

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

## 2012 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 at the Marion County Courthouse on December 24, 2012, with Jim Kingery, Sam L. Nichols, and Craig Agan present. Chairman Nichols opened the regular session at 8:30 A.M.

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

Ayes: Kingery, Nichols, Agan Nays: none Abstentions: none Absent: none

Agenda:

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

Public Comments:

Max Smith, owner of Smith Fertilizer and Grain expressed his opinion, the proposed Excessive Engine Noise Prohibition ordinance is unnecessary and a waste of County resources.

Consent Agenda:

Agan moved and Kingery seconded to approve the consent agenda.

1. Approval of Marion County Warrants 194353 - 194549 through December 24, 2012.
2. Approval of Marion County Conservation Board warrants #194329 - #194352 through December 18, 2012.
3. Approval of Marion County staff salary adjustments. A list is available in the Marion County Auditor's Office.
4. Approval of Board of Supervisor Regular Session Minutes – 11/13/12
5. Approval of Board of Supervisor Special Session Minutes – 10/31/12
6. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and Beatrice Lenger.
7. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and Donald Visser.
8. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and Rob Wallace.
9. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and James Lenger.
10. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and Dennis De Vries.

Public Hearings: None

Zoning Items: None

Ordinances:

2<sup>nd</sup> Reading of Marion County Ordinance 2012-31 an ordinance adding Chapter 26 "Excessive Engine Noise Prohibition" to prohibit excessive vehicle noise, including noise from trucks using engine retarding brakes, and adopting by reference Iowa Code section 321.436, died to lack of motion.

Resolutions:

1. Agan moved and Kingery seconded to approve Marion County Resolution 12/38 setting a maximum speed limit of 35 M.P.H. be established on the portion of County Road T-14 southbound that is south of the northern most Pella City limits and a speed zone of 40 M.P.H. continue to be in place from the northern most city limits of Pella north 2250'.

Whereas, The City of Pella has annexed an area along County Road T-14 North of the previous City Limits and,

Whereas, this road is partially in the city limits and partially shared by the city and county, and

Whereas, the city of Pella has established a speed limit of 35 Miles Per Hour on city streets and,

Whereas, a 40 mile per hour speed limit exists on a portion of County road T-14 Northbound and,

Whereas, in order to provide for a consistent speed limit through this corridor the County Engineer recommends a maximum speed limit of 35 M.P.H. be established on the portion of County Road T-14 southbound that is south of the Northern most city limits and a speed zone of 40 MPH continue to be in place from the northern most city limits of Pella north 2250',

Now Therefore Be It Resolved, that a maximum speed limit of 35 M.P.H. be established on the portion of County Road T-14 southbound that is south of the Northern most city limits and a speed zone of 40 MPH continue to be in place from the northern most city limits of Pella north 2250', and that said speed zone be effective upon placement of the appropriate signage.

2. Agan moved and Kingery seconded to approve Marion County Resolution 12/39 cancelling unredeemed Marion County Warrants through June 30, 2011 and placing the funds back into the appropriate fund balances.

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, 2011,

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.

Other Business:

1. Agan moved and Kingery seconded to approve authorization of the Marion County Engineer to apply for a grant from the Iowa DOT Horizontal Curve Sign Program.

2. Sally Kreamer and Mike King, Fifth Judicial District presented Sam L Nichols a retirement plaque.

Appointments: None

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 8:47 A.M.

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Danielle Graves, Administrative Assistant

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Sam L Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on December 20, 2012, with Craig Agan and Jim Kingery present. Supervisor Nichols was absent. Vice-Chairman Kingery opened the special session at 10:30 A.M.

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

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

Agenda:

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

Public Hearing: None

Resolutions: None

Other Business:

1. The Board received an overview of the proposed hydro-electric plant in the Red Rock Dam from representatives of Missouri River energy Resources. Discussion involved topics of transportation concerns, construction timelines, mitigation projects, and impact on natural resources. No actions were considered. Agan moved and Kingery seconded to end discussion.

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 11:51 a.m.

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Jake Grandia, Marion County Auditor

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Jim Kingery, Vice-Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session at the Marion County Courthouse on December 10, 2012, with Jim Kingery, Sam L. Nichols, and Craig Agan present. Chairman Nichols opened the regular session at 8:30 A.M.

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

Ayes: Kingery, Nichols, Agan Nays: none Abstentions: none Absent: none

Agenda:

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

Consent Agenda:

Agan moved and Kingery seconded to approve the consent agenda.

1. Approval of Marion County Warrants #194065-#194328 through December 10, 2012.
2. Approval of Marion County Conservation Board warrants #194020 - #194063 through November 27, 2012.
3. Approval of Marion County staff salary adjustments. A list is available in the Marion County Auditor's Office.
4. Approval of Board of Supervisor Regular Session Minutes – 11/26/12
5. Approval of Board of Supervisor Special Session Minutes – 11/13/12, 11/14/12, 11/28/12
6. Approval of 2012 General Election Canvass Minutes – 11/14/12
7. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and Wade Puyear/Jim Sytsma.
8. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and Dennis Murr.
9. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and Ivan McCormick.
10. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and Kyle Phillips.

Public Hearings: Open – Chairman Nichols

1. Marion County Board of Supervisors – Public Hearing 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: 65th. Ave. constructed as Local Project 14151 in 1952, commencing at a point 33 feet north of the North 1/4 corner of Section 36, Township 77N, Range 21W of the 5th. PM, thence north approximately 1320 feet to the NE corner of the SE 1/4 of the SW 1/4 of Section 25, Township 77N, Range 21W of the 5th PM, thence east 66 feet, thence south approximately 1320 feet, thence west 66 feet to the point of beginning, containing 2 acres more or less. No written comments were received, Agan moved and Kingery seconded to close the public hearing.

2. Marion County Board of Supervisors - Public hearing to consider the adoption of Marion County Ordinances 2012-31, Chapter 26, "Excessive Engine Noise Prohibition". The Purpose of this chapter of the Code of Ordinance is to prohibit excessive vehicle noise, including noise from trucks using engine retarding brakes, and adopting by reference Iowa Code Section 321.436. No written comments were received, Agan moved and Kingery seconded to close public hearing.

Zoning Items: None

Resolutions:

1. Agan moved and Kingery seconded to approve Marion County Resolution 12/37 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: 65th. Ave. constructed as Local Project 14151 in 1952, commencing at a point 33 feet north of the North 1/4 corner of Section 36, Township 77N, Range 21W of the 5th. PM, thence north approximately 1320 feet to the NE corner of the SE 1/4 of the SW 1/4 of Section 25, Township 77N, Range 21W of the 5th PM, thence east 66 feet, thence south approximately 1320 feet, thence west 66 feet to the point of beginning, containing 2 acres more or less.

Whereas, a public hearing was held at 8:30 AM on the 10th day of December, 2012, 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, 65th. Ave. constructed as Local Project 14151 in 1952, commencing at a point 33 feet north of the North 1/4 corner of Section 36, Township 77N, Range 21W

of the 5th. PM, thence north approximately 1320 feet to the NE corner of the SE 1/4 of the SW 1/4 of Section 25, Township 77N, Range 21W of the 5th PM, thence east 66 feet, thence south approximately 1320 feet, thence west 66 feet to the point of beginning, containing 2 acres more or less.

Ordinances:

1. Agan moved and Kingery seconded to approve first reading of Marion County Ordinance 2012-31 an ordinance adding Chapter 26 "Excessive Engine Noise Prohibition" to prohibit excessive vehicle noise, including noise from trucks using engine retarding brakes, and adopting by reference Iowa Code section 321.436.
2. Agan moved and Kingery seconded to deny waiving 2<sup>nd</sup> and 3<sup>rd</sup> reading of Marion County Ordinance 2012-31 an ordinance adding Chapter 26 "Excessive Engine Noise Prohibition" to prohibit excessive vehicle noise, including noise from trucks using engine retarding brakes, and adopting by reference Iowa Code section 321.436.

Other Business:

1. Discussion regarding Supplemental Agreement #1 Final Design and Construction Services on the Marion County Courthouse Building Clocktower Floor Repair/Replacement project with Calhoun-Burns and Associates, Inc. Questions remain regarding additional fees listed in agreement. Item #1 died to lack of motion.
2. Agan moved and Kingery seconded to authorize the Chairman to sign Hold Harmless Agreement with the City of Pella regarding, receiving and accepting ownership of ballistic vests.

Appointments: None

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 9:15 A.M.

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Danielle Graves, Administrative Assistant

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Sam L Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on November 28, 2012, with Craig Agan, and Jim Kingery present. Supervisor Nichols was absent. Vice-Chairman Kingery opened the special session at 8:00 A.M.

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

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

Agenda:

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

Public Hearing: None

Resolutions: None

Other Business:

1. Roger Schletzbaum, Marion County Engineer, referenced a letter sent to the Board from the Marion County Engineer, Steve Edwards - Marion County Conservation Director, and Cal Stephens – Marion County Facilities Director. He proceeded by reviewing the need for projects throughout the County amongst the departments. The list of potential projects were presented as a reference list for planning. The discussion then went to funding opportunities for the projects as being general fund, secondary road fund, debt service, or local option sales tax fund. Auditor Jake Grandia reviewed the revenues and budgeting process of Local Option Sales and Services Tax (LOSST). Discussion then involved the benefits of prioritizing and long term planning of projects. Edwards then explained a grant application the Conservation Department was completing for the dredging of the Marion County Park lake. He advised it would be beneficial to be able to show local financial support for the project. After further discussion, Agan moved and Kingery seconded to show a consensus of the Board for financial support up to \$50,000 from LOSST funds on behalf of the Marion County Park lake dredging project grant application. The financial support is only if the grant is approved and may take several budget years.

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 9:10 a.m.

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Jake Grandia, Marion County Auditor

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Jim Kingery, Vice-Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session at the Marion County Courthouse on November 26, 2012, with Jim Kingery, Sam L. Nichols, and Craig Agan present. Chairman Nichols opened the regular session at 8:30 A.M.

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

Ayes: Kingery, Nichols, Agan Nays: none Abstentions: none Absent: none

Agenda:

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

Consent Agenda:

Kingery moved and Agan seconded to approve the consent agenda.

1. Approval of Marion County Warrants 193858 - 194018 through November 26, 2012.
2. Approval of Marion County staff salary adjustments. A list is available in the Marion County Auditor's Office.

Public Hearings: Open – Chairman Nichols

1. County Board of Supervisors – Public hearing 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 approximately 2607 feet long established in August of 1870 at 40 feet wide as Road No.486 and recorded in Road Record Book No. 2, page 498 and now known locally as 90th Ave. commencing at a point 33 ft. north of the NE corner of Section 29, Township 74N, Range 20W of the 5th PM thence north to the East 1/4 corner of Section 20, Township 74N, Range 20W of the 5th PM, containing approximately 2.4 acres more or less. Adjoining land owner Roger Murr indicated he supported the proposed road vacation. The Secondary Road Department will post signs if the vacation is approved. There were no written comments received by the Marion County Auditor's Office. Kingery moved and Agan seconded to close the public hearing.

2. County Board of Supervisors – Public hearing 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 16 ft. wide alley in Baldwins Addition to the town of Otley, more particularly being described as located in Block 2, between Lots 1,2,3,4 and Lots 5,6,7,8. connecting to Summit St. an approximate total distance of 264 feet, containing approximately .10 acres more or less. Local resident Mark Van Haaften commented he thought the ROW had already been vacated. There were no other public comments. There were no written comments received by the Marion County Auditor's Office. Agan moved and Kingery seconded to close the public hearing.

Zoning Items: None

Resolutions:

1. Kingery moved and Agan seconded to approve Resolution 12/35 vacating a segment of 90th Ave. road right-of-way as follows:

Whereas, a public hearing was held at 08:30 AM on the 26th day of November, 2012, 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 approximately 2607 feet long established in August of 1870 at 40 feet wide as Road No.486 and recorded in Road Record Book No. 2, page 498 and now known locally as 90th Ave. commencing at a point 33 ft. north of the NE corner of Section 29, Township 74N, Range 20W of the 5th PM thence north to the East 1/4 corner of Section 20, Township 74N, Range 20W of the 5th PM, containing approximately 2.4 acres more or less.

Be hereby vacated

2. Agan moved and Kingery seconded to approve Resolution 12/36 vacating a segment of alley in Baldwin's Addition to the town of Otley as follows:

Whereas, a public hearing was held at 8:30 AM on the 26th day of November, 2012, 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 16 ft. wide alley in Baldwins Addition to the town of Otley, more particularly being described as located in Block 2, between Lots 1,2,3,4 and Lots 5,6,7,8. connecting to Summit St. an approximate total distance of 264 feet, containing approximately .10 acres more or less.

Be hereby vacated

Other Business:

1. Discussion regarding Marion County property located at 104 S 6th St., Knoxville, IA. The property had been placed in a public bid process with a \$150, 000 minimum sealed bid. There were no bids received on the property. Discussion resulted in no action at this time with future planning of the best utilization of the building for the County. Agan moved and Kingery seconded to end discussion.

2. Discussion regarding the status of the Bussey Memorial Hall after the building was closed. The temporary repairs have been completed and the building can now be accessed for removal of items. Supervisor Agan indicated he would like to work with the Marion County Attorney's Office to prepare a draft bid package with no minimum bid for the potential sale of the building. Kingery moved and Nichols seconded to instruct Supervisor Agan to work with the Attorney's Office to prepare a draft bid package for the sale of the Bussey Memorial Building and bring the draft bid package to the Board for final authorization. Agan moved and Kingery seconded to close discussion.

Appointments: None

Adjournment:

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

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Jake Grandia, Marion County Auditor

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Sam L Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session November 14, 2012 for the purpose of canvassing the vote from the November 6, 2012, General Election for the County of Marion, Iowa. Present were Craig Agan, Sam L. Nichols, and Jim Kingery.

Chairman Nichols opened the special canvass at 9:10 A.M.

Auditor Jake Grandia announced there were 39 provisional ballots; 33 counted and 6 rejected for various reasons per Iowa Code. The results were read for the November 6, 2012 General Election. There were no ties.

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

The following persons were elected at the November 6, 2012, General Election:

Board of Supervisor: Jim Kingery, Republican  
Board of Supervisor: Mark Raymie, Republican  
County Auditor: Jake Grandia, Republican  
County Sheriff: Jason Sandholdt, Republican

Clay Township Trustee: Bryce Kelderman  
Dallas Township Trustee: Joshua Schneider  
Franklin Township Trustee: Susan Phillips  
Indiana Township Trustee: Richard D Lambirth  
Knoxville Township Trustee: Alvin Olivier  
Liberty Township Trustee: Sandy Nicholson  
Lake Prairie Township Trustee: Steve Van Wyk  
Pleasant Grove Township Trustee: Steve Trude  
Red Rock Township Trustee: Michael Ray Hotovec  
Summit Township Trustee: Carl Weyers  
Union Township Trustee: Frank Schumacher  
Washington Township Trustee: John G Pierce

Clay Township Trustee: Donavon Paul Harrington  
Dallas Township Trustee: Dan Haselhuhn (WI)  
Franklin Township Trustee: Shawn Breazeale (WI)  
Indiana Township Trustee: James Force  
Knoxville Township Trustee: Myles Murphy  
Liberty Township Trustee: Cliff DeJong  
Lake Prairie Township Trustee: Bradley J Rietveld  
Pleasant Grove Township Trustee: Scott Johnson  
Red Rock Township Trustee: Cathering Wood  
Summit Township Trustee: Bradley Van Roekel (WI)  
Union Township Trustee: Henry Bensink  
Washington Township Trustee: Joy Pierce

Pleasant Grove Township Clerk – To Fill Vacancy – Phil Myers  
Liberty Township Clerk – To Fill Vacancy – Tish Deaver

Marion County Ag Extension Council Member:  
Kisha Jahner  
Mary Ann Guiter  
Cindi Dale  
Jim Peterson (WI)

Marion County Soil & Water Conservation Commissioner:  
Bill Kimble  
Jack Bensink  
Adam Van Gorp (WI)

Kingery moved and Agan seconded the canvass be adjourned. Ayes all.  
The canvass was adjourned at 9:40 A.M.

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Jake Grandia, Marion County Auditor

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Sam L Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on November 14, 2012, with Sam L. Nichols, Craig Agan, and Jim Kingery present. Chairman Nichols opened the special session at 11:30 A.M.

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

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

Agenda:

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

Public Hearing: None

Resolutions: None

Other Business:

1. County Attorney Ed Bull presented the bids received on the advertised Marion County properties.

a. 104 S 6th St, Knoxville – no bids received

b. Lakeside Heights Lots

- Dennis Tibble: \$1,080.00

- Bob Dingeman: \$3,000.00

Agan moved and Kingery seconded to accept the bid from Bob Dingeman for \$3,000 for the Lakeside Heights Lots 33-38 properties and authorize all filing fees, abstracting fees, and closing costs to transfer the properties from Marion County. The Marion County Attorney's Office will proceed with completing the necessary steps for transfer.

Adjournment:

There being no other business, Kingery moved and Agany seconded the meeting be adjourned at 11:45 a.m.

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Jake Grandia, Marion County Auditor

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Sam L Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on November 13, 2012, with Sam L. Nichols, Craig Agan, and Jim Kingery present. Chairman Nichols opened the special session at 1:00 P.M.

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

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

Agenda:

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

Public Hearing: Open - Chairman Nichols

1. Board of Supervisors – Public hearing for the purpose of reviewing a \$3,545,500 Iowa Economic Development Authority Water & Sewer Fund application for constructing a wastewater collection and treatment system for the Attica-Pershing area. Cory Frank, Marion County Environmental Health, introduced Kristine Wildung, Central Iowa Water Association. Wildung briefed the Board on the project and the requested \$300,000 CDBG grant request. Questions were received on sustainability and customer costs of the project. Maintenance costs will be accounted for in user fees. Iowa Council of Government Region 6 will administer the CDBG grant. Central Iowa Water would oversee the project and remaining funding. Local residents Carleen Rowland and Ann Rice commented on the need and their support of the project. There were no written comments received by the Marion County Auditor's Office. Agan moved and Kingery seconded to close the public hearing.

Resolutions:

1. Agan moved and Kingery seconded to approve Resolution 12-34 approving the Marion County Attica-Pershing area Iowa Economic Development Authority (IEDA) Water & Sewer Fund application as follows:

Whereas the Attica-Pershing area must install centralized wastewater treatment and collection systems to comply with IDNR expectations, and

Whereas the project area in Marion County qualifies for Community Development Block Grant funds for the project.

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

The Marion County Attica-Pershing sewer application in the amount of \$3,545,500 is hereby approved. The IDED Water & Sewer fund grant request is \$300,000 and the Central Iowa Water Association USDA Loan/Grant share is \$3,245,500.

Other Business: None

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 1:22 p.m.

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Jake Grandia, Marion County Auditor

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Sam L Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session at the Marion County Courthouse on November 13, 2012, with Jim Kingery, Sam Nichols and Craig Agan present. Chairman Nichols opened the regular session at 8:30 A.M.

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

Ayes: Kingery, Nichols, Agan Nays: none Abstentions: none Absent: none

Agenda:

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

Consent Agenda:

Kingery moved and Agan seconded to approve the consent agenda.

1. Approval of Marion County Warrants 193426 - 193853 through November 13, 2012.
2. Approval of Marion County staff salary adjustments. A list is available in the Marion County Auditor's Office.
3. Approval of Board of Supervisor Regular Session Minutes – 10/8/12, 10/22/12
4. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and Steven Kuiper.
5. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and David Shawver.

Public Hearings: Open Chairman Nichols 8:35 a.m.

A public hearing was held to present the updated Marion County Zoning Map to the Board of Supervisors for approval and adoption. This will include all previously approved rezoning since the last adoption of the Zoning Map dated December 26, 2000. The map is available for public viewing in the Marion County Zoning Office. The request is being made to waive readings 2 and 3. There being no written or oral comments received, Kingery moved and Agan seconded to close the public hearing.

Zoning Items:

1. Kingery moved and Agan seconded to approve the first reading and waive the 2<sup>nd</sup> and 3<sup>rd</sup> readings of Marion County Zoning Map Ordinance 2012-30, an ordinance amending the official zoning map for the unincorporated area of Marion County, Iowa.
2. Kingery moved and Agan seconded to approve the Marion County Zoning Map Ordinance 2012-30 an ordinance amending the official zoning map for the unincorporated area of Marion County, Iowa and authorize the zoning director to change the Marion County Zoning Map.

Resolutions:

1. Agan moved and Kingery seconded to approve Marion County Resolution 12/33 authorizing the Marion County Sheriff's Office to retain the application fee for all Annual Permit to Acquire Pistols/Revolvers including those applications which are denied.

