

The Marion County Board of Supervisors met January 02, 2002, for their annual organizational meeting with William G. Shepherd, K.C. Valster, and Bob De Joode present.

Jake Grandia, Marion County Auditor, called the meeting to order at 9:00 A.M. He then entertained motions for Chairman of the Marion County Board of Supervisors. Valster moved and De Joode seconded for approval of William G. Shepherd as Chairman with authorization to sign for Official County Business. Ayes all.

Chairman Shepherd then assumed leadership of the meeting.

De Joode moved and Shepherd seconded for approval of K.C. Valster as Vice-Chairman of the Marion County Board of Supervisors. Ayes all.

Valster moved and De Joode 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 9:30 A.M. unless it lands on an official holiday thus making the meeting on the following Tuesday. Ayes all.

Valster moved and De Joode seconded that per their Official Request, The Marion County News, Pella Chronicle, and Knoxville Journal/Express be named the Official Newspapers for the County's publications. Ayes all. Chairman Shepherd stated the County would receive free copies of these papers due to their Official status. The Hometown News in Knoxville also submitted a request. They did not meet the requirements of the Code of Iowa to be named an Official newspaper, but Valster recommended that County Officials and Departments use the Hometown News for information releases as well as advertisements.

Valster moved and De Joode seconded the approval of the following Resolution:

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, Iowa State Savings Bank (Marion Co Casualty & Collision)	Knoxville	200,000	200,000
County Auditor, Wells Fargo Bank Iowa, N.A. M.C. Health Insurance Acct	Knoxville	400,000	400,000
County Auditor, Iowa State Savings Bank (Eureka Cemetery Trust)	Knoxville	5,000	5,000
County Recorder, Wells Fargo Bank of Iowa, N.A.	Knoxville	45,000	45,000
County Recorder, Iowa State Savings Bank	Knoxville	20,000	20,000
County Recorder, Wells Fargo Bank of Iowa, N.A. (Vitals)	Knoxville	5,000	5,000
County Sheriff, Wells Fargo Bank of Iowa, N.A.	Knoxville	1,252,000	1,252,000
County Sheriff, Iowa State Savings Bank	Knoxville	5,000	5,000
County Treasurer, Iowa State Savings Bank	Knoxville	9,000,000	9,000,000
County Treasurer, State Bank of Bussey	Knoxville	500,000	500,000
County Treasurer, Wells Fargo Bank of Iowa, N.A.	Knoxville	9,500,000	11,000,000
County Treasurer, Mercantile Bank(FIRSTAR)	Pella	2,000,000	2,000,000
County Treasurer, Marion County State Bank	Pella	2,000,000	2,000,000
County Treasurer, Pleasantville State Bank	Pleasantville	500,000	500,000
County Treasurer, Horizon Federal Savings	Oskaloosa	500,000	500,000
County Treasurer, Leighton State Bank	Leighton	250,000	500,000
County Treasurer, Pella State	Pella	250,000	250,000

Bank			
County Treasurer, Mercantile Invest (FIRSTAR)	Oskaloosa	2,000,000	2,000,000
County Treasurer, Iowa State Savings Bank (DOT)	Knoxville	250,000	250,000
County Extension, Iowa State Savings Bank	Knoxville	70,000	70,000
Elderly Nutrition, Iowa State Savings Bank	Knoxville	10,000	10,000
Elderly Nutrition, State Bank of Bussey	Knoxville	10,000	15,000
Elderly Nutrition, Wells Fargo Bank Iowa, N.A.	Knoxville	20,000	25,000
Elderly Nutrition, Pleasantville State Bank	Pleasantville	10,000	15,000
Elderly Nutrition, Mercantile Bank (FIRSTAR)	Pella	25,000	25,000
Elderly Nutrition, Travis Trust, Wells Fargo Bank Iowa, N.A.	Knoxville	0	175,000
County Treasurer, Edward Jones Investments	Knoxville	0	1,000,000

CERTIFICATION. I hereby certify that the foregoing is a true and correct copy of a resolution of the Marion County Board of Supervisors adopted at a meeting of said public body, duly called and held on the 2nd day of January, 2002, a quorum being present, as said resolution remains of record in the minutes of said meeting, and it is now in full force and effect. Dated this 2nd day of January, 2002.

Ayes all.

Valster moved and De Joode seconded to reappoint Roger Schletzbaum as Marion County Engineer. Ayes all.

De Joode moved and Valster seconded to approve the following Resolution:

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.

Ayes all.

Valster moved and De Joode seconded the duties of the County Weed Commissioner be assigned to the Marion County Engineer. Ayes all.

De Joode moved and Valster seconded the approval of the following Official Holidays as listed for the County. Ayes all.

New Years Day	Tuesday	January 1, 2002
President's Day	Monday	February 18, 2002
Memorial Day	Monday	May 27, 2002
Independence Day	Thursday	July 4, 2002
Labor Day	Monday	September 2, 2002
Veteran's Day	Monday	November 11, 2002
Thanksgiving Day	Thursday	November 28, 2002
Friday after Thanksgiving	Friday	November 29, 2002
Christmas Day	Wednesday	December 25, 2002
Floating Day		

Valster moved and De Joode seconded that Ray Stone be reappointed as Marion County Safety Coordinator. Ayes all.

De Joode moved and Valster seconded that Steve Edwards be reappointed as Marion County A.D.A. Coordinator. Ayes all.

Valster moved and De Joode seconded to approve the following Resolution:

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

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

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

NOW, THEREFORE BE IT RESOLVED BY THE MARION COUNTY, IOWA BOARD OF SUPERVISORS, for the benefit of all Marion County Citizens, that the following be approved as appointed Marion County sheriff deputies:

Chief Deputy (63-2)	Gary Verwers
Deputy (63-3)	Charles W. Puyear
Deputy (63-4)	Troy C. Fisher
Deputy (63-5)	Justin D. Stursma
Lieutenant (63-6)	Timothy P. Cox
Deputy (63-7)	Bobbi J. Bassett
Deputy (63-8)	Brian P. Bigaouette
Deputy (63-9)	Ronald A. Goemaat
Lieutenant (63-10)	Thomas J. Morgan
Deputy (63-11)	Jeffrey D. Koder

Ayes all.

Valster moved and De Joode seconded the following Resolution:

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:

Bauer, Kim	Lanser, Jeff
Behrens, Virgil	Lawler, Todd
Carter, Trapper	Marshall, Ed
Clark, Gary	Mesecher, Donnie
Dachenbach, Lee	Molnar, John
Daniels, Phil	Moon, Harold
DeMoss, Wayne	Rietveld, Teresa
DeRonde, Doug	Rowland, Carole
Greatbatch, John	Rowland, Don
Green, Don	Sedlock, Brad
Green, Valarie	Simpson, Bill
Griffith, Dan	Sweitzer, Shane
Hyatt, Scotty	Tiskevics, Don
Jerkins, Scott	Wardenbrg, Roger
Kenyon, Kenneth	Zentner, Jeff

Ayes all

De Joode moved and Valster seconded to approve the following Resolution:

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, Marvin Van Haften 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:

Ayes all.

Valster moved and De Joode seconded that Roger Schletzbaum be appointed as Marion County's Designated County Representative for Federal D.O.T. drug and alcohol testing. Ayes all.

De Joode moved and Valster seconded that Dr. John Kanis be reappointed as the Marion County Medical Examiner. Chairman Shepherd also stated he was pursuing the possibility of a designated Medical Examiner from KACH. Ayes all.

Valster moved and De Joode seconded the approval of the Chairman's designated appointment of the County Engineer, Roger Schletzbaum, to the South Central Iowa Solid Waste Authority Board with Robert De Joode acting as the alternate. Ayes all

Valster moved and De Joode seconded the following appointments to various Boards and Commissions as listed. Ayes all

South Central Youth & Family Services	Bill Shepherd	1 yr.
Capstone Center, Inc.	Robert De Joode	1 yr.
Central Iowa Education & Training Consortium (CIETC)	K.C. Valster	1 yr.
5th Judicial District Advisory Board	Robert De Joode	1 yr.
Heart of Iowa Regional Transit Agency (HIRTA)	K.C. Valster	1 yr.
Red Rock Community Action Program	Bill Shepherd	1 yr.
Mental Health Institute Advisory Board	Bill Shepherd	1 yr.
County Home Board	Bill Shepherd	1 yr.
	K.C. Valster	1 yr.
	Robert De Joode	1 yr.
Welfare Board	Bill Shepherd	1 yr.
	K.C. Valster	1 yr.
	Robert De Joode	1 yr.
Social Services Coordinating Board	Bill Shepherd	1 yr.
	K.C. Valster	1 yr.
	Robert De Joode	1 yr.
Area Aging Resources Board	K.C. Valster	1 yr.
FEMA Advisory Board	Bill Shepherd	1 yr.
Emergency Management Commission	K.C. Valster	1 yr.
Heartland Resource Conservation & Development	K.C. Valster	1 yr.
Board of Health	Bill Shepherd	1 yr.
Des Moines River Greenbelt Commission	Bill Shepherd	1 yr.
Dept. of Justice-Courthouse Security Advisory Board	Bill Shepherd	1 yr.
Mid Iowa Development Fund, Inc.	K.C. Valster	1 yr.
Child Welfare Decategorization Program-Exec. Board	Bill Shepherd	1 yr.
Whitebreast Watershed Assoc.	K.C. Valster	1 yr.
	Jim Mc Coy, alternate	1 yr.

Valster moved and De Joode seconded the following appointments to the various Memorial Halls. Ayes all.

<u>PELLA</u>	<u>TERM ENDS</u>
Joe Horman	December 31, 2004
Jake Schuring	December 31, 2004
Alfred Steenhoek	December 31, 2003
Alvin Van Zee	December 31, 2003
Gary Gezel	December 31, 2002
Raymond Newendorp	December 31, 2002

<u>KNOXVILLE</u>	
Ralph Bryant	December 31, 2004
Gary Hudson	December 31, 2002
Pat Moss	December 31, 2002

Richard "Mick" Myers	December 31, 2003
Ed Mc Donald	December 31, 2003
Charles W. Day	Sec./Treas.

PLEASANTVILLE

Lewis Boers	December 31, 2004
Phil Proffitt	December 31, 2004
Monty Dyer	December 31, 2003
Dennis Harkin	December 31, 2003
Gene Bowers	December 31, 2002

BUSSEY

Oren Shobe	December 31, 2004
Randy Dunkin	December 31, 2004
Ted Spaur	December 31, 2003
Leroy Vander Veer	December 31, 2003
John Nichols	December 31, 2002
Polliann Carlson	Sec./Treas.

There being no other business Valster moved and De Joode seconded the meeting be adjourned. Ayes all.  
Meeting adjourned 9:24 A.M.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in regular session January 14, 2002, with William G. Shepherd, K.C. Valster, and Bob De Joode present. Chairman Shepherd opened the meeting at 9:30 a.m.

Valster moved and De Joode seconded to approve the agenda as posted . Ayes all.

De Joode moved and Valster seconded the minutes of the December 24, 2001 and January 02, 2002 be approved as published. Ayes all.

Valster moved and De Joode seconded that warrants #124558 thru #124867 be approved for payment. Ayes all.

Valster moved and De Joode seconded to receive and file the Quarterly and Annual Reports from General Assistance and Veteran's Affairs. Ayes all.

De Joode moved and Valster seconded to receive and file the Sheriff's Quarterly Report. Ayes all.

Valster moved and De Joode seconded to approve a request from Harriet Harvey to reclassify from Level B to Level A, a segment of the road on Jewell Drive lying South of Jesup Street.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

There being no other business, Valster moved and De Joode seconded the meeting be adjourned at 9:43 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in regular session January 28, 2002, with William G. Shepherd and Bob De Joode present. K.C. Valster was absent. Chairman Shepherd opened the meeting at 9:30 a.m.

De Joode moved and Shepherd seconded to amend the agenda by adding the County Treasurer's Semi-Annual Report as item 3A .

De Joode moved and Shepherd seconded to approve the agenda as amended. Ayes all.

De Joode moved and Shepherd seconded the minutes of the January 14, 2002, be approved as published. Ayes all.

De Joode moved and Shepherd seconded that warrants #124913 thru #125071 be approved for payment. Ayes all.

De Joode moved and Shepherd seconded to receive and file the Marion County Treasurer's Semi-Annual Report. Ayes all.

De Joode moved and Shepherd seconded the approval of the following Resolution:

Resolution authorizing the execution of a Second Amendment To Loan Agreement, Pledge Agreement and Series 1995A Bond (Hospital) relating to the County's \$5,000,000 Hospital Revenue Bond, Series 1995A (Pella Community Hospital Project) (Hospital) (the "Series 1995A Bond") and the substitution of a replacement Series 1995A Bond to reflect the terms of the Second Amendment

WHEREAS, the County of Marion, Iowa (the "Issuer") is an incorporated municipality authorized and empowered by the provisions of Chapter 419 of the Code of Iowa (the "Act") to issue revenue bonds or notes for the purpose of financing the cost of acquiring, by construction or purchase, land, buildings, improvements and equipment, or any interest therein, suitable for the use of any facility for an organization described in Section 501(c)(3) of the Internal Revenue Code (the "Code") which is exempt from federal income tax under Section 501(a) of the Code (a "Tax Exempt Organization") and to refund any bonds issued pursuant to the Act; and

WHEREAS, to provide financing for a Project (as defined in the hereinafter referred to Loan Agreement) pursuant to the Act, the Issuer has previously issued the Series 1995A Bond, and has loaned the proceeds of the Series 1995A Bond to Pella Regional Health Center (formerly Pella Community Hospital) (the "Borrower") pursuant to the provisions of a Loan Agreement (Hospital) dated as of December 1, 1995 (the "Loan Agreement") between the Issuer and the Borrower, the obligation of which is sufficient to pay the principal of, redemption premium, if any, and interest on the Series 1995A Bond as and when the same shall be due and payable; and

WHEREAS, the Series 1995A Bond has been sold pursuant to and secured as provided by an Assignment and Pledge Agreement (Hospital) dated as of December 1, 1995 (the "Pledge Agreement") by and between the Issuer and Firststar Bank, N.A. (formerly Mercantile Bank of Western Iowa, N.A.) (formerly Hawkeye Bank of Pella, National Association) (the "Lender"); and

WHEREAS, the Issuer, the Borrower and the Lender have previously entered into an Amendment to Loan Agreement, Pledge Agreement and Series 1995A Bond (Hospital) dated as of July 1, 1998 (the "First Amendment") modifying the interest rate and some other terms of the Series 1995A Bond; and

WHEREAS, the Issuer, the Borrower, and the Lender have all agreed that the Loan Agreement, the Pledge Agreement and the Series 1995A Bond should all be further amended to modify the applicable interest rate and some other terms of the Series 1995A Bond; and

WHEREAS, it is deemed necessary and advisable that the Issuer authorize the execution of a Second Amendment to Loan Agreement, Pledge Agreement and Series 1995A Bond (Hospital) (the "Second Amendment"), and the substitution of a Replacement Series 1995A Bond to reflect the terms of the Second Amendment.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the Issuer as follows:

Section 1. Authorization of Amendments to the Loan Agreement, Pledge Agreement and Series 1995A Bond. In order to provide for modification of the interest rate and other terms of the Series 1995A Bond, the Second Amendment is hereby approved in substantially the form submitted to the Board, with such variations therein as may be made at the time of execution thereof and the Chairperson of the Board of Supervisors and the County Auditor are hereby authorized and directed to execute, attest, seal, and deliver the Second Amendment in the name and on behalf of the Issuer.

