Township Trustee: Steve Trude

Red Rock Township Trustee: Marion Kingery

Summit Township Trustee: Bradley Van Roekel

Union Township Trustee: Henry Bensink

Washington Township Trustee: John G Pierce

Marion County Ag Extension Council Member:

Mark Drost – To Fill a Vacancy

Karen M Ackley

Cindi Dale

Craig Greene

Nancy Harsin

Marion County Soil & Water Conservation Commissioner:

Jack Bensink

Vernon Boot

Janet Petty

Pothoven moved and Mater seconded that the special canvass be adjourned. Ayes all.

The canvass was adjourned at 11:30 A.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met in special session November 18, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater Nays: none Abstentions: none. Absent: None

I. Agenda:

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

II. Other Business:

- 1.) Chairman Nichols, received update information on the discussion of the Marion County retiree/elected officials sick leave. Dave Hansen, with HR briefed the board that the current policy for retirees is applicable for the current situation of a current county employee retiring and becoming a county elected official. Mater moved and Pothoven second to end the discussion #1.
- 2.) Dick Schrad, Knoxville city manager, briefed the board on the issues with the Herta building and Herta van parking. Was brought up by dick that the cost to keep the building going was 10K per year with 25% of that being utility and 9% pest control. Proposed new lease to cover cost of the building. Parking was brought to attention as well with following issues being parking is limited to the meals on wheels parking and the senior citizens Herta vans are being left running in front of City Hall taking up parking spaces. Dick proposed expanding a parking lot on the west side of the building but there would need to be better lighting for people to be comfortable walking at night time. Mater moved and Pothoven second to end the discussion of #2.
- 3.) Randy Pleima, Mahaska rural water, briefed the board on the Tracy sewer project. Funding is not ready yet with rule development. Projected cost was higher than expected around \$1.6 million. Randy stated they cannot go to bid without the funding. Appraisal is being done and the land secured. Looking at February of 09 funding to be complete on this project. Mater moved and Pothoven second to end the discussion of #3.
- 4.) Pothoven brought to discussion the Marion County Care Facility outbuildings not be utilized and a Power line poll that needed to be taken down due to safety reasons. Was mentioned that 3 of the sheds are used for E911 and EMT equipment but the old barn and poll sheds can be torn down. Mater moved and Pothoven second to end the discussion for #4.
- 5.) Kim Dorn, Public Health Director, briefed the board on the congregate meals. Discussion to get meals back in the Pella area. Bussey was not showing good numbers so it was brought up by Pothoven to drop the Bussey site all together and just deliver warm meals to the Bussey and Pella sites. Staffing was an option for all sites, but cost was an issue. Nichols would like to see cost of meals vs. staffing, equipment and transportation before staffing all sites. Came to temporary fix of cooking in Knoxville and delivering warm meals to Pella. Mater moved and Pothoven second to end the discussion of #5. With update to come.

Adjournment:

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

Jessica Clark, Marion County Designee

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session November 12, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols opened the meeting at 10:30 A.M.

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

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

Announcement:

1.) Chairman Nichols announced a Closed Session pursuant to Iowa Code 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.

Agenda:

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

Executive Session:

1.) Pothoven moved and Mater seconded to approve entering 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.

Closed Session entered at 10:42 P.M.

Other Business:

1.) Mater moved and Pothoven seconded to enter into regular session at 11:45 A.M.

2.) Chairman Nichols briefed the Board on the status of the Mid Iowa Development Fund committee. He indicated the Mid Iowa Development Fund board was strongly considering ceasing operations.

Adjournment:

There being no other business, Mater moved and Pothoven seconded the meeting be adjourned at 10:55 A.M.

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session November 10, 2008, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Agenda:

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

Communication: None

Consent Agenda:

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

1. Approval of Minutes – 10/27/08.
2. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
3. Approval of Marion County Claims – Warrants #167497 – #167729.
4. Approval of Work Beyond Right-of-Way Agreement between Marion Co. Sec. Road Department and Kenney Farms.

Public Hearings: None

Public Comments:

1.) Jerry Weldon, citizen, addressed the Board regarding questions of County mileage reimbursement rates and Board of Supervisor reimbursement practices.

Zoning Items: None

Resolutions: None

Other Business:

1.) Upon recommendation of Betty Moll, Marion County CPC, Mater moved and Pothoven seconded to terminate a contract with Dr. Marilyn Banker d.b.a Courage Connections for mental health services.

Appointments: None

Closed Session: None

Adjournment:

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

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

I. Call to Order: The Marion County Board of Supervisors met for a special session on November 10, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

II. Agenda:

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

III. Other Business:

1. Monthly departmental updates:

- a. Jeff Anderson – Emergency Management Coordinator
 - i. Briefing on status of EMP Grant
 - ii. Radio Grant – great grant award but local governments will have to fund a portion
 - iii. Training Grant – countywide use
- b. John McCoy – E911
 - i. Storage space situation OK now
- c. Ken Thrailkill – Maintenance
 - i. Shankster Construction – Clock tower window restoration completed
 - ii. Courthouse Window Restoration Project – nearing completion
- d. Mike Kuhn – Veteran’s Affairs / General Relief
 - i. GA – Usage similar to last year
 - ii. VA – Schooling complete for year
- e. Cory Frank – Environmental Health
 - i. Marysville – working with city on individual solutions
 - ii. Reviewing current ordinances and fee structure
 - iii. Time of Transfer approaching 07/01/08
 - iv. Meeting with Central Iowa Water
 - v. Working on building permit process
- f. Kim Dorn – Public Health
 - i. Board of Health terms expiring
 - ii. Communicable disease follow-ups
 - iii. WIC – huge caseload
 - iv. Elderly Nutrition – continuing to process data
- g. Betty Moll - CPC
 - i. Courage Connections – terminating contract
 - ii. New mental health provider in County – no contract
- h. Dawn Beaver – Elderly Nutrition
 - i. Need to move commodities – rent UHaul truck with maintenance assistance
 - ii. Pleasantville site coordinator position in process
- i. Jake Grandia - Auditor
 - i. Finishing General Election process
- j. Roger Schletzbaum – Engineer
 - i. Bussey Bridge open
 - ii. Virginia Bridge OK to proceed – 20% Union Pacific funds
 - iii. Salt delivery – 740 tons per contract
 - iv. Hayes Drive fly ash experiment seems to be working
 - v. Rock hauling – near anticipated levels

IV. Adjournment:

- 1.) Mater moved and Pothoven seconded to close the meeting at 1:56 P.M.

The Marion County Board of Supervisors met in special session October 21, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols opened the meeting at 1:30 P.M.

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

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

Mater moved and Pothoven seconded to amend the agenda by switching items #1 and #3.

Agenda:

Pothoven moved and Mater seconded to approve the agenda as amended..

Other Business:

1.) Jeff Anderson, Emergency Management Coordinator / John McCoy, E911 / Ron Goemaat, Marion County Sheriff – briefed the Board on storage needs for equipment from their departments. After discussion, EMA and E911 and going to use a storage shed located at the Marion County Care Facility, and the sheriff's office is going to look for rental space for their boat. They are also to put together numbers on constructing a new storage shed. Mater moved and Pothoven seconded to end discussion on item #1.

2.) Chairman Nichols briefed the Board on an idea on continuing to grow the County's risk management program by beginning an environmental health inspection program for all of Marion County's facilities. This would progress in a phased process.

3.) Kim Dorn, Public Health Director, briefed the Board on the results of the Elderly Nutrition Survey following the pilot program at the Pella Senior Meal Site. There was then lengthy discussion on findings and possibilities for the program between Dorn, the Board, and members of the public. Mater moved and Pothoven seconded to approve ending the discussion on item #3.

Adjournment:

There being no other business, Pothoven moved and Mater seconded the meeting be adjourned at 3:10 P.M.

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session October 13, 2008, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Agenda:

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

Communication: None

Consent Agenda:

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

1. Approval of Minutes – 09/22/08.
2. Approval of Special Session Minutes – 09/26/08,09/30/08
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Claims – Warrants #166952 – #167258.
5. Approval of Work Beyond Right-of-Way Agreement between Marion Co. Secondary Road Department and Kermit De Haai.

Public Hearings: None

Public Comments: None

Zoning Items: None

Resolutions: None

Other Business:

1.) Mater moved and Pothoven seconded to approve an Agreement for Structural Engineering Services for a Marion County Courthouse Building Clock Tower Floor Repair/Replacement Project.

2.) Pothoven moved and Mater seconded to approve an Engineering Services Agreement change order for the G-40 High Risk Rural Roads Project with Snyder and Associates.

3.) Mater moved and Nichols seconded to approve changing the Marion County Employee Policy under Sick Leave as follows: (2) Employees who retire after age 65 and are not eligible to continue on Marion County's health insurance plan may receive a lump sum payment of one-half of their unused sick leave at the date of their retirement. Roll call vote as follows:

Ayes – Mater / Nichols Nays – Pothoven Motion carried: 2-1

4.) Mater moved and Pothoven seconded to approve Marion County Courthouse Window Replacement Project Change Order #2 requesting an extension of the October 20, 2008 completion date for the project to November 28, 2008.

5.) Mater moved and Pothoven seconded to authorize Barb Adam, Community Care Inc., to proceed with a concrete sidewalk repair project at the Marion County Care Facility with a project cost not to exceed \$2,144.00.

Appointments: None

Closed Session: None

Adjournment:

There being no other business, Mater moved and Pothoven seconded the meeting be adjourned at 10:08 A.M.

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session October 13, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Nichols, Mater Nays: none Abstentions: none. Absent: None

Announcement:

1.) Chairman Nichols announced a Closed Session pursuant to Iowa Code 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.

Agenda:

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

Executive Session:

1.) Pothoven moved and Mater seconded to approve entering 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 at 1:11 P.M.

Other Business:

1.) Mater moved and Pothoven seconded to enter into regular session at 1:53 P.M.

2.) Chairman Nichols announced no action was taken in the closed session other than to have counsel proceed per overall direction of discussion.

Adjournment:

There being no other business, Mater moved and Pothoven seconded the meeting be adjourned at 1:55 P.M.

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session September 12, 2008, with Sam L. Nichols and Dwight Mater Jr. present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Agenda:

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

Supervisor Pothoven joined the meeting at 1:05 P.M.

Other Business:

1.) Jake Grandia, Marion County Auditor, presented a recommendation to reorganize his office and transfer some duties within. The recommendation is in response to the County's pursuit of a Human Resource department. Grandia recommended making the transition progressive and transferring duties within his office and hiring an additional support person. The services of an HR consultant would still be required. There was lengthy discussion with the Board and members of the audience. The Board came to a consensus to add the HR item to the next agenda.

Adjournment:

There being no other business, Mater moved and Pothoven seconded the meeting be adjourned at 2:05 P.M.

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session September 8, 2008, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Pothoven moved and Mater seconded to remove the following items from the agenda: Item V. Public Hearing 2.) Petition 703 is being requested by perspective buyer Brenda McKay for the property located at 2057 Hwy 5, Bussey (Legal description: The South 295' of the West 295' of the SW NW Section 7-T74N-18W of the 5th P.M., approximately 2 acres). The perspective buyer is requesting the property be rezoned from Ag to C-1 service commercial for a technologies based business and Item VII. Zoning Items 2.) Consider and take action on Petition 703 requested by perspective buyer Brenda McKay for the property located at 2057 Hwy 5, Bussey (Legal description: The South 295' of the West 295' of the SW NW Section 7-T74N-18W of the 5th P.M., approximately 2 acres). The perspective buyer is requesting the property be rezoned from Ag to C-1 service commercial for a technologies based business.

Agenda:

Mater moved and Pothoven seconded to approve the agenda as amended.

Communication: None

Consent Agenda:

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

1. Approval of Minutes – 08/25/08.
2. Approval of Special Session Minutes – 08/27/08
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Claims – Warrants #166434 – #166653.
5. Approval of Work Beyond Right-of-Way Agreement between Marion Co. Secondary Road Department and Steve Akers.

Public Hearings: Open – Chairman Nichols

1.) Marion County Zoning Petition 702: Petition 702 is being requested by perspective buyer Terry Anderson for the property located at 617 Hwy 92, Knoxville (Legal description: NE1/4 SW1/4 of the NW1/4, S1/4 and the SE1/4 of the SW1/4 of 36-76N-21W). The petitioner is requesting the property be rezoned from C-2 back to Ag for the rural residences. Melissa Poffenbarger, Zoning Director, presented a briefing on the request. There were no written or public comments received. Pothoven moved and Mater seconded to close the public hearing.

Public Comments: None

Zoning Items:

1.) Mater moved and Pothoven seconded to approve Marion County Zoning Petition 702.

Resolutions: None

Other Business: None

Appointments: None

Closed Session: None

Adjournment:

There being no other business, Mater moved and Pothoven seconded the meeting be adjourned at 9:37 A.M.

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

I. Call to Order: The Marion County Board of Supervisors met for a special session on September 8, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

II. Agenda:

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

III. Other Business:

1. Monthly departmental updates:
 - a. Karen Schwanebeck – Recorder
 - i. Briefing on records situation involving IowaLandRecords.org
 - b. Mike Kuhn – Veteran’s Affairs / General Relief
 - i. GA – Utility requests increasing
 - ii. VA – Purchase of new copier
 - iii. VA Trust Fund – application process
 - c. Betty Moll - CPC
 - i. New mental health applications increasing dramatically.
 - ii. Request for advice on MH no shows – contacting County Attorney
 - d. Scott Jerkins – Marion County Jail Administrator
 - i. Prisoner health cost – Iowa Cares
 - ii. Housing Dallas County prisoners
 - e. Melissa Poffenbarger – Zoning Director
 - i. Waiting on meeting with Central Iowa Water
 - ii. Waiting on Environmental Health Director to begin
 - f. John McCoy – E911
 - i. E911 – Communication upgrades
 - ii. Signage program proceeding
 - g. Roger Schletzbaum – Engineer
 - i. FEMA work & paperwork
 - ii. Winter repairs
 - iii. Salt delivery
 - iv. Federal Highway Trust Fund bankrupt in October
 - v. RFP – rock hauling

IV. Adjournment:

- 1.) Mater moved and Pothoven seconded to close the meeting at 2:05 P.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session August 11, 2008, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Mater moved and Pothoven seconded to approve adding agenda item X. Appointments: 2.) Marion County Development Commission – Ray Stone, Attica Bussey Area – 3 year term beginning July 1, 2008.

Agenda:

Pothoven moved and Mater seconded to approve the agenda as amended.

Communication: None

Consent Agenda:

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

1. Approval of Minutes – 07/28/08.
2. Approval of Marion County Claims – Warrants #165975 – #166165.

Public Hearings: None

Public Comments: None

Zoning Items: None

Resolutions:

1.) Mater moved and Pothoven seconded to approve Resolution 08/43 to approve the appointment of Justin Kingrey as a Marion County Deputy Sheriff 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:

Justin Kingrey

2.) Pothoven moved and Mater seconded to approve Resolution 08/44 to approve the appointment of Kelly Carlson as a Marion County Sheriff Reserve Officer 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 reserve 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 Reserve Peace Officers:

Kelly Carlson

Other Business:

1.) The Board received a presentation and request from Dr. Larry Formanek on behalf of the Knoxville Streetscape Committee to consider purchasing park benches, garbage receptacles, and planters for the Courthouse square that tie into the overall plans of the committee for the beautification of the Knoxville square. The requested items total approximately \$10,000. Dr. Formanek also requested the Board allow the committee to place the previously mentioned items on the Courthouse grounds if the Board does not purchase them. The items would then have to be purchased by donations to the committee.

Appointments:

- 1.) Marion County Development Commission – David Erickson – Pella area – 3 year term beginning July 1, 2008.
- 2.) Marion County Development Commission – Ray Stone – Attica-Bussey area – 3 year term beginning July 1, 2008.

Executive Session: None

Adjournment:

There being no other business, Pothoven moved and Mater seconded the meeting be adjourned at 9:45 A.M.