Whereas, the Sheriff's Office currently charges \$5.00 for every Annual Permit to Acquire Pistols/Revolvers issued by the Marion County Sheriff's Office, and,

Whereas, the funds collected for the issuance of all Annual Permit to Acquire Pistols/Revolvers is deposited into the Marion County General Fund, and

Whereas, the Sheriff's Office currently refunds the \$5.00 collected in the event that the Annual Permit to Acquire Pistols/Revolvers is denied, and,

Whereas, the Sheriff's Office currently has six (6) checks dating from March 23, 2009 to March 28, 2012 that have not yet been redeemed, and

Whereas, all of these outstanding checks were issued to applicants to Acquire Pistols/Revolvers whose applications were denied, and  
Whereas, it would be in the best public interest for the Marion County Sheriff's Office to adopt a policy to retain the fee in such cases where the application for an Annual Permit to Acquire Pistols/Revolvers is denied to cover the administrative costs involved in the processing of the application,

Now Therefore Be It And It Is Hereby Resolved by the Marion County Board of Supervisors, that on this date met in lawful session, that the Marion County Sheriff's Office is hereby authorized to retain the application fee for all Annual Permit to Acquire Pistols/Revolvers including those applications which are denied.

Other Business:

1. Kingery moved and Agan seconded to approve the Chairman to sign FY 2012 Cost Allocation Plan as prepared by Cost Advisory Services, Inc. to be filed with the Iowa Department of Human Services.
2. Kingery moved and Agan seconded to approve mental health contract with Heart of Iowa Regional Transportation Agency (HIRTA) for public transportation services.
3. Ed Bull, Marion County Attorney expressed concern regarding advice from outside council, specifically Ahler's and Cooney. There isn't a written process amongst the County on whom may contact Ahler's and how the information is conveyed. If legal council is given, Ed would like to be aware of this information. Ed will review Ahler's and Cooney's engagement letter. Agan moved and Kingery seconded to close discussion.
4. It was the consensus of the Board to enclose the area of the Public Health Building where there is a bird nuisance problem. Agan moved and Kingery seconded to accept Ealy Home Improvement's bid for construction along with hiring Hawkeye Exterminator for cleanup.
5. Annual review and evaluation of the Marion County Engineer, Roger Schletzbaum. All comments were positive from the Board. Kingery moved and Agan seconded to close discussion.
6. Agan moved and Kingery seconded to approve the chairman's signature on a 1 year extension of the Marion County Engineer's contract effective 7/1/13-6/30/14, maintaining existing terms and compensation.

Appointments:

1. Agan moved and Kingery seconded to approve the following appointment:  
Pioneer Cemetery Commission (2X) – terms ending 12/31/2016  
-Bev Jones  
-Janet Ritchie
2. Agan moved and Kingery seconded to approve the following appointment:  
Pioneer Cemetery Commission (to fill vacancy) – term ending 12/31/2015  
-Larry Fudge

Adjournment:

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

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Danielle Graves, Administrative Assistant

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Sam L Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on October 31, 2012, with Sam L. Nichols, Craig Agan, and Jim Kingery present. Chairman Nichols opened the special session at 8:30 A.M.

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

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

Agenda:

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

Resolutions: None

Other Business:

1. Agan moved and Kingery seconded to include Public Comments on meeting agenda.
2. Cal Stephens, Marion County Maintenance Director priced elevator maintenance costs. The Courthouse elevator maintenance contract is currently with Otis. Cal recommends that we finish out the last two years of the 5 year contract with Otis and send termination notice within 90 days of termination date. At which time we will consider other companies and stay away from a contract the automatically renews. Kingery moved and Agan seconded to direct Ed Bull, County Attorney to review contract and for Cal Stephens to notify Otis at the appropriate time.
3. The roof above the kitchen at the Marion County Care Facility has a leak. Cal Stephens, Marion County Maintenance Director determined it is a structural problem rather than a roof/shingle issue. Kingery moved and Agan seconded to direct Cal to move forward with Ealy Home Improvements and Comer Roofing to make repairs.
4. Agan moved and Kingery seconded to make a donation of \$500.00 to the Knoxville Rural Fire Department for a controlled burn of old pole building at the Marion County Care Facility.
5.
  - a. Discussion regarding stabilization of Bussey Memorial Hall floor. It was the consensus of the Board to move forward with repairs of floor stabilization. Agan moved and Kingery seconded to authorize Cal Stephens, Maintenance Director to hire contractor and have Calhoun and Burns follow up after said repairs are made.
  - b. The Marion County Community Foundation donated the money to update the Bussey Community Center for Elderly Nutrition Services.
  - c. Regarding the future of the Bussey Memorial Hall, it was the consensus of the Board to attempt to sell the building. Kingery moved and Agan seconded to take preliminary steps for public hearing and selling the building.
6. Discussion regarding Emergency Management agreement with Jasper County for Hazmat Services. Jeff Anderson, Emergency Management Coordinator presented a plan to recruit a local team of people to act as the County Hazmat Team. Anderson believes Jasper County is interested in an agreement that would allow both counties to share resources. The consensus of the Board is to move forward with relationship with Jasper County. Kingery moved and Agan seconded the following motion:
  - a. The Board of Supervisors will negotiate agreement with Jasper County Board of Supervisors regarding annual contribution.
  - b. The Board authorizes Jeff Anderson, Emergency Management Coordinator to proceed with the development of a 28E agreement that will enable the County to form their own team.
  - c. The Board authorizes the Emergency Management Commission to formulate a governing body that will be the "authority having jurisdiction". This group would then have equal membership from each of the jurisdictions in Marion County. This body would then be the administrative body that sets policy, the pay schedule for required trainings and responses and the annual budget for the hazmat team. The hazmat budget would then be incorporated in the Marion County Emergency Management budget. The Marion County Emergency Management office will serve as the fiscal agent for the hazmat team as well as the body responsible for all record keeping associated with training and medical monitoring.
  - d. The Board authorizes the Emergency Management Commission to utilize the approximately \$30,000 in Emergency Management Performance Grant funds to 1.) pay for the initial 40 hour hazmat technician class, approximately \$6000. 2.) purchase the monitoring equipment needed by the team, approximately \$10,000 3.) place the remainder of those funds in a hazmat team fund to cover any incidental startup costs.
  - e. The Board authorizes the Emergency Management Commission to formulate a 28E agreement with the Jasper county Hazmat Team that will provide the Marion County Hazmat Team with a mutual aid capability for responses that require either additional hazmat manpower, or hazmat equipment beyond the capabilities of the Marion County Hazmat Team.

7. Agan moved and Kingery seconded to authorize Cal Stephens, Marion County Maintenance Director to move forward with Mid American Energy to provide additional lighting outside of Capstone area and east parking lot at the Marion County Public Health building.

8. Discussion regarding Pleasantville Memorial Building, the Board would like to see City of Pleasantville move to purchase the building. Agan moved and Kingery seconded to close discussion.

9. Cory Frank, Environmental Health Program Manager, explained the Master Matrix regarding Brandyn Van Zante construction application in Lake Prairie Township, received from the Iowa Department of Natural Resources. Kathy Van Donsler, Marion County citizen was also present to express her feelings against this site. Frank explained that the site may not end up in Marion County due to certain setbacks based on the operation size. The Board of Supervisors will pass the letters received from the neighbors along to the DNR. In the end the DNR does make the final approval of the construction. Agan moved and Kingery seconded to close discussion.

10. After concerns/complaints regarding engine brake noise from a citizen, it is the consensus of the Board to draft a noise ordinance on Marion County highways. Agan moved and Nichols seconded to close discussion.

11. Cal Stephens, Marion County Maintenance Director recommended to the Board that the Clock Tower project and tuck pointing the clock tower columns be done at the same time. Option number 3 seems the most feasible due to the replacement of steel decking with a concrete floor with a life expectancy of 50 years. Stephens also recommended that project documents be drawn up by Calhoun and Burns before bids go out for contractors. Agan moved and Nichols seconded to authorize Cal Stephens to proceed with option three, and Roger Schletzbaum to ask Calhoun and Burns for more definitive breakdowns on construction engineering and follow up engineering.

12. Cal Stephens, Marion County Maintenance Director reports that he has lined up a contractor to make a minor change to the return air duct at DHS that will circulate fresh air into the building and improve air quality. Agan moved and Kingery seconded to close discussion.

13. Cory Frank was not available for discussion on Marion County Care Facility lagoon. Agan moved and Kingery seconded to close discussion.

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 11:35 a.m.

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Danielle Graves, Administrative Assistant

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Sam L Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session at the Marion County Courthouse on October 22, 2012, with Jim Kingery, Sam Nichols and Craig Agan present. Chairman Nichols opened the regular session at 8:30 A.M.

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

Ayes: Kingery, Nichols, Agan Nays: none Abstentions: none Absent: none

Agenda:

1. Agan wanted to amend the agenda by adding public comments. Ed Bull, Marion County Attorney said it could not be added without public notice. Agan moved and Kingery seconded to approve the agenda as posted.

Consent Agenda:

Kingery moved and Agan seconded to approve the consent agenda.

1. Approval of Marion County Warrants 193205 - 193425 through October 22, 2012.
2. Approval of Marion County Conservation warrants #193152 - #193204 through 10/16/12.
3. Approval of Marion County staff salary adjustments. A list is available in the Marion County Auditor's Office.
4. Approval of Board of Supervisor Regular Session Minutes – 9/24/12
5. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and Gerald Murphy.

Public Hearings: None

Zoning Items:

Agan moved and Kingery seconded to approve site plan request from Barker Implement for proposed accessory storage building on parcel legally described as follows: Lot 4, 5, & 6 of Reimer Subdivision, 13-75-20, Marion County, Iowa.

Resolutions: None

Other Business:

1. Craig Wassenaar, Board Member of Fields for Our Future, Inc. gave a presentation for the Pella Sports Park Project. The Vision Iowa Grant Application looks at other donations the committee has sought out. The request brought before the Board today is for \$25,000 donation given over a five year period. Further discussion will be necessary. Kingery moved and Agan seconded to close discussion.
2. Kingery moved and Agan seconded to approve a public hearing date of 11/13/12 to move forward with a \$3,545,500 Iowa Economic Development Authority Water & Sewer Fund grant application for constructing a wastewater collection and treatment system for the Attica-Pershing area.
3. Cory Frank, Marion County Environmental Health found no issues with the matrix scoring of Brandon Van Zante, Inc. construction permit application for a confinement feeding operation in Section 25, Lake Prairie (south) Township. Iowa Department of Natural Resources Facility ID No. 66936. Kingery moved and Agan seconded to authorize the chairman to sign a document of recommendation.
4. Dave Johnson, Attorney for Denna Ford/Dennis Smith (landowners) presented a request to the Board regarding 60 acres (more or less) of land near Wilcox Park. The request is, would the County be interested in purchasing this land or would they grant easement access across current County property to said 60 acres. The consensus of the Board was they are not interested in either request at this time. Agan moved and Kingery seconded to close discussion.
5. Agan moved and Kingery seconded to receive and file Marion County Treasurer's Semi-Annual report dated June 30, 2012.
6. Agan moved and Kingery seconded to receive and file Marion County Sheriff transaction report dated September 30, 2012.
7. With the closing of the Bussey Memorial Building, there was discussion regarding how to proceed to remove items in the building. The question of "what do we do with the building now" is the issue. The consensus of the Board is more discussion will be necessary to move forward. Agan moved and Kingery seconded to close discussion.

8. Kingery moved and Agan seconded to approve agreement for mental health services between Marion County Board of Supervisors and Pine Rest Christian Mental Health Services as presented by the Marion County Central Point Coordinator.

9. Kingery moved and Agan seconded to approve agreement for mental health services between Marion County Board of Supervisors and St. Luke's Hospital as presented by the Marion County Central Point Coordinator.

10. Kingery moved and Agan seconded to approve mental health services between Marion County Board of Supervisors and Mary Greeley Hospital as presented by the Marion County Central Point Coordinator.

11. Agan moved and Kingery seconded to approve Business Associate Agreement with the Knoxville Hospital and Clinic for medical services rendered on prisoners of the Marion County Law Enforcement Center.

Appointments:

1. Agan moved and Kingery seconded to approve the following appointment:

Compensation Board (Board of Supervisor representative) – Dean Hicks - term ending 6/30/2015

2. Agan moved and Kingery seconded to approve the following appointment:

Compensation Board (Board of Supervisor representative – James L Jones – term ending 6/30/2015

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 10:35 A.M.

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Danielle Graves, Administrative Assistant

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Sam L Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session at the Marion County Courthouse on October 8, 2012, with Jim Kingery and Sam Nichols present. Craig Agan attended via telephone. Chairman Nichols opened the regular session at 8:30 A.M.

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

Ayes: Kingery, Nichols, Agan Nays: none Abstentions: none Absent: none

Agenda:

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

Consent Agenda:

Kingery moved and Agan seconded to approve the consent agenda.

1. Approval of Marion County Warrants 192913 - 193148 through October 8, 2012.
2. Approval of Marion County staff salary adjustments. A list is available in the Marion County Auditor's Office.
3. Approval of Board of Supervisor Special Session Minutes – 9/17/12
4. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and Henry Langstraat Jr.
5. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and Dale Storm.

Public Hearings: Open – Chairman Nichols

1. County Board of Supervisors – Zoning - Petition #751 – Jesse Peterson is requesting the rezoning of a parcel described as the NE1/4 Parcel F 23-77-18 from A-1 to A-R to allow for a fifth buildable lot in the quarter- quarter section. Requesting the second and third readings be waived. Agan moved and Kingery seconded to close the discussion.

2. County Board of Supervisors – Zoning - Petition #753 – Brian Clarke is requesting a rezoning from A-1 to A-R to build a new home in an area exceeding the maximum allowed buildable lots in an A-1 zone. The legal description being Parcel C of the W1/2 of the NE1/4 of 36-76-20; A/K/A 1226 Hwy 14, Knoxville. Requesting the second and third readings be waived. Kingery moved and Agan seconded to close the discussion.

Zoning Items:

1. Kingery moved and Agan seconded to approve 1<sup>st</sup> reading and waive 2<sup>nd</sup> and 3<sup>rd</sup> reading of Marion County Zoning Map Ordinance 2012-28 (Zoning Petition #751) - Jesse Peterson is requesting the rezoning of a parcel described as the NE1/4 Parcel F 23-77-18 from A-1 to A-R to allow for a fifth buildable lot in the quarter-quarter section.

2. Kingery moved and Agan seconded final approval of Marion County Zoning Map Ordinance 2012-28 rezoning of a parcel described as the NE1/4 Parcel F 23-77-18 from A-1 to A-R to allow for a fifth buildable lot in the quarter-quarter section. Authorizing final publication and order the zoning director to change the Marion County Zoning Map.

3. Kingery moved and Agan seconded to approve 1<sup>st</sup> reading and waive 2<sup>nd</sup> and 3<sup>rd</sup> reading of Marion County Zoning Map Ordinance 2012-29 (Zoning Petition #753) – Brian Clarke is requesting a rezoning from A-1 to A-R to build a new home in an area exceeding the maximum allowed buildable lots in an A-1 zone. The legal description being Parcel C of the W1/2 of the NE1/4 of 36-76-20; A/K/A 1226 Hwy 14, Knoxville.

4. Agan moved and Kingery seconded final approval of Marion County Zoning Map Ordinance 2012-29 rezoning from A-1 to A-R to build a new home in an area exceeding the maximum allowed buildable lots in an A-1 zone. The legal description being Parcel C of the W1/2 of the NE1/4 of 36-76-20; A/K/A 1226 Hwy 14, Knoxville. Authorizing final publication and order the zoning director to change the Marion County Zoning Map.

Resolutions: None

Other Business:

1. Discussion regarding Bussey Senior Nutrition meal site currently being held at Bussey Community Center. Updates to this facility will be necessary to bring up to code for the State of Iowa. It was the consensus of the board more discussion will be necessary before making any decisions on how these updates will be funded. Agan moved and Kingery seconded to close discussion.

2. Discussion regarding bird nuisance at the Marion County Public Health Building. Agan is not supportive of enclosing and expanding this area of the building. More discussion is necessary to proceed regarding nuisance. Kingery moved and Agan seconded to close discussion.

3. Agan moved and Kingery seconded to authorize the Board of Supervisor chair's signature of the 2012 Marion County Weed Commissioner's Report to be submitted to the Iowa Department of Agriculture and Land Stewardship.

Appointments:

Kingery moved and Agan seconded to table the following appointments:

1. Compensation Board (BOS appointee) – Dean Hicks – term ending 6/30/2015
2. Compensation Board (BOS appointee) – Todd Chambers – term ending 6/30/2015

Adjournment:

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

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Danielle Graves, Administrative Assistant

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Sam L Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session at the Marion County Courthouse on September 24, 2012, with Jim Kingery, Craig Agan and Sam Nichols present. Chairman Nichols opened the regular session at 8:30 A.M.

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

Ayes: Kingery, Nichols, Agan Nays: none Abstentions: none Absent: none

Agenda:

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

Consent Agenda:

Kingery moved and Agan seconded to approve the consent agenda.

1. Approval of Marion County Warrants 192698-192910 through September 24, 2012.
2. Approval of Marion County Conservation Board Warrants #192657-192696 through 9/18/12.
3. Approval of Board of Supervisor Regular Session Minutes – 9/10/12
4. Approval of Board of Supervisor Special Session Minutes – 9/14/12
5. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and Donna Rankin.
6. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and Randall Haag.

Public Comments:

Public Hearings: Open – Chairman Nichols

Zoning Petition #752 – Sandy's Haven, a minor subdivision located at 1437 Oregon St., Knoxville with a legal of Part of the SE1/4 of the NW1/4 of 20-75-20 and owned by Bill Vande Kamp is being presented for approval.(Full legal description available in the Marion County Zoning Office). There were no written comments received by the Marion County Auditor's Office. Agan moved and Kingery seconded to close the public hearing.

Zoning Items:

1. Kingery moved and Agan seconded to approve Resolution 12/31 Sandy's Haven Minor Subdivision Plat as requested by Bill D. & Beverly J. Vande Kamp.

Whereas, Bill D. Vande Kamp and Beverly J. Vande Kamp, husband and wife, as joint tenants with full rights of survivorship, and not as tenants in common, are the owners of the premises described in the Surveyor's Certificate attached to the accompanying plat identified as "Sandy's Haven Subdivision", and

Whereas, it has had said premises surveyed and caused the same to be platted as "Sandy's Haven Subdivision" as shown by the plat to which this consent is attached, and

Whereas, it desires to record said plat.

Now, Therefore, Know All Men By These Present: That Bill D. Vande Kamp and Beverly J. Vande Kamp hereby acknowledge their consent to the platting of the aforementioned real estate, such subdivision plat to be known as "Sandy's Haven Subdivision", which was prepared with its free consent and in accordance with its desire.

That no lots in said subdivision shall be subject to restrictive covenants.

2. Agan moved and Kingery seconded to approve site plan for the Geeting's Inc. expansion project located at 100 N. Godfrey Lane, Knoxville IA 50138.

Resolutions:

Agan moved and Kingery seconded to approve Resolution 12/32 adopting the Marion County Hazard Mitigation Plan of 2012-2016.

Whereas, the Federal Department of Homeland Security (DHS) requires local jurisdictions to comply with the Disaster Mitigation Act of 2000 (DMA 2000); and

Whereas, the Iowa Homeland Security and Emergency Management Division (Iowa HSEMD) is implementing the federal requirements through an agreement with Marion County, contract #DR-1763-0059-01; and

Whereas, the proposed plan completed by the Marion County Hazard Mitigation Planning Team must be adopted and submitted to the Iowa of HSEMD;

Whereas, the Marion County Hazard Mitigation Planning Team has recommended approval of the proposed plan as presented;

Therefore, let it be resolved that, upon Federal Emergency Management Agency (FEMA) approval, the above referenced plan shall be the official Hazard Mitigation Plan for the County of Marion and the jurisdictions impacted should implement the plan elements pertaining to the jurisdictions accordingly.

Other Business:

1. Discussion regarding condition and use of the Bussey Memorial Hall. Agan moved and Kingery seconded to hire Calhoun-Burns and Associates to do a structural inspection.

2. Disposing of the following properties was discussed:

a. Lot 1 Block 27 Original Town Knoxville (locally known as 104 South 6<sup>th</sup> St). Nichols moved and Kingery seconded to sell the property, pending approval from the City, under sealed bid. The minimum amount will be set at \$150,000.

b. Lots 33, 34, 35, 36, 37 & 38 Block 1 Lakeside heights Subd (locally known as 313 Lakeside Dr, Knoxville) Kingery moved and Agan seconded to sell lots together as one, under sealed bid. The minimum amount will be set at \$500.