Section 2. Authorization to Substitute Replacement Series 1995A Bond. A replacement Series 1995A Bond in substantially the form as is attached as Exhibit A to the Second Amendment is hereby approved and the Chairperson of the Board of Supervisors and the County Auditor are hereby authorized and directed to execute, attest and seal such replacement Series 1995A Bond which shall be delivered to the Lender in substitution and replacement for the current Series 1995A Bond.

Section 3. Designation. The Issuer hereby determines that the Series 1995A Bond is deemed designated as a "qualified tax exempt obligation" for purposes of Section 265(b)(3) of the Internal Revenue Code.

Section 4. Miscellaneous. The Chairperson of the Board of Supervisors and the County Auditor are hereby authorized and directed to execute, attest, seal, and deliver any and all documents and do any and all things deemed necessary to effect the Second Amendment and replacement and substitution of the replacement Series 1995A Bond and to carry out the intent and purpose of this Resolution, including the preamble hereto.

Section 5. Severability. The provisions of this Resolution are hereby declared to be separable and if any section, phrase or provision shall for any reason be declared to be invalid, such declaration shall not effect the validity of the remainder of the sections, phrases and provisions.

Section 6. Conflicts Repealed. All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict; provided, however, except to the extent of such conflict and as provided herein and in the First Amendment and the Second Amendment, all provisions of prior resolutions of the Board of Supervisors, and all provisions of the Loan Agreement, the Pledge Agreement, and the Series 1995A Bond, and the respective obligations of the parties thereunder shall remain unchanged and in full force and effect.

Section 7. Effective Date. This Resolution shall become effective immediately upon its passage and approval.  
Ayes all.

De Joode moved and Shepherd seconded to approve the following Resolution:

Resolution authorizing the execution of a Second Amendment To Loan Agreement, Pledge Agreement and Series 1995B Bond (Foundation) relating to the County's \$4,350,000 Hospital Revenue Bond, Series 1995B (Pella Community Hospital Project) (the "Series 1995B Bond") and the substitution of a replacement Series 1995B Bond to reflect the terms of the Second Amendment

WHEREAS, the County of Marion, Iowa (the "Issuer") is an incorporated municipality authorized and empowered by the provisions of Chapter 419 of the Code of Iowa (the "Act") to issue revenue bonds or notes for the purpose of financing the cost of acquiring, by construction or purchase, land, buildings, improvements and equipment, or any interest therein, suitable for the use of any facility for an organization described in Section 501(c)(3) of the Internal Revenue Code (the "Code") which is exempt from federal income tax under Section 501(a) of the Code (a "Tax Exempt Organization") and to refund any bonds issued pursuant to the Act; and

WHEREAS, to provide financing for a Project (as defined in the hereinafter referred to Loan Agreement) pursuant to the Act, the Issuer has previously issued the Series 1995B Bond, and has loaned the proceeds of the Series 1995B Bond to Pella Hospital Foundation (the "Borrower") pursuant to the provisions of a Loan Agreement (Foundation) dated as of December 1, 1995 (the "Loan Agreement") between the Issuer and the Borrower, the obligation of which is sufficient to pay the principal of, redemption premium, if any, and interest on the Series 1995B Bond as and when the same shall be due and payable; and

WHEREAS, the Series 1995B Bond has been sold pursuant to and secured as provided by an Assignment and Pledge Agreement (Foundation) dated as of December 1, 1995 (the "Pledge Agreement") by and between the Issuer and Firststar Bank, N.A. (formerly Mercantile Bank of Western Iowa, N.A.) (formerly Hawkeye Bank of Pella, National Association) (the "Lender"); and

WHEREAS, the Issuer, the Borrower and the Lender have previously entered into an Amendment to Loan Agreement, Pledge Agreement and Series 1995B Bond (Foundation) dated as of July 1, 1998 (the "First Amendment") modifying the interest rate and some other terms of the Series 1995B Bond; and

WHEREAS, the Issuer, the Borrower, and the Lender have all agreed that the Loan Agreement, the Pledge Agreement and the Series 1995B Bond should all be further amended to modify the applicable interest rate and some other terms of the Series 1995B Bond; and

WHEREAS, it is deemed necessary and advisable that the Issuer authorize the execution of a Second Amendment to Loan Agreement, Pledge Agreement and Series 1995B Bond (Foundation) (the "Second Amendment"), and the substitution of a Replacement Series 1995B Bond to reflect the terms of the Second Amendment.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the Issuer as follows:

Section 1. Authorization of Amendments to the Loan Agreement, Pledge Agreement and Series 1995B Bond. In order to provide for modification of the interest rate and other terms of the Series 1995B Bond, the Second Amendment is hereby approved in substantially the form submitted to the Board, with such variations therein as may be made at the time of execution thereof and the Chairperson of the Board of Supervisors and the County Auditor are hereby authorized and directed to execute, attest, seal, and deliver the Second Amendment in the name and on behalf of the Issuer.

Section 2. Authorization to Substitute Replacement Series 1995B Bond. A replacement Series 1995B Bond in substantially the form as is attached as Exhibit A to the Second Amendment is hereby approved and the Chairperson of the Board of Supervisors and the County Auditor are hereby authorized and directed to execute, attest and seal such replacement Series 1995B Bond which shall be delivered to the Lender in substitution and replacement for the current Series 1995B Bond.

Section 3. Designation. The Issuer hereby determines that the Series 1995B Bond is deemed designated as a "qualified tax exempt obligation" for purposes of Section 265(b)(3) of the Internal Revenue Code.

Section 4. Miscellaneous. The Chairperson of the Board of Supervisors and the County Auditor are hereby authorized and directed to execute, attest, seal, and deliver any and all documents and do any and all things deemed necessary to effect the Second Amendment and replacement and substitution of the replacement Series 1995B Bond and to carry out the intent and purpose of this Resolution, including the preamble hereto.

Section 5. Severability. The provisions of this Resolution are hereby declared to be separable and if any section, phrase or provision shall for any reason be declared to be invalid, such declaration shall not effect the validity of the remainder of the sections, phrases and provisions.

Section 6. Conflicts Repealed. All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict; provided, however, except to the extent of such conflict and as provided herein and in the First Amendment and the Second Amendment, all provisions of prior resolutions of the Board of Supervisors, and all provisions of the Loan Agreement, the Pledge Agreement, and the Series 1995B Bond, and the respective obligations of the parties thereunder shall remain unchanged and in full force and effect.

Section 7. Effective Date. This Resolution shall become effective immediately upon its passage and approval.

Ayes all.

De Joode moved and Shepherd seconded to approve the following Resolution:

Whereas, the County of Marion, Iowa, has considered and adopted a Resolution declaring the need for a Housing Authority in the County of Marion, Iowa, said Resolution No. 02/08, dated January 28, 2002, and:

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

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

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

Now therefore be it resolved, pursuant to the provisions of Chapter 28E, Code of Iowa, 1981, and by virtue of our office, we hereby approve the Chairperson's appointment of the persons hereinafter named to serve as Representative and Alternate to CIRHA, representing this County and to serve for the number of years appearing, as specified above, respectfully, from this 28<sup>th</sup> day of January, 2002.

Representative – Lola Davis

In witness whereof, I have hereunto signed my name as Chairperson of the local governing body of this County, to be attached this 28<sup>th</sup> day of January, 2002.

Ayes all.

De Joode moved and Shepherd seconded to approve and adopt the Marion County Courthouse Emergency Action Plan. Ray Stone, Marion County Emergency Management Coordinator, stated the plan was put together with the ability for other governmental units to modify and adopt the plan for their own particular site. Chairman Shepherd stated that Ray Stone had done a tremendous amount of work on the plan and was to be commended. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

Brian Ede, South Central Youth and Family Services, gave his annual address to the Board on the usage of the facility by Marion County youth.

Steve Edwards, Marion County Conservation Director, gave an update on the current activities of the Conservation Department.

There being no other business, De Joode moved and Shepherd seconded the meeting be adjourned at 9:57 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in regular session February 11, 2002, with William G. Shepherd, K.C. Valster, and Bob De Joode present. Chairman Shepherd opened the meeting at 9:30 a.m.

Valster moved and De Joode seconded to approve the agenda as posted . Ayes all.

Valster moved and De Joode seconded the minutes of the January 28, 2002 be approved as published. Ayes all.

De Joode moved and Valster seconded that warrants #125074 thru #125294 be approved for payment. Ayes all.

Valster moved and De Joode seconded to approve the following Resolution.

WHEREAS, a county may apply for modifications to its farm-to-market system to add or subtract mileage from its system, to accept or delete highways gained or lost through jurisdictional transfers, or to change the classification of roads within its system, and

WHEREAS, the Board of Supervisors of Marion County has consulted with its County Engineer and desires to modify its farm-to-market system to provide continuity of intra-county and inter-county routes, to meet the needs of existing or potential traffic, to better meet land use needs, or to provide a more suitable location for a farm-to-market route, and

WHEREAS, application for modifications to any county's farm-to-market system must be made to the Farm-to-Market Review Board per the requirements of Iowa Code Section 306.6,

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MARION COUNTY that this county is formally requesting that the Farm-to-Market Review Board approve the following modifications to its farm-to-market system:

That portion of former Iowa Highway 163 in Marion County remaining in service following the relocation of Iowa Highway 163 around the unincorporated city of Otley.

More specifically, that portion of former Highway 163 beginning at the connection to relocated Iowa Highway 163 at Station 193+91.57 (mainline) and extending Southeast to the connection to relocated Iowa Highway 163 at Station 254+68.56 (mainline), a total length of approximately 1.1 miles

The Board of Supervisors of Marion County, in lawful session this 11th day of February, 2002 hereby adopts this farm-to-market modification resolution.

Ayes all.

De Joode moved and Valster seconded to approve 2 (two) Secondary Road Department Work Beyond Right of Way agreements with Tammy Waddle and Sylvia Uitermarkt. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

Steve Edwards, Marion County Conservation Director, gave an update on the current activities of the Conservation Department.

There being no other business, De Joode moved and Valster seconded the meeting be adjourned at 9:52 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

BOARD OF SUPERVISORS MEETING

FIFTH DAY

FEBRUARY 19, 2002

The Marion County Board of Supervisors met in special session February 19, 2002 for the purpose of canvassing the vote from the February 12, 2002, Twin Cedars School District Special Election. Board members present were William G. Shepherd and Bob De Joode. K.C. Valster was absent.

Chairman Shepherd opened the special meeting at 8:05 A.M.

The canvass was completed and the official results are on file in the Auditor's Office.

De Joode moved and Shepherd seconded that the special session be adjourned. Ayes all.  
The special session was adjourned at 8:10 A.M.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of  
Supervisors

The Marion County Board of Supervisors met in regular session February 25, 2002, with William G. Shepherd, K.C. Valster, and Bob De Joode present. Chairman Shepherd opened the meeting at 9:30 a.m.

Valster moved and De Joode seconded to approve the agenda as posted . Ayes all.

Valster moved and De Joode seconded the minutes of the February 11, 2002 and February 19, 2002 be approved as published. Ayes all.

De Joode moved and Valster seconded that warrants #125295 thru #125450 be approved for payment. Ayes all.

Valster moved and De Joode seconded to receive and file Marion County's Integrated Roadside Vegetation Management Plan as prepared by Marion County Engineer, Roger Schletzbaum. Ayes all.

Valster moved and De Joode seconded to approve the following Resolution:

WHEREAS, Marion County is a recipient of Federal DOT dollars in Iowa, and

WHEREAS, Federal Regulations (49CFR Part 26) require all recipients of Federal DOT dollars sign an agreement establishing a Unified Certification Program for Disadvantaged Business Enterprises (DBE) and;

WHEREAS, the Iowa DOT has established a Unified Certification Program;

NOW THEREFORE BE IT RESOLVED, that the Chairman of the Board of Supervisors be authorized to sign the agreement establishing the UCP for the State of Iowa.

Ayes all.

Valster moved and De Joode seconded to approve the following Resolution:

WHEREAS, the inspection and analysis of Marion County bridges is performed as required by the Federal Highway Administration Rules and Regulations.

WHEREAS, the results of the inspection and analysis indicate a safe operating load capacity for certain Marion County bridges as listed below.

<u>Bridge Number</u>	<u>Posting Adopted By This Resolution</u>
61314422	3T
48067242	6T
48282651	425,538,640
41274099	18T
58010850	22T*
58190650	425,530,640
51010082	20T*
61120012	13T
79219275	7T*
70076501	10T*
58214449	5T

NOW THEREFORE BE IT RESOLVED, this 25<sup>th</sup> day of February, 2002, that the above recommended weight limits corresponding to the bridge numbers listed are hereby adopted, and that proper signs shall be erected and maintained to post the adopted load limit until the posted bridge is repaired, reconstructed, or removed.

Ayes all.

De Joode moved and Valster seconded to approve 2 (two) Secondary Road Department Work Beyond Right of Way agreements with John Pierce and Jeff Bogaards. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

Ray Stone, Marion County Emergency Management Coordinator, gave a presentation regarding his recent work trip to Ground Zero in New York City.

There being no other business, De Joode moved and Valster seconded the meeting be adjourned at 10:07 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in regular session March 11, 2002, with William G. Shepherd, K.C. Valster, and Bob De Joode present. Chairman Shepherd opened the meeting at 9:30 a.m.

Valster moved and De Joode seconded to approve the agenda as posted . Ayes all.

De Joode moved and Valster seconded the minutes of February 25, 2002 be approved as published. Ayes all.

Valster moved and De Joode seconded that warrants #125493 thru #125770 be approved for payment. Ayes all.

Jim Force, Indiana Township Trustee, inquired about the status of the Bridges Cemetery near Attica. The Board indicated they had contacted the landowner on which the cemetery lies to began negotiations on acquiring a public access to the cemetery. They hoped to have this situation resolved in the next few months.

Valster moved and De Joode seconded to approve the Fiscal Year 2002-2003 Marion County Budget as published. Ayes all.

