

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

2009 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 28, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

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

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

Agenda:

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

Communications: None

Consent Agenda:

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

1. Approval of Regular Board of Supervisor Minutes – 12/14/09
2. Approval of Special Session Board of Supervisor Minutes – 12/23/09
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Warrants #175433 - #175590 through December 28, 2009.
5. Approval of Marion County Conservation Commission warrants #175397 - #175432 through 12/15/09.

Public Hearings: None

Public Comments: None

Zoning Items: None

Ordinances: None

Resolutions: None

Other Business: None

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

- 1.) CIRTPA – Surface Transportation Program – Steve Edwards – term ending 12/31/2010
- 2.) CIRTPA – Surface Transportation Program (alternate) – Rich Paris – term ending 12/31/2010
- 3.) HIRTA – Board of Directors – Howard Pothoven – term ending 12/31/2010
- 4.) HIRTA – Board of Directors (alternate) – Sam Nichols – term ending 12/31/2010
- 5.) Conservation Board – Bill Boyd – term ending 12/31/2014
- 6.) Zoning Commission – Keith Davis – term ending 12/31/2014
- 7.) Board of Adjustment – Duane Ver Ploeg – term ending 12/31/2014
- 8.) Board of Adjustment – Linda Hicks – term ending 12/31/2014
- 9.) Condemnation Commissioners – terms ending 12/31/2010 (full list available in the Auditor's Office)

Closed Session: None

Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session December 23, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:00 A.M.

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

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

Agenda:

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

Other Business:

1.) The Board discussed terms ending, and potential appointments, on various Board of Supervisor appointed boards and commissions within the County in preparation for the Annual Organizational Meeting. Nichols moved and Kingery seconded to end discussion on item #1.

2.) Howard Pothoven briefed the Board on some potential issues with the Marion County Farm pasture land. The pasture land was recently leased to a new tenant. The potential issues are bad fences and lack of accessible water. Several scenarios were discussed including repairing fence, changing fence lines, or selling the property. It was felt best to access the situation and work on a solution. Nichols moved and Kingery seconded to end discussion on item #2.

Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session December 14, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

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

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

Agenda:

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

Communications: None

Consent Agenda:

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

1. Approval of Regular Board of Supervisor Minutes – 11/23/09
2. Approval of Special Session Board of Supervisor Minutes – 11/30/09
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Warrants #175088 - #175394 through December 14, 2009.
5. Approval of Work Beyond Right-of-Way Agreement with the Sec. Road Dept. and Rick Blackburn
6. Approval of Work Beyond Right-of-Way Agreement with the Sec. Road Dept. and landowners adjoining slide projects:
 - 1.) James Bennett
 - 2.) Martin Schneider
 - 3.) Keith Stull
 - 4.) Ralph Lang
 - 5.) South Central Iowa Solid Waste Agency
 - 6.) Duane Conrad.

Public Hearings: None

Public Comments: None

Zoning Items: - None

Ordinances: - None

Resolutions:

1.) Kingery moved and Nichols seconded to approve Resolution 09/44 awarding bids on the "County Farm" ground lease as follows:

Whereas, the Marion County Board of Supervisors was desirous of leasing certain farm ground owned by Marion County, to wit: 83 acres, more or less, of cropland in Section 11 and Section 14, Township 75 North, Range 20 West of the 5th P.M.; and 80 acres, more or less, of pasture in Section 11 and Section 14, Township 75 North, Range 20 West of the 5th P.M.; and,

Whereas, a system of sealed bids and auction was deemed to be a fair and proper method by which to offer said land for lease;

Whereas, sealed bids were received and auction taken place;

Therefore, Be It Resolved By The Board that the following be awarded the "County Farm" ground lease per the lease agreement:

1. Cropland: Synhorst Livestock & Grain Inc. – 83 acres @ \$216.00 per acre.
2. Pasture: Veenstra Farm & Home – 80 acres @ \$30.00 per acre.

Other Business: None

Appointments:

- 1.) CIRTPA – Transportation Policy – Howard Pothoven – term ending 12/31/2010
- 2.) CIRTPA – Transportation Policy (alternate) – Roger Schletzbaum – term ending 12/31/2010
- 3.) CIRTPA – Technical Committee – Roger Schletzbaum – term ending 12/31/2010
- 4.) CIRTPA – Technical Committee – (alternate) – Jay Davis – term ending 12/31/2010

Closed Session: None

Adjournment:

There being no other business, Kingery moved and Nichols seconded the meeting be adjourned at 9:43 A.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session November 30, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 1:00 P.M.

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

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

Agenda:

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

Other Business:

1.) Betty Moll, Marion County Central Point Coordinator, presented a briefing on the current staffing in her office. She is benefiting from an 18 hour a week part time position staffed by an individual from Experience Works. There was discussion if more staffing was required. Moll indicated she would pursue a possible extension with Experience Works. She does not desire to hire a new part time County employee at this time. The Board indicated they were not looking to add any additional staff to the County payroll. Nichols moved and Kingery seconded to end the discussion on agenda item #1.

2.) Missy Poffenbarger, Marion County Zoning, spoke with the Board about nuisance abatements. These often involve junkyards, but are potentially much more. These situations can arise on public and private property and can involve various departments within the County. Cory Frank, Environmental Health Director, commented the current Ordinances in place are OK but the County needs to establish consistent protocol. There was lengthy discussion with Poffenbarger, Frank, and Terry Rachels, Marion County Attorney, regarding possible scenarios. Ron Goemaat, Marion County Sheriff, cautioned about proceeding onto private property without proper cause. The departments will work together on a form and checklist to acquire the necessary information for Rachels to pursue legal action against necessary individuals. The departments will complete the investigation aspect and the attorney will then pursue the legal action. Nichols moved and Kingery seconded to end the discussion on agenda item #2.

Adjournment:

There being no other business, Nichols moved and Kingery seconded the meeting be adjourned at 2:03 P.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

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

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

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

Agenda:

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

Communications: None

Consent Agenda:

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

1. Approval of Regular Board of Supervisor Minutes – 11/09/09
2. Approval of Special Session Board of Supervisor Minutes – 11/13/09
3. Approval of 11/03/09 City Election Canvass Minutes – 11/09/09
4. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
5. Approval of Marion County Warrants #174791 - #175087 through November 23, 2009.
6. Approval of Marion County Conservation Dept warrants #174755 - #174789 through 11/17/09.
7. Approval of Work Beyond Right-of-Way Agreement with the Sec. Road Dept. and Jim Petersen.
8. Approval of Work Beyond Right-of-Way Agreement with the Sec. Road Dept. and Adam Krichau.

Public Hearings: Open – Chairman Pothoven

1.) Marion County Board of Supervisors – Notice is hereby given that Marion County, Iowa, Notice is hereby given to the affected property owners that Marion County, Iowa, is considering a bridge replacement and roadway improvement project on Hwy G40 west of Pleasantville, Iowa in Sections 16, 17, and 20, Township 76 North, and Range 21 West. In order to proceed with the project and commence the property acquisition for the project, Marion County will be required to fund the site specific design for the public improvement and to acquire or condemn if necessary the property needed as required by the Iowa Code. Roger Schletzbaum, Marion County Engineer, reviewed the proposed project. There was discussion with adjoining landowners about potential encroachments and inconveniences on their properties. Schletzbaum indicated the county intended on addressing each of these issues through the right-of-way acquisition process. There were no written comments received. There being no further comment, Nichols moved and Kingery seconded to close the public hearing.

Public Comments: None

Zoning Items: - None

Ordinances: - None

Resolutions:

1.) Nichols moved and Kingery seconded to approve Resolution 09/40 regarding outstanding warrants as follows:

Whereas, the Marion County's outstanding warrant list is showing a number of outdated warrants, a list of which is attached, and

Whereas, these checks have not been redeemed, and

Whereas, warrants from various funds date up to June 30, 2008,

Therefore Be It Resolved, that these checks be voided under the guidelines set forth by our software providers and the funds placed back in the fund balance in the amount shown.

2.) Kingery moved and Nichols seconded to approve Resolution 09/41 regarding process to lease the Marion County Care Facility cropland and pasture land for agricultural purposes as follows:

Whereas, the Marion County Board of Supervisors is desirous of leasing certain farm ground owned by Marion County, to wit: 83 acres, more or less, of cropland in Section 11 and Section 14, Township 75 North, Range 20 West of the 5th P.M.; and 80 acres, more or less, of pasture in Section 11 and Section 14, Township 75 North, Range 20 West of the 5th P.M.; and,

Whereas, a system of sealed bids and auction is deemed to be a fair and proper method by which to offer said land for lease;

Therefore, Be It Resolved By The Board that the following steps be taken:

1. Bidding shall be by sealed bids mailed or delivered to the Marion County Auditor's Office by 12:00 p.m. on 12/08/09; and opened on 12/08/09 at 1:00 p.m. in the Boardroom at the Marion County Courthouse.
2. The minimum bid for the cropland parcel is \$150 per acre.
3. The minimum bid for the pasture parcel is \$20 per acre.
4. The lease for each parcel is through 02/28/2015.
5. In the event there is more than one qualified bid on each parcel, the lease will be auctioned off to the highest bidder, said auction to be held in the Boardroom at the Marion County Courthouse at 1:00 p.m. on 12/10/09. The auction will be restricted to the six (6) highest sealed bidders for each parcel. The six (6) highest sealed bidders will be notified by telephone to attend the auction.
6. Each bidder invited to the auction must produce a cashiers check payable to Marion County in the amount of 10% of the annual rent bid. This will be applied to the first half rent for 2010-2011.

3.) Kingery moved and Nichols seconded to approve Resolution 09/42 regarding a bridge replacement and road improvement project on Hwy G40 as follows:

Whereas, Hwy G 40 is under the jurisdiction of Marion County and;

Whereas, a bridge on Hwy G 40 approximately 200 feet north of Indiana Drive is in need of repair and;

Whereas, Hwy G 40 has been designated a High Risk Rural Road by the FHWA and is therefore eligible for safety improvement funding to enhance the safety of the highway and;

Whereas, additional right-of-way is needed to replace the bridge and construct safety improvements on the highway and;

Whereas, federal funding is available through the FHWA to partially fund a project to replace the bridge;

Now Therefore, Be It Resolved, that a project to affect replacement of the bridge on Hwy G 40, construct certain safety improvements to the highway, including widening and realigning the roadway, and acquire the necessary Right-Of Way shall be initiated and the Board of Supervisors enter into a Federal Aide agreement with the Iowa Department of Transportation.