3. Agan moved and Kingery seconded to approve the amended Marion County Courtyard Special Events Agreement and permit Application.

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 11:28 A.M.

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Danielle Graves, Administrative Assistant

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Sam L Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on September 17, 2012, with Sam L. Nichols and Craig Agan present. Jim Kingery participated via telephone. Chairman Nichols opened the special session at 12:00 P.M. (noon)

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

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

Announcement:

1. Chairman Nichols: Closed session pursuant to Closed Session pursuant to Iowa Code Chapter 21.5(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 government body in the litigation.

Steve Woodhouse, Knoxville Journal Express, asked the Board about the topic of the closed session. Ed Bull, Marion County Attorney indicated potential litigation on County property and there are no lawsuits filed against the County at this time.

Agenda:

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

Public Hearing: Open - Chairman Nichols

1. Board of Supervisors – Public hearing regarding potentially waiving special assessment interest/penalty and assignment of Marion County held Tax Sale Certificate #2010-63015 to the City of Pleasantville. Property described as follows: The North 70 feet of the W1/2 of Lot 2 and the North 70 feet of the E1/2 of Lot 3 in Block 10 in Jordan's Addition to the Town of Pleasantville, Iowa. Supervisor Agan if this abatement request was for property taxes. Denise Emal, Treasurer, responded it was for a City of Pleasantville Special Assessment. Steve Woodhouse asked what the assessment was for. Emal replied it was for demolition on the property. There were no comments received by the Marion County Auditor's Office. Agan moved and Kingery seconded to close the public hearing.

Resolutions:

1. Agan moved and Kingery seconded to approve Resolution 12-30 waiving special assessment interest and penalty for the following described property: The North 70 feet of the W1/2 of Lot 2 and the North 70 feet of the E1/2 of Lot 3 in Block 10 in Jordan's Addition to the Town of Pleasantville, Iowa as follows:

This Resolution is made with respect to the following described real property: The North 70 feet of the W ½ of Lot 2 and the North 70 feet of the E ½ of Lot 3 in Block 10 in Jordan's Addition to the Town of Pleasantville, Iowa.

Whereas:

1. An unsatisfied special assessment was sold to Marion County and a tax sale certificate was issued on June 21, 2010 for \$9,075.00.
2. The tax sale certificate number is 2010-63015.
3. Penalties and interest have accrued on the unsatisfied special assessment.

Be It Resolved by the Marion County Board of Supervisors: For good cause all accrued amounts due and owing as interest and penalty on the unsatisfied special assessment are hereby waived and held for naught.

Other Business:

1. Agan moved and Kingery seconded to approve the Assignment of Marion County held Tax Sale Certificate #2010-63015 to the City of Pleasantville and authorization of Board of Supervisor signature. Property described as follows: The North 70 feet of the W1/2 of Lot 2 and the North 70 feet of the E1/2 of Lot 3 in Block 10 in Jordan's Addition to the Town of Pleasantville, Iowa.

Closed Session:

1. Agan moved and Kingery seconded to enter into Closed Session at 12:14 p.m. pursuant to Iowa Code Chapter 21.5(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 government body in the litigation.

2. Kingery moved and Agan seconded to reconvene into Open Session at 2:13 p.m.

3. After some discussion regarding the condition and activities of the Bussey Memorial Hall, agenda item #3 died due to lack of motion.

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 2:55 p.m.

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Jake Grandia, Marion County Auditor

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Sam L Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on September 14, 2012, with Sam L. Nichols, and Craig Agan present. Jim Kingery was absent. Chairman Nichols opened the special session at 8:30 A.M.

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

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

Agenda:

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

Other Business:

1.) Agan moved and Nichols seconded to approve construction contract ID# 63-C063-109 with Iowa Bridge and Culvert LC to construct a reinforced box culvert on Clemens Drive located just east of Hwy 14.

Adjournment:

There being no other business, Agan moved and Nichols seconded the meeting be adjourned at 8:35 A.M.

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Dani Graves, Marion County Auditor

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Sam L Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session at the Marion County Courthouse on September 10, 2012, with Jim Kingery, Craig Agan and Sam Nichols present. Chairman Nichols opened the regular session at 8:30 A.M.

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

Ayes: Kingery, Nichols, Agan Nays: none Abstentions: none Absent: none

Agenda:

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

Consent Agenda:

Kingery moved and Agan seconded to approve the consent agenda.

1. Approval of Marion County Warrants 192451-192656 through September 10, 2012.
2. Approval of Marion County Conservation Board Warrants #192216-192262 through 8/21/12.
3. Approval of Board of Supervisor Regular Session Minutes – 8/13/12
4. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and Ann Marie Rouwenhorst
5. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and Donald R Noftsgger

Public Comments:

Lane Williams, Landowner commented he would like to see the County continue viability of 115<sup>th</sup> Pl at Teter Creek.

Public Hearings: None

Resolutions: None

Other Business:

1. Heart of Iowa Regional Transit Agency (HIRTa) communicated to the Board that Christian Opportunity Center is discontinuing their contract with HIRTa for public transportation services. HIRTa will continue to serve the public in and around Pella for their transportation needs. Agan moved and Kingery seconded to close discussion.
2. Cal Stephens, Marion County Maintenance Director reported to the Board that the Iowa Workforce Development elevator inspector passed the elevator with no issues. Agan moved and Kingery seconded to close discussion.
3. Discussion regarding amendment to job descriptions for the Secondary Road Department. The Board would like to be aware of job descriptions as created by Department Heads but it is a departmental responsibility. Agan moved Kingery seconded to close discussion. Item #3 died to lack of motion.
4. Kingery moved and Agan seconded to approve amendment to Secondary Road Payroll Policy.

Adjournment:

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

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Danielle Graves, Administrative Assistant

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Sam L Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session at the Marion County Courthouse on August 27, 2012, with Jim Kingery, Craig Agan and Sam Nichols present. Chairman Nichols opened the regular session at 8:30 A.M.

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

Ayes: Kingery, Nichols, Agan Nays: none Abstentions: none Absent: none

Agenda:

1. Agan moved and Kingery seconded to amend the agenda as follows.

Add to other business Rhonda Guy with Professional Operations Management as item number one and adjust the remaining items accordingly.

2. Agan moved and Kingery seconded to approve the amended agenda.

Consent Agenda:

Kingery moved and Agan seconded to approve the consent agenda.

1. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
2. Approval of Marion County Warrants 192263-192447 through August 27, 2012.
3. Approval of Marion County Conservation Board Warrants #192216-192262 through 8/21/12.
4. Approval of Board of Supervisor Regular Session Minutes – 8/13/12
5. Approval of Board of Supervisor Special Session Minutes – 8/22/12
6. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and Don & Larry Cummings
7. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and Marilyn Heigele.
8. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and Jeanne Bellish

Public Comments:

Ed Bull, Marion County Attorney commented that the arsonist that set the fire at the DHS building in Marion County will enter a guilty plea.

Ed Bull, Marion County Attorney commented that Marion County has developed an Intensive Treatment Course for habitual public intoxication offenders.

Public Hearings: None

Resolutions: None

Other Business:

1. Rhonda Guy, Professional Operations Management presented an overview of wastewater management at the Marion County Care facility to the Board. Agan moved and Kingery seconded to close discussion.
2. Discussion regarding Special Events Application for the Marion County Courthouse/Courtyard from the Knoxville Chamber of Commerce for WHO TV13 RV TV on September 5, 2012 through September 6, 2012. Agan moved and Kingery seconded to approve the application.
3. Cal Stephens, Maintenance Director presented three quotes to the board as possible solutions to the bird nuisance problem at the Marion County Public Health Building. The Board agreed that Ealy Home Improvement's plan would accomplish the bird problem as well as adding storage space. The Board asked Cal to request bids from the other two companies along with time lines, based off of the agreed plan. Kingery moved and Agan seconded to close discussion.

Adjournment:

There being no other business, Kingery moved and Agan seconded the meeting be adjourned at 9:50 A.M.

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Danielle Graves, Administrative Assistant

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Sam L Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on August 22, 2012, with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the special session at 9:00 A.M.

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

Ayes: Nichols, Kingery, Agan Nays: none Abstentions: none.

Agenda:

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

Other Business:

1.) The Board held discussion with the following elevator service company representatives regarding potential modernization projects for the Marion County Courthouse elevator including ADA components, cab, doors, electrical, cylinder, and alarms.

- Otis Elevator
- Schumacher

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

2.) Cal Stephens, Facilities/Maintenance Director, presented options for a new 3/4 ton pickup for the maintenance department. Agan moved and Kingery seconded to approve Stephens recommendation of acquiring a pickup from Ulrich Motor and acquiring an appropriate snow blade from a separate vendor. Presented options were as follows:

<u>Dealership</u>		<u>2012</u>	<u>2013</u>
Pella Motors	truck	23,200	
	truck/plow	29,300	
Ulrich Ford	truck	23,565	24,373
Karl Chevrolet	truck	23,455	
	truck/plow	29,455	
Motor Inn	truck		23,100

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 12:20 P.M.

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Jake Grandia, Marion County Auditor

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Sam L Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session at the Marion County Courthouse on August 13, 2012, with Jim Kingery, Craig Agan and Sam Nichols present. Chairman Nichols opened the regular session at 8:30 A.M.

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

Ayes: Kingery, Nichols, Agan Nays: none Abstentions: none Absent: none

Agenda:

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

Communications: None

Consent Agenda:

Kingery moved and Agan seconded to approve the consent agenda.

1. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
2. Approval of Marion County Warrants 191910 - 192213 through August 13, 2012.
3. Approval of Board of Supervisor Regular Session Minutes – 7/23/12
4. Receive and file Quarterly Marion County Sheriff Transaction Report: 4/1/12 – 6/30/12
5. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and Mark Drost
6. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and Peter Keuning.
7. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and Miner Brown Sr.
8. Approval of Work Beyond Right-of-Way Agreement with Sec. Road Department and David Edward Baker.

Public Comments: None

Public Hearings:

Chairman Nichols opened the public hearing at 8:32 a.m. 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 No. 1005 established January, 1892 and known locally as Erbe St. in Sections 25 and 36 Township 77N, Range 18W of the 5th. PM. More particularly being described as beginning at the West right-of-way line of 250th Ave. thence west to the east right-of-way line of 240th Pl. and thence terminating. No written comments were received by the Engineer. Agan moved and Kingery seconded to close the public hearing.

Zoning Items:

Agan moved and Kingery seconded to approve industrial zoned site plan for Mark Van Haaften on property locally known as 1820 Hwy 163, Pella, IA.

Resolutions:

1. Agan moved and Kingery seconded to approve Resolution 12/28 authorizing the annual Secondary Road Transfer of \$1,747,684 from the Rural Basic Fund to the Secondary Road Fund as approved in the FY12-13 Marion County Budget and authorize the Marion County Treasurer and Marion County Auditor to make necessary transfer in a timely manner.

Whereas, the Marion County Board of Supervisors approved the transfer of \$1,747,684.00 from the Rural Basic Fund to the Secondary Road Fund under the FY 12-13 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 \$1,747,684.00 from the Rural Basic Fund to the Secondary Road Fund be approved by the Marion County Board of Supervisors for the fiscal year of 2012-2013, and,

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

2. Kingery moved and Agan seconded to approve Resolution 12/29 to change the road classification and establish as level "C" with restricted access and a minimal level of maintenance described as following: A segment of Road No. 1005 established January, 1892

and known locally as Erbe St.in Sections 25 and 36 Township 77N, Range 18W of the 5th. PM. More particularly being described as beginning at the West right-of-way line of 250th Ave. thence west to the east right-of-way line of 240th. Pl. and thence terminating.

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 qqthe 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 No. 1005 established January,1892 and known locally as Erbe St.in Sections 25 and 36 Township 77N, Range 18W of the 5th. PM. More particularly being described as beginning at the West right-of-way line of 250th Ave. thence west to the east right-of-way line of 240th. Pl. and thence terminating. Resolution adopted 8/13/2012.

#### Other Business:

1. Discussion regarding correction to job description for Senior Nutrition "fill in" position by amending date and department director. Agan moved and Kingery seconded to approve amended "fill in" job description and posting of vacant position.
2. Discussion regarding vehicle replacement for the Marion County facilities department. Consensus of the Board, Cal Stephens, Marion County Facilities and Maintenance Director will get two bids for a new pickup to present to the Board. Kingery moved and Agan seconded to close discussion.

3. Discussion regarding elevator upgrade options for the Marion County Courthouse. It was the consensus of the Board that more information is required. The Board requested a separate meeting with Otis Elevator and Schumacher Elevator Co. Agan moved and Kingery seconded to close discussion.

4. It was noted further information is required regarding the maintenance project of the Marion County Courthouse bell tower structure. Agan moved and Kingery seconded to close discussion.

Appointments:

1. Agan moved and Kingery seconded to approve the following appointment:  
City of Pella Development Committee – Jody Lautenbach – term ending 2015.

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 10:16 A.M.

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Danielle Graves, Administrative Assistant

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Sam L Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session at the Marion County Courthouse on July 23, 2012, with Jim Kingery and Sam Nichols present. Craig Agan was absent. Chairman Nichols opened the regular session at 8:30 A.M.

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

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

Agenda:

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

Communications: None

Consent Agenda:

Kingery moved and Nichols seconded to approve the consent agenda.

1. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
2. Approval of Marion County Warrants 191701-191902 through July 23, 2012.
3. Approval of Marion County Conservation Warrants #191651 - #191699 through July 17, 2012.
4. Approval of Board of Supervisor Regular Session Minutes – 5/29/12, 6/11/12, 7/9/12,
5. Approval of Board of Supervisor Special Session Minutes – 6/20/12, 7/9/12, 7/11/12, 7/16/12
6. Approval of Work Beyond Right-of-Way Agreement with Secondary Road Dept. and Eric Fee
7. Approval of Work Beyond Right-of-Way Agreement with Secondary Road Dept. and Linda/Jim Mason
8. Approval of Work Beyond Right-of-Way Agreement with Secondary Road Dept. and Dan Dennison

Zoning Items: None

Resolutions: None

Other Business: None

Appointments:

1. Kingery moved and Nichols seconded to approve the following appointment:  
Veteran's Affairs Board – Al Van Zee – term ending 6/30/15
2. Nichols moved and Kingery seconded to approve the following appointment:  
Veteran's Affairs Board – Jodi Marti – term ending 6/30/14
3. Kingery moved and Nichols seconded to approve the following appointment:  
City of Pella Development Committee – Virginia Moore – term ending 2015

Adjournment:

There being no other business, Nichols moved and Kingery seconded the meeting be adjourned at 8:35 A.M.

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Danielle Graves, Administrative Assistant

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Sam L Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on July 16, 2012, with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the special session at 9:30 A.M.

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

Ayes: Nichols, Kingery, Agan Nays: none Abstentions: none.

Agenda:

Agan moved and Kingery seconded to amend the agenda by reversing agenda items #1 and #2.

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

Other Business:

1.) Ron Goemaat, Marion County Sheriff, reviewed the recent Marion County Courthouse Security Committee recommendation regarding removing all department name designations from assigned parking spaces in the Courthouse parking lot due to safety concerns. After discussion with departments and court representatives Agan moved and Kingery seconded the following parking lot spaces will be labeled as follows:

- Reserved – Clerk of Court, County Attorney, judges, courthouse security
- Department Names – all other departments

2.) Discussion with Douglas Steinmetz, preservation architect, regarding projects and potential services involving the State Historic Preservation and Cultural & Entertainment District Tax Credit Program (STC) for past and future Marion County Courthouse projects. More information will be pursued by the Board and Mr. Steinmetz will send a professional services proposal to the County for consideration regarding the STC program. Agan moved and Kingery seconded to close discussion.

Adjournment:

There being no other business, Kingery moved and Agan seconded the meeting be adjourned at 11:28 A.M.

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Jake Grandia, Marion County Auditor

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Sam L Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on July 11, 2012, with Jim Kingery and Craig Agan present. Sam L Nichols was absent. Vice-Chairman Kingery opened the regular session at 8:15 A.M.

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

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

Agenda:

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

Communications: None

Consent Agenda: None

Public Comments: None

Public Hearing: None

Zoning Items: None

Resolutions: None

Other Business:

1.) Agan moved and Kingery seconded to approve a contract with Racom to install a 36 mg wireless data connection between the Dickerson Building and the Marion County Courthouse.

Appointments: None

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 8:18 A.M.

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Lorri L. Jahner, Marion County Designee

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Jim Kingery, Vice-Chairman Board of Supervisors

I. Call to Order: The Marion County Board of Supervisors met for a special session on July 9, 2012, with Jim Kingery and Craig Agan present. Sam L. Nichols was absent. Vice-Chairman Kingery 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: Agan, Kingery Nays: none Abstentions: none. Absent: Nichols

II. Agenda:

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

III. Other Business:

1. Monthly departmental updates:
  - a. Dawn Allspach – Sr. Nutrition
    - i. Transition is going well.
  - b. Mike Kuhn – Veterans Affairs/General Relief
    - i. Veterans Affairs – Update on plans to replace Commissioner Bob Gee.
  - c. Betty Moll - CPC
    - i. Issued letters of intent by the four county group for form a regionalization group
  - d. Ron Goemaat - Sheriff
    - i. Updating computer systems
    - ii. Increased lake patrol
    - iii. Firing range improvements
  - e. Carla Eysink – Development
    - i. Update on various conferences and projects
  - f. Cory Frank – Sanitation
    - i. Busy construction season
    - ii. Lagoon update
  - g. Missy Poffenbarger – Zoning
    - i. Comprehensive land use updates continue
  - h. Cal Stephens – Maintenance
    - i. Floor patching at the Bussey Memorial Building scheduled for September 14<sup>th</sup>.
    - ii. Report on cost of events
    - iii. Energy Audit
  - i. Roger Schletzbaum – Engineer
    - i. Update on various road projects
    - ii. Audit of inventory complete.

IV. Adjournment:

- 1.) Agan moved and Kingery seconded to close the meeting at 2:20 P.M.

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Lorri Jahner, Marion County Auditor Designee

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Jim Kingery, Vice-Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session at the Marion County Courthouse on July 9, 2012, with Jim Kingery and Craig Agan present. Sam L Nichols was absent. Vice-Chairman Kingery opened the regular session at 8:30 A.M.

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

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

Agenda:

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

Communications: None

Consent Agenda:

1. Approve Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
2. Approve Marion County Warrants #191448 - #191649 through July 9, 2012.
3. Approve Board of Supervisor regular session minutes: 6/25/12

Public Comments: Ed Bull, Marion County Attorney, discussed county code codification and estimated costs associated with that project.

Public Hearing: Supervisor Kingery opened to public hearing at 8:36 a.m. This public hearing is to consider the matter of transferring right-of-way easements through a Jurisdictional transfer pursuant to Chapter 306.8, Code of Iowa, 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 unused right-of-way, including Bridge No. 68023500, established as Road #1094 on the 31<sup>st</sup> day of August, 1912 at 40 feet wide and recorded in Road Record Book #6, Page 73 and more particularly being described as commencing at the SW corner of Section 35, Township 77N, Range 18W and the NW corner of Section 2, Township 76N, Range 18W of the 5<sup>th</sup> PM, thence running east along the said section line one mile to the NE corner of Section 2-76-18 to intersect the existing highway now known locally as 240th Place and thence terminating. Information was received by Roger Schletzbaum, Marion County Engineer and Denny Buyert from the City of Pella. Agan moved and Kingery seconded to close the public hearing.

Zoning Items: None

Resolutions:

Agan moved and Kingery seconded to approve Resolution 12/25 transferring right-of-way easements through a Jurisdictional transfer pursuant to Chapter 306.8, Code of Iowa.

Whereas, the city of Pella is desirous to acquire a segment of excess Marion County road right-of-way contiguous with current road right-of-way through a transfer of jurisdiction and Marion County no longer deems it a public asset of which such transfer will eliminate county liability and

Whereas, pursuant to Chapter 306.8, Code of Iowa 2011, such transfers of the jurisdiction and control of roads or streets may take place if agreements are entered into between the jurisdictions of government involved in the transfer of such roads and

Whereas, pursuant to Chapter 306.42(6), Code of Iowa 2011, neither the transferring jurisdiction or the receiving jurisdiction shall be held liable for any claim or damage for any act or omission relating to the design, construction, or maintenance of the road or street and any structures that occurred prior to the effective date of transfer and

Whereas, pursuant to Chapter 306.42(1), Code of Iowa 2011, the method of identification of transfer to the city of Pella to be effected will be by Quit Claim deed signed by both parties and recorded in the county in which the land is located.

