



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

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

**Please see instruction below:**

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

Marion County is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us06web.zoom.us/j/88260393117?pwd=cnJ1ZzVUdnZQOVZLK2txZ0sxUmo0dz09>

Meeting ID: 882 6039 3117

Passcode: 161826

**MARION COUNTY BOARD OF  
SUPERVISORS REGULAR AGENDA**

**3014 E Main St, Knoxville, Iowa**

**October 11, 2022 9:00 A.M.**

I. **CALL TO ORDER AND ROLL CALL**

Kisha Jahner\_\_\_\_\_ Mark Raymie\_\_\_\_\_ Steve McCombs\_\_\_\_\_

## II. AGENDA –

1. October 11, 2022 Regular Session agenda.

### III. COMMUNICATIONS

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



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

1. Marion County Claims through 10/11/2022.
2. Marion County Board of Supervisor Regular Session Minutes: 9/27/2022
3. Marion County Board of Supervisor Special Session Minutes: 9/29/2022
4. Marion County employee salary adjustments. Complete list available in the Human Resource Office.

## VI. BUSINESS –

### 1. Discussion/action:

Timberview Urban Renewal Area (5 Year Extension) - Agreement by and among City of Pella, Pella Community School District and Marion County.

AGREEMENT BY AND AMONG

CITY OF PELLA, IOWA,

COUNTY OF MARION, IOWA,

AND

PELLA COMMUNITY SCHOOL DISTRICT

\_\_\_\_\_, 2022

WHEREAS, the City of Pella, Iowa ("City") has adopted or intends to adopt the Timberview Urban Renewal Plan (the "Urban Renewal Plan") for the Timberview Urban Renewal Area (the "Urban Renewal Area") within the limits of the City, the County of Marion, Iowa ("County"), and the Pella Community School District ("School District"); and

WHEREAS, Iowa Code Section 403.22(5) provides that the division of revenue under Iowa Code Section 403.19 for the provision of public improvements related to housing and residential development may continue for 10 fiscal years (beginning with the second fiscal year after the year of first certification of debt), unless the municipality undertaking the urban renewal projects has a population of under 15,000 and obtains approval from the governing bodies of all Affected Taxing Entities (the City, County, and School District) to extend the division of revenue for up to five (5) years; and

WHEREAS, the City has a population of under 15,000; and

WHEREAS, pursuant to the Urban Renewal Plan, the City intends to consider entering into a development agreement with a private developer for the provision of public improvements related to housing and residential development that is planned to be constructed as part of a residential subdivision in the Urban Renewal Area (the "Project"); and

WHEREAS, sufficient incremental taxes may not be generated by development in the Urban Renewal Area to adequately fund the Project during the 10 years statutorily allowed for TIF repayment; and

WHEREAS, the City is requesting the Affected Taxing Entities to allow an extension of the ability of the City to collect Tax Increment in order to adequately fund the Project in the Urban Renewal Area for up to a total of 15 years.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

Section 1. Pursuant to Iowa Code Section 403.22(5), all Affected Taxing Entities have, by action of their governing bodies, approved the extension of the division of revenue under Iowa Code Section 403.19 in the Timberview Urban Renewal Area for the City of Pella, Iowa, for up to

a total of fifteen (15) fiscal years of division of revenue (beginning with the second fiscal year after the year of first certification of debt) in connection with projects involving the provision of public improvements related to housing and residential development.

Section 2. The undersigned officials affirm they are duly authorized to execute this Agreement on behalf of the party for which they are signing.

Section 3. This Agreement may be executed in any number of counterparts, each of which shall constitute one and the same instrument.

CITY OF PELLA, IOWA

(SEAL)

\_\_\_\_\_  
Donald De Waard, Mayor

ATTEST:

\_\_\_\_\_  
Mandy Smith, City Clerk

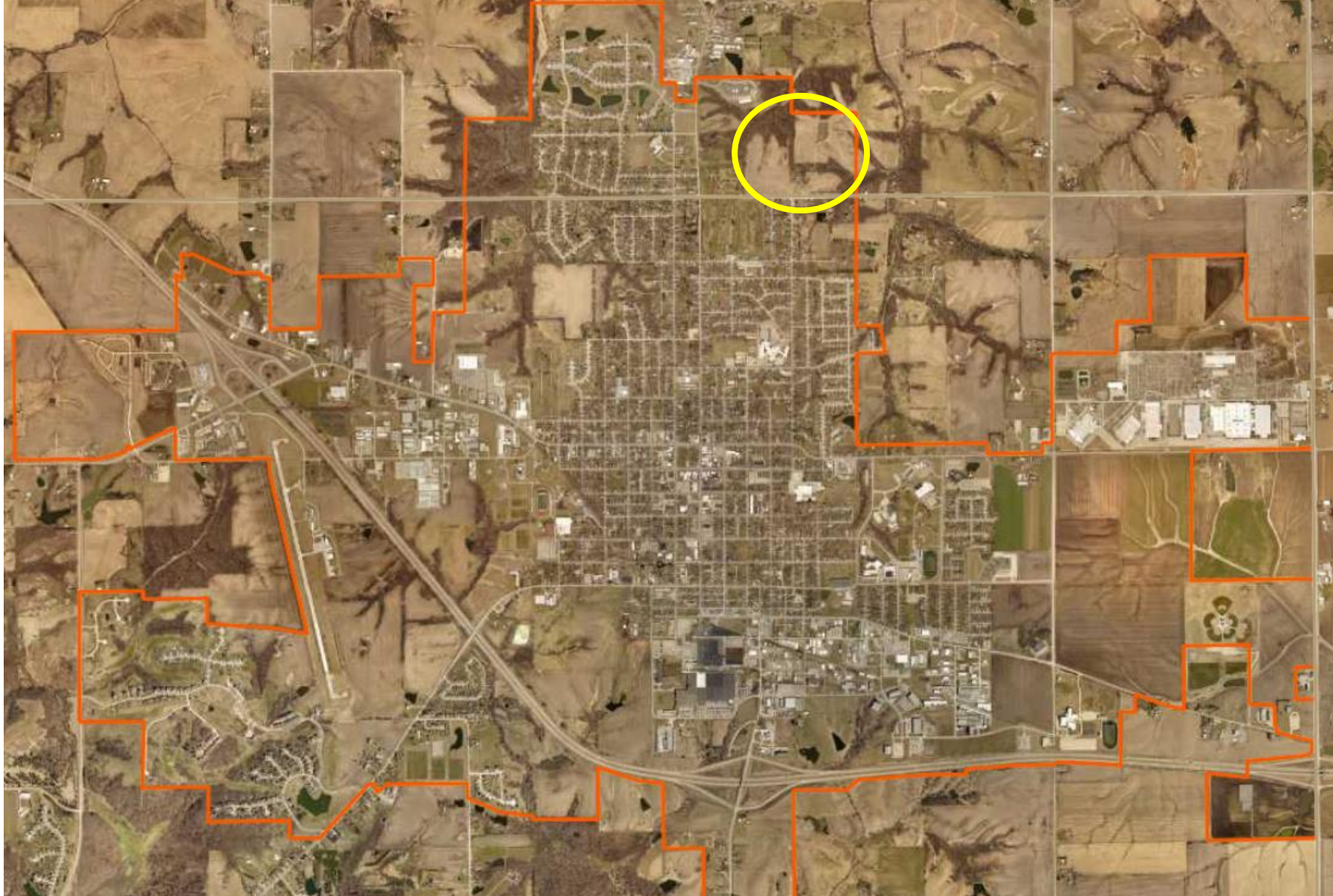
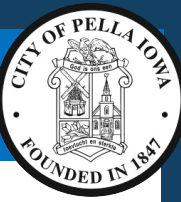
STATE OF IOWA                     )  
                                                  ) SS  
COUNTY OF MARION            )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2022, before me the undersigned, a Notary Public in and for the State of Iowa, personally appeared Donald De Waard and Mandy Smith, to me personally known, who, being duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Pella, Iowa a Municipality created and existing under the laws of the State of Iowa, and that the seal affixed to the foregoing instrument is the seal of said Municipality, and that said instrument was signed and sealed on behalf of said Municipality by authority and resolution of its City Council, and said Mayor and City Clerk acknowledged said instrument to be the free act and deed of said Municipality by it voluntarily executed.

