

The Marion County Board of Supervisors met January 03, 2005, for their annual organizational meeting with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols 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 for the year of 2004. Nichols moved and Mater seconded for approval of Howard Pothoven as Chairman with authorization to sign for Official County Business. Ayes all.

Chairman Pothoven then assumed leadership of the meeting.

Mater moved and Pothoven seconded for approval of Sam L. Nichols as Vice-Chairman of the Marion County Board of Supervisors with authorization to sign for Official County Business. Ayes all.

Nichols moved and Mater 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.

Mater moved and Nichols seconded the approval of the following Resolution: Ayes all.

RESOLVED, that the Marion County Board of Supervisors of Marion County in Marion County, Iowa, approves the following list of financial institutions to be depositories of the Marion County funds in conformance with all applicable provisions of Iowa Code Chapters 452 and 453 (1983), as amended by 1984 Iowa Acts, S.F. 2220. The Named Offices and Officers is hereby authorized to deposit the Marion County funds in amounts not to exceed the maximum approved for each respective financial institution as set out below.

DEPOSITORY NAME	LOCATION OF HOME OFFICE	MAXIMUM BALANCE IN EFFECT UNDER PRIOR RESOLUTION	MAXIMUM BALANCE IN EFFECT UNDER THIS RESOLUTION
County Auditor, Wells Fargo Bank Iowa, N.A. (M.C. Emp. Acct.)	Knoxville	0	50,000
County Auditor, Wells Fargo Bank Iowa, N.A. (M.C. Dental Insurance Acct.)	Knoxville	0	100,000
County Auditor, Wells Fargo Bank Iowa, N.A. (Marion Co. VBA)	Knoxville	0	25,000
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 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	11,000,000	11,000,000
County Treasurer, Mercantile Bank(FIRSTAR)	Pella	2,000,000	2,000,000
County Treasurer, Marion County State Bank	Pella	3,000,000	3,000,000
County Treasurer, Pleasantville State Bank	Pleasantville	1,000,000	1,000,000
County Treasurer, Horizon Federal Savings	Oskaloosa	500,000	500,000
County Treasurer, Leighton State Bank	Leighton	1,000,000	1,000,000
County Treasurer, Pella State Bank	Pella	250,000	250,000
County Treasurer, Mercantile	Oskaloosa	2,000,000	2,000,000

Invest (FIRSTAR)			
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	25,000	25,000
Elderly Nutrition, State Bank of Bussey	Knoxville	25,000	25,000
Elderly Nutrition, Wells Fargo Bank Iowa, N.A.	Knoxville	25,000	25,000
Elderly Nutrition, Pleasantville State Bank	Pleasantville	25,000	25,000
Elderly Nutrition, Mercantile Bank (FIRSTAR)	Pella	25,000	25,000
Elderly Nutrition, Travis Trust, Wells Fargo Bank Iowa, N.A.	Knoxville	200,000	200,000
County Treasurer, Edward Jones Investments	Knoxville	1,000,000	1,000,000

Mater moved and Nichols seconded to reappoint Roger Schletzbaum as Marion County Engineer. Ayes all.

Nichols moved and Mater 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.

Mater moved and Nichols seconded the duties of the County Weed Commissioner be assigned to the Marion County Engineer's Department. Ayes all.

Mater and Nichols seconded the approval of the following Official Holidays as listed for the County. Ayes all.

New Years Day	Friday	December 31, 2004
President's Day	Monday	February 21, 2005
Memorial Day	Monday	May 30, 2005
Independence Day	Monday	July 4, 2005
Labor Day	Monday	September 5, 2005
Veteran's Day	Friday	November 11, 2005
Thanksgiving Day	Thursday	November 24, 2005
Friday after Thanksgiving	Friday	November 25, 2005
Christmas Day	Monday	December 26, 2005
Personal Floating Day		

Mater moved and Nichols seconded that Steve Edwards be reappointed as Marion County A.D.A. Coordinator. Ayes all.

Nichols moved and Mater seconded to approve the following Resolution: Ayes all.

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)	Ron Goemaat
Deputy (63-3)	Charles W. Puyear
Deputy (63-4)	Troy C. Fisher
Deputy (63-5)	Brad Sedlock
Lieutenant (63-6)	Timothy P. Cox
Deputy (63-7)	Bobbi J. Bassett
Deputy (63-8)	Brian P. Bigaouette
Deputy (63-9)	Matt Boender
Lieutenant (63-10)	Thomas J. Morgan
Deputy (63-11)	Jeffrey D. Koder

Mater moved and Nichols seconded the following Resolution: Ayes all.

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:

Virgel Behrens	Ed Marshall
Randy Brooks	Steve McCombs
Carrie Carter	Perry Penroy
Trapper Carter	Teresa Rietveld
Lee Dachenbach	Don Rowland
Doug DeRonde	Bill Simpson
Joe Ferguson	Shane Sweitzer
Eric Goemaat	Curtis Van Vark
John Greatbatch	John Walker
Valerie Green	Roger Wardenburg
Scott Jerkins	Robert Wittkowski
Jeff Lanser	Jeff Zentner

Nichols moved and Mater seconded to approve the following Resolution: Ayes all.

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, Gary Verwers 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:

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

Mater moved and Nichols seconded that Dr. John Kanis and Dr. Earl McKeever, or their representatives, be reappointed as the Marion County Medical Examiners. Ayes all.

Nichols moved and Mater seconded to designate the County Engineer, Roger Schletzbaum, to the South Central Iowa Solid Waste Authority Board with Howard Pothoven acting as the alternate. Ayes all.

Mater moved and Nichols seconded the following Board of Supervisor appointments to Boards and Commissions as listed. Ayes all

South Central Youth & Family Services	Dwight Mater Jr.	1 yr.
Capstone Center, Inc.	Sam L. Nichols	1 yr.

Central Iowa Education & Training Consortium (CIETC)	Howard Pothoven	1 yr.
5th Judicial District Advisory Board	Sam L. Nichols	1 yr.
Heart of Iowa Regional Transit Agency (HIRTA)	Howard Pothoven	1 yr.
Red Rock Community Action Program	Sam L. Nichols	1 yr.
Mental Health Institute Advisory Board	Dwight Mater Jr.	1 yr.
County Home Board	Howard Pothoven	1 yr.
	Dwight Mater Jr.	1 yr.
	Sam L. Nichols	1 yr.
Informational Meeting on Committee Reports	Howard Pothoven	1 yr.
	Dwight Mater Jr.	1 yr.
	Sam L. Nichols	1 yr.
Social Services Coordinating Board	Howard Pothoven	1 yr.
	Dwight Mater Jr.	1 yr.
	Sam L. Nichols	1 yr.
Area Aging Resources Board	Dwight Mater Jr.	1 yr.
FEMA Advisory Board	Howard Pothoven	1 yr.
Emergency Management Commission	Howard Pothoven	1 yr.
Heartland Resource Conservation & Development	Sam L. Nichols	1 yr.
Board of Health	Dwight Mater Jr.	1 yr.
Des Moines River Greenbelt Commission	Sam L. Nichols	1 yr.
Dept. of Justice-Courthouse Security Advisory Board	Dwight Mater Jr.	1 yr.
Mid Iowa Development Fund, Inc.	Sam L. Nichols	1 yr.
Child Welfare Decategorization Program-Exec. Board	Dwight Mater Jr.	1 yr.
Whitebreast Watershed Assoc.	Sam L. Nichols	1 yr.
	Jim Mc Coy, alternate	1 yr.
Pella Planning and Zoning Commission	Howard Pothoven	1 yr.
E-911 Board	Howard Pothoven	1 yr.
South Central Iowa Solid Waste Agency	Howard Pothoven	1 yr.
Marion County Safety Committee	Dwight Mater Jr.	1 yr.
S.E. Iowa 28E Contracting Consortium	Dwight Mater Jr.	1 yr.

Nichols moved and Mater seconded to approve the following appointments to the Marion County Civil Service Commission. Ayes all.

David “Buzz” Willoughby – term ending 12/31/06

Jim Nelson – term ending 12/31/10

There being no other business Mater moved and Nichol seconded the meeting be adjourned. Ayes all.

Meeting adjourned 10:05 A.M.

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JAKE GRANDIA, MARION COUNTY AUDITOR

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HOWARD POTHOVEN, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in a special work session January 5, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:00 A.M.

The Board held discussion on various County related operational topics.

There being no other business, Nichols moved and Mater seconded the meeting be adjourned at 12:30 P.M. Ayes all.

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JAKE GRANDIA, MARION CO. AUDITOR

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HOWARD POTHOVEN, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in a special work session January 6, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 1:00 P.M.

The Board held discussion on various County related operational topics.

There being no other business, Nichols moved and Mater seconded the meeting be adjourned at 3:14 P.M. Ayes all.

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JAKE GRANDIA, MARION CO. AUDITOR

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HOWARD POTHOVEN, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in regular session January 10, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

Nichols moved and Mater seconded to approve the agenda as posted. Ayes all.

Mater moved and Nichols seconded the minutes of the December 27, 2004 and January 3, 2005 meetings be approved. Ayes all.

Nichols moved and Mater seconded that warrants #144150 thru #144343 be approved for payment. Ayes all.

Mater moved and Nichols seconded to approve the Hometown News, Knoxville Journal Express, and Pella Chronicle as the designated County newspapers for official publications. Ayes all. This Board's decision was based off the Code of Iowa requirements if more than the required amount of publishers request becoming officially designated newspapers.

Nichols moved and Mater seconded, with the understanding that future contracts will be renegotiated, to approve the Subcontracts for the Elderly Nutrition Program and Senior Centers for fiscal year 2005. Ayes all.

Mater moved and Nichols seconded to approve the following appointments to County Boards. Ayes all.

Marion County Zoning Commission	Keith Davis	Term ending 12/31/2009
Marion County Board of Adjustment	Duane Ver Ploeg	Term ending 12/31/2005
Marion County Board of Adjustment	Linda Hicks	Term ending 12/31/2008

Nichols moved and Mater seconded to approve the following appointments to the Central Iowa Regional Transportation Planning Alliance (CIRTPA) for 2005. Ayes all.

Policy Committee – Roger Schletzbaum	Technical Committee – Roger Schletzbaum
Howard Pothoven – Alternate	Jay Davis - Alternate

Nichols moved and Mater seconded to approve Elected Official staff salary changes. Ayes all. A list is available in the Auditor's Office.

Mater moved and Nichols seconded to approve the appointment of Dr. Kevin Mace to the Marion County Board of Health for a term ending 12/31/2007. Ayes all.

Nichols moved and Mater seconded to receive and file the 2005 Marion County Compensation Board recommendation for elected officials salaries. Ayes all. Nichols noted that he appreciated the work the Compensation Board had done but disagreed with their process. Nichols and Mater then stated they would be recommending a 25% reduction to the recommended salary increases.

The following departments gave an update on current activities in their department.

Roger Schletzbaum, Marion County Engineer

Gary Verwers, Marion County Sheriff

Denise Emal, Marion County Treasurer

Jake Grandia, Marion County Auditor

There being no other business, Mater and Nichols seconded the meeting be adjourned at 10:28 A.M. Ayes all.

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JAKE GRANDIA, MARION CO. AUDITOR

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HOWARD POTHOVEN, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in a special work session January 12, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 11:00 A.M.

The Board held discussion on various County related operational topics.

There being no other business, Nichols moved and Mater seconded the meeting be adjourned at 12:20 P.M. Ayes all.

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JAKE GRANDIA, MARION CO. AUDITOR

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HOWARD POTHOVEN, CHAIRMAN BOARD OF SUPERVISORS



The Marion County Board of Supervisors met in a special work session January 13, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:00 A.M.

The Board held discussion on various County related operational topics.

There being no other business, Nichols moved and Pothoven seconded the meeting be adjourned at 11:40 A.M. Ayes all.

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JAKE GRANDIA, MARION CO. AUDITOR

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HOWARD POTHOVEN, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in a special work session January 17, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:45 A.M.

The Board held discussion on various County related operational topics regarding the County Engineer and Marion County Jail Project.

There being no other business, Nichols moved and Pothoven seconded the meeting be adjourned at 1:38 P.M. Ayes all.

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JAKE GRANDIA, MARION CO. AUDITOR

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HOWARD POTHOVEN, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in a special work session January 18, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:37 A.M.

The Board held discussion on various County related operational topics regarding the County CPC and Marion County General Relief & Veterans Affairs.

There being no other business, Nichols moved and Pothoven seconded the meeting be adjourned at 12:10 P.M. Ayes all.

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JAKE GRANDIA, MARION CO. AUDITOR

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HOWARD POTHOVEN, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in regular session January 24, 2005, with Howard Pothoven and Dwight Mater Jr. present. Sam L. Nichols was absent. Please note the vote totals exclude Nichols due to absence. Chairman Pothoven opened the meeting at 9:30 A.M.

Mater moved and Pothoven seconded to amend the agenda by removing Item #6, discuss and take action on approval of South Portville Development Subdivision Final Plat, and approve the agenda as amended. Ayes all.

Mater moved and Pothoven seconded the minutes of the January 10, 2005 meeting be approved. Ayes all.

Mater moved and Pothoven seconded that warrants #144388 thru #144623 be approved for payment. Ayes all.

General Discussion from Public – Rowe Winecoff, Capstone, introduced himself to the Board and held discussion regarding the services his agency provides and the status of their contract.

Mater moved and Pothoven seconded to approve the following Resolution:

Whereas, Park Hills Development Company, L.C. has 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 conforms in all respects with the laws of the State of Iowa;

Now, Therefore, Be It Resolved by the Marion County Board of Supervisors, that the final plat the following described real estate situated in Marion County, Iowa, known as "Park Hills Development Plat III", and having a legal description as follows: A subdivision of a parcel of land located in the SE ¼ of Section 28, Township 77 North, Range 19 West of the 5th P.M. in Marion County, Iowa, described as: Commencing at the SE Corner of Section 28, Township 77 North, Range 19 West of the 5th P.M., thence North 00°09' West 402.1 ft. along the east line of said Section 28 to the point of beginning, thence North 54°14' West 246.1 ft., thence Northwesterly on a 60.0 ft. radius curve concave Southwesterly and subtended by a chord bearing North 54° 14' West and a length of 100-0 ft., thence North 54°14' West 479.3 ft, thence Northwesterly on a 335.6 ft. radius curve concave Northeasterly and subtended by a chord bearing North 27°06' West and a length of 305.9 ft., thence North 00°00' West 815.9 ft., thence South 89°55' East 804.7ft. to a point on the east line of the SE ¼ of said Section 28, thence South 00°09' East 1569.7 ft. along said east line to the point of beginning containing 23.52 acres, more or less. be formally accepted and approved at this time. Ayes all.

Mater moved and Pothoven seconded to approve Planning and Zoning Petition #426 – Leland Shelton d/b/a Poort Shelton, L.C. request to change his property's zoning from C-2 to Agricultural of all the Commercial property on the West side of Hwy 5 plus the NW1/4 of the W1/2 Parcel B excluding Lots 1, 2, & 3 in Sections 17 & 18, Township 74N, Range 18W. Ayes all.

Mater moved and Pothoven seconded to receive and file the Marion County Sheriff's quarterly report ending 12/31/04. Ayes all.

Mater moved and Pothoven seconded to approve Elected Official staff salary adjustments. Ayes all. A list is available in the Auditor's Office.

The following departments gave an update on current activities in their department.

Roger Schletzbaum, Marion County Engineer

John McCoy, Marion County Planning and Zoning

Jake Grandia, Marion County Auditor

There being no other business, Mater moved and Pothoven seconded the meeting be adjourned at 9:47 A.M. Ayes all.

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JAKE GRANDIA, MARION CO. AUDITOR

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HOWARD POTHOVEN, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in special session January 24, 2004, for the purpose of a public hearing. Board members present were Howard Pothoven and Dwight Mater Jr. Board member Sam L. Nichols was absent.

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

Item #1: Planning and Zoning Petition #420 – Park Hills Development Company, L.C. requesting approval of Park Hills Subdivision III Final Plat located described as follows: A subdivision of a parcel of land located in the SE ¼ of Section 28, Township 77 North, Range 19 West of the 5th P.M. in Marion County, Iowa, described as: Commencing at the SE Corner of Section 28, Township 77 North, Range 19 West of the 5th P.M., thence North 00°09' West 402.1 ft. along the east line of said Section 28 to the point of beginning, thence North 54°14' West 246.1 ft., thence Northwesterly on a 60.0 ft. radius curve concave Southwesterly and subtended by a chord bearing North 54° 14' West and a length of 100-0 ft., thence North 54°14' West 479.3 ft, thence Northwesterly on a 335.6 ft. radius curve concave Northeasterly and subtended by a chord bearing North 27°06' West and a length of 305.9 ft., thence North 00°00' West 815.9 ft., thence South 89°55' East 804.7ft. to a point on the east line of the SE ¼ of said Section 28, thence South 00°09' East 1569.7 ft. along said east line to the point of beginning containing 23.52 acres, more or less.

John Mc Coy, Marion County Planning and Zoning Administrator, made note to the Board that Lot D in the subdivision was designated a private road, not public right-of-way, and was not for sale. He also stated the Marion County P & Z recommended approval of the request.

There being no further discussion, Mater moved and Pothoven seconded to close that portion of the public hearing. Ayes all.

Item #2: Planning and Zoning Petition #424 – Wayne Klein requesting approval of South Porterville Development Subdivision Final Plat located in Part of Lot F of Auditor's Plat of NE1/4 in Section 35, Township 76N, Range 18W. Public hearing was removed due to administrative reasons and will be rescheduled and published.

Item #3: Planning and Zoning Petition #426 – Leland Shelton d/b/a Poort Shelton, L.C. is requesting to change his property's zoning from C-2 to Agricultural of all the Commercial property on the West side of Hwy 5 plus the NW1/4 of the W1/2 Parcel B excluding Lots 1,2, & 3 in Sections 17 & 18, Township 74N, Range 18W.

McCoy stated the Marion County P & Z recommended approval of the request.

There being no public comment, Mater moved and Pothoven seconded to close that portion of the public hearing. Ayes all.

Mater moved Pothoven seconded to adjourn the public hearing. Ayes all. Meeting was adjourned at 9:20 am.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in a special work session February 2, 2005, with Howard Pothoven and Sam L. Nichols present. Dwight Mater Jr. was absent. Chairman Pothoven opened the meeting at 1:30 P.M.

The Board held discussion on various County related operational topics and the Red Rock Area Community Action Program.

There being no other business, Nichols moved and Pothoven seconded the meeting be adjourned at 2:20 P.M. Ayes all.

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JAKE GRANDIA, MARION CO. AUDITOR

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HOWARD POTHOVEN, CHAIRMAN BOARD OF SUPERVISORS

The Marion County Board of Supervisors met in a special work session February 7, 2005, with Howard Pothoven and Sam L. Nichols present. Dwight Mater Jr. was absent. Chairman Pothoven opened the meeting at 11:00 P.M.

The Board held discussion on operational topics with Marion County Engineer Roger Schletzbaum regarding the Secondary Road Department and with Mike Lewis regarding the Marion County Law Enforcement Project.

There being no other business, Nichols moved and Pothoven seconded the meeting be adjourned at 12:35 P.M. Ayes all.

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JAKE GRANDIA, MARION CO. AUDITOR

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HOWARD POTHOVEN, CHAIRMAN BOARD OF SUPERVISORS



The Marion County Board of Supervisors met in regular session February 14, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:45 A.M.

Mater moved and Nichols seconded to approve the agenda as posted. Ayes all.

Mater moved and Nichols seconded the minutes of the January 24, 2005 meetings be approved. Ayes all.

Nichols moved and Mater seconded that warrants #144626 thru #144973 be approved for payment. Ayes all.

Mater moved and Nichols seconded to accept and file the Marion County Treasurer's FY 04/05 Semi Annual Report. Ayes all.

Mater moved and Nichols seconded to approve the following Resolution:

Whereas, the Marion County's outstanding warrant list is showing a number of outdated warrants, a list of which is attached, and

Whereas, these checks have not been redeemed, and

Whereas, warrants from various funds date up to December 31, 2003,

Therefore Be It Resolved, that these checks be voided under the guidelines set forth by our software providers and the funds placed back in the fund balance in the amount shown. Ayes all.

After an overview by Sara Bixby, South Central Solid Waste Agency Director, Mater moved and Nichols seconded to approve the following Resolution:

The Purpose of this resolution is to approve the "Local Government Guarantee" as one of several financial assurance mechanisms for the South Central Iowa Solid Waste Agency.