Now therefore be it resolved that, subject to the rights of ingress and egress of any and all existing utilities the following description shall apply;

A segment of unused right-of-way, including Bridge No. 68023500, established as Road #1094 on the 31<sup>st</sup> day of August, 1912 at 40 feet wide and recorded in Road Record Book# 6, page 73 and more particularly being described as commencing at the SW corner of Section 35, Township 77N, Range 18W and the NW corner of Section 2, Township 76N, Range 18W of the 5<sup>th</sup> PM, thence running east along the said section line one mile to the NE corner of Section 2-76-18 to intersect the existing highway now known locally as 240<sup>th</sup> Pl. and thence terminating.

Be hereby transferred

Agan moved and Kingery seconded to approve Resolution 12/26 project to affect improvements to the G46/T15 intersection be initiated and the County Board of Supervisors enter into an agreement with the Iowa Department of Transportation For Traffic Safety Funding.

Whereas, Marion County has applied for a Traffic Safety Improvement Program for improvements to the G-46/T15 intersection and;  
Whereas, the IDOT has offered funding for the project through the Traffic Safety Improvement Program and;  
Whereas, in order for the county to utilize Traffic Safety Improvement Program funding the Iowa Department of Transportation requires an agreement for funding be executed between the Iowa Department of Transportation and Marion County;  
Now Therefore, Be it Resolved, that a project to affect improvements to the G46/T15 intersection be initiated and the county Board of Supervisors enter into an agreement with the Iowa Department of Transportation For Traffic Safety Funding.

Agan moved and Kingery seconded to approve Resolution 12/27 to nominate and appoint the following individual and alternate to act as liaison between Marion County and Iowa Communities Assurance Pool (ICAP) for the purposes of relating insurance information between stated parties.

Whereas, Marion County, Iowa, is a member of the Iowa Communities Assurance Pool for insurance purposes, and  
Whereas, it is in the best interest of the County to nominate and appoint the following individual and alternate to represent the Member with the Iowa Communities Assurance Pool, and  
Whereas, The individual and alternate shall act as liaison between the County and Iowa Communities Assurance Pool for the purposes of relating risk reduction and loss control information, and any other information or instructions concerning the obligations of the County imposed by signing the Iowa Risk Management Agreement and the rules and regulations established thereunder.  
Now, Therefore be it Resolved by the Board of Supervisors of Marion County, Iowa the following be nominated and approved to act in such manner.

Individual – Jake Grandia, Marion County Auditor

Alternate – Lorri Jahner, Marion County Auditor's Office

#### Other Business:

1.) Received information from Duane Vos with Racom regarding different options for establishing data network connection from the Marion County Courthouse to the Dickerson Building.

2.) There was no discussion with Schumacher Elevator as their representative failed to show.

3.) Kingery moved and Agan seconded to approve a Class Beer Permit renewal with Sunday Sales and Outdoor Services for Terry Rae Hoch dba Wackos located at 3906 E Main Street, Knoxville, Iowa 50138.

Appointments: None

#### Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 9:25 A.M.

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Lorri L. Jahner, Marion County Designee

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Jim Kingery, Vice-Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session at the Marion County Courthouse on June 25, 2012, with Jim Kingery and Craig Agan present. Sam L Nichols was absent. Vice-Chairman Kingery opened the regular session at 8:30 A.M.

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

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

Agenda:

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

Communications: None

Consent Agenda:

1. Approve Marion County Claims through June 25, 2012.
2. Approve Marion County Conservation Board Warrants #190553 - #190587 through June 19, 2012.
3. Approve Board of Supervisor regular session minutes: 5/14/12
4. Approve Board of Supervisor special session minutes: 6/11/12
5. Approve Board of Supervisor special session Primary Election Canvass 6/11/12
6. Approve Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
7. Approve Work Beyond Right of Way Agreement with the Secondary Road Dept and Charles/Linda Furman.
8. Approve Work Beyond Right of Way Agreement with the Secondary Road Dept and James Lenger.
9. Approve Work Beyond Right of Way Agreement with the Secondary Road Dept and Marlin Hoch.
10. Approve Work Beyond Right of Way Agreement with the Secondary Road Dept and James Jacob Petersen.

Public Hearings: None

Public Comments: None

Zoning Items: None

Resolutions:

Agan moved and Kingery seconded to approve Resolution 12/23 to approve annual Marion County Departmental appropriation of monies as budgeted for the fiscal year 2012-2013.

Whereas, the Marion County Board of Supervisors approved the budget for Fiscal Year 2012-2013, 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 12-13 year.

Supervisor	177,208
Auditor	355,617
Treasurer	532,285
Attorney	503,056
Sheriff	2,881,852
Court Services	145,736
Recorder	296,754
Zoning	89,720
Human Resources/Risk Management	103,852
Dept. of Human Services	63,692
Sheriff Reserve	17,600
Pioneer Cemetery Commission	5,000
Geographic Information System (GIS)	86,927
Engineer	6,590,448
Veterans Affairs	75,839
Conservation	1,024,812

Community Health	1,778,894
Weed Commission	8,050
General Assistance	129,626
Medical Examiner	49,400
Libraries	80,000
Ambulance	16,769
Environmental Health	213,728
Custodial & Maintenance	389,696
Data Processing	205,283
Mental Health	2,435,330
Development Commission	138,250
Substance Abuse	107,500
Non-departmental	3,936,973
	<u>22,439,897</u>

Kingery moved and Agan seconded to approve Resolution 12/24 to approve annual Marion County mileage rate for Fiscal Year 2012-2013.

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 by the Marion County Board of Supervisors that beginning for mileage driven on or after July 1, 2012, 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 at a meeting in June of every fiscal year for potential changes to be effective the following July 1.

Other Business:

- 1.) Kingery moved and Agan seconded to authorize with modification to send a letter regarding a noxious weed complaint.
- 2.) Kingery moved and Agan seconded to approve contract with Snyder & Associates for updating the Land Use Plan element of the comprehensive plan.
- 3.) Received information from Kory McDonald from Schumacher Elevator Company regarding courthouse elevator compliance issues and options.

Appointments: None

Adjournment:

There being no other business, Kingery moved and Agan seconded the meeting be adjourned at 9:15 A.M.

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Lorri L. Jahner, Marion County Designee

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Jim Kingery, Vice-Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on June 20, 2012 with Sam L. Nichols, Jim Kingery, and Craig Agan present. Chairman Nichols opened the special session at 2:00 Pm.

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

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

Agenda:

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

Resolutions: None

Appointments: None

Other Business:

1. Received presentation from Peak Energy regarding energy audit. Kingery moved and Agan seconded to close discussion.
2. Discussion with City of Pleasantville regarding resolution of outstanding city assessments on Marion County held tax certificates on two parcels in downtown Pleasantville. It was the consensus of the Board to have a resolution drafted from City of Pleasantville to be reviewed by Ed Bull, Marion County Attorney to waive penalty and interest against Tax Sale Certificate #2010-63015. Agan moved and Kingery seconded to close discussion.

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 3:10 a.m.

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Danielle Graves, Administrative Assistant

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session June 11, 2012 for the purpose of canvassing the vote from the June 5, 2012 Primary Election for the County of Marion, Iowa. Present were Craig Agan, Sam L Nichols, and Jim Kingery.

Chairman Nichols opened the special canvass at 3:20 P.M.

Jake Grandia, Marion County Commissioner of Elections, announced there were 2 provisional ballots. Auditor Grandia read the results for the June 5, 2012 Primary Election to the Board.

Agan moved and Kingery seconded to declare the canvass complete and certify the results of the election to the State of Iowa, County Commissioner of Elections, and political parties. Ayes: Agan, Kingery, Nichols

The following Marion County candidates were nominated to be placed on the November 6, 2012 General Election Ballot from the June 5, 2012 Primary Election:

Republican:

Board of Supervisors: Jim Kingery  
Board of Supervisors: Mark Raymie  
County Auditor: Jake Grandia  
County Sheriff: Jason Sandholdt

Democratic:

There were no nominations in the following offices:

Board of Supervisor  
Board of Supervisor  
County Auditor  
County Sheriff

Agan moved and Kingery seconded the special canvass be adjourned.

The canvass was adjourned at 3:45 P.M.

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Jake Grandia, Marion County Auditor

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Sam L Nichols, Chair Board of Supervisors

I. Call to Order: The Marion County Board of Supervisors met for a special session on June 11, 2012, with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the meeting at 1:00 P.M.

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

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

II. Agenda:

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

III. Other Business:

1. Monthly departmental updates:

- a. Cal Stephens – Maintenance Dept
  - i. Updating on completion of various projects including: Courtyard seeding, LEC ruts at retention pond
  - ii. New contract for the 4 emergency generators
  - iii. New maintenance contract for the roof unit on the public health bldg.
  - iv. ICN ready to pull fiber optic cable for DOT project
  - v. Department not staffed to handle lagoon mowing at the care facility
  - vi. Comer Roofing repaired recent shingle problem at the care facility
  - vii. Phillips Flooring scheduled to begin floor project at the Bussey Memorial Bldg. Per Sam, we need to knock this date back a bit. Cal is working with Ed regarding options with Memorial Hall Buildings.
  - viii. Bird issue at public health building is a continuing problem. Cal working with contractors for options and prices.
  - ix. Bell tower flooring – engineer reports are back.
  - x. Maintenance Contract for Elevator. Cal has explored different options.
  - xi. Elevator – update or replace? Cal to get quotes and information to supervisors.
- b. Mike Kuhn – Veterans Affairs/General Relief
  - i. General Relief – New guidelines are starting to show good results
  - ii. Veterans Affairs - \$8,000,000 relief coming into county
- c. Betty Moll - CPC
  - i. Continuing to look at regionalization options
- d. Ron Goemaat - Sheriff
  - i. Updating computer systems
  - ii. Increased lake patrol
  - iii. Firing range improvements
- e. Carla Eysink – Development
  - i. Leadership Red Rock had 20 Graduates this year
  - ii. Update on various conferences and projects
- f. Cory Frank – Sanitation
  - i. Contractor activity up in Marion County
  - ii. Pool inspections beginning
  - iii. Update on lagoon inspections
- g. Missy Poffenbarger – Zoning
  - i. Comprehensive land use updates continue
- h. Roger Schletzbaum – Engineer
  - i. Update on various road projects
  - ii. Fuel Island monitoring system having issues. Will be updated in the 12-13 fy.

2. Discussion with Marion County CPC and Capstone regarding mental health services. Laurie Siddall and Julie Smith from Capstone presented the Marion County Board of Supervisors with new plans regarding Capstone reorganization and plans to provide mental health services for Marion County residents in the future. They will be providing a new contract to the CPC by Friday for approval.

IV. Adjournment:

- 1.) Agan moved and Kingery seconded to close the meeting at 3:05 P.M.

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Lorri Jahner, Marion County Auditor Designee

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Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session at the Marion County Courthouse on June 11, 2012, with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the regular session at 8:30 A.M.

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

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

Agenda:

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

Communications: None

Consent Agenda:

Kingery moved and Agan seconded to approve consent agenda as follows:

1. Approval of Marion County Warrants 190804-191026 through June 11, 2012.
2. Approval of Board of Supervisor regular session minutes: 4/23/12
3. Approval of Board of Supervisor special session minutes: 5/23/12, 6/7/12
4. Approval of Work Beyond Right of Way Agreement with the Secondary Road Dept and Jad Van Der Zyl

Public Comments: None

Public Hearings: None

Zoning Items:

1. Agan moved and Kingery seconded to approve Industrial zoned site plan for property locally known as 1150 Hwy 5, Pleasantville IA 50225.

Resolutions:

1. Agan moved and Kingery seconded to approve Resolution 12/20 to authorize the transfer of funds for the annual Interfund Marion County Courthouse Re-Roof Loan principle payment from the Marion County General Basic Fund to the Marion County General Basic Supplemental Fund according to the FY12budget.

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 11/12 for \$102,848.51 and,

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

2. Kingery moved and Agan seconded to approve Resolution 12/21 to authorize the transfer of funds for the final payment and early payoff of the Interfund Marion County Courthouse Re-Roof Loan from the Marion County General Basic Fund to the Marion County General Basic Supplemental Fund according to the FY12Budget Amendment #2.

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 early final 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 11/12 for \$321,052.70 and,

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

3. Agan moved and Kingery seconded to approve Resolution 12/22 to terminate the Chapter 28E Agreement for South Central Youth and Family Services Commission.

Whereas, pursuant to Chapter 28E of the Iowa Code, the Boards of Supervisors of the counties of Adair, Dallas, Guthrie Madison, Marion and Warren established a Chapter 28E Agreement effective November 13, 1984 for the purpose of conducting the operations of South Central Youth and Family Services Commission.

Whereas, the County of Madison withdrew as a member on June 30, 2003, and the County of Clarke was admitted as a member in 2005.

Whereas, an Amended and Restated Articles of Agreement were approved by the members in 2008.

Whereas, the South Central Youth and Family Services Commission has been dissolved and Articles of Dissolution filed with the Iowa Secretary of State on October 11, 2011.

Whereas, a Notice of Dissolution of South Central Youth and Family Services Commission was published in the Indianola Record Herald, a newspaper of general publication in the county of the principal office of South Central Youth and Family Services Commission, and given to all known creditors by certified mail, as provided for in the Iowa Code and no claims have been filed.

Whereas, the purpose of the Chapter 28E Agreement has been satisfied.

Wherefore, by executing this agreement, the undersigned counties, as members of the South Central Youth and Family Services Commission 28E Agreement, do hereby acknowledge that each county Board of Supervisors has adopted a Resolution to terminate the Chapter 28E Agreement for South Central Youth and Family Services, effective upon the filing of a Notice of Termination with the Iowa Secretary of State, and further directed that Claire B. Patin, attorney at law, act on behalf of the undersigned counties in filing said Notice of Termination with the Iowa Secretary of State.

Ordinances: None

Other Business:

1. Discussion with Larry Rook, land owner regarding noxious weed complaint. It was the consensus of the Board that a letter with the County Attorney's approval, be sent to England's, land owner, regarding the complaint. Agan will follow up on this process. Agan moved and Kingery seconded to close discussion.

2. Val Van Kooten, Pioneer Cemetery Commission discussed their budget process with the Board. It is at the Pioneer Cemetery Commission's discretion on how to spend their funds. Agan moved and Kingery seconded to close discussion.

3. Kingery moved and Agan seconded to approve annual payroll policy for Secondary Road Department per approved Marion County FY13 budget.

4. After discussion regarding State of Iowa mental health reorganization plan, it was the consensus of the Board to accept the invitation to join Jasper, Poweshiek and Mahaska Counties as a district. Agan moved and Kingery seconded to send letter of intent to the State.

5. Kingery met with Jasper County regarding the process of applying for State Historic Preservation and Cultural & Entertainment District Tax Credit Program (STC). Kingery presented the Board with information gained during this meeting and will continue to gather information at this time. Agan moved and Kingery seconded to close discussion.

Appointments:

1. Agan moved and Kingery seconded to approve the following appointment:

Marion County Development Commission – Susan Canfield (at-large 1<sup>st</sup> term) 7/1/12-6/30/15

2. Agan moved and Kingery seconded to approve the following appointment:

Marion County Development Commission – Jim Richards (Pleasantville area 2<sup>nd</sup> term) 7/1/12-6/30/15

3. Agan moved and Kingery seconded to approve the following appointment:

Marion County Development Commission – Chris Dana (Pella area 3<sup>rd</sup> term) 7/1/12-6/30/15

4. Agan moved and Kingery seconded to approve the following appointment:

Marion County Development Commission – Lori Pearson (Knoxville area 1<sup>st</sup> term) 7/1/12-6/30/15

Closed Session: None

Adjournment:

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

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Danielle Graves, Administrative Assistant

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on June 7, 2012 with Sam L. Nichols, Jim Kingery, and Craig Agan present. Chairman Nichols opened the special session at 8:30 am.

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

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

Agenda:

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

Public Hearing:

Public discussion and consideration of disposition of multiple County owned properties. Marion County Engineer and Marion County Planning and Zoning voiced various ideas and concerns with regards to easement restrictions and zoning restrictions.

Other Business:

Discussion regarding public comments and procedures necessary for and prior to disposition of county owned properties.

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 9:30 a.m.

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Lorri Jahner, Marion Auditor County Designee

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session at the Marion County Courthouse on May 29, 2012, with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the regular session at 8:30 A.M.

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

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

Agenda:

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

Communications: None

Consent Agenda:

Kingery moved and Agan seconded to approve consent agenda as follows:

1. Approval of Marion County Warrants 190588-190801 through May 29, 2012.
2. Approval of Marion County Conservation Board Warrants #190553 - #190587 through May 15, 2012.
3. Approval of Work Beyond Right of Way Agreement with the Secondary Road Dept and Marlin Hoch.
4. Approval of Work Beyond Right of Way Agreement with the Secondary Road Dept and James Petersen.

Public Comments: None

Public Hearings:

1. Chairman Nichols opened the public hearing at 8:36 a.m. This public hearing is to propose Marion County Budget Amendment #2 for Fiscal Year July 1, 2011, through June 30, 2012. No written correspondence was received by the Auditor. Kingery moved and Agan seconded to close the public hearing.

2. Chairman Nichols opened the public hearing at 8:36 a.m. This public hearing is to propose 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 No. 253 known locally as West St. in Sections 9 and 10, Township 75N, Range 18 W of the 5th. PM being 40 feet wide and more particularly being described as beginning at the West 1/4 corner of the Southwest 1/4 of Section 10, T-75N, R-18W thence south on section line approximately 1005 ft. to the north right-of-way line of State Highway 92 containing .92 acres more or less. Subject to the rights of ingress and egress of any and all existing utilities and that future ingress and egress easements may be required of the then owners of record, to access Parcels B, C, D and E located on existing Parcel No. 0012500000. No written correspondence was received by the Auditor. Kingery moved and Agan seconded to close the public hearing.

Zoning Items: None

Resolutions:

1. Agan moved and Kingery seconded to approve Resolution 12/16 to approve adoption of Marion County Budget Amendment #2 for the Fiscal year beginning July 1, 2011 and ending June 30, 2012 per Iowa Code 331.435.

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 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 May 29, 2012 at 8:30 AM;

Therefore, Be It Resolved, on the 29th day of May 2012, the Marion County Board of Supervisors hereby adopts by resolution the Amendment #2 to County Budget for the fiscal year beginning July 1, 2011 and ending June 30, 2012.

2. Kingery moved and Agan seconded to approve Resolution 12/17 to appropriate budgetary monies according to the Marion County FY 11-12 Budget Amendment #2.

Whereas the Marion County Board of Supervisors approved a budget amendment #2 for Fiscal Year 2011-2012, 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 11-12 year.

<u>Department</u>	<u>Original</u>	<u>Amendment</u>	<u>Total</u>
Attorney	405,424	32,093	437,517
Sheriff	2,805,747	16,930	2,822,677
Court Services	147,651	10,000	157,651
Recorder	278,671	30	278,701
Secondary Road	7,125,199	610,000	7,735,199
Conservation	949,729	51,300	1,001,029
Public Health	1,743,830	86,169	1,829,999
Social Services	117,835	13,000	130,835
Environmental Health	212,886	(650)	212,236
Mental Health	2,945,404	355,500	3,300,904
Non-Departmental	4,765,674	464,053	5,229,727

3. Kingery moved and Agan seconded to approve Resolution 12/19 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 No. 253 known locally as West St. in Sections 9 and 10 , Township 75N, Range 18 W of the 5th. PM being 40 feet wide and more particularly being described as beginning at the West 1/4 corner of the Southwest 1/4 of Section 10, T-75N, R-18W thence south on section line approximately 1005 ft. to the north right-of-way line of State Highway 92 containing .92 acres more or less. Subject to the rights of ingress and egress of any and all existing utilities and that future ingress and egress easements may be required of the then owners of record, to access Parcels B, C, D abd E located on existing Parcel No. 0012500000.

Whereas, a public hearing was held at 9:30 AM on the 29th. day of May, 2012, 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 No. 253 known locally as West St. in Sections 9 and 10 , Township 75N, Range 18 W of the 5th. PM being 40 feet wide and more particularly being described as beginning at the West 1/4 corner of the Southwest 1/4 of Section 10, T-75N, R-18W thence south on section line approximately 1005 ft. to the north right-of-way line of State Highway 92 containing .92 acres more or less. Subject to the rights of ingress and egress of any and all existing utilities and that future ingress and egress easements may be required of the then owners of record, to access Parcels B, C, D abd E located on existing Parcel No. 0012500000.

Ordinances: None

Other Business:

1. Larry Rook, land owner was unavailable to attend today, the agenda item was regarding a noxious weed complaint. Brief discussion was held amongst the Board and Marion County Engineer, Roger Schletzbaum regarding Marion County Noxious Weed Policy. Agan moved and Kingery seconded to close discussion.

