

The Marion County Board of Supervisors met in regular session at 3014 E Main St Knoxville, IA 50138 on Tuesday, September 28, 2021 with Mark Raymie, Kisha Jahner and Steve McCombs present. Public access to the meeting was available in-person and electronically. Chairman Raymie opened the regular session at 9:00 A.M.

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

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

Agenda:

Jahner moved and McCombs seconded to approve agenda as presented.

Communications:

Raymie received correspondence from Bethany Christian Services regarding a Afghan refugee resettlement program.

Public Comments: None

Consent Agenda:

Jahner moved and McCombs seconded to approve the consent agenda:

1. Approval of Marion County Warrants #242442 - #242593 through 9/28/2021.
2. Approval of Marion County Board of Supervisor Regular Session Minutes: 9/14/2021
3. Approval of Marion County Board of Supervisor Election Canvass Minutes – 9/14/2021 Melcher-Dallas School Special: 9/21/2021
4. Approval of Marion County employee salary adjustments. Complete list available in the Human Resource Office – None for this meeting.
5. Approval of Marion County Conservation Board warrants #242398 - #242441 through 9/21/2021.

Business:

1. Jahner moved and Mc Combs seconded to engage Dustin Miller, Nyemaster & Goode to research federal and state grant opportunities available to the County. The cost for services is not to exceed \$3,000.
2. Jahner moved and Mc Combs seconded to approve the following Class C Liquor License with Sunday Sales:
-V.P. Venue, LLC dba The Gathering Ground, 2125 Hwy 5, Bussey IA 50044
3. Mc Combs moved and Jahner seconded to approve the following appointment:
- Medical Examiner Investigator, Tracy Hall, BSN, RN, EMT
4. Jahner moved and Mc Combs seconded to approve Marion County Courthouse Grounds Special Event Application – Addendum
- Knoxville Hospital “Girls Night Out”, 10/7/21
- Addendum to allow use of the County’s NE parking lot, gravel lot at 113 S Third and the Courthouse lawn beginning at 2:00 PM.
5. Mc Combs moved and Jahner seconded to approve Resolution 2021-73, court appointed fee schedule as follows:

Whereas, the Iowa Legislature recently amended Iowa Code section 815.7, increasing reasonable compensation for appointments of court attorneys made on or after July 1, 2021, for all cases not involving felony criminal charges, from \$63.00 per hour to \$66.00 per hour.

Whereas, court appointed attorneys have now begun to submit fee claims payable by Marion County, which were incurred following July 1, 2021.

Whereas, it is in the best interests of Marion County to amend its comprehensive court appointed attorney fee schedule, in situations where the County may be held responsible for these costs, to be consistent with the updated version of Iowa Code section 815.7,

Now, Therefore, Be It Resolved the reasonable compensation for Court appointed attorneys shall be compensated at a rate per hour to \$66.00 per hour, subject to a maximum of Five hundred dollars (\$500.00) in cases where the County is responsible for payment. Additional compensation at the rate of \$66.00 per hour may be paid for the court appointment only if the Court has granted a Motion to Exceed the Guidelines prior to submission of the invoice for payment. This resolution becomes effective upon its approval.

6. Jahner moved and Mc Combs seconded to approve Resolution 2021-71, to Rescind the Action of the October 14, 1976 Board of Supervisors, Marion County, Iowa (Zoning in unincorporated Pershing area) as follows:

Whereas, the current Marion County Board of Supervisors direct the Marion County Zoning Administrator and the Marion County Zoning Commission to pursue reinstating zoning in the defined Unincorporated Pershing, located in Marion County, Iowa, and more particularly described as follows, to-wit:

The Town of Pershing located in the SE1/4 of Section 25 and the N1/2 of the NE1/4 of Section 35 of Township 75 North, Range 19 West of the 5th P.M. as shown in plats recorded in Irregular Surveys Book 3, Pages 169 and 189, and in Irregular Surveys Book 4, Pages 221 & 222. And,

Whereas, this Resolution would take the place of the action of the Board of Supervisors of October 14, 1976, which exempted the unincorporated Pershing from the County Zoning Ordinance; and

Whereas, on the effective date of the adoption of the updated Marion County Zoning Ordinance Pershing would be zoned R-1; Single Family Residential; to ensure future development promote public health and safety, protect property values in the interest of the property owners and Marion County infrastructure by providing orderly and planned development; and

Whereas, the effective date of the adopted Zoning Ordinance shall set forth the allowance as defined in 55.10 NON-CONFORMITIES for non-conformities created during the time of exemption. Any such nonconformities shall be allowed to continue as defined.

