

The Marion County Board of Supervisors met in regular session at 3014 E Main St. Knoxville, IA 50138 on Tuesday, May 23, 2023 with Mark Raymie, Steve McCombs, and Kisha Jahner present in-person. Public access to the meeting was available in-person and electronically. Board Chair Jahner opened the regular session at 9:00 A.M.

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

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

Agenda:

McCombs moved and Raymie seconded to approve the agenda as posted.

Communications: None

Public Comments: None

Consent Agenda:

McCombs moved and Raymie seconded to approve the consent agenda as follows:

1. Marion County Warrants #250225 - #250371 through 5/23/2023.
2. Marion County Regular Session Board of Supervisor Minutes: 4/25/2023
3. Marion County employee salary adjustments. Complete list available in the Human Resource Office.
4. Marion County Conservation Board warrants #250177 - #250224 through 5/16/2023.

Business:

1. Iowa Department of Agricultural and Land Stewardship (IDALS) Division of Mine & Minerals representative Ryan Starkey presented information regarding a proposed mine reclamation project on the County owned property known as the Wilcox Park lying east of Hwy T-17 and south of Honey Creek. The county would have no financial responsibility. The Board held a positive consensus regarding the proposed project. Raymie moved and McCombs seconded to close discussion.

2. Marion County Lobbyist Kelly Meyers, Skinner & Paschke PLLC, presented a 2023 Iowa Legislative Session update. McCombs moved and Raymie seconded to close discussion.

3. Chair Jahner opened a Public Hearing at 9:56 A.M. regarding proposed disposition of a portion of Marion County property in the VA Campus via Quit Claim Deed to the City of Knoxville for development purposes. The portion of VA Campus described as Parcel J of the SW1/4 of Section 1, Township 75 North, Range 20 West of the 5th P.M. No public comments were received. Raymie moved and McCombs seconded to close the Public Hearing at 9:58 A.M.

4. Raymie moved and McCombs seconded to approve Resolution 2023-59 Making Final Determination Regarding Disposition of Real Property in the VA Campus to the City of Knoxville as follows:

This Resolution is made with respect to the following described real property:

PARCEL "J" OF SW1/4 OF SECTION 1, TOWNSHIP 75 NORTH, RANGE 20 WEST OF THE 5TH P.M.

PLAT OF SURVEY RECORDED: BOOK 2023 PAGE 2019

DESCRIPTION:

A PART OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 75 NORTH, RANGE 20 WEST OF THE 5TH P.M., CITY OF KNOXVILLE, MARION COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH ¼ CORNER OF SAID SECTION 1; THENCE NORTH 89°55'09" WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 991.24 FEET; THENCE NORTH 0°04'51" EAST,