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

I. Call to Order: The Marion County Board of Supervisors met for a special session on August 11, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

II. Agenda:

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

III. Other Business:

1. Monthly departmental updates:

- a. Betty Moll - CPC
 - i. New commitments down for this month.
 - ii. Working relationship with Capstone ok.
 - iii. Things with Community Care Inc.(CCI) at the Care Facility seem to be going ok.
 - iv. Update on LEC roof issues.
- b. Ken Thrailkill – Maintenance
 - i. Preparing for courthouse window project.
 - ii. Discussion with BOS and Sheriff regarding responsibility for repairs and maintenance at the LEC. Consensus among the Board that fixed plant expenses are Maintenance responsibility and non-fixed, ie kitchen equipment, Sheriff Department responsibility.
- c. Mel Vander Wiel – Chief Deputy Sheriff
 - i. Nationals over and went well.
 - ii. Prisoner count ok and the LEC is holding some Warren County prisoners.
- d. Jeff Anderson – EMA
 - i. 2008 NIMS document nearly complete.
 - ii. Potential long term /long range recovery committee meeting approaching in Attica. Many questions still to be answered and if the committee will even be officially formed.
- e. Kim Dorn – Public Health Director
 - i. Elderly Nutrition – Surveys from Pella sent and due back on 8/15/08.
 - ii. Elderly Nutrition – Pleasantville site manager resigned due to other job opportunity.
 - iii. Environmental Health – Review of current budget complete and appears to be low for present situation and pressing needs. Two good candidates interviewed for open Environmental Health Director position. Information shared with the Board that a potential budget amendment may be necessary to hire the most qualified candidate that would have the shortest learning curve. The Board had consensus that they must support Public Health in whatever way possible to comply with current Environmental Health needs.
- f. Missy Poffenbarger – Zoning
 - i. Overview of Planning Services Agreement with Snyder and Associates. Agreement for overall consultation for day to day operations. Steve Rowe, Snyder and Associates, explained the philosophy of this type of arrangement. Nichols requested a cap be placed on the overall agreement for a not to exceed amount.

IV. Adjournment:

- 1.) Mater moved and Pothoven seconded to close the meeting at 2:35 P.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session July 28, 2008, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Agenda:

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

Communication: None

Consent Agenda:

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

1. Approval of Minutes – 07/14/08.
2. Approval of Special Session Minutes – 7/14/08, 7/22/08, 7/23/08
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Claims – Warrants #165804 – #165974.
5. Approval of Marion County Conservation Warrants #165750 - #165803 through July 15, 2008.
6. Approval of Work Beyond Right-of-Way Agreement between Marion Co. Sec. Road Dept. and Roger Jordan..
7. Approval of Work Beyond Right-of-Way Agreement between Marion Co. Sec. Road Dept. and Dan Haselhuhn.
8. Approval of Work Beyond Right-of-Way Agreement between Marion Co. Sec. Road Dept. and Randy Van Wyngarden.
9. Approval of Work Beyond Right-of-Way Agreement between Marion Co. Sec. Road Dept. and Logan Ver Ploeg.
10. Approval of Work Beyond Right-of-Way Agreement between Marion Co. Sec. Road Dept. and Deborah Schneider.
11. Approval of Work Beyond Right-of-Way Agreement between Marion Co. Sec. Road Dept. and Mary Pregon.

Public Hearings: None

Public Comments:

1.) Harvey Sprafka, Knoxville resident, presented the Board with an article he had previously submitted as a letter to the editor regarding town rivalries. He indicated he has had conversations regarding the canon in the courtyard of the Marion County Courthouse and decided it was time to remove the canon from the courtyard. He believed it would be a good gesture as the communities of Pella and Knoxville continue to work together on projects. He officially requested the Board consider moving the canon. The Board held discussion regarding the advantages and disadvantages of the request.

2.) Betty Moll, Marion County Central Point Coordinator, clarified a previous memo she had submitted. She clarified it was only the mental health center of Ottumwa Regional Health Center that was closing and not medical and substance abuse treatment.

Zoning Items: None

Resolutions:

1.) Mater moved and Pothoven seconded to approve Resolution 08/42 to designate Jeff Anderson as the Homeland Security point of contact in Marion County in disaster situations as follows:

Whereas, there is a heightened level of awareness for communities to increase their capabilities to respond to incidents involving acts of nature, terrorism, weapons of mass destruction, and bio-terrorism events, and

Whereas, the initial response to an emergency is the responsibility of local government until all of its local resources are exhausted, and

Whereas, numerous additional requirements are being placed on communities to develop plans to deal with the effects of terrorism incidents, to train and equip community responders and to develop local programs to educate citizens on actions necessary to protect themselves and their community in event of a disaster, and

Whereas, the Marion County Emergency Management Coordinator is charged with providing a coordinated program of preparedness, mitigation, response and recovery activities in the county to deal with the hazards faced in the community, and

Whereas, the State of Iowa Office of Homeland Security has recommended that the local county emergency management coordinator be identified as the county's Homeland Security Coordinator due to their primary role in coordination of community emergency response programs.

Now Therefore Be It Resolved by the Board of Supervisors of Marion County, Iowa that Jeff Anderson, Marion County Emergency Management Coordinator, be hereby appointed Homeland Security Coordinator and point of contact for Marion County.

Other Business:

1.) Mater moved and Pothoven seconded to approve the recommendation of the County Engineer to approve the L.P. bid from New Alliance Farm Service for Marion County facilities. The bids were as follows:

1. New Alliance Farm Service, Inc. - \$1.900/gal
2. Two Rivers Cooperative - \$2.06/gal

2.) Chairman Nichols opened a Special Hearing regarding a violation of the Marion County Nuisance Ordinance, Chapter 41 of the Marion County Code of Ordinances. Terry Rachels, Marion County Attorney, presented an overview of the nuisance complaint regarding a barking dog at the residence of Brian and Cindy Nikkel, 103 Gelderland Court, Pella, IA 50219. The Board received testimony from Micky Van Dusseldorp, Hannelore Skinner, Marion County Deputy Tom Morgan, and Cindy Nikkel. Mrs. Van Dusseldorp also presented the Board with 4 letters of complaint regarding the barking dog. There being no further comment, Pothoven moved and Mater seconded to close the Special Hearing.

3.) Pothoven moved and Mater seconded to take action as a violation of the Marion County Nuisance Ordinance, Chapter 41 of the Marion County Code of Ordinances regarding the barking dog at the Nikkel residence. The Board determined a nuisance existed and ordered the violation be abated within 30 days.

Appointments: None

Executive Session: None

Adjournment:

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

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session July 23, 2008, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

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

1. Approval of Agenda – 06/23/08.

Resolutions:

1.) Upon Tim Teig, Snyder and Associates, recommendation, Pothoven moved and Mater seconded to approve Resolution 08/41 to approve final contract and bonds with Vander Wilt Construction, Pella, Iowa, for the Marion County Courthouse Window Replacement Project as follows:

Be It Resolved By The Marion County Board Of Supervisors Of Knoxville, Iowa:

That the contract and bonds executed by Vander Wilt Construction, Inc., of Pella, Iowa on the 14th day of July, 2008, for the window replacement of the "MARION COUNTY COURTHOUSE WINDOW REPLACEMENT PROJECT – MARION COUNTY, IOWA," and such other work as may be incidental thereto, within the City of Knoxville, Iowa, as described in the plans and specifications, and which have been signed by the Board of Supervisors, be and the same are hereby approved.

Other Business:

1.) Mater moved and Pothoven seconded to approve Change Order #1 on the Marion County Courthouse Window Replacement Project with an addition of \$6,000 raising the total contract amount to \$355,530.00.

2.) Chairman Nichols opened up discussion on possibilities and process when the County needs to deal with un-sewered communities in the unincorporated areas of the County. There was lengthy discussion regarding treatment types, costs, and funding processes with the following:

Kim Dorn – Marion County Public Health Director
John Finholt, Midwest Assistance
John Franklin, Barker Lamar
Melissa Poffenbarger, Marion County Zoning

Adjournment:

There being no other business, Mater moved and Pothoven seconded the meeting be adjourned at 10:12 A.M.

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session July 22, 2008, with Howard Pothoven and Sam L. Nichols present. Dwight Mater Jr. was excused. Chairman Nichols opened the meeting at 1:30 P.M.

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

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

Announcement:

1.) Chairman Nichols announced a Closed Session pursuant to Iowa Code 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.

Nichols moved and Pothoven seconded to amend the agenda by adding Other Business #1 – Receive briefing from Sheriff Department and receive briefing and recommendation from Mike Lewis, Durrant, regarding the Law Enforcement Center.

Consent Agenda:

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

1. Approval of Agenda as amended. – 06/22/08.

Other Business:

1.) Ron Goemaat, Marion County Sheriff, and Scott Jerkins, Marion County Head Jailer, briefed the Board on history of moisture problems in the Law Enforcement Center (LEC). Mike Lewis, Durrant, briefed the Board on the expectations of the performance of the LEC and recommended the Board pursue action on the “weather tightness” portion of the warranty of the roof at the LEC. Pothoven moved and Nichols seconded to receive that recommendation.

Executive Session:

1.) Pothoven moved and Nichols seconded to approve entering 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 at 2:19 P.M.

- 2.) Pothoven moved and Nichols seconded to reconvene in regular session at 2:44 P.M.

Adjournment:

There being no other business, Pothoven moved and Nichols seconded the meeting be adjourned at 2:45 P.M.

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session July 14, 2008, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Agenda:

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

Communication: None

Consent Agenda:

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

1. Approval of Minutes – 06/23/08.
2. Approval of Special Session Minutes – 6/27/08
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Claims – Warrants #165457 – #165749.
5. Approval of Class C Beer Permit renewal for Avery Alice dba Lakeridge Enterprises, 1077 Hwy S71, Knoxville.
6. Approval of Class B Beer, Outdoor Service, & Sunday Sales renewal for Terry Hoch dba Wackos, 3906 E. Main, Knoxville.
7. Approval of Work Beyond Right-of-Way Agreement between Marion County Secondary Road Department and Arend Mathes.
8. Approval of Work Beyond Right-of-Way Agreement between Marion County Secondary Road Department and Roger Sytsma.

Public Hearings: Open – Chairman Nichols

1.) Marion County Board of Supervisors – Public hearing on plans, specifications, and form of contract regarding the Marion County Courthouse Window Replacement Project. Tim Teig, Snyder and Associates, gave an overview of the project plans and specifications. There were no written comments received by the Marion County Auditor's Office. There being no further public comments, Pothoven moved and Mater seconded to close the public hearing.

Public Comments: None

Zoning Items: None

Resolutions:

1.) Mater moved and Pothoven seconded to approve Resolution 08/37 to approve Plans, Specifications, & Form of Contract regarding the Marion County Courthouse Window Replacement Project as follows:

Whereas, on or about the 9th day of June, 2008, plans, specifications and form of contract were filed with the Marion County Board of Supervisors of Marion County, Iowa, for courthouse window replacement project according to plans entitled "MARION COUNTY COURTHOUSE WINDOW REPLACEMENT PROJECT – MARION COUNTY, IOWA," and such other work as may be incidental thereto, within Marion County, Iowa; and

Whereas, Notice of Hearing on plans, specifications and form of contract was published as required by law;

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

That said plans, specifications and form of contract are hereby approved and adopted as the plans, specifications and form of contract for said improvements.

2.) Pothoven moved and Mater seconded to accept the recommendation of Tim Teig, Snyder and Associates, to approve Vander Wilt Construction's low bid regarding the Marion County Courthouse Window Project. The bids were as follows:

1. Vander Wilt Construction, Pella, IA - \$349,530.00
2. Downing Construction, Indianola, IA - \$433,550.00
3. Reep Inc., Baxter, IA - \$461,305.00
4. Renaissance Restoration, Galena, IL - \$530,900.00

3.) Mater moved and Pothoven seconded to approve Resolution 08/38 to award a contractor contract regarding the Marion County Courthouse Window Replacement Project as follows:

Be It Resolved By The Marion County Board Of Supervisors Of Knoxville, Iowa:

That the bid of Vander Wilt Construction of Pella, Iowa, in the sum of \$349,530.00 – Base bid and alternates 1-4 for the courthouse window replacement project and such other work as may be incidental thereto, as described in the plans and specifications entitled “MARION COUNTY COURTHOUSE WINDOW REPLACEMENT PROJECT – MARION COUNTY, IOWA,” and heretofore adopted by this Board on the 14th day of July, 2008, be and is hereby accepted, and

The Board Chairman and Auditor are hereby directed to execute a contract with the said Vander Wilt Construction of Pella, Iowa, for the window replacement project, said contract not to be binding on the County until approved by the Board of Supervisors.

4.) Mater moved and Pothoven seconded to approve Resolution 08/39 to approve the Unified Planning Work Program and Budget for the Fiscal year 2008-2009 as a member of the Central Iowa Regional Transportation Planning Alliance (CIRTPA) as follows:

Whereas, Marion County is a member of the Central Iowa Regional Transportation Planning Alliance, as organized under Iowa Code Chapter 28E; and

Whereas, annually, the Central Iowa Regional Transportation Planning Alliance requests its member governments to approve, by resolution, the Unified Planning Work Program and Budget for the upcoming fiscal year beginning July 1, 2008; and

Whereas, the budget to support the Unified Planning Work Program is funded by federal funds and member government assessments, and

Whereas, at least the majority of the Central Iowa Regional Transportation Planning Alliance member governments must approve the Unified Planning Work Program and Budget;

Now, Therefore, Be It Resolved, that the Marion County Board of Supervisors, hereby approves the Central Iowa Regional Transportation Planning Alliance Fiscal Year 2009 Unified Planning Work Program and Budget for the period beginning July 1, 2008, through June 30, 2009.

5.) Mater moved and Pothoven seconded to approve Resolution 08/40 to approve the annual transfer of funds from the Rural Basic Fund to the Secondary Road Fund per the approved FY 08-09 Budget as follows:

Whereas the Marion County Board of Supervisors approved the transfer of \$1,429,366.00 from the Rural Basic Fund to the Secondary Road Fund under the FY 08-09 budget, and,

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

Therefore Be It Resolved that the transfer of \$1,429,366.00 from the Rural Basic Fund to the Secondary Road Fund be approved by the Marion County Board of Supervisors for the fiscal year of 2008-2009, and,

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

Other Business:

1.) Mater moved and Nichols seconded to change the meeting starting time of the 2nd Regular Board of Supervisor Meeting of the month from 5:30 PM to 9:30 AM effective immediately. Roll call vote as follows:

Ayes: Mater, Nichols Nay: Pothoven Motion carried 2-1.

2.) Mater moved and Pothoven seconded to approve an agreement with Marion County, Iowa, and Mary Greeley Hospital, Ames, Iowa, for Mental Health and Substance Abuse services effective July 1, 2008, through June 30, 2009.

3.) Pothoven moved and Mater seconded to approve an agreement with Marion County, Iowa, and St. Lukes Hospital, Cedar Rapids, Iowa, for Mental health and Substance Abuse services effective July 1, 2008, through June 30, 2009.

4.) Mater moved and Pothoven seconded to approve an agreement with Marion County, Iowa, and Knoxville Residential for Mental Health services effective July 1, 2008, through June 30, 2009.

5.) Pothoven moved and Mater seconded to approve an agreement between Marion County, Iowa, and Pine Rest, Pella, Iowa, for Mental Health services effective July 1, 2008, through June 30, 2009.

6.) Mater moved and Pothoven seconded to approve an agreement with Marion County, Iowa and V.G. Supported employment for Mental Health services effective July 1, 2008, through June 30, 2009.

Appointments: None

Executive Session: None

Adjournment:

There being no other business, Pothoven moved and Mater seconded the meeting be adjourned at 10:13 A.M.

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special session on July 14, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

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

Other Business:

1. Monthly departmental updates:

- a. Ron Goemaat, Sheriff
 - i. Inmate injury briefing.
 - ii. Status of opening positions and new hires.
 - iii. Hwy 14 traffic control.
 - iv. Update on LEC roof issues.
- b. John McCoy – E911
 - i. E911 upgrade proceeding.
 - ii. Road sign upgrade proceeding.
- c. Ken Thrailkill – Maintenance
 - i. Boiler project completed.
 - ii. Veterans monument improvements project completed.
 - iii. Security lights installed at Annex.
 - iv. Concerned with Bell Tower ceiling and column.
- d. Betty Moll - CPC
 - i. Seeing increase in mental health requests.
 - ii. Contract renewal processes evaluation with Board.
 - iii. Meeting set up with Sheriff to discuss prisoner medicine expenses.
- e. Denise Emal - Treasurer
 - i. FY 07-08 year end completed as far as possible.
- f. Roger Schletzbaum – Engineer
 - i. FEMA meeting preparations and estimates are completed.
 - ii. May be necessary to contract some work this summer due to flooding, winter/spring, and disaster damage due to lack of time
- g. Jeff Anderson – EMA
 - i. Disaster in paperwork phase.
 - ii. NIMS deadline approaching.
- h. Mike Kuhn – Veterans Affairs / General Relief
 - i. Veteran's Trust Fund Kick-off
 - ii. Final Grant report completed.