Whereas, Section 455B.306 of the Code of Iowa requires financial assurance instruments for all sanitary disposal projects; and

Whereas, the Iowa Department of Natural Resources has adopted Chapter 567 111 of the Iowa Administrative Code, promulgating rules for financial assurance instruments; and

Whereas, Chapter 567 111.6 provides for the "Local Government Guarantee" mechanism to be an acceptable financial assurance instrument; and

Whereas, Marion County agrees that if the South Central Iowa Solid Waste Agency fails to perform closure or postclosure care in accordance with the appropriate plan or permit whenever required to do so or fails to obtain alternate financial assurance within 90 days of intent to cancel, Marion County will perform or pay a third party to perform closure and/or postclosure care or establish a standby trust fund in the name of the South Central Iowa Solid Waste Agency or obtain alternate financial assurance; and

Whereas, Marion County meets the requirements of the Iowa Administrative Code 111.6(8),

It Is Hereby Resolved By Marion County and The South Central Iowa Solid Waste Agency that it is in the best interests of the South Central Iowa Solid Waste Agency that financial assurance for closure and postclosure care, as is required by Chapter 111 of the Iowa Administrative Code be met through a "Local Government Guarantee" in the amount of \$44,388 made by Marion County in conformance with Section 111.6(8) of the Iowa Administrative Code.

This guarantee will remain in force unless Marion County sends notice of cancellation by certified mail to the South Central Iowa Solid Waste Agency and to the Department of Natural Resources. Cancellation may not occur, however, during 120 days beginning on the date of receipt of the notice of cancellation by Department as evidenced by the return of receipt. Ayes all.

Mater moved and Nichols seconded to approve Elected Official staff salary adjustments. Ayes all. A list is available in the Auditor's Office.

Nichols moved and Mater seconded to approve a liability agreement between Marion County and the Veteran's Administration Police to use the Marion County Firing Range. Ayes all.

Nichols moved and Mater seconded to approve the following Resolution:

Resolution fixing the time and place for receiving and canvassing bids and considering and passing a resolution for the award of \$5,100,000 General Obligation County Law Enforcement Center Bonds, Series 2005, and providing for the advertisement of such sale

Whereas, the Board of Supervisors of Marion County (the "County") has heretofore proposed to contract indebtedness and issue \$5,100,000 General Obligation County Law Enforcement Center Bonds, Series 2005 (the "Bonds"), to provide funds to pay the cost, to that amount, of constructing, furnishing and equipping a new Law Enforcement Center, and has called a special County election to vote on the question of issuing the Bonds, at which election the proposition was adopted by a vote in favor equal to at least 60% of the total votes cast for and against the proposition; and

Whereas, the County desires to offer the Bonds for public sale at this time and to provide for the advertisement of such sale;

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

Section 1. Sealed bids for the purchase of the Bonds shall be received and canvassed on behalf of the County at 10:00 o'clock a.m. on the 23rd day of February, 2005, at the Marion County Courthouse, Knoxville, Iowa, and the Board shall meet on the same date at 12:00 o'clock noon at the Marion County Courthouse, Knoxville, Iowa, for the purpose of considering such bids received and considering and passing a resolution providing for the sale and issuance of the Bonds.

Section 2. Pursuant to Section 75.14 of the Code of Iowa, this Board hereby authorizes the use of electronic bidding procedures for the sale of the Bonds through Parity, and hereby finds and determines that the Parity competitive bidding system will provide reasonable security and maintain the integrity of the competitive bidding process and will facilitate the delivery of bids by interested parties under the circumstances of this bond sale.

Section 3. The County Auditor is authorized and directed to publish notice of said sale, as provided by Chapter 75 of the Code of Iowa, in substantially the following form:

NOTICE OF SALE  
Marion County, Iowa  
\$5,100,000\* General Obligation County Law Enforcement Center Bonds,  
Series 2005

Bids will be received on behalf of Marion County, Iowa, until 10:00 o'clock a.m. on February 23, 2005, for the purchase of \$5,100,000\* General Obligation County Law Enforcement Center Bonds, Series 2005.

Any of the methods set forth below may be used, but no open bids will be accepted:

Sealed Bidding: Sealed bids will be received at the Marion County Courthouse, Knoxville, Iowa.

Electronic Internet Bidding: Electronic internet bids will be received at the Marion County Courthouse, Knoxville, Iowa, and must be submitted through Parity.

Electronic Facsimile Bidding: Electronic facsimile bids will be received at the Marion County Courthouse, Knoxville, Iowa, and will be sealed and treated as sealed bids.

After the deadline for receipt of bids has passed, sealed bids will be opened and announced, and electronic internet bids will be accessed and announced. All bids will be presented to the Board of Supervisors for consideration at its meeting to be held at 12:00 o'clock noon on February 23, 2005, at the Marion County Courthouse, Knoxville, Iowa, at which time the Bonds will be sold to the best bidder for cash.

The Bonds will be issued as fully registered bonds in denominations of \$5,000 or any integral multiple thereof, will be dated March 15, 2005, will bear interest payable semiannually on each June 1 and December 1 to maturity, commencing December 1, 2005, and will mature on June 1 in the following years and amounts:

Year	Principal Amount	Year	Principal Amount
2006	\$140,000*	2016	\$270,000
2007	\$195,000	2017	\$285,000
2008	\$200,000	2018	\$295,000
2009	\$210,000	2019	\$310,000
2010	\$215,000	2020	\$325,000

2011	\$220,000	2021	\$340,000
2012	\$230,000	2022	\$355,000
2013	\$240,000	2023	\$370,000
2014	\$250,000	2024	\$390,000*
2015	\$260,000		

\*The County reserves the right, after bids are opened and prior to award, to increase or decrease the principal amount of the Bonds maturing in 2006 and 2024. Any such increase or decrease will be made in multiples of \$5,000, and the total principal adjustments will not exceed \$140,000. The total principal amount of the Bonds issued will remain \$5,100,000. The purchase price will be adjusted proportionately to reflect any change in the principal maturities.

The right is reserved to the County to call and redeem the Bonds maturing in the years 2014 to 2024, inclusive, in whole or from time to time in part, in one or more units of \$5,000, on June 1, 2013, or on any date thereafter prior to maturity (and within a maturity by lot), upon terms of par and accrued interest.

Bidders must specify a price of not less than \$5,031,201, plus accrued interest. The legal opinion of Dorsey & Whitney LLP, Attorneys, Des Moines, Iowa, will be furnished by the County.

A good faith deposit of \$51,000 is required and may be forfeited to the County in the event the successful bidder fails or refuses to take and pay for the Bonds.

The Bonds are being issued pursuant to the provisions of Chapter 331 of the Code of Iowa and will constitute general obligations of the County, payable from taxes levied upon all the taxable property in the County without limitation as to rate or amount.

In order to permit bidders for the Bonds and other participating underwriters in the primary offering of the Bonds to comply with paragraph (b)(5) of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (the "Rule"), the County will covenant and agree, for the benefit of the registered holders and beneficial owners from time to time of the outstanding Bonds, in its continuing disclosure certificate, to provide certain specified information, if customarily prepared and publicly available, and notice of the occurrence of certain events, if material. The County is the only "obligated person" with respect to the Bonds within the meaning of the Rule and, giving effect to the issuance of the Bonds, there will not be more than \$10 million in principal amount of municipal securities outstanding on the date of issuance of the Bonds as to which the County is an obligated person (excluding municipal securities exempt from the Rule under paragraph (d)(1) thereof). A description of the undertaking is set forth in the Official Statement. Failure of the County to enter into an undertaking substantially similar to that described in the Official Statement would relieve the successful bidder of its obligation to purchase the Bonds.

Bidders should be aware that the official terms of offering to be published in the Official Statement for the Bonds contain additional bidding terms and information relative to the Bonds. In the event of a variance between statements in this Notice of Sale (except with respect to the time and place of the sale of the Bonds and the principal amount offered for sale) and said official terms of offering, the provisions of the latter shall control.

By order of the County Board of Supervisors of Marion County, Iowa. Ayes all.

Scott Thomas, Director of South Central Youth and Family Services Commission, presented his annual report and funding request.

Mater moved and Nichols seconded to approve Planning and Zoning Petition #422 – Family Home Center's request to change their property's zoning from Agricultural to C-2 in parts of the NE1/4 SW1/4, NW1/4 SE1/4, and SE1/4 SW1/4 in Section 36, Township 76N, Range 21W. Ayes all.

Mater moved and Nichols seconded to approve Planning and Zoning Petition #423 – Two Rivers Cooperative request to rezone their property described as the most southern 850' of the current M-1 zone, described as: (Pt. of SE1/4 of Section 22, Township 77N, Range 19W of the 5th P.M. lying Northeast of the centerline of Iowa Hwy 163 and southwest of the right of way of the C.R.I & P.R.R. Co., except the North 66' thereof) to M-2. Ayes all.

Mater also moved and Nichols seconded to accept and acknowledge the Board understands that anhydrous ammonia tanks will be located on the rezoned property. Ayes all.

Mater moved and Nichols seconded to approve the following Resolution:

Whereas, Wayne E. Klein and June Darlene Klein have filed with Marion County, Iowa, a plat of what is known as "South Porterville Development I", the same being a subdivision of the following described real estate situated in Marion County, Iowa, to-wit:

A part of Lot F of the NE 1/4 of Section 35, Township 76 North, Range 18 West of the 5th P.M., according to the Auditor's Plat thereof recorded in Plat Book 4, Page 187, Irregular Surveys Record described as follows: Commencing at the Northwest Corner of the NE 1/4 of the NE 1/4 of said Section 35, thence South 00° 48' East 953.9 feet to the point of beginning, thence continuing South 00° 48' East 217.8 feet, thence Southeasterly along a 163.7 foot radius curve concave northeasterly and subtended by a chord bearing South 12° 27' East and a length of 66.1 feet, thence continuing along said curve subtended by a chord bearing South 53° 58' East and a length of 163.0 feet, thence South 83° 50' East 945.6 feet, thence South 00° 42' West 1174.3 feet, thence South 89° 11' West 589.9 feet along the south line of the NE 1/4 of the aforesaid Section 35, thence North 26° 11' East 262.7 feet, thence North 29° 17' West 384.2 feet, thence South 89° 11' West 394.1 feet, thence North 00° 49' West 159.6 feet, thence North 36° 43' West 264.6 feet, thence North 07° 29' West 69.6 feet, thence North 37° 22' West 144.5 feet, thence North 24° 19' West 68.3 feet, thence North 07° 38' West 122.8 feet, thence North 22° 05' East 70.9 feet, thence North 03° 31' East 178.7 feet, thence North 03° 31' East 114.2 feet, thence South 89° 53' East 237.6 feet to the point of beginning; and,

Whereas, said South Porterville Development I has been reviewed and approved by the Marion County Engineer, and,

Whereas, the subdivision has been reviewed by the officers of Marion County, Iowa and 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 South Porterville Development I be formally accepted and approved at this time. Ayes all.

Nichols moved and Mater seconded to approve the following Resolution:

Whereas, Scott Beary and Nicole Beary have caused certain real estate located in 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 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 of the following described real estate situated in Marion County, Iowa, known as "Timber Rentals Subdivision", and having a legal description as follows: Commencing at the S¼ Corner of Section 21, Township 75 North, Range 19 West of the 5th P.M. in Marion County, Iowa, thence North 89°38' East 495.5 ft. along the south line of the SE¼ of said Section 21 to the point of beginning, thence North 00°25' East 450.2 ft., thence North 89°38' East 41.1 ft., thence North 05°31' West 585.4 ft., thence North 07°07' West 316.5 ft., thence North 31°21' East 211.4 ft., thence South 54°23' East 411.9 ft. along the centerline of Iowa Hwy. 5, thence South 00°25' West 1285.4 ft., thence South 89°38' West 384.4 ft. along the aforesaid south line of the SE¼ of Section 21 to the point of beginning containing 12.71 acres, more or less, including the public road established along the north side thereof which contains 0.32 acre.

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

Mater moved and Nichols seconded to approve an agreement with the Iowa Department of Transportation for use of Surface Transportation Program Federal Aide on the project that will overlay County Road G-76 from Hwy 5 (Attica) to Hwy 14. Ayes all.

Nichols moved and Mater seconded to approve the following Resolution:

Whereas, Hunters Ridge subdivision plats 1, 2, 3 and 4 are approved plats in Marion County and;

Whereas, the roads and related appurtenances constructed to date have been constructed and comply with the county's standards (the road north of 183<sup>rd</sup> place and connecting 182<sup>nd</sup> avenue and 182<sup>nd</sup> is not completed);

Whereas, the County is responsible to maintain only roads that are accepted into the county's secondary road system by the board of supervisors;

Now therefore be it resolved, that the roads constructed to date in Plats 1, 2, 3 and 4 of Hunters Ridge Subdivision be accepted into the Marion County Road system. Ayes all.

Mater moved and Nichols seconded to approve the 28E Agreement with the City of Marysville and the Marion County Engineer's Department for maintenance of certain roads regarding the law transferring the jurisdiction of Farm to Market Extensions in cities under 500 population in the County. Ayes all.

The following departments gave an update on current activities in their department.

Roger Schletzbaum, Marion County Engineer

Denise Emal, Marion County Treasurer

Kim Dorn, Community Health Services Director

Gary Verwers, Marion County Sheriff

Jake Grandia, Marion County Auditor

There being no other business, Nichols moved and Mater seconded the meeting be adjourned at 10:45 A.M. Ayes all.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session February 14, 2005, for the purpose of a public hearing. Board members present were Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols.

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

Item #1: Planning and Zoning Petition #422 – Family Home Center is requesting a rezoning from Ag to C-2 for manufactured home sales located in the part of the NE1/4 SW1/4, NW1/4 SE1/4, and the SE1/4 SW1/4 in Section 36, Township 76N, Range 21W. John Mc Coy, Marion County Planning and Zoning Administrator, gave an overview of the request and stated the Marion County P & Z recommended approval of the request.

There being no further discussion, Mater moved and Nichols seconded to close that portion of the public hearing. Ayes all.

Item #2: Planning and Zoning Petition #423 – Two Rivers Cooperative is requesting to rezone the property described as the most southern 850' of the current M-1 zone, described as: (Pt. of SE1/4 of Section 22, Township 77N, Range 19W of the 5<sup>th</sup> P.M. lying Northeast of the centerline of Iowa Hwy 163 and southwest of the right of way of the C.R.I & P.R.R. Co., except the North 66' thereof) to M-2 for anhydrous ammonia storage. McCoy gave an overview of the request and commented that issues had been resolved. The Marion County P & Z recommended approval of the request

There being no further discussion, Mater moved and Nichols seconded to close that portion of the public hearing. Ayes all.

Item #2b: Planning and Zoning Petition #423 – The Board of Supervisors gave public notice that they understand the location of the rezoning request and the subsequent placement of the anhydrous ammonia storage.

There being no further discussion, Mater moved and Nichols seconded to close that portion of the public hearing. Ayes all.

Item #3: Planning and Zoning Petition #424 – Wayne Klein requesting approval of South Porterville Development Subdivision Final Plat located in Part of Lot F of Auditor's Plat of NE1/4 in Section 35, Township 76N, Range 18W. McCoy gave an overview of the request. The board held lengthy discussion with adjoining landowners Helen and Don Boertje, Roger Boertje, and Simon Steenhoek Jr. who had concerns with the proposed subdivision. McCoy stated the Marion County P & Z recommended approval of the request and the landowner had not been required to complete the Subdivision Final Plat but was doing so as a request from the County.

There being no further discussion, Nichols moved and Mater seconded to close that portion of the public hearing. Ayes all.

Item #4: Planning and Zoning Petition #427 – Scott Beary is requesting approval of Timber Rentals Subdivision located in the S1/4 of Section 21, Township 75N, Range 19 West, for the placement of four mobile homes and eventually a home for himself. McCoy gave an overview of the request and stated the Marion County P & Z recommended approval. There being no public comment, Nichols moved and Mater seconded to close that portion of the public hearing. Ayes all.

Item #5: Marion County Engineer – Notice is hereby given to the affected property owners that Marion County will consider authorizing the commencement of a project to replace a bridge in Section 14, Township 77N, Range 18 West on 240<sup>th</sup> Place also known as Highway T-22. Roger Schletzbaum, Marion County Engineer, gave an overview of the project.

There being no public comment, Nichols moved and Mater seconded to close that portion of the public hearing. Ayes all.

Mater moved Nichols seconded to adjourn the public hearing. Ayes all. Meeting was adjourned at 9:40 am.

The Marion County Board of Supervisors met in special session February 22, 2005 for the purpose of canvassing the vote from the February 15, 2005, Pella Community School G.O. Bond Election for the County of Marion, Iowa. Present were Howard Pothoven, Sam L. Nichols, Dwight Mater Jr.

Chairman Pothoven opened the special canvass at 2:30 P.M.

The canvass was completed and the results are as follows:

Pella Community School G.O. Bond Public Measure A (60% passage)

Yes – 1,130

No – 311

Pella Community School G.O. Bond Public Measure B (60% passage)

Yes – 1,092

No – 355

Mater moved and Nichols seconded that the special canvass be adjourned. Ayes all.  
The canvass was adjourned at 2:35 P.M.

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Jake Grandia, Marion County Auditor

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Howard Pothoven, Chair Board of Supervisors

The Marion County Board of Supervisors met in a special session for the purpose of considering bids for the General Obligation County Law Enforcement Center Bonds, Series 2005 on February 23, 2005, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Pothoven opened the meeting at 12:00 P.M.

Jon Burmeister, Public Financial Management, gave the Board an overview of the 8 bids received for the bonds. Burmeister recommended awarding the bid on the \$5,100,000 General Obligation County Law Enforcement Center Bonds, Series 2005, to UMB Bank, n.a., Kansas City, Missouri, which proposed the lowest interest to the County.

Mater moved and Nichols seconded to accept the recommendation of Burmeister and award the bid to UMB Bank , n.a. Kansas City, Missouri. Ayes all.

Nichols moved and Mater seconded to approve Marion County Resolution 05/13 providing for the award and issuance of \$5,100,000 General Obligation County Law Enforcement Center Bonds and providing for the levy of taxes to pay the same. Ayes all.

Mater moved and Nichols seconded to accept the Continuing Disclosure Certificate in connection with the issuance of \$5,100,000 General Obligation County Law Enforcement Center Bonds, Series 2005, dated March 15, 2005. Ayes all.

Nichols moved and Mater seconded to approve a Paying Agent and Registrar and Transfer Agent Agreement between Bankers Trust Company, N.A. and Marion County, Iowa. Ayes all.

There being no other business, Nichols moved and Mater seconded the meeting be adjourned at 1:15 P.M. Ayes all.

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Jake Grandia, Marion County Auditor

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Howard Pothoven, Chairman Board of Supervisors



The Marion County Board of Supervisors met in regular session February 28, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

Mater moved and Nichols seconded to approve the agenda as posted. Ayes all.

Mater moved and Nichols seconded the minutes of the February 14, 2005 and February 22, 2005 meetings be approved. Ayes all.

Nichols moved and Mater seconded that warrants #145011 thru #145190 be approved for payment. Ayes all.

Mater moved and Nichols seconded to approve a contract with Capstone Behavioral Healthcare, Inc. for mental health and substance abuse services for fiscal year 2005/2006.

Mater moved and Nichols seconded to approve the following Resolution:

Whereas, Marion County has a bridge on 240th Place, bridge 78147584(FHWA 240950) and;  
Whereas, This bridge is on a Farm to Market route, and;  
Whereas, This bridge is eligible for federal bridge funding and;  
Whereas, This bridge is in need of repair and;  
Whereas, Construction of this bridge is included in the currently adopted County Five Year Plan and;  
Whereas, Funding is available through the IDOT, CIRPTA, and FHWA to fund a project to repair the bridge and;  
Whereas, Said repair of this bridge may involve the purchase of additional right of way and,  
Now Therefore, Be It Resolved that project to repair of bridge 78147584(FHWA 240950) shall be initiated. Ayes all.

Mater moved and Nichols seconded to approve the following Resolution:

Whereas, Marion County has a bridge on 228th Place, bridge 78260882 (FHWA 240990) and;  
Whereas, This bridge is on a Farm to Market route, and;  
Whereas, This bridge is eligible for federal bridge funding, and;  
Whereas, This bridge is in need of replacement and;  
Whereas, Construction of this bridge is included in the currently adopted County Five Year Plan and;  
Whereas, Funding is available through the IDOT, CIRPTA, and FHWA to fund a project to replace the bridge and;  
Whereas, Said replacement of this bridge may involve the purchase of additional right of way;  
Now Therefore, Be It Resolved that project to replace bridge 78260882 (FHWA 240990) shall be initiated. Ayes all.

Nichols moved and Mater seconded to approve change order #7 with Renaissance Roofing, Inc. on the Marion County Courthouse Re-Roof Project for a total of \$157,917.67. Ayes all.

The following departments gave an update on current activities in their department.  
Roger Schletzbaum, Marion County Engineer  
Steve Edwards, Marion County Conservation Director  
Jake Grandia, Marion County Auditor

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

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session February 28, 2005, for the purpose of a public hearing. Board members present were Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols.