4.) Nichols moved and Kingery seconded to approve Resolution 09/43 regarding closing Marion County Bridge #41269050 on Vermont St east of County Road S-45 over the Union Pacific Railroad 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 inspection and analysis indicate bridge 41269050 is no longer capable of carrying a safe operating load;

Now Therefore, Be It Resolved, this 23rd day of November, 2009, that bridge 41269050 be closed and that proper signs and barricades shall be erected and maintained to post the closure until the bridge is repaired, reconstructed, or removed.

Other Business:

1.) After lengthy discussion, Nichols moved and Kingery seconded to approve an Agreement for Use of Local Agency Roads for Incident Management Temporary Detour Routes between Marion County and the Iowa Department of Transportation regarding the Highway 14 Mile Long Bridge.

2.) Kingery moved and Nichols seconded to approve entering into an Agreement to Participate in the Traffic Counting Program as an Owner with Marion County and the Central Iowa Regional Transportation Planning Alliance.

Appointments: None

Closed Session: None

Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session November 13, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:00 A.M.

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

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

Agenda:

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

Communications:

1.) Chairman Pothoven – Announced 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:

1.) Kingery moved and Nichols seconded to enter into Closed Session at 9:08 AM 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.

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

Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session September 9, 2009 for the purpose of canvassing the vote from the November 3, 2009, Regular City Elections for the County of Marion, Iowa. Present were Howard Pothoven, Sam L Nichols, and Jim Kingery.

Chairman Pothoven opened the special canvass at 10:30 A.M.

Auditor Jake Grandia announced there was 1 provisional ballot; 1 counted and 0 rejected for various reasons per Iowa Code. Jake Grandia, Marion County Commissioner of Elections, read the results for the September 8, 2009, Regular School Election to the Board.

Nichols moved and Kingery seconded to declare the canvass complete and certify the results of the election to the County Commissioner of Elections and the cities. Ayes: Pothoven, Kingery, Nichols

The following persons were elected at the November 3, 2009, Regular School Election:

City of Bussey:

Mayor – Larry Pinegar
Council At- Large – Randy Dunkin
Council At-Large – Stephanie D Sterner
Council At-Large (To Fill Vacancy) – Shantelle Thomas

City of Hamilton:

Mayor – Joshua Dykstra (write-in)
Council At-Large – Jody McCarty (write-in)
Council At-Large – Pat Silvers (write-in)
Council At-Large – Jerry Johnson (write-in)
Council At-Large – Geri Edgren (write-in)
Council At-Large – Curt Riseley (write-in)

City of Harvey:

Mayor – Dennis Seibert
Council At-Large – Charles Evans
Council At-Large – Martin Heaton
Council At-Large – Sheryl Kersey
Council At-Large – Libbie Miller
Council At-Large – Aaron Van Whye

City of Knoxville:

Mayor – Donald Zoutte Sr.
Council At-Large – Elsie M Kemp
Council At-Large – David Roozeboom
Council At-Large (To Fill Vacancy) – Carlyn Formanek
Council At-Large (To Fill Vacancy) – April Verwers

City of Marysville:

Mayor – Clifford Pettyjohn (Write-In)
Council At-Large – Bill Pinegar (Write-In)
Council At-Large – Annetta Roberts (Write-In)
Council At-Large – Mitzi Pettyjohn (Write-In)
Council At-Large – Corey Bakalar (Write-In)
Council At-Large – Robert Pinegar (Write-In)

City of Melcher-Dallas:

Mayor – Amos Spoon
Council At-Large – Barbara Verwers Van Wyk
Council At-Large – Adam Wadle

City of Pella:

Council At-Large – Mark De Jong

Council – Ward One – Dan L Vander Beek

Council – Ward Three – Bruce Schiebout

City of Pleasantville:

Mayor – Jason Anthony

Council At-Large – John Franey

Council At-Large – Jordan Van Ness

Council At-Large (To Fill Vacancy) – Aaron Hurt

Public Measure A - Failed

City of Swan:

Mayor – Steve Woods

Council At-Large – Stacy A Harding

Council At-Large - Sarah Heywood

Council At-Large – Russell Woods

Council At-Large – David Wright

Council At-Large – Bill Gobbel (Write-In)

Nichols moved and Kingery seconded the special canvass be adjourned.

The canvass was adjourned at 11:00 A.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chair Board of Supervisors

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

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

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

Agenda:

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

Communications: None

Consent Agenda:

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

1. Approval of Regular Minutes – 10/26/09
2. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
3. Approval of Marion County Warrants #174555 - #174753 through October 26, 2009.
4. Approval of Special Events Application for the Marion County Courthouse/Courtyard by the Knoxville Chamber of Commerce for Holiday Lighting/Decorations from 11/15/09 – 1/15/2010.

Public Hearings: Open – Chairman Pothoven

1.) Marion County Board of Supervisors – Notice is hereby given that Marion County, Iowa, is considering a bridge replacement project located south of Melcher in Section 35, Township 74 North, and Range 21 West, on Virginia Street. In order to proceed with the project and commence the property acquisition for the project, Marion County will be required to fund the site specific design for the public improvement and to acquire or condemn if necessary the property needed as required by the Iowa Code. Roger Schletzbaum, Marion County Engineer, reviewed the proposed project. There was lengthy discussion with adjoining landowners about possible options to allow good access for all the neighbors. There were no written comments received. There be no further comment, Nichols moved and Kingery seconded to close the public hearing.

Public Comments: None

Zoning Items: - None

Ordinances: - None

Resolutions:

1.) Kingery moved and Nichols seconded to approve Resolution 09/38 to authorize a bridge replacement project as follows:

Whereas, Virginia Street is under the jurisdiction of Marion County and;

Whereas, a bridge on Virginia Street approximately 700 feet west of 60th Avenue is in need of repair and;

Whereas, additional right-of-way is needed to replace the bridge and;

Whereas, federal funding is available through the FHWA to partially fund a project to replace the bridge;

Now Therefore, Be It Resolved, that a project to affect replacement of the bridge on Virginia Street approximately 700 feet west of 60th Avenue and acquire the necessary Right-Of Way shall be initiated and the Board of Supervisors enter into a Federal Aide agreement with the Iowa Department of Transportation.

2.) Nichols moved and Kingery seconded to approve Resolution 09/39 adopting speed limits on Business 92 west of Knoxville as follows:

Whereas, Whereas Marion County has undertaken a speed study on Business Highway 92 in Marion County and,

Whereas, Business 92 extends from the West Knoxville City Limits to the on and off Ramps of Highway 5/92, and

Whereas, this segment of road is partially in the City Limits of Knoxville and partially in Marion County,

Whereas, the city of Knoxville intends to reduce the speed limit from 118th Place east to 35 miles per hour and ,

Whereas, it is necessary to coordinate the speed zone in this area and ,

Whereas, the County Engineer has conducted a speed study in the area,

Now Therefore Be It Resolved that a maximum speed limit of 35 miles per hour be established on westbound Business 92 to 150 feet west of 118th Place and 45 miles per hour from 150 feet west of 118th Place to the state established speed limit on the west bound ramp to state highway 5/92 and 45 miles per hour on eastbound business 92 from 150 feet east of the county jurisdiction at the east end of the east bound ramp of highway 5/92 to 150 feet west of 118th Place and 35 miles per hour from 150 feet west of 118th Place to the west city limits of Knoxville and the County Engineer be directed to erect the appropriate signage.

Other Business:

1.) Nichols moved and Kingery seconded to approve a Memorandum of Understanding between Marion County and the Pershing Water Utility Corporation regarding a proposed sanitary sewer project in the Pershing/Attica area.

2.) Nichols moved and Kingery seconded to approve a renewal of Human Resources Agreement with HR-OneSource effective 02/01/2010 – 01/31/2011.

3.) Nichols moved and Kingery seconded to approve service rates for new Home and Community Based Services (HCBS) facility purchased by the Christian Opportunity Center, Pella, IA. Rates are available in the Central Point Coordinator's Office.

Appointments: None

Closed Session: None

Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

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

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

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

Agenda:

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

Communications: None

Consent Agenda:

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

1. Approval of Regular Minutes – 10/12/09
2. Approval Special Board Minutes – 10/12/09
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Warrants #174332 - #174547 through October 26, 2009.
5. Approval of Work Beyond Right-of-Way Agreement with the Secondary Road Department and Danny Keuning.
6. Approval of Work Beyond Right-of-Way Agreement with the Secondary Road Department and Craig Greene.
7. Approval of Work Beyond Right-of-Way Agreement with the Secondary Road Department and Steven Guiter.
8. Approval of Work Beyond Right-of-Way Agreement with the Secondary Road Department and Stan Poortinga.
9. Approval of Special Events Application for the Marion County Courthouse/Courtyard by the Knoxville Chamber of Commerce for an event titled Living Windows/Lighted Parade – Santa House on courtyard 11/19/09.

Public Hearings: None

Public Comments: None

Zoning Items: - None

Ordinances: - None

Resolutions:

1.) Nichols moved and Kingery seconded to approve Resolution 09/36 to execute and administer a contract with Calhoun and Burns to prepare the contract documents for a project to replace bridge #41358500 over the Union Pacific Railroad on Virginia Street between 60th Avenue and County Road S-45 as follows:

Whereas, Marion County has a bridge on Virginia Street between 60th Avenue and County Road S-45, bridge number 41358500 over the Union Pacific Railroad, and;

Whereas, this bridge is of an age and condition that it is in need of replacement and;

Whereas, preliminary design has been completed on a project to replace the bridge and;

Whereas, final design documents are needed to let the project through the IDOT,

Now Therefore, Be It Resolved the Board of Supervisors authorizes the County Engineer to execute and administer a contract with Calhoun and Burns to prepare the contract documents for a project to replace bridge 41358500.

2.) Kingery moved and Nichols seconded to approve Resolution 09/37 authorizing the Marion County Accrued Vacation Policy effective January 01, 2010 as follows:

Whereas, the Marion County Board of Supervisors recognize employees' need for rest and relaxation, and

Whereas, Marion County grants vacation with pay to recognize eligible employees' length of service and to show appreciation by providing time off with pay; and

Now Therefore be it Resolved by the Board of Supervisors of Marion County, Iowa that the following Marion County Policy on accrued vacation is hereby adopted and approved.

Eligibility

Full-time employees accrue vacation based on continuous years of service based on their date of hire according to the following schedule:

Anniversary of Continuous Service	Bi-Weekly Accrual Rate* (Based on Workweek)		
	Days	37.5 hour	40 hour
New Employee ** to 2 nd Anniversary	5	1.57 hours	1.67 hours
At 2 nd Anniversary	10	3.13	3.34
At 7 th Anniversary	15	4.69	5.00
At 14 th Anniversary	20	6.25	6.67
At 25 th Anniversary	25	7.81	8.34

* Calculated on the basis of 24 pay periods.