2. Craig Agan briefed the Board on Capstone's current operation after meeting with their Director. The consensus of the Board was to keep Capstone as the Marion County designee. Kingery moved and Agan seconded to authorize Sam Nichols to sign agreement naming Capstone as County Designee.

3. Discussion regarding dissolution and final settlement of South Central Youth and Family Services. Ed Bull, Marion County Attorney will notify attorney for SCYFS that a resolution will be established by Marion County and action will be taken at meeting on 6-11-12. Agan moved and Kingery seconded to close discussion.

4. Discussion regarding the assignment of the Elderly Nutrition Project Manager as an individual department head reporting directly to the Marion County Board of Supervisors effective 7/1/12. Sam Nichols felt there needed to be more information supplied before he could support the motion. Jake Grandia, Marion County Auditor noted that all responsibilities for the new department would have to be handled by the new department head. Agan moved and Kingery seconded to return Elderly Nutrition to its own department separate from Public Health with Dawn Allspach being the department head. Sam Nichols voted Nay.

5. Courthouse Security Committee raised concern regarding identifying the parking spots in the Courthouse Parking lot. The consensus of the Board seemed to be to mark identification off of the parking spots and mark them" reserved". Agan moved and Kingery seconded to close discussion.

6. Kingery moved and Agan seconded to approve Class C beer permit renewal with Sunday Sales from Pella Red Rock LLC dba Red Rock Quick Stop.

7. Agan moved and Kingery seconded to approve amending previously approved Marion County Resolution 12/15, "Resolution Approving Final Plat of the Minor Plat of Subdivision of the PMW Subdivision in Marion County, Iowa" due to scrivener's error. Resolution 12/15 should include "Book 2003, at Page 4948" replacing "Book 2003, at Page 4734".

Appointments: None

Closed Session: None

Adjournment:

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

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Danielle Graves, Administrative Assistant

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on May 23, 2012 with Sam L. Nichols, Jim Kingery, and Craig Agan present. Chairman Nichols opened the special session at 8:00 am.

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

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

Agenda:

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

Other Business:

Note – Original agenda items discussed out of order to allow time for counsel to participate in discussion.

1. Discussion was held regarding activities involved in allowing Farmer's Market to be held on Courthouse grounds. Some items of discussion were usages involving electricity, water, bathrooms, extra time for employees, and maintenance of grounds. Agan moved and Kingery seconded to approve the Knoxville Farmers Market Special Event Application for market activities equal to past years usages regarding lawn and gazebo. Any further expansions to be addressed with the Board of Supervisors by representatives of the Market.

2. Discussion involved care and upkeep, responsibilities and duties involving Memorial Halls and commissions. The cities of Pleasantville and Bussey have indicated a desire to research the possibility of acquiring the halls from the County. Counsel of the respective entities will research logistics of any possible transfer of responsibilities. Agan moved and Kingery seconded to close discussion.

3. Discussion involved process of selling county real estate in Lakeside Heights Subdivision and former East Annex. County Attorney Ed Bull advised a public hearing is required to be held prior to any liquidation of county property.

Agan moved and Kingery seconded to approve Resolution 12/18 as follows:

Whereas, it is in the best interest to the citizens of Marion County, Iowa to dispose of real property that is no longer used for Marion County purposes, and

Whereas, the Code of Iowa has established the rules and procedures for the Board of Supervisors to dispose of real property Iowa Code 331.361 paragraph 2., and

Whereas, the Board of Supervisors will hold a public hearing for the proposed sale of properties on June 7, 2012 at 8:30 a.m. in the Supervisor Meeting Room at the Marion County Courthouse.

Now Therefore Be It Resolved by the Board of Supervisors of Marion County, Iowa for the benefit of all Marion County Citizens, that the Marion County Board of Supervisors will hold the above referenced public hearing in regard to the proposed sale of the properties below.

- 1.) 104 S. 6th Street, Knoxville, IA (aka – East Annex)
- 2.) Lots 33, 34, 35, 36, 37, and 38 in Block 1 in "Lakeside Heights" a subdivision of the SE1/4 of the SE1/4 of Section 28, Township 76 North, Range 19 West of the 5th PM, Marion County, Iowa as shown by part thereof. (fka – 313 Lakeside Drive, Knoxville, IA)

Agan moved and Kingery seconded to direct the Marion County Auditor to create public hearing notice and publish in official newspapers.

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 9:45 a.m.

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Jake Grandia, Marion County Auditor

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session at the Marion County Courthouse on May 14, 2012, with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the regular session at 8:30 A.M.

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

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

Agenda:

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

Communications: None

Consent Agenda:

Kingery moved and Agan seconded to approve consent agenda as follows:

1. Approve Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
2. Approve Marion County Warrants 190267 - 190552 through May 14, 2012.
3. Approve Work Beyond Right of Way Agreement with the Secondary Road Dept and Leticia Hansen.
4. Approve Work Beyond Right of Way Agreement with the Secondary Road Dept and Lester Vroegh.
5. Approve Work Beyond Right of Way Agreement with the Secondary Road Dept and Dave Jordan.
6. Approve Work Beyond Right of Way Agreement with the Secondary Road Dept and Susan Irving

Public Comments: None

Public Hearings:

Chairman Nichols opened the public hearing at 8:35 a.m. This public hearing is to consider Zoning Petition 748 – PMW Subdivision Final Minor Plat. PMW Subdivision is described as Parcel F of Lot 1 of the SE1/4 – NW1/4 of 22-77N-19W owned by Bonnie Westerkamp. This is a minor subdivision allowing approximately 5.62 acres to be split into two lots separating the storage units from the commercial building. No written correspondence was received by the Auditor. Kingery moved and Agan seconded to close the public hearing.

Zoning Items: None

Resolutions:

1. Agan moved and Kingery seconded to approve Resolution 12/14 to authorize the annual transfer of \$300,000 from the Marion County Local Option Sales and Services Fund to the Marion County Debt Service Fund as budgeted in the fiscal year 2011/2012 to reduce the required debt service levy.

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 2011-2012 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 2011/2012, 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. Kingery moved and Agan seconded to approve Resolution 12/15 Final Plat of the Minor Plat of Subdivision of the PMW Subdivision in Marion County, Iowa known as “Minor Plat of Subdivision – PMW Subdivision”.

Whereas, Bonnie L. Westerkamp, trustee of the Howard P. Westerkamp Trust, and Bonnie Lou Westerkamp, a widow, filed with Marion County, Iowa, a final plat known as “Minor Plat of Subdivision – PMW Subdivision”, located in Marion County, Iowa, and more particularly described as follows, to-wit:

Parcel F of Lot 1 of the SE ¼ of the NW ¼ of Section 22, Township 77 North, Range 19 West of the 5<sup>th</sup> P.M., Marion County, Iowa, according to the plat of said Parcel F in Book 2003, at Page 4948, Marion County Records; and

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

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

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

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

Ordinances: None

Other Business:

1. Agan moved and Kingery seconded to approve settlement and withdrawal of property insurance claims regarding wind/hail damage from the weather event of April 14, 2012.

2. Kingery moved and Agan seconded to approve Class C Liquor License with Sunday Sales renewal for D-Mack, Inc. dba Udders Steak House, 1265 Hayes Drive, Knoxville IA 50138.

3. Roger Schletzbaum, Marion County Engineer, updated the Board on upcoming planning agenda items for Central Iowa Regional Transportation Planning Alliance (CIRTPA) regarding highway corridors.

Appointments: None

Closed Session: None

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 9:30 A.M.

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Danielle Graves, Administrative Assistant

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session at the Marion County Courthouse on April 23, 2012, with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the regular session at 8:30 A.M.

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

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

Agenda:

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

Communications: None

Consent Agenda:

Kingery moved and Agan seconded to approve consent agenda as follows:

1. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
2. Approval of Marion County Warrants 190034 - 190266 through April 23, 2012.
3. Approval of Marion County Conservation Warrants #190002 - #190033 through April 17, 2012.
4. Approval of Board of Supervisor Special Session Minutes – 3/18/12, 4/02/12, 4/09/12, 4/10/12
5. Approval of Board of Supervisor Regular Session Minutes – 4/09/12,
6. Approval of Work Beyond Right of Way Agreement with the Secondary Road Dept and Corwin Fee

Public Comments: Fred Agan, Citizen, commented on Buck Creek Development.

Public Hearings:

Chairman Nichols opened the public hearing at 8:38 a.m. This public hearing is to consider the creation and adoption of Marion County Book of Ordinance 2012-27, Chapter 71, Purchase of Tax Sale Certificate on Parcels with Delinquent Taxes and Abandoned Nuisance Residential Properties. The purpose of this ordinance is to allow the county and cities with Marion County to bid for and purchase tax sale certificates on abandoned property or vacant lots to promote low or moderate income housing. No written correspondence was received by the Auditor. Kingery moved and Agan seconded to close the public hearing.

Zoning Items: None

Resolutions: None

Ordinances:

Kingery moved and Agan seconded to approve the first reading and waive the second and third reading of Marion County Ordinance #2012-27 – Establishing Marion County Ordinance Book Chapter 71, Purchase of tax Sale Certificate on Parcels with Delinquent Taxes and Abandoned Nuisance Residential Properties.

Agan moved and Kingery seconded final approval of Marion County Ordinance #2012-27 – Establishing Marion County Ordinance Book Chapter 71, Purchase of Tax Sale Certificate on Parcels with Delinquent Taxes and Abandoned Nuisance Residential Properties.

**PURCHASE OF TAX SALE CERTIFICATES ON PARCELS WITH DELINQUENT TAXES AND ABANDONED NUISANCE  
RESIDENTIAL PROPERTIES**

71.01	Purpose	71.07	Reserved
71.02	Definitions	71.08	Intent to Rehabilitate the Property
71.03	Purchasing Delinquent Taxes	71.09	Repealer
71.04	Procedure	71.10	Severability
71.05	Verified Statement		
71.06	Assignment of Tax Sale Certificate		

71.01 Purpose. The purpose of this ordinance is to allow the County and the cities within the County the opportunity to utilize Iowa Code §§446.19A and 446.19B, as may hereafter be amended. Iowa Code §446.19A authorizes Counties and cities to bid for and purchase tax sale certificates on abandoned property or vacant lots to promote low or moderate income housing. Iowa Code §446.19B

authorizes the County to separately offer and sell at the annual tax sale on parcels that are abandoned property and are assessed as residential property or as commercial multifamily housing property and that are, or are likely to become, a public nuisance. 446.19B authorizes the County to separately offer and sell at the annual tax sale on parcels that are abandoned property and are assessed as residential property or as commercial multifamily housing property and that are, or are likely to become, a public nuisance.

71.02 Definitions. For the purpose of this ordinance, definitions for terms as defined in Iowa Code §§446.19A and 446.19B as amended are adopted.

71.03 Purchasing Delinquent Taxes. Pursuant to Iowa Code §§446.19A and 446.19B as amended, the County is authorized to sell at the annual tax sale delinquent taxes on parcels that are abandoned property and are assessed as residential property or as commercial multifamily housing property and are, or are likely to become, a public nuisance. Therewith, the County and each city in the County are hereby authorized to bid on and purchase delinquent taxes and to assign tax sale certificates of abandoned property acquired under Iowa Code §446.19A.

71.04 Procedure

1. PURSUANT TO IOWA CODE §446.19a. On the day of the regular tax sale or any continuance or adjournment of the tax sale, the county treasurer on behalf of the County or a city, may bid for and purchase tax sale certificates on abandoned property or public nuisance property assessed as residential property or as commercial multifamily housing property or for a vacant lot a sum equal to the total amount due. The County or city shall not pay money for the purchase, but each of the tax-levying and tax-certifying bodies having any interest in the taxes shall be charged with the total amount due the tax-levying or tax-certifying body as its just share of the purchase price.
2. PURSUANT TO IOWA CODE §446.19B. On the day of the regular tax sale or any continuance or adjournment of the tax sale, the county treasurer shall separately offer and sell those parcels listed in a verified statement timely received and properly published and which remain liable to sale for delinquent taxes. This sale shall be known as the “public nuisance tax sale”. The provisions of Iowa Code §446.19B apply.

71.05 Verified Statement. Prior to the purchase, the County or city shall file with the county treasurer a verified statement that a parcel to be purchased is abandoned and deteriorating in condition or is, or is likely to become, a public nuisance, and that the parcel is suitable for use for low or moderate income housing following rehabilitation. Said verified statement shall be filed on or before May 15<sup>th</sup>.

71.06 Assignment of Tax Sale Certificates. After the date that a parcel is sold pursuant to Iowa Code §446.18, §446.38, or §446.39, if the parcel assessed as residential property or as commercial multifamily housing property is identified as abandoned or a public nuisance pursuant to a verified statement filed pursuant to Section 5, a County or city may require the assignment of the tax sale certificate that had been used for such parcel by paying to the holder of such certificate the total amount due on the date the assignment of the certificate is made to the County or city and recorded with the county treasurer. If the certificate is not reassigned by the County or city, the County or city whichever is applicable, is liable for the tax sale interest that was due the certificate holder pursuant to Iowa Code §447.1, as of the date of assignment.

71.07: Reserved.

71.08 Intent to Rehabilitate the Property. All persons who purchase certificates from the County or city under this ordinance shall demonstrate the intent to rehabilitate the property for habitation if the property is not redeemed. In the alternative, the County or city may, if title to the property has vested in the County or city under Iowa Code §448.1, dispose of the property in accordance with Iowa Code §331.361 or §364.7, as applicable.

71.09 Repealer. Any ordinance or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

71.10 Severability. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

Other Business:

1. Agan moved and Kingery seconded to approve Special Events Application for the Marion County Courthouse or Courtyard as requested by the Knoxville Chamber of Commerce.

- a. Ag in the City – 6/29/12 – 6/30/2012
- b. Bizarre Bazaar – 8/11/12

2. Kingery moved and Agan seconded to approve a proposal from Douglas J Steinmetz AIA for technical assistance project under the State Historical Society of Iowa's Technical Advisory Network (TAN) program.
3. Kingery moved and Agan seconded to approve Contract Award for FY2013 and FY2014 with Aging Resources of Central Iowa regarding elderly nutrition services in Marion County.
4. Kingery moved and Agan seconded to approve Contract Award for FY2013 and FY2014 with Aging Resources of Central Iowa regarding public transit services in Marion County.
5. Agan moved and Kingery seconded to receive and file Marion County Sheriff department quarterly report 1/01/12 – 3/31/12.
6. Discussion regarding perpetual services agreement for animal control with the Marion County Humane Society. Chairman Nichols will send letter of intent to renegotiate the contract with Marion County Humane Society. Agan moved and Kingery seconded to close discussion.
7. Fifth Judicial has shown interest in using the Marion County East Annex located at 104 S 6<sup>th</sup> St. Knoxville, IA 50138. Agan moved and Kingery seconded to meet with Fifth Judicial at a later date, and close discussion.

Appointments: None

Closed Session:

1. Closed Session pursuant to Iowa Code Chapter 21.5© 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 government body in the litigation. Kingery moved and Agan seconded to move into closed session at 9:10 a.m.
2. Reconvene from Closed Session at 9:10 a.m.
3. Nichols moved and Agan seconded to approve the agreement of settlement with State Savings Bank, James Beal and Salaci, LLC Vs TF 37 CCSB, Tristan Frank, Christine Frank and Denise Emal, in her official capacity as Marion County Treasurer.

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 9:25 A.M.

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Danielle Graves, Administrative Assistant

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on April 10, 2012 with Sam L. Nichols, Jim Kingery, and Craig Agan present. Chairman Nichols opened the special session at 10:00 am.

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

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

Agenda:

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

Other Business:

1. Discussion was held with Bill Peppmeier, Red Rock Area Community Action Program, Nancy Hulkan, Community Action, and Sue Walters, Transportation, regarding public transportation services in Marion County. They announced Walters has submitted her resignation and a replacement is being sought. There was further discussion regarding the processes of the public transit system and the responsibilities of Marion County, Red Rock Area Community Action, and Heart of Iowa Regional Transportation and the need to continue services.

Adjournment:

There being no other business, Nichols moved and Kingery seconded the meeting be adjourned at 11:15 a.m.

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Jake Grandia, Marion County Auditor

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Sam L. Nichols, Chairman Board of Supervisors

I. Call to Order: The Marion County Board of Supervisors met for a special session on April 9, 2012, with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the meeting at 1:00 P.M.

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

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

II. Agenda:

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

III. Other Business:

1. Monthly departmental updates:
  - a. Bill Buttrey – GIS
    - i. Aerial Imagery flight complete, still 1 to 2 months out on delivery
  - b. Jeff Anderson – Emergency Management
    - i. Hazmat Contract progress – 2 meeting set for service effective 7-1-12
    - ii. Report on property on Lakeside Dr. and plans to reseed.
  - c. Mike Kuhn – Veterans Affairs/General Relief
    - i. V.A. – Budget good, Memorial Day preparation
    - ii. G.A. – need to do budget amendment
  - d. Betty Moll - CPC
    - i. Exploring contracting with KACH for lab services
  - e. Steve Edwards - Conservation
    - i. Parks open April 6<sup>th</sup>
    - ii. Park inspections in progress
    - iii. Boat Ramps reroaked
  - f. Kim Dorn – Public Health
    - i. No March meeting
    - ii. Changes in Lead Grant
    - iii. Last year for Preparedness money
    - iv. The Board of Health now meets on the last Monday of each month at 3:00 p.m.
  - g. Kim Dorn – Sr. Meals
    - i. Received contract for fiscal year 13-14. Reviewing and clarification of contract changes
  - h. Ron Goemaat – Sheriff
    - i. High inmate counts
    - ii. Need to review inmate medical coverage
    - iii. Various events coming up requiring law enforcement
  - i. Cal Stephens - Maintenance
    - i. Care Facility – roofing projects
    - ii. Public Health Bldg – new water heater and work on drainage ditch
    - iii. LEC – Computer Controlled heating and cooling valve issues – technician scheduled
    - iv. Contact engineering firm to get updated report on Clock Tower floor
  - j. Carla Eysink – Development
    - i. Report of various workshops
    - ii. Leadership Red Rock Graduation on May 15th
  - k. Cory Frank – Sanitation
    - i. Suggest meeting with Marion County Humane Society regarding services
  - l. Missy Poffenbarger – Zoning
    - i. Preliminary zoning map completion
    - ii. Tracy Sewer Project nearly complete
  - m. Roger Schletzbaum – Engineer
    - i. Update on repair projects

IV. Adjournment:

- 1.) Agan moved and Kingery seconded to close the meeting at 2:30 P.M.

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Lorri Jahner, Marion County Auditor Designee

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Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session at the Marion County Courthouse on April 9, 2012, with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the regular session at 8:30 A.M.

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

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

Agenda:

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

Communications: None

Consent Agenda:

Kingery moved and Agan seconded to approve consent agenda as follows:

1. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
2. Approval of Marion County Warrants 189784 – 190000, through April 9, 2012.
3. Approval of Board of Supervisor Special Session Minutes – 3/23/12
4. Approval of Board of Supervisor Regular Session Minutes – 3/12/12, 3/26/12
5. Approval of Work Beyond Right of Way Agreement with the Secondary Road Dept and Alexander Reyes.

Public Comments: None

Public Hearings: None

Zoning Items: None

Resolutions: None

Other Business:

1. Agan moved and Kingery seconded to approve Abatement of current/delinquent property taxes and cancel/refund tax sales for County acquired property in Lakeside Heights Subdivision Block 1 as follows:

Property tax parcels –      Lot 33/34 – 07879-005-00  
                                         Lot 35 – 07879-010-00  
                                         Lot 37 – 07883-000-00  
                                         Lot 38 – 07884-000-00

Tax sale # - 2011-11145

Tax sale # - 2011-11146

2. Kingery moved and Agan seconded to approve a Special Events Application for the Marion County Courthouse/Courtyard by Larry Kline for Knoxville Bike Night on the first Friday of the month from May-September: 6-10 p.m.

3. Duane Vos, Racom presented 3 options for fire alarm/notification solutions for County owned buildings to the Board. Cal Stephens, Marion County Maintenance Director presented quotes for fire alarms from Simplex for the buildings that do not currently have a fire alarm. The fire alarm would have to be purchased and installed before a notification system can be installed. Cal suggested the Board phase in these systems over the next three years. He also recommended that they purchase radio-dialer call out system for Public Health. Agan moved and Kingery seconded to approve installation by Racom of the telephone line dial out system at Public Health only.

4. Cal Stephens, Marion County Maintenance Director discussed two bids received for repair of the floor at the Bussey Memorial Building. Kingery moved and Agan seconded to approve the bid from Phillips Floors.