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

Item #1: Marion County Engineer – Notice is hereby given to the affected property owners that Marion County will consider authorizing the commencement of a project to replace a bridge over Thunder Creek in Section 26, Township 77N, Range 18 West on 240<sup>th</sup> Place also known as Highway T-22. Roger Schletzbaum, Marion County Engineer, gave an overview of the project.

There being no public comment, Nichols moved and Mater seconded to close that portion of the public hearing. Ayes all.

Mater moved Nichols seconded to adjourn the public hearing. Ayes all. Meeting was adjourned at 9:10 am.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session March 14, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

Consent Agenda:

Nichols moved and Mater seconded to approve the agenda and consent agenda as follows. Ayes all.

1. Approval of Minutes – February 23, 2005, and February 28, 2005.
2. Approval of Claims – Warrants #145195 - #145474

Public Hearing:

1. Proposed Fiscal Year 2005/2006 Marion County Budget. Overview given by Jake Grandia, Marion County Auditor.

There being no further public comment, Nichols moved and Mater seconded to close the public hearing.

Resolution:

1. Nichols moved and Mater seconded to approve the following Resolution to provide for a notice of hearing on proposed plans, specifications, form of contract and estimate of cost for the County Law Enforcement Center Project, and the taking of bids therefore.

Whereas, the Board of Supervisors of Marion County, Iowa (the "County"), has determined that it is necessary and desirable that a public improvement be constructed as described in the proposed plans and specifications and form of contract prepared by The Durrant Group, the Project Architect for such public improvement, which may be hereafter referred to as the "County Law Enforcement Center Project" (and is sometimes hereinafter referred to as the "Project"), which proposed plans, specifications and form of contract and estimate of cost are on file with the Marion County Auditor; and

Whereas, it is necessary to fix a time and place of public hearing on the proposed plans, specifications and form of contract and estimate of cost for the Project and to advertise for sealed bids for the Project;

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

Section 1. The detailed plans and specifications, notice of hearing and notice to bidders, form of contract and estimate of cost referred to in the preamble hereof are hereby approved.

Section 2. The Project is necessary and desirable for Marion County, and it is in the best interests of the County to proceed with the construction of the Project.

Section 3. The amount of the bid security to accompany each bid is hereby fixed at 5% of the amount of the bid.

Section 4. The Board hereby delegates to the County Auditor the duty of receiving, opening and announcing the results of all bids for the construction of such Project, on the 12th day of April, 2005, at 2:00 o'clock p.m., at the Auditor's Office, County Courthouse, Knoxville, Iowa. The 25th day of April, 2005, at 9:30 o'clock a.m., at the County Courthouse, Knoxville, Iowa, is hereby fixed as the time and place of hearing on the proposed plans, specifications, form of contract and estimate of cost for the Project, and also as the time and place of considering bids received by the County Auditor in connection therewith.

Section 5. The County Auditor is hereby authorized and directed to give notice of the aforementioned hearing and taking of bids by publication of such notice in a newspaper of general circulation in Marion County, which publication shall be made not less than four nor more than twenty days prior to the time of the said hearing, all in conformity with Chapter 331 of the Code of Iowa. The said notice shall be in the form substantially as attached to this resolution.

Section 6. All provisions set out in the following form of notice are hereby recognized and prescribed by this Board and all resolutions or orders or parts thereof, to the extent the same may be in conflict herewith, are hereby repealed. Ayes all.

Other Business:

1. Mater moved and Nichols seconded to approve the Fiscal Year 05/06 Marion County Budget as presented. Ayes all.

2. Nichols moved and Mater seconded to approve an agreement with Capstone Behavioral Healthcare, Inc. to extend, with no modifications, an agreement that had originally ended June 30, 2004, until February 28, 2005, at which time the new negotiated contract began. Ayes all.

3. Mater moved and Nichols seconded to approve Elected Official staff salary adjustments. Ayes all. A list is available in the Auditor's Office.

4. Upon Betty Moll's, Marion County CPC, recommendation, Mater moved and Nichols seconded to approve an agreement with Mary Greeley Medical Center, Ames, IA, for mental health, mental retardation, and/or developmental disability services effective Jan. 01, 2005 thru Dec. 31, 2005. Ayes all.

5. Mater moved and Nichols seconded to table considering the contract with Ottumwa Regional Health Center for Mental Health and Substance Abuse services from Jan. 01, 2005, thru Dec. 31, 2006. Ayes all.

6. Nichols moved and Mater seconded to approve the suspension of the second half payment of property taxes due March 1, 2005, for Norma Leydens pursuant to Iowa Code 427.9. Ayes all.

7. Mater moved and Nichols seconded to approve a Work Beyond the Right of Way / Temporary Easement Agreement with Ned Fee in the backslope and ditches in the area of 150<sup>th</sup> Street and Quebec Drive. Ayes all.

8. Mater moved and Nichols seconded to approve a Work Beyond the Right of Way Agreement with James Hollingshead in the backslope and ditches in the area of 150<sup>th</sup> Street and Quebec Drive. Ayes all.

9. Mater moved and Nichols seconded to award a construction contract in the amount of \$47,561.50 with Herberger Construction Company to replace Marion County Bridge #61288983 on 40<sup>th</sup> Place located South of Pleasantville. Ayes all. Following are bids received: Herberger Const. - \$47,567.50 Iowa Bridge and Culvert - \$61,185.00

10. Nichols moved and Mater seconded to award a construction contract in the amount of \$80,843.50 with Herberger Construction Company to replace Marion County Bridge #78287851 on Elk Horn Drive located North of Pella. Ayes all. Following are bids received: Herberger Const. - \$80,843.50 Iowa Bridge and Culvert - \$96,494.95

11. Don Zoutte presented the Board with a request to replace the cannon located on the NE corner of the Courtyard with a Veterans / Soldiers Memorial. The project will be a permanent marker and would be constructed by volunteers.

12. Mater moved and Nichols seconded to approve the following appointments:

- Bill Buttrey, HIPAA Marion County Security Officer
- Jake Grandia, HIPAA Marion County Super User

13. The Board received a presentation by Tracy Peters and her associate, AFLAC representatives, regarding potential employee supplemental health insurance products.

Departmental Reports:

Roger Schletzbaum, Marion County Engineer  
Steve Edwards, Marion County Conservation Director  
Denise Emal, Marion County Treasurer  
Gary Verwers, Marion County Sheriff  
Kim Dorn, Marion County Community Health  
Jake Grandia, Marion County Auditor

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 10:55 A.M. Ayes all.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special work session March 23, 2005, with Howard Pothoven and Sam L. Nichols present. Dwight Mater Jr. was absent. Chairman Pothoven opened the meeting at 1:00 P.M.

Denise Emal, Marion County Treasurer, and Jake Grandia, Marion County Auditor, came to the meeting to discuss potential investment of Jail Bond Funds during the construction period. Two scenarios were given as follows, number one was with PFM Assets Management LLC; number two was with Marion County State Bank. After the presentation it was the consensus of the two Board members present to proceed with Marion County State Bank.

Terry Wilson came in and visited with the Board regarding the Rotary Clubs project of building a new Band Stand on the southwest side of the Courthouse. Pothoven and Nichols went outside with Mr. Wilson and other Rotary Club Members to look at the building site. Rotary Member Will Prather advised that they would come to an up coming Regular Board meeting and address the Board of Supervisors on the project.

There being no other business, Nichols moved and Pothoven seconded the meeting be adjourned at 2:08 P.M. Ayes all.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special session March 25, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 10:00 A.M. The following are minutes of the closed executive session portion of the special session.

Executive Session:

Chairman Pothoven gave the floor to Betty Moll, Marion County CPC.

Moll gave an explanation to the Board regarding the decision she had made regarding County funding on behalf of the applicant, Jeff Bradshaw. Betty indicated that she decided to stop funding the applicant at his current level and location. She decided to fund Bradshaw at a PMI with a higher level of care including more expense to the County based on the information she had received.

Jack Holveck, applicant's legal counsel, began questioning Moll regarding Lisa Liston, Bradshaw's caseworker. David Wells, Lisa Liston's DHS Supervisor, responded to the questions. He indicated Bradshaw had requested a new case manager on two different occasions. David was unwilling to change caseworkers within his control as they would recommend the same care as Liston. He did indicate he was willing to move Bradshaw to Adams, Taylor, and Union Case Management if they would have room to accept Bradshaw.

Holveck questioned Moll regarding her comments of "documented problems" with Bradshaw. Moll responded the information she referred to came from Liston's case manager's reports and there was no direct documentation from Megellion.(??)

Holveck asked if the new level of care would be more expensive to the County than Bradshaw's present funding. Moll responded yes. Discussion was held between Holveck, Wells, and Moll regarding different processes of funding.

Moll introduced Bradshaw's case file to the Board.

Holveck and Wells discussed the meaning of "voluntary basis of care". David agreed that Bradshaw would have to accept/agree to his services. Holveck questioned if Bradshaw would lose all funding if he refused the new level of care. David indicated that would probably be the case.

Holveck introduced Bradshaw's "outcome achievement plan". He suggested the plan indicated it required voluntary approval.

Holveck indicated that Liston had allegedly told Bradshaw he was under a 3 strike limit and she would pull his funding. Wells indicated Liston would not have the authority to pull Bradshaw's funding as that is a County decision.

Holveck questioned Jackie Loomis, Director of the Southwest Iowa Residential Facility (SIRF). He questioned her regarding her duties regarding Bradshaw, her analysis of Bradshaw, and an incident which allegedly occurred between Bradshaw and another client at the facility. She indicated it was her opinion that Bradshaw was complying with everything asked and she couldn't give a professional opinion as she was not a doctor.

Sam Nichols, Marion County Supervisor, asked Loomis if any Law Enforcement had been involved in the incident. Loomis responded there had not been and the compliant was written by the client's mother. She also indicated the alleged victim had approached Bradshaw on several occasions and seemed unafraid of him.

Moll asked Loomis how the staff had responded to the incident and temporary restraining order. Loomis responded with separation of two individuals.

Moll asked Bradshaw how much he was working in shelter care and what he did the rest of the time. Bradshaw responded 2 days and stayed at home the rest of the time. He also said he "understood, did his best, and tried to avoid the other client".

Howard Pothoven, Marion County Supervisor, asked Loomis how she worked directly with Bradshaw and why they were continuing with the temporary restraining order.

Loomis, and Doreen Rusk, Innovative Industries, indicated they believed neither sides attorneys could get prepared to deal with the situation.

Holveck questioned Rusk about her basic duties and involvement with Bradshaw. She indicated that Bradshaw was a "higher functioning" client and was achieving his program goals. She also indicated that Bradshaw had been inconvenienced by the restraining order and the other client had tried to approach Bradshaw on different occasions.

Dwight Mater, Marion County Supervisor, asked who was responsible to hold Bradshaw to the restraining order and who set up Bradshaw's plans and programs. Answer was Liston and previous case worker.

Rusk also indicated the facility had received an unsigned complaint of danger against Bradshaw in January 2005. They separated the two individual workdays at that point.

Bradshaw indicated he would like to continue working at Innovative Industries and in the Creston community.

Moll questioned Loomis about SIRF's billing hours while Bradshaw was home unsupervised. Loomis, Wells, and Moll then discussed funding laws and procedures.

Nichols questioned Bradshaw:

"Did the restraining order hurt or hinder you?" Bradshaw – "yes"

"Do you want to continue and have Marion County help you gain independence?" Bradshaw – "yes"

Mater talked to Bradshaw about the positive input from trained professionals to recommend an increased level of care. Bradshaw responded "I do not believe I need to go into a more restrictive environment to achieve life skills"

Holveck questioned Bradshaw about his basic living situations, education, lack of criminal record, and his level of improvement.

Bradshaw indicated he did not hurt the other client, cared for her romantically, had made friends and a support group in Creston.. Why should he have to do it all over again?

Pothoven asked Bradshaw how many people he knew in Creston when he moved there. "none"

Wells asked Bradshaw if he had talked to his therapist about the recommendations of care. "yes"

Nichols indicated he believed the comments about the "incident" between Bradshaw and the other client should be stricken as they were unable to question the other side of the situation.

Moll questioned Bradshaw about his living situation and arguments with his roommates. Bradshaw indicated he had a couple verbal arguments with his roommates.

Wells discussed with Loomis and Rusk about a prior meeting about Bradshaw's living situation. They all couldn't agree to that meeting.

A statement from Bradshaw's therapist was introduced.

Moll declined to give any closing arguments.

Holveck gave some general closing remarks and thank you's.

1. Nichols moved and Mater seconded too close the appeal hearing.

Motion failed. Roll call vote as follows: Mater – No Nichols – No Pothoven – No

2. Upon further discussion regarding the proper procedure to decide the appeal process, Mater moved and Nichols seconded to close the appeal hearing. Ayes all.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 11:59 A.M. Ayes all.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special session March 25, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 10:00 A.M.

Consent Agenda:

Nichols moved and Mater seconded to approve the agenda. Ayes all.

Public Hearings:

1. Pothoven opened the special mental health appeal hearing regarding a Marion County CPC program and funding decision on behalf of a Marion County resident applicant.

Executive Session:

1. Upon the request of the applicant, Nichols moved and Mater seconded to enter into executive session for the remainder of the appeal hearing based on Iowa Code 21.5(1)(a). Ayes all.

Reconvene:

1. Nichols moved and Mater seconded to reconvene in open session. Ayes all.

Public Comments: None

Resolutions: None

Other Business:

1. Nichols moved and Mater seconded to table Agenda Item IV., Action from Executive Session, Subsection #1, Discuss and take action on appeal from Executive Session. Ayes all.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 11:59 A.M. Ayes all.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors



The Marion County Board of Supervisors met in regular session March 28, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

Consent Agenda:

Nichols moved and Mater seconded to approve the agenda and consent agenda as follows. Ayes all.

1. Approval of Minutes – March 14, 2005, and March 23, 2005, work session.
2. Approval of Claims – Warrants #145506 - #145666

Public Hearings: None

Executive Session: None

Public Comments: None

Resolutions:

1. Mater moved and Nichols seconded to approve the following Resolution to approve the 2006 to 2010 Secondary Road County Five Year Program:

Whereas, Iowa Code 309.22 requires the County to annually adopt a secondary road construction program, and;

Whereas, the proposed construction program includes a project accomplishment list for the upcoming fiscal year and a project priority list for the succeeding four fiscal years and;

Whereas, the County Engineer has evaluated the transportation needs for the county and;

Whereas, The County's secondary road construction program is based on a projection of the funds available for the five year period,

Now Therefore, Be It Resolved that the County adopt the proposed secondary road construction program for the period of FY06 through FY10. Ayes all.

2. Mater moved and Nichols seconded to approve the following Resolution to adopt the new Road Maintenance Supervisor Position and modify the District Maintenance Supervisor position in the Secondary Road Department:

Whereas, the Secondary Road Department has undertaken a review of the organizational structure of the department and;

Whereas, this review has resulted in the need to utilize a Road Maintenance Supervisor position and;

Whereas, the position descriptions for this position and the District Maintenance Supervisor (Road Crew Supervisor) are in need of revision;

Now Therefore Be It Resolved, that the new position descriptions for these positions be adopt. Ayes all.

3. Mater moved and Nichols seconded to approve the following Resolution to adopt an addendum to previously approved contract between Marion County and G.I. Warehouse Incorporated relating to tax considerations effecting G.I. Warehouse Incorporated.

Whereas, Marion County has tendered an offer to G.I. Warehouse Corporation to buy certain property owned by G.I. Warehouse Corporation for the construction of a County Jail/ Law Enforcement Center; and

Whereas, said offer has been accepted; and

Whereas, G.I. Warehouse Corporation has requested an Addendum to said offer relating to certain tax considerations effecting G.I. Warehouse (and not effecting Marion County).

Now, Therefore, be it resolved by the Marion County Board of Supervisors that the requested Addendum, attached as Exhibit "A", be added to the Offer to Buy Real Estate from G.I. Warehouse Corporation approved on January 18, 2005. Ayes all.

Exhibit A: TAX FREE EXCHANGE. Seller and Buyer agree that it is the express intent of Seller to proceed with this transaction on the basis of a "like-kind" exchange which satisfies the requirements of Section 1031 of the Internal Revenue Code of 1986, as amended, and any treasury regulations thereunder. Accordingly, Seller shall have the privilege of substituting an independent intermediary to act

in place of Seller as the seller of the property sold hereunder. Seller shall designate the intermediary in writing, and upon the intermediary's written assumption of Seller's obligations hereunder, intermediary shall be substituted as a seller under this Contract. Buyer agrees to accept the property and all other required obligations under this Contract from the intermediary and to render the performance of all of Buyer's obligations under this Contract to the intermediary. Buyer agrees that the performance of this Contract by the intermediary will be treated as a performance of this Contract by Seller, and Seller agrees that the performance of this Contract by Buyer to the intermediary will be treated as a performance to Seller. In the event that Seller designates the intermediary, Seller shall unconditionally guarantee to Buyer the full and timely performance by the intermediary of each and every representation, warranty, indemnity, obligation, and undertaking of the intermediary pursuant to this Contract. As the guarantor, Seller shall be treated as the primary obliger with respect to those representations, warranties, indemnities, obligations, and undertakings, and in the event of breach thereof, Buyer may proceed directly against Seller on Seller's guarantee without the requirement of joining the intermediary as a party to the action against Seller. Seller unconditionally waives any defense that Seller might have as a guarantor that Seller would not have had if Seller had made or undertaken the representations, warranties, indemnities, obligations, and undertakings directly by Seller. Seller shall not be entitled to receive in any manner which would violate the provisions of Section 1031 of the Internal Revenue Code the proceeds of the sale agreed to hereunder.

4. Nichols moved and Mater seconded to approve the following Resolution amending Marion County Depository Limits.

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. Ayes all.

DEPOSITORY NAME	LOCATION OF HOME OFFICE	MAXIMUM BALANCE IN EFFECT UNDER PRIOR RESOLUTION	MAXIMUM BALANCE IN EFFECT UNDER THIS RESOLUTION
County Recorder, Wells Fargo Bank of Iowa, N.A.	Knoxville	45,000	100,000
County Recorder, Iowa State Savings Bank	Knoxville	20,000	30,000
County Recorder, Wells Fargo Bank of Iowa, N.A. (Vitals)	Knoxville	5,000	15,000
County Treasurer, Marion County State Bank	Pella	3,000,000	6,000,000

Other Business:

1. Nichols moved and Mater seconded to approve Elected Official staff salary adjustments. Ayes all. A list is available in the Auditor's Office.

2. Mater moved and Nichols seconded to deny the applicants appeal, heard during the March 25, 2005 appeal hearing, of the Marion County CPC's decision regarding mental health services and funding. Ayes all.

Appointments: None

Departmental Reports:

Roger Schletzbaum, Marion County Engineer  
Karen Schwanebeck, Marion County Recorder  
Denise Emal, Marion County Treasurer  
Betty Moll, Marion County Central Point Coordinator  
Kim Dorn, Marion County Community Health  
Jake Grandia, Marion County Auditor

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

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Jake Grandia, Marion Co. Auditor

Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session April 11, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

Consent Agenda:

Mater moved and Nichols seconded to approve the agenda and consent agenda as follows. Ayes all.

1. Approval of Minutes – March 28, 2005.
2. Approval of Claims – Warrants #145670 - #145901

Public Hearings: None

Executive Session: None

Public Comments: None

Resolutions:

1. Nichols moved and Mater seconded to approve the following Resolution to approve changing the bid date for the Marion County Law Enforcement Center Construction Project from April 12, 2005, to April 19, 2005:

Whereas, the Board of Supervisors of Marion County, Iowa (the "County"), has determined that it is necessary and desirable that a public improvement be constructed as described in the proposed plans and specifications and form of contract prepared by The Durrant Group, the Project Architect for such public improvement, which may be hereafter referred to as the "County Law Enforcement Center Project" (and is sometimes hereinafter referred to as the "Project"), which proposed plans, specifications and form of contract and estimate of cost are on file with the Marion County Auditor; and

Whereas, this Board previously set April 12 at 2:00 p.m. as the date and time for receipt of bids for the Project, but the Project Architect has requested that the Board extend such deadline until April 19;

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

Section 1. The Board hereby delegates to the County Auditor the duty of receiving, opening and announcing the results of all bids for the construction of such Project, on the 19th day of April, 2005, at 2:00 o'clock p.m., at the Auditor's Office, County Courthouse, Knoxville, Iowa.

Section 2. All resolutions or orders or parts thereof, to the extent the same may be in conflict herewith, are hereby repealed. Ayes all.

Other Business:

1. Mater moved and Nichols seconded to approve Work Beyond Right-of-Way with Helen Karr and Michael Romick. Ayes all.

2. Nichols moved and Mater seconded to approve a Right-of-Way Agreement with Gary Vermeer for construction of Project BROSCO 63(76) the Skunk River overflow bridge on 240<sup>th</sup> Place. Ayes all.