Adjournment:

1.) Mater moved and Pothoven seconded to close the meeting at 2:10 P.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met for a special session on June 27, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Agenda:

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

Consent Agenda:

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

1. Approval of Marion County Claims – Warrants #165408 – #165456 through June 27, 2008.
2. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.

Other Business:

1. Mater moved and Pothoven seconded to approve a Marion County Smoking Policy in compliance with the Iowa Smokefree Air Act of 2008 effective July 1, 2008, as follows:

Effective July 1, 2008, Marion County will comply with the Iowa Smokefree Air Act of 2008. The County's current smoking policy in the Employee Handbook (Section V Page 8) is revised as follows:

The County is committed to providing a safe, healthy and comfortable working environment for all its employees and will comply with the Iowa Smokefree Air Act of 2008. The law states that smoking is prohibited within the confines of any public buildings owned, leased or operated by or under the control of the County, the grounds of any public buildings owned, operated, leased or controlled by the County, all county-provided vehicles and roads-related equipment. However, the County has elected to exercise one of its options of permitting smoking in designated areas adjacent to its public buildings. Employees are not allowed to smoke anywhere on County property or in County vehicles and equipment, except this specific area designated for smoking and they are to dispose of any smoking materials in the receptacles provided.

Employees violating this policy will be subject to the County's corrective action policy, up to and including termination.

A copy of the law contained in House File 2212 will be given to you by your immediate supervisor. Along with the copy of the law you will also be given a receipt that needs to be signed and returned to your immediate supervisor. This receipt will be placed in your personnel file.

Section V Page 8 in the Employee Handbook will be updated and distributed at a later date. In the meantime, this memo will serve as the updated page.

Adjournment:

1. Mater moved and Pothoven seconded to close the meeting at 9:25 A.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session June 23, 2008, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Nichols opened the meeting at 5:30 P.M.

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

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

Agenda:

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

Communication: None

Consent Agenda:

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

1. Approval of Minutes – 06/09/08.
2. Approval of Special Session Minutes – 6/09/08, 6/13/08
3. Approval of Special Minutes of 2008 Primary Election – 6/09/08
4. Approval of Marion County Claims – Warrants #165190 – #165406.
5. Approval of Marion County Conservation claims #165135 - #165188 through 06/16/08.

Public Hearings: None

Public Comments: None

Zoning Items: None

Resolutions:

1.) Mater moved and Pothoven seconded to approve Resolution 08/33 to approve the annual Marion County Departmental appropriation of monies as budgeted for the fiscal year 2008-2009 as follows:

Whereas the Marion County Board of Supervisors approved the budget 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 department listed for the FY 08-09 year.

Supervisor	168,991
Auditor	298,748
Treasurer	450,909
Attorney	320,189
Sheriff	2,922,140
Court Services	155,671
Recorder	255,947
Zoning	50,124
Landfill	0
Human Resources/Risk Management	81,249
Dept. of Human Services	76,849
Geographic Information System (GIS)	82,070
Engineer	6,739,139
Veterans Affairs	65,723
Conservation	929,834
Community Health	2,023,524
Weed Commission	8,660
General Assistance	100,597
Medical Examiner	40,000
Libraries	80,000

Child Support Recovery	500
Ambulance	13,531
Care of Indigents	15,000
Sanitation	85,307
Custodial & Maintenance	393,917
Data Processing	178,720
Mental Health	2,231,868
Development Commission	149,835
Substance Abuse	123,000
Non-departmental	4,002,034
	<u>22,044,076</u>
Total Appropriation	

2.) Mater moved and Pothoven seconded to approve Resolution 08/34 adopting and implementing a Procurement Policy according to the guidelines of the Iowa Department of Economic Development for use during the implementation and administration of the County's Community Development Block Grant Program as follows:

Whereas, Marion County has received a Community Development Block Grant from the Iowa Department of Economic Development; and

Whereas, the Iowa Department of Economic Development requires Marion County to adopt Procurement Policies in order to utilize such funds;

Therefore, Be It Resolved, by the Board of Supervisors of Marion County, Iowa that it agrees to adopt and implement the attached Procurement Procedures for use during the implementation and administration of the County's Community Development Block Grant Program.

3.) Pothoven moved and Mater seconded to approve Resolution 08/35 to adopt and implement a Code of Conduct according to guidelines of the Iowa Department of Economic Development for use in grants funded by the Community Development Block Grant Program as follows:

Whereas, Marion County has received a Community Development Block Grant from the Iowa Department of Economic Development; and

Whereas, the Iowa Department of Economic Development requires Marion County to adopt a Code of Conduct in order to utilize such funds;

Therefore, Be It Resolved, by the Board of Supervisors of Marion County, Iowa that:

Section 1: It hereby adopts and implements the attached Code of Conduct to be utilized by all officers, employees, or agents of the County engaged in the award or administration of contracts funded all, or in part, by the Community Development Block Grant Program.

4.) Mater moved and Pothoven seconded to approve Resolution 08/36 to adopt a Policy on the Prohibition of the Use of Excessive Force according to Section 519 of the Department of Veterans Affairs and Housing and Urban Development and the Independent Agencies Appropriation Act of 1990 as follows:

Whereas, Section 519 of the Department of Veteran Affairs and Housing and Urban Development and the Independent Agencies Appropriation Act of 1990, requires that all federal grant recipients adopt and enforce a policy to prohibit the use of excessive force by law enforcement agencies within the grantee's jurisdiction; and

Whereas, Marion County has received Community Development Block Grant funds.

Therefore, Be It Resolved that Marion County, Iowa hereby prohibits any law enforcement agency operating within Marion County to use excessive force against any individuals engaged in nonviolent civil rights demonstrations. In addition, Marion County agrees to enforce any applicable State or local laws against person(s) or groups(s) who physically bar access to, or exit from, facilities or locations which are the subject of a non-violent civil rights demonstration. Marion County further pledges enforcement of this policy within the jurisdiction of the County and encourages any individual or group who feels that the County has not complied with this policy to file a complaint.

Information and assistance relative to excessive force complaints shall be provided and may be obtained from the Chairperson, Board of Supervisors, Marion County Courthouse, Knoxville, Iowa 50138.

Other Business:

1.) Mater moved and Pothoven seconded to adopt a Marion County Equal Opportunity Policy Statement.

2.) Pothoven moved and Mater seconded to adopt a Marion County Affirmative Fair Housing Policy.

3.) Mater moved and Pothoven seconded to adopt the Residential Anti-Displacement and Relocation Assistance Plan Under Section 104(d) of the Housing and Community Development Act of 1974, as amended.

4.) Pothoven moved and Mater seconded to authorize the Marion County Auditor for Alternate Signators on documents regarding a Community Block Grant from the Iowa Department of Economic Development in the event the Chief Elected Official is unavailable for signature.

5.) Mater moved and Nichols seconded to approve an agreement between Marion County, Iowa, and the Marion County Humane Society for animal shelter and control services. Roll call vote as follows:

Mater – Aye Nichols – Aye Pothoven – Nay

Motion passed 2-1.

6.) Pothoven moved and Mater seconded to approve the FY 2008-2009 Marion County Secondary Road Payroll Policy as presented.

7.) Mater moved and Pothoven seconded to authorize the County to pay for the utilities for the FEMA Disaster Recovery Center at the old Pamida building in Knoxville. EMS Coordinator Jeff Anderson indicated this would now only be for 5 days and would be reimbursable from FEMA funds.

8.) Mater moved and Pothoven seconded to approve the recommendation of Jeff Anderson, Emergency Management Coordinator, regarding clean up activities for areas affected by the June 5, 2008, and June 6, 2008, EF1 tornado and straight line wind event. All activities allowed are to follow EMS and Marion County Engineer policies.

9.) Mater moved and Pothoven seconded to approve the annual renewal of contracts commencing July 1, 2008, with Elderly Nutrition Meal Sites in Knoxville, Pella, Pleasantville, Melcher-Dallas, and Bussey.

10.) Pothoven moved and Mater seconded to approve a permit request from Gateway Community Church, Monroe, Iowa, for a fireworks display to be held July 6, 2008, on the farm of Danny Van Wyk located 1 mile north of the Mile Long Bridge on Hwy 14.

11.) Mater moved and Pothoven seconded to approve a 5 day Class C Liquor License for Teresa Rowley d.b.a. Knoxville Bike Night Bar Association effective 06/28/08.

Appointments: None

Executive Session: None

Adjournment:

There being no other business, Pothoven moved and Mater seconded the meeting be adjourned at 6:18 P.M.

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special session on June 13, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Mater moved and Pothoven seconded to amend the agenda by adding Other Business #4.) Discussion on Pioneer Cemeteries.

Consent Agenda:

1.) Mater moved and Pothoven seconded to approve the agenda as amended.

Other Business:

1. Storm/Flooding situation in County:
 - a. Jeff Anderson, Marion County EMS, briefed the Board.
 - b. Ron Goemaat, Marion County Sheriff, briefed the Board.
 - c. Roger Schletzbaum, Marion County Engineer, briefed the Board.
2. Marion County Humane Society:
 - a. Lengthy discussion with representatives of the Marion County Humane Society, Marion County Sheriff, and Marion County Conservation regarding potential County contract for services. The Board to consider proposed contract at next regular meeting.
3. Marion County Care Facility Roof:
 - a. After discussion, Pothoven moved and Mater seconded to offer low quote Comer Roofing a contract to replace the Care Facility roof subject to acceptance by Barb Adam, CCI Care Facility Director, of acceptable start time and completion date. Offer to be extended to Koopman Roofing if Adam does not find Comer's time table acceptable. Quotes were as follows:
 - i. Koopman Construction - \$42,239.00
 - ii. Becker Roofing - \$46,928.00
 - iii. Comer Roofing - \$38,941.12
 - iv. Carter Construction - \$39,664.27
4. Pioneer Cemetery:
 - a. Supervisor Mater briefed the Board on ongoing discussion with a landowner whose property borders a pioneer cemetery. Discussion involved BOS responsibility for pioneer cemeteries and willingness to work with landowners who care for pioneer cemeteries.

Adjournment:

1.) Mater moved and Pothoven seconded to close the meeting at 11:16 A.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met in special session June 9, 2008 for the purpose of canvassing the vote from the June 3, 2008, Primary Election for the County of Marion, Iowa. Present were Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr.

Chairman Nichols opened the special canvass at 11:45 A.M.

Auditor Jake Grandia announced there was 1 provisional ballot voted and counted. Auditor Grandia read the results for the June 3, 2008, Primary Election.

Mater moved and Pothoven seconded to declare the canvass complete and certify the results of the election to the County Auditor and Iowa Secretary of State. Ayes all.

The following persons were nominated at the June 3, 2008, Primary Election:

Board of Supervisors: Sam L Nichols, Republican

Board of Supervisors: Jim Kingery, Republican

Board of Supervisors: Jerry James Weldon Sr., Democratic

County Auditor: Jake Grandia, Republican

County Sheriff: Ronald Goemaat, Republican

County Sheriff: Tim Cox, Democratic

There were no nominations in the following offices:

Board of Supervisors, Democratic

County Auditor, Democratic

Pothoven moved and Mater seconded that the special canvass be adjourned. Ayes all.

The canvass was adjourned at 11:55 A.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session June 9, 2008, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Agenda:

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

Communication: None

Consent Agenda:

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

1. Approval of Minutes – 05/27/08.
2. Approval of Special Session Minutes – 5/19/08, 6/5/08
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Claims – Warrants #164836 – #165130.

Public Hearings: None

Public Comments:

1.) Elsie Kemp, Marion County Humane Society – Ms. Kemp requested the Board of Supervisors continue to discuss and agree to enter into a financial agreement for services with the newly opened humane society on behalf of the residents in the unincorporated areas of Marion County.

Zoning Items: None

Resolutions:

1.) Pothoven moved and Mater seconded to approve Resolution 08/28 regarding approval of transfer of funds for an Interfund Loan annual principle payment from General Basic Fund to General Basic Supplemental Fund for costs of the Marion County Courthouse Re-Roof Project 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 07/08 for \$95,016.12 and,

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

2.) Mater moved and Pothoven seconded to approve Resolution 08/29 designating the placement of property tax relief funds in Marion County, Iowa, from Local Option Sales Tax Revenues as follows:

Whereas, The voters of Marion County, Iowa approved the imposition of certain local option taxes beginning January 1, 2004 in the unincorporated areas of the County at an election on September 30, 2003; and

Whereas, the Board of Supervisors of Marion County, Iowa, declared its intention to pledge fifty percent (50%) of said local option sales and service tax revenues to be allocated for property tax relief.

Now, Therefore Be It Resolved by the Board of Supervisors of Marion County, Iowa, that the Local Option Sales Tax Revenues designated as Property Tax Relief be deposited between the General Fund, General Supplemental Fund, and the Rural Supplemental Fund.

3.) Pothoven moved and Mater seconded to approve Resolution 08/30 to authorize the Marion County Auditor to close a previously established checking account at Wells Fargo, Knoxville, Iowa, for the no longer used County Self Funded Employee Health Insurance Plan as follows:

Whereas, Marion County, Iowa, has previously established an account for county self funded employee health insurance at Wells Fargo and,

Whereas, the Board of Supervisors of Marion County, Iowa, have chosen to provide health insurance through a fully insured health plan and,

Whereas, the account for self funded health insurance is no longer applicable for its intended purpose and,

Whereas, in the best interest of the citizens of Marion County, Iowa, the Marion County Board of Supervisors deems it necessary to close the self funded insurance account and deposit the funds back into the County General Supplemental Fund and,

Now Therefore be it Resolved by the Board of Supervisors of Marion County, Iowa that the Marion County Self Funded Health Insurance Account be closed and the remaining funds be deposited into the County General Supplemental Fund.

4.) Mater moved and Pothoven seconded to approve Resolution 08/31 authorizing bids and setting a date for a public hearing for the Marion County Courthouse Window Replacement Project as follows:

Whereas, the Marion County Board of Supervisors, now desires to complete a window replacement project for the Marion County Courthouse in Knoxville, Iowa.

Whereas, the Board of Supervisors of Marion County, Iowa, has heretofore authorized the preparation of plans, specifications and bid documents for the "MARION COUNTY COURTHOUSE WINDOW REPLACEMENT PROJECT-MARION COUNTY, IOWA," said plans having been filed with the County Auditor on or about June 9, 2008.

Now Therefore Be It Resolved, by the Supervisors of Marion County, Iowa, that said improvements are hereby ordered constructed, and that the County Auditor publish notice of date of letting for Thursday, July 10, 2008, at which time the Auditor will receive bids for said work up until 10:00 A.M., at which time all bids will be opened and publicly read with action to be taken on said bids at a Board of Supervisor meeting at 9:30 A.M. on July 14, 2008, or at such later time as may then be fixed said notice to be published once at least four, but not more than 45 clear days prior to the date set for letting.

Be It Further Resolved, that a public hearing be held on July 14, 2008, at 9:30 A.M. for consideration of the adoption by the Board of Supervisors of the proposed plans, specifications and proposed form of contract for said improvements. The County Auditor shall publish notice of said hearing once at least four, but not more than 20 days prior to the date set for hearing.

5.) Pothoven moved and Mater seconded to approve Resolution 08/32 to review and set County mileage reimbursement rates effective July 1, 2008, as follows:

Whereas it has been the policy of Marion County to pay mileage at the rate of \$.39 per mile and,

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

Now Therefore Be It Resolved By The Marion County Board Of Supervisors that beginning for mileage driven on or after July 1, 2008, the mileage rate paid by Marion County is hereby increased to \$.41 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.) Mater moved and Pothoven seconded to approve a contract renewal with Calhoun-Burns and Associates for Marion County Bridge Inspection and Rating Program 2009-2010.

2.) Mater moved and Pothoven seconded to approve a contract renewal between Capstone Behavioral Healthcare, Inc. and Marion County, Iowa, for chemical dependency and mental health services from July 1, 2008 until June 30, 2009.

3.) Mater moved and Pothoven seconded to approve a Consultant Services Agreement between Marion County, Iowa, and Snyder & Associates, Inc. for services concerning Marion County Subdivision Regulations and Zoning Ordinance Update Project.