** New employees begin accruing immediately upon employment, but will not be eligible to take vacation during the first six (6) months of employment.

Regular Part-time Employees will accrue vacation at the rate of .01923 hours for each hour worked.

Computing Vacation Pay

Vacation pay will be computed by multiplying the employee's straight time hourly rate by the appropriate number of hours.

Vacation Scheduling and Carryover

Employees may take accrued vacation at any time subject to the work requirements of the employee's department and his/her Department Head's approval. Department Heads may require the scheduling of vacation time when necessary for the efficient operation of the department, and may limit the number of employees using vacation during a particular time. Vacation is normally taken in weekly increments, but Department Heads may approve vacation taken in daily or hourly increments.

An employee may carry over an amount not to exceed vacation hours he/she is eligible to accrue in a respective anniversary year (Please see Anniversary of Continuous Service schedule in table above).

In addition, if an employee is prevented from taking scheduled vacation because of unusual circumstances or demands experienced by the County, the employee may carry over the scheduled accrued vacation to the extent of the period of delay.

Vacation Pay upon Termination

Upon retirement, resignation or termination from County service, employees shall be paid for all unused accrued vacation.

Be It Further Resolved that Marion County begin using the accrued vacation policy effective January 1, 2010.

Be It Further Resolved the Marion County Policy on accrued vacation be added to the Marion County Employee Handbook.

Other Business:

1.) Nichols moved and Kingery seconded to approve updating/revising the Marion County Employee Handbook effective January 01, 2010 as presented by the Human Resources Department.

2.) Tom Connor, US Census Bureau, asked the Board to participate in promoting participation by Marion County residents in the 2010 Federal Census. The Board discussed the issues and expectations involved and indicated they would be willing to pursue the issue.

3.) Barb Adam, Marion County Care Facility Director, presented the Board with construction options to refurbish the bathroom facilities in the workshop portion of the building to accommodate Day Habilitation activities. Nichols moved and Kingery seconded to approve the low bid of Roberts Construction Services. The quotes were as follows:

a.) Roberts Construction Services - \$3,051.20

b.) Ealy Home Improvement - \$4,960.00

4.) Cory Frank, Marion County Environmental Health Director, presented an overview of the current sanitary sewer situation in the Perching/Attica communities. He indicated there was a strong desire by the local residents to address the inadequacies of the present systems in place. A citizen committee has been formed to look into the situation and try to formulate options to improve the situation. Ann Rice, citizen committee member, asked the Board to assist the local residents in improving the situation by obtaining a preliminary engineering report. The report is required to pursue special grant funding. Rice also indicated contact has been made with Central Iowa Rural Water and they were interesting in being part of the project. Dwayne Mortenson, Pershing Public Utility, indicated the Utility was willing to fund the engineering study for \$11,000.00. There was then discussion on necessary agreements to facilitate this situation. Agreements were to be drafted and submitted to the Marion County Attorney for review. Kingery moved and Nicholas seconded to end discussion on item #4.

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

- 1.) Marion County Co-Medical Examiner – Dr. Matt Doty
- 2.) Marion County Deputy Medical Examiner – Dr. Rob Bruxvoort
- 3.) Marion County Deputy Medical Examiner – Dr. Mitchell Blom
- 4.) Marion County Deputy Medical Examiner – Dr. Craig Wittenberg
- 5.) Marion County Deputy Medical Examiner – Dr. Danielle Clark
- 6.) Marion County Deputy Medical Examiner – Dr. Spencer Carlstone
- 7.) Marion County Deputy Medical Examiner – Dr. Galyn Vande Zante
- 8.) Marion County Deputy Medical Examiner – Dr. John Kanis
- 9.) Marion County Deputy Medical Examiner – Dr. Nancy Vander Broek
- 10.) Marion County Deputy Medical Examiner – Dr. David Fredrickson
- 11.) Marion County Deputy Medical Examiner – Dr. Richard Posthuma
- 12.) Marion County Deputy Medical Examiner – Dr. Anne Hellbusch
- 13.) Marion County Deputy Medical Examiner – Dr. Kevin Mace
- 14.) Marion County Deputy Medical Examiner – Dr. Todd Treimer

Closed Session: None

Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

I. Call to Order: The Marion County Board of Supervisors met for a special session on October 12, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 1:00 P.M.

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

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

II. Agenda:

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

III. Other Business:

1. Monthly departmental updates:
 - a. Ron Goemaat – Sheriff
 - i. A pod – Wire mesh webbing needs to be replaced. Options are being pursued.
 - ii. Open deputy position has received 35 applicants.
 - b. Betty Moll - CPC
 - i. Potential closing of 1 of 4 MHI facilities in Iowa due to budget cuts. Mount Pleasant MHI is a strong possibility. Traveling to a meeting on 10/26/09 in Mt. Pleasant.
 - c. Mike Kuhn – Veteran’s Affairs / General Relief
 - i. GA – budget is holding
 - ii. VA – working on transportation plan due to VA ending services. Trying to incorporate multiple organizations and volunteers.
 - d. Betty Moll – CPC
 - i. Commitments – volume increasing – especially clients just turning 18
 - ii. Part time administrative help – Experience Works 18-20 hrs/wk
 - e. Denise Emal – Treasurer
 - i. September tax collections are balanced
 - f. Melissa Poffenbarger – Zoning
 - i. Continuing to work with Kathleen Connor, Snyder & Assoc., on zoning and subdivision ordinance drafts. Focus is on Zoning portion of ordinances first. A first draft may be available by the end of the year.
 - ii. Receiving more clean-up issue complaints. She would strongly encourage passing some enforcement ordinances.
 - g. Dave Hansen – Human Resources
 - i. Completing policy updates and updated handbook approval
 - ii. Completing work comp inspection visit follow-up.
 - h. Ron Goemaat – Sheriff
 - i. McGinnis trial conviction – First degree murder
 - ii. Accepting applications for Deputy Sheriff
 - i. Kim Dorn – Public Health
 - i. H1N1 concerns – meetings, plans, communications
 - ii. Transportation concerns – requesting a meeting with RRACAP
 - j. Jeff Anderson – Emergency Management
 - i. Continuing to facilitate Attica Firestation Project
 - ii. Hosting NIMS certification classes
 - iii. Completed 6 employee fire extinguisher training classes
 - iv. Train Track – input data into new tracking device for training/certificates
 - k. Cory Frank – Environmental Health
 - i. Tracy Sewer Project – no new information – following up with info request from Randy Pleima, Mahaska Rural Water
 - ii. Pershing/Attica – Sewer project meetings taking place with community and Central Iowa Water. There is some grant money available and may require approximately \$10,000 in initial engineering fees. Will proceed with caution as wait for discussion with Pershing Water Utility.

IV. Adjournment:

- 1.) Nichols moved and Kingery seconded to close the meeting at 1:55 P.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chair Board of Supervisors

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

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

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

Agenda:

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

Communications: None

Consent Agenda:

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

1. Approval of Minutes – 09/28/09
2. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
3. Approval of Marion County Warrants #174034 - #174291 through October 12, 2009.
4. Approval of Work Beyond Right-of-Way Agreement with the Secondary Road Department and Bill Carter.
5. Approval of Special Events Application for the Marion County Courthouse/Courtyard by the Knoxville Chamber of Commerce for an event titled Living Windows on 11/19/09.
6. Approval of Special Events Application for the Marion County Courthouse/Courtyard by Lauren Van Gorp dba Talepiece Photos for an event titled Fall Pictures on the Square on 10/24/09.

Public Hearings: Open – Chairman Pothoven

1.) Marion County Board of Supervisors – Notice of intent to acquire private property for a proposed public improvement project to replace a bridge on Oregon Drive southeast of Knoxville, Marion County, Iowa in Section 19, Township 75 North, Range 18 West. Jay Davis, Marion County Engineer's Office, briefed the Board on the project. There were no written comments received by the Marion County Auditor or Engineer's Office. There being no further public comments, Nichols moved and Kingery seconded to close that segment of the public hearing.

2.) Board of Supervisors - The Marion County Board of Supervisors, acting under the authority of Chapter 309, Code of Iowa, proposes to reclassify to a service level C a segment of Marion County Secondary Road, described as follows: A segment of road known locally as 118th. Ave. located in Sections 23 & 26, Township 75N, Range 20W of the 5th. PM, commencing at a point approximately 400 feet south of the center of Nixon St. thence south approximately 7,340 feet. Steve McCombs, Marion County Engineer's Office, briefed the Board on the proposed reclassification. The change will include gates being erected on both ends of the reclassified road. Rick Silvers and Gib Dean, adjoining landowners, voiced support for the reclassification. There were no written comments received by the Marion County Auditor or Engineer's Office. There being no further public comments, Nichols moved and Kingery seconded to close that segment of the public hearing.

3.) Board of Supervisors - Public Hearing notice regarding the matter of vacating all or part of certain road rights-of-way as existing, in Marion County, Iowa and subject to the rights of ingress and egress of any and all existing utilities, being more particularly described as: A segment of road known locally as Pioneer St. and established at 66 feet wide in September of 1854 as Road No. 121 and recorded in Road Record Book No. 1, page 187. More particularly being described as commencing at a point 33 feet west of the NE corner of the SE 1/4 of the SE 1/4 of Section 29, Township 75N, Range 21W of the 5th. PM and also represented as the west right-of-way line of a road currently known as 30th. Ave. thence west for an approximate distance of 2300 feet. Steve McCombs, Marion County Engineer's Office, briefed the Board on the proposed road vacation. McCombs indicated there were easements in place for all the adjoining landowners to have access to their respective properties. There were no written comments received by the Marion County Auditor or Engineer's Office. There being no further public comments, Nichols moved and Kingery seconded to close that segment of the public hearing.

Public Comments: None

Zoning Items: - None

Ordinances: - None

Resolutions:

1.) Kingery moved and Nichols seconded to approve Resolution 09/33 to initiate a replacement of a bridge on Oregon Drive as follows:

Whereas, Oregon Drive is under the jurisdiction of Marion County and;

Whereas, a bridge on Oregon Drive approximately 700 feet west of 192nd Place is in need of repair and;

Whereas, additional right-of-way is needed to replace the bridge and;

Whereas, federal funding is available through the FHWA to partially fund a project to replace the bridge;

Now Therefore, Be It Resolved, that a project to affect replacement of the bridge on Oregon Drive approximately 700 feet west of 192nd Place and acquire the necessary Right-Of Way shall be initiated and the Board of Supervisors enter into a Federal Aide agreement with the Iowa Department of Transportation.