3. Randy Pleima, Mahaska Rural Water Systems, and Randy Finholt, Midwest Assistance Program, presented a process the Board could follow regarding the Iowa Department of Natural Resources notice of violation in the unincorporated town of Tracy's sewer problems. Nichols moved and Mater seconded to give Garden and Associates, Oskaloosa, Iowa, approval to conduct a Feasibility/Engineering Report on Tracy's sewer situation to be paid for by Mahaska Rural Water Systems with the understanding they stay involved in the project. Ayes all.

4. Mater moved and Nichols seconded to approve the renewal of a Class C Liquor License for D-Mack, Inc. d.b.a. Udders Steakhouse. Ayes all.

5. Mater moved and Nichols seconded to approve a new Class C Beer Permit for QT Ventures LLC. d.b.a. Red Rock Quick Shop. Ayes all.

6. Mater moved and Nichols seconded to approve the renewal of a Class C Beer Permit for the Columbia Store. Ayes all.

7. Nichols moved and Mater seconded to approve the authorization of the Deputy Auditor and Chief Accountant to accept and sign for Manure Management Plans presented to the County as required by the Iowa Department of Natural Resources. Ayes all.

8. Mater moved and Nichols seconded to approve the request by the Knoxville Chamber of Commerce and Larry Rowley, Marion County Farm Bureau, to place booths on the Marion County Courthouse Yard during the “Ag in the City” celebration June 24-25, 2005 with the stipulation the County is named as Additionally Insured on their insurance policies for the event. Ayes all.

9. Randall Handley, Cost Analysis Services, Inc., gave a presentation regarding the issue of a Jail Rate Cost Analysis to set jail rates for potential housing of federal prisoners with the US Marshall Service in the new Marion County Law Enforcement Center.

10. Mater moved and Nichols seconded to accept and approve the final Marion County 2004 Audit Report as presented by Hunt, Kain, and Associates, Oskaloosa, Iowa. Ayes all.

Appointments: None

Departmental Reports:

Roger Schletzbaum, Marion County Engineer  
Denise Emal, Marion County Treasurer  
Kim Dorn, Marion County Community Health  
Jake Grandia, Marion County Auditor  
Carla Ferguson, Marion County Economic Development

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 11:00 A.M. Ayes all.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special work session April 18, 2005, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Pothoven opened the meeting at 9:07 A.M.

The BOS received information and suggestions for the ongoing Marion County Employee Handbook revision project. Department heads and representatives of various departments offered ideas. The list of offices presenting follow:

Treasurer	County Care Facility	Sheriff
Zoning	Community Health	Development
Conservation	Recorder	Assessor
Engineer	Auditor	

There being no other business, Nichols moved and Mater seconded the meeting be adjourned at 12:00 P.M. Ayes all.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session April 25, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

Consent Agenda:

Mater moved and Nichols seconded to approve the agenda and consent agenda as follows. Ayes all.

1. Approval of Minutes – April 11, 2005.
2. Approval of Minutes – April 18, 2005 Work Session
3. Approval of Elected Official Staff salary adjustments – List available in the Auditor's Office
4. Receive and file Marion County Sheriff's FY 05 Quarterly Financial Report.
5. Approval of Claims – Warrants #145940 - #146116

Public Hearings:

1.) Law Enforcement Center – Plans and specifications of bids for the proposed County Law Enforcement Center Project. There be no public comment, Nichols moved and Mater seconded to close the public hearing. Ayes all.

2.) Planning and Zoning Petition #428 – Midwest Wireless request to rezone a parcel of land from Agricultural to C-2 for a Communications Tower located at 2456 Old Hwy 92, Tracy, Iowa. John McCoy, Marion County Zoning, and Curt Walter, Midwest Wireless, presented the plans of the proposed tower and rezoning request. There being no further public comment, Mater moved Nichols seconded to close the public hearing. Ayes all.

3.) Marion County Engineer - Vacate all or part of certain road rights-of-way as existing, in Marion County, Iowa, more particularly described as: An alley being 16ft. wide lying north and south located in Block 1 of the Pleasantview Addition to the town of Tracy, Iowa, situated between Woltz St. on the north and Needham St. on the south. Steve McCombs, Marion County Engineer's Office, presented an overview of the proposed vacation. There being no further public comment, Mater moved and Nichols seconded to close the public hearing. Ayes all.

Executive Session: None

Public Comments: None

Zoning Items:

1.) Mater moved and Nichols seconded to approve a request by Midwest Wireless to rezone a 470' x 410' parcel of ground from Agricultural to C-2 located at 2456 Old Hwy 92, Tracy, Iowa. Ayes all.

Resolutions:

1.) Nichols moved and Mater seconded to approve the following Resolution to approve and confirm plans, specifications and form of contract for the Marion County Law Enforcement Center Construction Project:

Whereas, this Board has heretofore approved plans, specifications and form of contract for the proposed County Law Enforcement Center Project (the "Project"), as described in the resolution providing for a notice of hearing on proposed plans and specifications, proposed form of contract and estimate of cost of the Project and the taking of bids therefor; and

Whereas, hearing has been held on objections to the proposed plans, specifications and form of contract and to the cost of the Project;

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

Section 1. The plans, specifications and form of contract referred to in the preamble hereof are hereby finally approved, and the prior action of the Board approving them is hereby finally confirmed, and the Project, as provided for in the plans, specifications and form of contract, is necessary and desirable.

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict. Ayes all.

2.) Mater moved and Nichols seconded to approve the following Resolution to vacate a segment of an alley in the town of Tracy, Iowa:

Whereas, a public hearing was held at 9:30 AM on the 25th. day of April, 2005, in the office of the Marion County Board of Supervisors and,

Whereas, it being in the best interest of Marion County to vacate the segment(s) of road as advertised and,

Whereas, the segment(s) to be vacated are described in further detail below,

Now therefore be it resolved that An alley being 16 ft. wide lying north and south located in Block 1 of the Pleasantview Addition to the town of Tracy situated between Woltz St. on the north and Needham St. on the south, subject to rights of ingress and egress by any and all existing utilities.

Be hereby vacated. Ayes all.

3.) Nichols moved and Mater seconded to approve the following Resolution to appoint a Sheriff Reserve Peace Officer:

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:

Darren Naaktgeboren. Ayes all.

#### Other Business:

1.) Mater moved and Nichols seconded to receive and accept the bids received on the Marion County Law Enforcement Center Project and to consider them at 9:30 A.M. on May 9, 2005. Ayes all. Bids received are as follows:

Merit Construction	\$5,237,000
Grooms & Co. Construction	\$5,379,000
Walter, Inc.	\$5,435,000

2.) Mater moved and Nichols seconded to approve the amendment of the Marion County Income Guidelines for Determination of Eligibility for Assistance in Marion County to be used by the Marion County General Assistance Office and Marion County Central Point Coordinator as recommended by Mike Kuhn, Marion County General Assistance and Veterans Relief. Ayes all.

3.) Will Prather and Jerry Jordan, Knoxville Rotary Club, presented the final plans regarding the construction of the Rotary Centennial Bandstand on the south lawn of the Marion County Courthouse. Mater moved and Nichols seconded to approve the request of the Knoxville Rotary Club to construct a bandstand on the Marion County Courthouse lawn, accept County responsibility of getting electricity to the bandstand, and assume maintenance and utility costs of said bandstand upon completion of the project. Ayes all. Mr. Prather further stated the Rotary Club would name the County as additionally insured during the construction of the project and would produce a Statement of Completion of the project when construction was final turning the ownership of the bandstand over to the County.

4.) John McCoy, Marion County Sanitarian, and Jack Pope, Garden and Associates, gave the Board an update of the ongoing sewer project in the town of Tracy.

Appointments: None

Departmental Reports:

Jay Davis, Marion County Engineer's Office  
Karen Schwanebeck, Marion County Recorder  
John McCoy, Marion County Planning and Zoning  
Jake Grandia, Marion County Auditor  
Carla Ferguson, Marion County Economic Development

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 10:45 A.M. Ayes all.



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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special work session May 3, 2005, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Pothoven opened the meeting at 1:05 P.M.

The BOS received information and options from Mike Lewis and Chris Osore, Durrant Group, regarding the bids received for the Marion County Law Enforcement Center Project.

There being no other business, Nichols moved and Mater seconded the meeting be adjourned at 2:35 P.M. Ayes all.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special work session May 5, 2005, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Pothoven opened the meeting at 9:00 A.M.

The BOS discussed the status of several ongoing County projects. Items discussed as follows:

HIRTA

Indiana Twp Township Hall / Firehouse

County job description project

County employee handbook revision

There being no other business, Nichols moved and Mater seconded the meeting be adjourned at 10:45 A.M. Ayes all.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session May 9, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

Consent Agenda:

Mater moved and Nichols seconded to approve the agenda and consent agenda as follows. Ayes all.

1. Approval of Minutes – April 25, 2005.
2. Approval of Minutes – May 3, 2005 and May 5, 2005 Work Sessions
3. Approval of Elected Official Staff salary adjustments – List available in the Auditor's Office
4. Approval of Claims – Warrants #146119 - #146376

Public Hearings: None

Executive Session: None

Public Comments: None

Zoning Items: None

Resolutions:

1.) Nichols moved and Mater seconded to reject considering the Resolution to authorize the appointment of an agent, Thomas J. Wilkinson Jr., to file an application for a preliminary permit for the County of Marion, Iowa, for the Red Rock Hydro Project. Ayes all.

2.) Mater moved and Nichols seconded to reject all previously received bids on the Marion County Law Enforcement Center Construction Project in place of approving a Resolution to award a contract on said project. Ayes all.

3.) Agenda Item: VIII. Resolutions (#3) was not considered due to the rejection of all the construction bids.

4.) Mater moved and Nichols seconded to approve entering into a 28E Agreement to create the South Central Iowa Clandestine Mutual Aid Agreement as follows:

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

Whereas, in order to better facilitate mutual law enforcement aid to and from other cities and/or counties to the extent of available personnel and equipment,

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 various law enforcement agencies from south central Iowa who may call upon other members for exchange of assistance as required, to fulfill the goal of disrupting and reducing the manufacture and distribution of methamphetamine and other illicit controlled substances in South Central Iowa, by improving the investigation and prosecution of said cases, to form the South Central Iowa Clandestine Lab Enforcement Mutual Aid Agreement. Ayes all.

Other Business:

1.) Mater moved and Nichols seconded to approve the request by the Lake Red Rock Marina for a new Class C Beer Permit with Sunday sales. Ayes all.

2.) Nichols moved and Mater seconded to approve the request by Karen Schwanebeck, on behalf of the Marion County Chapter of Thrivent Financial for Lutherans, concerning their annual Join Hands Day Project to be used to beautify the Courthouse grounds. Ayes all.

3.) Nichols moved and Mater seconded to approve a Work Beyond Right-of-Way Agreement with Jim and Mary O'Halloran and the Secondary Road Department. Ayes all.

Appointments:

Mater moved and Nichols seconded to approve the following appointment. Ayes all.

Misty White-Reinier – Assistant Marion County Attorney

Departmental Reports:

Roger Schletzbaum, Marion County Engineer  
Karen Schwanebeck, Marion County Recorder  
Denise Emal, Marion County Treasurer  
Ken Thraikill, Maintenance Director  
Jake Grandia, Marion County Auditor

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 10:20 A.M. Ayes all.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for special work sessions May 16, 2005, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Pothoven opened the meeting at 9:00 A.M.

The BOS discussed the status of several ongoing County projects during 3 work sessions. Items discussed as follows:

Elderly Nutrition Program – Kim Dorn and Dawn Beaver

Red Rock Lake Dam Corridor Traffic Project – Neil Hawkins, Center for Transportation Research and Education

Marion County Law Enforcement Center Construction Project – Mike Lewis, Durrant Group

There being no other business, Nichols moved and Mater seconded the meeting be adjourned at 2:30 P.M. Ayes all.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for special work sessions May 19, 2005, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Pothoven opened the meeting at 1:00 P.M.

The BOS received a presentation by Jack Lipovac, HR One Source, about his companies services regarding potential County human resource projects.

There being no other business, Nichols moved and Mater seconded the meeting be adjourned at 2:30 P.M. Ayes all.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session May 23, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

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

Ayes: Pothoven, Mater, and Nichols. Nays: none. Abstentions: none.

Consent Agenda:

Nichols moved and Mater seconded to approve the agenda and consent agenda as follows.

1. Approval of Minutes – May 9, 2005.
2. Approval of Minutes – May 16, 2005 and May 19, 2005 Work Sessions
3. Approval of Elected Official Staff salary adjustments – List available in the Auditor's Office
4. Approval of Claims – Warrants #146415 - #146584

Public Hearings: Open by Pothoven

1.) FY 04/05 Marion County Budget Amendment – Proposed amendment to the current FY 04/05 Marion County Budget as published. There being no public comment, Mater moved and Nichols seconded to close that portion of the public hearing.

2.) Marion County Engineer - Proposed matter of vacating all or part of certain road right-of-way as existing, in Marion County, Iowa, more particularly described as: An alley being 16 ft. wide, lying north and south located in Block 4 of the original Town of Tracy situated between Munsell St. on the north and Woltz St. on the south. There being no public comment, Nichols moved and Mater seconded to close that portion of the public hearing.

Executive Session: None

Public Comments: None

Zoning Items: None

Resolutions:

- 1.) Mater moved and Nichols seconded to approve authorizing the Marion County Engineer to erect a STOP sign as follows:

Whereas, the Marion County Board of Supervisors is empowered under authority of sections 321.236 and 321.255 of the Code of Iowa to designate any secondary road intersection under their jurisdiction as a STOP intersection and to erect STOP signs at one or more entrances to such intersection, and

Whereas, Marion County has jurisdiction over the East bound Traffic on Vermeer Road and,

Whereas, the County Engineer recommends the erection of a stop sign for the East bound traffic on Vermeer Road to promote the orderly flow of traffic and protect the public health, safety and welfare,

Now Therefore Be It Resolved by the Marion County Board of Supervisors that the Secondary road approach from the West for East Bound traffic on Vermeer Road be designated as a STOP approach to the above described intersection and that a STOP sign shall be erected.

- 2.) Mater moved and Nichols seconded to approve a Right-of-Way Road Vacation in Block 4 in the town of Tracy as follows:

Whereas, a public hearing was held at 9:30 AM on the 23rd. day of May, 2005, in the office of the Marion County Board of Supervisors and,

Whereas, it being in the best interest of Marion County to vacate the segment(s) of road as advertised and,

Whereas, the segment(s) to be vacated are described in further detail below,

Now therefore be it resolved that An alley being 16 ft. wide, lying north and south located in Block 4 of the original town of Tracy situated between Munsell St. on the north and Woltz St. on the south. Subject to rights of ingress and egress by any and all existing utilities.

Be hereby vacated.



Other Business:

1.) Nichols moved and Mater seconded to approve the FY 04/05 Marion County Budget Amendment.

2.) Mater moved and Nichols seconded to approve the following Appropriations to the FY 04/05 Marion County Budget due to the approval of the FY 04/05 Budget Amendment.

Whereas the Marion County Board of Supervisors approved a budget amendment for Fiscal Year 2004-2005, and

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

Therefore Be It Resolved that the following monies be appropriated for each amended department listed for the FY 04-05 year.

<u>Department</u>	<u>Original</u>	<u>Amendment</u>	<u>Total</u>
Sheriff	1,934,796	7,482	1,942,278
Engineer	5,681,926	66,200	5,748,126
Sanitation	75,701	4,000	79,701
Maintenance	388,542	15,000	403,542
Medical Examiner	31,360	9,000	40,360
Non-Departmental	4,152,724	503,314	4,656,038

3.) Mater moved and Nichols seconded to accept the Acknowledgement / Settlement Agreement with the Tracy General Store, Inc. in lieu of a public hearing and will serve as a first violation of Iowa Code Section 453A.2(1), pursuant to Iowa Code Section 453A.22(2)(a).

4.) Mater moved and Nichols seconded to approve the contract with Lucas County Health Center for Substance Abuse Treatment services for a period of one year beginning May 1, 2005.

5.) Nichols moved and Mater seconded to approve a contract from July 1, 2005, until June 30, 2008, with the Iowa Department of Human Services for Targeted Case Management Services in Marion County and a concurrently running office space lease agreement for Case Management Services in the Marion County DHS building.

6.) Nichols moved and Mater seconded to approve the bid of Matt Hicks for \$180.00 for several miscellaneous maintenance items as published. Hicks was the only sealed bid received.

7.) Nichols moved and Mater seconded to approve a new Class C Beer Permit for the Attica General Store.

8.) Mater moved and Nichols seconded to approve a Work Beyond Right-of-Way Agreement with Don Chamberlin and the Secondary Road Department.

9.) Jake Grandia, Marion County Auditor, presented an update to the Board regarding the ongoing Marion County Re-Codification project.

Appointments: None

Departmental Reports:

Roger Schletzbaum, Marion County Engineer  
Steve Edwards, Marion County Conservation Director  
John McCoy, Marion County Zoning  
Jake Grandia, Marion County Auditor  
Gary Verwers, Marion County Sheriff

Chairman Pothoven expressed gratitude from the Board towards Karen Schwanebeck and the Thrivent Financial for Lutherans for their beautification project on the Courthouse grounds.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 10:52 A.M. Ayes all.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for special work sessions June 3, 2005, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Pothoven opened the meeting at 8:30 A.M.

The BOS held discussion with Bill Buttrey, Marion County GIS, on potential County processes regarding electronic data information requests.

There being no other business, Nichols moved and Mater seconded the meeting be adjourned at 9:15 A.M. Ayes all.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for special work sessions June 6, 2005, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Pothoven opened the meeting at 10:30 A.M.

The BOS received an update from Roger Schletzbaum and Tom Wadle, Marion County Engineer's Office, regarding ongoing Secondary Road Projects and the staff restructuring process.

There being no other business, Nichols moved and Mater seconded the meeting be adjourned at 12:15 P.M. Ayes all.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session June 13, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

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

Ayes: Pothoven, Mater, and Nichols. Nays: none. Abstentions: none.

Consent Agenda:

Nichols moved and Mater seconded to approve the agenda and consent agenda as follows.

1. Approval of Minutes – May 23, 2005.
2. Approval of Minutes – June 3, 2005 and June 6, 2005 Work Sessions
3. Approval of Claims – Warrants #146589 - #146931

Public Hearings: None

Executive Session: None

Public Comments:

1.) Lyle Vander Meiden, landowner, held discussion with the Board regarding the recent addition of the stop signs at the intersection of Hwy G5T & Vermeer Road. The County Engineer will continue to investigate other possible solutions to the traffic problem in the area.

2.) Darrell Van Hall, Hunter's Ridge Developer, brought a request to the Board for the addition of speed limit and no parking regulations in Hunter's Ridge Development. The County Engineer will pursue both requests.

Zoning Items: None

Resolutions:

1.) Nichols moved and Mater seconded to approve the Central Iowa Regional Transportation Planning Alliance (CIRTPA) Fiscal Year 2006 Unified Planning Work Program as follows:

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 2006 Unified Planning Work Program and Budget for the period beginning July 1, 2005, through June 30, 2006.

2.) Mater moved and Nichols seconded to adopt the Marion County Transportation Policy on Drug and Alcohol Abuse as follows:

The Board of Supervisors adopted the Marion County Transportation Policy on Drugs and Alcohol Abuse at its board meeting on June 13, 2005. 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 it's 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.

Other Business:

- 1.) Presentation by Rachel Elgin regarding ongoing South Central Iowa Solid Waste Agency programs.
- 2.) Mater moved and Nichols seconded to approve one year Elderly Nutrition facility space contracts between Community Health Services of Marion County and the various meal site boards in Pleasantville, Bussey, Melcher-Dallas, and Pella.
- 3.) Nichols moved and Mater seconded to approve a one year agreement with Country Life Health Care, Inc. for administration services at the Marion County Care Facility beginning July 1, 2005.
- 4.) Mater moved and Nichols seconded to approve a contract with Pine Rest Christian Mental Health Services to provide mental health services to Marion County residents for one year beginning July 1, 2005.
- 5.) Nichols moved and Mater seconded to approve an agreement with HR-One Source for human resource management services on updating County job descriptions and performance evaluations.
- 6.) Nichols moved and Mater seconded to approve the Permit for Fireworks Display request by Federated Fellowship Church, Pella, on July 3, 2005, at Timber Ridge Subdivision near Pella.
- 7.) Mater moved and Nichol seconded to approve a 3 year agreement with Cost Advisory Services, Inc. to provide the County with Indirect Cost Analysis Services.
- 8.) Mater moved and Nichols seconded to approve a Work Beyond Right-of-Way Agreement with Bob Smith and the Secondary Road Department.
- 9.) Mater moved and Nichols seconded to approve a Work Beyond Right-of-Way Agreement with Wayne Langstraat and the Secondary Road Department.
- 10.) Nichols moved and Mater seconded to approve the request for the Knoxville Farmer's Market to utilize the west side of the Courthouse lawn from May 28, 2005 through October 8, 2005.