4.) Agenda Item #4 died due to lack of motion – Consider and take action on Planning Services Agreement between Marion County, Iowa, and Snyder & Associates, Inc. for day to day Professional Planning Services and on behalf of the Marion County Zoning Department.

5.) After discussion, Pothoven moved and Mater seconded to wait and review an upcoming second draft of a proposed Emergency Contractor Permit Ordinance to be received by the Marion County Attorney.

Appointments: None

Executive Session: None

Adjournment:

There being no other business, Mater moved and Pothoven seconded the meeting be adjourned at 11:00 A.M.

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special session on June 9, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

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

Other Business:

1. Monthly departmental updates:
 - a. Mike Kuhn, Veterans Affairs / General relief
 - i. G.A. – Budget tight for end of year.
 - ii. V.A. – Attended State V.A. focus meeting.
 - b. Karen Schwanebeck – Recorder
 - i. Passport applications slowing down.
 - ii. Real estate recordings increasing.
 - c. Kim Dorn – Public Health
 - i. Details on new smoke free legislation.
 - ii. Board of Health – Environmental Health will move under BOH organizational chart effective 07/01/08.
 - d. Drew Sanders – Assessor
 - i. Board of Review – completed protests and decisions.
 - ii. Valuations – trend is down – sales ratios OK to assessments.
 - e. Melissa Poffenbarger
 - i. Working on copier quote for First Floor.
 - f. Betty Moll – Central Point Coordinator
 - i. Mental Health application for services increasing.
 - g. Jake Grandia – Auditor
 - i. Completing Primary Election process.

Adjournment:

1.) Mater moved and Pothoven seconded to close the meeting at 1:35 P.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met for a special session on June 5, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

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

Other Business:

1. Briefing and recommendation by Emergency Management Coordinator:
 - a. Jeff Anderson, Marion County EMS, briefed the board on clean-up operations due to the Attica area storm.
 - b. Lengthy discussion on possible ways to approach clean-up of storm debris and associated responsibility of costs.
 - c. Anderson recommended to the BOS to have Marion County Secondary Road Department, Iowa Department of Transportation, City of Knoxville, and South Central Iowa Solid Waste Agency use their resources to facilitate as quickly and efficiently as possible beginning June 10, 2008.
2. After discussion with affected units, Mater moved and Pothoven seconded to approve the following motion as recommended.
 - a. Due to the Marion County Declared Disaster in Attica and affected areas from the May 30, 2008 storm, clean-up procedures will be conducted by Marion County Secondary Road Department, Iowa Department of Transportation, City of Knoxville, and South Central Iowa Solid Waste Agency equipment and personnel. Clean-up will be conducted pursuant to policies and procedures as set by the Marion County Emergency Management Coordinator and the Marion County Engineer. Approved clean-up costs will be paid by the Marion County Board of Supervisors.

Adjournment:

- 1.) Mater moved and Pothoven seconded to close the meeting at 11:10 A.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session May 27, 2008, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Nichols opened the meeting at 5:30 P.M.

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

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

Agenda:

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

Communication:

1.) Chairman Nichols announced a Closed Session pursuant to Iowa Code 21.5 1(i) to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.

Consent Agenda:

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

1. Approval of Minutes – 05/12/08.
2. Approval of Special Session Minutes – 5/12/08
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Claims – Warrants #164609 – #164831.
5. Approval of Marion County Conservation Warrants #164564 - #164606 through May 20, 2008.
6. Approval of Work Beyond Right-of-Way Agreements between Marion County Secondary Road Department and Jerry Saylor, James Lee, and Marilyn Wilmot.

Public Hearings: Open – Chairman Nichols

1.) Marion County Board of Supervisors – Proposed Marion County Budget Amendment for Fiscal Year July 1, 2007 through June 30, 2008. Auditor Jake Grandia presented an overview of a budget amendment. No written comments were received by the Auditor's Office. There being no further public comment, Pothoven moved and Mater seconded to close the public hearing.

2.) Marion County Board of Supervisors – Notice is hereby given that Marion County, Iowa, proposes to convey any interest held by Marion County, Iowa, regarding real estate located in the SE 1/4 of the SW 1/4 and the SW 1/4 of the SE 1/4 of Section 20, Township 76 North, Range 18 West of the 5th P.M. to Durham Quarry, Inc. Detailed legal description available in the Marion County Auditor's Office. No written comments were received by the Auditor's Office. There being no further public comment, Mater moved and Pothoven seconded to close the public hearing.

Public Comments: None

Zoning Items: None

Resolutions:

1.) Pothoven moved and Mater seconded to approve Resolution 08/27 making selection of the window manufacturer for the Marion County Courthouse Window Replacement Project as follows:

Whereas, the Marion County Board of Supervisors, now desire to replace the existing windows in the Marion County Courthouse and,

Whereas, the Board made a good faith effort to solicit submittals from Iowa window manufacturers and,

Whereas, only one submittal was received by Board and,

Whereas, "Pella Windows and Doors" of Prairie Pella, Inc., Des Moines, Iowa, provided a submittal that included all of the required data requested and met the selection criteria set out by the Request for Submittals,

Now Therefore Be It Resolved, that the windows proposed by Pella Windows and Doors are hereby selected and deemed prequalified as the window units to be utilized in the Marion County Courthouse Window Replacement Project.

2.) Mater moved and Pothoven seconded to approve Resolution 08/24 to consider adoption of Marion County Budget Amendment for the Fiscal Year beginning July 1, 2007 and ending June 30, 2008 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 5/27/08 at 5:30 PM;

Therefore, Be It Resolved, on the 27th day of May 2007, that the Marion County Board of Supervisors hereby adopts by resolution the Amendment to County Budget for the fiscal year beginning July 1, 2007 and ending June 30, 2008.

3.) Pothoven moved and Mater seconded to approve Resolution 08/25 to appropriate budgetary monies according to the Marion County FY 07-08 Budget Amendment as follows:

Whereas the Marion County Board of Supervisors approved a budget amendment for Fiscal Year 2007-2008, 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 07-08 year.

<u>Department</u>	<u>Original</u>	<u>Amendment</u>	<u>Total</u>
Sheriff	2,392,712	130,000	2,522,712
Court Services	147,805	54,000	201,805
Secondary Road	6,343,418	716,890	7,060,308
Public Health	1,444,144	371,240	1,815,384
Elderly Nutrition	262,684	45,155	307,839
Data Processing	178,511	5,000	183,511
Mental Health	2,457,112	320,000	2,777,112
Non-Departmental	3,773,283	121,989	3,895,272

4.) Mater moved and Pothoven seconded to approve Resolution 08/26 conveying any held by Marion County, Iowa, regarding real estate located in the SE 1/4 of the SW 1/4 and the SW 1/4 of the SE 1/4 of Section 20, Township 76 North, Range 18 West of the 5th P.M. to Durham Quarry, Inc. as follows:

Whereas, Marion County, Iowa, has been presented with a request from Durham Quarry, Inc. to convey whatever interest Marion County, Iowa, may have in the real estate hereinafter described to Durham Quarry, Inc. so as to confirm title to said real estate in Durham Quarry, Inc.; and

Whereas, a public hearing has been held concerning the proposed conveyance as provided by law and it has been determined by the Board of Supervisors to be in the best interests of Marion County, Iowa, to proceed with the conveyance to Durham Quarry, Inc..

Now, Therefore, Be It Resolved By The Board of Supervisors of Marion County, Iowa, that Sam L. Nichols, Chairman of the Board of Supervisors, and Jake Grandia, Marion County Auditor, be, and hereby are, authorized and directed to execute a Quit Claim Deed on behalf of Marion County, Iowa, concerning the following described real estate, to-wit:

Lot 2 of Lot "F" of Section 20, Township 76 North, Range 18 West of the 5th P.M., according to the survey and subdivision thereof recorded in Book 3, Page 204, Irregular Surveys Record. and

The South 12 chains of the East 5 chains of the E 1/2 of the SW 1/4 of Section 20, Township 76 North, Range 18 West of the 5th P.M. (At the time the original Governmental Survey was platted, said E 1/2 of the SW 1/4 was designated as Government Lot 2 in said Section bordering on the North of the Des Moines River. Government Lot 2 is now known as the E 1/2 of the SW 1/4 of said Section by reason of the accretion to said Government Lot as a result of the Des Moines River changing its bed and course.) and

That part of the S 1/2 of the SW 1/4 of the SE 1/4 of Section 20, Township 76 North, Range 18 West of the 5th P.M., lying South and West of the County Road.

It is the intent to include in this conveyance all Streets and Alleys in what was platted as the Town of Amsterdam in the plat recorded in Book "A", Page 65, Land Deed Record which lie within the above described parcels;

to Durham Quarry, Inc.; and,

Be It Further Resolved, that said Jake Grandia, as Marion County Auditor and Secretary to the Board of Supervisors, be, and hereby is, authorized and directed to deliver said Quit Claim Deed to Durham Quarry, Inc. for recording thereof.

Other Business:

1.) Mater moved and Pothoven seconded to approve a 7 month contract renewal with HR OneSource for human resource consultation services effective July 1, 2008.

Appointments: Pothoven moved and Mater seconded to approve the following recommendations:

- 1.) Marion County Commission of Veterans Affairs – Robert Gee – July 2008 through June 2011.
- 2.) Pella Public Library County Representative recommendation – Lori Frederickson – July 2008 through June 2011.

Executive Session:

1.) Pothoven moved and Mater seconded to approve entering into Closed Session pursuant to Iowa Code Chapter 21.5 1(i) to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Closed Session entered at 5:59 P.M.

Chairman Nichols re-opened the regular session at 6:52 P.M.

Adjournment:

There being no other business, Mater moved and Pothoven seconded the meeting be adjourned at 6:53 A.M.

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special session on May 19, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

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

Other Business:

1. Courthouse Window Project:
 - a. Window manufacturer bid invitations sent to manufacturers.
2. Marion County Care Facility:
 - a. Pothoven – all equipment to be removed from facility has been moved.
 - b. Barb Adam, Community Care Inc. facility administrator, reported on status of projects including 2 doors and the roof.
 - c. Adam reported on Open House held at facility.
3. Planning/Zoning and Environmental Health Reorganization
 - a. Discussion on final proposed organizational structure of departments.
 - b. Discussion on authority structure of departments and salaries.
4. Human Resources
 - a. Review of proposed 7 month contract.

Adjournment:

1.) Mater moved and Pothoven seconded to close the meeting at 10:35 A.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session May 12, 2008, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Agenda:

Pothoven moved and Mater seconded to approve the agenda.

Communication: None

Consent Agenda:

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

1. Approval of Minutes – 04/28/08.
2. Approval of Special Session Minutes – 4/30/08
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Claims – Warrants #164344 – #164560.

Public Hearings: None

Public Comments: None

Zoning Items: None

Resolutions:

1.) Pothoven moved and Mater seconded to approve Resolution 08/22 to enter into an Optical Scan Voting System Funding Allocation Agreement between Marion County, Iowa, the Iowa Secretary of State, and Premier Elections Solutions as follows:

This County Optical Scan Voting System Funding Allocation Agreement is made by and between:

Marion County (Recipient)

Premier Election Solutions (Vendors)

And the Iowa Secretary of State

Whereas, SF 2347 was enacted on April 1, 2008, requiring all counties in Iowa to use optical scan voting systems in elections held on or after November 4, 2008;

Whereas, SF 2347 also created an Optical Scan Voting System Fund and appropriated moneys in the fund to the office of the Iowa Secretary of State for use in assisting county compliance with Iowa Code 52.2 as amended by SF 2347;

Whereas, the Iowa Secretary of State obtained a state-wide optical scan voting system purchase proposal from the Vendor;

Whereas, the Recipient will forthwith sign a new contract with the Vendor for the purchase of an optical scan voting system;

Now, Therefore, the Vendor agrees to accept payment from the Iowa Secretary of State upon the terms and conditions set forth in this Agreement in the amount of \$190,957 for Eighteen optical scanner(s) and Eighteen ballot marking device(s) after the units are purchased by, delivered to and accepted by the Recipient. In consideration of the mutual promises contained in this Agreement and other good and valuable consideration it is hereby agreed.

2.) Nichols moved and Pothoven seconded to approve Resolution 08/23 proposing conveyance of any interest held by Marion County, Iowa, regarding real estate located in the SE 1/4 of the SW 1/4 and the SW 1/4 of the SE 1/4 of Section 20, Township 76 North, Range 18 West of the 5th P.M. to Durham Quarry, Inc as follows:

Whereas, the Board of Supervisors of Marion County, Iowa, has been approached by Durham Quarry, Inc., an Iowa corporation owned entirely by James A. Van Zee in his capacity as Executor of the Margery Van Zee Estate, requesting Marion County's

cooperation in correcting, clarifying, and confirming title to certain farm real estate owned by said corporation in Section 20, Township 76 North, Range 18 West of the 5th P.M.; and,

Whereas, the title problem concerns real estate located in said Section 20 and which is in, about, and adjoining the Town of Amsterdam, Iowa; and,

Whereas, the plat of the Town of Amsterdam, Iowa, which was filed of record in this county of June 6, 1848, appears to have been prepared without first locating the real estate platted therein with reference to government corners or other points of reference, such that the real estate platted therein cannot be located today with the necessary degree of accuracy; and,

Whereas, portions of the farm real estate owned by Durham Quarry, Inc. in said Section 20 are described with references to certain lots, blocks, streets and alleys in the Town of Amsterdam, Iowa; and,

Whereas, certain portions of the streets and alleys lying between or adjoining the blocks described therein are not, and have never been, included in the legal description of the real estate owned by Durham Quarry, Inc. and its predecessors in title; and,

Whereas, the streets and alleys which are not included in the legal description of the real estate owned by Durham Quarry have never been conveyed of record by or to anyone subsequent to the platting of the Town of Amsterdam, Iowa; and,

Whereas, those omitted streets and alleys are included within, and are and have been used as part of, the farm real estate in said Section 20 owned by Durham Quarry, Inc. and its predecessors in title for many years; and,

Whereas, the Town of Amsterdam, Iowa, does not exist today, and there is no indication on the real estate of its prior existence, if any; and,

Whereas, the streets and alleys in the Town of Amsterdam, Iowa, were intended for the public use, and as such, would now be owned by Marion County, Iowa, unless otherwise previously conveyed; and,

Whereas, it is the opinion of the Marion County Auditor and the Marion County Attorney that from this point forward, the real estate owned by Durham Quarry, Inc. in said Section 20 should be described without reference to any lots, blocks, streets, or alleys in the Town of Amsterdam, Iowa, and accordingly, a new legal description for said real estate has been prepared and presented to the Board of Supervisors for consideration; and,

Whereas, the legal description as presented to the Board of Supervisors does not affect, interfere, or conflict with the legal description of any adjoining property owner; and,

Whereas, the Board of Supervisors of Marion County, Iowa, is not being asked to promise or warranty to Durham Quarry, Inc. that Marion County, Iowa, either owns any interest in the real estate, or, has good and marketable title to the real estate; and,

Whereas, Durham Quarry, Inc. is paying all costs and expenses relating to the requested conveyance; and,

Whereas, the Board of Supervisors of Marion County, Iowa, believes, and hereby finds, that whatever minimal monetary value may attach to the County's interest in the real estate proposed to be conveyed, that value is exceeded by the costs and expenses which Durham Quarry, Inc. will incur in completing the proposed conveyance and therefore, no additional consideration shall be charged Marion County, Iowa, in return for the conveyance of the real estate by Marion County, Iowa to Durham Quarry, Inc.; and,

Whereas, the Board of Supervisors of Marion County, Iowa, believes it to be appropriate for Marion County, Iowa, to convey its interest in the real estate to Durham Quarry, Inc.;

Now, Therefore, Be It Resolved By The Board of Supervisors of Marion County, Iowa, that said County convey its interest in the following described real estate, to-wit:

Lot 2 of Lot "F" of Section 20, Township 76 North, Range 18 West of the 5th P.M., according to the survey and subdivision thereof recorded in Book 3, Page 204, Irregular Surveys Record.

and

The South 12 chains of the East 5 chains of the E ½ of the SW ¼ of Section 20, Township 76 North, Range 18 West of the 5th P.M. (At the time the original Governmental Survey was platted, said E ½ of the SW ¼ was designated as Governmental Lot 2 in said Section bordering on the North of the Des Moines River. Government Lot 2 is now known as the E ½ of the SW ¼ of said Section by reason of the accretion to said Government Lot as a result of the Des Moines River changing its bed and course.)

and

That part of the S ½ of the SW ¼ of the SE ¼ of Section 20, Township 76 North, Range 18 West of the 5th P.M., lying South and West of the County Road.