2.) Kingery moved and Nichols seconded to approve Resolution 09/34 to change the classification to a Level "C" on a segment of road locally known as 118th Ave. as follows:

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

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

Whereas, the County desires that the following road be classified as an Area Service "C" road; and

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

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

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

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

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

Therefore, Be It Resolved By The Board of Supervisors of Marion County that the following described road in Marion County is hereby established as Area Service "C" with restricted access and a minimal level of maintenance.

A segment of road known locally as 118th Ave. located in Sections 23 & 26, Township 75N, Range 20W of the 5th PM, commencing at a point approximately 400 feet south of the center of Nixon St. thence south approximately 7,340 feet.

3.) Nichols moved and Kingery seconded to approve Resolution 09/35 to vacate a segment of Pioneer St. as follows:

Whereas, a public hearing was held at 9:30 AM on the 12th. day of October, 2009, in the office of the Marion County Board of Supervisors and,

Whereas, it being in the best interest of Marion County to vacate the segment(s) of road as advertised and,

Whereas, the segment(s) to be vacated are described in further detail below,

Now therefore be it resolved that, subject to the rights of ingress and egress of any and all existing utilities, A segment of road known locally as Pioneer St. and established at 66 feet wide in September of 1854 as Road No. 121 and recorded in Road Record Book No. 1, page 187. More particularly being described as commencing at a point 33 feet west of the NE corner of the SE 1/4 of the SE 1/4 of Section 29, Township 75N, Range 21W of the 5th. PM and also represented as the west right-of-way line of a road currently known as 30th. Ave. thence west for an approximate distance of 2300 feet.

Be hereby vacated

Other Business:

1.) Nichols moved and Kingery seconded to approve renewing a contract with Mary Greeley Medical Center for mental health and substance abuse services effective 07/01/09.

2.) Craig Metcalf, Pleasantville Memorial Hall Commissioner, briefed the Board on the City of Pleasantville's City Election Public Measure to begin levying for maintenance and remodeling the Pleasantville Memorial Hall. The City of Pleasantville has had an engineering study done on the building. The Commissioners have organized an Advisory Committee to help facilitate the proposed repairs and modifications. The Board discussed immediate repair needs required on the building and future responsibilities. Metcalf agreed to acquire cost estimates for repairing the roof and to also communicate with the City of Pleasantville regarding their plans, or wishes, for the building. Nichols moved and Kingery seconded to end the discussion on the agenda item.

Appointments: None

Closed Session: None

Adjournment:

There being no other business, Kingery moved and Nichols seconded the meeting be adjourned at 10:22 A.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session September 28, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

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

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

Agenda:

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

Communications: None

Consent Agenda:

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

1. Approval of Minutes – 09/14/09
2. Approval of Special Session Minutes – 09/14/09
3. Approval of September 11, 2009 School Board Election Canvass Minutes – 09/11/09
4. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
5. Approval of Marion County Warrants #173872 - #174033 through September 28, 2009.
6. Approval of Marion County Conservation Dept claims #173834 - #173871 through September 15, 2009.

Public Hearings: Open – Chairman Pothoven

1.) Marion County Board of Supervisors – Marion County Book of Ordinances Chapter 70 (new) – Tracy Sewer Use. This ordinance defines and regulates the use of public sewer, building sewers and building drains, onsite systems, private sewage disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer; and providing penalties for violations thereof: In the public sewer service area, owned and operated by Mahaska Rural Water , Oskaloosa, Iowa. Cory Frank, Environmental Health Director, presented an overview of the Tracy Sewer Project and the requirement for the proposed new ordinance. Frank stated this sewer ordinance was for the Tracy area project only and not the entire county. There were no written comments received by the Marion County Auditor or Environmental Health Office. There being no further public comments, Nichols moved and Kingery seconded to close the public hearing.

Public Comments: None

Zoning Items: - None

Ordinances: -

1.) Nichols moved and Kingery seconded to approve the 1st reading of the proposed Marion County Ordinance Chapter 70 – Tracy Sewer Project defining and regulating the use of public sewer, building sewers and building drains, onsite systems, private sewage disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer; and providing penalties for violations thereof: In the public sewer service area, owned and operated by Mahaska Rural Water , Oskaloosa, Iowa.

2.) Nichols moved and Kingery seconded to waive the 2nd and 3rd reading of the proposed Marion County Ordinance Chapter 70 - Tracy Sewer Project and take final action on approving Marion County Ordinance Chapter 70 – Tracy Sewer Project. The ordinance will be official upon final publication.

Resolutions:

1.) Nichols moved and Kingery seconded to approve Resolution 09/29 an agreement to erect, maintain, and operate plants and systems for sanitary sewer services regarding the Tracy Sewer Project as follows:

THIS AGREEMENT made and executed on this 28th of September, 2009, by and between Mahaska Rural Water System (hereinafter referred to as "MRWS") and the Board of Supervisors of Marion County, Iowa (hereinafter referred to as "County").

WITNESSETH:

WHEREAS, MRWS is organized and established under the provisions of Chapter 331, Code of Iowa, is authorized to erect, maintain and operate plants and systems for sanitary sewer services; and

WHEREAS, the County desires to enter into an agreement with MRWS to provide sanitary services for the residents of the unincorporated town of Tracy, Iowa; and

WHEREAS, the County has applied to the Iowa Department of Economic Development for financial assistance from the Community Development Block Grant Program, and MRWS has made application for loans and grants from the United States of America acting through the Rural Development, United States Department of Agriculture (hereinafter referred to as "RD") for the construction of plants and systems for sanitary sewer services; and

WHEREAS, the parties desire to enter into a joint agreement as authorized by Chapter 28E, Code of Iowa, with respect to the financing, construction, operation and maintenance of such service facilities; and

WHEREAS, by Resolutions adopted by the parties hereto, the provisions of this agreement have been approved by the members of the Board of Supervisors of the County and the Board of Directors of MRWS, and the execution of this agreement duly authorized.

NOW, THEREFORE, IT IS AGREED:

Section 1. PURPOSE. The purpose of the agreement is to set forth the terms and conditions under which the parties will obtain the necessary funding and do any and all things necessary for the erection, maintenance and operation of plants and systems necessary for sanitary sewer services including the collection, treatment and disposal of sewage and liquid waste (the "Project").

Section 2. ADMINISTRATOR. No separate legal or administrative entity shall be established in order to administer this agreement or the Project. MRWS is hereby designated as administrator for the joint or cooperative undertaking as required by Section 28E.6, Code of Iowa.

Section 3. FINANCIAL OBLIGATIONS. Subsequent to the execution of this agreement, the County shall proceed to obtain Community Development Block Grant ("CDBG") funds and MRWS shall attempt to procure loan and grant commitments from RD for the construction of the Project. MRWS agrees to expend funds received in accordance with the terms and conditions of any such agreements and commitments.

Section 4. PROFESSIONAL SERVICE AGREEMENTS. The County does hereby empower MRWS to proceed forthwith to engage the services of a grant administrator, an architect/engineer and attorney, and to adopt plans and specifications for the construction of the Project in accordance with all federal, state and local laws and regulations.

Section 5. OWNERSHIP AND OPERATION OF SYSTEM. Unless otherwise agreed, plants and systems for providing sanitary sewer services, any and all easements and real estate, and all improvements thereto which as acquired, constructed, or installed for the Project shall become and remain the property of MRWS. Once constructed, it shall be the duty of MRWS to operate and maintain the entire sanitary sewer system, including the collection, treatment and disposal of sewage and liquid waste.

Section 6. PROPERTY ACQUISITION. The County and MRWS agree to acquire all real estate necessary to construct, operate and maintain the plants and systems for sanitary sewer services. It is understood and agreed that all real property and easements shall be held in the name of MRWS as authorized by Section 28 E.6 (2), Code of Iowa, and the County agrees to take such action as may be required from time to time for such purpose.

Section 7. CONSTRUCTION. MRWS shall cause contracts to be let in accordance with all state, CDBG and RD requirements to construct the Project. In the event the amounts of the lowest responsible bids received for construction of the Project, plus the estimated cost of Professional services and reasonable reserve for contingencies exceed the balance of the funds committed to the construction, MRWS shall have the right and option to reject any such bids and upon agreement by all the parties, the Projects shall be redesigned as so the keep the maximum cost of the project at less than the total of funds committed.

Section 8. USE OF SYSTEM. The County agrees to adopt and enforce such ordinances as may be required to regulate the use of the entire sanitary sewer system, including but not limited to the installation and connection of building sewers, the discharge of water and waste into the system, mandatory connections to the system and provide penalties for violation thereof.

Section 9. FEES AND CHARGES. As long as this agreement is in effect, MRWS shall establish rates or charges to consumers of the services of the sanitary sewer system sufficient in each year for the payment of the proper and reasonable expenses of the operation and maintenance of the sanitary sewer system and for the payment of principal and interest on any bonds or other obligations issued to pay for initial construction and subsequent improvements to the sanitary sewer system as the same fall due and to provide for the creation of reserves as required by said obligations. Net revenues shall be maintained at a level sufficient to satisfy sound operations and borrowing practices.

Section 10. DURATION. This agreement shall become effective from and after the date on which it is recorded with the Iowa Secretary of State and Country Recorder, and shall continue in effect until terminated in the manner hereinafter provided.

Section 11. TERMINATION. MRWS shall have the right to terminate this agreement at any time prior to the award of the construction contracts by serving a written notice of its intent to withdraw and terminate on the County. In the event of any such termination by MRWS, each party shall be responsible for the payment of its own expenses and shall be entitled to retain the real and personal property acquired in their respective names. Termination for any other reason shall constitute a default in the performance of the terms and conditions of this agreement.

Section 12. DEFAULT. If either party fails to timely perform any term or condition of this agreement, the other party shall have the right and option to terminate this agreement and the defaulting party agrees to assume all outstanding indebtedness and reimburse the other for any expenses incurred in connection with the performance of this agreement, including attorney fees and cost

relating to the enforcement hereof. The parties shall also be entitled to utilize any and all other remedies or actions at law or in equity available to them.

Section 13. ASSIGNMENT. The County does hereby consent to and authorizes MRWS to assign and transfer its interest in this agreement, all property interests, whether real or personal, and all facilities to be constructed hereunder to any successor in interest or to the RD, or any other lender, as collateral security for present or future loans.

Section 14. RD APPROVAL. As the construction of the Project is in part being financed by a loan or loans made or insured by, and/or a grant or grants from RD, the provisions hereof pertaining to the undertakings of MRWS are conditioned upon the approval of the State Director of RD.

Section 15. TIME IS OF THE ESSENCE. Time is of the essence in this contract.

Section 16. SEVERABILITY. If any one or more of the provisions of this agreement are declared unconstitutional or contrary to law, the validity of the remainder thereof shall not be thereby affected.