Appointments: Nichols moved and Mater seconded to approve the following appointments.

Commission of Veterans Affairs – Robert Gee – 3 year term beginning July 1, 2005.

Marion County Development Commission – Bill Lehner, Pella – 3 year term beginning July 1, 2005

Marion County Development Commission – Connie Lambirth, Bussey/Attica – 3 year term beginning July 1, 2005

Marion County Development Commission – Alan Terpstra, At-Large – 3 year term beginning July 1, 2005

Marion County Development Commission – Lana Pol, At-Large – Fill vacancy - term ending June 30, 2007

Marion County Development Commission – Dan Dennison, Melcher Dallas – Fill vacancy - term ending June 30, 2007

Marion County Development Commission – John Jensen, Knoxville – Fill vacancy - term ending June 30, 2007

Departmental Reports:

Roger Schletzbaum, Marion County Engineer

Kim Dorn, Marion County Community Health

Jake Grandia, Marion County Auditor

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 10:57 A.M. Ayes all.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for special work sessions June 13, 2005, with Howard Pothoven, Sam L. Nichols, and Dwight Mater Jr. present. Chairman Pothoven opened the meeting at 1:00 P.M.

The BOS received an update from Mike Lewis, Durrant Group, regarding the status of the Marion County Law Enforcement Center construction project.

There being no other business, Nichols moved and Mater seconded the meeting be adjourned at 2:30 P.M. Ayes all.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for special work sessions June 14, 2005, with Howard Pothoven and Dwight Mater Jr. present. Sam L. Nichols was absent. Chairman Pothoven opened the meeting at 8:30 A.M.

The Board updated each other on various boards each attend and coordinated meeting schedules.

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

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors



The Marion County Board of Supervisors met for special work sessions June 20, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:00 A.M.

The Board heard departmental updates from Betty Moll, Marion County Central Point Coordinator and Jeff Liston, DHS, regarding substance abuse and mental health funding. Roger Schletzbaum, Marion County Engineer, updated the Board on ongoing Secondary Road Projects.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 11:55 A.M. Ayes all.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for special work sessions June 21, 2005, with Dwight Mater Jr. and Sam L. Nichols present. Howard Pothoven joined the meeting at 9:10 AM. Vice-Chairman Nichols opened the meeting at 9:00 A.M.

The Board received a presentation by Terry Wilson, Genesis Development. Mr. Wilson described the range of mental health and management activities his company provides throughout the State to other Counties.

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

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special work session June 24, 2005, with Dwight Mater Jr., Sam L. Nichols, and Howard Pothoven present. Chairman Pothoven opened the meeting at 2:00 P.M.

The Board discussed several ongoing County activities including the Senior Citizens Center Contract in Knoxville, the County Care Facility, meeting updates by Dwight Mater, workman's compensation, Genesis Development, and the County Handbook.

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

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session June 27, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

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

Ayes: Pothoven, Mater, and Nichols. Nays: none. Abstentions: none.

Consent Agenda:

Nichols moved and Mater seconded to approve the agenda with the addition of item IX. (#5) Discuss and take action on request by Terry Hoch dba Wacko's for a new Class B Beer Permit and consent agenda as follows.

1. Approval of Minutes – June 13, 2005.
2. Approval of Minutes – June 14, 20, 21, & 24, 2005 Work Sessions
3. Approval of Claims – Warrants #147008 - #147207

Public Hearings: Open - Chairman Pothoven.

1.) Planning and Zoning Petition #434: Brandon & Candy Wilson are requesting the review and approval of Hodges Yankee Hollow Subdivision located at the legal description of: Commencing at the W 1/4 Corner of Section 9, Township 75 North, Range 19 West of the 5th P.M., thence North 89° 44' East 1321 .9 feet to the NW corner of the NE 1/4 of the SW 1/4 of said Section 9, thence South 00° 31' West 781.9 feet, thence South 74°34' East 346.0 feet, thence South 03° 09' East 453.1 feet to the point of beginning, being the NW corner of Parcel B of the SE 1/4 of the SW 1/4, thence South 12° 46' East 528.5 feet along the west line of said Parcel B, thence North 89° 32' West 481.5 feet, thence North 00° 10' East 514.5 feet, thence South 89° 32' East 363.3 feet to the point of beginning containing 4.99 acres more or less. John McCoy, Marion County Planning and Zoning, gave an overview of the petition. The Marion County Zoning Commission approved the request. There being no further public comments, Nichols moved and Mater seconded to close that portion of the public hearing.

2.) Planning and Zoning Petition #435: USCOC d/b/a US Cellular is requesting to rezone a parcel of land owned by Dennis Murr, from Ag to C-2 for the placement of a cell tower. The legal description of the property being: Part of the Southwest Quarter of the Northwest Quarter of Section 13, Township 74 North, Range 21 West of The Fifth Principal Meridian, Marion County, Iowa, Described As Follows: Commencing At The West Quarter Corner Of Section 13, Township 74 North, Range 21 West Of The Fifth Principal Meridian; Thence NO°19'05"W, Along The West Line Of The Northwest Quarter Of Said Section 13, 653.26 Feet; Thence N89° 40'55"E, 33.00 Feet To The East Right Of Way Of 60th Avenue And The Point Of Beginning; Thence Continuing N89°40'55"E, 520.00 Feet; Thence N0°19'05"W 520.00 Feet, Thence S89° 40'05"W, 520.00 Feet To Said East Right Of Way; Thence S0° 19'05"E Along Said East Right Of Way, 520.00 Feet To The Point Of Beginning. Said Parcel Contains 6.21 Acres, Subject To Easements And Restrictions Of Record. McCoy gave an overview of the request. Representatives from US Cellular gave a brief presentation to the Board explaining the expanded service the tower will give the residents of the Melcher-Dallas area. There being no further public comment, Nichols moved and Mater seconded to close that portion of the public hearing.

3.) County Engineer: Notice to Vacate: Be it resolved by the Marion County Board of Supervisors that the matter of vacating all or part of certain road rights-of-way as existing, in Marion County, Iowa, more particularly described as: A segment of road established May 30, 1856 and recorded in the Road Record Book as Road # 163 at 66 feet wide and being more particularly described as beginning at the Northwest corner of the Southeast 1/4 of the Southeast 1/4 of Section 29, Township 75 North, Range 19 West of the 5th. P.M., thence north to the west right-of-way line of a local road known as 150th. Place. Subject to rights of ingress and egress of any and all existing utilities. Roger Schletzbaum and Steve McCombs, Marion County Engineer's Office, gave an overview of the proposed vacation. Alfred Anderson, adjoining landowner, commented that he had no issues with the proposed vacation. There being no further public comment, Nichols moved and Mater seconded to close that portion of the public hearing.

Nichols moved and Mater seconded to close the public hearing.

Executive Session: None

Public Comments: None

Zoning Items: None

Resolutions:

1.) Nichols moved and Mater seconded to appropriate County departmental monies for the Fiscal Year 2005-2006.

Whereas the Marion County Board of Supervisors approved the budget for Fiscal Year 2005-2006, 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 05-06 year.

Supervisor	166,514
Auditor	247,826
Treasurer	417,734
Attorney	276,783
Sheriff	1,975,411
Court Services	129,300
Recorder	233,058
Zoning	46,565
Landfill	5,000
Dept. of Human Services	76,741
Engineer	5,874,372
Veterans Affairs	58,462
Conservation	805,519
Community Health	1,667,617
Weed Commission	8,028
General Assistance	85,167
Medical Examiner	31,360
Libraries	70,000
Child Support Recovery	500
Ambulance	7,574
Care of Indigents	101,663
Sanitation	77,011
Custodial & Maintenance	410,559
Data Processing	165,187
Mental Health	2,789,049
Development Commission	130,000
Substance Abuse	103,500
Non-departmental	<u>8,668,970</u>
Total Appropriation	<u><u>24,629,470</u></u>

2.) Mater moved and Nichols seconded to approve the Final Plat of Hodges Yankee Hollow Subdivision as follows.

Now on this 27<sup>th</sup> day of June, 2005, at a regular meeting of the Marion County Board of Supervisors, there is presented to the said board of the Marion County Supervisors a final plat of Hodges Yankee Hollow Subdivision.

After reviewing same, the said Marion County Supervisors are advised that because of the plat lying within two miles of the City of Knoxville, Iowa, that a plat of same must be filed with the Marion County Recorder's Office accordingly.

After reviewing said plat and after receiving copies of the Planning and Zoning approval of the City of Knoxville, Iowa, the Marion County Board of Supervisors approve said plat of the Hodges Yankee Hollow Subdivision accordingly.

3.) Nichols moved and Mater seconded to approve the vacation of a segment of road #163 as follows:

Whereas, a public hearing was held at 9:30 AM on the 27th day of June, 2005, in the office of the Marion County Board of Supervisors and,

Whereas, it being in the best interest of Marion County to vacate the segment(s) of road as advertised and,

Whereas, the segment(s) to be vacated are described in further detail below,

Now therefore be it resolved that A segment of road established May 30, 1856 and recorded in the Road Record Book as Road # 163 at 66 feet wide and being more particularly described as beginning at the Northwest corner of the Southeast 1/4 of the Southeast 1/4 of Section 29, Township 75 North, Range 19 West of the 5th. P.M., thence north to the west right-of-way line of a local road known as 150th. Place. Subject to rights of ingress and egress of any and all existing utilities. Be hereby vacated

4.) Mater moved and Nichols seconded to establish a speed limit in Hunter's Ridge Subdivision.

Whereas, a subdivision titled Hunter's Ridge exists in Marion County, Iowa and,

Whereas, the roads in this subdivision have been designed for residential service, and

Whereas, currently no speed limits exist in this subdivision and,

Whereas, the County Engineer recommends a maximum speed limit of 25 M.P.H. be established on all roads within the Hunter's Ridge Subdivision,

Now Therefore Be It Resolved that a maximum speed limit of 25 M.P.H. be established on all roads within the Hunter's ridge subdivision including 182nd, 183rd Place, 185th Place, 186th Place, 187th Place and 188th Place and the County Engineer be directed to erect the appropriate signage.

Other Business:

1.) Mater moved and Nichols seconded to approve a request by Dennis Murr to rezone from Ag to C-2 a 6.21 acre piece of land in part of the SW1/4 NW1/4 of Section 13, Township 74N, Range 21W of the 5<sup>th</sup> Principle Meridian, Marion County, Iowa.

2.) Mater moved and Nichols seconded to approve an agreement with South Iowa Area Detention Service Agency for Juvenile Detention Services for the period of June 1, 2005, through June 1, 2008.

3.) Nichols moved and Mater seconded to approve the FY 2006 Secondary Road Payroll Policy with the understanding the Policy would be amended to match the changes in the County Employee Handbook upon the completion of the Handbook Revision Project.

4.) Mater moved and Nichols seconded to approve a Work Beyond Right-of-Way Agreement with Jerry Calvert/Irene Davis and the Secondary Road Department.

5.) Nichols moved and Mater seconded to approve a new Class B Beer Permit for Terry Hoch dba Wacko's.

Appointments: None

Departmental Reports:

Gary Verwers, Marion County Sheriff  
Roger Schletzbaum, Marion County Engineer  
Kim Dorn, Marion County Community Health Director  
Jake Grandia, Marion County Auditor  
Karen Schwanebeck, Marion County Recorder  
John McCoy, Marion County Planning and Zoning, Sanitarian

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 10:20 A.M. Ayes all.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special work session June 27, 2005, with Dwight Mater Jr., Sam L. Nichols, and Howard Pothoven present. Chairman Pothoven opened the meeting at 11:00 A.M.

The Board met with Max Hall, Knoxville Senior Center, and Kim Dorn, Elderly Nutrition Director, regarding a facility contract in the Knoxville Senior Center for the Elderly Nutrition Program.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 11:50 A.M. Ayes all.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session July 11, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

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

Ayes: Pothoven, Mater, and Nichols. Nays: none. Abstentions: none.

Consent Agenda:

Nichols moved and Mater seconded to approve the agenda and consent agenda as follows.

1. Approval of Minutes – June 27, 2005.
2. Approval of Minutes – June 27, 2005 Work Sessions
3. Approval of Claims – Warrants #147209 - #147389
4. Approval of Elected Official Staff salary adjustments. A list is available in the Auditor's Office.

Public Hearings: None

Executive Session: None

Public Comments:

1.) Tom Rees, landowner, expressed his appreciation to the Board for all the assistance he had received from various County Departments with his recent land ownership issues.

Zoning Items: None

Resolutions: None

Other Business:

1.) Mater moved and Nichols seconded to approve a request by Tom Rees, landowner, to have an 1800 ft. segment of a portion of Fulton St. in Union Township upgraded from a Level B classified road to a Level A classified road. The Engineer's Office recommended the upgrade.

2.) Nichols moved and Mater seconded to approve a Work Beyond Right-of-Way Agreement with Tom Rees, Philip Clark, Chad & Lori Clark, and Steven & Barbara Williams, adjoining land owners, and the Secondary Road Department in the construction of the road classification upgrade on Fulton St. in Union Township.

3.) Nichols moved and Mater seconded to approve the removal of a previously "tabled" Work Beyond Right-of-Way Agenda Item Agreement with Norman Chrisman and the Secondary Road Department from the "table" and allow it as an agenda item.

4.) Nichols moved and Mater seconded to deny the approval of a Work Beyond Right-of-Way Agreement with Norman Chrisman and the Secondary Road Department and instruct the County Engineer to conduct a safety feasibility study on that particular corner of T-15. Mr. Chrisman spoke out in favor of the agreement and the Engineer's Office recommended denying the request.

5.) Nichols moved and Mater seconded to approve Work Beyond Right-of-Way Agreements with Tracie Olson and Mike Shinn, adjoining landowners, and the Secondary Road Department to replace a crossroad culvert and place rip rap on 165<sup>th</sup> Ave.

6.) Mater moved and Nichols seconded to approve a Work Beyond Right of Way Agreement to get on private property to channel water in to twin pipes that replaced Marion County Bridge #41223400 on Tyler St.

Appointments:

- 1.) Knoxville Memorial Hall Commission – Dick Reed – to fill vacancy ending 12/31/05.

Departmental Reports:

Gary Verwers, Marion County Sheriff  
Roger Schletzbaum, Marion County Engineer  
Jake Grandia, Marion County Auditor



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

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for special work sessions July 11, 2005, with Dwight Mater Jr., Sam L. Nichols, and Howard Pothoven present. Chairman Pothoven opened the meetings as follows.

11:00 AM – Met with Jack Lipovac, HR Onesource, regarding the County job description project.

1:00 PM – Met with department heads and Jack Lipovac regarding the County job description project.

2:00 PM – Met with Mike Lewis, Durrant Group, regarding the Law Enforcement Center Project.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 2:50 P.M. Ayes all.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special work session July 12, 2005, with Dwight Mater Jr., Sam L. Nichols, and Howard Pothoven present. Chairman Pothoven opened the meeting.

9:00 AM – Met with Toni Thompson, Wellmark BC/BS, to receive the County's annual health insurance renewal information.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 10:45 A.M. Ayes all.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special work session July 14, 2005, with Dwight Mater Jr., Sam L. Nichols, and Howard Pothoven present. Chairman Pothoven opened the meeting.

8:30 AM – Discussed various ongoing County projects as follows:

1. Upcoming agenda item requests received for the July 25 meeting.
2. Ongoing County handbook revision project.
3. Review of schedules of upcoming committee meetings.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 11:15 A.M. Ayes all.

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Sandra Smith, Auditor's Designee

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session July 18, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

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

Ayes: Pothoven, Mater, and Nichols. Nays: none. Abstentions: none.

Consent Agenda:

Nichols moved and Mater seconded to approve the agenda.

Public Hearings: None

Executive Session: None

Public Comments: None

Zoning Items: None

Resolutions:

1.) Nichols moved and Mater seconded approval of a notice of hearing on proposed plans, specifications, form of contract and estimate of cost for the County Law Enforcement Center Project, and taking of bids therefore as follows:

Whereas, the Board of Supervisors of Marion County, Iowa (the "County"), has determined that it is necessary and desirable that a public improvement be constructed as described in the proposed plans and specifications and form of contract prepared by The Durrant Group, the Project Architect for such public improvement, which may be hereafter referred to as the "County Law Enforcement Center Project" (and is sometimes hereinafter referred to as the "Project"), which proposed plans, specifications and form of contract and estimate of cost are on file with the Marion County Auditor; and

Whereas, it is necessary to fix a time and place of public hearing on the proposed plans, specifications and form of contract and estimate of cost for the Project and to advertise for sealed bids for the Project;

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

Section 1. The detailed plans and specifications, notice of hearing and notice to bidders, form of contract and estimate of cost referred to in the preamble hereof are hereby approved.

Section 2. The Project is necessary and desirable for Marion County, and it is in the best interests of the County to proceed with the construction of the Project.

Section 3. The amount of the bid security to accompany each bid is hereby fixed at 5% of the amount of the bid.

Section 4. The Board hereby delegates to the County Auditor the duty of receiving, opening and announcing the results of all bids for the construction of such Project, on the 18th day of August, 2005, at 2:00 o'clock p.m., at the County Auditor's Office, Marion County Courthouse, Knoxville, Iowa. The 22nd day of August, 2005, at 9:30 o'clock a.m., at the Boardroom, Marion County Courthouse, Knoxville, Iowa, is hereby fixed as the time and place of hearing on the proposed plans, specifications, form of contract and estimate of cost for the Project, and also as the time and place of considering bids received by the County Auditor in connection therewith.

Section 5. The County Auditor is hereby authorized and directed to give notice of the aforementioned hearing and taking of bids by publication of such notice in a newspaper of general circulation in Marion County, which publication shall be made not less than four nor more than twenty days prior to the time of the said hearing, all in conformity with Chapter 331 of the Code of Iowa. The said notice shall be in the form substantially as attached to this resolution. (Form is available for viewing in the Marion County Auditor's Office)

Section 6. All provisions set out in the following form of notice are hereby recognized and prescribed by this Board and all resolutions or orders or parts thereof, to the extent the same may be in conflict herewith, are hereby repealed.

Other Business: None

Appointments: None

Departmental Reports: None

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 9:36 A.M. Ayes all.

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Lisa Shives, Marion Co. Deputy Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special work session July 20, 2005, with Dwight Mater Jr., Sam L. Nichols, and Howard Pothoven present. Chairman Pothoven opened the meeting.

10:00 AM – Received a presentation from Dean Schade and Dan McKay regarding the Marion County Workman's Compensation Insurance and General Liability Insurance ratings and premiums.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 11:15 A.M. Ayes all.

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Jake Grandia, Marion County Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session July 11, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

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

Ayes: Pothoven, Mater, and Nichols. Nays: none. Abstentions: none.

Consent Agenda:

Nichols moved and Mater seconded to approve the agenda and consent agenda as follows.

1. Approval of Minutes – July 11, 2005.
2. Approval of Minutes – July 11, July 12, July 14, July 18, & July 20, 2005 Work Sessions
3. Approval of Claims – Warrants #147445 - #147623
4. Approval of Elected Official Staff salary adjustments. A list is available in the Auditor's Office.

Public Hearings: None

Executive Session: None

Public Comments:

1.) Michelle Warin, landowner, expressed her concern about the amount of traffic and dust created on 210<sup>th</sup> Ave. near her home. Roger Schletzbaum, Marion County Engineer, explained about the possibilities the County has regarding changing road surfaces.

Zoning Items: None

Resolutions:

1.) Mater moved and Nichols seconded to approve transfer of funds from Rural Basic Fund to the Secondary Road Fund as allowed by the Code of Iowa as follows:

Whereas the Marion County Board of Supervisors approved the transfer of \$1,258,519.00 from the Rural Basic Fund to the Secondary Road Fund under the FY 05-06 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 \$1,258,519.00 from the Rural Basic Fund to the Secondary Road Fund be approved by the Marion County Board of Supervisors for the fiscal year of 2005-2006, and,

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

Other Business:

1.) Nichols moved and Mater seconded to accept a painting to be displayed in the Courthouse titled "Honoring Iowa Heroes" from the local chapter of XI Alpha Nu Beta Sigma Phi as presented by Marcella Younker.

2.) Mater moved and Nichols seconded to approve the renewal of a Class C Beer Permit for Alice Avery d.b.a. Lakeridge Enterprises.

3.) Nichols moved and Mater seconded to approve a revised County Integrated Roadside Vegetation Management Plan.

4.) Mater moved and Nichols seconded to approve a Work Beyond Right-of-Way Agreement with Matt Agan and the Secondary Road Department for ditching and creating a new backslope berm.