\_\_\_\_\_  
Notary Public in and for the State of Iowa

*[Signature page to Extension Agreement – City of Pella, Iowa]*

# Timberview Development *Location*

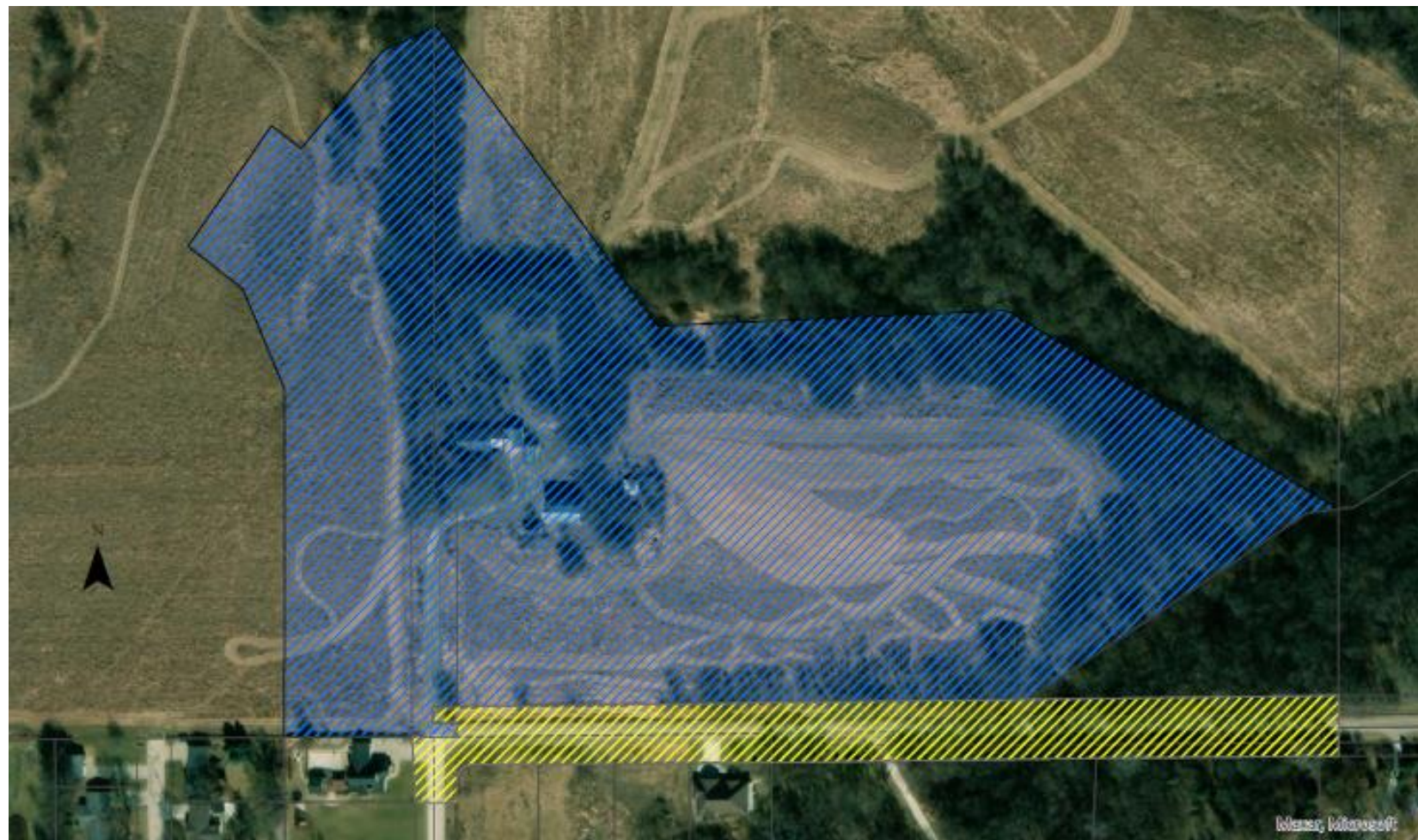







# Timberview Development *Urban Renewal Phase One*



- The City of Pella is asking for Marion County to approve a fifteen-year urban renewal plan
- This will allow the developer the opportunity to be reimbursed for phase I public infrastructure costs of \$2.4 million



-  Proposed Urban Renewal
-  Proposed Urban Renewal Right of Way
-  Marion County Parcels

## 2. Resolution 2022-76:

Disposition of County Property: Legally Described as the South ½ Lots 1,2,3, and 4 in Block 7 in the Original Town of Hamilton, Iowa (Now includes vacated North-South Alley lying between South ½ of Lots 2 & 3). The Property is also known as Parcel 18692-000-00 in Marion County, Iowa.

