

The Marion County Board of Supervisors met in regular session at 3014 E Main St Knoxville, IA 50138 on Tuesday, June 28, 2022 with Mark Raymie and Kisha Jahner present. Steve McCombs was excused. 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 Nays: None Abstentions: None Absent: McCombs

Agenda:

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

Communications: None

Public Comments: None

Consent Agenda:

Jahner moved and Raymie seconded to approve the consent agenda:

1. Marion County Warrants #246042 - #246254 through 6/28/2022.
2. Marion County Board of Supervisors Regular Session Minutes: 6/14/2022
3. Marion County Board of Supervisor 6/7/2022 Primary Election Canvass: 6/14/2022
4. Marion County employee salary adjustments. Complete list available in the HR Office.
5. Marion County 7/1/2022 employee salary adjustments. Complete list available in the HR Office.
6. Marion County Conservation Board Warrants #245989 - #246041 through 6/23/2022.

Business:

1. Jahner moved and Raymie seconded to approve Resolution 2022-63: FY23 Marion County Budget Expense Appropriations as follows:

Whereas the Marion County Board of Supervisors approved the budget for Fiscal Year 2022-2023, and

Whereas the monies must be appropriated for each department according to Iowa Code §331.434(6),

Therefore, Be It Resolved the following expenses be appropriated for each department listed for the FY 22-23 year.

		FY23 Approved Budget	FY23 Budget Appropriation 6.28.2022
Supervisor		\$279,967	\$279,967
Auditor		\$594,264	\$594,264
Treasurer		\$705,359	\$705,359
Attorney		\$942,813	\$942,813
Sheriff		\$4,600,319	\$4,600,319
Court Services		\$186,508	\$186,508
Recorder		\$433,808	\$433,808
Zoning		\$130,812	\$130,812
Human Resources/Risk Management		\$205,035	\$205,035
Dept. of Human Services		\$19,000	\$19,000

Sheriff Reserve	\$15,600	\$15,600
Pioneer Cemetery Commission	\$10,000	\$10,000
Geographic Information System (GIS)	\$127,215	\$127,215
Road Department	\$10,263,199	\$10,263,199
Veterans Affairs	\$101,977	\$101,977
Conservation	\$1,910,947	\$1,910,947
Public Health	\$3,976,203	\$3,976,203
Weed Commission	\$9,544	\$9,544
General Assistance	\$35,200	\$35,200
REAP	\$100,000	\$100,000
Medical Examiner	\$149,330	\$149,330
Libraries	\$95,000	\$95,000
Ambulance	\$3,467	\$3,467
Environmental Health	\$206,363	\$206,363
Civil Service	\$1,250	\$1,250
County Facilities	\$769,939	\$769,939
Information Technology	\$517,954	\$517,954
Mental Health	\$356,370	\$356,370
Development Commission	\$143,519	\$143,519
Substance Abuse	\$51,000	\$51,000
Non-departmental	\$13,619,764	\$13,619,764
	\$40,561,726	\$40,561,726

Note: Transfers (TX) not included in totals.

2. Jahner moved and Raymie seconded to approve Resolution 2022-62: Employee Mileage Reimbursement Rate Effective 7/1/2022 as follows:

Whereas it has been the policy of Marion County to pay mileage at the rate of 58.5 cents 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 for mileage driven on or after July 1, 2022, the mileage rate paid by Marion County is 62.5 cents per mile.

3. Jahner moved and Raymie seconded to approve Class C Liquor with Outdoor Service License Renewal Application:
- Countryside Wedding and Events 1995 Hwy 5, Knoxville, IA 50138

4. Raymie moved and Jahner seconded to approve the following appointment:
- Marc Vande Noord - Pella Planning and Zoning to fill vacancy term ending 5/1/2023

5. Raymie moved and Jahner seconded to approve the following appointment:
- Larry Lautenbach – Pella Board of Adjustment to fill vacancy term ending 5/1/2023

6. Jahner moved and Raymie seconded to approve a Lease Agreement for space in the Pella Community Center for Driver's License purposes by the Marion County Treasurer's Office effective 7/1/2022 – 6/30/2023.

