



MARION COUNTY encourages all citizens of the county to attend Board of Supervisors' meetings. Board of Supervisors' chambers are handicapped accessible and county staff members are available to provide assistance. If you are hearing impaired, vision impaired, or a person with limited English proficiency and require an interpreter or reader, please contact us by noon on the business day prior to scheduled meetings to arrange for assistance (641 828-2231). TTY telephone service is available for the hearing impaired through Relay Iowa (800-735-2942). For questions about ADA compliance or related issues, contact Steve Edwards (641-828-2213 or 641-891-8225).



The following information is available for participating in the meeting electronically.

If you wish to participate see instruction below:

- All participants will be muted upon entering the meeting
- Participants are asked to use the chat feature to let the meeting controller know that they would like to address the Board, either during the open comments segment or if attending the meeting to address the Board for a specific agenda item.

Marion County is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us06web.zoom.us/j/83880442947?pwd=1rBSy1GxAbexnP6EkeuK28xXYzDBZC.1>

Meeting ID: 838 8044 2947

Passcode: 626468



MARION COUNTY BOARD OF SUPERVISORS REGULAR AGENDA

3014 E Main St, Knoxville, Iowa

December 26, 2023 9:00 A.M.



I. CALL TO ORDER AND ROLL CALL

Mark Raymie_____

Steve McCombs_____

Kisha Jahner_____



II. AGENDA

1. December 26, 2023 - Regular Session Agenda



III. COMMUNICATION



IV. PUBLIC COMMENTS:

This is the portion of our agenda during which we hear any public comment about any item NOT on the agenda below. If you are here to be heard on an agenda item, please wait for that item's discussion portion of the agenda to make your comment about the item. Thank you.



V. CONSENT AGENDA:

(All items listed under the consent agenda will be enacted by one motion.)

1. Marion County Claims through 12/26/2023.
2. Marion County Regular Session Board of Supervisor Minutes: 12/12/2023
3. Marion County Special Session Board of Supervisor Minutes: 12/12/2023
4. Marion County employee salary adjustments. Complete list available in the Human Resource Office.
5. Marion County Conservation Board warrants #252802 - #252838 through 12/19/2023.



VI. BUSINESS:

1. Public Hearing:

Proposed Ordinance 2023-10 Amending Marion County Ordinance Chapter 55
– Zoning Regulations



The Marion County Board of Supervisors
Will be holding a public hearing on
December 26, 2023 at 9:00a.m.

At Marion County Office Building
3014 E. Main St., Knoxville, IA 50138

**Members of the public are welcome to attend. The online options is available by going to the
Marion County Website: marioncountyiowa.gov**

The link to the electronic Zoom meeting will be on the current agenda available on the
[https://marioncountyiowa.gov/board_of_supervisors/meetings/
December 26, 2023, agenda](https://marioncountyiowa.gov/board_of_supervisors/meetings/December%2026%2C2023%2Cagenda)

Public comments related to any matter on the agenda can be emailed to
mpoffenbarger@marioncountyiowa.gov or presented at the meeting. For questions concerning any
item on the agenda please contact the Marion County Zoning Office (641)828-2231 option 9.

Complete copy of Chapter 55 with changes is available at marioncountyiowa.gov on the Zoning page.

A public hearing will be held for the matter of review of changes to Chapter 55-Marion County Zoning
Ordinance - Ordinance 2023-10:

55.03- The ag exemption in Iowa Code does not permit a minimum size.

55.04 (3) and 55.04 (3E)- Removed reference to male/female.

55.04 (112)- Removed portion of definition to ensure no conflict with 55.14.

55.14.- Made edits to ensure concise and consistent language.

55.17 and 55.18- Combined 55.17 and 55.18 to make simplify language and to conform to state code.

55.19- Added the word inoperable to better align with the definitions.

55.24 (2 table)- Added agricultural experience as a principal permitted use in A-1 and C-A.

55.24 (5D)- Removed reference to deleted section.

55.24 (5K)- Removed conflicting text.

55.27 (3A3f)- Removed reference to male/female

55.30 (3D)- Removed language that unduly limits the zoning commission.

A request has been made to waive the 2nd and 3rd reading with an effective date of January 1, 2024.

Melissa Poffenbarger
Marion County Zoning Administrator



ORDINANCE NO. 2023-10
AN ORDINANCE AMENDING CHAPTER 55 – ZONING REGULATIONS
OF THE MARION COUNTY CODE OF ORDINANCES.