2.) Kingery moved and Nichols seconded to approve Resolution 09/30 restricting non-service animals in the Marion County Courthouse as follows:

For the protection of the employees of Marion County and the general public, the Marion County Board of Supervisors will allow service animals only in the Marion County Courthouse, and

Now, Therefore Be It Resolved by the Board of Supervisors of Marion County, Iowa that Marion County employees and the general public are prohibited from bringing pets or other non –service animals into the Courthouse.

3.) Nichols moved and Kingery seconded to approve Resolution 09/31 to amend Resolution 09/27 regarding training provided to Marion County Medical Examiner Investigators as follows:

Whereas, the County will provide funding for specialized education (typically a 5 day training course in St. Louis) for Medical Examiner Investigators (MEI) appointed by the Marion County Medical Examiner, and

Whereas, the County previously approved Marion County Resolution 09/27 authorizing funding reimbursement of Medical Examiner Investigator education expenses, and

Whereas, the Marion County Board of Supervisors desire to amend the language of Resolution 09/27 as follows:

Original language to be amended: if an investigator ceases to provide services to the County within the first three years from the appointment date, he/she will be required to sign an agreement to reimburse the County for the cost of the training on the following basis.

Amended language: the start time, for the reimbursement policy to Marion County if a Medical Examiner Investigator terminates their services, begins when the Investigator earns a course completion certificate from the Medicolegal Death Investigator Training course.

Now, Therefore Be It Resolved, By The Board Of Supervisors Of Marion County, Iowa, if an investigator ceases to provide services to the County within the first three years from when the Investigator earns a course completion certificate from the Medicolegal Death Investigator Training course, they will be required to reimburse the County for the cost of the training on the following basis:

Within the first year:	75% of the cost of training
Within the second year:	50% of the cost of training
Within the third year:	25% of the cost of training

4.) Nichols moved and Kingery seconded to approve Resolution 09/32 regarding reimbursement for initial equipment acquisition costs by Marion County Medical Examiner Investigators as follows:

Whereas, the County will provide funding for specialized education (typically a 5 day training course in St. Louis) for Medical Examiner Investigators (MEI) appointed by the Marion County Medical Examiner, and

Whereas, the approved Marion County Medical Examiner Investigators will require certain equipment for fulfilling the duties of Medical Examiner Investigator in Marion County, Iowa, and

Whereas, the Marion County Board of Supervisors desire to provide up to \$50.00 in financial assistance to each approved Medical Examiner Investigators for initial acquisition costs of necessary equipment to fulfill the duties of Medical Examiner Investigator, and

Now, Therefore Be It Resolved, By The Board Of Supervisors Of Marion County, Iowa, a one time reimbursement not to exceed \$50.00 to any approved Marion County Medical Examiner Investigator for initial acquisition costs of necessary equipment to fulfill the duties of Marion County Medical Examiner Investigator upon providing appropriate copies of invoices for the acquisitions to the Marion County Board of Supervisors.

Other Business:

1.) Kingery moved and Nichols seconded to approve making a request to the Iowa Department of Economic Development to extend the closeout date of the Community Development Block Grant (CDBG) sanitary sewer installation project for the unincorporated community of Tracy, Iowa, and to give authorization to Chairman Pothoven to submit the appropriate correspondence.

2.) Nichols moved and Kingery seconded to approve one request from the Department of Human Services that meet the criteria as outlined in Chapter 427.9 for suspension of taxes. Parcels as follows:

a.) 12582-005-00

3.) Nichols moved and Kingery seconded to approve the winning bids from the Marion County equipment auction of September 24, 2009. The complete list of winning bids is available at the Marion County Engineer's Office.

4.) Kingery moved and Nichols seconded to approve the Marion Co. General Assistance and Veteran's Affairs burial guidelines as follows:

- a.) \$1,500.00 – Funeral Service
- b.) \$300.00 – Opening and Closing of Grave
- c.) \$150.00 – Grave Space (unless other wise provided for)
- d.) \$650.00 – Maximum allowed for infants one (1) year and younger
- e.) \$600.00 – Cremation

5.) Nichols moved and Kingery seconded to approve the Marion Co. General Assistance and Veteran's Affairs assistance guidelines as follows:

- a.) Food Voucher: \$90.00 – Family of Three
 \$15.00 – Each Additional Family Member
 \$125.00 – Maximum per Family
- b.) Rent Payments: \$275.00 – Without Utilities Included
 \$300.00 – With Utilities Included. No deposits will be paid and only current rent.
- c.) Utility Payments: \$200.00 – Max. or current months bill. No deposits, reconnects, or back bills.
- d.) Transportation: \$20.00 – Gas for Medical, Job Interview, etc.
 \$200.00 – One Way Bus Fare for Transients.
- e.) Medical: \$75.00 – Per Prescription Drug (pre-approved)
 \$50.00 – Dental (Emergency Extractions Only)
 \$200.00 – Eye Exam and Glasses
 \$150.00 – Ambulance Service
 \$500.00 – ER Room Visit (must be approved within 30 days)
 \$50.0 – Office Calls (for referrals to UIHC)
 \$100.00 – X-rays

Appointments: None

Closed Session: None

Adjournment:

There being no other business, Kingery moved and Nichols seconded the meeting be adjourned at 10:00 A.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

I. Call to Order: The Marion County Board of Supervisors met for a special session on September 14, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 1:00 P.M.

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

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

II. Agenda:

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

III. Other Business:

1. Monthly departmental updates:

- a. Missy Poffenbarger – Zoning
 - i. E911 – Change in addresses to North T15
 - ii. Continuing to work with Snyder and Associates
- b. Karen Schwanebeck - Recorder
 - i. Issuing hunting licenses – deer / turkey
 - ii. New server online – nearly complete on repairs/new installations from lightning damage.
 - iii. Office will be closed 9/15/09 – 2:00-3:30 for DNR webinar
- c. Mike Kuhn – Veteran’s Affairs / General Relief
 - i. GA – many new clients – younger people
 - ii. GA - Attending meeting in Pella – Ministerial Association
 - iii. VA – training on new requirements
- d. Betty Moll – CPC
 - i. Commitments – volume increasing – especially clients just turning 18
 - ii. Part time administrative help – Experience Works 18-20 hrs/wk
- e. Cory Frank – Environmental Health
 - i. Tracy Sewer Project – preparing ordinance and resolution
 - ii. Tracy Sewer Project – pursuing information and update from Randy Pleima, Mahaska Rural Water
 - iii. Attica/Pershing – continuing meetings regarding potential sewer project for area
 - iv. Marysville – pursuing resolution through the Board of Health
- f. Kim Dorn – Public Health
 - i. Many upcoming meetings – pandemic flu, empowerment
 - ii. Elderly Nutrition audit
 - iii. H1N1 vaccines due in October
- g. Jeff Anderson – EMA
 - i. Annual review approved
 - ii. Attica fire station rebuild – assessing status of project
 - iii. Interoperable Radio Grant progressing
- h. Ron Goemaat – Sheriff
 - i. McGinnis trial conviction – First degree murder
 - ii. Accepting applications for Deputy Sheriff
- i. Jake Grandia – Auditor
 - i. 2009 School Election complete

IV. Adjournment:

- 1.) Nichols moved and Kingery seconded to close the meeting at 1:41 P.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session September 14, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

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

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

Agenda:

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

Communications: None

Consent Agenda:

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

1. Approval of Minutes – 08/24/09
2. Approval of Special Session Minutes – 09/01/09
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Warrants #173483 - #173829 through September 14, 2009.
5. Approval of Work Beyond Right-of-Way Agreement between the Secondary Road Dept. and Lauren Vander Molen.
6. Approval of Work Beyond Right-of-Way Agreement between the Secondary Road Dept. and Ron Gee.

Public Hearings: None

Public Comments: None

Zoning Items: - None

Ordinances: - None

Resolutions: - None

Other Business:

1.) Nichols moved and Kingery seconded to approve the quotes to repair the entryway at the Bussey Memorial Hall as follows:

- a.) Concrete work – J & B Concrete Inc. - \$5,335.00
- b.) Metal work – Isley Welding & Repair - \$1,550.80

2.) Nichols moved and Kingery seconded to approve a Scope of Services and Fee Proposal from Public Financial Management (PFM) to develop financial capital planning models on behalf of Marion County for a total cost not to exceed \$3,000.00

3.) Kingery moved and Nichols seconded to approve a Special Events Application for the Marion County Courthouse or Courtyard by the Knoxville Chamber of Commerce for a Knoxville Chamber Christian Music Concert on September 24, 2009 on the Band Stand with special permission to have the bathrooms open from 6:30 pm until 9:30 pm.

Appointments: None

Closed Session: None

Adjournment:

There being no other business, Kingery moved and Nichols seconded the meeting be adjourned at 9:38 A.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session September 11, 2009 for the purpose of canvassing the vote from the September 8, 2009, Regular School Elections for the County of Marion, Iowa. Present were Howard Pothoven and Jim Kingery. Sam L. Nichols was excused.

Chairman Pothoven opened the special canvass at 9:20 A.M.

Auditor Jake Grandia announced there were 2 provisional ballots; 2 counted and 0 rejected for various reasons per Iowa Code. Chairperson Pothoven read the results for the September 8, 2009, Regular School Election.

Kingery moved and Pothoven seconded to declare the canvass complete and certify the results of the election to the County Auditor and the school districts. Ayes: Pothoven, Kingery. Absent: Nichols

The following persons were elected at the September 8, 2009, Regular School Election:

Knoxville Community School District:

Board Member At-Large – Mark Mahoney

Board Member At-Large – Stephanie Vickroy

Melcher-Dallas Community School District:

Board Member At-Large – Ann K Fee

Board Member At-Large – Shane E Ripperger

Pella Community School District:

Director District #1 – Joy Flinchum

Director District #2 – Joan M Corbin

Board Member At-Large – Gregg Gustafson

Pleasantville Community School District:

Board Member At-Large – Jenny Hilsabeck

Board Member At-Large – Kenny Sutter

Twin Cedars Community School District:

Director District #3 – Steve Gilkerson

Board Member At-Large – Deborah Haselhuhn

Public Measure A - Approved

Pothoven moved and Kingery seconded the special canvass be adjourned. Ayes: Pothoven, Kingery. Absent: Nichols

The canvass was adjourned at 9:40 A.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chair Board of Supervisors

The Marion County Board of Supervisors met in special session September 1, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:00 A.M.

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

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

Agenda:

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

Communications:

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

Consent Agenda: None

Public Hearings: None

Public Comments: -None

Zoning Items: - None

Ordinances: - None

Resolutions: - None

Closed Session:

1.) Nichols moved and Kingery seconded to enter into Closed Session at 9:05 AM 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.

2.) Nichols moved and Kingery seconded to reconvene from Closed Session at 10:55 AM.