Valster moved and De Joode seconded to approve the renewal of a contract with Delta Dental Plan of Iowa for dental coverage for Marion County's Employees during the fiscal year 2002-2003. Ayes all.

Valster moved and De Joode seconded to approve a three year agreement with South Iowa Area Detention Service Agency to provide Marion County with juvenile detention services. Ayes all.

De Joode moved and Valster seconded to approve the following Resolution:

Whereas, the Iowa Department of Transportation (Iowa DOT) has proposed the future construction of Iowa Highway 5 commonly referred to as Iowa 5 beginning at County Road S-23 in Warren County and proceeding in a southeasterly direction (21.4 mi.) to the existing four-lane segment west of Knoxville in Marion County; and

Whereas, in early 1995, Marion, Iowa joined the Southeast Iowa 5 Coalition to promote the construction of said Iowa 5; and

Whereas, on December 17, 1996, the Iowa DOT approved the new five year program that included the general time period recommended by the Coalition, and

Whereas, Snyder & Associates, Inc. (Dale Harrington) served as the coordinator and liaison for the coalition in 1995, 1996, 1997, 1998, and 1999; and

Whereas, it is recommended that the following local governments continue the "Southeast Iowa 5 Coalition" to help insure that the Iowa 5 Project stays on the current schedule.

CITIES

Hartford

Knoxville

Melcher-Dallas

Pleasantville

COUNTIES

Marion

Warren (Ad-Hoc member)

And

Whereas, it is deemed to be in the best interest of the said local government to continue the appointment of Dale Harrington of Snyder & Associates, Inc., Ankeny, Iowa as Project Manager for the calendar year 2002 to act behalf of the Southeast Iowa 5 Coalition.

Now Therefore Be It Resolved by Marion County, Iowa, that Chairman William G. Shepherd be authorized to submit a letter to the Mayor of Pleasantville, Iowa expressing that Marion County, Iowa, be willing to join the Southeast Iowa 5 Coalition at a cost not to exceed \$850.00 and that Dale Harrington of Snyder & Associates, Inc. is authorized to represent the Coalition's interest and serve as the Project Manager for the Coalition.

Ayes all.

De Joode moved and Valster seconded to approve a Class B Beer Permit for the Pleasantville Golf and Country Club. Ayes all.

Valster moved and De Joode seconded to approve an agreement with the Iowa Department of Transportation to authorize the use of federal highway funds for an improvement project on S45 from G76 south 3.5 miles to the Lucas County Line for the 2003 construction season. Ayes all.

De Joode moved and Valster seconded to approve 2 (two) Secondary Road Department Work Beyond Right of Way agreements with Rex Shoop and Norman Rozendaal. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department. He also gave a report regarding conversation he has had with Judy Sytsma regarding the road between Hwy 5 and Marysville.

Steve Edwards, Marion County Conservation Director, gave an update on the current activities of the Conservation Department.

There being no other business, De Joode moved and Valster seconded the meeting be adjourned at 9:55 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in special session March 11, 2002, for the purpose of a public hearing for the fiscal year 2002-2003 Marion County Budget. Board members present were William G. Shepherd, Bob De Joode, and K.C. Valster.

Chairman Shepherd opened the special meeting at 9:00 A.M.

Valster moved and De Joode seconded to open the fiscal year 2002-2003 budget hearing. Ayes all.

Chairman Shepherd entered into record a copy of the letter received from the Marion County Compensation Board regarding their recommendations for Marion County's Elected Officials 2002-2003 salaries.

There being no public comment, Valster moved and De Joode seconded to close the budget public hearing. Ayes all.

De Joode moved and Valster seconded to recommend approval of the Fiscal Year 2002-2003 Marion County Budget as published. Ayes all.

De Joode moved and Shepherd seconded that the special session be adjourned. Ayes all. The special session was adjourned at 9:10 A.M.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session March 25, 2002, with William G. Shepherd, K.C. Valster, and Bob De Joode present. Chairman Shepherd opened the meeting at 9:30 a.m.

Valster moved and De Joode seconded to approve the agenda as posted . Ayes all.

De Joode moved and Valster seconded the minutes of March 11, 2002 be approved as published. Ayes all.

Valster moved and De Joode seconded that warrants #125802 thru #126032 be approved for payment. Ayes all.

Valster moved and De Joode seconded to approve the following Resolution:

WHEREAS, Marion County is in need of more space for programs, services and storage, and

WHEREAS, Marion County can utilize an available property that is currently partially being leased, and

WHEREAS, Marion County could utilize the total property to offer services more efficiently, and

WHEREAS, it is in the best interest of the citizens of Marion County to purchase the property instead of entering a lease,

NOW THEREFORE BE IT RESOLVED by the Marion County Board of Supervisors to accept a warranty deed from Z & K, L.L.C. for the real estate legally described in the attached Exhibit A.

Ayes all.

Valster moved and De Joode seconded to approve the following Resolution:

WHEREAS the Marion County Board of Supervisors approved the Marion County Budget for the fiscal year 2001-2002, and,

WHEREAS the Marion County Board of Supervisors approved the transfer of \$372,000.00 from General Basic Fund to the County Conservation Land Acquisition Trust Fund under the fiscal year 2001-2002 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 transfer of \$372,000.00 from General Basic Fund to the County Conservation Land Acquisition Trust Fund be approved by the Marion County Board of Supervisors for the fiscal year of 2001-2002, and,

BE IT FURTHER RESOLVED that the Auditor and Treasurer be instructed to make the said transfer in a timely fashion.  
Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department. He also received, and opened, bids for a rock contract. Official action will be taken on the bids during the next scheduled Board meeting.

Steve Edwards, Marion County Conservation Director, gave an update on the current activities of the Conservation Department. Edwards also stated the Marion County Conservation Departments campgrounds will open for the season on April 5, 2002.

There being no other business, Valster moved and De Joode seconded the meeting be adjourned at 9:42 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

BOARD OF SUPERVISORS MEETING

EIGHTH DAY

MARCH 25, 2002

The Marion County Board of Supervisors met in special session March 25, 2002 for the purpose of canvassing the vote from the March 19, 2002, Knoxville Community School District Special Election. Board members present were William G. Shepherd, Bob De Joode, and K.C. Valster.

Chairman Shepherd opened the special meeting at 8:05 A.M.

The canvass was completed and the official results are on file in the Auditor's Office.

De Joode moved and Valster seconded that the special session be adjourned. Ayes all.  
The special session was adjourned at 8:20 A.M.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of  
Supervisors

The Marion County Board of Supervisors met in regular session April 8, 2002, with William G. Shepherd, K.C. Valster, and Bob De Joode present. Chairman Shepherd opened the meeting at 9:30 a.m.

Valster moved and De Joode seconded to approve the agenda as posted . Ayes all.

De Joode moved and Valster seconded the minutes of March 25, 2002 be approved as published. Ayes all.

De Joode moved and Valster seconded that warrants #126034 thru #126283 be approved for payment. Ayes all.

Valster moved and De Joode seconded to approve a Class C Liquor License for D-Mack, Inc. d.b.a. UTERS Steakhouse. Ayes all.

Valster moved and De Joode seconded to approve the proposed 2003-2007 Marion County 5 Year Secondary Road Construction Program. Ayes all. A copy can be viewed at the Marion County Engineers Office.

Valster moved and De Joode seconded to approve, upon recommendation from the Public Hearing, the bid from Bruening Rock Products Inc. for \$151,146.25 and also approve the contract for the Granular Resurfacing Project known as Project No. FM-63(52) -55-63. Ayes all.

Valster moved and De Joode seconded to approve 9 (nine) Secondary Road Department Work Beyond Right of Way Agreements with Kenneth Shepley, Dan Zander, Kent Baaksma, Corey Steele, Willis De Geus, Robert White, Garry Clark, Randy Reed, and Donald Cumming. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

There being no other business, Valster moved and De Joode seconded the meeting be adjourned at 10:05 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

BOARD OF SUPERVISORS MEETING

NINTH DAY

APRIL 8, 2002

The Marion County Board of Supervisors met in special session April 8, 2002, for the purpose of a public hearing for a Secondary Road Department Granular Resurfacing Project. Board members present were William G. Shepherd, Bob De Joode, and K.C. Valster.

Chairman Shepherd opened the special meeting at 9:00 A.M.

Valster moved and De Joode seconded to open the public hearing. Ayes all.

Chairman Shepherd entered into record the following bids for the granular resurfacing project.

Bruening Rock Products Inc: \$151,146.25

Martin Marietta Inc.: \$154,117.74

There being no public comment, Valster moved and De Joode seconded to close the public hearing. Ayes all.

Valster moved and De Joode seconded to recommend approval of the bid from Bruening Rock Products Inc. for \$151,146.25. Ayes all.

Valster moved and De Joode seconded the special session be adjourned. Ayes all.  
The special session was adjourned at 9:05 A.M.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of  
Supervisors

The Marion County Board of Supervisors met in regular session April 22, 2002, with William G. Shepherd, K.C. Valster, and Bob De Joode present. Chairman Shepherd opened the meeting at 9:30 a.m.

Valster moved and De Joode seconded to approve the agenda as posted . Ayes all.

De Joode moved and Valster seconded the minutes of April 8, 2002 be approved as published. Ayes all.

Valster moved and De Joode seconded that warrants #126328 thru #126549 be approved for payment. Ayes all.

De Joode moved and Valster seconded to receive and file the Marion County Sheriff's Quarterly Report. Ayes all.

During the public discussion portion of the meeting Erma Umble, landowner in Otley, brought to the Board her concerns over an alley bordering her property in Otley. She had discussion with the Board about the usage of the alley and asked if it indeed was County Right-of-Way. Roger Schletzbaum, Marion County Engineer, stated that the alley was open County Right-of-Way. After more discussion, the Board directed Schletzbaum to pursue making the alley an open traffic way.

Valster moved and De Joode seconded to approve the completed Marion County Financial Audit for the year ending June 30, 2001, as prepared by Hunt Kain and Associates, Inc. Ayes all.

Valster moved and De Joode seconded to approve the following Resolution:

WHEREAS, Marion County is a member of the Central Iowa Regional Transportation Planning Alliance, as organized under Iowa Code Chapter 28E; and

WHEREAS, annually, the Central Iowa Regional Transportation Planning Alliance requests its member governments to approve, by resolution, the Unified Planning Work Program and Budget for the upcoming fiscal year beginning July 1; and

WHEREAS, the budget to support the Unified Planning Work Program is funded by federal funds and member government assessments, and

WHEREAS, at least the majority of the Central Iowa Regional Transportation Planning Alliance member governments must approve the Unified Planning Work Program and Budget;

NOW, THEREFORE, BE IT RESOLVED, that the Marion County Board of Supervisors, hereby approves the Central Iowa Regional Transportation Planning Alliance Fiscal Year 2003 Unified Planning Work Program and Budget for the period beginning July 1, 2002, through June 30, 2003.

Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

There being no other business, De Joode moved and Valster seconded the meeting be adjourned at 9:57 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in regular session May 13, 2002, with William G. Shepherd, K.C. Valster, and Bob De Joode present. Chairman Shepherd opened the meeting at 9:45 A.M.

Valster moved and De Joode seconded to approve the agenda as posted . Ayes all.

De Joode moved and Valster seconded the minutes of April 22, 2002 be approved as published. Ayes all.

Valster moved and De Joode seconded that warrants #126553 thru #126894 be approved for payment. Ayes all.

Valster moved and De Joode seconded to approve a 28E Agreement with the Central Iowa Employment and Training Consortium for the purpose of complying with, and continuing implementation of, the requirements of the Workforce Investment Act (hereinafter "WIA"), Public Law 105-220, August 7, 1998, and the Regulations promulgated thereunder, in addition to those other education, employment and training programs operated by the Central Iowa Employment and Training Consortium. Ayes all.

Valster moved and De Joode seconded to approve the request of Leta Nichols to hold the Farmer's Market on the west side of the Courthouse Lawn from May 25, 2002, thru October 12, 2002, except for Nationals Saturday. Ayes all.

Valster moved and De Joode seconded to approve the application for a Class C Beer Permit for Stephen Lyle Fini d/b/a The Trading Post. Ayes all.

Valster moved and De Joode seconded to approve the recommendation of the Marion County Sheriff to hire Brad Sedlock as a Marion County Deputy Sheriff upon completion of the pre-employment requirements. Ayes all.

Valster moved and De Joode seconded to approve Zoning Petition #2252 as requested by Nextel Partners and Karen Dykstra to change from R-2 to Commercial. Ayes all.

De Joode moved and Valster seconded to approve Zoning Petition #2253 as requested by Brian Clark d/b/a Full Circle Racing to change from Agricultural to Commercial. Ayes all.

Valster moved and De Joode seconded to approve the renewal application for a Class C Beer Permit for R & J Sail Iowa, LLC. Ayes all.

Valster moved and De Joode seconded to approve a Work Beyond R.O.W. Agreement with J.R. Mc Clure. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department. Upon request of Valster, Schletzbaum commented on the concerns of citizens regarding the intersection of Idaho Drive and Hwy T-15.

There being no other business, Valster moved and De Joode seconded the meeting be adjourned at 10:02 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in special session May 13, 2002, for the purpose of a public hearing as published. Board members present were William G. Shepherd, K.C. Valster, and Bob De Joode.

Chairman Shepherd opened the public hearing at 9:00 A.M.

The first item, Zoning Petition #2252 by Nextel Partners and Karen Dykstra was a request to rezone a part of the property located at 1312 138<sup>th</sup> Place, Knoxville, IA, from R-2 to C-2 to erect a 350' cellular communications tower. The parcel is described from the point of beginning, 500' South of the NW corner of the NE1/4 in Section 6, Township 75N, Range 19W, then East 200', then South 500', then West 500', then North 500', and back East 300' to the point of beginning. John Mc Coy, Marion County Zoning Administrator, gave an overview of the request. Alex Novak, Nextel Partners, gave a presentation on the goals of Nextel and their use of this proposed tower. Mc Coy stated the zoning change meets the minimum requirements of the County's Comprehensive Plan and is recommended by the Marion County Zoning Board.

There being no other comments, Valster moved and De Joode seconded to close the portion of the hearing regarding Petition #2252. Ayes all.

The second item, Zoning Petition # 2253 by Brian Clark d/b/a/ Full Circle, was a request to change zoning from Agricultural to Commercial for the operation of an amusement park including go-cart rentals, camping, and miniature golf. The parcel in question is located along Hwy 14 and is described as the point of beginning at the SE corner of the SW1/4 of the NE1/4 in Section 36, Township 76N, Range 20W. From the point of beginning, West 758', then North 227.5', then West 574.5', then North approximately 771' along Highway 14 R.O.W. ,then East 1225', and then South 1001' to the point of beginning. John Mc Coy gave an overview of the petition and stated the petition met the minimum requirements of the County's Comprehensive Plan and is recommended by the Marion County Zoning Board by a 3-1 vote. He also stated the City of Knoxville had made no comment on the proposed change, the development could progress no farther to the North, and the owners had an approved D.O.T. entrance for the facility off of Hwy 14. Brian Clark gave an overview of the tiered plans for the facility. David Morgan, adjoining landowner, addressed the Board with concerns about the safety of the entrance onto Hwy 14 for the facility. He also wondered why the project had been denied at a proposed site within the city limits of Knoxville. Chairman Shepherd stated he had visited the site and requested a fence and tree line be placed on the North boundary of the property being re-zoned.