30.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF WEST PLEASANT STREET AND TO THE POINT OF BEGINNING; THENCE NORTH 89°54'40" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE OF WEST PLEASANT STREET, 1625.92 FEET; THENCE NORTH 0°00'00" EAST, 20.00 FEET; THENCE SOUTH 89°54'41" EAST, 299.82 FEET; THENCE NORTH 0°05'19" EAST, 23.76 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 147.00 FEET, WHOSE ARC LENGTH IS 70.97 FEET AND WHOSE CHORD BEARS NORTH 13°55'08" EAST, 70.28 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 203.00 FEET, WHOSE ARC LENGTH IS 98.00 FEET AND WHOSE CHORD BEARS NORTH 13°55'08" EAST, 97.05 FEET; THENCE NORTH 0°05'19" EAST, 18.76 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.27 FEET AND WHOSE CHORD BEARS NORTH 45°05'19" EAST, 35.36 FEET; THENCE SOUTH 89°54'41" EAST, 113 FEET; THENCE NORTH 0°05'19" EAST, 56.00 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.27 FEET AND WHOSE CHORD BEARS NORTH 45°05'19" EAST, 35.36 FEET; THENCE NORTH 0°05'19" EAST, 93.00 FEET; THENCE SOUTH 89°54'41" EAST, 449.00 FEET; THENCE NORTH 0°05'19" EAST, 73.00 FEET; THENCE NORTHWESTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.27 FEET AND WHOSE CHORD BEARS NORTH 44°54'41" WEST, 35.36 FEET; THENCE NORTH 0°05'19" EAST, 56.00 FEET, THENCE SOUTH 89°54'41" EAST, 296.00 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.27 FEET AND WHOSE CHORD BEARS NORTH 45°05'19" EAST, 35.36 FEET; THENCE SOUTH 89°54'41" EAST, 88.00 FEET; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE NORTHEASTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.27 FEET AND WHOSE CHORD BEARS SOUTH 44°54'41" EAST, 35.36 FEET; THENCE SOUTH 89°54'41" EAST, 105.00 FEET; THENCE SOUTH 0°05'19" WEST, 56.00 FEET; THENCE SOUTH 89°54'41" EAST, 55.08 FEET; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 322.00 FEET, WHOSE ARC LENGTH IS 96.23 FEET AND WHOSE CHORD BEARS SOUTH 81°20'59" EAST, 95.87 FEET; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE NORTHEASTERLY WHOSE RADIUS IS 378.00 FEET, WHOSE ARC LENGTH IS 111.79 FEET AND WHOSE CHORD BEARS SOUTH 81°15'38" EAST, 111.38 FEET; THENCE SOUTH 89°43'59" EAST, 30.00 FEET; THENCE SOUTH 0°05'19" WEST, 202.00 FEET TO THE NORTH LINE OF COOLEY AND HANSEN ADDITION, AN OFFICIAL PLAT IN THE CITY OF KNOXVILLE; THENCE NORTH 89°43'59" WEST ALONG SAID NORTH LINE, 129.27 FEET TO THE NORTHWEST CORNER OF SAID COOLEY AND HANSEN ADDITION; THENCE SOUTH 0°02'00" WEST ALONG THE WEST LINE OF SAID COOLEY AND HANSEN ADDITION, 289.28 FEET TO THE POINT OF BEGINNING AND CONTAINING 15.02 ACRES (654,175 S.F.)

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

WHEREAS:

1. Notice of the County's intent to transfer the above-described property was published in the Marion County Express on May 19, 2023.
2. Public hearing was held before the Marion County Board of Supervisors on May 23, 2023 regarding disposition of the above mentioned property.
3. Pursuant to Iowa Code Section 331.361, the Board makes a finding that disposition of the above-described property promotes a public interest to support the development of the property and surrounding areas.
4. The County now desires to transfer by quit claim the above-described property to the City of Knoxville, Iowa, for \$1 dollar consideration.

NOW, BE IT RESOLVED by the Marion County Board of Supervisors:

Approve transfer of:

PARCEL "J" OF SW1/4 OF SECTION 1, TOWNSHIP 75 NORTH, RANGE 20 WEST OF THE 5TH P.M.