7. Jahner moved and Raymie seconded to approve Resolution 2022-65: FY23 Road Department Base Wage Policy as follows:

Whereas, the changes to the Secondary Road Payroll Policy is updated for each new fiscal year in June, effective on July 1 and;

Whereas, the Secondary Road Payroll Policy establishes base pay rates for job classifications in the department;

Whereas, a revised policy is proposed at this time for the upcoming fiscal year;

Now Therefore Be It Resolved, the FY '22-'23 Secondary Road Payroll Policy be approved as amended.

8. Public Hearing: Chairman Raymie opened a Public Hearing at 9:24 AM regarding proposed Marion County Ordinance 2022-2 amending Chapter 51 – Purchase of Tax Sale Certificate on Parcels with Delinquent Taxes and Abandoned Nuisance Residential Properties. Marion County Treasurer Michaela Bigaouette presented a summary and held discussion with the Board regarding the proposed Ordinance Chapter 51 amendment. No written or oral comments were received. Jahner moved and Raymie seconded to close discussion at 9:34 AM.

9. Jahner moved and Raymie seconded to approve the 1st reading of proposed Marion County Ordinance 2022-2 amending Chapter 51 – Purchase of Tax Sale Certificate on Parcels with Delinquent Taxes and Abandoned Nuisance Residential Properties.

10. Jahner moved and Raymie seconded to approve waiving the 2nd and 3rd readings of proposed Marion County Ordinance 2022-2 amending Chapter 51 – Purchase of Tax Sale Certificate on Parcels with Delinquent Taxes and Abandoned Nuisance Residential Properties and authorize final approval with publication as follows:

MARION COUNTY ORDINANCE 2022-2
Amending Chapter 51

Purchase of Tax Sale Certificates on Parcels with Delinquent Taxes and Abandoned Nuisance Residential Properties

51.01 PURPOSE.

The purpose of this chapter is to allow the County and the cities within the County the opportunity to utilize Iowa Code §§446.19A and 446.19B, as may hereafter be amended. Iowa Code §446.19A authorizes counties and cities to bid on and purchase delinquent taxes and to assign tax sale certificates on abandoned property or vacant lots. Iowa Code §446.19B authorizes the County to separately offer and sell at the annual tax sale delinquent taxes on parcels that are abandoned property and are assessed as residential property or as commercial multifamily housing property and that are, or are likely to become, a public nuisance.

51.02 DEFINITIONS.

For the purpose of this chapter, definitions for terms as defined in Iowa Code §§446.19A and 446.19B as amended are adopted.

51.03 PURCHASING DELINQUENT TAXES.

1. Pursuant to Iowa Code §446.19A as amended, the County and each city in the county are authorized to bid on and purchase delinquent taxes and to assign tax sale certificates of abandoned property or vacant lots.
2. Pursuant to Iowa Code § 446.19B as amended, the County Treasurer is authorized to separately offer and sell at the annual tax sale delinquent taxes on parcels that are abandoned property and are assessed as residential property or as commercial multifamily housing property and are, or are likely to become, a public nuisance.

51.04 PROCEDURE FOR PURCHASE FOR HOUSING UNDER §446.19A.

1. Prior to a purchase, the county or city shall file with the county treasurer a verified statement that a parcel to be purchased is one of the following:
 - a. Abandoned property and that the parcel is suitable for use as housing following rehabilitation, or
 - b. A vacant lot.

2. The verified statement shall follow the form set by Iowa Code § 446.19A(2).

3. On the day of the regular tax sale or any continuance or adjournment of the tax sale, the County Treasurer, on behalf of the County or a city, may bid for and purchase tax sale certificates on abandoned property assessed as residential property or as commercial multifamily housing property or for a vacant lot a sum equal to the total amount due. The County or city

shall not pay money for the purchase, but each of the tax-levying and tax-certifying bodies having any interest in the taxes shall be charged with the total amount due the tax-levying or tax-certifying body as its just share of the purchase price. The provisions of Iowa Code §446.19A apply.