Appointments:

Agan moved and Kingery seconded approve the following appointments:

Central Iowa Tourism – Regional Representative – Larissa Van Donselaar – term ending 12/31/2013

Adjournment:

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

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Danielle Graves, Administrative Assistant

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on April 2, 2012 with Sam L. Nichols, Jim Kingery present. Craig Agan was excused. Chairman Nichols opened the special session at 10:00 am.

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

Ayes: Nichols, Kingery Nays: none Abstentions: none. Absent: Craig Agan

Agenda:

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

Other Business:

1. Jeff Anderson, Marion County Emergency Management Coordinator, recommended to the Board that the contract be terminated as of 7/1/12 between the City of Des Moines and Marion County for the Provisions of Hazardous Materials Response Services. Kingery moved and Nichols seconded to authorize the chairman to send Official Letter of Notice of County's intent to terminate 28E Agreement for Hazardous Materials with the City of Des Moines.

Adjournment:

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

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Dani Graves, Administrative Assistant

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session at the Marion County Courthouse on March 26, 2012, with Sam L. Nichols present. Jim Kingery and Craig Agan via telephone. Chairman Nichols opened the regular session at 8:30 A.M.

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

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

Agenda:

Agan moved and Kingery seconded to approve the agenda with correction to Consent Agenda, Item #3 minute's dates should be 3/12/12 and 3/14/12.

Communications: None

Consent Agenda:

Agan moved and Kingery seconded to approve consent agenda as follows:

1. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
2. Approval of Marion County Claims 189568 – 189780 through March 26, 2012.
3. Approval of Board of Supervisor Special Session Minutes – 3/12/12, 3/14/12
4. Approval of Marion County Conservation Warrant #189543 - #189567 through March 20, 2012.

Public Comments: None

Public Hearings: None

Zoning Items: None

Resolutions: None

Other Business:

Appointments: None

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 8:35 A.M.

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Danielle Graves, Administrative Assistant

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on March 23, 2012 with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the special session at 8:30 am.

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

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

Agenda:

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

Other Business:

1. Agan moved and Kingery seconded to approve, authorizing retention and costs involving updating of abstracts and attorney fees to complete title opinions for properties described as Lots 33, 34, 35, 36, 37, and 38 Block 1 Lakeside Heights being quit claimed to Marion County due to a residential abatement process.
2. Agan moved and Kingery seconded to accept quote not to exceed \$78,000 from Pettiecord Inc, contingent with acquiring bonding certificates from the same and proceed with project. The quote is for demolition and debris removal for residence locally known as 313 Lakeside Drive.
3. Kingery moved and Agan seconded to accept and file the Marion County Financial Report for year ended June 30, 2011 as prepared by Hunt and Associates.
4. Kingery moved and Agan seconded to approve Resolution 12/13 authorizing participation in the Southeast Iowa Contracting Consortium 28E Agreement for mental health services.

Whereas, the Marion County Board of Supervisors desires to cooperate in ways of mutual advantage to contract for services to meet Marion County residents' needs in the area of mental health, mental retardation, and developmental disabilities, and

Whereas, there is opportunity for the Board of Supervisors to extend their participation in the Southeast Iowa Contracting 28E Agreement (hereafter referred to as the "Agreement") to realize the advantages of a ten (10) county contracting consortium and,

Whereas, the Board of Supervisors agrees to abide by the guidelines set forth in the Agreement

Now be it resolved, that the Board of Supervisors authorizes its member of the Southeast Iowa Contracting Consortium Board of Directors to continue Marion County's involvement in the Southeast Iowa Consortium 28E Agreement as presented and approved by the Southeast Iowa Contracting Consortium Board of Directors for the year July 1, 2012 until June 30, 2013.

5. Roger Schletzbaum, Marion County Engineer, presented the Fiscal Year 2013-2017 County Five Year Construction Program for the Marion County Secondary Road Department. Roger discussed funding sources, overview of changes as compared by last year's projects and bridge funding. Kingery moved and Agan seconded to approve.
6. Kingery moved and Agan seconded to approve the Federal Aide Agreement between the Iowa Department of Transportation and Marion County for project STP-s-CO63(106)-53-63 widening and overlay of G-40 between Pleasantville and 82nd Avenue.
7. Discussion regarding Hayes Drive west of Pleasantville between Don Dursky, home owner, the Board of Supervisors and Roger Schletzbaum, Marion County Engineer. Agan moved and Kingery seconded to close discussion.

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 11:12 a.m.

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Dani Graves, Administrative Assistant

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on March 18, 2012 with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the special session at 4:00 p.m.

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

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

Agenda:

Agan moved and Kingery seconded to approve the special agenda as posted.

Other Business:

1. No action – Agenda item died due to lack of motion.

Closed Session:

1. Agan moved and Kingery seconded to enter into closed session pursuant to Iowa Code Chapter 21.5(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 government body in the litigation. 4:08 p.m.

2. Kingery moved and Agan seconded to reconvene from closed session at 4:49 p.m..

Other Business:

1. Agan moved and Kingery seconded to authorize the abatement of the residential property locally known as 313 Lakeside Drive, Knoxville, Iowa under county emergency ordinance procedures.

2. Discussion was held on process for abatement process. The Emergency Management Director has authority to solicit, meet, and negotiate with potential contractors for the project. County Attorney Ed Bull indicated no further action was necessary until after contractors had been contacted.

3. Kingery moved and Agan seconded to authorize a letter to the US Army Corps of Engineers indicating the county's intent to demolish the residence locally known as 313 Lakeside Drive and request permission for right-of-entry for a potential contractor if necessary during the demolition process.

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 5:05 p.m.

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Jake Grandia, Marion County Auditor

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on March 14, 2012 with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the special session at 8:00 am.

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

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

Agenda:

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

Public Hearings: Open – Chairman Nichols

1. Board of Supervisors - The Board of Supervisors held a public hearing to propose the Marion County Budget for July 1, 2012 through June 30, 2013. There being no written comments received by the Auditor, there being no further public comment, Kingery motioned and Agan seconded to close the public hearing.

Resolutions:

1. Kingery moved and Agan seconded to approve the adoption of resolution 12/11, Marion County Budget for Fiscal year beginning July 1, 2012 and ending June 30, 2012 per Iowa Code 331.434 as follows:

Whereas, IA Code 331.434 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 331.434 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 331.434 through the public hearing held on 3/14/12 at 8:00 AM;

Therefore, Be It Resolved, on the 14th day of March 2012, the Marion County Board of Supervisors hereby adopts by resolution the County Budget for the fiscal year beginning July 1, 2012 and ending June 30, 2013.

2. Agan moved and Kingery seconded to approve the resolution 12/12 designating the placement of property tax relief funds in Marion County, Iowa, from Local Options Sales Tax Revenues. Jake Grandia stated that it is an annual requirement by our outside auditors to designate by resolution the percentage of property tax relief.

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

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

Now, Therefore Be It Resolved by the Board of Supervisors of Marion County, Iowa, that the Local Option Sales Tax Revenues designated as the Property Tax Relief for the FY12-13 Marion County Budget be deposited as following:

- 1.) General Fund – 23%
- 2.) General Supplemental Fund – 11%
- 3.) Rural Supplemental Fund – 16%

Appointments: None

Other Business:

1. County Attorney Ed Bull commented to the Board the need for the County to begin the process of codifying the Marion County Code of Ordinances due to the length of time since the last codification. Bull also explained he will be out of the county for a few weeks for a murder trial that was moved to Clark County.

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 8:19 a.m.

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Jake Grandia, Marion County Auditor

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Sam L. Nichols, Chairman Board of Supervisors

I. Call to Order: The Marion County Board of Supervisors met for a special session on March 14, 2012, with Sam L. Nichols and Craig Agan present. Supervisor Kingery was absent. Chairman Nichols opened the meeting at 1:00 P.M.

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

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

II. Agenda:

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

III. Other Business:

1. Monthly departmental updates:
  - a. Bill Buttrey – GIS
    - i. Alignment Project Complete
  - b. Jeff Anderson – Emergency Management
    - i. Hazmat Contract progress
    - ii. Emergency Management Support Contract progress
  - c. Mike Kuhn – Veterans Affairs/General Relief
    - i. V.A. - Pella Corp Health Fair
    - ii. G.A. –budget running tight
  - d. Betty Moll - CPC
    - i. Discussed problems regarding Marion County Residents and contact with DHS for service
    - ii. Learning an electronic bill pay system
  - e. Steve Edwards - Conservation
    - i. Parks open April 6<sup>th</sup>
    - ii. Adding new campsites at Marion County Park
  - f. Kim Dorn – Public Health
    - i. State Audit complete and O.K.
    - ii. Program Audits just starting
    - iii. Problems regarding Marion County Residents and contact with DHS for Service
    - iv. Board of Health financials are now posted on the Board of Health website.
    - v. The Board of Health now meets on the last Monday of each month at 3:00 p.m.
  - g. Ron Goemaat – Sheriff
    - i. Explained about protection issues regarding change of venue for upcoming murder trial
  - h. Cal Stephens - Maintenance
    - i. DHS is requesting additional office space
    - ii. Getting fire alarm quotes
    - iii. Update on the water heater in the public health building
    - iv. Update on roof at the county care facility
    - v. Law Enforcement Center boiler leak and sewer issues
  - i. Carla Eysink – Development
    - i. Report of various workshops
  - j. Cory Frank – Sanitation
    - i. Lagoon at county care facility
  - k. Missy Poffenbarger – Zoning
    - i. Comprehensive Zoning Plan
  - l. Karen Schwanebeck – Recorder
    - i. Passport business steady
  - m. Roger Schletzbaum – Engineer
    - i. 5 year plan on the BOS agenda March 26<sup>th</sup>.

IV. Adjournment:

- 1.) Agan moved and Nichols seconded to close the meeting at 2:55 P.M.

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Lorri Jahner, Marion County Auditor Designee

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Sam L. Nichols, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session at the Marion County Courthouse on March 12, 2012, with Sam L Nichols and Craig Agan present. Jim Kingery was excused. Chairman Nichols opened the regular session at 8:30 A.M.

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

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

Agenda:

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

Communications: None

Consent Agenda:

Agan moved and Nichols seconded to approve consent agenda as follows:

1. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
2. Approval of Marion County Claims 189287 – 189542 through March 12, 2012.
3. Approval of Board of Supervisor Regular Session Minutes – 2/13/12, 2/27/12
4. Approval of Board of Supervisor Special Session Minutes – 1/23/12, 1/25/12, 2/1/12, 2/13/12, 2/15/12, 2/16/12, 2/17/12, 2/21/12, 2/22/12, 2/28/12

Public Comments: None

Public Hearings: None

Zoning Items: None

Resolutions:

1. Agan moved and Nichols seconded to approve Resolution 12/9 consenting to the issuance of notes by the Board of the South Central Iowa Solid Waste Agency for the purpose of constructing improvements under the terms if the intergovernmental agreement creating the South Central Iowa Solid Waste Agency, approving and authorizing modification of the intergovernmental agreement creating the South Central Iowa Solid Waste Agency, and related matters.

Whereas, the Lucas County Solid Waste Management Commission and the Counties of Marion, Monroe and Poweshiek (collectively, the "Members") are parties to an amended and restated Intergovernmental Agreement Creating the South Central Iowa Solid Waste Agency dated on or about January 21, 2009, including any amendments or supplements thereto (together, the "28E Agreement"); and

Whereas, the 28E 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 Members; and

Whereas, SCISWA has proposed that not to exceed \$1,250,000 of Solid Waste Revenue Notes be issued by SCISWA under Chapter 28F of the Code of Iowa for the purpose of providing funds to pay costs associated with improvements and extensions to SCISWA; and

Whereas, this Board has determined that the Board should evidence its consent to the issuance of not to exceed \$1,250,000 of Solid Waste Revenue Notes as provided in the 28E Agreement; and

Whereas, this Board has determined that the Board should approve and authorize modification of the 28E Agreement to more clearly identify the Lucas County Solid Waste Management Commission as a party to the 28E Agreement.

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

Section 1. 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 \$1,250,000 for the purposes contemplated by the 28E 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. The Board Chair and County Auditor are hereby authorized, empowered and directed to do all such acts and things and to execute all 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 the Solid Waste Revenue Notes as provided in the 28E Agreement.

Section 2. Not General Obligations. The principal of and interest on all Solid Waste Revenue Notes issued under the 28E 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 3. 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 Members in accordance with the percentages in Article III(a) of the 28E 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 28E 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 4. 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 28E 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 approved and accepted.

Section 5. Modification of 28E Agreement. The Lucas County Solid Waste Management Commission is a party to the 28E Agreement. The opening paragraph of the 28E Agreement references "municipalities" and "Lucas County, Iowa". The Board approves and authorizes modification of the 28E Agreement as necessary or appropriate to more clearly identify the Lucas County Solid Waste Management Commission as a party to the 28E Agreement, including inserting "entities" instead of "municipalities" and "Lucas County Solid Waste Management Commission" instead of "County of Lucas, Iowa" in the opening paragraph of the 28E Agreement. Such modifications of the 28E Agreement can be made electronically or by hand-written modifications dated and initialed by the Director of SCISWA or its legal counsel, without re-execution by the Members.

Section 6. Certification. A certified copy of this resolution shall be promptly provided to the Director of SCISWA.

Other Business:

1. Agan moved and Kingery seconded to approve 2011-2012 Semi Annual Treasurer's Report for 7/01/11 – 12/31/11 as presented by Denise Emal, Marion County Treasurer.

Appointments: None

Adjournment:

There being no other business, Nichols moved and Agan seconded the meeting be adjourned at 8:43 A.M.

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Dani Graves, Administrative Assistant

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on February 28, 2012 with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the special session at 8:30 am.

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

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

Agenda:

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

Roll Call Vote: Ayes: Kingery, Nichols Nays: Agan

Resolutions: None

Appointments: None

Other Business:

1. Agan moved and Kingery seconded to approve Secondary Road Department used equipment sealed bid results.

a.	Dragline	Carl De Joode	\$4400.00
b.	AC Scraper	Dustin Byrnes	\$5777.00
c.	Gradall	Trent Brackin	\$3555.00
d.	Cat Scraper	Erik Hayenga	\$6700.00
e.	Parts Gradall	Jerry Thompson	\$1500.00

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 9:25 a.m.

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Danielle Graves, Administrative Assistant

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session at the Marion County Courthouse on February 27, 2012, with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the regular session at 8:30 A.M.

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

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

Agenda:

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

Communications: None

Consent Agenda:

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

1. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
2. Approval of Marion County Warrants 189107 – 189286 through February 27, 2012.
3. Approval of Marion County Conservation Warrants #189074 - #189106 through February 21, 2012.
4. Approval of Board of Supervisor Regular Session Minutes – 1/23/12
5. Approval of Board of Supervisor Special Session Minutes – 1/30/12

Public Comments: None

Public Hearings: None

Zoning Items: None

Resolutions:

Kingery moved and Agan seconded to approve Resolution 12/10 establishing Marion County Medical Examiner and Marion County Deputy Medical Examiners:

Whereas, it is in the best interest to the citizens of Marion County for the Board of Supervisors to provide public safety and support, and;

Whereas, the Code of Iowa has established the rules and procedures for the establishment County Medical Examiner and Deputy Medical Examiners.

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 Medical Examiners and Deputy Medical Examiners:

- 1.) Marion County Medical Examiner – Dr. Earl McKeever
- 2.) Marion County Deputy Medical Examiner – Dr. Michael Van Natta
- 3.) Marion County Deputy Medical Examiner – Dr. William Bitsas
- 4.) Marion County Deputy Medical Examiner – Dr. Rob Bruxvoort
- 5.) Marion County Deputy Medical Examiner – Dr. Mitchell Blom
- 6.) Marion County Deputy Medical Examiner – Dr. Craig Wittenberg
- 7.) Marion County Deputy Medical Examiner – Dr. Danielle Clark
- 8.) Marion County Deputy Medical Examiner – Dr. Spencer Carlstone
- 9.) Marion County Deputy Medical Examiner – Dr. Galyn Vande Zande
- 10.) Marion County Deputy Medical Examiner – Dr. John Kanis
- 11.) Marion County Deputy Medical Examiner – Dr. Nancy Vander Broek
- 12.) Marion County Deputy Medical Examiner – Dr. Richard Posthuma
- 13.) Marion County Deputy Medical Examiner – Dr. Anne Hellbusch
- 14.) Marion County Deputy Medical Examiner – Dr. Kevin Mace
- 15.) Marion County Deputy Medical Examiner – Dr. Todd Treimer
- 16.) Marion County Deputy Medical Examiner – Dr. Tereasa Van Zee

Other Business:

1. Duane Vos, Racom, was present to give information as requested by the Board regarding long term fire alarm/notification solutions in Marion County buildings. A notification system could be installed in the buildings in question as long as there is a current fire alarm in existence. Cal Stephens, Maintenance Director, is in the process of getting quotes for fire alarms for the buildings that do not currently have one. The Board asked Duane to bring more information to the meeting on 3/12/12. Agan moved and Kingery seconded to close discussion.

2. Dick Reed presented information regarding an ATV ride from Knoxville to Chariton to the Board. The Board would like Dick to return after talking to the Iowa DOT. The County will get input from McKay insurance. Kingery moved and Agan seconded to close discussion on item #2.

#### Appointments:

1. Agan moved and Kingery seconded to approve 2012 Marion County Condemnation Commissioners, a list is available in the Marion County Auditor's Office.

2. Agan moved and Kingery seconded to approve Pella Memorial Hall Commissioners:

- Gary Gezel – term ending 12/31/2013
- Dick Van Zante – term ending 12/31/2013
- Paul Simons – term ending 12/31/2014
- Alan Naaktgeboren – term ending 12/31/2014

3. Kingery moved and Agan seconded to approve Knoxville Memorial Hall Commissioners:

- Jack Spaur – term ending 12/31/2013
- Gary Hudson – term ending 12/31/2014
- Dick Reed – term ending 12/31/2014

4. Kingery moved and Agan seconded to approve Pleasantville Memorial Hall Commissioners:

- Craig Metcalf – term ending 12/31/2013
- Dennis Murphy – term ending 12/31/2013
- Gordon Mecham – term ending 12/31/2014
- Valerie Schultz – term ending 12/31/2014
- Nancy Naaktgeboren – term ending 12/31/2014

5. Kingery moved and Agan seconded to approve Bussey Memorial Hall Commissioners:

- John Price – term ending 12/31/2014
- Walt Des Planque – term ending 12/31/2014
- Randy Dunkin – term ending 12/31/2014
- Oren Shobe – term ending 12/31/2012

#### Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 9:46 A.M.

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Dani Graves, Administrative Assistant

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on February 24, 2012 with Sam L Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the special session at 8:30 am.

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

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

Agenda:

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

Closed Session:

1. Kingery moved and Agan seconded to enter into closed session pursuant to Iowa Code Chapter 21.5(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 government body in the litigation. 8:38 a.m.

2. Kingery moved and Agan seconded to reconvene from closed session at 09:30.

Other Business:

1. Agan moved and Kingery seconded to instruct Denise Emal, Marion County Treasurer, to prepare the necessary documentation to abate the property taxes on Lots 33, 34, 35, 37, & 38 in Block 1 of Lakeside Heights Subdivision.

2. Agan moved and Kingery seconded to accept the verbal offer from Clarence Kenneth Howe to transfer Lakeside Heights Block 1 Lots 33, 34, 35, 37, & 38 by quit claim deed for \$1 to Marion County in exchange for the abatement of the current and past due property tax/penalties of said property.

3. Agan moved and Kingery seconded to instruct Jeff Anderson, Marion County Emergency Management Coordinator, and Tiffany Kragnes, Marion County Assistant Attorney, to communicate to Clarence Howe the County's acceptance of offer of Lakeside Heights Block 1 Lots 33, 34, 35, 37, & 38 and have the County Attorney's Office construct the process for Howe's acceptance and timely response.

4. Kingery moved and Agan seconded to instruct Jeff Anderson, Marion County Emergency Management Coordinator, and Roger Schletzbaum, Marion County Engineer, to prepare and distribute a Request For Proposal (RFP) for proper demolition and disposal of the uninhabitable residence on Lakeside Heights Block 1 Lot 35.

5. Agan moved and Kingery seconded to instruct the Marion County Attorney's Office to accept the verbal offer from Barbara R Douglas by quit claim deed to Marion County of Lakeside Heights Block 1 Lot 36 and have the Marion County Treasurer confirm the property taxes of Lot 36 are current.

6. Agan moved and Kingery seconded to instruct the Marion County Attorney's Office to communicate to Barbara R Douglas the County's acceptance of offer of Lakeside Heights Block 1 Lot 36.

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 9:47 a.m.