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COMMENCING AT THE SOUTH ¼ CORNER OF SAID SECTION 1; THENCE NORTH 89°55'09" WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST ¼, A DISTANCE OF 991.24 FEET; THENCE NORTH 0°04'51" EAST, 30.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF WEST PLEASANT STREET AND TO THE POINT OF BEGINNING; THENCE NORTH 89°54'40" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE OF WEST PLEASANT STREET, 1625.92 FEET; THENCE NORTH 0°00'00" EAST, 20.00 FEET; THENCE SOUTH 89°54'41" EAST, 299.82 FEET; THENCE NORTH 0°05'19" EAST, 23.76 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 147.00 FEET, WHOSE ARC LENGTH IS 70.97 FEET AND WHOSE CHORD BEARS NORTH 13°55'08" EAST, 70.28 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 203.00 FEET, WHOSE ARC LENGTH IS 98.00 FEET AND WHOSE CHORD BEARS NORTH 13°55'08" EAST, 97.05 FEET; THENCE NORTH 0°05'19" EAST, 18.76 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.27 FEET AND WHOSE CHORD BEARS NORTH 45°05'19" EAST, 35.36 FEET; THENCE SOUTH 89°54'41" EAST, 113 FEET; THENCE NORTH 0°05'19" EAST, 56.00 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.27 FEET AND WHOSE CHORD BEARS NORTH 45°05'19" EAST, 35.36 FEET; THENCE NORTH 0°05'19" EAST, 93.00 FEET; THENCE SOUTH 89°54'41" EAST, 449.00 FEET; THENCE NORTH 0°05'19" EAST, 73.00 FEET; THENCE NORTHWESTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.27 FEET AND WHOSE CHORD BEARS NORTH 44°54'41" WEST, 35.36 FEET; THENCE NORTH 0°05'19" EAST, 56.00 FEET, THENCE SOUTH 89°54'41" EAST, 296.00 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.27 FEET AND WHOSE CHORD BEARS NORTH 45°05'19" EAST, 35.36 FEET; THENCE SOUTH 89°54'41" EAST, 88.00 FEET; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE NORTHEASTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.27 FEET AND WHOSE CHORD BEARS SOUTH 44°54'41" EAST, 35.36 FEET; THENCE SOUTH 89°54'41" EAST, 105.00 FEET; THENCE SOUTH 0°05'19" WEST, 56.00 FEET; THENCE SOUTH 89°54'41" EAST, 55.08 FEET; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 322.00 FEET, WHOSE ARC LENGTH IS 96.23 FEET AND WHOSE CHORD BEARS SOUTH 81°20'59" EAST, 95.87 FEET; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE NORTHEASTERLY WHOSE RADIUS IS 378.00 FEET, WHOSE ARC LENGTH IS 111.79 FEET AND WHOSE CHORD BEARS SOUTH 81°15'38" EAST, 111.38 FEET; THENCE SOUTH 89°43'59" EAST, 30.00 FEET; THENCE SOUTH 0°05'19" WEST, 202.00 FEET TO THE NORTH LINE OF COOLEY AND HANSEN ADDITION, AN OFFICIAL PLAT IN THE CITY OF KNOXVILLE; THENCE NORTH 89°43'59" WEST ALONG SAID NORTH LINE, 129.27 FEET TO THE NORTHWEST CORNER OF SAID COOLEY AND HANSEN ADDITION; THENCE SOUTH 0°02'00" WEST ALONG THE WEST LINE OF SAID COOLEY AND HANSEN ADDITION, 289.28 FEET TO THE POINT OF BEGINNING AND CONTAINING 15.02 ACRES (654,175 S.F.)

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

The foregoing is deemed an appropriate and lawful exercise of power that preserves the rights, privileges, and property of the county in furtherance of improving the peace, safety, health, welfare, comfort, and convenience of its residents.

5. Public Hearing: Chair Jahner opened a Public Hearing at 9:58 A.M. regarding proposed additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$2,750,000 General Obligation Capital Loan Notes, for essential county urban renewal purposes, to provide funds to pay the costs of aiding of the planning, undertaking, and carrying out of urban renewal projects in the Adkins Urban Renewal Plan for the Adkins Urban Renewal Area under the authority of chapter 403, including a contribution to the City of Pleasantville in the total amount of \$2,031,025 for a portion of the cost of the construction and installation of Iowa Highway 5 north bound offset left turn lane, Iowa 5 Highway northbound offset right turn lane, Iowa Highway 5 southbound offset left turn lane, Iowa Highway 5 southbound offset right turn lane, improvements to West Pleasant Street and the unnamed street that intersects therewith, and associated water mains, sanitary sewer infrastructure, storm sewer infrastructure, and traffic control devices. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund. No public comments were received. Raymie moved and Jahner seconded to close the Public Hearing at 9:59 A.M.