There being no other comments, Valster moved and De Joode seconded to close the portion of the public hearing regarding Petition #2253. Ayes all.

Valster moved and De Joode seconded to close the public hearing. Ayes all. The public hearing was adjourned at 9:38 A.M.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session May 28, 2002, with William G. Shepherd, K.C. Valster, and Bob De Joode present. Chairman Shepherd opened the meeting at 9:30 A.M.

Valster moved and De Joode seconded to approve the agenda as posted . Ayes all.

De Joode moved and Valster seconded the minutes of May 13, 2002 be approved as published. Ayes all.

De Joode moved and Valster seconded that warrants #126940 thru #127096 be approved for payment. Ayes all.

Valster moved and De Joode seconded to approve the application for a Class C Beer Permit for Richard C. Lambirth d/b/a R.C.'s. Ayes all.

Valster moved and De Joode seconded to approve the following Resolution:

WHEREAS the Marion County Board of Supervisors approved the transfer of \$5,500.00 from General Basic Fund to Urban Renewal Bonds Fund under the 01-02 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 transfer of \$5,500.00 from General Basic Fund to Urban Renewal Bonds Fund be approved by the Marion County Board of Supervisors for the fiscal year of 2001-2002, and,

BE IT FURTHER RESOLVED that the Auditor and Treasurer be instructed to make the said transfer in a timely fashion.  
Ayes all.

The Board discussed a letter received from the US Army Corps of Engineers regarding their voluntary annexation petition of North Overlook and Howell Station Campground into the City of Pella. The Board focused on the comments received from the County Conservation, Secondary Road, and Sheriff's Departments. There were no major concerns expressed from these departments. The Board did show concern with law enforcement in the area and that the annexation would create an island of city property and there will have to be some sort of involuntary annexation to connect the area to the rest of the City.

De Joode moved and Valster seconded to approve the following Resolution.

A RESOLUTION CALLING FOR A PUBLIC REFERENDUM TO AUTHORIZE THE IMPOSITION OF A LOCAL SALES AND SERVICES TAX IN THE UNINCORPORATED AREAS OF MARION COUNTY, IOWA, AT A RATE OF ONE PERCENT (1%).

WHEREAS, Chapter 422B of the Code of Iowa authorized the imposition of certain local option taxes after an election in which the majority of the electors vote in the affirmative; and

WHEREAS, the Board of Supervisors of Marion County, Iowa, declares its intention to participate in a special county-wide election for the purpose of permitting the electorate to pass upon the proposition of imposing a one percent (1%) sales and services tax for the unincorporated areas of Marion County, Iowa, according to Chapter 422B.1(3)(b) of the 2001 Code of Iowa.

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

Section 1. The Board of Supervisors of Marion County, Iowa, requests the County Commissioner of Elections to submit to the voters in Marion County a proposition authorizing imposition of a local sales and services tax in the unincorporated areas of Marion County at a one percent (1%) in the following terms:

A local sales and services tax shall be imposed in the unincorporated areas of Marion County, Iowa, at a rate of one percent (1%) to be effective January 01, 2003.

Section 2. Revenues from the sales and services tax are to be collected in the unincorporated areas of Marion County, Iowa, as follows:

(0%) of said local option sales and service tax to be allocated for property tax relief.

The specific purpose for which the revenues shall otherwise be expended are:

One hundred percent (100%) for community betterment, including, but not limited to payment for debt, construction costs, capitalized repair funds, and any other costs associated with the following projects:

1. The historic preservation of the Marion County Courthouse.
2. Capitol improvement projects, construction, and repair.
3. The improvement of Marion County Secondary Road Projects.
4. Other community betterment projects or any lawful purpose of the Marion County, Iowa, Board of Supervisors by Resolution.

For a period of ten (10) years. At the end of the ten-year collection period, the sales and services tax will be discontinued, unless the electorate votes the sales and services tax in place for an additional period of time.

Section 3. The Clerk of the Board of Supervisors is hereby authorized and directed to provide a certified copy of this resolution to the County Commissioner of Elections of Marion County and to the Board of Supervisors of Marion County.  
Ayes all.

Valster moved and De Joode seconded to approve the following Resolution:

**RESOLUTION TO APPROVE ENTERING INTO AN AGREEMENT TO CONDUCT A COMPREHENSIVE PLANNING PROCESS CONCERNING JAIL FACILITIES AND FUTURE NEED IN MARION COUNTY.**

WHEREAS, it is in the best interest to the citizens of Marion County to provide jail facilities to protect and maintain the peace and security of the County, and;

WHEREAS, the Marion County Jail renovation was completed in 1986, and;

WHEREAS, it is in the best interest to the citizens of Marion County to review the future need and evaluate current conditions of the Marion County Jail facilities,

NOW THEREFORE BE IT RESOLVED, by the Marion County, Iowa, Board of Supervisors to enter into an agreement with Plepla and Associates, Inc. to provide program planning services to a committee of nine Marion County residents, duly appointed by the Board of Supervisors, to conduct a comprehensive planning process and recommend direction for Marion County.  
Ayes all.

Valster moved and De Joode seconded to approve an agreement with the Iowa Department of Transportation for use of secondary roads as detours. This agreement is necessitated by the rerouting of traffic across County Routes S-45 and G-76 due to the temporary closure of Iowa Route 181 for an upcoming slide repair project located approximately 2 miles North of Melcher-Dallas. Ayes all.

De Joode moved and Valster seconded to approve the contract and bonds for \$1,582,017.00 with Iowa Bridge and Culvert, L.C. for the grading phase of the Keokuk Drive Project. Ayes all.

Jay Davis, Marion County Engineer's Office, gave an update on the current activities of the Secondary Road Department.

Steve Edwards, Marion County Conservation Officer, gave an update on the current activities of the Conservation Department.

There being no other business, Valster moved and De Joode seconded the meeting be adjourned at 9:59 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in special session June 3, 2002, with William G. Shepherd, K.C. Valster, and Bob De Joode present. Chairman Shepherd opened the meeting at 8:30 A.M.

Valster moved and De Joode seconded to approve the agenda as posted . Ayes all.

De Joode moved and Valster seconded to approve a 5 day Class B Beer Permit for the Runnells Area Team Services by Don Morgan. Ayes all.

Valster moved and De Joode seconded to accept the Transamerican Occidental Life Insurance renewal for Marion County Employees. Ayes all.

There being no other business, Valster moved and De Joode seconded the meeting be adjourned at 8:35 A.M. Ayes all.

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LISA SHIVES, MARION CO DEPUTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in regular session June 10, 2002, with William G. Shepherd, K.C. Valster, and Bob De Joode present. Chairman Shepherd opened the meeting at 9:30 A.M.

Valster moved and De Joode seconded to add item #14, review and take action on an application for permit for display of fireworks for Federated Fellowship Church of Pella, Iowa, and approve the amended agenda as posted. Ayes all.

Valster moved and De Joode seconded the minutes of May 28, 2002, and June 3, 2002, be approved as published. Ayes all.

De Joode moved and Valster seconded that warrants #127102 thru #127470 be approved for payment. Ayes all.

Valster moved and De Joode seconded to approve the application for permit for the display of fireworks for Crystal Lake Association at Knoxville Estates. Ayes all.

Valster moved and De Joode seconded to approve the application for a Class C Beer Permit for Louis Beener d.b.a. Lou's Bait and Tackle. Ayes all.

Valster moved and De Joode seconded to approve the reappointment of Robert Gee to the Commission of Veteran's Affairs for a three year term beginning July 1, 2002, thru June 30, 2005. Ayes all.

Valster moved and De Joode seconded to approve the following Resolution:

WHEREAS, a public hearing was held at 9:00 A.M. on the 10<sup>th</sup> day of June, 2002, in the office of the Marion County Board of Supervisors on the matter of vacating roads or certain parts of roads under the jurisdiction of Marion County and,

WHEREAS, there being no objections to the vacating of part of the Marion County road right-of-way as advertised and,

WHEREAS, there being no claim for damages,

NOW THEREFORE BE IT RESOLVED that part of road #150, being 66 ft. wide as recorded in Book #1, page 221 of the Road Record Book, but not in existence and more particularly described as beginning at a point 20 ft. North of the S.E. corner of the W ½ of the S.E. ¼ of the S.E. ¼ of Section 22, Twp. 77N, Range 21W of the 5<sup>th</sup> P.M., thence North, Northwesterly to the West line of the W ½ of the N.E. ¼ of the S.E. ¼ of Section 22.

BE HEREBY VACATED.

Ayes all.

Valster moved and De Joode seconded to approve the following Resolution:

WHEREAS, the City of Monroe, Iowa has requested that Marion County review the speed limit on County Line Road between State Highway 14 and 125th Avenue in Marion County and;

WHEREAS, the Monroe City Limits extends to the center of County Line Road between State Highway 14 and 125th Avenue in Marion County and;

WHEREAS, the County Engineer has conducted an engineering study on County Line Road between State Highway 14 and 125th Avenue for the purpose of reevaluating the speed limit, and;

WHEREAS, the city council of Monroe has, at their May 13th, 2002, voted to set the speed limit on County Line Road (S. 128th Ave. W) at 35 MPH and;

WHEREAS, the County Engineer recommends a maximum speed limit of 35 M.P.H. be established on County Line Road between State Highway 14 and 125th Avenue .

NOW THEREFORE BE IT RESOLVED that a maximum speed limit of 35 M.P.H. be established on County Line Road between State Highway 14 and 125th Avenue.

Ayes all.

Valster moved and De Joode seconded to approve the Marion County Secondary Road Department Subdivision Policy as prepared by the County Engineer's Office. Ayes all. A copy is on file in the Engineer's Office.

De Joode moved and Valster seconded to approve the Marion County Policy of Placement of "Children Playing Ahead" signs as prepared by the County Engineer's Office. Roger Schletzbaum, Marion County Engineer, stated the signs were "Advisory in nature only". Ayes all. A copy is on file in the Engineer's Office.

Roger Schletzbaum, Marion County Engineer's Office, gave an update on the current activities of the Secondary Road Department.

Valster moved and De Joode seconded to approve the application for permit for the display of fireworks for Federated Fellowship Church of Pella. Ayes all.

There being no other business, Valster moved and De Joode seconded the meeting be adjourned at 9:55 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

BOARD OF SUPERVISORS MEETING FOURTEENTH DAY JUNE 10, 2002

The Marion County Board of Supervisors met in special session June 10, 2002 for the purpose of canvassing the vote from the June 4, 2002 Primary Election. Present were William G. Shepherd, K.C. Valster, and Bob De Joode.

Chairman Shepherd opened the special session at 8:00 A.M.

The Board recessed at 9:00 A.M. for a public hearing and regular Board meeting.

The Board resumed its canvass at 10:00 A.M.

The canvass was completed and the results are on file in the Auditor's office.

Valster moved and DeJoode seconded that the special session be adjourned. Ayes all.  
The session was adjourned at 11:30 A.M.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session May 13, 2002, for the purpose of a public hearing as published. Board members present were William G. Shepherd, K.C. Valster, and Bob De Joode.

Chairman Shepherd opened the public hearing at 9:00 A.M.

The hearing was in the matter of the road right-of-way vacation request brought forth by Troy Padellford. The proposed road right-of-way vacation can be described as that part of road #150, being 66 ft. wide as recorded in Book #1, page 221 of the Road Record Book, but not in existence and more particularly described as beginning at a point 20 ft. North of the S.E. corner of the W 1/2 of the S.E. 1/4 of the S.E. 1/4 of Section 22, Twp. 77, Range 21 of the 5<sup>th</sup>, P.M., thence North, Northwesterly to the West line of the W 1/2 of the N.E. 1/4 of the S.E. 1/4 of Section 22.

There being no public comment, Valster moved and De Joode seconded to close the public hearing. Ayes all. The public hearing was adjourned at 9:10 A.M.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session June 24, 2002, with William G. Shepherd, K.C. Valster, and Bob De Joode present. Chairman Shepherd opened the meeting at 9:30 A.M.

Valster moved and De Joode seconded to add item #20, review and take action on a right-of-way agreement for low water crossing at the covered bridge, and approve the amended agenda as posted. Ayes all.

De Joode moved and Valster seconded the minutes of June 10, 2002, be approved as published. Ayes all.

Valster moved and De Joode seconded that warrants #127531 thru #127788 be approved for payment. Ayes all.

During a lengthy discussion, Mr. John De Nooy concerned citizen, addressed several issues with the Board of Supervisors regarding their involvement with a County Resolution they passed in December 2000. The Resolution allowed the Pella Regional Health Center to receive up to \$10,000,000 in bonds for various projects. Mr. De Nooy questioned the Board's responsibility in how the PRHC was spending this money and if it was being used for their Timber Oaks Project which is not located at the facility's main campus of 404 Jefferson. There was great discussion as to the intent of the use of these funds as presented when the Board passed the Resolution. During the discussion, Mr. Mike Sullivan from the Knoxville Journal Express, asked Chairman Shepherd for a public comment on the use of these funds. Chairman Shepherd stated the Board's position on the Bonds had not changed since the passage of the Resolution. Jake Grandia, Marion County Auditor, stated the County did not control the spending of these funds and there was no way for the County to know exactly how the funds were being spent. Chairman Shepherd told Mr. De Nooy he would address a letter to Mr. Bob Kroese, Administrator at the Pella Regional Health Center, concerning the use of the Bond Funds. Mr. De Nooy also addressed Board Member Valster regarding his voting for the passage of these bonds while acting as the Chair of the PRHC Board of Directors and being a member of the Board of Directors from the lending institution loaning the funds. Mr. De Nooy questioned Mr. Valster's perceived conflict of interest, impartiality on this vote, and asked where his allegiance was today. Mr. Valster responded by saying he had voted only after having it cleared through his legal council. He went on to say he was acting as a Marion County Supervisor and trying to improve Marion County and its Health Care. Mr. Sullivan then indicated he had contacted the Iowa Attorney General's Office to ask them their opinion on this issue. In closing Mr. De Nooy again stated his insistence that the information get out to the tax paying public and the funds for the PRHC be used as they were intended.

Valster moved and De Joode seconded to approve the following Resolution:

WHEREAS the Marion County Board of Supervisors approved the budget for Fiscal Year 2002-2003, 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 02-03 year.