Appointments:

1.) City of Pella CDC Committee – Lisa Naaktgeboren – to fill vacancy ending 9/8/06.

Departmental Reports:

Gary Verwers, Marion County Sheriff



Roger Schletzbaum, Marion County Engineer  
Karen Schwanebeck, Marion County Recorder  
Jake Grandia, Marion County Auditor

There being no other business, Nichols moved and Mater seconded the meeting be adjourned at 10:08 A.M. Ayes all.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special work session August 3, 2005, with Dwight Mater Jr., Sam L. Nichols, and Howard Pothoven present. Chairman Pothoven opened the meeting.

8:55 AM – Discuss the Marion County Health Insurance renewal alternates as previously presented by Wellmark BC/BS of Iowa.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 11:20 A.M. Ayes all.

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Jake Grandia, Marion County Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special work session August 5, 2005, with Dwight Mater Jr., Sam L. Nichols, and Howard Pothoven present. Chairman Pothoven opened the meeting.

8:30 AM – Discuss the Marion County Health Insurance renewal alternates as previously presented by Wellmark BC/BS of Iowa.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 11:30 A.M. Ayes all.

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Sandra Smith, Marion County Designee

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session August 8, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

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

Ayes: Pothoven, Mater, and Nichols. Nays: none. Abstentions: none.

Consent Agenda:

Nichols moved and Mater seconded to approve the agenda and consent agenda as follows.

1. Approval of Minutes – July 25, 2005.
2. Approval of Minutes – August 3 & August 5, 2005 Work Sessions
3. Approval of Claims – Warrants #147627 - #147841
4. Approval of Elected Official Staff salary adjustments. A list is available in the Auditor's Office.
5. Approval of Treasurer's Semi-Annual Report dated June 30, 2005.
6. Approval of FY 2005 Marion County Care Facility Financial Report.

Public Hearings: None

Executive Session: None

Public Comments: None

Zoning Items: None

Resolutions: None

Other Business:

1.) Ruby Warren, Pleasantville City Council Member, and Steve Rowe, Snyder & Associates, presented a request by the City of Pleasantville for a County commitment of \$5000 match monies to assist the City in acquiring various grants for their bike trail project.

2.) Mater moved and Nichols seconded to approve the adjusted limits of the Marion County General Assistance & Veterans Affairs County Burial Policy.

3.) Mater moved and Nichols seconded to accept and approve the Board of Health's Public Hearing and acceptance of IAC 641.01 regarding adoption of the Chapter "Notification and Surveillance of Reportable Communicable and Infectious Diseases, Poisonings, and Conditions" and IAC 641-69 regarding the adoption of the chapter "Control of Lead Based Paint Hazards" to be adopted as County Code.

4.) Nichols moved and Mater seconded to approve an agreement between Community Health Services of Marion County and the Senior Center Elderly Nutrition Meal Site Board in Knoxville expiring June 30, 2006.

Appointments: None

Departmental Reports:

Denise Emal, Marion County Treasurer  
Roger Schletzbaum, Marion County Engineer  
Karen Schwanebeck, Marion County Recorder  
Steve Edwards, Marion County Conservation  
Kim Dorn, Community Health Director  
Jake Grandia, Marion County Auditor

There being no other business, Nichols moved and Mater seconded the meeting be adjourned at 10:35 A.M. Ayes all.

The Marion County Board of Supervisors met for a special work session August 9, 2005, with Dwight Mater Jr., Sam L. Nichols, and Howard Pothoven present. Chairman Pothoven opened the meeting.

8:30 AM – Discuss the Marion County Health Insurance renewal alternates as previously presented by Wellmark BC/BS of Iowa.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 11:40 A.M. Ayes all.

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Jake Grandia, Marion County Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special work session August 10, 2005, with Dwight Mater Jr., Sam L. Nichols, and Howard Pothoven present. Chairman Pothoven opened the meeting.

8:30 AM – Discuss the Marion County Health Insurance renewal alternates as previously presented by Wellmark BC/BS of Iowa.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 11:00 A.M. Ayes all.

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Sandra Smith, Marion County Designee

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special work session August 11, 2005, with Dwight Mater Jr., Sam L. Nichols, and Howard Pothoven present. Chairman Pothoven opened the meeting.

8:30 AM – Discuss the Marion County Health Insurance renewal alternates with representatives of the Collective Bargaining Unit.

10:00 AM - Discuss the Marion County Health Insurance renewal alternates with representatives of the Employee Health Insurance Committee.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 11:15 A.M. Ayes all.

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Sandra Smith, Marion County Designee

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special work session August 17, 2005, with Dwight Mater Jr., Sam L. Nichols, and Howard Pothoven present. Chairman Pothoven opened the meeting.

8:30 AM – Discussion on the Marion County Handbook Revision Project.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 11:00 A.M. Ayes all.

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Lisa Shives, Marion Co. Deputy Auditor

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Howard Pothoven, Chairman Board of Supervisors



The Marion County Board of Supervisors met in regular session August 22, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

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

Ayes: Pothoven, Mater, and Nichols. Nays: none. Abstentions: none.

Consent Agenda:

Nichols moved and Mater seconded to approve the agenda and consent agenda as follows.

1. Approval of Minutes – August 8, 2005.
2. Approval of Minutes – August 9,10,11, & 17, 2005 Work Sessions
3. Approval of Claims – Warrants #147893 - #148095
4. Approval of Secondary Road Department semi-annual Utility Permit Report for the period of January 1, 2005 to July 1, 2005.

Public Hearings: Open – Pothoven

1.) Law Enforcement Center Project – Plans and specifications and form of contract for the proposed Marion County Law Enforcement Center Project. Nichols moved and Mater seconded to close the public hearing.

Executive Session: None

Public Comments: None

Zoning Items: None

Resolutions:

1.) Nichols moved and Mater seconded to approve the Resolution to approve and confirm plans, specifications, and form of contract for the Marion County Law Enforcement Center Project as follows:

Whereas, this Board has heretofore approved plans, specifications and form of contract for the proposed Law Enforcement Center Project (the “Project”), as described in the resolution providing for a notice of hearing on proposed plans and specifications, proposed form of contract and estimate of cost of the Project and the taking of bids therefor; and

Whereas, a hearing has been held on objections to the proposed plans, specifications and form of contract and to the cost of the Project;

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

Section 1. The plans, specifications and form of contract referred to in the preamble hereof are hereby finally approved, and the prior action of the Board approving them is hereby finally confirmed, and the Project, as provided for in the plans, specifications and form of contract, is necessary and desirable.

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

2.) Mater moved and Nichols seconded to approve the Resolution to award the contract for the Marion County Law Enforcement Center Project as follows:

Whereas, pursuant to notice duly published in the manner and form prescribed by resolution of this Board and as required by law, bids and proposals were received by this Board for the Law Enforcement Center Project (the “Project”); and

Whereas, all of the said bids and proposals have been carefully considered, and it is necessary and advisable that provision be made for the award of the contract for the Project;

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

Section 1. The bid for the Project submitted by the following contractor is fully responsive to the plans and specifications for the Project, heretofore approved by the Board, and is the lowest responsible bid received, such bid being as follows:

Name and Address of Contractor

Amount of Bid

Septagon Construction Inc.

\$ 5,040,000

Section 2. The contract for the Project is hereby awarded to such contractor at the total estimated cost set out above, the final settlement to be made on the basis of the unit prices therein set out and the actual final quantities of each class of materials furnished, the said contract to be subject to the terms of the aforementioned resolution, the notice of hearing and letting, the plans and specifications and the terms of the bidder's written proposal.

Section 3. The Chairperson and County Auditor are hereby authorized and ordered to enter into a written contract with said contractor for the Project, said contract not to be binding until approved by resolution of this Board.

Section 4. The amount of the contractor's performance and/or payment bonds is hereby fixed and determined to be 100% of the amount of the contract.

3.) Mater moved and Nichols seconded to approve a Resolution placing a STOP sign at the intersection of 74<sup>th</sup> Ave. and Fulton St. as follows:

Whereas, Marion County has undertaken certain improvements to County Road Fulton Street and;

Whereas, these improvements have resulted in a change in traffic patterns for the 74th Ave. and Fulton Street Intersection and;

Whereas, the County Engineer recommends the erection of a stop sign at the intersection of 74th Ave. and Fulton Street east bound, to promote the orderly flow of traffic and protect the public health, safety and welfare;

Whereas, the County is granted jurisdiction under Iowa Code 321.255 to regulate traffic on secondary roads;

Now Therefore Be It Resolved that the County engineer be directed to erect a stop sign at the intersection of 74th Avenue and Fulton Street for eastbound traffic into the intersection.

Other Business:

1.) Ruby Warren, Pleasantville City Council Member, and Steve Rowe, Snyder & Associates, presented a request by the City of Pleasantville for a County commitment of \$5000 match monies to assist the City in acquiring various grants for their bike trail project. Nichols moved and Mater seconded to approve the request of the City of Pleasantville in the form of a loan which will satisfy the grant requirements. The terms are \$5,000 over 5 years at 2% interest with payment in the 4<sup>th</sup> & 5<sup>th</sup> years.

2.) Nichols moved and Mater seconded to approve entering into a 28E Agreement with Counties(3) and Cities(4) along the Hwy 14 Corridor from Chariton to Interstate 80. The annual costs will be paid from the Secondary Road Departmental budget.

3.) Mater moved and Nichols seconded to approve a Work Beyond the Right-of-Way Agreement between the Secondary Road Department and Tommy DeMoss to expedite drainage from a cross road culvert.

4.) Mater moved and Nichols seconded to approve a Work Beyond the Right-of-Way Agreement between the Secondary Road Department and Larry Crozier to enter property for the purpose of placing rip rap erosion stone at the north end of Bridge #58222645.

Appointments: None

Departmental Reports:

Roger Schletzbaum, Marion County Engineer  
Karen Schwanebeck, Marion County Recorder  
Gary Verwers, Marion County Sheriff  
Lisa Shives, Marion County Deputy Auditor

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 10:16 A.M. Ayes all.

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Lisa Shives, Marion Co. Deputy Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special work session August 22, 2005, with Dwight Mater Jr., Sam L. Nichols, and Howard Pothoven present. Chairman Pothoven opened the meeting.

8:00 AM – Discussion with Mike Lewis, Durrant Group, and Chris Osore, Durrant Group, on the references of the apparent low bidder of the Marion County Law Enforcement Center Project.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 9:15 A.M. Ayes all.

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Jake Grandia, Marion Co. Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special work session August 24, 2005, with Dwight Mater Jr. and Sam L. Nichols present. Howard Pothoven was absent. Vice-Chairman Nichols opened the meeting.

8:10 AM – Discussion with Randy Kelley, Marion County Care Facility Administrator, regarding the operations and procedures at the Care Facility.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 8:55 A.M. Ayes all.

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Sandra Smith, Marion Co. Auditor Designee

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special work session August 31, 2005, with Dwight Mater Jr., Sam L. Nichols, and Howard Pothoven present. Chairman Pothoven opened the meeting.

9:30 AM – Discussion regarding the ongoing Marion County Employee Handbook Revision Project.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 11:00 A.M. Ayes all.

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Lisa Shives, Marion Co. Deputy Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session September 12, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

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

Ayes: Pothoven, Mater, and Nichols. Nays: none. Abstentions: none.

Consent Agenda:

Nichols moved and Mater seconded to amend the agenda by changing Item II. (3) Consent Agenda from "Approve Minutes of September 22, 24, and 31, 2005 Work Sessions" to "Approve Minutes of August 22, 24, and 31, 2005 Work Session."

Mater moved and Nichols seconded to approve the amended agenda and consent agenda as follows.

1. Approval of Minutes – August 22, 2005.
2. Approval of Minutes – August 22, 24, and 31, 2005 Work Sessions
3. Approval of Claims – Warrants #148101 - #148357

Public Hearings: Open – Pothoven

1.) Board of Health – Proposal to strike Marion County Ordinance Chapter H137A, sections H137A.1 through H137A.18, and replace with Chapter 40 "General Health Provision". Proposed changes clean up the Ordinance and removes duplicate regulations. John McCoy, Marion County Sanitation Director, presented an overview of the proposed Ordinance changes. There being no public comment, Nichols moved and Mater seconded to close that portion of the public hearing.

2.) Board of Health – Proposal to add Marion County Ordinance Chapter 43 titled "Non-Public Water Wells." This proposed addition coincides with present Iowa Code. McCoy gave an overview of the proposed Ordinance addition. There being no public comment, Mater moved and Nichols seconded to close that portion of the public hearing.

3.) Board of Health – Proposal to strike Marion County Ordinance Chapter II H137 and replace it with Chapter 44 "Onsite Wastewater Treatment Disposal Systems." McCoy gave an overview of the proposed Ordinance change and subsequent permit fee structure. There being no further comment, Nichols moved and Mater seconded to close that portion of the public hearing.

4.) Planning and Zoning Petition #436 - Jerry & Debbie Shaw are requesting the approval of the Final Plat of Parcel B, A Subdivision in the NE1/4 of the NW1/4 of Section 30, Township 75N, Range 19W in Marion County. The property is located on 135th Place, Knoxville, IA. This is a one lot split located within two mille of Knoxville. Missy Poffenbarger, Marion County Planning and Zoning Office, gave an explanation of the subdivision. There being no further comment, Nichols moved and Mater seconded to close that portion of the public hearing.

5.) Planning and Zoning Petition #437 - Milo & Delores Umble are requesting the approval of the Final Plat of Parcel B, a Subdivision in the NE1/4 of the SW1/4 of Section 20, Township 75N, Range 19W. The property is located on Oregon Drive, Knoxville, IA. This is a one lot split located within two miles of Knoxville. Poffenbarger gave an explanation of the subdivision. There being no further comment, Mater moved and Nichols seconded to close that portion of the public hearing.

Executive Session: None

Public Comments: None

Zoning Items: None

Resolutions:

1.) Mater moved and Nichols seconded to approve the Resolution approving the Final Plat of Parcel B, A Subdivision in NE1/2 of the NW1/4 of Section 30, Township 75 North, Range 19 West in Marion County, Iowa as follows:

Whereas, Jerry Shaw and Debbie Shaw, husband and wife, filed with Marion County, Iowa, a final plat known as "Parcel B, a Subdivision in the NE ¼ of the NW ¼ of Section 30, Township 75 North, Range 19 West", located in Marion County, Iowa, and more particularly described as follows, to-wit:

Commencing at the SE Corner of the NE ¼ of the NW ¼ of Section 30, Township 75 North, Range 19 West of the 5th P.M., thence North 00° 33' West 251.2 ft. along the east line of said NE ¼ of the NW ¼ to the point of beginning, thence South 89° 49' West 254.4 ft., thence North 29° 55' West 151.0 ft., thence North 00° 48' West 528.7 ft., thence along the aforesaid east line of the NE ¼ of the NW

¼ to the point of beginning containing 4.91 acres, more or less, including the public road established along the east side thereof which contains 0.51 acre; 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 Parcel B, a Subdivision in the NE ¼ of the NW ¼ of Section 30, Township 75 North, Range 19 West in Marion County, Iowa, be formally accepted and approved at this time.

2.) Mater moved and Nichols seconded to approve the Resolution approving the Final Plat of Parcel B, A Subdivision in NE1/4 of the SW1/4 of Section 20, Township 75 North, Range 19 West in Marion County, Iowa as follows:

Whereas, Milo Durl Umble and Delores Ann Umble have caused certain real estate located in the Marion County, Iowa to be surveyed and platted, and have previously presented the final plat thereof to the Board of Supervisors of Marion County, Iowa for approval and acceptance; and

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

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

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

Now, Therefore, Be It Resolved by Marion County Board of Supervisors, that the revised final plat of the following described real estate situated in Marion County, Iowa, known as "Parcel B a Subdivision in the NE ¼ of the SW ¼ of Section 20, Township 75 North, Range 19 West of the 5th P.M." as described on the attached Exhibit "A", be formerly accepted and approved at this time.

Exhibit A - Description: Commencing at the NW Corner of the NE ¼ of the SW ¼ of Section 20, Township 75 North, Range 19 West of the 5th P.M., thence North 90°00' East 330.0 ft. along the north line of said NE ¼ of the SW ¼ to the point of beginning, thence continuing North 90°00' East 624.9 ft. along said north line, thence South 20°04' West 639.8 ft., thence North 88°06' West 392.2 ft., thence North 01°18' West 588.0 ft. to the point of beginning containing 6.95 acres, more or less, including the public road established along the north side thereof which contains 0.29 acre.

3.) Mater moved and Nichols seconded to approve a Resolution approving the appointment of a Marion County Sheriff Deputy to the South Central Iowa Clan Lab Task Force as follows:

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

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

Whereas, the Code of Iowa allows for the appointment of sheriff'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 Deputy assigned to the South Central Iowa Clan Lab Task Force.  
Jeffery D. Koder

4.) Mater moved and Nichols seconded to approve a Resolution approving the Marion County Sheriff to activate the Marion County Civil Service Commission to test new applicants for a Marion County Deputy position as follows:

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

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

Whereas, the Code of Iowa allows for the appointment of sheriff'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 Marion County Sheriff be allowed per the Marion County Civil Service Commission to test and hire a Deputy Sheriff to fill the position after the appointment to the South Central Clan Lab Task Force.

5.) Nichols moved and Mater seconded to approve a Resolution increasing the County's meal reimbursement rates as follows:

Whereas, it has been the policy of Marion County to pay meal rates of \$3.00, \$5.00, and \$8.00 as reimbursement for breakfast, lunch, and dinner, respectively, and

Whereas, said rate is no longer reflective of the actual cost of said meals,

Now, Therefore Be It Resolved By The Marion County Board Of Supervisors that beginning October 1, 2005, the meal reimbursement rate paid by Marion County is hereby increased to:

- Breakfast                      \$5.00
- Lunch                            \$10.00
- Dinner                          \$15.00

6.) Mater moved and Nichols seconded to approve a Resolution increasing the County's mileage reimbursement rate as follows:

Whereas, it has been the policy of Marion County to pay mileage at the rate of \$ .30 per mile and,

Whereas, said rate is no longer reflective of the actual cost of vehicle operation,

Now, Therefore Be It Resolved By The Marion County Board Of Supervisors that beginning October 1, 2005, the mileage rate paid by Marion County is hereby increased to \$ .35 per mile.

#### Other Business:

1.) Dick Schrad, Knoxville City Manager, introduced himself to the Board. Schrad gave an update on the Sunset Ridge Development Project. He then talked with the Board about the possibility of entering into a 28E Agreement with the City of Knoxville allowing for the City to create a Urban Revitalization Area in the development.

2.) Nichols moved and Mater seconded to approve the First Reading of the proposed changes to strike Marion County Ordinance Chapter H137A.1 through H137A.18 and adopt "Chapter 40 General Health Provisions", adoption of "Chapter 43 Non-Public Water Wells", and strike Chapter II H137 and adopt "Chapter 44 Onsite Wastewater and Disposal Systems."

3.) Mater moved and Nichols seconded to waive the Second and Third Readings of the proposed changes to strike Marion County Ordinance Chapter H137A.1 through H137A.18 and adopt "Chapter 40 General Health Provisions", adoption of "Chapter 43 Non-Public Water Wells", and strike Chapter II H137 and adopt "Chapter 44 Onsite Wastewater and Disposal Systems."

4.) Nichols moved and Mater seconded to approve the final action on striking Marion County Ordinance Chapter H137A.1 through H137A.18 and adopt "Chapter 40 General Health Provisions", adoption of "Chapter 43 Non-Public Water Wells", and strike Chapter II H137 and adopt "Chapter 44 Onsite Wastewater and Disposal Systems." A summary of the new Ordinances follows:

#### Summary of Changes to Marion County Environmental Health Ordinances

##### Public Hearing dates:

Marion County Board of Health - July 19, 2005 at 7:00a.m.

Marion County Board of Supervisors - September 12, 2005 at 9:30a.m.

Action taken on September 12, 2005: The Marion County Board of Supervisors voted to adopt the following changes to the Marion County Health Ordinances.

Repeal Chapter H137A Items H137A-1 through H137A. 18.

Repeal Chapter H137 (Chapter II)



Adopt Chapter 40 "General Health Provisions" Chapter 40 authorizes the appointment of the County Health Officer and his duties. The chapter also defines Right of Entry, unsanitary conditions and point of source pollutions hazards.

Adopt Chapter 43 " Non Public Water Wells" The purpose of this chapter is to establish rules and regulations governing the construction and reconstruction of non public water wells and plugging of abandoned wells within the county.

Adopt Chapter 44 "Onsite Wastewater Treatment and Disposal Systems" The purpose of this chapter is to protect the residents of Marion County, to prevent increased health risks due to on-site wastewater treatment systems and to implement state on-site treatment standards.