Other Business:

1.) Pothoven briefed the Board on the status of the Medical Examiner Investigators in the County. Three of the appointed individuals have completed the training course in St. Louis. The County will be turning in the paperwork for the grant for one of the participants. Pothoven indicated he would like to pursue a doctor in the Pella area to act as Co-Medical Examiner to assist in reviewing and signing the MEI reports. He would further like to appoint a few of the other doctors in the area to serve as back-ups for the review process. He would also like to amend the MEI Training Resolution due to a language change in the starting time of the policy. Pothoven then proposed the Board consider a payment policy for the ME services of \$200 for the MEI report and \$50 for the ME review of the report. The final thing he proposed was to grant each new MEI a sum of \$50 to purchase equipment and a bag for their services. The Board may consider these options in a future meeting.

Appointments: None

Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session August 24, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

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

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

Agenda:

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

Communications: None

Consent Agenda:

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

1. Approval of Minutes – 08/10/09
2. Approval of Special Session Minutes – None
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Warrants #173307 - #173478 through August 24, 2009.
5. Approval of Marion County Conservation Warrants #173262 - #173306 through August 18, 2009.
6. Approval of Work Beyond Right-of-Way Agreement between the Secondary Road Dept. and Richard Silvers.
7. Approval of Work Beyond Right-of-Way Agreement between the Secondary Road Dept. and Chris Clingman.
8. Approval of Work Beyond Right-of-Way Agreement between the Secondary Road Dept. and Gib Dean.

Public Hearings: None

Public Comments:

1.) John Nichols – Bussey Memorial Hall Commissioner, requested the Board consider quotes to repair the concrete sidewalk and entrance to the Bussey Memorial Hall. Nichols inquired if the City of Bussey would also be repairing their portion of the sidewalk. Nichols responded the City would be taking care of their portion. The Board indicated they would consider the quotes at the next regular meeting.

2.) Mark Mahoney – Knoxville Estates landowner, asked the Board if there were any plans to repair the potholes in the roads in Knoxville Estates. Roger Schletzbaum, Marion County Engineer, responded they were in the schedule and the County had to work around ongoing projects and the availability of the asphalt plant.

3.) Cliff Douglas – landowner, asked the Board what the process was to change the status of a road from Level B to Level C. Pothoven informed him the process started in the County Engineer's Office. Steve McCombs, engineer's office, indicated he currently had that project on his desk due to a request from one of the other landowners along the road. Schletzbaum indicated they would proceed with the process.

Zoning Items: - None

Ordinances: - None

Resolutions: -

1.) Nichols moved and Kingery seconded to approve Resolution 09/28 regarding an electronic Groundwater Hazard Reporting System as follows:

Whereas, Marion County (County) and the Iowa County Recorders Association (Association) have created a county land record information systems in order to provide public access to real estate documents; and

Whereas, all Iowa counties are required to process Groundwater Hazard Statements as provided in Iowa Code section 558.69; and

Whereas, Iowa Code section 558.69 requires the submission of the Groundwater Hazard Statements to the Iowa Department of Natural Resources (Department); and

Whereas, the Department has adopted Iowa Administrative Code chapter 561 IAC 9, which allows the electronic submission of the Groundwater Hazard Statements; and

Whereas, the County and the Department desire to utilize the county land record information system as a means to provide for more efficient and timely filing of the Groundwater Hazard Statements;

Therefore, Be It Resolved that the County acknowledges that the County is responsible for the processing and filing of Groundwater Hazard Statements as provided in Section 558.69 of the Iowa Code and the chapter 561 IAC 9 of the Iowa Administrative Code. The County requests that in lieu of forwarding a printed version of any affirmative Groundwater Hazard Statement to the Department of Natural Resources, a facsimile or image of the printed version of the Groundwater Hazard Statement shall be stored the local county land record indexing and imaging system.

Be It Further Resolved that the County agrees to the following terms and conditions.

- a. A facsimile or image of a printed version of all forms required to be submitted to the Department pursuant to 561 IAC 9 shall be stored within the local county land record indexing and imaging system.
- b. The facsimile or image of the form shall be permanently stored in the local county land record indexing and imaging system.
- c. The image shall be legible and shall comply with the document formatting and imaging standards adopted by the Association.
- d. The county and county recorder shall be members of the Electronic Services System.
- e. The county and county recorder shall maintain compliance with the operating policies, procedures, and standards adopted by Electronic Services System including but not limited to policies concerning the timely uploading of information to the statewide county land record information system, a.k.a. Iowa Land Records.
- f. The county recorder shall index the associated document information and the parties (grantors and grantees) for each Groundwater Hazard Statement. The county recorder is not required to index property or legal description information for Groundwater Hazard Statements.
- g. The county and county recorder shall provide 180 days notice prior to reverting to the practice of forwarding a printed version of any affirmative Groundwater Hazard Statement to the Department.

An affirmative response on a Groundwater Hazard Statement means that the Groundwater Hazard Statement indicates a well, underground storage tank, disposal site, or hazardous waste site exists on the property. Pursuant to Iowa administrative rule 561 IAC 9.2(3), Groundwater Hazard Statements on which a private burial site is the sole matter disclosed and which do not reveal the existence of a well, disposal site, underground storage tank, or hazardous waste on the property shall not be submitted to the Department.

Other Business:

- 1.) Kingery moved and Nichols seconded to approve a 5 Day Class B Beer permit by John Pierce, dba Columbia Fire Department.
- 2.) Nichols moved and Kingery seconded to approve the Marion County Treasurer's FY 08-09 Semi-Annual Report as of 06/30/09.
- 3.) Kingery moved and Nichols seconded to approve a Mental Health Services Agreement with Pine Rest as presented except to reduce the Psychiatrist Rate by \$20.00 per hour.
- 4.) Cory Frank, Environmental Health Director, briefed the Board on the status of the Tracy Sewer Project. He presented a timeline of events that have taken place and then indicated a deadline was approaching. He said a detailed extension request for the grant money would probably be required. Randy Pleima, Mahaska County Rural Water, then presented an update. He indicated he had been in communication with Marsha Cory regarding the grant application. He said the Water Association had been delaying action due to a dispute with Rural Development over a new required fee structure for the residents of Tracy. Pleima then indicated the approaching deadline would require them to move forward regardless. The permanent easements are in place and they need to finish the temporary construction easements. He indicated a town meeting would probably be held again to complete the easements. A final signature is still needed for the land for the lagoon. Pleima indicated they will have everything done and "will meet the guidelines and move forward."

Appointments: None

Closed Session: None

Adjournment:

There being no other business, Kingery moved and Nichols seconded the meeting be adjourned at 10:20 A.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session August 10, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

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

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

Agenda:

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

Communications: None

Consent Agenda:

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

1. Approval of Minutes – 07/27/09
2. Approval of Special Session Minutes – 07/30/09
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Warrants #173028 - #173261 through August 10, 2009.
5. Approval of Work Beyond Right-of-Way Agreement between the Secondary Road Dept. and Kenneth Neff.
6. Approval of Work Beyond Right-of-Way Agreement between the Secondary Road Dept. and Williams Edwards.
7. Approval of Work Beyond Right-of-Way Agreement between the Secondary Road Dept. and Gene Williams.
8. Approval of Work Beyond Right-of-Way Agreement between the Secondary Road Dept. and Hoch Farms.
9. Approval of Work Beyond Right-of-Way Agreement between the Secondary Road Dept. and Bob Terpstra.
10. Approval of Work Beyond Right-of-Way Agreement between the Secondary Road Dept. and Paul Hjortshoj.

Public Hearings: None

Public Comments: -None

Zoning Items: - None

Ordinances: - None

Resolutions: -

1.) Nichols moved and Kingery seconded to approve Resolution 09/25 regarding applications for the purpose of receiving Community Betterment Grant awards from Prairie Meadows Racetrack and Casino, Inc. as follows:

Whereas, Prairie Meadows Racetrack and Casino, Inc. has Community Betterment grant funds available that target Arts and Culture, Economic Development, Education and Human Services, and

Whereas, Prairie Meadows Racetrack and Casino, Inc. has a Community Betterment grant application cycle that ends August 15, 2009, and

Whereas, Marion County is supportive of these targets for improvements to the community and County, and

Whereas, one or more applications from Marion County and/or from organizations with projects that will take place on county property, will be submitted to Prairie Meadows Racetrack and Casino, Inc. by the August 15, 2009 deadline,

Now, Therefore Be It Resolved, By The Board of Supervisors of Marion County, Iowa that the County of Marion authorizes the following grant applications to be submitted to Prairie Meadows Racetrack and Casino, Inc. for the August 15, 2009 application cycle:

- 1.) A Call To Serve Ministries – Community Improvement Program
- 2.) Marion County Emergency Management – Marion County Mobile Command Trailer
- 3.) Marion County Conservation Board – Marion County Park Campground Development
- 4.) Marion County Assessor's Office – Marion County Aerial Photography
- 5.) Marion County Conservation Board – Horn's Ferry Bridge Eagle Observation Educational Development

2.) Kingery moved and Nichols seconded to approve Resolution 09/26 regarding a Marion County Policy on Early Closing of Non-Emergency County Offices on December 24 as follows:

Whereas, certain years December 24th falls on different days of the week, and

Whereas, as a result the Board desires to adopt a Policy on Early Closing of Non-Emergency County Offices on December 24th to establish administrative guidelines for this policy, and

Now Therefore be it Resolved by the Board of Supervisors of Marion County, Iowa that the following Marion County Policy on Early Closing of Non-Emergency County Offices on December 24th is hereby adopted and approved.

Early Closing of Non-Emergency County Offices on December 24th

When December 24th falls on a Monday, Tuesday, Wednesday, or Thursday, non-emergency county offices have the option to close at 12:00 noon. Although the following is issued as administrative guidelines for this policy, each Department Head will assess the situation on December 24th (i.e., weather, departmental needs, etc.) and make the decision about closing and/or releasing employees in the best interest of the respective department:

Employees who report for work and remain at work until 12:00 noon will be paid for the entire work day without being charged any vacation, floater, or compensatory time. If an employee requests to be absent for the full day on December 24th, he/she will be allowed to charge the full day's absence to vacation, floater, or compensatory time, provided he/she has the time accumulated.

Be It Further Resolved the Marion County Policy on Early Closing of Non-Emergency County Offices on December 24th be added to the Marion County Employee Handbook.