Supervisors	163,353
Auditor	217,177
Treasurer	373,270
Attorney	244,724
Sheriff	1,668,056
Court Services	132,700
Recorder	173,899
Zoning	40,926
Landfill	15,000
D.H.S.	80,031
Engineer	4,934,868
Veteran's Affairs	62,417
Conservation	921,434
Health Board	1,589,745
Weed Commission	7,000
General Assistance	95,278
Medical Examiner	31,000
Libraries	75,000
Child Support Recovery	1,000
Ambulance	6,709
Care of Indigents	254,573
Sanitation	74,071
Custodial & Maintenance	387,980

Data Processing	183,016
Mental Health	3,031,241
Development	97,927
Substance Abuse	156,500
Joint Disaster Services	80,101
Non-departmental	<u>2,889,870</u>
Total Appropriation	<u>\$17,988,866</u>

Ayes all.

Valster moved and De Joode seconded to approve the following Resolution on behalf of the Marion County Transportation Transit Agency:

Substance Abuse Policy Statement Resolution:

The Board of Supervisors adopted the Marion County Transportation Policy on Drugs and Alcohol Abuse at its board meeting on June 24, 2002. This policy replaces the previous policy in place. Marion County Transportation is dedicated to providing safe, dependable and economical transportation services to our transit system passengers in the Marion County area. MCT employees are our most valuable resource, and its our goal to provide a healthy, satisfying work environment, which promotes personal opportunities for growth. In meeting these goals, it is our policy to:

1. Assure that employees are not impaired in their ability to perform assigned duties in a safe, productive and healthy manner.
2. Create a workplace environment free from the adverse effects of drug abuse and alcohol misuse.

Ayes all.

De Joode moved and Valster seconded to approve an agreement with Country Life Health Care, Inc. to act as administer for the Marion County Care Facility. Ayes all.

Valster moved and De Joode seconded to approve the following individuals to the Marion County Development Commission:

1. Ned Pearson – 7/01/2002 thru 6/30/2005
2. Jim Dunkin – 7/01/2002 thru 6/30/2005
3. Brett Call – Fill vacancy from Jerry Dowell thru 6/30/2003

Ayes all.

Valster moved and De Joode seconded to approve the following Resolution:

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

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

NOW THEREFORE BE IT RESOLVED THAT, the Marion County, Iowa Board of Supervisors agrees to enter into a joint agreement described in the Iowa Code in Chapter 28E, with the City of Pella, Iowa for the facilitation of an orderly data transfer between the City and County and mutually share data which benefits each entity.

Ayes all.

De Joode moved and Valster seconded to approve the following Resolution:

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:

Melissa Milani  
Ayes all.

Darren Naaktgeboren

De Joode moved and Valster seconded to approve the following Resolution:

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; for greater efficiency and for better service to the Citizens of Marion County 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, 331.903, allows for the appointment of a sheriff's civil process server to assist in executing the powers and duties of the sheriff, and

WHEREAS, the Marion County Sheriff's Office already has a non-sworn civilian heading the Civil Division,

NOW, THEREFORE BE IT RESOLVED BY THE MARION COUNTY, IOWA BOARD OF SUPERVISORS, for the benefit of all Marion County Citizens, that Patty De Heer be approved as appointed Marion County Sheriff's civil process server effective July 1, 2002. Ayes all.

Valster moved and De Joode seconded to approve the fees for the Marion County Employee Benefit Plans for dental and health care. The dental plan costs will remain the same at \$19.71 Single Plan and \$63.28 Family Plan. The health care benefits cost will increase to \$270.00 Single Plan and \$490.00 Family Plan. The employee cost of these plans will remain the same. Ayes all.

Valster moved and De Joode seconded to approve the FY 2002-2003 Marion County Secondary Payroll Policy per Iowa Department of Transportation requirements. Ayes all. A copy of the Policy is available in the Marion County Auditor's Office.

De Joode moved and Valster seconded the approval of the bid from Midwest Contractors Inc. for the Marion County full depth pavement patching project. Ayes all. The bids were as follows:

Gus Construction Co.	\$71,771.00	TEK Builders	\$49,255.00
Midwest Contractors	\$47,914.60	Denco Corporation	\$58,832.00
Cedar Falls Const. Co.	\$63,193.54	Iowa Erosion Control	\$72,894.34

Valster moved and De Joode seconded the approval of the bid from Sta-bilt Construction Co. for the Marion County Bituminous Sealcoat Project. Ayes all. The bids were as follows:

Municipal Street Improvement	\$63,765.56
Manatts	\$60,793.50
Sta-bilt Construction Co,	\$59,055.98

Valster moved and De Joode seconded to approve the following Resolution:

WHEREAS, the Marion County Board of Supervisors, has received a request that Marion County review the speed limit on county road G-28 and

WHEREAS, the County Engineer has conducted an engineering study on county road G-28 from county road T-15 to the west city limits of Pella for the purpose of reevaluating the speed limit, and

WHEREAS, the result of the study found that the current speed signing does not allow adequate transition from the 55 mph speed zone on county road G-28 to the city posted speed zone of 35 MPH, and

WHEREAS, the County Engineer recommends a maximum speed limit of 45 M.P.H. be established on Highway G-28 west of Pella from the city limits line to 5375 feet west of the city limits line.

NOW THEREFORE BE IT RESOLVED that a maximum speed limit of 45 M.P.H. be established on Highway G-28 west of Pella from the city limits line to 5375 feet west of the city limits line.

Ayes all.

Valster moved and De Joode seconded to approve the request by the landowners of Dutchman's Landing to sealcoat Zuider Zee Drive and Groningen Court in the Dutchman's Landing Subdivision upon the proper payments to the Marion County Engineer's Office. Jeff Kruse, representing the West Dutchman Landing Group, indicated that 9 of 10 adjoining landowners were signed up on the project and the funds were available. Ayes all.

Roger Schletzbaum, Marion County Engineer's Office, gave an update on the current activities of the Secondary Road Department.

Jake Grandia, Marion County Commissioner of Elections, announced that his office had received Resolutions to call for another Local Option Sale Tax Election. The election will be September 24, 2002, for the people living in the cities of Knoxville, Bussey, and Hamilton. All of the people living in the County's townships and unincorporated towns will also have the opportunity to vote on the question. This does not effect any of the people living in cities of Pella, Harvey, Marysville, Melcher-Dallas, Pleasantville, and Swan which have already passed the tax.

De Joode moved and Valster seconded to approve a purchase contract with De Cook Farms Inc. for a right-of-way easement for a low water crossing near the covered bridge located South of Attica. Ayes all.

There being no other business, Valster moved and De Joode seconded the meeting be adjourned at 10:37 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

BOARD OF SUPERVISORS MEETING

FIFTEENTH DAY

JUNE 24, 2002

The Marion County Board of Supervisors met in special session June 24, 2002. Board members present were William G. Shepherd, K.C. Valster, and Bob De Joode.

Chairman Shepherd opened the public hearing at 10:45 A.M.

The meeting was for the Board to receive a presentation from Jim Twombly, City of Pella, and Harv Sprafka, City of Knoxville, regarding the percentage division of revenues from the Local Option Sales Tax in Marion County. Mr. Twombly also addressed the plans of the City of Pella to amend the boundaries of the Pella Southgate Urban Renewal Area.

The special meeting was adjourned at 11:00 A.M.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session June 24, 2002, for the purpose of a public hearing as published. Board members present were William G. Shepherd, K.C. Valster, and Bob De Joode.

Chairman Shepherd opened the public hearing at 9:10 A.M.

The hearing was in the matter of the road right-of-way vacation request brought forth by the Marion County Engineer's Office. The proposed road right-of-way vacation can be described as that part of road #741, being 40 ft. wide as recorded in Book #3, page 216 of the Road Record Book, established June 6, 1875, commonly referred to as Virginia Street and more particularly described as beginning 33 ft. East of the North ¼ corner of Section 36, Twp. 74, Range 21 of the 5<sup>th</sup> P.M., that being the East R.O.W. line of 65<sup>th</sup> Ave. thence East approximately 1 ¼ mile to a point 33 ft. West of the S.W. corner of the S.E. ¼ of the S.E. ¼ of Section 30, Twp. 74, Range 20 of the 5<sup>th</sup> P.M., that being the West R.O.W. line of 78<sup>th</sup> Ave.

The Board received two letters in opposition of the road right-of-way vacation. They are from adjoining landowners Robert W. Johnson and Jerry D. Stevenson. Marlene Stevenson, adjoining land owner, also publicly stated her opposition to the vacation. Dorothy Clark, adjoining land owner, asked if she could petition the County to open the road all the way through with a new bridge. Steve McCombs, Marion County Engineer's Office, stated she could petition for those improvements but that was an entirely new question with additional expenses. He stated the road now had a 40 ft. right-of-way easement and would need a 66 ft. easement for any upgrades and the adjoining landowners were not willing to give those easements.

There being no further public comment, DeJoode moved and Valster seconded to close the public hearing. Ayes all. The public hearing was adjourned at 9:20 A.M.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session July 8, 2002, with William G. Shepherd, K.C. Valster, and Bob De Joode present. Chairman Shepherd opened the meeting at 9:30 A.M.

Valster moved and De Joode seconded the minutes of June 24, 2002, be approved as published. Ayes all.

De Joode moved and Valster seconded to amend the approved June 10, 2002, minutes to correct the date from May 13, 2002. Ayes all.

De Joode moved and Valster seconded that warrants #127791 thru #127996 be approved for payment. Ayes all.

Chairman Shepherd read a letter received from the Pella Regional Health Center in response to a request for information from the Board of Supervisors on behalf of a group of concerned citizens. Valster moved and De Joode seconded to receive and file the letter. Ayes all. John De Nooy, concerned citizen, asked Chairman Shepherd if his question had been answered with Shepherd responding, "yes".

Valster moved and De Joode seconded to approve a three (3) year extension of the contract for transportation services between Marion County and Heart of Iowa Regional Transit Agency. Ayes all.

De Joode moved and Valster seconded to approve the Special 5 Day Class B Beer Permit for R & J Sail Iowa, LLC, d.b.a. Red Rock Marina beginning July 13, 2002. Ayes all.

Valster moved and De Joode seconded to approve the first reading of the Proposed Ordinance for Establishing a Local Office Fee for Uniform Commercial Code (UCC) Information Request. Ayes all.

De Joode moved and Valster seconded to renew the contract, when officially received, for Targeted Case Management Services between Marion County and the Iowa Department of Human Services based on the recommendation of Betty Moll, Marion County CPC. Ayes all.

De Joode moved and Valster seconded, upon recommendation from the Marion County Engineer, to table the request from R C & D for assistance in placing a fire protection water tank reservoir near Painted Rocks until further information could be obtained. Ayes all.

De Joode moved and Valster seconded to approve a Work Beyond R.O.W. Agreement with Rod Schakel and the Secondary Road Department. Ayes all.

Roger Schletzbaum, Marion County Engineer's Office, gave an update on the current activities of the Secondary Road Department.

Steve Edwards, Marion County Conservation Director, gave an update of the activities at the County Parks during the Fourth of July Holiday.

There being no other business, Valster moved and De Joode seconded the meeting be adjourned at 10:05 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in special session July 8, 2002, for the purpose of a public hearing as published. Board members present were William G. Shepherd, K.C. Valster, and Bob De Joode.

Chairman Shepherd opened the public hearing at 9:00 A.M.

The hearing was in the matter of the proposed County Ordinance of Establishing a Local Office Fee for Uniform Commercial Code (UCC) Information Request. Sandra Agan, Marion County Recorder, gave a presentation of the proposed ordinance. The fees would be collected upon an individual requesting information on UCC Filings. She indicated the number of these requests were very limited.

There being no further public comment, Valster moved and De Joode seconded to close the public hearing. Ayes all. The public hearing was adjourned at 9:10 A.M.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of Supervisors

BOARD OF SUPERVISORS MEETING

SEVENTEENTH DAY

JULY 15, 2002

The Marion County Board of Supervisors met in special session July 15, 2002. Board members present were William G. Shepherd, K.C. Valster, and Bob De Joode.

Chairman Shepherd opened the special meeting at 8:30 A.M.

The meeting was for the Board to discuss a proposed 28E Agreement between Marion County and the City of Pella involving Zoning and Subdivision Control.

The special meeting was adjourned at 8:55 A.M.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session July 22, 2002, with William G. Shepherd, K.C. Valster, and Bob De Joode present. Chairman Shepherd opened the meeting at 9:30 A.M.

Valster moved and De Joode seconded to add item #20, review and take action on a I.D.O.T. agreement and remove item #4, Treasurer's Semi-Annual Report, and approve the amended agenda as posted. Ayes all.

De Joode moved and Valster seconded the minutes of the July 8, 2002, be approved as published. Ayes all.

Valster moved and De Joode seconded that warrants #128064 thru #128299 be approved for payment. Ayes all.

Valster moved and De Joode seconded to receive and file the Marion County Sheriff's Quarterly and Annual Reports for the Fiscal Year 2001-2002. Valster asked for a clarification on the miscellaneous receipts portion of the Annual Report. Ayes all.

Valster moved and De Joode seconded to receive and file the following Marion County Care Facility Financial Report as of June 30, 2002.

Itemized Receipts:

Client Care Charges	193,063.66	
Day Care	54,675.00	
Respite	4,455.00	
Janitorial Service	0.00	
DMACC Teaching	3,366.00	
Miscellaneous	4,760.00	
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Total Receipts	260,319.66	
Total Expenditures	925,550.81	
Land & Building Value	1,662,239.00	
Inventory & Fixed Assets as of 6/30/00		248,800.00
Inventory & Fixed Assets as of 6/30/02		222,777.00

Cindy Rasmussen and Tammy Montgomery, Marion County Humane Society, asked the Board for assistance in finding a location for their new facility. They are looking for a piece of land, approximately 3 to 5 acres with some good road frontage. They would appreciate any assistance the County could give them.

Valster moved and De Joode seconded to approve the following Resolution:

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:

Carrie Carter	Rusty Beaty
Eric Goemaat	Phil Konrad
Shawn Veenstra	Curtis Van Vark
John Walker	Amanda Johnson

Adopted this 22nd day of July, 2002.  
Ayes all.

Valster moved and De Joode seconded to approve the 2<sup>nd</sup> Reading, waive the 3<sup>rd</sup> Reading, and approve the following Marion County Ordinance H960 establishing a Local Office Fee for Uniform Commercial Code (UCC) information requests in the Marion County Recorder's Office.

Ordinance Establishing a Local Office Fee for Uniform Commercial Code (UCC) Information Request.