Other changes include additional definitions, a list of differences from the State code, costs for inspections and testing services and contractor registration. The cost changes are as follows.

Septic permit fees for new system: \$50.00

Inspection for repairs & alterations: \$50.00

Inspection of existing systems: \$50.00

Variances: \$50.00 Unless recommended by the County Sanitarian where the fee will be waived.

Water tests: TSS & CBOD \$75.00

Tests in Class A water source \$100.00

Special penalties: \$500.00 or imprisonment for not more than 30 days.

This summary is being presented for insertion into the Marion County Board of Supervisors minutes of September 12, 2005 in lieu of printing the ordinance(s) in their entirety.

A full copy of these changes is available at the Marion County Sanitation Office located on the first floor of the Marion County Courthouse, Monday thru Friday from 8:00a.m. to 4:30p.m.

5.) Mater moved and Nichols seconded to authorize the Marion County Engineer to purchase capital equipment for the Secondary Road Department as scheduled in accordance with the approved FY 05-06 Budget.

6.) Jake Grandia, Marion County Auditor, opened the sealed bid received on the 1993 Chevrolet S-10 pickup as advertised. Mater moved and Nichols seconded to accept the bid of \$1,000 as submitted by Ron Goemaat.

7.) Nichols moved and Mater seconded to approve a Work Beyond the Right-of-Way Agreement between the Secondary Road Department and Ed Gilkerson to get dirt from property for installation of a new driveway.

8.) Nichols moved and Mater seconded to approve a Work Beyond the Right-of-Way Agreement between the Secondary Road department and Robert Crozier to extend crossroad pipe and building a fence berm.

Appointments: None

Departmental Reports:

Roger Schletzbaum, Marion County Engineer  
Karen Schwanebeck, Marion County Recorder  
Gary Verwers, Marion County Sheriff  
John McCoy, Marion County Planning & Zoning  
Jake Grandia, Marion County Auditor

There being no other business, Nichols moved and Mater seconded the meeting be adjourned at 10:45 A.M. Ayes all.

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Jake Grandia, Marion County Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special work session September 13, 2005, with Dwight Mater Jr. and Howard Pothoven present. Supervisor Sam L. Nichols was absent. Chairman Pothoven opened the meeting.

8:30 AM – Discussion regarding the ongoing Marion County Employee Handbook Revision Project with Roger Schletzbaum, Marion County Engineer.

There being no other business, Mater moved and Pothoven seconded the meeting be adjourned at 11:45 A.M. Ayes all.

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Sandra Smith, Marion Co. Auditor Designee

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session September 16, 2005 for the purpose of canvassing the vote from the September 13, 2005, School Board Election for the County of Marion, Iowa. Present were Howard Pothoven and Dwight Mater Jr. Supervisor Sam L. Nichols was absent.

Chairman Pothoven opened the special canvass at 8:00 A.M.

The canvass was completed and the declared winners are as follows:

Knoxville Community School District:

Scott Chambers – At-Large

Dennis Goad – At-Large

Melcher-Dallas Community School District:

Kenneth Schneider – At-Large

Lee Franck – At-Large

Ann K. Fee – At-Large To Fill A Vacancy

Twin Cedars Community School District:

Abby Mockenhaupt – District #1

Bob Mallory – District #3

Pleasantville Community School District:

Troy Padellford – At-Large

Roger Schletzbaum – At-Large

Pella Community School District:

Ivan Vos – District #1

Laurie Fetterman – District #2

Mater moved and Pothoven seconded the special canvass be adjourned. Ayes all.

The canvass was adjourned at 8:10 A.M.

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Lisa Shives, Marion Co. Deputy Auditor

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Howard Pothoven, Chair Board of Supervisors

The Marion County Board of Supervisors met in regular session September 26, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

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

Ayes: Pothoven, Mater, and Nichols. Nays: none. Abstentions: none.

Consent Agenda:

Nichols moved and Mater seconded to approve the agenda and consent agenda as follows.

1. Approval of Minutes – September 12, 2005.
2. Approval of Minutes – September 13, 2005 Work Sessions
3. Approval of Minutes – Special Canvass of September 13, 2005 School Board Elections
4. Approval of Elected Official Staff Salary Adjustments. A list is available in the Auditor's Office.
5. Approval of Claims – Warrants #148412 - #148647

Public Hearings: Open – Pothoven

1.) Planning and Zoning Petition #438 - Knoxville Regional Livestock Market is requesting the approval of the rezoning of the 1.51 acre parcel from C-2 to Agricultural for a single family residence. The property address is 1471 Nixon Street, Knoxville, Iowa; with the legal description being: Parcel "F" is a part of the 26.866 acres in the W1/2 of the SE1/4 of Section 17, Township 75 North, Range 19 West of the 5th P.M. (The full legal description is available in the Marion County Zoning Office.) Missy Poffenbarger, Marion County Planning and Zoning Office, gave an explanation of the subdivision. There being no further comment, Mater moved and Nichols seconded to close that portion of the public hearing.

2.) Planning and Zoning Petition #439 - Knoxville Regional Livestock Market is requesting the approval of the "Final Plat of Parcel 'F' of SW1/4 of SE1/4 of 17-75N-19W". The property address is 1471 Nixon Street, Knoxville, Iowa; with the legal description being: Parcel "F" is a part of the 26.866 acres in the W1/2 of the SE1/4 of Section 17, Township 75 North, Range 19 West of the 5th P.M. (The full legal description is available in the Marion County Zoning Office). Poffenbarger gave an explanation of the subdivision. This is a one lot split located within two miles of Knoxville. There being no further comment, Mater moved and Nichols seconded to close that portion of the public hearing.

Executive Session: None

Public Comments: None

Zoning Items:

1.) Planning and Zoning Petition #438 – Mater moved and Nichols seconded to approve the request by Knoxville Regional Livestock Market to rezone 1.51 acre parcel from C-2 to Agricultural for a single family residence. The property address is 1471 Nixon Street, Knoxville, Iowa; with the legal description being: Parcel "F" is a part of the 26.866 acres in the W1/2 of the SE1/4 of Section 17, Township 75 North, Range 19 West of the 5th P.M. (The full legal description is available in the Marion County Zoning Office.)

Resolutions:

1.) Nichols moved and Mater seconded to approve the Resolution approving the "Final Plat of Parcel 'F', A Subdivision in SW1/4 of the SE1/4 of Section 17, Township 75 North, Range 19 West in Marion County, Iowa as follows:

Whereas, KRLM, L.L.C., has 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 conforms in all respects with the laws of the State of Iowa;

Now, Therefore, Be It Resolved by the Marion County Board of Supervisors, that the final plat the following described real estate situated in Marion County, Iowa, known as "Parcel 'F' of SW ¼ - SE ¼ Sec. 17-75-19", and having a legal description as follows:

Parcel "F" is a part of the 26.866 acres in the West Half (W 1/2) of the Southeast Quarter (SE 1/4) Section Seventeen (17), Township Seventy-Five (75) North, Range Nineteen (19) West of the Fifth (5th) Principal Meridian (P.M.) in Marion County, Iowa, as shown in Irregular Surveys Book No. 5 on page 67 in the office of the Marion County Recorder and is more particularly described as follows: Commencing at the Southeast corner of said SW 1/4 of the SE 1/4 Section 17; thence South 90°00'00" West 77.46 feet along the South line thereof to the Point of Beginning for the following description; thence continuing South 90°00'00" West 374.34 feet; thence North 00°00'00" East 401.59 feet; thence North 90°00'00" East 78.83 feet to the Southwesterly Right-of-Way line of Iowa Highway Number 5 marked by an existing R.O.W. rail; thence Southeasterly along a 782.3 foot radius curve, concave Northeasterly, having a chord bearing South 36°20'51" East 498.60 feet to the Point of Beginning, containing 1.776 acres of which 0.266 acres are subject to the existing public roadway known as Nixon Street, the North line thereof being 33 feet North of and parallel with the South line of said SW 1/4 of the SE 1/4 Section 17. The South line of said SW 1/4 of the SE 1/4 Section 17 is South 90°00'00" West for this description.

be formally accepted and approved at this time.

2.) Mater moved and Nichols seconded to approve the Resolution approving the contract and performance and/or payment bonds for the Law Enforcement Center Project as follows:

Whereas, the Board of Supervisors of Marion County, Iowa, has heretofore awarded a contract for the Law Enforcement Center Project (the "Project") and fixed the amount of the performance and/or payment bonds to be furnished by such contractor, and instructed and authorized the Chairperson and County Auditor to execute the said contract on behalf of the County, subject to the approval of the Board; and

Whereas, the said contract has been duly signed by the contractor and by the Chairperson and County Auditor, and upon examination by this Board the same appears to be in proper form; and

Whereas, the contractor has filed satisfactory performance and/or payment bonds in the required amount;

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

Section 1. The aforementioned contract and performance and/or payment bonds are hereby approved and declared to be binding upon the parties thereto.

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

3.) Nichols moved and Mater seconded to approve a Resolution authorizing a process for approving certain change orders to the contract for the construction of the County Law Enforcement Center Project as follows:

Whereas, the Board of Supervisors of Marion County, Iowa (the "County"), has awarded a contract to Septagon Construction for the construction of the County Law Enforcement Center Project (the "Project") in the amount of \$5,040,000; and

Whereas, it is understood that certain change orders to that contract will need to be considered and approved on behalf of the County; and

Whereas, the Board of Supervisors recognizes the need to obtain approval of such change orders on a timely basis;

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

Section 1. The Board hereby authorizes any two Supervisors to approve any change order to the contract for the Project which does not exceed \$10,000 in amount, provided the project architect has recommended approval of such change order.

Section 2. Any changes orders which are approved in the manner set out in Section 1 shall be reported to the full Board of Supervisors at its next regular meeting.

Section 3. All resolutions or orders or parts thereof, to the extent the same may be in conflict herewith, are hereby repealed.

#### Other Business:

1.) Nichols moved and Mater seconded to authorize the Chairman of the Board and the Auditor to sign an Iowa Land Records 28E Agreement concerning the Iowa County Land Record Information System.

2.) Nichols moved and Mater seconded to approve Durrant Group Inc. to draft Change Order #001 for the Law Enforcement Center Project to be considered at a later meeting. Change Order #001 will be a deduct based off recommendation from Durrant Group Inc. and Septagon Construction Inc.

Appointments: None

Departmental Reports:

Roger Schletzbaum, Marion County Engineer  
Karen Schwanebeck, Marion County Recorder  
Missy Poffenbarger, Marion County Planning & Zoning  
John McCoy, Marion County Planning & Zoning  
Jake Grandia, Marion County Auditor

There being no other business, Nichols moved and Mater seconded the meeting be adjourned at 10:08 A.M. Ayes all.

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Jake Grandia, Marion County Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special work session September 27, 2005, with Dwight Mater Jr., Sam L. Nichols, and Howard Pothoven present. Chairman Pothoven opened the meeting.

8:30 AM – Discussion regarding the ongoing Marion County Employee Handbook Revision Project.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 11:15 A.M. Ayes all.

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Jake Grandia, Marion County Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special work session September 30, 2005, with Dwight Mater Jr., Sam L. Nichols, and Howard Pothoven present. Chairman Pothoven opened the meeting.

8:30 AM – Discussion regarding the ongoing Marion County Employee Handbook Revision Project.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 11:10 A.M. Ayes all.

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Sandra Smith, Marion County Designee

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Howard Pothoven, Chairman Board of Supervisors



The Marion County Board of Supervisors met in regular session October 10, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

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

Ayes: Pothoven, Mater, and Nichols. Nays: none. Abstentions: none.

Consent Agenda:

Mater moved and Nichols seconded to approve the agenda and consent agenda as follows.

1. Approval of Minutes – September 26, 2005.
2. Approval of Minutes – September 27 & 30, 2005 Work Sessions
3. Receive and File Marion County Sheriff's FY 2005-2006 First Quarter Financial Report.
4. Approval of Claims – Warrants #148651 - #148882

Public Hearings: None

Executive Session: None

Public Comments:

1.) Michelle Warin, landowner, addressed the Board and County Engineer on the results of the traffic count that had taken place on 210<sup>th</sup> Ave. near her home. The results have not been organized yet.

Zoning Items: None

Resolutions:

1.) Nichols moved and Mater seconded to approve a Resolution setting the date of a Public Hearing regarding the proposed transfer of Marion County property as follows:

Whereas, disposal of County interest in real estate legally described as:

Tract A: The East 54 feet of Lots 3 and 4 in Block 11 in the Town of Bussey, Iowa.

Tract B: Lots 5 and 6 in Block 11 in the Town of Bussey, Iowa.

Is deemed appropriate and in the public interest, and;

Whereas, an agreement has been reached with the City of Bussey for the transfer of said property; and,

Whereas, before said property can be legally transferred a public hearing must be held, with notice published;

Be It Therefore Resolved that a public hearing be held on the matter on the 24<sup>th</sup> day of October, 2005, at 9:30 a.m., and that the Marion County Auditor be directed to publish notice of said hearing in accordance with Iowa Code Section 331.305.

2.) Mater moved and Nichols seconded to approve the Resolution approving an Easement to Alliant Energy as follows:

Whereas, Alliant Energy has requested an easement to repair and maintain a natural gas line running across certain property owned by Marion County, described as:

Commencing at the Northeast corner; thence 43 feet West; thence the West 5 feet of the South 30 feet of the following described property: Part of Lot 2 in Block 1 in the City of Knoxville, Iowa, described as follows: Beginning at the Northwest corner of said Lot 2, thence South 30 feet 6 inches; thence East 25 feet; thence North 6 inches; thence East 95 feet; thence North 30 feet; thence West 120 feet to the place of beginning, except the interest of owners of adjacent property in partition walls in the building located on said premises, Section 7, Township 75 N, Range 19 West, and

Whereas, granting such an easement is in the public interest,

Now, Therefore, Be It Resolved that Marion County grant an easement, as set out above, to Alliant Energy.

3.) Mater moved and Nichols seconded to approve a Resolution repealing Marion County Ordinance H321.285 as follows:

Whereas, Marion County has speed limits on various road segments throughout the county and,

Whereas, Iowa Code 321 allows local jurisdictions to erect traffic control devices on roads under their jurisdiction and,

Whereas, Marion County has County Ordinance H321.285 which identifies speed limit conditions on Secondary Roads and,

Whereas, The County Engineer maintains a list of all speed limited road segments on county roads,

Now Therefore, Be It Resolved, this 10th day of October, 2005 that, County Ordinance 321.285 shall be repealed and, the speed limit sign locations as kept on record by the County Engineer, shall be resolved to be erected.

4.) Nichols moved and Mater seconded to approve a Resolution repealing Marion County Ordinance H321.322 as follows:

Whereas, Marion County has stop and yield signs in various locations throughout the county and,

Whereas, Iowa Code 321.236 allows local jurisdictions to regulate stop and yield conditions at locations under their jurisdiction and,

Whereas, Marion County has County Ordinance H321.322 which governs stop and yield signs and,

Whereas, The County Engineer maintains a list of all stop and yield sign locations on county roads,

Now Therefore, Be It Resolved, this 10th day of October, 2005 that, County Ordinance 321.322 shall be repealed and, the stop and yield sign locations as kept on record by the County Engineer, shall be resolved to be erected.

5.) Nichols moved and Mater seconded to approve a Resolution repealing Marion County Ordinance H321.474 as follows:

Whereas, Marion County Conducts inspections on all bridges in accordance with the requirements of the Federal Highway Administration and,

Whereas, Iowa Code 321.471 allows local jurisdictions to limit the weights on bridges as required as a result of inspection and,

Whereas, Marion County has County Ordinance H321.474 which governs weight limits on Marion county Bridges and,

Whereas, The County Engineer maintains a list of all bridges that require a weight limit

Now Therefore, Be It Resolved, this 10th day of October, 2005 that, County Ordinance 321.471 shall be repealed and, the recommended weight limits resulting from the most recent inspection are hereby adopted, and the County Engineer shall keep a listing of current weight limits, and proper signs shall be erected and maintained to post the adopted weight limit until the posted bridge is repaired, reconstructed, or removed.

6.) Nichols moved and Mater seconded to approve a Resolution adopting certain speed zones on Secondary Roads in Marion County as follows:

Whereas, the County Engineer has conducted an engineering study on various County Roads for the purpose of evaluating the speed limit, and

Whereas, this study indicates there are locations where additional signing will improve traffic control and,

Whereas, Iowa Code section 321 allows local jurisdictions to place traffic control devices,

Now Therefore Be It Resolved that the following signing be placed at the following locations:

End Speed Limit: Elk horn Drive, East of Park Hills Subdivision, East bound  
150<sup>th</sup> Ave. South of South Shore Heights, South bound  
40<sup>th</sup> Ave. South of Dubuque Street, North bound  
228<sup>th</sup> Pl. North of North Oaks Subdivision, North bound

Shaw St. East of 60<sup>th</sup> St, East of Melcher-Dallas, East bound  
210<sup>th</sup> Ave. N of 218<sup>th</sup> Pl., North of Pella, North bound  
216<sup>th</sup> Pl. North of Harvey, North bound  
Coolidge St. East of Swan, East bound  
Coolidge St. West of Swan, West bound  
Rutledge St. East of Melcher-Dallas, East bound  
216<sup>th</sup> Pl. South of Harvey, South bound  
218<sup>th</sup> Pl. 2000 feet North of Pella, north bound

Speed Zone Ahead: 228<sup>th</sup> Pl. North of Pella, South bound

Speed Zones: 210<sup>th</sup> Ave. South of 218<sup>th</sup> Pl. 40MPH North and South bound  
216<sup>th</sup> Pl. North of Harvey 1000 feet 40 MPH North and South bound  
218<sup>th</sup> Pl. North of Pella 1000 feet 40 MPH North and South bound  
216<sup>th</sup> Pl. South of Harvey 1000 feet 40 MPH North and South bound  
S45 South of Melcher-Dallas to G76 40 MPH North and South bound  
Rutledge St. East of Melcher-Dallas 100 Feet 40MPH East and West bound

Other Business:

1.) Mater moved and Nichols seconded to approve Marion County Law Enforcement Center Change Order #001 for a contract decrease of \$48,970.00.

2.) Nichols moved and Mater seconded to approve a Work Beyond the Right-of-Way Agreement between the Secondary Road department and Dan Pearson.

3.) Mater moved and Nichols seconded to approve a Work Beyond the Right-of-Way Agreement between the Secondary Road department and Nancy Hatch.

4.) Mater moved and Nichols seconded to approve a Work Beyond the Right-of-Way Agreement between the Secondary Road department and Dewey Fastenau.

Appointments: None

Departmental Reports:

Roger Schletzbaum, Marion County Engineer  
Jake Grandia, Marion County Auditor

There being no other business, Nichols moved and Mater seconded the meeting be adjourned at 10:09 A.M. Ayes all.

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Jake Grandia, Marion County Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session October 24, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

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

Ayes: Pothoven, Mater, and Nichols. Nays: none. Abstentions: none.

Consent Agenda:

Mater moved and Nichols seconded to approve the agenda and consent agenda as follows.

1. Approval of Minutes – October 10, 2005.
2. Approve Elected Official Staff Salary Adjustments. A list is available in the Auditor's Office.
3. Approval of Claims – Warrants #148924 - #149124

Public Hearings: Open - Pothoven

1.) Board of Supervisors – A proposal by the Marion County Board of Supervisors, in accordance with Iowa Code Section 331.305, to transfer County interest in a parcel of real estate described as the East 54 feet of Lots 3 & 4 and all of Lots 5 & 6 in Block 11 in the City of Bussey, Iowa, to the City of Bussey. There being no public discussion, Mater moved and Nichols seconded to close the Public Hearing.

Executive Session: None

Public Comments:

1.) Michelle Warin, landowner on 210<sup>th</sup> Ave, brought the Board some information and pictures regarding the dust situation on her road. The Board received the information and discussed options regarding a homeowners association and possible financing.

Zoning Items: None

Resolutions:

1.) Mater moved and Nichols seconded to approve a Resolution transferring a certain parcel of Real Estate to the City of Bussey as follows:

Whereas, disposal of County interest in real estate legally described as:

Tract A: The East 54 feet of Lots 3 and 4 in Block 11 in the Town of Bussey, Iowa.

Tract B: Lots 5 and 6 in Block 11 in the Town of Bussey, Iowa.

Is deemed appropriate and in the public interest, and;

Whereas, an agreement has been reached with the City of Bussey for the transfer of said property; and,

Whereas, a public hearing on the proposed transfer was conducted on the 24<sup>th</sup> day of October, 2005, after published notice thereof, and the Marion County Board of Supervisors has given due consideration to objections and evidence for or against the proposed transfer as reflected by the record of the public hearing;

Now, Therefore, Be It Resolved that the real estate described herein be conveyed by Quit Claim Deed to the City of Bussey, Iowa, and that the Chairman be authorized to execute said Deed on behalf of Marion County.