## Board of Supervisors Resolution 2022-76

Disposition of County Property: legally described as the South ½ Lots 1, 2, 3, & 4 in Block 7 in the Original Town of Hamilton, Iowa (Now includes vacated North-South Alley lying between South ½ of Lots 2 & 3. The Property is also known as Parcel 18692-000-00 in Marion County, Iowa.

Having previously held a noticed public hearing regarding the above-mentioned property and having received no public comment, the Board of Supervisors has adopted a resolution for the sale of the above-mentioned County property. The resolution is as follows:

1. The County will sell the South ½ Lots 1, 2, 3, & 4 in Block 7 in the Original Town of Hamilton, Iowa (Now includes vacated North-South Alley lying between South ½ of Lots 2 & 3 to Rhianna Frost by quitclaim deed. The Property is also known as Parcel 18692-000-00 in Marion County, Iowa.
2. Sale price is \$830 cash.
3. The Marion County Attorney's Office will assist with all legal requirements related to the transfer/sale of the property.

Dated: \_\_\_\_\_, 2022

\_\_\_\_\_  
Mark Raymie, Supervisor

\_\_\_\_\_  
Steve McCombs, Supervisor

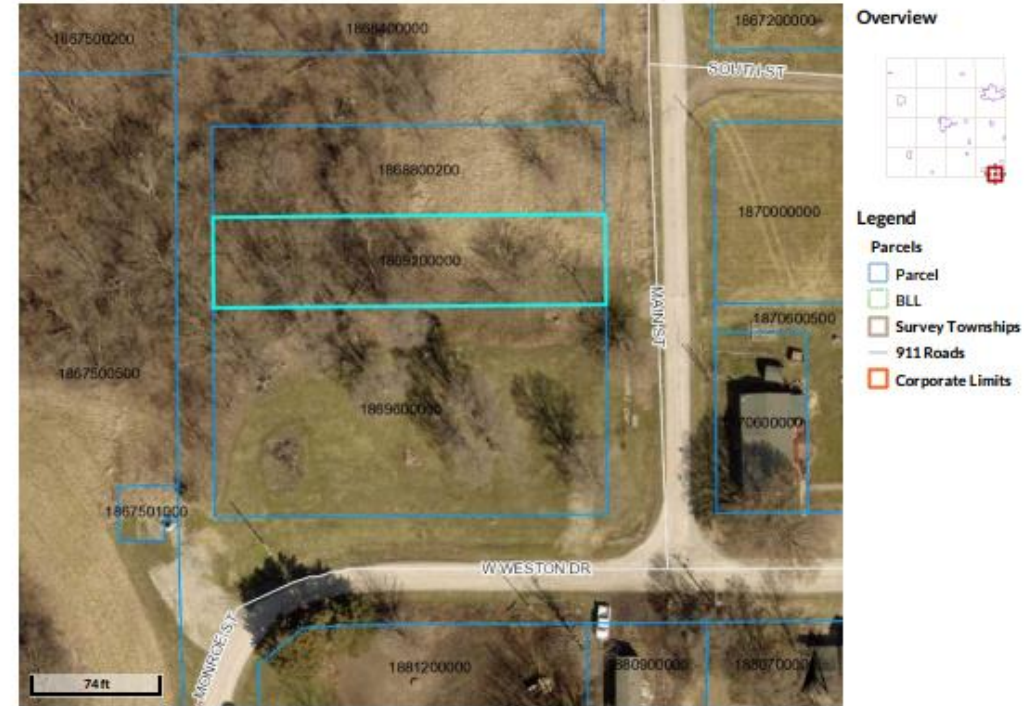
\_\_\_\_\_  
Kisha Jahner, Supervisor

Attest:

\_\_\_\_\_  
Jake Grandia

Marion County Auditor

## Marion County - Parcel 18692-000-00



Parcel ID	1869200000	Alternate ID	n/a	Owner Address	Marion County
Sec/Twp/Rng	35-74-18	Class	C		214 E Main
Property Address	MAIN	Acreage	n/a		Knoxville, IA 50138
	HAMILTON				
District	HAMILTON INC TWIN CEDARS				
Brief Tax Description	ORIG BLK 7 LOTS 1, 2,3,4 S1/2 & VAC ALLEY BTWN 2&3				
	(Note: Not to be used on legal documents)				

Before starting any construction projects, contact the Marion County Zoning department about Building Permit requirements.