BE IT ORDAINED by the Board of Supervisors of Marion County, Iowa.

Section 1. Chapter 55- Zoning Regulations of the Code of Marion County, Iowa, is hereby amended by deleting the current chapter (adopted by Ordinance 2010-11) and last amended by ordinance 2022-04 in 2022 inserting in lieu a revised Chapter 55 which is attached hereto as Exhibit A.

Section 2. All ordinance or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. This ordinance shall be in full force and effective after its passage, approval and publication by law.

PASSED at Marion County, Iowa, this 26 day of December, 2023.

Kisha Jahner, Chairman of the Board of Supervisors

ATTEST:

Jake Grandia, County Auditor

First reading: _____

Second reading: _____

Third reading: _____

Publication Date: _____



2. Ordinance 2023-10:

Approve 1st Reading proposed Marion County Ordinance 2023-10
Amending Marion County Ordinance Chapter 55 – Zoning Regulations



ORDINANCE NO. 2023-10
AN ORDINANCE AMENDING CHAPTER 55 – ZONING REGULATIONS
OF THE MARION COUNTY CODE OF ORDINANCES.

BE IT ORDAINED by the Board of Supervisors of Marion County, Iowa.

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PASSED at Marion County, Iowa, this 26 day of December, 2023.

Kisha Jahner, Chairman of the Board of Supervisors

ATTEST:

Jake Grandia, County Auditor

First reading: _____

Second reading: _____

Third reading: _____

Publication Date: _____



3. Ordinance 2023-10:

Waive 2nd and 3rd Readings of proposed Marion County Ordinance 2023-10 and Final Approval Authorizing Publication.



ORDINANCE NO. 2023-10
AN ORDINANCE AMENDING CHAPTER 55 – ZONING REGULATIONS
OF THE MARION COUNTY CODE OF ORDINANCES.

BE IT ORDAINED by the Board of Supervisors of Marion County, Iowa.

Section 1. Chapter 55- Zoning Regulations of the Code of Marion County, Iowa, is hereby amended by deleting the current chapter (adopted by Ordinance 2010-11) and last amended by ordinance 2022-04 in 2022 inserting in lieu a revised Chapter 55 which is attached hereto as Exhibit A.

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Section 3. This ordinance shall be in full force and effective after its passage, approval and publication by law.

PASSED at Marion County, Iowa, this 26 day of December, 2023.

Kisha Jahner, Chairman of the Board of Supervisors

ATTEST:

Jake Grandia, County Auditor

First reading: _____

Second reading: _____

Third reading: _____

Publication Date: _____



4. Public Hearing:

Proposed Ordinance 2023-11 Amending Marion County Ordinance
Chapter 56 – Subdivisions



The Marion County Board of Supervisors
Will be holding a public hearing on
December 26, 2023 at 9:00a.m.
At Marion County Office Building
3014 E. Main St., Knoxville, IA 50138

**Members of the public are welcome to attend. The online options is available by going to the
Marion County Website: marioncountyiowa.gov**

**The link to the electronic Zoom meeting will be on the current agenda available on the
[https://marioncountyiowa.gov/board_of_supervisors/meetings/
December 26, 2023, agenda](https://marioncountyiowa.gov/board_of_supervisors/meetings/December%2026,%202023,agenda)**

Public comments related to any matter on the agenda can be emailed to
mpoffenbarger@marioncountyiowa.gov or presented at the meeting. For questions concerning any item
on the agenda please contact the Marion County Zoning Office (641)828-2231 option 9.

Complete copy of Chapter 56 with changes is available at marioncountyiowa.gov on the Zoning page.

A public hearing will be held for the matter of review of changes to Chapter 56-Marion County
Subdivision Ordinance - Ordinance 2023-11:

Cleaned up, and corrected typos throughout the document.