It is the intent to include in this conveyance all Streets and Alleys in what was platted as the Town of Amsterdam in the plat recorded in Book "A", Page 65, Land Deed Record which lie within the above described parcels to Durham Quarry, Inc. upon the condition that Durham Quarry, Inc. pay all expenses in connection therewith; and,

Be It Further Resolved, that a public hearing be held concerning this matter on the 27th day of May, 2008, at 5:30 o'clock P.M. in the meeting room of the Marion County Board of Supervisors, Marion County Courthouse, 214 East Main, Knoxville IA 50138, and that notice of said hearing be published as provided by law.

Other Business:

1.) Pothoven moved and Mater seconded to approve a contract renewal for Targeted Case Management Services between Marion County, Iowa, and the Iowa Department of Human Services effective July 1, 2008 through June 30, 2011.

2.) The Board held discussion with representatives of the Marion County Humane Society animal shelter and Ron Goemaat, Marion County Sheriff, regarding potential services and fees for Marion County at the facility.

Appointments: Pothoven moved and Mater seconded to approve the following recommendations:

1.) Pella Board of Adjustment recommendation – Vince Nossaman – 5 year term

Executive Session: None

Adjournment:

There being no other business, Nichols moved and Pothoven seconded the meeting be adjourned at 1035 A.M.

Lorri Jahner, Marion Co. Auditor Designee

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special session on May 12, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

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

Other Business:

1. Miscellaneous departmental updates:

- a. Ken Thrailkill - Maintenance
 - i. New heat pump installed on 3rd floor
- b. Betty Moll – Central Point Coordinator
 - i. Christian Opportunity Center requested a rate increase on a service.
- c. Missy Poffenbarger – Planning & Zoning
 - i. Waiting to input new septic system program data.
 - ii. Converting countywide zoning map to ArcView to be placed on county GIS system.
- d. John McCoy – E911
 - i. Re-organization of offices status update.
 - ii. Moving office into Emergency Management Coordinator office.
 - iii. Space required for E911 sign machine.
- e. Roger Schletzbaum – Secondary Road Department
 - i. Rock hauling projects – nearly completed.
 - ii. Preparing for dust control program.
 - iii. Dept. will no longer be doing driveway installs. Culverts will have to be purchased from department and a final inspection will take place.
 - iv. Office manager position is posted.
- f. Mike Kuhn – Veterans Affairs and General Relief
 - i. General Affairs budget is tight for remainder of year.
 - ii. Utilities and food costs are rising rapidly for requests.
 - iii. Veterans Affairs – new state legislation passed and signed by governor.
- g. Kim Dorn - Public Health
 - i. Public Health Exercise in June
 - ii. Grant writing season for department.
 - iii. Attended Environmental Health meeting with Ken Williams.
- h. Jake Grandia – Auditor
 - i. Primary Election – June 3, 2008
 - ii. Employee health insurance renewal period
- i. Sam Nichols – Board of Supervisor
 - i. Need to look at new smoking legislation on public property

Adjournment:

1.) Pothoven moved and Mater seconded to close the meeting at 2:20 P.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met for a special session on April 30, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

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

Other Business:

1. Courthouse Window Project:
 - a. Discussion with Steve Rowe, Snyder & Associates, regarding bidding process and schedule for the Marion County Courthouse Window Project.
 - i. Preference of window styles.
 - ii. Removal of block windows in old jail cells.
2. Marion County Elderly Nutrition Program:
 - a. Discussion with Kim Dorn, Public Health Director, regarding a proposed budget amendment for the program and the increased expenses to keep the program functional.

Adjournment:

- 1.) Mater moved and Pothoven seconded to close the meeting at 10:35 A.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session April 28, 2008, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Nichols opened the meeting at 5:30 P.M.

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

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

Agenda:

Pothoven moved and Mater seconded to approve the agenda.

Communication:

Chairman Nichols introduced Barb Adam, Community Care Inc., as the new Marion County Care Facility Director. Ms. Adams indicated her transition was going well. She also indicated the facility was receiving 2 new residents and 2 waiver programs would begin soon. She also stated she was trying to get the vocational program operational.

Consent Agenda:

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

1. Approval of Minutes – 04/14/08.
2. Approval of Special Session Minutes – 4/09/08, 4/14/08, 4/14/08
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Claims – Warrants #164149 – #164341.
5. Approval of Marion County Conservation Claim Warrants #164118 - #164148 through April 16, 2008.
6. Approval of Class C Beer Permit, with Sunday sales, renewal for QT Ventures, LLC d.b.a. Red Rock Quick Stop.
7. Approval of Class C Liquor License (LC)(Commercial), with Sunday sales, renewal for D-Mack, Inc., d.b.a. Udders Steak House.

Public Hearings: None

Public Comments: None

Zoning Items: None

Resolutions:

1.) Mater moved and Pothoven seconded to approve Resolution 08/21 to enter into a 28E Agreement for Joint Exercise of Law Enforcement Authority between the Marion County Conservation Board and the Marion County Sheriff's Department 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 law enforcement assistance between the Conservation Board, Marion County, Iowa, and Marion County Sheriff Department, upon request, and to jointly exercise law enforcement authority with each Party's respective jurisdiction.

Now Therefore Be It Resolved That the Marion County, Iowa, Board of Supervisors agrees to enter into a joint exercise of law enforcement, described in the Iowa Code in Chapter 28E, with the Conservation Board, Marion County, Iowa, and authorizes the Marion County Sheriff and Chairman, Marion County Board of Supervisors to sign as stated agreement.

Other Business:

1.) Mater moved and Pothoven seconded to approve the Marion County Senior Program Senior Center and Activity Rules of Participation.

2.) Mater moved and Pothoven seconded to approve the Agreement between the Marion County Board of Supervisors and the Pleasantville Senior Board for use of the Pleasantville Senior Center Building for use by the Congregate and Home-Delivered Meal Program as a nutrition site.

3.) Mater moved and Pothoven seconded to approve the Agreement for Administrative Services between Marion County, Iowa, and Simmering-Cory, Inc., for grant management and administrative services regarding the Tracy Sewer Project.

4.) Mater moved and Pothoven seconded to approve the Subrecipient Agreement for Federally Funded Project between Marion County, Iowa, and Mahaska Rural Water regarding the Tracy Sewer Project.

5.) Mater moved and Pothoven seconded to approve the Professional Services Agreement between Marion County, Iowa, and Snyder & Associates, Inc., to complete Professional Services for the Marion County Courthouse Window Replacement Project.

Appointments: Pothoven moved and Mater seconded to approve the following recommendations:

- 1.) Pella Board of Adjustment recommendation – Merlin Rolffs – 5 year term
- 2.) Pella Planning & Zoning Commission recommendation – Supervisor Howard Pothoven – 5 year term
- 3.) Pella Planning & Zoning Commission recommendation – Ron Noordsy – 5 year term

Executive Session: None

Adjournment:

There being no other business, Pothoven moved and Mater seconded the meeting be adjourned at 5:55 P.M.

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session April 28, 2008, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Nichols opened the meeting at 5:30 P.M.

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

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

Agenda:

Pothoven moved and Mater seconded to approve the agenda.

Communication:

Chairman Nichols introduced Barb Adam, Community Care Inc., as the new Marion County Care Facility Director. Ms. Adams indicated her transition was going well. She also indicated the facility was receiving 2 new residents and 2 waiver programs would begin soon. She also stated she was trying to get the vocational program operational.

Consent Agenda:

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

1. Approval of Minutes – 04/14/08.
2. Approval of Special Session Minutes – 4/09/08, 4/14/08, 4/14/08
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Claims – Warrants #164149 – #164341.
5. Approval of Marion County Conservation Claim Warrants #164118 - #164148 through April 16, 2008.
6. Approval of Class C Beer Permit, with Sunday sales, renewal for QT Ventures, LLC d.b.a. Red Rock Quick Stop.
7. Approval of Class C Liquor License (LC)(Commercial), with Sunday sales, renewal for D-Mack, Inc., d.b.a. Udders Steak House.

Public Hearings: None

Public Comments: None

Zoning Items: None

Resolutions:

1.) Mater moved and Pothoven seconded to approve Resolution 08/21 to enter into a 28E Agreement for Joint Exercise of Law Enforcement Authority between the Marion County Conservation Board and the Marion County Sheriff's Department 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 law enforcement assistance between the Conservation Board, Marion County, Iowa, and Marion County Sheriff Department, upon request, and to jointly exercise law enforcement authority with each Party's respective jurisdiction.

Now Therefore Be It Resolved That the Marion County, Iowa, Board of Supervisors agrees to enter into a joint exercise of law enforcement, described in the Iowa Code in Chapter 28E, with the Conservation Board, Marion County, Iowa, and authorizes the Marion County Sheriff and Chairman, Marion County Board of Supervisors to sign as stated agreement.

Other Business:

1.) Mater moved and Pothoven seconded to approve the Marion County Senior Program Senior Center and Activity Rules of Participation.

2.) Mater moved and Pothoven seconded to approve the Agreement between the Marion County Board of Supervisors and the Pleasantville Senior Board for use of the Pleasantville Senior Center Building for use by the Congregate and Home-Delivered Meal Program as a nutrition site.

3.) Mater moved and Pothoven seconded to approve the Agreement for Administrative Services between Marion County, Iowa, and Simmering-Cory, Inc., for grant management and administrative services regarding the Tracy Sewer Project.

4.) Mater moved and Pothoven seconded to approve the Subrecipient Agreement for Federally Funded Project between Marion County, Iowa, and Mahaska Rural Water regarding the Tracy Sewer Project.

5.) Mater moved and Pothoven seconded to approve the Professional Services Agreement between Marion County, Iowa, and Snyder & Associates, Inc., to complete Professional Services for the Marion County Courthouse Window Replacement Project.

Appointments: Pothoven moved and Mater seconded to approve the following recommendations:

- 1.) Pella Board of Adjustment recommendation – Merlin Rolffs – 5 year term
- 2.) Pella Planning & Zoning Commission recommendation – Supervisor Howard Pothoven – 5 year term
- 3.) Pella Planning & Zoning Commission recommendation – Ron Noordsy – 5 year term

Executive Session: None

Adjournment:

There being no other business, Pothoven moved and Mater seconded the meeting be adjourned at 5:55 P.M.

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special session on April 30, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

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

Other Business:

1. Courthouse Window Project:
 - a. Discussion with Steve Rowe, Snyder & Associates, regarding bidding process and schedule for the Marion County Courthouse Window Project.
 - i. Preference of window styles.
 - ii. Removal of block windows in old jail cells.
2. Marion County Elderly Nutrition Program:
 - a. Discussion with Kim Dorn, Public Health Director, regarding a proposed budget amendment for the program and the increased expenses to keep the program functional.

Adjournment:

- 1.) Mater moved and Pothoven seconded to close the meeting at 10:35 A.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session April 14, 2008, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

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

1. Approval of Agenda – 04/14/08.
2. Approval of Minutes – 03/24/08.
3. Approval of Special Session Minutes – 3/24/08, 3/31/08, 4/03/08
4. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
5. Approval of Marion County Claims – Warrants #163829 – #164117.
6. Approval of Class C Beer Permit, with Sunday sales, renewal for Danise Slagter d.b.a. Deer Point Bait & Tackle.
7. Approval of Class C Beer Permit, with Sunday sales, renewal for Red Rock Lake Marina L.C. – Marina Store
8. Approval of Class C Beer Permit, with Sunday sales, renewal for Red Rock Lake Marina L.C. – Sales at dock

Public Hearings: Open – Chairman Nichols

1.) Board of Supervisors – Notice is hereby given to the affected property owners that Marion County has authorized the commencement of a project to replace two bridges north of Pleasantville in Section 28 and 33, Township 77 North, and Range 21 West on Erbe Street. The proposed location of the above-described improvement is shown on a plat of the project, which is now on file in the office of the Marion County Engineer, 402 Willets Drive, Knoxville, Iowa and is available for public inspection. If Marion County undertakes to construct the above-described project, it will be required to acquire permanent and temporary easements over certain properties. Jay Davis, Engineer's Office, presented an overview of the projects. Public comments were received from Jerome Thomas and Lode Jones. Jake Grandia, Marion County Auditor, reported no written comments had been received. There being no further comments, Pothoven moved and Mater seconded to close the public hearing.

Public Comments: None

Zoning Items: None

Resolutions:

1.) Mater moved and Pothoven seconded to approve Resolution 08/16 to appoint Chief Deputy Sheriff Mel Vander Wiel to the Marion County Sheriff Department 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; for greater efficiency and for better service to the Citizens of Marion County 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, 331.903, allows for the appointment of sheriff's deputies to assist in executing the powers and duties of the sheriff, and

Now, Therefore be it Resolved By The Marion County, Iowa Board of Supervisors, for the benefit of all Marion County Citizens, that Melvin Vander Wiel be approved as appointed Marion County Deputy Sheriff .

2.) Mater moved and Pothoven seconded to approve Resolution 08/17 to appoint Sheriff Reserve Peace Officers to the Marion County Sheriff Department 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:

3.) Pothoven moved and Mater seconded to approve Resolution 08/18 to allow the benefits of the Security Benefit 457 Deferred Compensation Plan be available to Marion County Employees as follows:

Whereas, the Marion County Board of Supervisors (the "Board") for Marion County, Iowa (the "Employer"), pursuant to its authority to adopt employee benefit programs, wishes to adopt plan documents including a Governmental 457 Plan Administrative Agreement, to make the benefits of the Security Benefit 457 Deferred Compensation Plan available to it's Employees (the "Plan"); and

Whereas, the Board wishes to take any action necessary to adopt such trust accounts, annuity contracts or custodial accounts as are necessary to establish funding vehicles with Security Benefit affiliates for the Plan, to receive and invest contributions in such investment options as are selected by Employees participating in the Plan.

Now, Therefore, Be It Resolved that the form of plan document for the Security Benefit 457 Deferred Compensation Plan is hereby approved and adopted by this Board for the benefit of Employees of the Employer;

Further Resolved, that pursuant to the Plan, The Board further establishes funding accounts with Security Benefit for receipt of the investment contributions made under the Plan, as directed by participating Employees; and

Finally Resolved, that the County Auditor, or their representative, of the Employer is hereby authorized and directed to execute the plan documents for the Plan in substantially the form presented to this Board, to communicate the terms of the Plan to Employees, to designate Employees as eligible for participation in the Plan in accordance with Plan terms, to enter into agreements with Plan participants for participation in the Plan, including Salary Reduction Agreements, and to take such further actions as may be necessary and appropriate to implement the Plan and effectuate the terms and intent of these resolutions.

