

The Marion County Board of Supervisors met in regular session at 3014 E. Main St. Knoxville, IA 50138 on Tuesday November 14, 2023 with Mark Raymie, Steve McCombs, and Kisha Jahner present in-person. Public access to the meeting was available in-person and electronically. Chairperson 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:

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

Communications:

1. Chair Jahner announced the Board of Supervisors had received a Resignation Letter from Marion County Assessor Kelli Kingrey.

Public Comments: None

Consent Agenda:

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

1. Marion County Warrants #252177 - #252390 through 11/14/2023.
2. Marion County Regular Session Board of Supervisor Minutes: 10/24/2023
3. Marion County employee salary adjustments. Complete list available in the Human Resource Office.

Business:

1. Chair Jahner opened a Public Hearing at 9:02 AM regarding proposed Marion County Ordinance 2023-9 Zoning Map Amendment - The parcel lays in a tract with 3 current parcels with 2 additional proposed to divide off the remaining two homes on the tract. The minimum requirements for further division of Parcel 08422-000-00 are to rezone from A-1; Agricultural to A-R; Ag Residential and a minor plat of subdivision; Rice's Minor Subdivision to allow for the sale of a portion of the tract. Marion County Zoning Director Missy Poffenbarger presented an overview of the proposed amendment and subsequent proposed subdivision. Max Smith and his mother commented against the proposed Ordinance Amendment. They own land and an agricultural business across the highway. The Smith's provided a history of the area and land agreements. They would like to prevent possibility of further housing in the area due to their agricultural activities. They would like to "stop from being a problem down the road – country vs. town". The Board acknowledge Smith's comments. There being no further comment, Raymie moved and McCombs seconded to close the Public Hearing at 9:16 AM.

2. Raymie moved and McCombs seconded to approve the 1<sup>st</sup> Reading of proposed Marion County Ordinance 2023-9 Zoning Map Amendment.

3. Raymie moved and McCombs seconded to waive the 2<sup>nd</sup> and 3<sup>rd</sup> Reading of proposed Marion County Ordinance 2023-9 Zoning Map Amendment with Final Approval and Authorizing Publication.

4. Raymie moved and McCombs seconded to approve Resolution 2023-87 Rice's Minor Subdivision as follows:

Whereas Marilyn G. Rice has caused certain real estate located in the Marion County, Iowa to be surveyed and platted; and

Whereas, said plat has previously been reviewed by the Marion County Zoning Administrator and the Marion County Engineer and they have approved said plat; and

Whereas, said plat complies in all respects with the rules and procedures concerning the sub-division of lands in Marion County, Iowa; and

Whereas, said plat conforms in all respects with the laws of the State of Iowa;

Now, Therefore, Be It Resolved by Marion County Board of Supervisors, that the revised final plat of the following described real estate situated in Marion County, Iowa, known as "Rice's Minor Subdivision" as described in the attached Exhibit "A", be formerly accepted and approved at this time.

Exhibit A: Rice Subdivision is part of the Southwest Quarter of the Southeast Quarter of Section 34 - Township 75 North - Range 19 West of the 5th P.M., Marion County, Iowa, being more particularly described as follows: Beginning at the Northeast corner of said Southwest Quarter of the Southeast Quarter; thence South 00°06'50" East 1322.95 feet along the East line of said Southwest Quarter of the Southeast Quarter to the Southeast corner thereof; thence North 89°59'50" West 89.92 feet along the South line of said Southwest Quarter of the Southeast Quarter to the Southeast corner of that tract of land described in Book 2018 on Page 1033; thence North 00°26'50" East 33.00 feet along the East line of said tract; thence North 45°29'10" West 131.90 feet along the North line of said tract; thence North 87°27'10" West 237.80 feet along said North line; thence North 54°07'10" West 204.80 feet along the North line of said tract to the Northwest corner thereof; thence South 01°13'50" West 185.55 feet along the West line of said tract to the Northeasterly right-of-way line of Iowa Highway No. 5; thence Northwesterly 54.57 feet along said right-of-way line along a non-tangent 2898.00 foot radius curve concave Southwesterly and having a chord which bears North 37°18'35" West 54.57 feet; thence North 37°51'00" West 1142.85 feet along said right-of-way line to the West line of said Southwest Quarter of the Southeast Quarter; thence North 00°03'25" West 308.27 feet along said West line to the Northwest corner of said Southwest Quarter of the Southeast Quarter; thence South 89°55'35" East 1323.20 feet along the North line of said Southwest Quarter of the Southeast Quarter to the Point of Beginning, containing 29.43 acres subject to 0.29 acres of County right-of-way.

5. McCombs moved and Raymie seconded to approve the Sixth Amended and Restated 28E Agreement for County Rural Offices of Social Services (CROSS).