Date created: 5/26/2022

Last Data Uploaded: 5/26/2022 2:59:46 AM

Developed by  **Schneider**  
GEOSPATIAL

3. Discussion/action:

Special Event Application: Thrive Knoxville Living Windows 11/17/2022



## SPECIAL EVENT PERMIT APPLICATION FORM

### 1. SPONSOR Thrive Knoxville

ADDRESS 418 S. Park Lane Dr., Knoxville, IA 50138

PHONE 641-751-5891

2. EVENT TYPE: (description) Living Windows – tree lighting on Courthouse grounds (5:30 p.m.), Chamber of Commerce Snowball drop in the bandstand (immediately following tree lighting), wreath auction in the Courthouse Rotunda (5:30 to 7:00 p.m.)

3. EVENT CONTACT PERSON(s) Cassi Pearson, Leta Burke  
PHONE 641-751-5891, 641-521-3338

ADDRESS 418 S. Park Lane Dr., Knoxville, IA 50138  
E-MAIL troy.cassi.pearson@gmail.com; leta.burke@iowatelecom.net

4. ON-SITE CONTACT PERSON(s) Cassi & Leta PHONE 641-751-5891, 641-521-3338

5. EVENT LOCATION Marion County Courthouse lawn & surrounding square

6. EVENT DATE 11/17/2022 EVENT START TIME 5 PM EVENT END TIME 8 PM

7. SET UP TIME 4 PM TAKE DOWN TIME 8 PM

8. RAIN DATE/TIME NA

9. RESTROOMS: NUMBER OF TOILETS BEING PROVIDED 0

LOCATION(S) OF TOILETS - \_\_\_\_\_

USE OF COURTHOUSE RESTROOMS REQUESTED? Yes (5:00 to 7:00 p.m.)

10. UTILITIES TO BE USED (LIST EQUIPMENT TYPES)(attach additional pages if necessary)

Electrical

10a. ELECTRICAL SOURCE Christmas tree & trees on Courthouse lawn & bandstand

10b. WATER SOURCE NA

11. SECURITY NA

12. SITE PLAN ATTACHED. ☒ YES ☐ NO

13. INDEMNITY AGREEMENT SIGNED AND ATTACHED. ☒ YES ☐ NO

14. INSURANCE CERTIFICATE ATTACHED. ☒ YES ☐ NO

15. DAMAGE DEPOSIT INCLUDED (AMOUNT \$ \_\_\_\_\_) ☐ YES ☒ NO

*I have read this Special Event Agreement and Application packet and have accurately and truthfully completed the Application. I agree that I will obtain any other permits necessary and will follow the guidelines and requirements set forth in the packet.*

*Cassi Pearson*

9/29/22

Signature

Date

## INDEMNITY AGREEMENT

In consideration for the granting of permission by the County of Marion, Iowa to the undersigned for the use of the following described property:

- Courthouse grounds for tree lighting (5:30 p.m.)
- Bandstand for Chamber of Commerce Snowball drop (immediately following tree lighting)
- Courthouse rotunda for wreath auction (5:30 to 7:00 p.m.)
- Courthouse restrooms (5:00 to 7:00 p.m.)

For the following purpose only: Living Windows

On the following date(s): 11/17/2022

The undersigned agrees to defend, indemnify and hold harmless the County of Marion, its agents, officers and employees, from and against any and all claims for injury or damages to persons or property arising out of or caused by the use of such property.