3.) Nichols moved and Kingery seconded to approve Resolution 09/27 regarding training cost reimbursement for Marion County Medical Examiner Investigators as follows:

Whereas, the County will provide funding for specialized (typically a 5 day training course in St. Louis) for investigators appointed by the Marion County Medical Examiner, and

Now, Therefore Be It Resolved, By The Board of Supervisors of Marion County, Iowa, if an investigator ceases to provide services to the County within the first three years from the appointment date, he/she will be required to sign an agreement to reimburse the County for the cost of the training on the following basis:

Within the first year:	75% of the cost of training
Within the second year:	50% of the cost of training
Within the third year:	25% of the cost of training

Other Business:

1.) Barb Adam, Marion County Care Facility Director, briefed the Board on the following activities occurring at the Care Facility:

- a.) Resident population = 39 (25 are Marion County residents)
- b.) New refrigerator, stove, and security system installed and working well.
- c.) New process with Knoxville Area Community Hospital – weekly clinic visit by doctor and nurse.
- d.) Pursuing working relationship with Capstone for onsite mental health services.
- e.) Request – upgrade bathroom in workshop for potential Day Habilitation Services.

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

2.) Nichols moved and Kingery seconded to approve an agreement with Vander Wilt Construction for replacing 19 windows at the Marion County Care Facility for a total not to exceed \$14,000.00.

3.) Mike Herring, Capstone Inc., briefed the Board on the mental health and substance abuse services Capstone provides to Marion County. Herring explained the State of Iowa substance abuse grant process and other funding processes. He also discussed the amount of services they provide in Marion County along with how those clients are referred.

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

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

- 1.) Pella Community Development Committee – Virginia Moore – term ending 08/01/2012
- 2.) Pella Community Development Committee – Jo Dorenkamp – term ending 08/01/2012

Closed Session: None

Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session July 30, 2009, with Howard Pothoven, Jim Kingery, and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:00 A.M.

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

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

Agenda:

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

Communications:

1.) Chairman Pothoven – Announced 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.

Consent Agenda: None

Public Hearings: None

Public Comments: -None

Zoning Items: - None

Ordinances: - None

Resolutions: - None

Other Business:

1.) Nancy Tegeler, Addictions Recovery Center, briefed the Board on the substance abuse services she provides and requested the Board consider her for a portion of the County's substance abuse expenditures and substance abuse referrals. Tegeler also presented the Board with some letters of recommendation regarding her services. The Board, Tegeler, and Betty Moll, Marion County Central Point Coordinator, then engaged in a lengthy discussion regarding processes, budgets, and expenditures of substance abuse services provided by Marion County. After discussion ended, Nichols moved and Kingery seconded to end discussion on Agenda Item #1.

2.) Chairman Pothoven presented the Board with a proposal from Vander Wilt Construction, with a couple options, to replace or repair 19 windows at the Marion County Care Facility. The members will consider the proposals and consider at a future meeting. Nichols moved and Kingery seconded to end discussion on Agenda Item #2.

3.) Roger Schletzbaum, Marion County Engineer, briefed the Board on the latest information available on the State of Iowa I-Jobs funds to be received by Marion County and the rules on how they are to be used. Schletzbaum presented the Board with a memo from the Iowa Department of Transportation titled "Notice of Initial Implementing Guidance for Recipients of I-JOBS Local Street and Road Funding." He noted these funds and expenditures were not budgeted for and had little restrictions on how to be used. He also noted he would not be in favor of placing these funds into the Farm-to-Market system but rather use them for local road programs. Nichols moved and Kingery seconded to end discussion on Agenda Item #3.

Appointments: None

10:18 AM – Nichols moved and Kingery seconded to enter into recess.

10:34 AM – Nichols moved and Kingery seconded to reconvene from recess.

Closed Session:

1.) Nichols moved and Kingery seconded to enter into Closed Session at 10:34 AM 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.

2.) Nichols moved and Kingery seconded to reconvene from Closed Session at 11:30 AM.

Adjournment:

There being no other business, Kingery moved and Nichols seconded the meeting be adjourned at 11:30 A.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

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

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

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

Agenda:

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

Communications: None

Consent Agenda:

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

1. Approval of Minutes – 07/13/09
2. Approval of Special Session Minutes – 07/13/09
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Warrants #172831 - #173026 through July 27, 2009.
5. Approval of Marion County Conservation Warrants #172783 - #172830 through July 21, 2008.
6. Approval of Work Beyond Right-of-Way Agreement between the Secondary Road Dept. and Rodney Jordan.
7. Approval of Work Beyond Right-of-Way Agreement between the Secondary Road Dept. and Jim Heffron.
8. Approval of Work Beyond Right-of-Way Agreement between the Secondary Road Dept. and Ken Kenyon.
9. Approval of Work Beyond Right-of-Way Agreement between the Secondary Road Dept. and Dominic Bonanno/Mary GingBeltrame.

Public Hearings: None

Public Comments: -None

Zoning Items: - None

Ordinances: - None

Resolutions: -

1.) Kingery moved and Nichols seconded to approve Resolution 09/24to Transfer Funds from the Rural Basic Fund and General Basic Fund to the Secondary Road Fund as follows:

Whereas the Marion County Board of Supervisors approved the transfer of \$1,502,825.00 from the Rural Basic Fund to the Secondary Road Fund under the FY 09-10 budget, and,

Whereas the Marion County Board of Supervisors approved the transfer of \$38,749.00 from the General Basic Fund to the Secondary Road Fund under the FY 09-10 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 transfers of \$1,502,825.00 from the Rural Basic Fund and \$38,749.00 from the General Basic Fund to the Secondary Road Fund be approved by the Marion County Board of Supervisors for the fiscal year of 2009-2010, and,

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

Other Business: None

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

- 1.) Marion County Development Commission – Ellie Burns (At-Large) – term ending 06/30/2012

Closed Session: None

Adjournment:

There being no other business, Kingery moved and Nichols seconded the meeting be adjourned at 9:38 A.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

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

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

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

II. Agenda:

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

III. Other Business:

1. Monthly departmental updates:

- a. Carla Eysink – Development Director
 - i. Review of Lake Red Rock 40th Birthday Party – plans are to continue 5k run and Tower Climb.
 - ii. Presenting at Best of Iowa Program
 - iii. Leadership Red Rock – classes forming
 - iv. Volunteers needed for Iowa State Fair Booth
- b. Missy Poffenbarger – Zoning
 - i. Office space switch completed with Environmental Health
 - ii. Continuing to work with Snyder and Associates
- c. Cory Frank – Environmental Health
 - i. City of Marysville – situation still ongoing with septic systems
 - ii. Pershing/Attica – Formed committee to explore sewer possibilities
 - iii. Animal Rescue League – initial conversation took place
 - iv. New technician accepted offered position
- d. Mel Vander Wiel – Sheriff's Office
 - i. LEC storm damage roof repairs completed
 - ii. Commitment transportation – high volume
- e. Mike Kuhn – Veteran's Affairs / General Relief
 - i. Many new clients
 - ii. VA grant funds to be released soon
- f. Betty Moll – CPC
 - i. Commitments – volume increasing
 - ii. New process of assessments for commitments seem to be working
- g. Ken Thraikill – Maintenance
 - i. LEC boiler and water conditioner repairs completed
 - ii. Attorney Office dormer – trying to find source of leak
 - iii. Environmental Health – permission to make doors in office like “dutch doors”
- h. John McCoy – E911
 - i. Resident marker program proceeding
- i. Jeff Anderson – EMA
 - i. Plan reviews ongoing
 - ii. NIMS certification approaching
 - iii. Interoperable Radio Grant progressing
- j. Kim Dorn – Public Health
 - i. Environmental Health technician accepted job offer
 - ii. Department following up on several illnesses

IV. Adjournment:

- 1.) Nichols moved and Kingery seconded to close the meeting at 1:32 P.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chair Board of Supervisors

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

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

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

Agenda:

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

Communications: None

Consent Agenda:

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

1. Approval of Minutes – 06/22/09
2. Approval of Special Session Minutes – 06/29/09, 07/02/09
3. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Marion County Warrants #172535 - #172782 through July 13, 2009.
5. Approval of Work Beyond Right-of-Way Agreement between the Secondary Road Dept. and Corwin Fee.

Public Hearings: Open – Chairman Pothoven

1.) Marion County Engineer – Notice in the matter of vacating all or part of certain road rights-of-way as existing in Marion County, Iowa and subject to the rights of ingress and egress of any and all existing utilities, being more particularly described as: An alley in the original town plat of Columbia, more particularly being described as being 12 ft. wide, located between Lot 34 and Lot 35 beginning at the north right-of-way line of South Columbia St. thence north to the north boundary line of Lots 34 and 35 a distance of 105 ft. containing .029 acres more or less. Steve McCombs, Engineer's Office, presented an overview of the proposed road vacation. There were no written comments received by the Auditor's Office. There being no further public comment, Nichols moved and Kingery seconded to close the public hearing.

Public Comments: -None

Zoning Items: - None

Ordinances: - None

Resolutions: -

1.) Kingery moved and Nichols seconded to approve Resolution 09/23 to approve vacating a certain segment of road as follows:

Whereas, a public hearing was held at 9:30 AM on the 13th. day of July, 2009, in the office of the Marion County Board of Supervisors and,

Whereas, it being in the best interest of Marion County to vacate the segment(s) of road as advertised and,

Whereas, the segment(s) to be vacated are described in further detail below,

Now therefore be it resolved that, subject to the rights of ingress and egress of any and all existing utilities, An alley in the original town plat of Columbia, more particularly being described as being 12 ft. wide, located between Lot 34 and Lot 35 beginning at the north right-of-way line of South Columbia St. thence north to the north boundary line of Lots 34 and 35 a distance of 105 ft. containing .029 acres more or less,

Be hereby vacated.

Other Business:

- 1.) Nichols moved and Kingery seconded to approve the request of Elsie Kemp, on behalf of the Knoxville Chamber of Commerce, to hold the even “Bazaar-Bazaar” on the Courthouse grounds on August 15, 2009.
- 2.) Kingery moved and Nichols seconded to approve the Special Events Application form for the Marion County Courthouse or Courtyard.
- 3.) Nichols moved and Kingery seconded to authorize Jeff Anderson, Marion County Emergency Management Coordinator, to draft and submit a letter to the Rebuild Iowa Office indicating Marion County’s intentions of using the Community of Attica Grant for a storm siren and bus stop shelter.
- 4.) Nichols moved and Kingery seconded to approve the contract for the S71 Slide Repair with Reilley Construction as let through the Iowa Department of Transportation bidding process.
- 5.) Kingery moved and Nichols seconded to approve the following mental health/substance abuse contracts for services:
 - a. St.Luke’s Hospital
 - b. Knoxville Residential
 - c. Ottumwa Regional Health Center

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

- 1.) Marion County Development Commission – Chris Dana (Pella) – term ending 06/30/2012
- 2.) Marion County Development Commission – Pat Whitlatch (Knoxville) – term ending 06/30/2012
- 3.) Marion County Development Commission – Matt Russell (Melcher-Dallas) – to fill a vacancy – term ending 06/30/2010

Closed Session: None

Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

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

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

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

Agenda:

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

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

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

Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

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

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

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

Agenda:

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

Communications: Chairman Pothoven announced the following:

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

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

Consent Agenda:

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

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

Public Hearings: None

Public Comments: -None

Zoning Items: - None

Ordinances: - None

Resolutions: - None

Other Business:

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

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

Appointments: None

Closed Session:

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

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

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

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

Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

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

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

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

Agenda:

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

Communications: None

Consent Agenda:

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

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

Public Hearings: None

Public Comments: -None

Zoning Items: - None

Ordinances: - None

Resolutions: -

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

Whereas the Marion County Board of Supervisors approved the budget for Fiscal Year 2009-2010, and

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

Therefore Be It Resolved that the following monies be appropriated for each department listed for the FY 09-10 year.