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Jake Grandia, Marion County Auditor

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on February 22, 2012 with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the special session at 8:45 am.

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

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

Agenda:

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

Resolutions: None

Appointments: None

Other Business:

1. The Board reviewed the following regarding the proposed Marion County FY13 budget.

- Budget discussion – levies / LOSST property tax relief fund distribution / departmental requests / budget deficits by fund

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 2:15 p.m.

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Jake Grandia, Marion County Auditor

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on February 21, 2012 with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the special session at 10:00 am.

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

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

Agenda:

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

Resolutions: None

Appointments: None

Other Business:

1. The Board reviewed the following regarding the proposed Marion County FY13 budget.

- Elderly Nutrition
- General Budget discussion – compensation board recommendation / budget philosophy / guidelines.

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 12:30 p.m.

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Jake Grandia, Marion County Auditor

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on February 17, 2012 with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the special session at 9:00 am.

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

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

Agenda:

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

Resolutions: None

Appointments: None

Other Business:

1. The Board reviewed the following regarding the proposed Marion County FY13 budget.

- Marion County Development Commission
- BOS General Discussion

Break from 11:45 until 12:30 for lunch

Reconvene

- Public Health
- Environmental Health

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 2:03 p.m.

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Danielle Graves, Administrative Assistant

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on February 16, 2012 with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the special session at 8:30 am.

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

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

Agenda:

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

Resolutions: None

Appointments: None

Other Business:

1. The Board reviewed the following regarding the proposed Marion County FY13 budget.

- Auditor
- Veteran's Affairs / General Relief
- General Budget discussion – budget process
- GIS

Adjournment:

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

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Jake Grandia, Marion County Auditor

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on February 15, 2012 with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the special session at 8:30 am.

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

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

Agenda:

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

Resolutions: None

Appointments: None

Other Business:

1. The Board reviewed the following regarding the proposed Marion County FY13 budget.

- RRACAP & HIRTA
- Recorder
- Treasurer
- Sheriff
- Maintenance
- E-911
- Zoning

\*Jim Kingery was excused at 2:53.

Adjournment:

There being no other business, Agan moved and Nichols seconded the meeting be adjourned at 3:26 p.m.

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Danielle Graves, Administrative Assistant

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on February 13, 2012 with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the special session at 1:30 pm.

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

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

Agenda:

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

Resolutions: None

Appointments: None

Other Business:

1. Cindy Henniger, Lamair-Mullock-Condon, presented the FY13 insurance renewals for health, dental, and ancillary coverages. Discussion involved county trends, usage, loss ratio, vendor issues, costs, potential coverage adjustments, and cost strategies. Agan moved and Kingery seconded to approve all the renewals as presented with no changes to the current plan coverages.

- Health – Wellmark BC/BS – County pay single plan /County-Employee divide family plan increase by equal dollar amount
- Dental – Delta Dental – County pay single plan/ Employee pays difference for family.
- Vision – Reliance Standard
- Life – Sun Life
- Flex - Kabel

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 3:50 p.m.

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Jake Grandia, Marion County Auditor

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session at the Marion County Courthouse on February 13, 2012, with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the regular session at 8:30 A.M.

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

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

Agenda:

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

Communications:

Consent Agenda:

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

1. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
2. Approval of Marion County Claims 188762-189073 through February 13, 2012.

Public Comments: None

Public Hearings: None

Zoning Items: None

Resolutions:

Agan moved and Kingery seconded to approve Resolution 12/8 authorizing and approving a Loan Agreement, providing for the issuance of \$3,575,000 General Obligation Refunding Bonds, Series 2012 and the levy of taxes to pay same.

Resolution authorizing and approving a Loan Agreement, providing for the issuance of \$3,575,000 General Obligation Refunding Bonds, Series 2012 and the levy of taxes to pay the same

Whereas, the Board of Supervisors (the "Board") of Marion County, Iowa (the "County"), pursuant to a resolution of the Board adopted on February 23, 2005 (the "2005 Bond Resolution"), previously issued its \$5,100,000 General Obligation County Law Enforcement Center Bonds, Series 2005, dated March 15, 2005 (the "2005 Bonds"), a portion of which remain outstanding; and

Whereas, pursuant to the 2005 Bond Resolution, the Board reserved the right to call the 2005 Bonds maturing in the years 2014 to 2024, inclusive (the "Callable 2005 Bonds") for early redemption, on any date on or after June 1, 2013; and

Whereas, the Board has heretofore proposed to issue not to exceed \$3,835,000 General Obligation Refunding Bonds, Series 2012, pursuant to the provisions of Chapter 331 of the Code of Iowa, and intends to enter into a loan agreement (the "Loan Agreement") for the purpose of paying the cost, to that extent, of advance refunding the Callable 2005 Bonds and has published notice of the proposed action and has held a hearing thereon on January 9, 2012; and

Whereas, it has been proposed that the County enter into the Loan Agreement with UMB Bank, n.a., Kansas City, MO (the "Purchaser") and issue \$3,575,000 General Obligation Refunding Bonds, Series 2012 (the "Bonds") in evidence of its obligations under the Loan Agreement; and

Whereas, the Purchaser prepared a certain Bond Purchase Agreement (the "Bond Purchase Agreement") with respect to the Loan Agreement and the Bonds, and the Board has previously approved the Bond Purchase Agreement and has made provision for its execution and delivery; and

Whereas, it is now necessary to take final action for approval of the Loan Agreement and the issuance of the Bonds, and to authorize the early redemption of the Callable 2005 Bonds;

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

Section 1. The County shall enter into the Loan Agreement with the Purchaser in substantially the form as has been placed on file with the Board, providing for a loan to the County in the principal amount of \$3,575,000, for the purpose or purposes set forth in the preamble hereof.

The Chairperson of the Board and County Auditor are hereby authorized and directed to sign the Loan Agreement on behalf of the County, and the Loan Agreement is hereby approved.

Section 2. The Bonds are hereby authorized to be issued in evidence of the obligation of the County under the Loan Agreement, in the total aggregate principal amount of \$3,575,000, to be dated March 6, 2012, in the denomination of \$5,000 each, or any integral multiple thereof, maturing annually on June 1 in each of the years, in the respective principal amounts and bearing interest at the respective rates as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>	<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>
2014	\$300,000	.50%	2020	\$335,000	1.60%
2015	\$305,000	.65%	2021	\$340,000	1.75%
2016	\$305,000	.85%	2022	\$345,000	1.95%
2017	\$315,000	1.05%	2023	\$355,000	2.10%
2018	\$320,000	1.30%	2024	\$330,000	2.25%
2019	\$325,000	1.45%			

Section 3. Bankers Trust Company, Des Moines, Iowa, is hereby designated as the Registrar and Paying Agent for the Bonds and may be hereinafter referred to as the “Registrar” or the “Paying Agent”. The County shall enter into an agreement (the “Registrar/Paying Agent Agreement”) with the Registrar, in substantially the form as has been placed on file with the Board; the Chairperson and County Auditor are hereby authorized and directed to sign the Registrar/Paying Agent Agreement on behalf of the County; and the Registrar/Paying Agent Agreement is hereby approved.

The County reserves the right to prepay part or all of the principal of the Bonds maturing in each of the years 2020 to 2024, inclusive, prior to and in any order of maturity on June 1, 2019, or on any date thereafter upon terms of par and accrued interest. If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Registrar by lot. The Bonds may be called in part in one or more units of \$5,000. If less than the entire principal amount of any Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be sent by electronic means or mailed by certified mail to the registered owners thereof at the addresses shown on the County’s registration books not less than 30 days prior to such redemption date. Any notice of redemption may contain a statement that the redemption is conditioned upon the receipt by the Paying Agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the Bonds so called for redemption, and that if funds are not available, such redemption shall be cancelled by written notice to the owners of the Bonds called for redemption in the same manner as the original redemption notice was sent. All of such Bonds as to which the County reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

Accrued interest on the Bonds shall be payable semiannually on the first day of June and December in each year, commencing December 1, 2012. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months. Payment of interest on the Bonds shall be made to the registered owners appearing on the registration books of the County at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid to the registered owners at the addresses shown on such registration books. Principal of the Bonds shall be payable in lawful money of the United States of America to the registered owners or their legal representatives upon presentation and surrender of the Bond or Bonds at the office of the Paying Agent.

The Bonds shall be executed on behalf of the County with the official manual or facsimile signature of the Chairperson of the Board and attested with the official manual or facsimile signature of the County Auditor, and shall be fully registered Bonds without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Bonds shall cease to be such officer before the delivery of the Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

The Bonds shall not be valid or become obligatory for any purpose until the Certificate of Authentication thereon shall have been signed by the Registrar.

The Bonds shall be fully registered as to principal and interest in the names of the owners on the registration books of the County kept by the Registrar, and after such registration, payment of the principal thereof and interest thereon shall be made only to the registered owners or their legal representatives or assigns. Each Bond shall be transferable only upon the registration books of the County upon presentation to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

Section 4. Notwithstanding anything above to the contrary, the Bonds shall be issued initially as Depository Bonds, with one fully registered Bond for each maturity date, in principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). On original issue, the Bonds shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the "Participants"). In the event that DTC determines not to continue to act as securities depository for the Bonds or the County determines not to continue the book-entry system for recording ownership interests in the Bonds with DTC, the County will discontinue the book-entry system with DTC. If the County does not select another qualified securities depository to replace DTC (or a successor depository) in order to continue a book-entry system, the County will register and deliver replacement bonds in the form of fully registered certificates, in authorized denominations of \$5,000 or integral multiples of \$5,000, in accordance with instructions from Cede & Co., as nominee for DTC. In the event that the County identifies a qualified securities depository to replace DTC, the County will register and deliver replacement bonds, fully registered in the name of such depository, or its nominee, in the denominations as set forth above, as reduced from time to time prior to maturity in connection with redemptions or retirements by call or payment, and in such event, such depository will then maintain the book-entry system for recording ownership interests in the Bonds.

Ownership interest in the Bonds may be purchased by or through Participants. Such Participants and the persons for whom they acquire interests in the Bonds as nominees will not receive certificated Bonds, but each such Participant will receive a credit balance in the records of DTC in the amount of such Participant's interest in the Bonds, which will be confirmed in accordance with DTC's standard procedures. Each such person for which a Participant has an interest in the Bonds, as nominee, may desire to make arrangements with such Participant to have all notices of redemption or other communications of the County to DTC, which may affect such person, forwarded in writing by such Participant and to have notification made of all interest payments.

The County will have no responsibility or obligation to such Participants or the persons for whom they act as nominees with respect to payment to or providing of notice for such Participants or the persons for whom they act as nominees.

As used herein, the term "Beneficial Owner" shall hereinafter be deemed to include the person for whom the Participant acquires an interest in the Bonds.

DTC will receive payments from the County, to be remitted by DTC to the Participants for subsequent disbursement to the Beneficial Owners. The ownership interest of each Beneficial Owner in the Bonds will be recorded on the records of the Participants whose ownership interest will be recorded on a computerized book-entry system kept by DTC.

When reference is made to any action which is required or permitted to be taken by the Beneficial Owners, such reference shall only relate to those permitted to act (by statute, regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices are given, they shall be sent by the County to DTC, and DTC shall forward (or cause to be forwarded) the notices to the Participants so that the Participants can forward the same to the Beneficial Owners.

Beneficial Owners will receive written confirmations of their purchases from the Participants acting on behalf of the Beneficial Owners detailing the terms of the Bonds acquired. Transfers of ownership interests in the Bonds will be accomplished by book entries made by DTC and the Participants who act on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interest in the Bonds, except as specifically provided herein. Interest and principal will be paid when due by the County to DTC, then paid by DTC to the Participants and thereafter paid by the Participants to the Beneficial Owners.

Section 5. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA

STATE OF IOWA

MARION COUNTY

GENERAL OBLIGATION REFUNDING BOND, SERIES 2012

No. \_\_\_\_\_

\$ \_\_\_\_\_

RATE

MATURITY DATE

BOND DATE

CUSIP

\_\_\_\_\_%

June 1, \_\_\_\_\_

March 6, 2012

Marion County (the "County"), Iowa, for value received, promises to pay on the maturity date of this Bond to  
Cede & Co.  
New York, NY

or registered assigns, the principal sum of THOUSAND DOLLARS in lawful money of the United States of America upon presentation and surrender of this Bond at the office of Bankers Trust Company, Des Moines, Iowa (hereinafter referred to as the "Registrar" or the "Paying Agent"), with interest on said sum, until paid, at the rate per annum specified above from the date of this Bond, or from the most recent interest payment date on which interest has been paid, on June 1 and December 1 of each year, commencing December 1, 2012, except as the provisions hereinafter set forth with respect to redemption prior to maturity may be or become applicable hereto. Interest on this Bond is payable to the registered owner appearing on the registration books of the County at the close of business on the fifteenth day of the month next preceding the interest payment date, and shall be paid to the registered owner at the address shown on such registration books.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Registrar.

This Bond is one of a series of General Obligation Refunding Bonds, Series 2012 (the "Bonds"), issued in the aggregate principal amount of \$3,575,000 by the County to evidence its obligation under a certain Loan Agreement, dated as of March 6, 2012 (the "Loan Agreement"), entered into by the County for the purpose of paying the cost, to that extent, of advance refunding the County's General Obligation County Law Enforcement Center Bonds, Series 2005, dated March 15, 2005.

The Bonds are issued pursuant to and in strict compliance with the provisions of Sections 331.402(3) and 331.443 of the Code of Iowa, 2011, and all other laws amendatory thereof and supplemental thereto, and in conformity with a resolution of the County Board of Supervisors authorizing and approving the Loan Agreement and providing for the issuance and securing the payment of the Bonds (the "Resolution"), and reference is hereby made to the Resolution and the Loan Agreement for a more complete statement as to the source of payment of the Bonds and the rights of the owners of the Bonds.

The County reserves the right to prepay part or all of the principal of the Bonds maturing in each of the years 2020 to 2024, inclusive, prior to and in any order of maturity on June 1, 2019, or on any date thereafter upon terms of par and accrued interest. If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Registrar by lot. The Bonds may be called in part in one or more units of \$5,000. If less than the entire principal amount of any Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be sent by electronic means or by certified mail to the registered owners thereof at the addresses shown on the County's registration books not less than 30 days prior to such redemption date. All of such Bonds as to which the County reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

This Bond is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the County in the office of the Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Bond to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The County, the Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and the County, the Registrar and the Paying Agent shall not be affected by any notice to the contrary.

And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa, to exist, to be had, to be done or to be performed precedent to and in the issue of this Bond were and have been properly existent, had, done and performed in regular and due form and time; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the County for the payment of the principal of and interest on this Bond as the same will respectively become due; that the faith, credit, revenues and resources and all the real and personal property of the County are irrevocably pledged for the prompt payment hereof, both principal and interest; and that the total indebtedness of the County, including this Bond, does not exceed any constitutional or statutory limitations.

IN TESTIMONY WHEREOF, Marion County, Iowa, by its Board of Supervisors, has caused this Bond to be executed with the duly authorized facsimile signature of its Chairperson and attested with the duly authorized facsimile signature of its County Auditor, all as of March 6, 2012.

MARION COUNTY, IOWA

By (DO NOT SIGN)

Chairperson, Board of Supervisors

Attest:

(DO NOT SIGN)

County Auditor

Registration Date: (Registration Date)

#### REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned Resolution.

BANKERS TRUST COMPANY

Des Moines, Iowa

Registrar

By (Authorized Signature)

Authorized Officer

#### ABBREVIATIONS

The following abbreviations, when used in this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM - as tenants in common

TEN ENT - as tenants by the entirety

JT TEN - as joint tenants with right of survivorship and not as tenants in common

UTMA \_\_\_\_\_  
(Custodian)

As Custodian for \_\_\_\_\_  
(Minor)

under Uniform Transfers to Minors Act

\_\_\_\_\_  
(State)

Additional abbreviations may also be used though not in the list above.

## ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Bond to

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(Please print or type name and address of Assignee)

---

PLEASE INSERT SOCIAL SECURITY OR OTHER  
IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint \_\_\_\_\_, Attorney, to transfer this Bond on the books kept for registration thereof with full power of substitution.

Dated: \_\_\_\_\_

Signature guaranteed:

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(Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signatures to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.)

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears on this Bond in every particular, without alteration or enlargement or any change whatever.

Section 6. The Bonds shall be executed as herein provided as soon after the adoption of this resolution as may be possible and thereupon shall be delivered to the Registrar for registration, authentication and delivery to or upon the direction of the Purchaser, upon receipt of the loan proceeds (the "Proceeds"), and all action heretofore taken in connection with the Loan Agreement and the sale of the Bonds is hereby ratified and confirmed in all respect.

Section 7. Bankers Trust Company, as Registrar and Paying Agent for the 2005 Bonds is hereby authorized to take all action necessary to call the Callable 2005 Bonds for redemption on June 1, 2013 (the "Redemption Date"), and is further authorized and directed to give notice of such redemption by sending notice to each of the registered owners of the Callable 2005 Bonds to be redeemed at the addresses shown on the County's registration books, not less than 30 days prior to the Redemption Date.

Section 8. As required by Chapter 76 of the Code of Iowa, and for the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the interest on the Bonds as it falls due, and also to pay and discharge the principal thereof at maturity, there is hereby ordered levied on all the taxable property in the County in each of the years while the Bonds or any of them are outstanding, a tax sufficient for that purpose, and in furtherance of this provision, but not in limitation thereof, there is hereby levied on all the taxable property in the County the following direct annual tax for collection in each of the following fiscal years:

For collection in the fiscal year beginning July 1, 2012,  
sufficient to produce the net annual sum of \$63,255;

For collection in the fiscal year beginning July 1, 2013,  
sufficient to produce the net annual sum of \$351,173;

For collection in the fiscal year beginning July 1, 2014,  
sufficient to produce the net annual sum of \$354,673;

For collection in the fiscal year beginning July 1, 2015,  
sufficient to produce the net annual sum of \$352,690;

For collection in the fiscal year beginning July 1, 2016,  
sufficient to produce the net annual sum of \$360,098;

For collection in the fiscal year beginning July 1, 2017,  
sufficient to produce the net annual sum of \$361,790;

For collection in the fiscal year beginning July 1, 2018,  
sufficient to produce the net annual sum of \$362,630;

For collection in the fiscal year beginning July 1, 2019,  
sufficient to produce the net annual sum of \$367,918;

For collection in the fiscal year beginning July 1, 2020,  
sufficient to produce the net annual sum of \$367,558;

For collection in the fiscal year beginning July 1, 2021,  
sufficient to produce the net annual sum of \$366,608;

For collection in the fiscal year beginning July 1, 2022,  
sufficient to produce the net annual sum of \$369,880;

For collection in the fiscal year beginning July 1, 2023,  
sufficient to produce the net annual sum of \$337,425.

Section 9.A certified copy of this resolution shall be filed with the County Auditor, and the Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the County and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the County and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Bonds hereby authorized and for no other purpose whatsoever. Any amount received by the County as accrued interest on the Bonds shall be deposited into such special account and used to pay interest due on the Bonds on the first interest payment date.

Pursuant to the provisions of Section 76.4 of the Code of Iowa, each year while the Bonds remain outstanding and unpaid, any funds of the County which may lawfully be applied for such purpose may be appropriated, budgeted and, if received, used for the payment of the principal of and interest on the Bonds as the same become due, and if so appropriated, the taxes for any given fiscal year as provided for in Section 8 of this Resolution, shall be reduced by the amount of such alternate funds as have been appropriated for said purpose and evidenced in the County's budget.

Section 10.It is hereby determined that the County shall enter into an escrow agreement (the "Escrow Agreement") with the Registrar, as Escrow Agent, in such form as has been presented to the Board. The Escrow Agreement is hereby approved and the Chairperson and County Auditor are hereby authorized and directed to execute the Escrow Agreement on behalf of the County. The proceeds shall be deposited and invested in accordance with the terms of the Escrow Agreement, and, as set forth therein, when timely, shall be used to fund the redemption of the Callable 2005 Bonds.

Section 11.The interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current available funds of the County in advance of taxes levied and when the taxes shall have been collected, reimbursement shall be made to such current funds in the sum thus advanced. The County hereby pledges the faith, credit, revenues and resources and all of the real and personal property of the County for the full and prompt payment of the principal of and interest on the Bonds.

Section 12.It is the intention of the County that interest on the Bonds be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof, the County covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with the applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Bonds will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the County are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

The County hereby designates the Bonds as “Qualified Tax Exempt Obligations” as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

Section 13. The Securities and Exchange Commission (the “SEC”) has promulgated certain amendments to Rule 15c2-12 under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the “Rule”) that make it unlawful for an underwriter to participate in the primary offering of municipal securities in a principal amount of \$1,000,000 or more unless, before submitting a bid or entering into a purchase contract for such securities, an underwriter has reasonably determined that the issuer or an obligated person has undertaken in writing for the benefit of the holders of such securities to provide certain disclosure information to prescribed information repositories on a continuing basis so long as such securities are outstanding.