Whereas, pursuant to Iowa Code 554.9525(4) an ordinance must be adopted to set the fee for responding to a request for information from the filing office, and

Whereas, the fee for responding to a request communicated in writing must not be less than twice the amount of the fee for responding to a request communicated by another medium authorized by the Secretary of State's Office or the Board of Supervisors for the filing office.

Now, Therefore, Be It Resolved, by the Board of Supervisors from Marion County, Iowa, that the fee for a Uniform Commercial Code information request shall be \$5.00 for each Debtor Name being requested if the request form is supplied, and \$6.00 for each Debtor Name requested if the filing office supplies the form. The fee for a copy of a filed UCC is \$1.00 per page.

Passed and adopted by the Marion County Board of Supervisors this 22nd day of July, 2002. Ayes all.

De Joode moved and Valster seconded to approve the following Resolution:

WHEREAS the Marion County Board of Supervisors approved the transfer of \$153,188.00 from the General Basic Fund and \$1,273,144.00 from the Rural Basic Fund to the Secondary Road Fund under the 02-03 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 transfer of \$153,188.00 from the General Basic Fund and \$1,273,144.00 from the Rural Basic Fund to the Secondary Road Fund be approved by the Marion County Board of Supervisors for the fiscal year of 2002-2003, and,

BE IT FURTHER RESOLVED that the Auditor and Treasurer be instructed to make the said transfer in a timely fashion. Ayes all.

De Joode moved and Valster seconded to approve the following Resolution:

A RESOLUTION CALLING FOR 100% FUNDING OF MILITARY SERVICE PROPERTY TAX EXEMPTION FOR THE 2002 – 2003 TAX COLLECTION YEAR.

WHEREAS, the Iowa Department of Revenue and Finance, in compliance with the Code of Iowa section 25B.7, is estimating the appropriations contained in Senate File 2326 as enacted by the 2002 regular session of the Iowa General Assembly and House File 2627 as enacted by the 2002 Special Session of the Iowa General Assembly, will fund only 97% of the value of the Military Service Property Tax Exemption, and

WHEREAS, the Board of Supervisors of Marion County, Iowa, in the best interest of the veterans of Marion County, Iowa, declares its intention to fully fund the Military Service Property Tax Exemption at 100% of the value allowed,

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Marion County, Iowa, that the Marion County Auditor be instructed to fund the Military Service Property Tax Exemption at 100% for the property tax year of 2002 – 2003. Ayes all.

Valster moved and De Joode seconded to approve the Joint Agreement with the City of Pella regarding the Amendment to the Pella Southgate Urban Renewal Plan. Ayes all.

Valster moved and De Joode seconded to approve the contract between Marion County and Capstone Center, Inc. for the period of time between July 1, 2002 to June 30, 2003 for chemical dependency and mental health services. Ayes all.

Valster moved and De Joode seconded to approve the Class C Beer Permit for Red Rock Quick Stop, Inc. Ayes all.

De Joode moved and Valster seconded to approve the Class C Beer Permit for Alice L. Avery d.b.a. Lakeridge Enterprises. Ayes all.

Valster moved and De Joode seconded, upon recommendation of the Marion County Engineer's Office to approve the low bid from Norris Asphalt Paving Company for the G-28 Overlay Project. Ayes all.

The bids were as follows: Norris Asphalt Paving Co. - \$636,731.96  
Cessford Constr. Co. - \$667,942.38  
Fred Carlson Co. Inc. - \$704,441.04

Valster moved and De Joode seconded to approve a Work Beyond R.O.W. Agreement with Lloyd Rietveld and Jeff Ewing with the Secondary Road Department. Ayes all.

Jay Davis and Steve Mc Combs, Marion County Engineer's Office, gave an update on the current activities of the Secondary Road Department.

Valster moved and De Joode seconded to approve Agreement No. 2003-TJ-001 with the Iowa Department of Transportation and Marion County for transfer of road jurisdiction involving the Iowa Highway 5 By-pass Project, pending proper publication and there being no objections filed. Ayes all.

There being no other business, Valster moved and De Joode seconded the meeting be adjourned at 10:00 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

BOARD OF SUPERVISORS MEETING      SEVENTEENTH DAY      JULY 22, 2002

The Marion County Board of Supervisors met in special session July 22, 2002 for the purpose of canvassing the vote from the July 16, 2002, City of Hamilton Special Franchise Election. Present were William G. Shepherd, K.C. Valster, and Bob De Joode.

Chairman Shepherd opened the special session at 8:00 A.M.

The canvass was completed and the results are on file in the Auditor's office.

Valster moved and DeJoode seconded that the special session be adjourned. Ayes all.  
The session was adjourned at 8:10 A.M.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of Supervisors

BOARD OF SUPERVISORS MEETING

EIGHTEENTH DAY

AUGUST 01, 2002

The Marion County Board of Supervisors met in special session August 01, 2002. Board members present were William G. Shepherd, K.C. Valster, and Bob De Joode.

Chairman Shepherd opened the special meeting at 10:00 A.M.

Valster moved and De Joode seconded to into enter closed session according to Iowa Code 21.5 and 22.7. for personnel matters. Ayes all.

Valster moved and De Joode seconded to adjourn the closed session. Ayes all.

Valster moved and De Joode seconded to adjourn the special session. Ayes all.

The special meeting was adjourned at 10:20 A.M.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session August 12, 2002, with William G. Shepherd, K.C. Valster, and Bob De Joode present. Chairman Shepherd opened the meeting at 9:30 A.M.

Valster moved and De Joode seconded to add item #17, review and take action on a Iowa Department of Transportation Agreement for Federal-Aid National Historic Covered Bridge Preservation, and approve the amended agenda as posted. Ayes all.

Valster moved and De Joode seconded the minutes of the July 22, 2002, and August 1, 2002, be approved. Ayes all.

De Joode moved and Valster seconded that warrants #128303 thru #128612 be approved for payment. Ayes all.

Valster moved and De Joode seconded to receive and file the Marion County Treasurer's Semi-Annual Report for the Fiscal Year 2001-2002. Ayes all.

The minutes of the August 1, 2002, Special Board Minutes were requested to be read.

De Joode moved and Valster seconded to approve a lease agreement with the State of Iowa for the benefit of DHS Case Management. Ayes all.

De Joode moved and Valster seconded to approve an agreement with Pine Rest Christian Mental Health Services for evaluation and outpatient therapy services. Ayes all.

Valster moved and De Joode seconded to approve the following Resolution:

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

WHEREAS, Marion County, Knoxville and Pella ("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 422 B of the Code of Iowa, 2001, 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, Pella has a local option sales and services tax that has been in effect since January 1, 2002; and

WHEREAS, Knoxville and Marion County are submitting the question of the imposition of a local option sales and services tax to the voters of Knoxville and the County, pursuant to Code of Iowa Chapter 422B, September 24, 2002; and

WHEREAS, Parties agree that the formula for distribution of revenues collected from the tax, if the same is adopted by County, as set out in the Code, 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 the Parties and of all of the citizens thereof that an agreement be reached concerning said alternative formula prior to the Marion County and Knoxville election.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MARION COUNTY, IOWA, THAT the Agreement pursuant to Iowa Code Chapter 28E between Marion County, Knoxville and Pella regarding the allocation of local option sales and services tax revenues be approved.

Ayes all.

Valster moved and De Joode seconded to approve the following Resolution:

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

WHEREAS, Marion County and Pella ("Parties") have determined that there is a need to formulate a workable program to maximize efficiencies of governmental administration with respect to building permits, planning, and zoning within certain jurisdictions; and

WHEREAS, Parties have determined that they should jointly exercise their powers under Chapters 28E and 422 B of the Code of Iowa, 2001, 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 needs; and

WHEREAS, Section 414.23 of the Iowa Code and Chapter 354 provides that a city may exercise zoning and platting jurisdiction into an unincorporated area up to two miles beyond the limits of such city; and

WHEREAS, Parties agree that "Subarea A" allows City to exercise exclusive building permit control, zoning, and platting jurisdiction and County will rescind their authority in said Area by Ordinance; and

WHEREAS, Parties agree that "Subarea B" allows the City to exercise exclusive platting jurisdiction; and

WHEREAS, Parties agree the City will increase their Planning and Zoning Commission, City Board of Adjustment, and City Community Development Committee by two members each with representatives of County; and

WHEREAS, it is in the best interest of the Parties and of all of the citizens thereof that an agreement be reached concerning said powers and duties.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MARION COUNTY, IOWA, THAT the Agreement pursuant to Iowa Code Chapter 28E between Marion County, Iowa and the City of Pella regarding the building permits, planning, and zoning be approved.

Vote Roll call: K.C. Valster – Yes  
Robert De Joode – No  
William G. Shepherd – Yes

Motion Approved.

De Joode moved and Valster seconded to approve the following Resolution:

WHEREAS, a public hearing was held at 9:00 A.M. on the 12<sup>th</sup> day of August, 2002, in the office of the Marion County Board of Supervisors on the matter of vacating roads or certain parts of roads under the jurisdiction of Marion County and,

WHEREAS, there being no objections to the vacating part of the Marion County road right-of-way as advertised and,

WHEREAS, there being no claim for damages,

NOW, THEREFORE BE IT RESOLVED THAT, those alleys in Block 1 of the Murr Addition in Columbia, Iowa, more particularly being described as being described 9.5 ft. wide and 157 ft. long and being bounded by South Columbia St. on the North and Church St. on the South, being located between lots 7 and 6, and lots 5 and 4.

BE HEREBY VACATED.

Ayes all.

Valster moved and De Joode seconded to approve the low bid of Dennis Parking Lot Maintenance for the semi-annual Pavement Marking Contract. Ayes all.

The bids were as follows - Dennis Parking Lot Maintenance - \$49, 695.03  
United Rentals Highway Technicians - \$53,796.42  
All Iowa Contracting - \$58, 438.35

De Joode moved and Valster seconded to approve the low bid of New Alliance FS for LP Gas for Marion County use. Ayes all.

The bids were as follows – New Alliance FS - \$.529 per gallon  
Two Rivers Coop - \$.553 per gallon

Valster moved and De Joode seconded to remove from the table a request from R.C. & D. for assistance from the County Engineer's Office to install a water tank reservoir in Red Rock Township. Ayes all.

Valster moved and De Joode seconded to approve the request of Jess Jackson, director of R.C. & D., to have the Secondary Road Department do a one time assist in a pilot project in placing a water reservoir tank in Red Rock Township. Ayes all.

De Joode moved and Valster seconded to approve a Work Beyond R.O.W. Agreement with Don Chamberlain, John Liike, and Jerry Stevens with the Secondary Road Department. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

Steve Edwards, Marion County Conservation Director, gave an update on the current activities of the Conservation Department.

De Joode moved and Valster seconded to approve the Iowa Department of Transportation Agreement for Federal-Aid National Historic Covered Bridge Preservation Program Project regarding the Hammond Covered Bridge. Ayes all.

There being no other business, Valster moved and De Joode seconded the meeting be adjourned at 10:03 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in special session August 12, 2002, for the purpose of a public hearing as published. Board members present were William G. Shepherd, K.C. Valster, and Bob De Joode.

Chairman Shepherd opened the public hearing at 9:00 A.M.

The hearing was in the matter of the road right-of-way vacation request brought forth by the Marion County Engineer's Office. The proposed road right-of-way vacation can be described as those alleys in Block 1 of the Murr Addition in Columbia, Iowa, more particularly being described as being 9.5 ft. wide and 157 ft. long and being bounded by South Columbia St. on the North and Church St. on the South, being located between lots 7 and 6, and lots 5 and 4.

Steve McCombs, Marion County Engineer's Office, gave an overview of the proposed right-of-way vacation. He stated the request came from a landowner that desired to build a building on his property that would encroach on the platted alley. McCombs noted there were no objections received from the surrounded land owners.

There being no further public comment, Valster moved and De Joode seconded to close the public hearing. Ayes all. The public hearing was adjourned at 9:10 A.M.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session August 26, 2002, with William G. Shepherd and Bob De Joode present. K.C. Valster was absent. Chairman Shepherd opened the meeting at 9:30 A.M.

De Joode moved and Shepherd seconded to approve the agenda as posted. Ayes all.

De Joode moved and Shepherd seconded the minutes of the August 12, 2002, Regular Board Meeting be approved. Ayes all.

De Joode moved and Shepherd seconded that warrants #128676 thru #128850 be approved for payment. Ayes all.

During the public portion segment of the meeting John De Nooy, concerned citizen, asked to speak to two items. The first question was deferred to Item #7 on the Agenda. The second question regarded a Resolution passed by the Board of Supervisors at their August 12, 2002, meeting. De Nooy questioned Supervisor K.C. Valster's vote on a Resolution to enter into an agreement with the City of Pella involving Zoning and Subdivision control in defined areas around Pella. De Nooy stated he believed Valster should have abstained from the vote because he owns land, and is Chair of the Pella Regional Health Center Board which owns land, in the effected areas. He believed this created a conflict of interest for Valster. Chairman Shepherd indicated he was not authorized to police each member's vote, but he would ask for a County Attorney's Opinion. De Nooy then asked Shepherd if he was prepared to go above the County Attorney as he believed that the County Attorney did not want to offend anyone. Shepherd stated he could not directly ask for an Iowa Attorney General's Opinion as that can only come from a County Attorney or a State Elected Official. Howard Westerkamp, concerned citizen, also joined in the discussion and questioned if the Board was following the Code of Iowa in this matter. Dody De Vries, concerned citizen, asked if this zoning and subdivision issue was final. The Board stated that this was their portion of an agreement only, and a County Ordinance would have to be passed to make the change official.

De Joode moved and Shepherd seconded, upon request of the Marion County Sheriff, to approve an amendment to the South Central Iowa Clandestine Lab Enforcement Mutual Aid Agreement to include the City of Oskaloosa and Mahaska County. Ayes all.

De Joode moved and Shepherd seconded to approve an annual maintenance agreement for snow removal on Iowa Highways #156 and #181 between Marion County and the Iowa Department of Transportation. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an overview of a proposed Resolution lowering the speed limit on Hwy T15 and Idaho Drive to 45 miles per hour. John De Nooy, concerned citizen, questioned the necessity of lowering the speed limit on this portion of road. He stated he appreciated the flashing lights that had been placed on T15, but recommended the Board wait on lowering this speed limit until after the new Dollar Bridge Road opens up next year. He felt people needed to take some responsibility for themselves at this intersection. Howard Pothoven, concerned citizen, stated he was not sure what the answer to the problems were at this intersection, but he didn't feel that lowering this limit was the step to take. Schletzbaum stated that the real problem was the traffic turning onto T15 from Idaho Drive. He still recommended lowering the speed limit as it would give the people traveling on T15 more time to react, but he was willing to revisit the issue after the bridge and road opened next year.

De Joode moved and Shepherd seconded to table the Resolution lowering the speed limit to 45 miles per hour on a portion of Highway T15 near the intersection of Idaho Drive. Ayes all.