56.02- 6 Changed "Lots" to "parcels"

55.03 Added definition (26), updated zoning code references, reworded definitions 45, and 46
renumbered definitions.

56.05 deleted all "plat of", & changed number of copies required throughout, added in multiple places
"the owner will have to complete the process over again, after the year has passed if they do not record,
including subdivision." Replaced zoning commission study with "review in accordance with Marion
County Ordinances"

56.06 Update language "the provisions of Section 354.9 Code of Iowa, or current 28E agreements with
the indivial municipality"

56.07.- Rearranged into General Requirements, and The Streets and Engineering Requirements. 3 C
reworded to reflect best practices

56.07. 2 D- Cul-de-sacs changed to at the closed end with a turnaround having a street property line
diameter of at least one hundred thirty five (135) from one hundred and fifty

56.08- Updated number of copies. Deleted scale 1"-100', changed "address" to "contact information"

56.09 Decreased copies required throughout for standardized number. Deleted scale 1"-100',
simplified 2 E, in F deleted "reproducible mylar",

56.11 Simplified 4 B

56.13 Included reference to Iowa Supreme Court Case Early v Bd of Adjustment of Cerro Cordo County.

A request has been made to waive the 2nd and 3rd reading with an effective date of January 1, 2024.

Melissa Poffenbarger
Marion County Zoning Administrator



ORDINANCE NO. 2023-11
AN ORDINANCE AMENDING CHAPTER 56 – SUBDIVISION
REGULATIONS OF THE MARION COUNTY CODE OF ORDINANCES.

BE IT ORDAINED by the Board of Supervisors of Marion County, Iowa.

Section 1. Chapter 56- Subdivision Regulations of the Code of Marion County, Iowa, is hereby amended by deleting the current chapter (adopted by Ordinance 2010-11) inserting in lieu a revised Chapter 56 which is attached hereto as Exhibit A.

Section 2. All ordinance or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. This ordinance shall be in full force and effective after its passage, approval and publication by law.

PASSED at Marion County, Iowa, this 26 day of December, 2023.

Kisha Jahner, Chairman of the Board of Supervisors

ATTEST:

Jake Grandia, County Auditor

First reading: _____

Second reading: _____

Third reading: _____

Publication Date: _____



5. Ordinance 2023-11:

Approve 1st Reading proposed Marion County Ordinance 2023-11
Amending Marion County Ordinance Chapter 56 – Subdivisions



ORDINANCE NO. 2023-11
AN ORDINANCE AMENDING CHAPTER 56 – SUBDIVISION
REGULATIONS OF THE MARION COUNTY CODE OF ORDINANCES.

BE IT ORDAINED by the Board of Supervisors of Marion County, Iowa.

Section 1. Chapter 56- Subdivision Regulations of the Code of Marion County, Iowa, is hereby amended by deleting the current chapter (adopted by Ordinance 2010-11) inserting in lieu a revised Chapter 56 which is attached hereto as Exhibit A.

Section 2. All ordinance or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. This ordinance shall be in full force and effective after its passage, approval and publication by law.

PASSED at Marion County, Iowa, this __26__ day of __December_____, 2023.

Kisha Jahner, Chairman of the Board of Supervisors

ATTEST:

Jake Grandia, County Auditor

First reading: _____

Second reading: _____

Third reading: _____

Publication Date: _____



6. Ordinance 2023-11:

Waive 2nd and 3rd Readings of proposed Marion County Ordinance 2023-11 and Final Approval Authorizing Publication.



ORDINANCE NO. 2023-11
AN ORDINANCE AMENDING CHAPTER 56 – SUBDIVISION
REGULATIONS OF THE MARION COUNTY CODE OF ORDINANCES.

BE IT ORDAINED by the Board of Supervisors of Marion County, Iowa.

Section 1. Chapter 56- Subdivision Regulations of the Code of Marion County, Iowa, is hereby amended by deleting the current chapter (adopted by Ordinance 2010-11) inserting in lieu a revised Chapter 56 which is attached hereto as Exhibit A.

Section 2. All ordinance or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. This ordinance shall be in full force and effective after its passage, approval and publication by law.

PASSED at Marion County, Iowa, this 26 day of December, 2023.

Kisha Jahner, Chairman of the Board of Supervisors

ATTEST:

Jake Grandia, County Auditor

First reading: _____

Second reading: _____

Third reading: _____

Publication Date: _____



7. Appointments:

Marion County Board of Health

- Dan Vander Beek – term 1/1/2024 – 12/31/2026
- Joni Hannon – term 1/1/2024 – 12/31/2026



8. Appointment:

Central Iowa Housing Trust Fund (CIHTF)

- Kirsten Meyers – term 1/1/2024 – 12/31/2026



9. Discussion/action:

Agreement Pursuant to Iowa Code Chapter 28E Between Marion County, Iowa and the City of Knoxville, Iowa Regarding the Allocation of Local Option Sales and Services Tax Revenues (LOSST)