4.) Mater moved and Pothoven seconded to approve Resolution 08/19 to give notice of Marion County's intent to withdraw from the Regional Workforce Investment Alliance (RWIA) as follows:

Whereas the Regional Workforce Investment Alliance (RWIA) was brought into existence as a separate legal entity and governmental subdivision of the State of Iowa on or about January 3, 2007, pursuant to a 28E Agreement between and among the City of Des Moines and the Counties of Polk, Warren, Marion, Boone, Dallas, Jasper, Madison, and Story; and

Whereas RWIA has served as the Local Elected Official (LEO), as the Chief Elected Official (CEO), and as Grant Recipient under and pursuant to the terms of the Workforce Investment Act of 1998, as amended (WIA) for the Iowa Workforce Investment Region XI; and

Whereas RWIA entered into a Memorandum of Agreement with the Regional Workforce Investment Board (RWIB) that also exists pursuant to WIA, which Agreement is terminable upon at least ninety (90) days notice; and

Whereas RWIA entered into an agreement with the Des Moines Area Community College (DMACC), pursuant to which DMACC became a sub-grant recipient and contemporaneously became the Service Provider, Fiscal Agent, and Administrator of various programs and funds for employment training and related activities with Region XI, all under the supervision of the Iowa Department of Workforce Development (IWD) and the United States Department of Labor (DOL); and

Whereas the Agreement between RWIA and DMACC is terminable upon at least sixty (60) days notice given prior to the end of the fiscal year; and

Whereas RWIA has no employees, has no funds or other resources under its control and supervision, has no blank account(s), has no other contractual obligations, and has fulfilled the purposes for which it was originally created; and

Whereas the continued existence of RWIA is not a prerequisite for Region XI to receive funds for employment training and related activities; and

Whereas the continued existence of RWIA lacks offsetting benefits to RWIA or its member governments; and

Whereas the RWIA 28E Agreement makes provision for its potential dissolution, and requires a meeting to consider its dissolution in the event that any member government gives notice of the intention to terminate its membership in RWIA;

Now, Therefore, Be It Hereby Resolved:

1. That, effective June 30, 2008, Marion County, Iowa, shall withdraw as a member of RWIA; and that, pursuant to subparagraph 7(C) of the RWIA 28E Agreement, the Chairperson of the Marion County Board of Supervisors be, and is hereby, authorized and directed on behalf of and in the name of Marion County, Iowa, to give immediate notice to all other RWIA member governments of Marion County's decision to withdraw from membership in RWIA, effective as of June 30, 2008, the end of the current fiscal year.
2. That, pursuant to subparagraph 7(f) of the RWIA 28E Agreement, the current Marion County Representative to the RWIA Board of Directors is directed to meet with other representatives of the RWIA Board of Directors, and to thereupon call for a vote and to thereupon vote in favor of the dissolution of RWIA and otherwise to authorize such actions as may be necessary, prudent, and proper to effectuate a complete and absolute dissolution of RWIA.
3. That the Chairperson of the Marion County Board of Supervisors be, and is hereby, further authorized and directed to execute such documents and do such things on behalf of and in the name of Marion County, Iowa, as may be deemed consistent with and necessary to effectuate the foregoing as seamlessly as possible.

5.) Mater moved and Pothoven seconded to approve Resolution 08/20 to adopt the 5 year Secondary Road Construction Program as required by Iowa Code 309.22 as follows:

Whereas, Iowa Code 309.22 requires the county to annually adopt a secondary road construction program, and;

Whereas, the proposed construction program includes a project accomplishment list for the upcoming fiscal year and a project priority list for the succeeding four fiscal years and;

Whereas, the County Engineer has evaluated the transportation needs for the county and;

Whereas, the county's secondary road construction program is based on a projection of the funds available for the five year period,

Now Therefore, Be It Resolved that the county adopt the proposed secondary road construction program for the period of FY09 through FY13.

Other Business:

1.) Pothoven moved and Mater seconded to approve the audit report of Marion County for the year ending June 30, 2007, as prepared by Hunt Kain and Associates.

2.) Mater moved to approve 1 request for suspension of taxes as outlined in Chapter 427.8 of the Code of Iowa for Marion County parcel #09546-000-00. The motion died due to lack of support.

3.) Pothoven moved and Mater seconded to approve the income guidelines for determination of eligibility for assistance in Marion County as recommended by Mike Kuhn, General Affairs.

4.) Mater moved and Pothoven seconded to approve the request of Maxine Chambers to hold the Farmers Market on the sidewalk around the courthouse grounds from May 24, 2008 through October 11, 2008. The hours are as follows:

- 12:00 PM - 5:00 PM – Tuesdays
- 8:00 AM – 12:00 PM – Saturdays

5.) Mater moved and Pothoven seconded to approve Change Order #07122-01 from Karr Tuckpointing for removal of window caulking on all windows to be replaced with new windows in the Courthouse. Deduct = \$15,786.00

Appointments: None

Executive Session: None

Adjournment:

There being no other business, Pothoven moved and Mater seconded the meeting be adjourned at 10:18 A.M.

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special session on April 14, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols opened the meeting at 11:00 A.M.

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

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

Consent Agenda:

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

Other Business:

1. Tracy Sewer Project:

- a. Discussion regarding process and schedule with following parties:
 - i. Melissa Poffenbarger – Marion County Zoning / Sanitation
 - ii. Randy Campbell - USDA
 - iii. Jack Pope – Garden and Associates
 - iv. Randy Pleima – Mahaska Rural Water
- b. The Board received draft copies of a Subrecipient Agreement for Federally Funded Projects and Agreement for Administrative Services to be considered at a future Board meeting. The documents are required for the project to proceed.

Adjournment:

1.) Mater moved and Pothoven seconded to close the meeting at 11:49 A.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met for a special session #2 on April 14, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

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

Other Business:

1. Miscellaneous departmental updates:
 - a. Missy Poffenbarger – Zoning
 - i. Preliminary meeting set up with Snyder & Associates to discuss consulting services
 - b. Betty Moll – Central Point Coordinator
 - i. Questions regarding process of moving County responsible people from facility to facility.
 - c. Mike Kuhn – General Relief / Veterans Affairs
 - i. G. A. seeing an increase in requests for services
 - ii. Potential state legislation pending regarding veterans services.
 - d. Kim Dorn – Public Health Director
 - i. Grant writing time
 - ii. Budget amendment request pending
 - e. Steve Edwards – Conservation Director
 - i. Proposed 28E Agreement between Marion County Sheriff and Marion County Conservation Board regarding joint law enforcement services.
 - ii. Alliant Energy Relief Program.
 - iii. Department leasing 55' boom truck to assist storm damage clean up.
 - f. Ron Goemaat – Marion County Sheriff
 - i. Jail – potential Dallas County 28E Agreement
 - ii. Proposal for services from Marion County Humane Society
 - iii. EMS – job offer extended
 - g. Jake Grandia – Marion County Auditor
 - i. Future agreements will be required for new voting equipment acquisition

Adjournment:

1.) Mater moved and Pothoven seconded to close the meeting at 1:50 P.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met for a special session on April 9, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

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

Other Business:

1. Planning/Zoning, Sanitation, E911 Departments:

a. Lengthy discussion on reorganizing personnel between departments with potential results as follows:

- i. John McCoy – All E911- re-establish county E911 department expense budget for payroll
- ii. Ken Williams – All Sanitation – move under supervision of Kim Dorn & Board of Health
- iii. Melissa Poffenbarger – Zoning with administrative support to E911 and Sanitation. Also pursue a relationship with a consultant to provide oversight and direction for Zoning Department.

2. Elderly Nutrition Program

- a. Kim Dorn, Public Health, and Dawn Beaver, Program Manager, explained to the Board about the financial conditions of the Elderly Nutrition Program. They requested a willingness of the Board to support the program financially to keep the program operational. They also explained they were considering other models for the program and expressed a desire to try a pilot program of delivering frozen meals on a weekly basis. The Board acknowledged the financial need of the program and requested a report on the pilot program.

3. Regional Workforce Investment Alliance (RWIA)

- a. Supervisor Pothoven provided an overview of RWIA. He went on to explain he did not believe it was advisable for the County to continue participating in the RWIA Board. Pothoven expressed his recommendation to approve a resolution at the next regular board meeting to withdraw from the RWIA Board.

4. Engineer's Office

- a. Roger Schletzbaum, County Engineer, presented an overview of his departments present employee vacation and compensation time situation. Due to the winter conditions, many employees are maxed on allowable compensation time without the necessary time to use the time before the end of the fiscal year. Schletzbaum indicated he would be extending the time for usage and the department had come up with a process to satisfy the department and the employee's needs.
- b. Schletzbaum presented a request for the Board to consider changing the County policy of earned vacation to accrued vacation. There was lengthy discussion on the subject regarding the ramifications of a potential change of that nature.

Adjournment:

1.) Mater moved and Pothoven seconded to close the meeting at 11:55 A.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met for a special session on April 3, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Announcement: Chairman Nichols announced an Executive 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.

Mater moved and Pothoven seconded to amend the agenda to add: III. Other Business 5.) Discussion and update on proposed Marion County Courthouse Window Project.

Consent Agenda:

1.) Pothoven moved and Mater seconded to approve the agenda as amended.

Other Business:

1. Secondary Road Department:
 - a. Budget amendment request
 - b. Report on Farm Bureau meeting
 - c. Update on Bussey railroad bridge
 - d. Time 21 – legislative session nearing its conclusion
2. Public Health Department
 - a. Contract & policies need to keep progressing with Pleasantville meal site
3. Policy on Indigent Care
 - a. Mike Kuhn, General Relief, has put together a process for indigent care applications. This is a result of present processes. The BOS asked him to provide documentation for all departments to access.
4. Zoning, Sanitation, and E911
 - a. Dwight Mater presented his belief that the 3 departments should be reorganized as follows:
 - i. E911 – John McCoy
 - ii. Zoning – Melissa Poffenbarger
 - iii. Sanitation – Ken Williams (under Public Health Board)John McCoy was asked to prepare a proposal on the reorganization.
5. Courthouse Window Project
 - a. Dwight Mater presented an update on the proposed project. A meeting was held with Schneider & Associates and Pella Corporation to discuss the appropriate processes necessary for the project. Mater also reported Pella Corporation was going to construct another type of window prototype and the County would be responsible for installation.

Executive Session:

- 1.) Mater moved and Pothoven seconded to enter into Executive 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.) Mater moved and Pothoven seconded to reconvene into regular session.

Adjournment:

1.) Pothoven moved and Mater seconded to close the meeting at 11:25 A.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met for a special session on March 31, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

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

Other Business:

1. Human Resource Department:

- a. Discussion between Board, Dave Hansen - HR Director, and county officials regarding use, necessity, and work flow of present and future HR and Loss Control needs of the County.

Pothoven moved and Mater seconded to close the meeting at 10:56 A.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session March 24, 2008, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

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

1. Approval of Agenda – 03/24/08.
2. Approval of Minutes – 03/10/08.
3. Approval of Special Session Minutes – 3/10/08, 3/11/08, 3/19/08
4. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
5. Approval of Marion County Claims – Warrants #163617 – #163826.
6. Approval of Marion County Conservation warrants #163587 - #163616 through March 18, 2008.
7. Approval of work beyond right-of-way agreement with J.R. Cline and the Secondary Road Department.

Public Hearings: None

Public Comments: None

Zoning Items: None

Resolutions:

1.) Pothoven moved and Mater seconded to approve Resolution 08/13 to consider initiating a project to replace Marion County bridges #71338700 and #71334500 on Erbe Street between 40th and 25th Place as follows:

Whereas, Marion County has 2 bridges on Erbe Street between 40th Avenue and 25th Place, bridge numbers 71338700 and 71334500, and;

Whereas, these bridges are of an age and condition that they are in need of replacement and;

Whereas, these bridges are included in the county's five year construction plan and funding is available through the IDOT, and FHWA to partially fund a project to replace the bridges and;

Whereas, replacement of the bridge will involve the purchase of additional right of way,

Now Therefore, Be It Resolved that project to replace bridges number 71338700 and 71334500 shall initiated.

Other Business:

1.) Mater moved and Pothoven seconded to approve a renewal of the 3 year lease between Marion County and DHS Case Management for 462 sq. ft. at \$9.50 per sq. ft. per year of office space located at 3014 East Main Street, Knoxville, Iowa.

2.) Pothoven moved and Mater seconded to approve 4 requests from the Department of Human Services that meet the criteria as outlined in Chapter 427.9 for suspension of taxes. Parcels as follows:

- 1.) Parcel #02668-000-00
- 2.) Parcel #09519-000-00
- 3.) Parcel #12582-005-00
- 4.) Parcel #09576-000-00

3.) Against his wishes, but due to a scheduling conflict with Supervisor Pothoven being required to attend a 7:00 P.M. Pella Planning and Zoning meeting every 4th Monday as the Marion County representative, Mater moved and Pothoven seconded to change the regular 2nd Board of Supervisor meeting of the month from 7:00 P.M. to 5:30 P.M. through December 2008. The meetings will continue to be held in the Board of Supervisor meeting room on the first floor of the Marion County Courthouse.

Appointments: Mater moved and Pothoven moved to approve the following appointment:

1.) Memorial Building Commissioners – Pleasantville: Dennis Murphy – term ending 12/31/2010.
Executive Session: None

Adjournment:

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

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session March 24, 2008, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Nichols opened the meeting at 7:00 P.M.

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

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

Consent Agenda:

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

1. Approval of Agenda – 03/24/08.

Public Hearings: Open – Chairman Nichols

1.) Marion County Board of Supervisors – Public hearing on the question of designating as the Red Rock Renewables Urban Renewal Area, pursuant to Chapter 403, Code of Iowa, the property within the following boundaries: Lot 1 of Parcel E of the South Half of Section 10 and the North Half of Section 15, Township 76 North, Range 21 West of the 5th P.M., City of Pleasantville, Marion County, Iowa. The Auditor's office reported no written comment had been received, but some questions and information had been requested via email. The information had been provided. Kathy Showalter, Planscape Partners, presented a power point presentation on the Red Rock Renewable Ethanol Project. Oral comments were received from the public. There being no further comment, Pothoven moved and Mater seconded to close that portion of the public hearing.

2.) Marion County Board of Supervisors – Public hearing on the question to initiate and take action on a TIF Rebate Agreement between the County and Red Rock Renewables, LLC with respect to the development of an ethanol production facility, which provides for certain property tax incentives in the form of property tax rebate payments, in a total amount not exceeding \$9,000,000, over a period of 18 years, as authorized by Section 403.9 of the Code of Iowa. The Auditor's office reported no written comment had been received, but some questions and information had been requested via email. Oral comments were received from the public. There being no further public comment, Mater moved and Pothoven seconded to close that portion of the public hearing.

Resolutions:

1.) Mater moved and Pothoven seconded to approve Resolution 08/14 to establish Urban Renewal Plan Red Rock Renewables Urban Renewal Area as follows:

Whereas, as a preliminary step to exercising the authority conferred upon Iowa counties by Chapter 403 of the Code of Iowa, a county must adopt a resolution finding that one or more slums, blighted or economic development areas exist in the county and that the development of such area or areas is necessary in the interest of the public health, safety or welfare of the residents of the county; and

Whereas, it has been recommended that an urban renewal area be established for the property legally described in Exhibit A to this Resolution for the purpose of assisting in the development of an ethanol production facility; and

Whereas, development of this facility would provide the basis for finding the area an economic development area; and

Whereas, notice of a public hearing by the Board of Supervisors of Marion County, Iowa (the "County") on the question of establishing the area identified above as an urban renewal area and on a proposed urban renewal plan and project for the area was heretofore given in strict compliance with the provisions of Chapter 403 of the Code of Iowa, and the Board has conducted said hearing; and

Whereas, the proposed urban renewal plan and project were submitted to the Marion County Zoning Commission and were found to be outside the jurisdiction of the Commission, because all the property is located within the city limits of the City of Pleasantville; and

Whereas, Section 403.17 of the Code of Iowa requires an agreement between a county and a city with respect to an urban renewal area located within the city limits of a city; and

Whereas, copies of the urban renewal plan, notice of public hearing and notice of a consultation meeting with respect to the urban renewal plan were sent to Pleasantville, Iowa, Pleasantville Community School District and Des Moines Area Community College; the consultation meeting was held; and responses to any comments or recommendations received following the consultation meeting were made as required by law;

Now, Therefore, It Is Resolved by the Board of Supervisors of Marion County, Iowa, as follows:

An economic development area as defined in Chapter 403 of the Code of Iowa is found to exist within the property legally described in Exhibit A. The area identified in Section 1 hereof is hereby declared to be an urban renewal area, in conformance with the requirements of Chapter 403 of the Code of Iowa, and is hereby designated the Red Rock Renewables Urban Renewal Area. The development of this area is necessary in the interest of the public health, safety or welfare of the residents of Marion County, Iowa. It is hereby determined by this Board of Supervisors as follows:

The proposed urban renewal plan is not inconsistent with the general plan of the County as a whole;

Proposed development of an ethanol production facility in the Red Rock Renewables Urban Renewal Area is necessary and appropriate to facilitate the proper growth and development of the County in accordance with sound planning standards and local community objectives.

The urban renewal plan for the Red Rock Renewables Urban Renewal Area is made a part hereof and is hereby in all respects approved in the form presented to this Board, and the proposed project for such area based upon such plan is hereby in all respects approved. The agreement between the County and the City of Pleasantville set out as Exhibit B to this Resolution is hereby approved, and the Chairperson and County Auditor are hereby authorized and directed to execute the agreement on behalf of the County.

All resolutions or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict.

Exhibit A - Legal Description - Red Rock Renewables Urban Renewal Area

Lot 1 of Parcel E of the South Half of Section 10 and the North Half of Section 15, Township 76 North, Range 21 West of the 5th P.M., City of Pleasantville, Marion County, Iowa.