De Joode moved and Shepherd seconded, upon recommendation of the County Engineer, to approve an agreement with Calhoun-Burns and Associates, Inc. for roadway paving design work on the new Dollar Bridge road for the amount of \$19,800.00 to come from Farm-to-Market Funds. Ayes all.

De Joode moved and Shepherd seconded to approve a contract with Gus Construction, Inc. of Casey, Iowa, for \$129,139.00 for construction of two low water crossings near the covered bridge and Charlie Spring Road. Ayes all.

De Joode moved and Shepherd seconded to approve an engineering agreement with Shuck-Briston, Inc. for \$15,350.00 for services regarding the Covered Hammond Bridge Project to be paid from grant funds. Ayes all.

De Joode moved and Shepherd seconded to approve Work Beyond R.O.W. Agreements with Stan Rempe and Geoffrey Shultz with the Secondary Road Department. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

There being no other business, De Joode moved and Shepherd seconded the meeting be adjourned at 10:27 A.M. Ayes all.

The Marion County Board of Supervisors met in regular session September 9, 2002, with William G. Shepherd and Bob De Joode present. K.C. Valster was absent. Chairman Shepherd opened the meeting at 9:30 A.M.

De Joode moved and Shepherd seconded to approve the agenda as posted. Ayes all.

De Joode moved and Shepherd seconded to amend and approve the minutes of the August 26, 2002, Regular Board Meeting. Ayes all.

De Joode moved and Shepherd seconded that warrants #128854 thru #129064 be approved for payment. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

Mike Kuhn, Director of Veterans Affairs and General Services, gave an overview of "A Day to Remember" on September 11<sup>th</sup> at 11:35 A.M. on the south side of the Courthouse.

Steve Edwards, Conservation Director, gave an update on the current activities of the Conservation Department.

There being no other business, De Joode moved and Shepherd seconded the meeting be adjourned at 9:40 A.M. Ayes all.

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LISA SHIVES, MARION CO DEPTUY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

BOARD OF SUPERVISORS MEETING      TWENTY SECOND DAY      SEPTEMBER 13, 2002

The Marion County Board of Supervisors met in special session September 13, 2002 for the purpose of canvassing the vote from the September 10, 2002, Regular School Board Election. Present were William G. Shepherd and Bob De Joode. K.C. Valster was absent.

Chairman Shepherd opened the special session at 8:10 A.M.

The canvass was completed and the results are on file in the Auditor's office.

De Joode moved and Shepherd seconded that the special session be adjourned. Ayes all.  
The session was adjourned at 9:07 A.M.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session September 23, 2002, with William G. Shepherd, K.C. Valster, and Bob De Joode present. Chairman Shepherd opened the meeting at 9:30 A.M.

Valster moved and De Joode seconded to approve the agenda as posted. Ayes all.

De Joode moved and Valster seconded the minutes of the September 9, 2002, and September 13, 2002, meetings be approved. Ayes all.

De Joode moved and Valster seconded that warrants #129112 thru #129349 be approved for payment. Ayes all.

Valster moved and De Joode seconded to approve the following Resolution:

WHEREAS, James E. and Gina L. Beal have caused certain real estate located in the Marion County, Iowa to be surveyed and platted, and have presented the final plat thereof to the Board of Supervisors of Marion County, Iowa for approval and acceptance; and

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

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

WHEREAS, said plat has been reviewed and approved by the Planning and Zoning Commission and the City Council of the City of Knoxville, Iowa;

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 final plat the following described real estate situated in Marion County, Iowa, known as "Beal Subdivision", and having a legal description as follows:

Commencing at the Center of Section 25, Township 76 North, Range 20 West of the 5<sup>th</sup> P.M., thence North 00°00' West 1251.7 ft. along the East line of the NW ¼ of said Section 25 to the point of beginning, thence South 89°19' West 284.65 ft., thence North 00°05' East 241.3 ft., thence North 89°52' East 284.3 ft., thence South 00°00' East 238.6 ft. along said East line of the NW ¼ to the point of beginning, containing 1.57 acres, more or less, including the established highway along the east side thereof which contains 0.41 acre.

be formally accepted and approved at this time. Ayes all.

Valster moved and De Joode seconded to approve a revised 28E Agreement with the State of Iowa Department of Transportation and Marion County for the Marion County Treasurer's Office to conduct driver's license issuance activities. Ayes all.

De Joode moved and Valster seconded to approve Wellmark Blue Cross/Blue Shield of Iowa to continue to act as administrator for the Marion County Employee Health Insurance Plan. Ayes all.

Valster moved and De Joode seconded to approve an agreement between Marion County and Tallgrass Historians for historical services for the Hammond Bridge Rehabilitation Project. The Federal Government requires the project be historically correct and documented if grant funds are used to pay for the project. Ayes all.

Valster moved and De Joode seconded to approve the lease agreement between the Marion County Engineer's Office and the Knoxville Water Works Board of Trustees for the use of Knoxville's water tower for radio antenna placement for the Engineer's radio communications. This is a five year lease at a cost of \$100.00 per year. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

There being no other business, Valster moved and De Joode seconded the meeting be adjourned at 9:40 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in regular session October 14, 2002, with William G. Shepherd, K.C. Valster, and Bob De Joode present. Chairman Shepherd opened the meeting at 9:30 A.M.

Valster moved and De Joode seconded to approve the agenda as posted. Ayes all.

De Joode moved and Valster seconded the minutes of the September 23, 2002, and September 30, 2002, meetings be approved. Ayes all.

De Joode moved and Valster seconded that warrants #129352 thru #129756 be approved for payment. Ayes all.

De Joode moved and Valster seconded to receive and file the Marion County Sheriff's Quarterly Report. Ayes all.

Valster moved and De Joode seconded to approve the appointments of Shelly Veldhuizen and Bill Shepherd to the Service Area Advisory Board for the Iowa Department of Human Services. Ayes all.

De Joode moved and Valster seconded to approve a Class B Beer Permit for Roger Carter, d.b.a. Wackos. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

There being no other business, Valster moved and De Joode seconded the meeting be adjourned at 9:44 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in regular session October 28, 2002, with William G. Shepherd, K.C. Valster, and Bob De Joode present. Chairman Shepherd opened the meeting at 9:30 A.M.

Valster moved and De Joode seconded to approve the agenda as posted with the addition of Carl Weyers to item #7. Ayes all.

De Joode moved and Valster seconded the minutes of the October 14, 2002, meeting be approved. Ayes all.

De Joode moved and Valster seconded that warrants #129804 thru #129995 be approved for payment. Ayes all.

Jon De Nooy, concerned citizen, asked Chairman Shepherd for an update on the status of the 28E Agreement between the City of Pella and Marion County regarding zoning and subdivision jurisdictions around the City. He also asked if there had been any official documentation sent between the two entities on the status of the agreement. Chairman Shepherd stated he was still waiting on a recommendation from the Marion County Attorney on how to proceed. Shepherd indicated he would consult with the Attorney again on the issue. De Nooy was concerned the City of Pella was proceeding with the Agreement and spending resources even though the County appeared to be hold. De Nooy asked Valster if he had any comments and Valster stated that at this point the vote on the Agreement was valid and Pella could proceed however they felt best.

Matt Young, concerned citizen, asked the Board to take a look at the new access road constructed for people at the new Dollar Bridge. He stated the road was not built wide enough to move the trailers and campers that were presently located there. He was unable to pull his camper out of the location because the road was too narrow and the corner had been constructed too tight. De Joode stated he would bring these concerns to the County Engineer's attention and research how the right-of-way had been acquired.

De Joode moved and Valster seconded to approve a Class C Beer Permit for the Tracy General Store. Ayes all.

De Joode moved and Valster seconded to approve the sale of 50 lots of County Property put up for sealed bid by the Engineer's Office. Ayes all. A list of the sale prices is available in the Auditor's Office.

Valster moved and De Joode seconded to approve Work Beyond R.O.W. Agreements with Leonard Langstraat and Carl Weyers with the Secondary Road Department. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

Steve Edwards, Marion County Conservation Director, gave an update on the current activities of the Conservation Department.

There being no other business, Valster moved and De Joode seconded the meeting be adjourned at 9:44 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in regular session November 12, 2002, with William G. Shepherd and Bob De Joode present. K.C. Valster was absent. Chairman Shepherd opened the meeting at 9:30 A.M.

De Joode moved and Shepherd seconded to approve the agenda as posted. Ayes all.

De Joode moved and Shepherd seconded the minutes of the October 28, 2002, meeting be approved. Ayes all.

De Joode moved and Shepherd seconded that warrants #129997 thru #130231 be approved for payment. Ayes all.

The Board held discussion with Jon De Nooy, concerned citizen, involving a possible conflict of interest with Board Member K.C. Valster's vote on a 28E Agreement involving zoning/subdivision jurisdictions between Marion County and the City of Pella.

Gene De Heer, concerned citizen, gave comments to the Board regarding his feelings towards the Board's potential action involving zoning/subdivision jurisdictions between Marion County and the City of Pella.

De Joode moved and Shepherd seconded to approve the appointment of Dennis Haselhuhn to fill the term of J.D. Karns until 12/31/2002 on the Marion County Board of Adjustment. Ayes all.

Shepherd read a letter from Marion County Attorney Terry Rachels concerning the 28E Agreement conflict of interest issue and his recommendations.

De Joode moved and Shepherd seconded to approve a motion to rescind the action of the August 12, 2002, on a 28E Agreement between Marion County and the City of Pella due to conflict issues. Ayes all.

De Joode moved and Shepherd seconded to approve Work Beyond R.O.W. Agreement with Bob Monsma with the Secondary Road Department. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

There being no other business, De Joode moved and Shepherd seconded the meeting be adjourned at 10:21 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

BOARD OF SUPERVISORS MEETING      TWENTY SEVENTH DAY      NOVEMBER 12, 2002

The Marion County Board of Supervisors met in special session November 12, 2002 for the purpose of canvassing the vote from the November 05, 2002, Regular General Election. Present were William G. Shepherd and Bob De Joode. K.C. Valster was absent.

Chairman Shepherd opened the special session at 8:15 A.M.

The Board recessed at 9:25 A.M until 10:35 A.M for it's regularly scheduled meeting.

The canvass was completed and the results are on file in the Auditor's office.

De Joode moved and Shepherd seconded that the special session be adjourned. Ayes all.  
The session was adjourned at 12:35 P.M.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session November 25, 2002, with William G. Shepherd, Bob De Joode, and K.C. Valster present. Chairman Shepherd opened the meeting at 9:30 A.M.

Valster moved and De Joode seconded to approve the agenda as posted. Ayes all.

De Joode moved and Shepherd seconded the minutes of the regular November 12, 2002 meeting and November 12, 2002 Canvass of Votes be approved. Roll call follows:

De Joode – Aye

Valster – Nay

Shepherd – Aye

Motion carried 2-1.

Valster moved and De Joode seconded that warrants #130369 thru #130696 be approved for payment. Ayes all.

Valster moved and De Joode seconded to approve the following Resolution:

WHEREAS, the Marion County Board of Supervisors approved the transfer of interest funds from General Basic Fund to Urban Renewal Bonds Fund under the 02-03 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 transfer of interest funds from General Basic Fund to Urban Renewal Bonds Fund be approved by the Marion County Board of Supervisors for the fiscal year of 2002-2003, and,

BE IT FURTHER RESOLVED that the Auditor and Treasurer be instructed to make the said transfer in a timely fashion equal to interest earned from the Urban Renewal Fund Balance.

Ayes all.

Valster moved and De Joode seconded to approve the following Resolution:

WHEREAS, there is a need to separate County expense and fixed assets, and

WHEREAS, there is a GASB34 requirement to capitalize all County expenditures for fixed assets, and

THEREFORE BE IT RESOLVED, that the Marion County Board of Supervisors approve capitalization of purchase at \$5,000 for fixed assets thus separating them from expense.

Ayes all.

Valster moved and De Joode seconded to approve the following Resolution:

WHEREAS, in the interest of safety and security for all Marion County employees and to establish guidelines for providing identification and proof of employment of all Marion County employees and,

WHEREAS, the Board of Supervisors of Marion County, Iowa intends to provide personal identification and proof of employment of Marion County employees and,

WHEREAS, Iowa Department of Transportation forms are available to provide personal identification and proof of employment for employees of Marion County and,

WHEREAS, a written policy has been prepared and presented for approval before the Board of Supervisors of Marion County, Iowa to be enacted into policy.

NOW THEREFORE BE IT RESOLVED, by the Board of Supervisors of Marion County, Iowa that the Policy on Marion County Employee Identification be presented and hereby accepted and adopted this 25th day of November, 2002.

Ayes all.

Valster moved and De Joode seconded to approve the following Resolution:

WHEREAS, in the interest of providing uniformity and procedure necessary for all departments of Marion County government to purchase goods, materials, equipment and services from vendors providing said services to Marion County and,

WHEREAS, the Board of Supervisors of Marion County, Iowa intends to provide the necessary uniformity and procedure for purchasing said goods, materials, equipment and services through means of establishing policy, and

WHEREAS, a written policy has been prepared and presented for approval before the Board of Supervisors of Marion County, Iowa to be enacted into policy.

NOW THEREFORE BE IT RESOLVED, by the Board of Supervisors of Marion County, Iowa that the Marion County Purchasing Policy be presented and hereby accepted and adopted this 25th day of November, 2002.

Ayes all.

De Joode moved and Valster seconded to approve the following Resolution:

WHEREAS, a public hearing was held at 9:00 AM on the 25th day of November, 2002, in the office of the Marion County Board of Supervisors and,

WHEREAS, there being no objections to the vacating of part of the Marion County road right-of-way as advertised and,

WHEREAS, there being no claim for damages,

NOW THEREFORE BE IT RESOLVED, that part of Rd. # 1074, being 40 ft. wide as recorded in Book 6, page 46 of the Road Record Book, but not in existence and more particularly described as beginning at a point 842.48 ft. North of the NW corner of the SE ¼ of the SW ¼ of Section 27, Twp. 75, Range 21 of the 5<sup>th</sup>. P.M., thence North on section line to the center of the NW ¼ of section 27.

BE HEREBY VACATED.

Ayes all.

De Joode moved and Valster seconded to approve Work Beyond R.O.W. Agreement with Troy Hugen and the Secondary Road Department. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

Steve Edwards, Marion County Conservation Director, gave an update on the current activities of the Conservation Department.

There being no other business, Valster moved and De Joode seconded the meeting be adjourned at 9:50 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in special session November 25, 2002, for the purpose of a public hearing as published. Board members present were William G. Shepherd, K.C. Valster, and Bob De Joode.

Chairman Shepherd opened the public hearing at 9:00 A.M.