6. Raymie moved and McCombs seconded to approve Resolution 2023-60 Instituting Proceedings to Take Additional Action for the Issuance of Not to Exceed \$2,750,000 General Obligation Capital Loan Notes – Adkins Project as follows:

WHEREAS, by Resolution No. 2023-54, adopted May 9, 2023, this Board found and determined that certain areas located within the County are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Adkins Urban Renewal Plan (the "Plan") for the Adkins Urban Renewal Plan Area (the "Area" or "Urban Renewal Area"), which Plan is on file in the office of the Recorder of Marion County, Iowa; and

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$2,750,000 General Obligation Capital Loan Notes, for the essential county urban renewal purposes, in order to provide funds to pay the costs of aiding of the planning, undertaking, and carrying out of urban renewal projects in the Adkins Urban Renewal Plan for the Adkins Urban Renewal Area under the authority of chapter 403, including a contribution to the City of Pleasantville in the total amount of \$2,031,025 for a portion of the cost of the construction and installation of Iowa Highway 5 north bound offset left turn lane, Iowa 5 Highway northbound offset right turn lane, Iowa Highway 5 southbound offset left turn lane, Iowa Highway 5 southbound offset right turn lane, improvements to West Pleasant Street and the unnamed street that intersects therewith, and associated water mains, sanitary sewer infrastructure, storm sewer infrastructure, and traffic control devices, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the County and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MARION COUNTY, STATE OF IOWA:

That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$2,750,000 General Obligation Capital Loan Notes, for the foregoing essential county urban renewal purposes.

This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

7. Raymie moved and McCombs seconded to approve Resolution 2023-61 Approving Official Statement as follows:

WHEREAS, in conjunction with its Underwriter, D.A. Davidson & Co., the County has caused an Official Statement to be prepared outlining the details of the proposed sale of the Notes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MARION COUNTY, STATE OF IOWA:

That the preliminary Official Statement in the form presented to this meeting be and the same hereby is approved as to form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission, subject to such revisions, corrections or modifications as the Chairperson and Auditor, upon the advice of bond counsel, disclosure counsel, and the County's Underwriter, shall determine to be appropriate, and is authorized to be distributed in connection with the offering of the Notes for sale.

8. Raymie moved and McCombs seconded to approve Marion County Courthouse Grounds Special Event Application
- Knoxville Hospital & Clinics: Girls Night Out – 10/5/2023

9. Raymie moved and McCombs seconded to approve the following 2023/2024 Tobacco Permit Renewal Applications:
- Keener Oil Co.: 2193 Old Hwy 92, Harvey, IA 50119
- New Star Newton LLC (dba New Star Pella): 977 198th Place, Pella, IA 50219

10. Raymie moved and McCombs seconded to approve the following Deputy Medical Examiner Appointment:
- Dr. Shannon Remington

11. Raymie moved and McCombs seconded to approve Resolution 2023-58 Authorizing Destruction of Non-Permanent Records in the County Auditor's Office as follows:

WHEREAS, Section 331.323(2)(d) of the Code of Iowa states the Board of Supervisors may authorize a county office to destroy records that are not required to be kept as permanent records; and

WHEREAS, the County Auditor's Office has identified records appropriately for destruction and has inventoried said records as follows:

- General Election – November 3, 2020
- Special Election, Prairie City Monroe School – February 15, 2022

THEREFORE, BE IT RESOLVED, by the Marion County Board of Supervisors that the County Auditor be authorized to destroy said records in an appropriate and secure manner.

12. Marion County HR Coordinator Lisa Seddon introduced a request to terminate a 28E Agreement with the Iowa State Association of Counties (ISAC) Group Benefits Program (Voluntary AD&D) effective 12:00 A.M. (Midnight) on June 30, 2023. The Board requested the few remaining employees using the product be contacted regarding other possible options of coverage before the final termination. Raymie moved and McCombs seconded to close discussion.