AGREEMENT PURSUANT TO IOWA CODE CHAPTER 28E
BETWEEN MARION COUNTY, IOWA AND THE CITY OF KNOXVILLE,
IOWA REGARDING ALLOCATION OF LOCAL OPTION SALES
AND SERVICES TAX REVENUES

WHEREAS, this agreement is made this _____ day of _____, 2023,
by, between and among Marion County, Iowa, (hereinafter "County") and the
incorporated City of Knoxville, Iowa, ("Knoxville"), (County and City) hereinafter
collectively "Parties"); and

WHEREAS, Chapter 28E, Code of Iowa, allows Parties to enter into agreements; and

WHEREAS, Parties have determined that there is a need to formulate a workable
program for utilizing their respective resources and other appropriate private and public
resources to provide for the financing, construction, equipping and maintenance of
various public projects within their respective boundaries; and

WHEREAS, Parties have determined that they should jointly exercise their
powers under Chapters 28E and 423B of the Code of Iowa, 2023, as amended, to take
certain actions that the parties deem necessary or appropriate to achieve their goals and
objectives as they pertain to their respective projects; and

WHEREAS, Knoxville has a local option sales and services tax that has been in effect
since January 1, 2004 with no sunset; and

WHEREAS, the County has a local option sales and services tax that has been in effect
since January 1, 2004 with no sunset; and

WHEREAS, the parties agree that the formula for distribution of revenues
collected from the tax should be amended and that an alternative formula for
distribution/allocation of the revenues should be agreed upon; and

WHEREAS, it is in the best interest of all citizens of Marion County that an agreement
be reached.

NOW THEREFORE, in consideration of the premises and the mutual obligations
of the Parties hereto, each of them does hereby covenant and agree with the others as
follows:

1. The term of the agreement is from January 1, 2024 to December 31, 2029.
2. The County will redistribute 4% of county wide local option sales and services tax revenues to the City of Knoxville during the period of January 1, 2024 to December 31, 2029. This redistribution will occur only if the City of Knoxville collects a local option sales and services tax for the applicable year it requests a redistribution from Marion County.

3. The local option sales and services revenues redistributed by the County to Knoxville, shall be distributed monthly in the form of a check by the 15th of the following month.
4. This Agreement becomes effective upon the execution by all of the Parties as to the commitment of the Parties to be bound by the allocation established. This Agreement shall remain in effect through December 31, 2029, unless dissolved by mutual agreement approved by the governing body of each of the Parties and compliance with requirements of the Code. In no event shall this Agreement be terminated until any and all obligations issued by any of the Parties pursuant to Iowa Code 423.B.10 are paid in full.
5. The parties agree that if the State of Iowa introduces a new process for collection and distribution of the Local Option Sales Tax, both parties shall have the opportunity to open this Agreement for review.
6. No amendment to this agreement shall be effective unless approved by all Parties that are collecting the local option sales and services tax.
7. No separate legal or administrative entity is created by this Agreement and no joint budget shall be adopted for purposes of this Agreement. Each of the Parties shall pay its own costs.
8. The Parties shall acquire no property jointly by the operation or execution of this Agreement.
9. This Agreement may be executed in any number of counterparts, each of which shall be regarded as an original and all of which shall constitute but one in the same instrument.
10. If any provision of this Agreement is for any reason held to be illegal or invalid, such illegality or invalidity shall not affect any other provision entered into, each of which shall be construed and enforced as if such illegal or invalid portion were not contained herein. Nor shall such illegality or invalidity of any application thereof affect any legal and valid application thereof, and each such provision shall be deemed to be effective in the manner and to the full extent permitted by law.
11. This Agreement shall be governed and construed in accordance with the Laws of the State of Iowa.

CITY OF KNOXVILLE

MARION COUNTY, IOWA

BY: _____
Brian Hatch, Mayor

BY: _____
Kisha Jahner, Chairman

ATTEST:

ATTEST:

Jodie Wyman, City Clerk

Jake Grandia, Auditor

Date: _____

Date: _____



10. Discussion/action:

Service Agreements – Online GeoPermit Payments

- Accelerated Card Company LLC, dba Certified Payments
- Schneider Geospatial LLC



11. Board of Supervisor Updates



VII. BOARD OF SUPERVISOR ADJOURNMENT