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

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

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

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

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

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

Other Business:

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

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

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

Appointments: None

Closed Session: None

Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

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

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

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

Agenda:

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

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

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

Communications: None

Consent Agenda:

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

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

Public Hearings: None

Public Comments: -None

Zoning Items: - None

Ordinances: - None

Resolutions: -

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

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

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

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

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

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

Other Business:

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

Appointments:

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

Closed Session: None

Hearing:

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

Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

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

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

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

II. Agenda:

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

III. Other Business:

1. Monthly departmental updates:

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

IV. Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chair Board of Supervisors

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

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

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

Agenda:

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

Communications:

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

Consent Agenda:

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

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

Public Hearings: - Open – Chairman Pothoven

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

Public Comments: -None

Zoning Items: - None

Ordinances: - None

Resolutions: -

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

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

Whereas, the Marion County Board of Supervisors now desire to make an annual payment of principle and interest from the General Basic Fund to the General Basic Supplemental Fund according to a payment schedule and,

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

Therefore, Be It Resolved that the transfer of funds for an Interfund Loan principle payment from the Marion County General Basic Fund to the Marion County General Basic Supplemental Fund be approved by the Marion County Board of Supervisors for the Fiscal Year of 08/09 for \$96,916.44 and,

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

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

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

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

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

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

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

Whereas the Marion County Board of Supervisors approved a budget amendment for Fiscal Year 2008-2009, and

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

Therefore Be It Resolved that the following monies be appropriated for each amended department listed for the FY 08-09 year.

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

Other Business:

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

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

Appointments:

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

Closed Session:

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

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

Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

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

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

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

II. Agenda:

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

III. Other Business:

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

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

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

IV. Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chair Board of Supervisors

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

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

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

Agenda:

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

Communications: None

Consent Agenda:

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

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

Public Hearings: - None

Public Comments: -None

Zoning Items: - None

Ordinances: - None

Resolutions: -

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

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

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

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

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

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

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

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

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

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

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

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

Other Business:

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

Appointments: None

Closed Session: None

Adjournment:

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

Jess Clark, Marion County Designee

Howard Pothoven, Chairman Board of Supervisors

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

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

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

II. Agenda:

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

III. Other Business:

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

IV. Adjournment:

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

Lorri Jahner, Marion County Designee

Howard Pothoven, Chair Board of Supervisors

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

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

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

II. Agenda:

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

III. Other Business:

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

IV. Adjournment:

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

Jess Clark, Marion County Designee

Howard Pothoven, Chair Board of Supervisors

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

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

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

Agenda:

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

Communications: None

Consent Agenda:

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

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

Public Hearings: - None

Public Comments: -None

Zoning Items: - None

Ordinances: - None

Resolutions: -

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

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

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

Whereas, the County desires that the following road be classified as an Area Service "C" road; and

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

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

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

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

1. Blading. Blading or dragging will not be Performed on a regular basis.
2. Snow and Ice Removal. Snow and ice will not be removed, nor will the road surface be sanded on a regular basis.

3. Signing. Except for load limit posting for bridges, signing shall not be continued or provided. ALL AREA SERVICE LEVEL C ROADS SHALL BE IDENTIFIED WITH A SIGN AT ALL POINTS OF ACCESS TO WARN THE PUBLIC OF THE LOWER LEVEL OF MAINTENANCE.
4. Weeds, Brush and Trees. Mowing and spraying of weeds, cutting brush, and tree removal will not be performed on a regular basis. Adequate site distances will not be maintained.
5. Structures. Bridges and culverts may not be maintained to carry legal loads. Upon failure or loss, the replacement structure will be appropriate for the traffic thereon.
6. Shoulders. Shoulders will not be maintained on a regular basis.
7. Crown. A crowned road cross section will not be maintained on a regular basis.
8. Road Surfacing. There will be no surfacing materials applied to Area Service System "C" Roads on a regular basis.
9. Repairs. Road repairs will not be made on a regular basis.
10. Uniform Width. Uniform width of the traveled portion of the roadway will not be maintained on a regular basis.
11. Inspections. Regular inspections will not be performed.

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

Other Business:

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

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

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

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

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

Closed Session: None

Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

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

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

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

II. Agenda:

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

III. Other Business:

1. Monthly departmental updates:

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

IV. Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chair Board of Supervisors

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

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

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

Agenda:

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

Communications: None

Consent Agenda:

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

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

Public Hearings: - Open – Chairman Pothoven

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Public Comments: -None

Zoning Items: - None

Ordinances: -

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

Resolutions: -

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

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

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

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

Other Business:

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

Appointments: None

Closed Session: None

Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

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

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

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

Consent Agenda:

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

Other Business:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Jess Clark, Marion County Designee

Howard Pothoven, Chair Board of Supervisors

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

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

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

Agenda:

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

Communications: None

Consent Agenda:

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

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

Kingery moved and Pothoven second to close Consent Agenda.

Public Hearings: - None

Public Comments: -None

Zoning Items: - None

Resolutions: - None

Other Business:

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

Appointments: None

Closed Session: None

Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

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

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

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

Agenda:

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

Communications: None

Consent Agenda:

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

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

Public Hearings: Open – Chairman Pothoven

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

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

Public Comments:

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

Zoning Items:

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

Resolutions:

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

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

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

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

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

Other Business:

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

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

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

Appointments: None

Closed Session: None

Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

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

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

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

II. Agenda:

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

III. Other Business:

1. Monthly departmental updates:

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

IV. Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chair Board of Supervisors

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

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

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

Agenda:

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

Consent Agenda:

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

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

Public Hearings: None

Public Comments: None

Zoning Items: None

Resolutions: None

Other Business: None

Closed Session: None

Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

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

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

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

Consent Agenda:

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

Other Business:

1.) First floor Courthouse copier:

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

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

2.) Courthouse telephone system:

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

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

3.) DHS building maintenance:

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

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

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

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

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

5.) Countywide credit card policy:

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

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

6.) Elected official sick leave policy:

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

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

7.) Accrued vacation policy:

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

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

8.) County farm rent:

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

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

9.) County Medical Examiner Deputies:

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

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chair Board of Supervisors

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

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

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

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

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

Agenda:

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

Closed Agenda:

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

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

Other Business:

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

Adjournment:

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

Jessica Clark, Marion County Designee

Howard Pothoven, Chairman Board of Supervisors

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

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

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

Consent Agenda:

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

Other Business:

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

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chair Board of Supervisors

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

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

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

Agenda:

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

Consent Agenda:

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

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

Public Hearings: Open- Chairman Pothoven

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

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

Public Comments: None

Zoning Items: None

Resolutions:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1.) Representative: James Calhoun

2.) Alternate Representative: Howard Pothoven

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

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

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

Other Business:

1.) Kingery moved and Nichols seconded to approve/receive and file the Marion County Treasurer's semi annual report for the time period 07/01/08 through 12/31/08.

2.) Nichols moved and Kingery seconded to approve to take action on approving a revised Marion County Investment Policy. Start date will be as of 02/09/09.

3.) Nichols moved and Kingery seconded to approve to take action on 5 day C Liquor License, with catering privileges, for Teresa Rowley dba Knoxville Bike Night Bar Association.

Closed Session: None

Adjournment:

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

Jessica Clark, Marion County Designee

Howard Pothoven, Chairman Board of Supervisors

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

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

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

Consent Agenda:

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

Other Business:

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

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

Jessica Clark, Marion County Designee

Howard Pothoven, Chair Board of Supervisors

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

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

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

Consent Agenda:

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

Other Business:

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

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

Jessica Clark, Marion County Designee

Howard Pothoven, Chair Board of Supervisors

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

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

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

Consent Agenda:

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

Other Business:

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

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

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

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

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

Jessica Clark, Marion County Designee

Howard Pothoven, Chair Board of Supervisors

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

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

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

Consent Agenda:

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

Other Business:

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

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

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

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

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

Jessica Clark, Marion County Designee

Howard Pothoven, Chair Board of Supervisors

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

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

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

Consent Agenda:

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

Other Business:

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

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

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

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

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

Jessica Clark, Marion County Designee

Howard Pothoven, Chair Board of Supervisors

MARION COUNTY BOARD OF SUPERVISORS

SIXTH DAY

JANUARY 28, 2009

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

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

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

Consent Agenda:

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

Other Business:

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

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

Jessica Clark, Marion County Designee

Howard Pothoven, Chair Board of Supervisors

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

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

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

Agenda:

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

Communication:

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

Consent Agenda:

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

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

Public Hearings: None

Public Comments: None

Zoning Items: None

Resolutions:

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

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

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

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

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

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

Other Business:

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

Closed Session: None

Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

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

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

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

I. Agenda:

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

II. Other Business:

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

Adjournment:

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

Jessica Clark, Marion County Designee

Howard Pothoven, Chairman Board of Supervisors

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

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

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

Agenda:

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

Communication: None

Consent Agenda:

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

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

Public Hearings: None

Public Comments: None

Zoning Items: None

Resolutions:

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

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

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

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

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

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

Other Business:

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

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

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

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

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

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

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

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

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

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

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

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

- 1.) Dr. Michael Van Netta

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

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

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

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

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

Closed Session: None

Adjournment:

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

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors

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

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

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

I. Agenda:

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

II. Other Business:

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

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

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

Adjournment:

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

Jessica Clark, Marion County Designee

Howard Pothoven, Chairman Board of Supervisors

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

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

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

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

Chairman Pothoven then assumed leadership of the meeting.

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

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

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

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

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

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

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

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

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

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

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

New Years Day

Thursday

January 1, 2009

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

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

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

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

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

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

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

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

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

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

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

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

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

Duane (DJ) Reed

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

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

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

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

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

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

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

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

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

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

Meeting adjourned 10:13 A.M.

Jake Grandia, Marion County Auditor

Howard Pothoven, Chairman Board of Supervisors