Exhibit B – Urban Renewal Agreement

Whereas, pursuant to Chapter 403 of the Code of Iowa, counties have certain urban renewal powers; and

Whereas, in accordance with paragraph 4 of Section 403.17 of the Code of Iowa, a county may exercise urban renewal powers with respect to property which is located within the city limits of a city only if the county and that city have entered into a joint agreement with respect to such exercise of powers; and

Whereas, the Board of Supervisors of Marion County (the “County”) has been requested to adopt an urban renewal plan and to establish an urban renewal area (the “Red Rock Renewables Urban Renewal Area”); and

Whereas, all of the property within the proposed Red Rock Renewables Urban Renewal Area, the legal description of which is shown on Exhibit A hereto, is within the city limits of the City of Pleasantville, Iowa (the “City”); and

Whereas, the Board of Supervisors of the County and the City Council of the City have determined to enter into an agreement in order to enable the County to exercise urban renewal powers within the Red Rock Renewables Urban Renewal Area;

Now, Therefore, it is agreed by the County and the City as follows:

Section 1. The County may exercise urban renewal powers pursuant to Chapter 403 of the Code of Iowa with respect to the property included within the Red Rock Renewables Urban Renewal Area;

Section 2. This Agreement shall be deemed to meet the statutory requirements of paragraph 4 of Section 403.17 of the Code of Iowa and shall be effective following approval by the governing bodies and execution by the appropriate officials of the County and the City.

In Witness Whereof, the County has caused this Agreement to be executed by the Chairperson of its Board of Sueprvisors and attested by its County Auditor, and the City has caused this Agreement to be executed by its Mayor and attested by its City Clerk, as of the dates shown opposite their respective signatures below.

Ordinance:

1.) Mater moved and Pothoven seconded to approve the 1st reading and waive the 2nd and 3rd reading of Marion County Ordinance #3 providing for the division of taxes levied on taxable property in the Red Rock Renewables Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa.

2.) Mater moved and Pothoven seconded to approve final action on Marion County Ordinance #3 providing for the division of taxes levied on taxable property in the Red Rock Renewables Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa.

Resolutions:

1.) Pothoven moved and Mater seconded to approve Resolution 08/15 to approve a TIF Rebate Agreement between the County and Red Rock Renewables, LLC with respect to the development of an ethanol production facility as follows:

Whereas, Marion County, Iowa (the "County"), pursuant to and in strict compliance with all laws applicable to the County, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the Red Rock Renewables Urban Renewal Area (the "Urban Renewal Area"); and

Whereas, this Board has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa (the "Urban Renewal Tax Revenue Fund"), which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the County for the payment of the principal and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

Whereas, an agreement between the County and Red Rock Renewables, LLC has been prepared (the "Agreement"), pursuant to which Red Rock Renewables, LLC would develop an ethanol production facility in the Urban Renewal Area (the "Red Rock Renewables, LLC Project") and the County would provide tax increment payments in a total amount not exceeding \$9,000,000; and

Whereas, this Board of Supervisors, pursuant to Section 403.9 of the Code of Iowa, has published notice, has held a public hearing on the Agreement on March 24, 2008, and has otherwise complied with statutory requirements for the approval of the Agreement; and

Whereas, Chapter 15A of the Code of Iowa ("Chapter 15A") declares that economic development is a public purpose for which a County may provide grants, loans, tax incentives, guarantees and other financial assistance to or for the benefit of private persons; and

Whereas, Chapter 15A requires that before public funds are used for grants, loans, tax incentives or other financial assistance, a Board of Supervisors must determine that a public purpose will reasonably be accomplished by the spending or use of those funds; and

Whereas, Chapter 15A requires that in determining whether funds should be spent, a Board of Supervisors must consider any or all of a series of factors;

Now, Therefore, It Is Resolved by the Board of Supervisors of Marion County, Iowa, as follows: Pursuant to the factors listed in Chapter 15A, the Board hereby finds that: The Red Rock Renewables, LLC Project will add diversity and generate new opportunities for the Marion County and Iowa economies;The Red Rock Renewables, LLC Project will generate public gains and benefits, particularly in the creation of new jobs and opportunities for the local agricultural economy, which are warranted in comparison to the amount of the proposed property tax incentives.The Board further finds that a public purpose will reasonably be accomplished by entering into the Agreement and providing the property tax payments to Red Rock Renewables, LLC.The Agreement is hereby approved and the Chairperson and County Auditor are hereby authorized and directed to execute and deliver the Agreement on behalf of the County, in substantially the form and content in which the Agreement has been presented to this Board of Supervisors, and such officers are also authorized to make such changes, modifications,

additions or deletions as they, with the advice of bond counsel, may believe to be necessary, and to take such actions as may be necessary to carry out the provisions of the Agreement. As provided and required by Chapter 403 of the Code of Iowa, the County's obligations under the Agreement shall be payable solely from the income and proceeds of the Urban Renewal Tax Revenue Fund. The County hereby pledges to the payment of the Agreement the Urban Renewal Tax Revenue Fund and the taxes referred to in Subsection 2 of Section 403.19 of the Code of Iowa to be paid into the Fund.

After its adoption, a copy of this resolution shall be filed in the office of the County Auditor of Marion County to evidence the continuing pledging of the Urban Renewal Tax Revenue Fund and the portion of taxes to be paid into the Fund and, pursuant to the direction of Section 403.19 of the Code of Iowa, the Auditor shall allocate the taxes in accordance therewith and in accordance with the tax allocation ordinance referred to in the preamble hereof.

All resolutions or parts thereof in conflict herewith are hereby repealed.

Adjournment:

There being no other business, Mater moved and Pothoven seconded the meeting be adjourned at 8:14 P.M.

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special session on March 19, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Mater moved and Pothoven seconded to amend the agenda by moving item III. Other Business 1.) (a.) Tracy Sewer Project to the first item on the agenda.

Consent Agenda:

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

Other Business:

1. Tracy Sewer Project:
 - a. Missy Poffenbarger gave an overview of the ongoing project and requested a meeting to coordinate efforts with Marsh Corey, grant writer.
2. Human Resources & Safety Policy:
 - a. Discussion on continuing contract with HR Onesource
 - b. Safety Policy – draft is nearly completed by Dave Hansen
 - c. Need to communicate with Dave Hansen on future needs of department.
3. DHS Contract of County facility:
 - a. Proposed contract same as current 3 year contract.
 - b. Need to address increase in utility costs over 3 years.
4. Pleasantville Elderly Nutrition meal site:
 - a. Agreement has been reached with Program, facility site committee, and community committee to try again to serve meals at the Pleasantville Senior Center.
5. Feasibility of switching the evening BOS meeting to the second Monday of the month instead of the fourth Monday.
 - a. Monthly meeting conflicts have arisen at the 7:00 pm starting time.
 - b. Discussion on various starting times and days.
6. Courthouse window project:
 - a. Contact has been made with a consultant to help assist in the bid process on the project.
 - b. Consultant would help assist in preparing appropriate documents.

Pothoven moved and Mater seconded to close the meeting at 10:22 A.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met for a special session on March 11, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

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

Other Business:

1. Ron Goemaat – Marion County Sheriff
 - a. Food services contract – new rates due to increasing food costs
 - b. Accurate Controls – replaced all monitors used by jailers
 - c. Dallas County – LEC toured by Dallas County Sheriff and Head Jailer
 - d. Marion County roads update – major improvement in Marion County road conditions
2. Martha Dykstra – Marion County Sheriff's Office - Dispatch
 - a. E911 mapping updates and training
 - b. Shield software – one year review

Pothoven moved and Mater seconded to close the meeting at 10:06 A.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session March 10, 2008, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Announcement: Chairman Nichols made two public comments:

- 1.) The County has received a \$255,000 CDBG Grant for the Tracy Sewer Project.
- 2.) The Secondary Road Dept. has placed 12,968 ton of rock, used 12,581 gallons of fuel, and earned 1,250 overtime hours in the last week. Thank you to the department for their efforts.

Consent Agenda:

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

1. Approval of Agenda – 03/10/08.
2. Approval of Minutes – 02/15/08.
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Claims – Warrants #163352 – #163586.
5. Receive and file Marion County Treasurer FY 07-08 Semi Annual Report.

Public Hearings:

1.) Marion County Board of Supervisors – Proposed Marion County Budget for July 1, 2008 through June 30, 2009. Chairman Nichols opened the public hearing. There were no public comments. There were no written comments received by the Marion County Auditor's Office. Pothoven moved and Mater seconded to close the public hearing.

Public Comments: None

Zoning Items: None

Resolutions:

1.) Mater moved and Pothoven seconded to approve Resolution 08/11 to consider adoption of Marion County Budget 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 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 3/10/08 at 9:30 AM;

Therefore, Be It Resolved, on the 10th day of March 2008, the Marion County Board of Supervisors hereby adopts by resolution the County Budget for the fiscal year beginning July 1, 2008 and ending June 30, 2009.

2.) Pothoven moved and Mater seconded to approve Resolution 08/12 to consider a Marion County Policy and Procedure for Closing the Courthouse Because of Inclement Weather as follows:

Whereas, it is in the best interest of the employees of the County of Marion, Iowa, to have a policy and procedure for closing the Marion County Courthouse because of inclement weather.

Therefore Be It Resolved, in the case of serious inclement weather conditions on any particular day, the Emergency Management Coordinator, with the assistance of the County Engineer and the County Sheriff, will be authorized to make an assessment of the status of the weather and make a recommendation to the Chair, County Board of Supervisors, or in their absence, the Vice-Chair, as to whether to officially close the courthouse or have a delayed start. This recommendation must be made by 6:00 A.M. so the Chair or the Vice-Chair can notify the radio stations by 7:00 A.M.

If the decision is to close the courthouse, the policy for Inclement Weather in the Employee handbook (Section VII, Page 5) will apply: "Employees will be paid for hours lost due to closing of the office."

If the decision is for a late start, rather than a closing, employees will be paid for the hours between their regularly scheduled start times and the delayed start time.

If an employee elects not to report to work because of the weather, the following excerpt from the Inclement Weather policy will apply: "If an employee is unable to get to work, he/she will be allowed to charge such an absence to vacation or compensatory time, provided he/she has the time accumulated. If no paid time is available, the employee may choose to take the time off without pay with Department Head approval."

Of course, the excerpt from the Inclement Weather policy, regarding essential services will always apply, regardless of the weather: "Employees in departments that serve the public during severe weather (including departments that provide snow removal and law enforcement services) are expected to report to work during severe weather conditions."

Other Business:

1.) Mater moved and Pothoven seconded to temporarily change the regular 2nd Board of Supervisor meeting of the month from 9:30 A.M. to 7:00 P.M. from April 2008 through December 2008. The meetings will continue to be held in the Board of Supervisor meeting room on the first floor of the Marion County Courthouse. The vote was as follows: Ayes: Mater, Pothoven Nays: Nichols

Appointments: None

Executive Session: None

Adjournment:

There being no other business, Mater moved and Pothoven seconded the meeting be adjourned at 10:55 A.M.

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special session on March 10, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

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

Other Business:

1. John McCoy – Interim EMA / Planning & Zoning / E911
 - a. Emergency Management Coordinator position - hiring process update
 - b. E911 – new mapping project
 - c. Tracy Sewer Project update – received CDBG Grant
 - d. Sanitation – sand filter septic system testing time
2. Mike Kuhn – Veteran’s Affairs & General Relief
 - a. General Affairs – requests for assistance with L.P. gas bills
 - b. Veterans Affairs – Pella Corporation health fair
3. Kim Dorn – Community Health Services / Elderly Nutrition
 - a. Reorganizing office space – Capstones departure
 - b. Grant writing season – 5 major grants
 - c. Bio-emergency retreat & emergency exercise plan
 - d. Elderly Nutrition – working towards resolution on Pleasantville Senior Site
 - e. Elderly Nutrition – raw food costs dramatically increasing
4. Steve Edwards – Conservation Director
 - a. Roberts Creek deer hunt results – still waiting on landowner results
 - b. DNR/Alliant Energy Re-leaf Program
 - c. Campgrounds open – April 4th
 - d. Easter Egg Hunt – moved to high school grounds
 - e. FEMA declaration results in County Parks
 - f. Cordova on the Rocks presentation reactions
 - g. Hunter education course available
5. Ken Thrailkill – Maintenance
 - a. Winter clean-up activities
 - b. Courthouse projects
 - c. 4th floor odor situation resolved
 - d. New boiler and air handlers required in Courthouse
6. Betty Moll – Central Point Coordinator (MH)
 - a. State Paper Payments – extremely high count in Marion County
 - b. County Care Facility – communication issues with Community Care Inc.
 - c. County management plan – working with county’s in region on plan blueprint.

Pothoven moved and Mater seconded to close the meeting at 2:10 P.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session February 25, 2008, with Howard Pothoven present and Sam L. Nichols present via telephone. Dwight Mater Jr. was excused due to illness. Chairman Nichols 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 (via telephone) Nays: none Abstentions: none. Excused: Mater

Consent Agenda:

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

1. Approval of Agenda – 02/25/08.
2. Approval of Minutes – 02/11/08.
3. Approval of Special Session Minutes – 02/11/08, 02/12/08, 02/15/08
4. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
5. Approval of Marion County Claims – Warrants #163153 – #163348.
6. Approval of Marion County Conservation Department claims #163126 - #163151 through 02/19/08.

Public Hearings: None

Public Comments:

- 1.) Don Zoutte, concerned citizen, requested a representative of the Board attend a future meeting regarding a decision by the VA to lock doors of service from 4:30 PM until 7:00 AM for certain outpatient services effective 03/01/08.

Zoning Items: None

Resolutions: None

Other Business: None

Appointments: None

Executive Session: None

Adjournment:

There being no other business, Pothoven moved and Nichols seconded the meeting be adjourned at 9:39 A.M.

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special session on February 5, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

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

Other Business:

1. Individual department budget request discussions:
 - a. Steve Edwards: Conservation Department
2. Discussion was held with County Attorney and County personnel on appropriate bidding process required to begin the proposed Marion County Courthouse Window Project.

Mater moved and Pothoven seconded to adjourn the meeting at 11:30 A.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met for a special session on February 1, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

1.) Mater moved and Pothoven seconded to approve the agenda.

Other Business:

1. Individual department budget request discussions:
 - a. John McCoy: Planning & Zoning / Sanitation
 - b. Carla Eysink: Marion County Development Commission
 - c. Betty Moll: Central Point Coordinator (Mental Health)
 - d. Terry Rachels: County Attorney

Pothoven moved and Mater seconded to adjourn the meeting at 11:45 A.M.

Lorri Jahner, Marion Co. Auditor's Office

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met for a special session on January 30, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

1.) Mater moved and Pothoven seconded to approve the agenda.

Other Business:

1. Individual department budget request discussions:
 - a. Denise Emal: Treasurers Office
 - b. Karen Schwanebeck: Records Office – excused and to be rescheduled.

Pothoven moved and Mater seconded to adjourn the meeting at 10:15 A.M.

Lorri Jahner, Marion Co. Auditor's Office

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met for a special session on January 28, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols opened the meeting at 10:30 A.M.

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

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

Consent Agenda:

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

Other Business:

1. Discussion with Secondary Road Department staff regarding plans and actions of department resulting from concerns raised by public regarding county roads.

Pothoven moved and Nichols seconded to adjourn the meeting at 12:05 P.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session January 28, 2008, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

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

1. Approval of Agenda – 01/28/08.
2. Approval of Minutes – 1/14/08.
3. Approval of Special Session Minutes – 01/14/08, 01/15/08, 01/21/08
4. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
5. Approval of Marion County Claims – Warrants #162691 – #162879.
6. Approval of Marion County Conservation Dept. Claims #162657- #162686 through 01/15/08.

Public Hearings: None

Public Comments:

- 1.) Rich De Heer, landowner, directed observations to the Board regarding the recent land acquisition of the Secondary Road Department.
- 2.) Gene De Heer, landowner, directed questions to the Board regarding the process used to acquire the land for the Secondary Road Department.

Zoning Items: None

Resolutions: None

Other Business:

1.) Mater moved and Pothoven seconded to receive the budget request as presented by Bill Pepmeier and Nancy Hulan representing Red Rock Area Community Action.

Appointments:

- 1.) Conservation Board – Henry Bensink – term ending 12/31/2012.

Executive Session: None

Adjournment:

There being no other business, Pothoven moved and Mater seconded the meeting be adjourned at 10:05 A.M.