Now, Therefore, Be It Resolved by the Board of Supervisors of Marion County, Iowa, direct the Marion County Zoning Administrator and the Marion County Zoning Commission to proceed with the zoning of the Unincorporated Pershing As R-1; single family residential.

7. Mc Combs moved and Jahner seconded to approve Resolution 2021-72, Approval of Iowa DOT Agreement 5-21-STBG-SWAP-017 for Surface Transportation Block Grant Program Swap Project Funding for Attica G76 Pavement Rehabilitation project STBG-SWAP-CO63(141)-FG-63 as follows:

Whereas, County Road G76 is under the jurisdiction of Marion County and;

Whereas, the pavement on G76 in the unincorporated town of Attica is severely in need of replacement and rehabilitation and;

Whereas, a project, STBG-SWAP-CO63(141)—FG-63, to rehabilitate the pavement has been included in the current County Five Year Construction Plan and;

Whereas, Federal-Aid Swap funding is available through the Iowa Department of Transportation (IDOT) Federal-Aid Swap Surface Transportation Block Grant Program (STBG) to fund the project and is detailed in agreement no. 5-21-STBG-SWAP-017;

Now Therefore, Be It Resolved, that a project to rehabilitate the pavement on G76 in Attica shall be initiated and the Board of Supervisors shall enter into a Federal-Aid Swap Agreement, No. 5-21-STBG-SWAP-017 with the Iowa Department of Transportation.

8. Chris Nesteby, Marion County Facilities Director updated the Board on the progress of the VA Demolition Project. He reported many comments received regarding the public's perception of the lack of tree removal on the property. Nesteby commented that the trees remain to provide a sound and dust barrier. Nesteby also commented that up to date photos and drone footage can be found on the County's website. Jahner moved and Mc Combs seconded to close discussion.

9. Board of Supervisor Updates:

- McCombs – Will attend Cedar Creek Watershed meeting tomorrow

- Jahner – Attended Pella Planning and Zoning meeting last night.

- IMPACT notified the County that they will continue to serve Marion County however they will not be operating at 104 S. Sixth St. Knoxville, IA 50138 after October 23, 2021.

- Request an update regarding ARPA funds.
- Raymie – Met at Public Health with City/County officials and Non-profit organizations for discussion regarding concern of homelessness in Knoxville.
 - Bethany Christian Services Regional office notified the County they will be pulling back interest in Afghan refugee relocation due to staffing. Raymie appreciates input from the community regarding this matter.

10(a). Jahner moved and Mc Combs seconded to convene into Closed Session pursuant to Iowa Code Chapter 21.5(1)(j) at 9:45 A.M.

10(b). Jahner moved and McCombs seconded to reconvene into Open Session at 10:06 A.M.

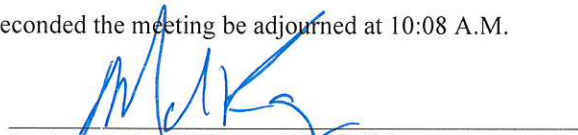
10(c). Jahner moved and McCombs seconded to direct Marion County Attorney Ed Bull to take actions necessary to secure clean title to Marion County property located at 113-117 S. Third St. Knoxville, IA 50138.

Adjournment:

There being no other business, Jahner moved and McCombs seconded the meeting be adjourned at 10:08 A.M.



Dani Graves, Deputy Auditor



Mark Raymie, Chairman, Board of Supervisors