The hearing was in the matter of the road right-of-way vacation request brought forth by the Marion County Engineer's Office. The proposed road right-of-way vacation can be described as that part of Rd. # 1074, being 40 ft. wide as recorded in Book 6, page 46 of the Road Record Book, but not in existence and more particularly described as beginning at a point 842.48 ft. North of the NW corner of the SE ¼ of the SW ¼ of Section 27, Twp. 75, Range 21 of the 5<sup>th</sup>. P.M., thence North on section line to the center of the NW ¼ of section 27.

Roger Schletzbaum, Marion County Engineer, gave an overview of the proposed road right-of-way vacation. He stated the ROW was actually a "paper road" and there had actually not been a road there since the 1930's.

Jim Colwell, adjoining landowner, expressed his desire to have a small portion of the ROW be left open for foot access to his property. He held general discussion with the Board about this issue.

There being no further public comment, DeJoode moved and Valster seconded to close the public hearing. Ayes all. The public hearing was adjourned at 9:15 A.M.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session December 9, 2002, with William G. Shepherd, Bob De Joode, and K.C. Valster present. Chairman Shepherd opened the meeting at 9:30 A.M.

Valster moved and De Joode seconded to approve the agenda as posted. Ayes all.

Valster moved and De Joode seconded the minutes of the November 25, 2002 meetings be approved. Ayes all.

Valster moved and De Joode seconded that warrants #130702 thru #130947 be approved for payment. Ayes all.

Valster moved and De Joode seconded to approve Work Beyond R.O.W. Agreement with Howard Aleff and the Secondary Road Department. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department. Schletzbaum presented a request to purchase a pickup through the departments regular budget. Valster moved and De Joode seconded to approve the purchase of the truck. Ayes all.

Steve Edwards, Marion County Conservation Director, gave an update on the current activities of the Conservation Department.

There being no other business, De Joode moved and Valster seconded the meeting be adjourned at 9:40 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in regular session December 23, 2002, with William G. Shepherd, Bob De Joode, and K.C. Valster present. Chairman Shepherd opened the meeting at 9:30 A.M.

Valster moved and De Joode seconded to approve the agenda as posted. Ayes all.

De Joode moved and Valster seconded the minutes of the December 9, 2002, meeting be approved. Ayes all.

De Joode moved and Valster seconded that warrants #130996 thru #131185 be approved for payment. Ayes all.

A group representing the Marion County Child Abuse Prevention Council presented a request for County assistance regarding general liability insurance coverage. The group consisted of Amy Leavitt, Marion County Child Abuse Prevention Council Director, and Dan Mc Kay and Meegan Mc Kay Ziller from Mc Kay Insurance. They asked the County to enter into a 28E Agreement with the Prevention Council to allow them to umbrella under the County's insurance for general liability coverage. Valster moved and De Joode seconded to pursue the 28E Agreement between the County and the Prevention Council. Ayes all.

Valster moved and De Joode seconded to approve the reappointment of Henry Bensink to a five year term on the Marion County Conservation Board ending December 31, 2007. Ayes all.

Valster moved and De Joode seconded to approve the reappointments of Dennis Haselhuhn and Jim Richards to the Marion County Board of Adjustment for a three year term ending December 31, 2005. Ayes all.

De Joode moved and Valster seconded to approve the reappointments of Grant Rankin and Pat Whitlatch to the Marion County Zoning Commission for a three year term ending December 31, 2005. Ayes all.

Sandy Agan, Marion County Recorder, asked the Board for permission to explore the possibility of donating obsolete Marion County records. She indicated there were approximately 52 Chattel Records books that could be properly disposed. She has contacted the Marion County Historical Society and Genealogy Society to inquire about their interest in these records. The law does not require the County to maintain them anymore. Valster moved and De Joode seconded to give the Recorder's Office the authority to find a new storage facility for these records by January 31, 2003. Ayes all.

Valster moved and De Joode seconded to approve the request of Nelson Bogaard to rezone his parcel of land located in Section 34, Township 77 North, Range 18 West, from Residential to Commercial. Ayes all.

Valster moved and De Joode seconded to approve the following Resolution approving the De Moss Subdivision Final Plat:

Whereas, William Harrington have caused certain real estate located in the Marion County, Iowa to be surveyed and platted, and have presented the final plat thereof to the Board of Supervisors of Marion County, Iowa for approval and acceptance; and

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

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

Whereas, said plat has been reviewed and approved by the Planning and Zoning Commission and the City Council of the City of Knoxville, Iowa;

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 final plat the following described real estate situated in Marion County, Iowa, known as "De Moss Subdivision", and having a legal description as follows:

Commencing at the Center of Section 3, Township 75 North, Range 19 West of the 5<sup>th</sup> P.M., thence South 90°00' East 19.9 ft. along the north line of the NW1/4 of the SE1/4 of said Section 3 to the point of beginning, thence South 90°00' East 1318.8 ft. to the NE Corner of said NW1/4 of the SE1/4, thence South 00°14' East 326.8 ft. along the east line of said NW1/4 of the SE1/4 to the north right-of-way line of the Burlington Northern Railroad, thence southwesterly along said right-of-way line on a 1472.5 ft. radius curve

concave southeasterly and subtended by a chord bearing South 56°30' West and a length of 712.8 ft., thence South 43°19' West 277.8 ft. along said right-of-way line, thence North 33°16' West 266.9 ft., thence North 48°25' West 249.3 ft., thence North 41°44' West 100.5 ft., thence North 20°07' West 139.3 ft., thence North 82°29' West 48.1 ft., thence North 05°48' East 92.5 ft., thence North 16°36' West 125.1 ft., thence North 06°53' West 100.5 ft. to the point of beginning containing 17.26 acres, more or less, including the public road established along the north side thereof which contains 1.00 acre.

be formally accepted and approved at this time. Ayes all.

De Joode moved and Valster seconded to approve the following Resolution approving the Connie's Corner Subdivision Final Plat:

Whereas, Norman Chrisman have caused certain real estate located in the Marion County, Iowa to be surveyed and platted, and have presented the final plat thereof to the Board of Supervisors of Marion County, Iowa for approval and acceptance; and

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

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

Whereas, said plat has been reviewed and approved by the Planning and Zoning Commission and the City Council of the City of Knoxville, Iowa;

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 final plat the following described real estate situated in Marion County, Iowa, known as "Connie's Corner Subdivision", and having a legal description as follows:

Beginning at the NE Corner of Section 5, Township 75 North, Range 19 West of the 5<sup>th</sup> P.M., thence South 00°00 East 561.3 ft. along the east line of the NE1/4 of said Section 5, thence North 85°15' West 655.0 ft., thence North 38°56' West 338.6 ft. to the centerline of Competine Creek, thence North 86°04' West 189.3 ft. along said centerline, thence South 30°02' West 95.3 ft. along said centerline, thence South 04°26' East 185.1 ft. along said centerline, thence North 89°05' West 252.2 ft., thence North 01°30' West 195.2 ft., thence South 89°51' West 673.0 ft., thence North 00°09' West 295.0 ft., thence North 89°51' East 1089.3 ft. along the north line of the NE1/4 of the aforesaid Section 5, thence North 73°57' East 965.4 ft. along the centerline of a public road, thence South 00°21' East 264.5 ft. along the east line of the SE1/4 of Section 32, Township 76 North, Range 19 West of the 5<sup>th</sup> P.M. to the point of beginning, containing 21.27 acres, more or less, including the public roads established along the north and east sides thereof which contain 4.48 acre.

be formally accepted and approved at this time. Ayes all.

De Joode moved and Valster seconded to approve the following Resolution approving "The Brook" Subdivision Final Plat:

Whereas, Donald L. Van Der Veer, filed with Marion County, Iowa, a final plat known as "The Brook" Subdivision, Plat 1, located in Marion County, Iowa, and more particularly described as follows, to-wit:

Beginning at the SW Corner of the SE ¼ of Section 5, Township 75 North, Range 20 West of the 5<sup>th</sup> P.M., thence North 00° 24' East 900.0 ft. along the West line of said SE ¼, thence North 89° 59' East 2624.5 ft., thence South 00° 56' West 304.0 ft. along the East line of the SE ¼ of the SE ¼ of the aforesaid Section 5, thence North 90° 00' West 166.1 ft., thence South 00° 42' West 266.0 ft., thence North 89° 58' West 322.9 ft. to the NW Corner of Lincoln Cemetery, thence South 00° 56' West 330.2 ft. along the West line of Lincoln Cemetery, thence North 90° 00' West 820.4 ft. along the South line of the SE ¼ of the SE ¼ to the SW corner thereof, thence South 89° 57' West 1307.7 ft. to the point of beginning, containing 49.41 acres, more or less, including the public road established along the East side thereof which contains 0.23 acres 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 John McCoy, Zoning Administrator, and has been approved by 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 Brook Subdivision, Plat 1, be formally accepted and approved at this time.  
Ayes all.

Valster moved and De Joode seconded to approve the following Resolution to approve a County-Owned Vehicle Use Policy:

Whereas, in the interest of the County, certain employees are provided vehicles for driving to and from work which are subject to calls for service after normal working hours and,

Whereas, the use of County vehicles will be subject to regulations issued by the Internal Revenue Service, and,

Whereas, the Board of Supervisors of Marion County, Iowa, intends to be in compliance with these Internal Revenue Service regulations, the County will designate the "Commuting Rule" method in calculating the value of the non-cash fringe benefit to the employee, and,

Whereas, a written policy has been prepared and presented for approval before the Board of Supervisors of Marion County, Iowa to be enacted into policy.

Now therefore be it Resolved by the Board of Supervisors of Marion County, Iowa that the Marion County Owned Vehicle Use Policy be presented and hereby accepted and adopted this 23rd day of December, 2002.  
Ayes all.

De Joode moved and Valster seconded to approve the following Resolution to approve a Open Flame Burning Devices Policy in Marion County owned facilities:

Whereas, The Board of Supervisors of Marion County, Iowa is aware of the burning of open flame devices in Marion County owned facilities, and

Whereas, in the interest of providing a safe work environment for employees in Marion County owned facilities, and

Whereas, it is in the best interest of Marion County to implement risk management procedures to minimize the potential risk and loss of Marion County facilities, and

Whereas, a policy has been written to prohibit the burning of open flame devices in all Marion County owned facilities.

Now Therefore Be It Resolved, by the Board of Supervisors of Marion County, Iowa that the Policy on Open Flame Devices in Marion County Facilities be hereby adopted as written and presented this 23rd day of December, 2002.  
Ayes all.

Valster moved and De Joode seconded to approve the following Resolution creating a Marion County HIPAA Committee:

To establish authority for Marion County, Iowa, to comply with the rules and regulations of the Health Insurance Portability and Accountability Act (HIPAA) as passed by the United States Congress in 1996.

Whereas, the United States Congress passed the Health Insurance Portability and Accountability Act (HIPAA) in 1996, and,

Whereas, the rules and regulations have been finalized to carry out the Act, and,

Whereas, it is in the best interest of Marion County to comply with those rules and regulations.

Now therefore be it Resolved by the Board of Supervisors of Marion County, Iowa, to name a HIPAA Privacy Official, Marion County Attorney Terry Rachels; a HIPAA Security Officer, Terry Rachels; and a HIPAA Oversight Committee, Terry Rachels, Marion County Auditor Jake Grandia, and Marion County Director of Public Health Kim Dorn, and give authorization to carry out the functions needed to comply with the Health Insurance Portability and Accountability Act (HIPAA) and is hereby accepted and adopted this 23rd day of December, 2002. Ayes all.

Valster moved and De Joode seconded to enter into an agreement with Calhoun and Burns Associates from Des Moines for Marion County bridge inspections for 2003 and 2004. Ayes all.

De Joode moved and Valster seconded to approve an amendment to the agreement with the Iowa Department of Transportation concerning the use of Marion County secondary roads as detours for the Highway 181 slide repair project. Ayes all.

Valster moved and De Joode seconded to approve Work Beyond R.O.W. Agreement with James Brooks and the Secondary Road Department. Ayes all.

Roger Schletzbaum, Marion County Engineer, gave an update on the current activities of the Secondary Road Department.

Steve Edwards, Marion County Conservation Director, gave an update on the current activities of the Conservation Department.

There being no other business, De Joode moved and Valster seconded the meeting be adjourned at 10:10 A.M. Ayes all.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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WILLIAM G. SHEPHERD, CHAIRMAN BOARD OF SUPERVISORS

BOARD OF SUPERVISORS MEETING      THIRTIETH DAY      DECEMBER 23 , 2002

The Marion County Board of Supervisors met in special session December 23, 2002, for the purpose of a public hearing as published. Board members present were William G. Shepherd and Bob De Joode. K.C. Valster was absent.

Chairman Shepherd opened the public hearing at 9:00 A.M.

The first item was Petition #2361. Nelson Bogaard requested his property, described as Parcel B of Section 34, Township 75N, Range 19W, be rezoned from Residential to Commercial. John McCoy, Marion County Zoning Director, gave an overview of the Petition. The Marion County Zoning Commission recommended approval. There had been no objections received from the City of Pella and it fit into their Comprehensive Plan. Bogaard explained the sequence of events surrounding the property which led to the zoning request. There being no further comment, De Joode moved and Shepherd seconded to close that portion of the public hearing. Ayes all.

The next agenda item was the De Moss Subdivision Final Plat located in Section 3, Township 75 North , Range 19 West. The final plat was submitted by William Harrington. McCoy gave an overview of the final plat stating it was a single parcel split. The location was within the 2 mile radius of the City of Knoxville and the City required the subdivision. The Marion County Zoning Commission recommended approval. There being no further comment, De Joode moved and Shepherd seconded to close that portion of the public hearing. Ayes all.

The next agenda item was the Connie's Corner Subdivision located in Section 5, Township 75 North, Range 19 West. The final plat was submitted by Norman Chrisman. McCoy gave an overview of the final plat request. The plat is located within 2 miles of the City of Knoxville. The city may request Chrisman to sign a waiver to pave the road to the homes at some point. The Marion County Zoning Commission recommended approval. Chrisman commented on the final plat process. There being no further comment, De Joode moved and Shepherd seconded to close that portion of the public hearing. Ayes all.

The final agenda item was "The Brook" Subdivision Final Plat located in Section 5, Township 75 North, Range 20 West. The final plat was submitted by Jim Vander Veer. McCoy gave an overview of the final plat request. The plat is not located within 2 miles of the City of Knoxville. The Marion County Zoning Commission recommended approval. There being no further comment, De Joode moved and Shepherd seconded to close that portion of the public hearing. Ayes all.

There being no further public comment, DeJoode moved and Shepherd seconded to close the public hearing. Ayes all. The public hearing was adjourned at 9:15 A.M.

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Jake Grandia, Marion County Auditor

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William G. Shepherd, Chairman Board of Supervisors