4. The city or county may assign the tax sale certificate obtained pursuant to Iowa Code § 446.19A. Persons who purchase certificates from the city or county under this subsection are liable for the total amount due the certificate holder pursuant to Iowa Code §447.1.

51.05 PROCEDURE FOR PUBLIC NUISANCE SALE UNDER IOWA CODE §446.19B

1. On or before May 15, the County or city may file with the County Treasurer a verified statement containing a listing of parcels and a declaration that each parcel is abandoned property, each parcel is assessed as residential property or as commercial multifamily housing property, each parcel is, or is likely to become, a public nuisance, and that each parcel is suitable for use as housing following rehabilitation.

a. The verified statement shall be published in the manner set out in §446.19B(3).

2. On the day of the regular tax sale or any continuance or adjournment of the tax sale, the County Treasurer shall separately offer and sell those parcels listed in a verified statement timely received and properly published and which remain liable to sale for delinquent taxes. This sale shall be known as the "public nuisance tax sale." The provisions of Iowa Code §446.19B apply.

4. If the holder of a certificate of purchase at the public nuisance tax sale obtains a tax sale deed and subsequently determines that a building, structure, or other improvement located on the parcel cannot be rehabilitated for habitation, the tax sale deed holder may request approval from the board of supervisors, or the city council if the property is located within a city, to remove, dismantle, or demolish the building, structure, or other improvement.

5. All other provisions of Iowa Code §446.19B shall apply.

51.06 ASSIGNMENT OF TAX SALE CERTIFICATES.

1. After the date that a parcel is sold pursuant to Iowa Code §446.18 or §446.19A, if the parcel assessed as residential property or as commercial multifamily housing property is identified as abandoned or vacant lot to a in the same form set forth in 446.19A(2), a County or city may require the assignment of the tax sale certificate that had been used for such parcel by paying to the holder of such certificate the total amount due on the date the assignment of the certificate is made to the County or city and recorded with the County Treasurer. If the certificate is not reassigned by the County or city, the County or city, whichever is applicable, is liable for the tax sale interest that was due the certificate holder pursuant to Iowa Code §447.1, as of the date of assignment.

51.07 RESERVED.

51.08 INTENT TO REHABILITATE THE PROPERTY.

1. All persons who purchase certificates from the County or city pursuant to 51.04 shall demonstrate the intent to rehabilitate the property for habitation or build a residential structure on the vacant lot if the property is not redeemed. In the alternative, the County or city may, if title to the property has vested in the County or city under Iowa Code §448.1, dispose of the property in accordance with Iowa Code §331.361 or §364.7, as applicable.

2. To be eligible to bid at a public nuisance sale under 51.05, all prospective bidders shall enter into a rehabilitation agreement with the county, or with the city if the property is located within a city, to demonstrate the intent to rehabilitate the property for use as housing if the property is not redeemed.

Approved by the Board of Supervisors of the County of Marion, Iowa on the 28th day of June, 2022.

11. Eddie Fisherman representing the City of Melcher-Dallas requested the County use newly amended Ordinance Chapter 51 regarding Parcel 25156-000-00 on behalf of the City. Marion County Treasurer Bigaouette supported the use of Chapter 51 in this situation. The Board had consensus for the County to prepare necessary documents for placement on the next Board of Supervisor Agenda. Jahner moved and Raymie seconded to close discussion.

12. Chris Nesteby, Marion County Facilities Director, reported the VA Campus Demolition project was near completion and final walk through was taken place this week. The Board discussed fencing options after completion of the project. Jahner moved and McCombs seconded to close discussion.

13. Board of Supervisor Updates:

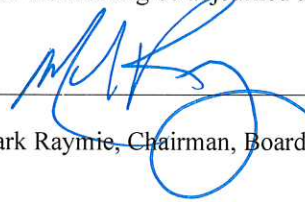
- Jahner: Final Pella P&Z Meeting
- Raymie: MH meeting in July, BOH meeting – competitive grants, Knoxville VA Plans

Adjournment:

There being no other business, Jahner moved and Raymie seconded the meeting be adjourned at 9:48 A.M.



Jake Grandia, County Auditor



Mark Raymie, Chairman, Board of Supervisors