6. Raymie moved and McCombs seconded to approve the following appointments as Marion County Board of Supervisor representatives on the Marion County Compensation Board.

- Bill Shepherd
- Lyle Vander Meiden

7. Raymie moved and McCombs seconded to approve Resolution 2023-89 at 9:34 AM Directing the Acceptance of a Proposal to Purchase \$2,545,000 (Amount Subject to Change) General Obligation Capital Notes, Series 2023A as follows:

WHEREAS, Marion County, sometimes hereinafter referred to as the County, is a political subdivision duly incorporated, organized and existing under and by virtue of the Constitution and laws of the State of Iowa; and

WHEREAS, it is deemed necessary that the County should enter into a Loan Agreement and borrow the amount of \$2,545,000 (Amount Subject to Change) as authorized by Sections 331.402, 331.443 and 403.12, Code of Iowa as amended; and

WHEREAS, proposals have been requested and received from financial institutions offering to enter into such Loan Agreement; and

WHEREAS, after a review of all the proposals received, it has been determined that the best and most favorable proposal is that of D.A. Davidson of Des Moines, Iowa; and

WHEREAS, it is the intention of this Board of Supervisors to enter into a Loan Agreement in accordance with said proposal dated November 28, 2023.

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

That this Board of Supervisors does hereby accept the attached proposal of D.A. Davidson of Des Moines, Iowa, and takes additional action to permit the entering into of a Loan Agreement.

The Chairperson and County Auditor are authorized and directed to proceed on behalf of the County to enter into such Loan Agreement, to negotiate the final terms of a Loan Agreement to take all action necessary to permit the entering into of a Loan Agreement on a basis favorable to the County and acceptable to the Purchaser, and to proceed to meet the conditions of this accepted proposal.

8. Raymie moved and McCombs seconded to approve Resolution 2023-88 Hwy G28 Community Project Funding Agreement as follows:

WHEREAS, Iowa Code Section 306A.7 and 307.44 allows the Iowa Department of Transportation and Marion County to enter into an agreement for financing transportation improvement projects, and

WHEREAS, Marion County has applied for and received federal funds from the United States Congress for the project described below from Division L of the Consolidated Appropriations Act, 2023 as specified in the table entitled "Community Project Funding/Congressionally Directed Spending", and

WHEREAS, the Project includes milling and hot mix asphalt (HMA) resurfacing of County Road G28 from Hwy 14 to the Pella Corporate Limit, and

WHEREAS, Marion County has been awarded \$2,000,000 of federal funds from the Community Project Funding requiring a minimum match of 20%, and

WHEREAS, a project, HDP-CO63(147)—6B-63, for milling and HMA resurfacing on G28 is included in the current Construction Five Year Program, and

NOW THEREFORE, BE IT RESOLVED, that the Marion County Board of Supervisors shall enter into an agreement with the Iowa Department of Transportation, Agreement No. 5-23-HDP-028, to utilize awarded funding for the Milling and HMA Resurfacing along G28 in Marion County.

9. Chair Jahner removed herself from Item #9 due to Kelly Verwers Meyers, Skinner & Paschke PLLC, being a family member. Board Vice-Chair Steve McCombs opened Item #9. Meyers presented a 2024 Lobbying Services contract for Board consideration. She then presented regarding ongoing Iowa Legislature matters including Property Tax Reform, State Government Re-organization, Boards & Commissions, Mental Health Services, County Treasurer Fees and IDALS authority over sinkholes. McCombs moved and Raymie seconded to approve the 2024 Lobbying Services contract.

Ayes: Raymie, McCombs      Nay: None      Abstain: Jahner

10. Board of Supervisor Updates:

Raymie: None

McCombs: None

Jahner: IMPACT meeting, Central Iowa Workforce meeting

11. The Board reported an email had been received regarding Pleasant Grove Township Officials and possible activities regarding cemeteries. Supervisor Raymie recommended forwarding the message to the Marion County Attorney for review. Ray Bertrand approached with Board with concerns regarding the Township Clerk. The Board felt it best to let the County Attorney review the situation before any further comments. Raymie moved and McCombs seconded to recommend forwarding the message to the Marion County Attorney.

12.(a) Raymie moved and McCombs seconded to enter Closed Session pursuant to Iowa Code Chapter 21.5(1)(c) at 9:50A.M.

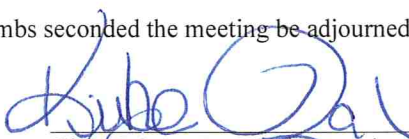
(b) Raymie moved and McCombs seconded to reconvene into Open Session at 10:52 A.M.

(c) Jahner instructed the County Attorney and County Engineer to research.

Adjournment:

There being no other business, Raymie moved and McCombs seconded the meeting be adjourned at 10:53 A.M.

  
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Jake Grandia, Auditor

  
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Kisha Jahner, Board of Supervisor Chair