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special session on January 25, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

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

Other Business:

1. Individual department budget request discussions:
 - a. Sheriff's Department
 - b. Veteran's Affairs/General Relief
 - c. Maintenance Department
 - d. Auditor's Office

Pothoven moved and Mater seconded to adjourn the meeting at 3:00 P.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met for a special session on January 21, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

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

Other Business:

1. Secondary Road Department
 - a. Lengthy comment and discussion period with public, Board, and representatives of the Secondary Road Department regarding the purchase of land for a new shop, reorganization of secondary road department, and conditions of roads in Marion County.

Pothoven moved and Mater seconded to adjourn the meeting at 11:45 A.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met for a special session on January 15, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Mater moved and Pothoven seconded to amend the agenda to excuse Sheriff Goemaat due to an emergency call.

Consent Agenda:

1.) Mater moved and Pothoven seconded to approve the agenda as amended.

Other Business:

1. Tom Wadle – Secondary Road Department
 - a. Overview of road maintenance costs and work flow
2. Steve McCombs – Secondary Road Department
 - a. FEMA disaster declaration

Chairman Nichols closed the meeting at 10:05 A.M.

Lorri Jahner, Auditor's Office

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met for a special session on January 14, 2008, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

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

Other Business:

1. Mike Kuhn – Veterans Affairs / General Relief
 - a. HF 817
 - b. Assistance from outside sources - churches
2. John McCoy – Interim EMA / Planning & Zoning
 - a. Hiring process update
 - b. Septic system notices mailed
 - c. Tracy Sewer Project update
3. Steve Edwards – Conservation Director
 - a. Ice Damage clean-up
 - b. Roberts Creek deer hunt results
 - c. DNR/Alliant Energy Re-leaf Program
 - d. Habitat for Humanity – sweat equity
 - e. Scheduled violation process
4. Drew Sanders – Assessor
 - a. 2008 Valuations
 - b. Rent reimbursement
 - c. Appeal board
 - d. Exemptions – County Care Facility
5. Jake Grandia – Marion County Auditor
 - a. Caucus registrations
 - b. Voting equipment requirements
 - c. SEAT training

Chairman Nichols closed the meeting at 1:50 P.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session January 14, 2008, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Pothoven moved and Mater seconded to remove Agenda Item VII. 3.) Receive presentation from Des Moines Area Community College President Robert Denson.

Consent Agenda:

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

1. Approval of Agenda – 01/14/08.
2. Approval of Minutes – 12/24/07.
3. Approval of Special Session Minutes – 01/02/08, 01/07/08
4. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
5. Approval of Marion County Claims – Warrants #162363 – #162655.
6. Receive and File FY 08/09 Marion County Compensation Board recommendations.

Public Hearings: None

Public Comments:

1.) Gene De Heer and Rich De Heer, Marion County residents, directed questions to the Board regarding operations, and the land acquisition, of the Secondary Road Department. There was lengthy discussion with the De Heers and Roger Schletzbaum, Marion County Engineer.

Zoning Items: None

Resolutions:

1.) Mater moved and Pothoven seconded to amend the proposed Resolution 08/06 by changing the term "cyclist" to "road event".

2.) Mater moved and Pothoven seconded to approve the amended Resolution 08/06 to request the Iowa Legislature address the issue of unacceptable exposure to future bicycle-related lawsuits against counties as follows:

Pertaining to the use of Secondary Roads in Marion County, Iowa by RAGBRAI and by cyclists in general.

Whereas, the Register's Annual Great Bike Ride Across Iowa (RAGBRAI) is a unique event that draws thousands of visitors to Iowa annually and promotes Iowa tourism; and

Whereas, biking in general is an excellent form of exercise enjoyed by millions of Americans, as well as a pollution-free form of transportation that should be encouraged; and

Whereas, secondary roads in Iowa are not designed or maintained to meet any specific standards related to bicycle travel; and

Whereas, the recent lawsuit against Crawford County involving the death of a RAGBRAI participant demonstrates the need to address the use of the county secondary road system by RAGBRAI and by road events in general; and

Whereas, the current situation has created an unacceptable exposure to future bicycle-related lawsuits against this County;

Now Therefore, be it resolved by the Board of Supervisors that they respectfully request that the Iowa Legislature address this issue in 2008 on a statewide basis so that the Board of Supervisors does not have to act at the local level to regulate the use by cyclists of secondary roads under the jurisdiction of the County.

3.) Mater moved and Pothoven seconded to approve Resolution 08/07 to establish load limits on certain bridges in Marion County as follows:

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

Whereas, the results of the inspections in 2007 and analysis indicate a safe operating load capacity for certain Marion County bridges as listed below.

<u>Bridge Number</u>	<u>Load Limit</u>
41248950	15Tons
48044149	3 Tons
49290053	8 Tons
49300074	12 Tons
58325018	426,535,634 All Vehicles
79184049	18 Tons

Now Therefore, Be It Resolved, this 14th day of January, 2008, that the above recommended weight limits corresponding to the bridge numbers listed are hereby adopted, and that proper signs shall be erected and maintained to post the adopted load limit until the posted bridge is repaired, reconstructed, or removed.

4.) Pothoven moved and Mater seconded to approve Resolution 08/08 to consider approving a 28E Agreement with Warren County regarding the cost sharing of a culvert replacement project on 10th Ave., south of County Road G-76 as follows:

Whereas, Warren and Marion County have scheduled a box culvert project BROS-Co91(73)—8J-91 on 10th Avenue (County Line) south of County road G-76 for FY 2009 and;

Whereas, Warren County has agreed to be the lead agency for the design and construction of the project and;

Whereas, Warren County requests Marion County enter into a 28E agreement to reimburse Warren County 50% of the final project costs for all work done in association with the project;

Whereas, Marion County has included 50% of the project cost in the FY09 construction program;

Now Therefore Be It Resolved that Marion County enter into the 28E agreement that provides funding for the project and the board chair be authorized to sign the 28E agreement:

Other Business:

1.) Pothoven moved and Mater seconded to approve Option 3 regarding options of continuing operations of the Marion County Care Facility: Option 3 – Lease agreement with Community Care Inc. for management and operations of Marion County Care Facility with ownership of facilities retained by Marion County.

2.) Mater moved and Pothoven seconded to approve Work Beyond the Right-of-Way Agreements between the Secondary Road Department and the following landowners:

- Marlin Hoch
- Wilda Baughman (POA Carolyn Avon)

Appointments:

- 1.) Board of Health – Dr. J. Bhama – term ending 12/31/2008.
- 2.) Board of Adjustment – Dennis Haselhuhn – term ending 12/31/2012.
- 3.) Zoning Commission – Pat Whitlatch – term ending 12/31/2012.
- 4.) Zoning Commission – Neulyn Miller – term ending 2012.
- 5.) Condemnation Commissioners – Owners of City or Town Property – John Kamerick
- 6.) Condemnation Commissioners – Owners of City or Town Property – Lamar De Jong
- 7.) Condemnation Commissioners – People Having Knowledge of Property Values – Jonathan De Nooy
- 8.) Condemnation Commissioners – People Having Knowledge of Property Values – Jerry Van Wyk
- 9.) Greenbelt Commission – Steve Edwards – term ending 12/31/2008.
- 10.) Central Ia Tourism Regional Representative – Tom Schmeh – term ending 12/31/2010.
- 11.) Central Ia Tourism Regional Representative – Carla Ferguson – term ending 12/31/2010.
- 12.) CIRTPA – Transportation Technical Committee – Roger Schletzbaum – term ending 12/31/2008.
- 13.) CIRTPA – Transportation Technical Committee, alt. – Jay Davis – term ending 12/31/2008.
- 14.) Memorial Hall Commission – Pella – Paul Simons – term ending 12/31/2010.
- 15.) Memorial Hall Commission – Pella – Gary Gezel – term ending 12/31/2010.
- 16.) Memorial Hall Commission – Pleasantville – Craig Metcalf – term ending 2010.
- 17.) Memorial Hall Commission – Knoxville – Ed McDonald – term ending 12/31/2010.

- 18.) Civil Service Commission – David Willoughby – term ending 12/31/2012.
- 19.) County Magistrate Appointing Commission – Ron Goemaat – term ending 2013.

Executive Session: None

Adjournment:

There being no other business, Mater moved and Pothoven seconded the meeting be adjourned at 10:25 A.M.

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session January 7, 2008, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Nichols 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, Mater, Nichols Nays: none Abstentions: none. Absent: None

Consent Agenda:

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

1. Approval of Agenda – 01/07/08.

Other Business:

1.) Discussion with Ben Wright, Community Care Inc., and staff regarding proposed contract for services at the Marion County Care Facility. Discussion involved various topics including client rates, insurance, infrastructure, repairs, lagoon maintenance, staffing, and vehicles. Mater moved and Pothoven seconded to end discussion on agenda item #1.

2.) Discussion regarding proposed Iowa State Association of Counties resolution requesting the Iowa Legislature to take action on lawsuits resulting from Ragbrai. Dan McKay, McKay Insurance, and Roger Schletzbaum, Marion County Engineer, discussed the proposed action from their standpoints. Pothoven moved and Mater seconded to end discussion on agenda item #2.

3.) Discussion on the Marion County Compensation Board recommendation. Options were discussed regarding the recommendation. Pothoven and Nichols discussed their dislike of the compensation board's use of a formula. Nichols and Mater indicated they were inclined to reject the recommendation while Pothoven wanted to wait until after they go through the budget process. Mater moved and Pothoven seconded to end discussion on agenda item #3.

4.) Discussion on the Emergency Management Coordinator Position job opening. Ron Goemaat, Marion County Sheriff, explained where the Emergency Management Commission was on the process. John McCoy, E911 and Planning & Zoning, brought up the fact that now was the time to review the whole county operation. The Board indicated it was appropriate for those discussions before the position was filled. It was indicated that the Commission should consider all available options. Mater moved and Pothoven seconded to end the discussion on agenda item #4.

Adjournment:

There being no other business, Pothoven moved and Mater seconded the meeting be adjourned at 12:15 P.M.

Jake Grandia, Marion County Auditor

Sam Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met January 02, 2008, for their annual organizational meeting with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present.

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

Ayes: Pothoven, Mater and Nichols Nays: none. Abstentions: none. Absent: none

Jake Grandia, Marion County Auditor, called the meeting to order at 8:00 A.M. He then entertained motions for Chairman of the Marion County Board of Supervisors for the year of 2008. Mater moved and Pothoven seconded for approval of Sam L. Nichols as Chairman with authorization to sign for Official County Business.

Chairman Nichols then assumed leadership of the meeting.

Pothoven moved and Nichols seconded for approval of Dwight Mater Jr. as 2008 Vice-Chairman of the Marion County Board of Supervisors with authorization to sign for Official County Business.

Pothoven moved and Mater 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.

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

Pothoven moved and Mater seconded the approval of the following Resolution 08/01 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 Wells Fargo Bank Iowa N.A. M.C. Health Insurance Acct.	Knoxville	400,000	400,000
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 Wells Fargo Bank Iowa N.A.	Knoxville	1,252,000	1,252,000
County Treasurer Iowa State Savings Bank	Knoxville	9,000,000	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	13,000,000	10,000,000
County Treasurer US Bank	Pella	500,000	500,000
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 Horizon Federal Savings	Oskaloosa	1,000,000	1,000,000
County Treasurer Leighton State Bank	Leighton	1,000,000	1,000,000
County Treasurer Midwest One	Pella	250,000	250,000
County Treasurer US Bank	Oskaloosa	500,000	500,000
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	70,000
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	0	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 2008, 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 2008.

Mater moved and Pothoven seconded to reappoint Roger Schletzbaum as Marion County Engineer.

Pothoven moved and Mater seconded to approve the following Resolution 08/02 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.

Pothoven moved and Mater seconded the duties of the County Weed Commissioner be assigned to the Marion County Engineer's Department.

Mater moved and Pothoven seconded the approval of the following Official Holidays as listed for the County.

New Years Day	Tuesday	January 1, 2008
President's Day	Monday	February 18, 2008
Memorial Day	Monday	May 26, 2008
Independence Day	Friday	July 4, 2008
Labor Day	Monday	September 1, 2008
Veteran's Day	Tuesday	November 11, 2008
Thanksgiving Day	Thursday	November 27, 2008
Friday after Thanksgiving	Friday	November 28, 2008
Christmas Day	Thursday	December 25, 2008
Personal Floating Day		

Pothoven moved and Mater seconded that Steve Edwards be reappointed as Marion County A.D.A. Coordinator.

Mater moved and Pothoven seconded to approve Resolution 08/03 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)	
Deputy	(63-3)	Charles W. Puyear
Deputy	(63-4)	Troy C. Fisher
Deputy	(63-5)	Brad Sedlock
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

Mater moved and Pothoven seconded to approve Resolution 08/04 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:

Ed Marshall	Steve McCombs
Lee Dachenbach	Don Rowland
Doug DeRonde	Bill Simpson
Joe Ferguson	Jason Spencer

Greg Shrout
John Greatbatch
Valerie Green
Jeff Lanser
Darren Naaktgeboren
Rick Routh

Mark Sweitzer
Curtis Van Vark
John Walker
Patrick Zeimet
Jeff Zentner

Mater moved and Pothoven seconded to approve Resolution 08/05 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:

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

Pothoven moved and Mater seconded that Dr. John Kanis and Dr. Earl McKeever, or their representatives, be reappointed as the Marion County Medical Examiners with allowance for their respective designees.

Pothoven moved and Mater seconded to designate the County Engineer, Roger Schletzbaum, to the South Central Iowa Solid Waste Authority Board.

Mater moved and Pothoven seconded the following Board of Supervisor appointments to Boards and Commissions as listed.
Ayes all

South Central Youth & Family Services	Dwight Mater Jr.	1 yr.
Capstone Center, Inc.	Sam L. Nichols	1 yr.
Regional Workforce Investment Alliance (RWIA)	Howard Pothoven	1 yr.
5th Judicial District Advisory Board	Sam L. Nichols	1 yr.
Heart of Iowa Regional Transit Agency (HIRTA)	Howard Pothoven	1 yr.
Red Rock Community Action Program	Sam L. Nichols	1 yr.
Mental Health Institute Advisory Board	Dwight Mater Jr.	1 yr.
County Home Board	Howard Pothoven	1 yr.
	Dwight Mater Jr.	1 yr.
	Sam L. Nichols	1 yr.
Informational Meeting on Committee Reports	Howard Pothoven	1 yr.
	Dwight Mater Jr.	1 yr.
	Sam L. Nichols	1 yr.
Social Services Coordinating Board	Howard Pothoven	1 yr.
	Dwight Mater Jr.	1 yr.
	Sam L. Nichols	1 yr.
Area Aging Resources Board	Dwight Mater Jr.	1 yr.
FEMA Advisory Board	Howard Pothoven	1 yr.
Emergency Management Commission	Howard Pothoven	1 yr.
Heartland Resource Conservation & Development	Sam L. Nichols	1 yr.
Board of Health	Dwight Mater Jr.	1 yr.
Des Moines River Greenbelt Commission	Sam L. Nichols	1 yr.
Dept. of Justice-Courthouse Security Advisory Board	Sam L. Nichols	1 yr.
Mid Iowa Development Fund, Inc.	Sam L. Nichols	1 yr.
Child Welfare Decategorization Program-Exec. Board	Dwight Mater Jr.	1 yr.

Whitebreast Watershed Assoc.	Sam L. Nichols	1 yr.
	Jim Mc Coy, alternate	1 yr.
Pella Planning and Zoning Commission	Howard Pothoven	1 yr.
E-911 Board	Howard Pothoven	1 yr.
South Central Iowa Solid Waste Agency - Alternate	Dwight Mater Jr.	1 yr.
S.E. Iowa 28E Contracting Consortium	Dwight Mater Jr.	1 yr.
Pella Area Development Commission (PADCO)	Howard Pothoven	1 yr.
CIRTPA - Transportation Policy	Howard Pothoven	1 yr.
CIRTPA - Transportation Policy (alt)	Roger Schletzbaum	1 yr.

There being no other business Mater moved and Pothoven seconded the meeting be adjourned.

Before adjournment Chairman Nichols expressed gratitude on behalf of Ray Stone, retired Emergency Management Coordinator, for his 30 plus years of service to the County.

Meeting adjourned 8:50 A.M.

Jake Grandia, Marion County Auditor

Sam L. Nichols, Chairman Board of Supervisors