On the date of issuance and delivery of the Bonds, the County will execute and deliver a Continuing Disclosure Certificate pursuant to which the County will undertake to comply with the Rule. The County covenants and agrees that it will comply with and carry out the provisions of the Continuing Disclosure Certificate. Any and all of the officers of the County are hereby authorized and directed to take any and all actions as may be necessary to comply with the Rule and the Continuing Disclosure Certificate.

Section 14. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved February 13, 2012.

Other Business:

1. Michella Friesen, Crisis Intervention Services presented to the Board an overview of their services. Agan moved and Kingery seconded to approve support at same level, \$4000.00 for their FY13 budget.
2. Roslin Thompson, Knoxville Public Library presented to the Board an overview of their services. No action was taken as Agan would like further discussion.
3. Kingery moved and Agan seconded to approve petition to the Iowa Department of Natural Resources for variance for buried valves at Lagoon outlet structure at the Marion County Care facility.
4. Agan moved and Kingery seconded to deny The Public Health Building Alerting system project proposal at this time. Agan would like the County to gather more information regarding fire alarm systems in other County buildings.
5. Agan moved and Kingery seconded to approve suspension of property taxes payable 2012-2013 pursuant to Iowa Code Chapter 427.9 for the following parcels: 12582-005-00.
6. Agan moved and Kingery seconded to approve Inmate excess medical insurance renewal with Correctional Risk Services.
7. Agan moved and Kingery seconded to approve new income guidelines for determination of eligibility for General Relief, Veteran’s Affairs and Mental Health.

Family Size	Net Maximum Monthly Income
1 .....	\$1396.00
2 .....	\$1890.00
3 .....	\$2386.00
4 .....	\$2880.00
5 .....	\$3376.00
6 .....	\$3870.00
7 .....	\$4366.00
8 .....	\$4860.00
Each additional family member add .....	\$ 495.00

The above amounts represent the current poverty federal guidelines effective January 26, 2012 at 150%.

Appointments: None

Adjournment:

There being no other business, Kingery moved and Agan seconded the meeting be adjourned at 9:50 A.M.

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Dani Graves, Administrative Assistant

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on February 1, 2012 with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the special session at 8:30 a.m.

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

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

Agenda:

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

Other Business:

1. Jon Burmeister, Public Financial Management, discussed the advanced refunding of the 2005 Series Law Enforcement Center Bonds. Burmeister recommended moving forward on the refunding. Agan moved and Kingery seconded to move forward with recommendation of Public Financial Management to accept the bid proposal.

1a. Kingery moved and Agan seconded to approve Resolution 12/7 approving bond purchase agreement as follows:

Whereas, the Board of Supervisors (the "Board") of Marion County, Iowa (the "County"), has heretofore proposed to enter into a loan agreement (the "Loan Agreement") in a principal amount not to exceed \$3,835,000 pursuant to the provisions of Section 331.402 of the Code of Iowa for the purpose of refunding the outstanding balance of the County's General Obligation County Law Enforcement Center Bonds, Series 2005, and has published notice of the proposed action and has held a hearing thereon on; and

Whereas, a certain Bond Purchase Agreement (the "Bond Purchase Agreement") has been prepared setting forth the terms of the issuance of General Obligation Refunding Bonds in the principal amount of \$3,575,000 and the understanding between the County and UMB Bank (the "Purchaser"), and it is now necessary to make provision for the approval of the Bond Purchase Agreement;

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

Section 1. The Bond Purchase Agreement is hereby approved in substantially the form as presented to this Board. The Chairperson and County Auditor are hereby authorized and directed to execute and deliver the Bond Purchase Agreement to the Purchaser.

Section 2. All resolutions and orders or parts thereof in conflict with the provisions of this resolution, to the extent of such conflict, are hereby repealed.

2. The Board reviewed the following regarding the proposed Marion County FY13 budget.

- Roger Schletzbaum, County Engineer – county budget overview
- CPC
- Conservation
- general budget discussion – policies / salaries / budget philosophy

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 1:20 p.m.

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Jake Grandia, Marion County Auditor

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on January 30, 2012 with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the regular session at 8:30 am.

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

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

Agenda:

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

Closed Session:

1. Agan moved and Kingery seconded to enter into closed session pursuant to Iowa Code Chapter 21.5(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 government body in the litigation.

2. Agan moved and Kingery seconded to reconvene from closed session at 09:30.

3. Agan moved and Kingery seconded to open regular session at 09:30.

Other Business:

1. Agan moved and Kingery seconded to direct Jeff Anderson, Emergency Management Director to proceed with the scope of project discussed in closed session. Jeff Anderson, Ed Bull, Denise Emal and Sam Nichols will meet with the property owner to gather information on demolition project. Jeff Anderson will contact the property owner.

2. The Board reviewed the following regarding the proposed Marion County FY13 budget. Agan would like to meet with all departments to go over questions.

- County Attorney
- Emergency Management
- Board of Supervisors

Nichols moved and Kingery seconded to recess until 12:30

Regular session reconvened at 12:41

- Engineer

General discussion of overall budget process continued amongst the Board.

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 3:28 p.m.

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Danielle Graves, Administrative Assistant

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on January 23, 2012 with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the special session at 2:00 p.m.

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

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

Agenda:

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

Other Business:

1. The Board reviewed the following regarding the proposed Marion County FY13 budget.

- General budget discussion – fund balances / county levies

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 3:15 p.m.

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Jake Grandia, Marion County Auditor

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on January 23, 2012 with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the special session at 10:18 am.

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

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

Agenda:

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

Other Business:

1. The Board reviewed the following regarding the proposed Marion County FY13 budget.

- County Attorney – space planning / long term planning
- Non-departmental budgets
- General budget discussion

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 11:55 a.m.

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Jake Grandia, Auditor

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session at the Marion County Courthouse on January 23, 2012, with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the regular session at 8:30 A.M.

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

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

Agenda:

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

Communications:

Consent Agenda:

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

1. Approve Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
2. Approve Marion County Warrants 188545 - 188759 through January 23, 2012.
3. Approve Marion County Conservation Warrants #188511 - #188544 through January 17, 2012
4. Approve Marion County Board of Supervisor Regular Session Minutes: 12/17/11, 1/9/12
5. Approve Marion County Board of Supervisor Special Session Minutes: 12/21/11, 1/3/12, 1/3/12

Public Comments: None

Public Hearings: Open Chairman Nichols

1. Marion County Board of Supervisors - Public hearing on a loan agreement in a principal amount not to exceed \$3,835,000 for the purpose of paying the cost, to that extent, of refunding the outstanding balance of the County's General Obligation County Law Enforcement Center Bonds, Series 2005, dated April 1, 2005 pursuant to authority contained in Sections 331.402 and 331.441 of the Code of Iowa. No written comments were received. Kingery moved and Agan seconded to close discussion.

Zoning Items: None

Resolutions: None

Other Business:

1. Agan began discussion regarding Pioneer Cemetery Commission construction of protective barriers for pioneer burial sites. There are cases where there is no legal description of the cemetery and the commission asks the Engineer for help locating. Agan thinks the Pioneer Cemetery Commission needs to use their budget to obtain such survey, ask surveyors to work in a volunteer type situation or work with landowners directly. The direction from the Board of Supervisors to Pioneer Cemetery Commission is they should work with the landowners on a case by case basis to have fence put in place to protect the burial sites. Kingery moved and Agan seconded to close discussion.

2. Discussion regarding Board of Supervisor member term of appointment to the Marion County Board of Health. The motion was made to amend the previous appointment from a one year term to a three year term, per Iowa Code. Kingery moved and Agan seconded to close discussion.

3. Agan moved and Kingery seconded to receive and file Marion County Sheriff Financial Report: 10/1/2011-12/31/2011.

Appointments:

Kingery moved and Agan seconded to approve:

1. Board of Health - term ending 12/31/14 – Patricia Van Zante  
Roll Call Vote: Ayes, Agan and Kingery Nays, Nichols

Kingery moved and Agan seconded to approve:

2. Area Aging Resource Advisory Council – term ending 12/31/15 – Dawn Allspach

Kingery moved and Agan seconded to approve:

3. Area Aging Resources – term ending 12/31/15 – Duane Brouwer

Kingery moved and Agan seconded to approve:

4. Greenbelt Commission – term ending 12/31/12 – Steve Edwards

Kingery moved and Agan seconded to approve:

5. Central Iowa Tourism – term ending 12/31/13 – Carla Eysink

Kingery moved and Agan seconded to approve:

6. Civil Service Commission – term ending 12/31/16 – Jim Nelson

Kingery moved and Agan seconded to approve:

7. Pella Memorial Hall – 3 year term:

Paul Simons  
Alan Naaktgeboren  
Gary Gezel  
Dick Van Zante

Knoxville Memorial Hall – 3 year term:

Jack Spaur  
Gary Hudson  
Dick Reed

Pleasantville Memorial Hall – 3 year term:

Craig Metcalf  
Dennis Murphy  
Gordon Mecham

Bussey Memorial Hall – 3 year term:

Randy Dunkin  
John Nichols

\*Note: There was no vote taken on the motion previously stated. Ed Bull, County Attorney asked that the motion be tabled to pursue gender equity.

Agan moved and Nichols seconded to follow County Attorney's recommendation. Nichols asked Kingery to contact Memorial Hall Secretary's and request a letter be submitted to the Board of Supervisors stating that they have tried to achieve gender balance.

Kingery moved and Agan seconded to approve:

8. CIRTPA – Transportation Policy Committee – term ending 12/31/12 – Jim Kingery  
CIRTPA – Transportation Policy Committee – term ending 12/31/12 – Roger Schletzbaum  
CIRTPA – Transportation Enhancement Subcommittee – term ending 12/31/12 – Steve Edwards  
CIRTPA – Transportation Enhancement Subcommittee – term ending 12/31/12 – Rich Paris

#### Adjournment:

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

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Dani Graves, Administrative Assistant

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session at the Marion County Courthouse on January 9, 2012, with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the regular session at 8:30 A.M.

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

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

Agenda:

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

Communications:

Consent Agenda:

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

1. Approval of Marion County Staff Salary Adjustments. A list is available in the Auditor's Office.
2. Approval of Marion County Warrants 188307 - 188507 through January 9, 2012.
3. Approve Marion County Board of Supervisor Regular Session Minutes: 12/12/11

Public Comments: None

Public Hearings: Open Chairman Nichols

1. Marion County Board of Supervisors - Public hearing on a loan agreement in a principal amount not to exceed \$3,835,000 for the purpose of paying the cost, to that extent, of refunding the outstanding balance of the County's General Obligation County Law Enforcement Center Bonds, Series 2005, dated April 1, 2005 pursuant to authority contained in Sections 331.402 and 331.441 of the Code of Iowa. No written comments were received. Kingery moved and Agan seconded to close discussion.

Zoning Items: None

Resolutions:

1. Agan moved and Kingery seconded to approve Resolution 12/6 to enter into a loan agreement in a principal amount not to exceed \$3,835,000 pursuant to the provisions of Section 331.402 of the Code of Iowa for the purpose of refunding the outstanding balance of the County's General Obligation County Law Enforcement Center Bonds, Series 2005.

Whereas, the Board of Supervisors (the "Board") of Marion County, Iowa (the "County"), has heretofore proposed to enter into a loan agreement (the "Loan Agreement") in a principal amount not to exceed \$3,835,000 pursuant to the provisions of Section 331.402 of the Code of Iowa for the purpose of refunding the outstanding balance of the County's General Obligation County Law Enforcement Center Bonds, Series 2005, and has published notice of the proposed action and has held a hearing thereon on; and

Whereas, the County intends to enter into the Loan Agreement and to issue General Obligation Refunding Bonds, Series 2012 (the "Bonds") in the future; and

Whereas, a Preliminary Official Statement (the "Preliminary Official Statement") has been prepared to facilitate the sale of the Bonds, and it is now necessary to make provision for the approval of the Preliminary Official Statement and to authorize its use by Public Financial Management, the county's financial advisor;

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

Section 1. The County hereby determines to enter into the Loan Agreement in the future, providing for a loan to the County in a principal amount not to exceed \$3,835,000 for the purpose set forth in the preamble hereof.

Section 2. The use by Public Financial Management of the Preliminary Official Statement relating to the Bonds, in substantially the form as has been presented to and considered by the Board of Supervisors, is hereby approved, and Public Financial Management is hereby authorized to prepare and use a final Official Statement for the Bonds substantially in the form of the Preliminary Official Statement, but with such changes therein as are required to conform the same to the terms of the Bonds and the resolution, when adopted, providing for the issuance of the Bonds, and the County Auditor is hereby authorized and directed to execute a final Official

Statement for the Bonds, if requested. The Preliminary Official Statement as of its date is deemed final by the County within the meaning of Rule 15(c)(2)-12 of the Securities and Exchange Commission.

Section 3. Pursuant to Section 75.14 of the Code of Iowa, the Board of Supervisors hereby authorizes the use of electronic bidding procedures for the sale of the Bonds through PARITY, and hereby finds and determines that the PARITY competitive bidding system will provide reasonable security and maintain the integrity of the competitive bidding process and will facilitate the delivery of bids by interested parties under the circumstances of this bond sale.

Section 4. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Other Business:

1. Mike Kuhn, Marion County Veterans Affairs and General Assistance, recommends lowering the number of times in a 12 month period someone can receive assistance from 3 times to 2 times. The amount for food vouchers will be lowered as well. Agan moved and Kingery seconded to approve the amendment of assistance guidelines.

2. Kingery moved and Agan seconded to receive and file 2011 Marion County Pioneer Cemetery Commission Report.

Appointments: None

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 8:50 A.M.

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Dani Graves, Administrative Assistant

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session at the Marion County Courthouse on January 3, 2012 with Sam L. Nichols, Jim Kingery and Craig Agan present. Chairman Nichols opened the regular session at 11:00 am.

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

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

Agenda:

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

Resolutions: None

Appointments: None

Other Business:

1. Harold Stewart, Knoxville City Manager, presented an informational update on the following items in progress with the City of Knoxville:

- Economic development priorities
- Comprehensive plan update
- Housing – developments and rehabilitation
- City website update
- Library expansion
- Streetscape
- VA Campus
- New hotel
- Youngs Park – handicap accessibility
- Golf cart path – raceway to campground
- Movie theatre

2. Mike Nardini, Pella City Manager, presented an informational update on the following items in progress with the City of Pella:

- Lake Red Rock Hydro Project
- Transportation Projects – regional airport, highway corridor studies

Adjournment:

There being no other business, Agan moved and Kingery seconded the meeting be adjourned at 12:10 p.m.

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Jake Grandia, County Auditor

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Sam L. Nichols, Chairman Board of Supervisors

The Marion County Board of Supervisors met January 03, 2012, for their annual organizational meeting with Craig Agan, 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: Agan, Kingery, and Nichols Nays: none. Abstentions: none. Absent: none

Jake Grandia, Marion County Auditor, called the meeting to order at 8:30 A.M. Grandia then entertained motions for Chairman of the Marion County Board of Supervisors for the year of 2012. Kingery moved and Agan seconded for approval of Sam Nichols as 2012 Marion County Board of Supervisor Chairman with authorization to sign for Official County Business.

Chairman Nichols then assumed leadership of the meeting.

Agan moved and Nichols seconded for approval of Jim Kingery as 2012 Vice-Chairman of the Marion County Board of Supervisors with authorization to sign for Official County Business.

Kingery moved and Agan seconded the official meetings of the Board of Supervisors be set for the 2<sup>nd</sup> and 4<sup>th</sup> Mondays of every month at 8:30 A.M. unless it lands on an official holiday thus making the meeting on the following Tuesday.

Agan 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.

Kingery moved and Agan seconded the approval of depository Resolution 12/01 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 Auditor Iowa State Savings Bank M.C. Vision Insurance Acct	Knoxville	50,000	50,000
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	12,000,000	14,000,000
County Treasurer US Bank	Pella	1,000,000	500,000
County Treasurer Marion County State Bank	Pella	6,000,000	8,000,000
County Treasurer Pleasantville State Bank	Pleasantville	2,000,000	2,000,000
County Treasurer Leighton State Bank	Pella	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	175,000	175,000
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 3rd day of January 2012, 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 3rd day of January 2012.

Kingery moved and Agan seconded to approve Farm-to-Market Resolution 12/02 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.

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

New Years Day-2012	Monday	January 2, 2012
President's Day	Monday	February 20, 2012
Memorial Day	Monday	May 28, 2012
Independence Day	Wednesday	July 4, 2012
Labor Day	Monday	September 3, 2012
Veteran's Day	Monday	November 12, 2012
Thanksgiving Day	Thursday	November 22, 2012
Friday after Thanksgiving	Friday	November 23, 2012
Christmas Day	Tuesday	December 25, 2012
Floating Day		

Kingery moved and Agan seconded 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)

Kingery moved and Agan seconded to approve Resolution 12/03 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 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)	Troy Fisher
Deputy	(63-3)	Charles W. Puyear
Deputy	(63-4)	James Lane
Deputy	(63-5)	Justin Kingrey
Deputy	(63-6)	Jake Smith
Deputy	(63-7)	DJ Reed
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)	Troy Bouma
Part-Time Deputy	(63-14)	Cliff Wilson
Part-Time Deputy	(63-15)	Alvin Olivier

Agan moved and Kingery seconded to approve Resolution 12/04 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  
Lee Dachenbach  
Doug DeRonde  
Joe Ferguson  
John Greatbatch  
Valerie Green  
Steve McCombs  
Cody Rankin  
Don Rowland  
Melvin (Skeeter) Schone  
Jason Spencer  
Mark Sweitzer  
John Walker  
Patrick Zeimet

Kingery moved and Agan seconded to approve Resolution 12/05 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.

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

Kingery moved and Agan seconded to designate the County Engineer, Roger Schletzbaum, as the Marion County Weed Commissioner. The Board will continue to look for alternative options for Weed Commissioner.

After discussion, Kingery moved and Agan seconded the appointments to Boards and Commissions as listed:

South Central Youth & Family Services	Jim Kingery	1 yr.
Capstone Center, Inc.	Craig Agan	1 yr.
5th Judicial District Advisory Board	Sam L. Nichols	1 yr.
Heart of Iowa Regional Transit Agency (HIRTA)	Jim Kingery	1 yr.
Heart of Iowa Regional Transit Agency (HIRTA) - Alternate	Sam L. Nichols	1 yr.
Red Rock Community Action Program	Sam L. Nichols	1 yr.
Mental Health Institute Advisory Board	Jim Kingery	1 yr.
County Home Board	Craig Agan	1 yr.
	Jim Kingery	1 yr.
	Sam L. Nichols	1 yr.
Area Aging Resources Board	Jim Kingery	1 yr.
FEMA Advisory Board	Sam L. Nichols	1 yr.
Emergency Management Commission	Sam L. Nichols	1 yr.
Heartland Resource Conservation & Development	Craig Agan	1 yr.
Board of Health	Craig Agan	1 yr.
Des Moines River Greenbelt Commission	Sam L. Nichols	1 yr.
Dept. of Justice-Courthouse Security Advisory Board	Sam L. Nichols	1 yr.
Child Welfare Decategorization Program-Exec. Board	Jim Kingery	1 yr.
Whitebreast Watershed Assoc.	Craig Agan	1 yr.
	Jim Mc Coy, alternate	1 yr.
Pella Planning and Zoning Commission	Craig Agan	1 yr.
E-911 Board	Sam L. Nichols	1 yr.
South Central Iowa Solid Waste Agency	Craig Agan	1 yr.
South Central Iowa Solid Waste Agency - Alternate	Roger Schletzbaum	1 yr.
S.E. Iowa 28E Contracting Consortium	Jim Kingery	1 yr.
Pella Area Development Commission (PADCO)	Craig Agan	1 yr.
Empowerment Board	Jim Kingery	1 yr.
Central Iowa Regional Housing Authority	Craig Agan	1 yr.
Marion County Courthouse Security Committee	Sam L. Nichols	1 yr.

There was some further discussion regarding the appointments made to the CIRTPA Boards in December. Agan noted he would prefer not to sit on the CIRTPA Policy Board. The Board discussed the idea of changing Roger Schletzbaum as primary and Jim Kingery as alternate appointment to the CIRTPA Policy Board.

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

Meeting adjourned 9:35 A.M.

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Dani Graves, Administrative Assistant

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Sam L. Nichols, Chairman Board of Supervisors