13. Public Hearing: Chair Jahner opened a Public Hearing at 10:15 AM regarding Proposed FY23 Marion County Budget Amendment #1 for July 1, 2022 through June 30, 2023. Marion County Auditor Jake Grandia presented a summary of the departmental amendment requests. No written or oral comments were received. Raymie moved and McCombs seconded to close discussion at 10:15 AM.

14. Raymie moved and McCombs seconded to approve Resolution 2023-56 Adoption of Marion County Iowa Budget Amendment #1 for FY23 beginning July 1, 2022 through June 30, 2023 as follows:

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

WHEREAS, the Marion County Board of Supervisors have met the budget publication requirements in IA Code 331.435 through publication in the Marion County Express, and;

WHEREAS, the Marion County Board of Supervisors have met the budget amendment hearing requirements in IA Code 331.435 through the public hearing held on May 23, 2023 at 9:00 AM;

THEREFORE, BE IT RESOLVED on the 23rd day of May 2023, the Marion County Board of Supervisors hereby adopts by resolution the Amendment #1 to County Budget for the fiscal year beginning July 1, 2022 and ending June 30, 2023.

15. Raymie moved and McCombs seconded to approve Resolution 2023-57 Appropriation of FY23 Marion County Budget Amendment #1 expenses as follows:

WHEREAS the Marion County Board of Supervisors approved Budget Amendment #1 for Fiscal Year 2022-2023, and

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

THEREFORE, BE IT RESOLVED the following monies be appropriated for each amended department listed for the Fiscal Year 2022-2023 year.

<u>Department</u>	<u>Original</u>	<u>Amendment</u>	<u>Total</u>
Court Services	186,508	37,000	223,508
Human Resources	205,035	21,900	226,935
Sheriff Reserve	15,600	15,000	30,600
Road Department	10,263,199	50,000	10,313,199
Conservation	1,910,947	834,290	2,745,237
Non-Departmental	13,619,764	931,000	14,550,764

16. The Board held discussion regarding the occupancy and uses of the following Marion County properties:

- 104 S. Sixth St., Knoxville, IA
- 2003 N. Lincoln St., Knoxville, IA
- 3014 E. Main St., Knoxville, IA

Raymie moved and McCombs seconded to close discussion.

Raymie moved and McCombs seconded to recess at 10:39 A.M.

Raymie moved and McCombs seconded to reconvene at 10:50 A.M.

17. The Board conducted the Annual Review of the following Department Head:

- Carla Eysink - Marion County Development Director

McCombs moved and Jahner seconded to approve the \$69,000 salary ask.

Roll Call Vote: Ayes – Jahner, McCombs Nay – Raymie

Raymie moved and McCombs seconded to close discussion.

18. The Board conducted the Annual Review of the following Department Head:

- Andrew DeHaan – Marion County IT Director

Raymie moved and McCombs seconded to close discussion.

19.(a) Raymie moved and McCombs seconded to enter Closed Session pursuant to Iowa Code Chapter 21.5(1)(j) at 10:39 A.M.

19.(b) Raymie moved and McCombs seconded to reconvene into Open Session.

19.(c) Raymie moved and McCombs seconded to pursue acquisition of a market appraisal of the VA Campus Laundry Building.

20. Board of Supervisor Update:

Raymie – Mental Health Region consolidation

McCombs – Landfill conversation

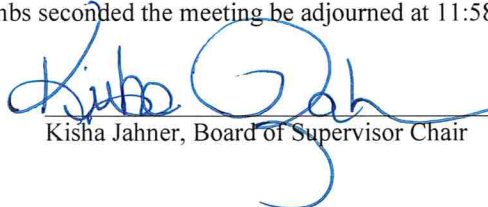
Jahner – Impact meeting

Adjournment:

There being no other business, Raymie moved and McCombs seconded the meeting be adjourned at 11:58 A.M.



Jake Grandia, County Auditor



Kisha Jahner, Board of Supervisor Chair