Other Business:

1.) Mater moved and Nichols seconded to approve a request by the Christian Opportunity Center to increase rates by 3% on Respite W2504, CDAC W1265, and CBE (SES) W1431 services to become effective October 2005.

2.) Nichols moved and Mater seconded to approve a Temporary Lease Agreement with the Iowa National Guard in the un-reclaimed area of Wilcox Park for training purposes.

3.) Mater moved and Nichols seconded to approve a Voluntary Petition to Annex the Slotterback Cemetery into the City of Knoxville.

4.) Nichols moved and Mater seconded to approve a \$219,591.00 contract with Matt Parrott and Sons / Henry M. Adkins & Son, Inc. to provide all equipment, hardware, software, training, and services to the Marion County Auditor's Office regarding a Diebold Voting System that is compliant under the HAVA 2002 Federal Voting Standards.

5.) Nichols moved and Mater seconded to approve an agreement transferring a Bandstand constructed by the Knoxville Rotary Club to Marion County on the grounds of the Marion County Courthouse, Knoxville, Iowa.

6.) Mater moved and Nichols seconded to accept all the bids received on October 19, 2005, for equipment being disposed of by the Secondary Road Department, County Conservation Department, and SCISWA Landfill. A list is available at the Engineer's Office.

7.) Mater moved and Nichols seconded to approve a Work Beyond the Right-of-Way Agreement between the Secondary Road department and David Vander Linden.

Appointments: Mater moved and Nichols seconded.

1.) Aging Resources Advisory Board – Ms. Betty Flanders

Departmental Reports:

Roger Schletzbaum, Marion County Engineer  
Karen Schwanebeck, Marion County Recorder  
Denise Emal, Marion County Treasurer  
Missy Poffenbarger, Marion County Zoning and Sanitation  
Steve Edwards, Marion County Conservation  
Jake Grandia, Marion County Auditor

There being no other business, Nichols moved and Mater seconded the meeting be adjourned at 10:28 A.M. Ayes all.

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Jake Grandia, Marion County Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for special work sessions October 28, 2005, with Dwight Mater Jr., Sam L. Nichols, and Howard Pothoven present. Chairman Pothoven opened the meeting.

9:00 AM – Discussion with Dick Schrad, Knoxville City Manager, regarding a proposed City of Knoxville Urban Revitalization Area in the area in Knoxville Township to be annexed by the City of Knoxville.

10:00 AM – Discussion with County Department Heads regarding the County Job Description Project and a proposed County Employee Paid Time Off (PTO) system.

1:00 PM – Discussion with County Employees regarding a proposed County Employee Paid Time Off (PTO) system.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 2:50 P.M. Ayes all.

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Jake Grandia, Marion County Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session November 14, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

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

Ayes: Pothoven, Mater, and Nichols. Nays: none. Abstentions: none.

Consent Agenda:

Mater moved and Nichols seconded to approve the agenda and consent agenda as follows.

1. Approval of Minutes – October 24, 2005.
2. Approval of Work Session Minutes – October 28, 2005.
3. Approval of Law Enforcement Center Change Order #002 - \$2,016.00 Increase.
4. Approve Elected Official Staff Salary Adjustments. A list is available in the Auditor's Office.
5. Approval of Claims – Warrants #149129 - #149491

Public Hearings: Open - Pothoven

1.) Marion County Auditor/Commissioner of Elections – A proposed County Ordinance to re-establish the election precincts in rural Marion County, Iowa, in accordance with Iowa Code Section 331.208 and Chapter 49. Jake Grandia, Marion County Auditor/Commissioner of Elections, presented on overview of the proposed voting precinct changes. The proposed changes are being precipitated by several factors including the Help America Vote Act (HAVA) and the Secretary of State requiring 100% ADA compliant polling sites, cost of new ADA compliant voting equipment, cost of hiring election workers, and the availability of finding election workers. The changes being discussed are as follows:

Red Rock Township voting in Summit Township (Otley)

Clay Township/Tracy voting in Clay Township/Harvey

Indiana Township voting in Liberty Township (Bussey)

Washington Township voting in Dallas Township (Melcher-Dallas)

Franklin Township and Union Township voting in Pleasant Grove (Pleasantville)

There being no public discussion, Mater moved and Nichols seconded to close the Public Hearing.

Executive Session: None

Public Comments: None

Zoning Items: None

Resolutions:

1.) Mater moved and Nichols seconded to approve a Resolution adopting new load limits on certain bridges located in Marion County, Iowa, as follows:

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

Whereas, the results of the inspections in 2005 and analysis indicate a safe operating load capacity for certain Marion County bridges as listed below.

<u>Bridge Number</u>	<u>Load Limit (Tons)</u>
40210030	3
41248950	18
41269050	3
41358500	Close
49106600	15
49300074	18
51010082	11
58065799	4-28,5-40,6-38
59230098	15
70065500	3
79100034	15
79219275	3

Now, Therefore, Be It Resolved, this 14th day of November, 2005, 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.

2.) Mater moved and Nichols seconded to approve a Resolution authorizing Marion County to participate in the MyEntreNet program as follows:

Whereas, MyEntreNet has been created to assist rural regions with entrepreneurship development and, to develop a public-private effort to support local business growth and expansion and,

Whereas, the University of Northern Iowa will be selecting rural Iowa regions to participate in the MyEntreNet program,

Now Therefore Be It Resolved By The Marion County Board Of Supervisors that the County:

Section 1. Endorses the submission of this application and agrees to participate in the development and support of this program.

Section 2. Endorses the goal of economic development within the context of the start and expansion of locally owned entrepreneurial firms.

Section 3. Will appoint a county official to represent the county on the regional MyEntreNet task force.

Nichols moved and Mater seconded to approve a Resolution adopting a building code for the Marion County Law Enforcement Project as follows:

Whereas, the Board of Supervisors of Marion County, Iowa (the "County"), has awarded a contract to Septagon Construction for the construction of the County Law Enforcement Center Project (the "Project"); and

Whereas, pursuant to an agreement between the County and the City of Knoxville (the "City") the City building code is not applicable to the Project; and

Whereas, the County has not adopted a building code; and

Whereas, the project architects have recommended that the County adopt a building code which would be applicable to the Project;

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

Section 1. The recommendation of the project architects is hereby approved and the International Building Code 2003 is hereby adopted as the building code which shall be applicable to the County Law Enforcement Center Project. The International Building Code 2003 is not adopted as the general building code for the County and shall not be applicable to any project or construction to be undertaken in the County except the County Law Enforcement Center Project.

Section 2. All resolutions or orders or parts thereof, to the extent the same may be in conflict herewith, are hereby repealed.

Other Business:

1.) Mater moved and Nichols seconded to approve an Engineering Services Agreement with Shuck-Briston Consulting Engineers for preliminary and final design on the bridge on Coolidge Street west of 25<sup>th</sup> Place and the bridge on Reagan Drive west of 220<sup>th</sup> Avenue.

2.) Nichols moved and Mater seconded to approve an Engineering Services Agreement with Calhoun-Burns and Associates for the preliminary design of replacement bridges on Virginia Street and Story Street over the Union Pacific and Burlington Northern railroads.

3.) Mater moved and Nichols seconded to approve the renewal of a Class "C" Beer Permit for the Tracy General Store.

4.) Mater moved and Nichols seconded to approve a Work Beyond the Right-of-Way Agreement between the Secondary Road department and Carol Visser Bambrook.



5.) Mater moved and Nichols seconded to approve a Work Beyond the Right-of-Way Agreement between the Secondary Road department and Harry & Linda DeBold.

Appointments: None

Departmental Reports:

Roger Schletzbaum, Marion County Engineer

Jake Grandia, Marion County Auditor

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 10:26 A.M. Ayes all.

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Jake Grandia, Marion County Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in special session November 14, 2005 for the purpose of canvassing the vote from the November 8, 2005, City Elections for the County of Marion, Iowa. Present were Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols.

Chairman Pothoven opened the special canvass at 12:30 P.M.

The canvass was completed and the declared winners are as follows:

City of Hamilton:

Bruce E. Pettyjohn – Mayor  
Joshua Dykstra – Council Member  
Lynial Kiler – Council Member  
Tim Vancenbrock – Council Member  
Jody McCarty – Council Member  
Marlene Allen – Council Member

City of Bussey:

Larry D. Pinegar – Mayor  
Joe Kurimski – Council Member  
Stephanie Sterner – Council Member

City of Harvey:

Dennis Seibert – Mayor  
Jess Ellsworth Jr. – Council Member  
Marian Gordon – Council Member  
Sheryl Kersey – Council Member  
Rick Seibert – Council Member  
Tom Shinn – Council Member

City of Pella:

Mark De Jong – Council Member – At-Large  
Dan L. Vander Beek – Council Member Ward 1  
Bruce Schiebout – Council Member Ward 3

City of Swan:

Robert Harding - Mayor  
David Wright – Council Member  
Bill Gobble – Council Member  
Mark Collins – Council Member  
Bill Millison – Council Member  
Dennis Arthur – Council Member

City of Knoxville:

Harvey Sprafka - Mayor  
Elsie M. Kemp – Council Member  
David Roozeboom – Council Member

City of Marysville:

Sherry Pettyjohn - Mayor  
Norma Sparks – Council Member  
Donald Pettyjohn – Council Member  
James Pinegar – Council Member  
John Flowers – Council Member  
Clifford Pettyjohn – Council Member

City of Melcher-Dallas:

Louis R. Karpan - Mayor  
Mel Beaver – Council Member  
Bill Crozier – Council Member

City of Pleasantville:

Joe Van Haalen - Mayor  
John Franey – Council Member  
Nick Mosher – Council Member  
Mark Thompson – Council Member Fill Vacancy

Mater moved and Nichols seconded the special canvass be adjourned. Ayes all.  
The canvass was adjourned at 12:40 P.M.

The Marion County Board of Supervisors met for special work sessions November 14, 2005, with Dwight Mater Jr., Sam L. Nichols, and Howard Pothoven present. Chairman Pothoven opened the meeting.

11:00 AM – The Board held lengthy discussion with landowners from 180<sup>th</sup> Avenue and Deer Meadows Subdivision regarding a request to pave 180<sup>th</sup> Avenue and the subdivision. The following items were addressed:

- The County, according to the landowners in attendance, allegedly promised in 1969 to pave 180<sup>th</sup> Avenue at some point. There was no reserve money set aside for this potential project.
- A minimum 8" base would be required to pave this road. Costs estimated at \$450,000 - \$500,000 per mile.
- The landowners were asked to inquire with the Corp of Engineers for their portion of potential costs.
- The Iowa Department of Transportation will conduct a new traffic count in 2006. The County estimates a traffic count of approximately 180 cars a day. A minimum count of 400 – 500 cars per day are required to receive federal monies for this project.
- The Board indicated there was no current funding available for paving this segment of road at this time.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 12:15 P.M. Ayes all.

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Sandra Smith, Marion County Designee

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session November 28, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

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

Ayes: Pothoven, Mater, and Nichols. Nays: none. Abstentions: none.

Consent Agenda:

Mater moved and Nichols seconded to approve the agenda and consent agenda as follows.

1. Approval of Minutes – November 14, 2005.
2. Approval of Work Session Minutes – November 14, 2005.
3. Approval of City Election Canvass Minutes – November 14, 2005.
4. Approval of Claims – Warrants #149527 - #149687

Public Hearings: Open – N/A

Executive Session: None

Public Comments: None

Zoning Items: None

Resolutions:

1.) Mater moved and Nichols seconded to approve a Resolution adding L-693306-2, a culvert extension project, to the Secondary Road FY 05-06 Construction Program as follows:

Be It Resolved: That the Board of Supervisors of Marion County, Iowa, initiates and recommends that the following project be approved by the Iowa Department of Transportation (Iowa DOT) for improvement with the funds as shown below for the period covering the current secondary road construction program.

<u>Funding Source</u>	<u>Project Number</u>	<u>Type of Work</u>	<u>Length Miles</u>	<u>Estimated Costs</u>
Local	L-693306-2	Culvert Extension	.1	\$60,000

2.) Nichols moved and Mater seconded to approve a Resolution authorizing the transfer of funds from the LOSST Fund to the Debt Service Fund as follows:

Whereas, the voters of Marion County approved a \$5,100,000 General Obligation Bond Issue to construct a new Marion County Law Enforcement Center.

Whereas, the Marion County Board of Supervisors believe it is in the best interest of the taxpayers of Marion County to supplement the annual debt service principal and interest payment on the Marion County Law Enforcement Center with funds from the proceeds of the Local Option Sales and Services Tax (LOSST) collected in Marion County. The Board approved in the Fiscal Year 2005-2006 budget to use \$300,000 LOSST Funds to reduce the required debt service levy to fund the construction of the Marion County Law Enforcement Center.

Whereas, According To chapter 331.432 of the Code of Iowa, the Board of Supervisors must approve the actual transfer,

Therefore, Be It Resolved that the transfer of funds from the Marion County Local Option Sales and Services Fund to the Marion County Debt Service Fund be approved by the Marion County Board of Supervisors for the Fiscal Year of 2005/2006, and,

Be It Further Resolved, that the Auditor and Treasurer be instructed to make the said transfer in a timely fashion equal to the amount of the approved budgeted transfer of \$300,000.

Other Business:

1.) Mater moved and Nichols seconded to approve the first reading of a proposed County Ordinance to re-establish four (4) rural election precincts in Marion County, Iowa, in accordance with Iowa Code Section 331.208 and Chapter 49 to be effective January 1, 2006. Supervisor Mater noted he had received two calls of concern from residents in Franklin Township.

The following precincts affected are as follows:

Tracy Precinct (ClayTwp) combined with Harvey Precinct (Clay Twp) – Vote in Harvey

Red Rock Twp combined with Summit Twp – Vote in Otley

Union Twp & Franklin Twp combined with Pleasant Grove Twp – Vote in Pleasantville

2.) Mater moved and Nichols seconded to approve a Work Beyond the Right-of-Way Agreement between the Secondary Road Department and Mark De Cook.

Appointments: None

Departmental Reports:

Steve McCombs, Marion County Engineer's Office

Karen Schwanebeck, Marion County Recorder

Jake Grandia, Marion County Auditor

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 9:51 A.M. Ayes all.

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Jake Grandia, Marion County Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for a special work session December 7, 2005, with Dwight Mater Jr., Sam L. Nichols, and Howard Pothoven present. Chairman Pothoven opened the meeting.

11:30 AM – The Board held discussion on ongoing County projects and committees. The following items were addressed:

- Status of the Law Enforcement Center Project and the buildings permanent plaque.
- County departmental budget requests.
- County process on employee deferred compensation 457 plans.
- RC&D upcoming presentation.
- Tracy sewer project community meeting.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 12:35 P.M. Ayes all.

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Jake Grandia, Marion County Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session December 12, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

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

Ayes: Pothoven, Mater, and Nichols. Nays: none. Abstentions: none.

Consent Agenda:

Mater moved and Nichols seconded to approve the agenda and consent agenda as follows.

1. Approval of Minutes – November 28, 2005.
2. Approval of Work Session Minutes – December 7, 2005.
3. Approval of Claims – Warrants #149689 - #149939

Public Hearings: Open – N/A

Executive Session: None

Public Comments: None

Zoning Items: None

Resolutions: None

Other Business:

1.) Nichols moved and Mater seconded to approve the second reading of a proposed County Ordinance to re-establish four (4) rural election precincts in Marion County, Iowa, in accordance with Iowa Code Section 331.208 and Chapter 49 to be effective January 1, 2006.

The following precincts affected are as follows:

Tracy Precinct (ClayTwp) combined with Harvey Precinct (Clay Twp) – Vote in Harvey  
Red Rock Twp combined with Summit Twp – Vote in Otley  
Union Twp & Franklin Twp combined with Pleasant Grove Twp – Vote in Pleasantville

Appointments: Nichols moved and Mater seconded to approve the following appointments:

- 1.) CIRTPA Transportation Policy Committee: Roger Schletzbaum, Marion Co. Engineer  
Jay Davis, Marion Co. Engineer's Ofc. – Alt.
- 2.) CIRTPA Transportation Technical Committee: Roger Schletzbaum, Marion County Engineer  
Jay Davis, Marion Co. Engineer's Ofc. – Alt.

Departmental Reports:

Jay Davis, Marion County Engineer's Office  
Kim Dorn, Marion County Community Health Director  
Jake Grandia, Marion County Auditor

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 9:48 A.M. Ayes all.

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Jake Grandia, Marion County Auditor

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met for special work sessions December 16, 2005, with Dwight Mater Jr., Sam L. Nichols, and Howard Pothoven present. Chairman Pothoven opened the meeting.

9:15 AM – The Board held lengthy discussion regarding the handbook and Paid Time Off (PTO) project. The following items were addressed:

- PTO limits.
- Bereavement leave limits.
- Sick leave payout options.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 11:15 A.M. Ayes all.

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Sandra Smith, Marion County Designee

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Howard Pothoven, Chairman Board of Supervisors



The Marion County Board of Supervisors met for special work sessions December 20, 2005, with Dwight Mater Jr., Sam L. Nichols, and Howard Pothoven present. Chairman Pothoven opened the meeting.

8:45 AM – The Board discussed the following items:

- Health Insurance renewal options.
- Compensation Board recommendations.
- Deferred Compensation Plan.
- Appointment of HIRTA Board member
- Status of HR/Risk Management coordinator.

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 11:00 A.M. Ayes all.

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Sandra Smith, Marion County Designee

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Howard Pothoven, Chairman Board of Supervisors

The Marion County Board of Supervisors met in regular session December 27, 2005, with Howard Pothoven, Dwight Mater Jr., and Sam L. Nichols present. Chairman Pothoven opened the meeting at 9:30 A.M.

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

Ayes: Pothoven, Mater, and Nichols. Nays: none. Abstentions: none.

Consent Agenda:

Mater moved and Nichols seconded to approve the agenda and consent agenda as follows.

1. Approval of Minutes – December 12, 2005.
2. Approval of Work Session Minutes – December 16, 2005, & December 20, 2005.
3. Approval of Elected Official Staff Salary Adjustments. A list is available in the Auditor's Office.
4. Approval of Claims – Warrants #149982 - #150133

Public Hearings: Open – N/A

Executive Session: None

Public Comments: None

Zoning Items: None

Resolutions:

1.) Nichols moved and Mater seconded to approve a Construction Evaluation Resolution regarding confined animal feeding operations as follows:

Whereas, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a "construction evaluation resolution" relating to the construction of a confinement feeding operation structure; and

Whereas, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

Whereas, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR's decision regarding a specific application; and

Whereas, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2006 and January 31, 2007 and submit an adopted recommendation regarding that application to the DNR; and

Whereas, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board's recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

Now, Therefore, Be It Resolved By The Board Of Supervisors Of Marion County that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

Other Business:

1.) Mater moved and Nichols seconded to approve the third and final reading of a proposed County Ordinance to re-establish four (4) rural election precincts in Marion County, Iowa, in accordance with Iowa Code Section 331.208 and Chapter 49 to be effective January 1, 2006.

The following precincts affected are as follows:

Tracy Precinct (Clay Twp) combined with Harvey Precinct (Clay Twp) – Vote in Harvey  
Red Rock Twp combined with Summit Twp – Vote in Otley  
Union Twp & Franklin Twp combined with Pleasant Grove Twp – Vote in Pleasantville

2.) Mater moved and Nichols seconded to approve a Resolution to finalize a Precincting Ordinance as follows:

Whereas, the Census 2000 has been completed, and

Whereas, the Marion County Board of Supervisors may act according to Iowa Code Section 49.8(6) to establish the voting precincts to be used until the next census whether there are any changes or not,

Therefore Be It Resolved that the following voting precincts be established for use in Marion County:

Precinct 1: Clay Twp including City of Harvey

Precinct 2: Dallas Twp, including City of Melcher–Dallas

Precinct 3: Liberty Twp, including Cities of Bussey, Hamilton, Marysville

Precinct 4: Franklin Twp, Union Twp, Pleasant Grove Twp, including Cities of Pleasantville, Swan

Precinct 5: Knoxville Twp

Precinct 6: Lake Prairie Twp

Precinct 7: Summit Twp, Red Rock Twp

Precinct 8: Indiana Twp

Precinct 9: Washington Twp

Appointments: Mater moved and Nichols seconded to approve the following appointments:

1.) Marion County Conservation Board: Lloyd Phillips – 5 year term ending 12/31/2010

Departmental Reports:

Roger Schletzbaum, Marion County Engineer  
Steve Edwards, Marion County Conservation Director  
Gary Verwers, Marion County Sheriff  
Jake Grandia, Marion County Auditor

There being no other business, Mater moved and Nichols seconded the meeting be adjourned at 9:51 A.M. Ayes all.

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Jake Grandia, Marion County Auditor

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Howard Pothoven, Chairman Board of Supervisors