The undersigned further agrees upon receipt of notice from the County of Marion to defend at its own expense the County of Marion, its agents, officers and employees from any action or proceeding against the County of Marion, its agents, officers or employees arising out of or caused by the use of such property. The undersigned agrees that a judgment obtained in any such action or proceeding shall be conclusive in any action by the County, its agents, officers or employees against the undersigned, when so notified as to the undersigned's cause of the injury or damage, as to the liability of the County, its agents, officers and employees to the plaintiff in the first named action, and as to the amount of the damage or injury. The County of Marion, its agents, officers and employees may maintain an action against the undersigned to recover the amount of the judgment together with all the expenses incurred by the County, its agents, officers and employees in the action.

I HAVE READ THIS INDEMNITY AGREEMENT, I UNDERSTAND THE EFFECT OF THIS INDEMNITY AGREEMENT, I AM AUTHORIZED TO SIGN THIS INDEMNITY AGREEMENT, AND I AM SIGNING THIS INDEMNITY AGREEMENT VOLUNTARILY.

Dated this 29 day of September, 2022.

Organization: Thrive Knoxville

By: 

Title: Chair

## SITE PLAN

Attach site plan here.

Same location for the Christmas tree as previous years.

Wreath auction in the Courthouse Rotunda as previous years.

Christmas lights will be placed on the Courthouse lawn trees & bandstand the first part of November and taken down the first part of January.

#### 4. Discussion/action:

Board of Supervisor Compensation Board Appointments

5. Discussion/action:

Marion County Public Health Department Update

## 6. Resolution 2022-77:

### Approve Disbursement of Funds for the American Rescue Plan Act

#### **RESOLUTION NO. 2022-77**

##### **A RESOLUTION TO APPROVE DISBURSEMENT OF FUNDS FOR THE AMERICAN RESCUE PLAN ACT.**

**WHEREAS**, on March 11, 2021, President Biden signed the 1.9 trillion-dollar American Rescue Plan Act and,

**WHEREAS**, Marion County applied for and has been received the first tranche of funds for the American Rescue Plan Act totaling \$3,229,502.50.

**WHEREAS**, the Marion County Board of Supervisors has reviewed some requests and determined some that will qualify for the American Rescue Plan Act and

**WHEREAS**, based on the distribution guidelines from the US Department of Treasury, the following Facilities Project Estimates are being approved for the use of said funds:

- Jct. 92 – Road Department Shop \$1,500,000

**THEREFORE BE IT RESOLVED** the Marion County Board of Supervisors endorses the disbursement of American Rescue Plan Act Funds for the items listed and authorizes the payments as they are presented.

## 7. Resolution 2022-78:

### Approve Allocation of LOSST Fund for Junction 92 Development

#### **RESOLUTION NO. 2022-78**

#### **A RESOLUTION TO APPROVE ALLOCATION OF LOCAL OPTION SERVICE AND SALES TAX (LOSST) FUNDS.**

**WHEREAS**, in 2011 Marion County voters adopted Public Measure A, authorizing a 1% local sales and service tax effective, January 1, 2014 to December 31, 2023 and,

**WHEREAS**, the ballot language of such allows for construction of capital improvement projects and,

**WHEREAS**, subsequently, Marion County Board of Supervisors proposed an amendment to the ballot language as part of the unincorporated LOSST renewal in 2021, which voters adopted Public Measure OQ to be effective January 1, 2024 and

**WHEREAS**, newly adopted ballot language allows capital improvement projects as part of community betterment projects and other lawful purposes of the County of Marion, Iowa and,

**WHEREAS**, based on the currently available balance and FY '23 projected ending fund balance for Fund 29, the follow amount shall be allocated for the use from said fund:

- Jct. 92 – Road Department Shop \$1,500,000

**THEREFORE BE IT RESOLVED** the Marion County Board of Supervisors endorses the allocation of \$1,500,000 from Fund 29 for the project listed and authorizes the payments as they are presented.

## 8. Resolution 2022-79:

### Approve Allocation of General Fund for Junction 92 Development

#### **RESOLUTION NO. 2022-79**

##### **A RESOLUTION TO APPROVE ALLOCATION OF GENERAL BASIC FUNDS.**

**WHEREAS**, Iowa Code 331.421(7) allows spending of general county services for the benefit of all residents of the county, including secondary road services and,

**WHEREAS**, Iowa Code 331.427(3) authorizes the Board to make appropriations from the general fund for general county services and,

**WHEREAS**, based on the currently available balance and FY '23 projected ending fund balance for General Basic Fund 01, the follow amount shall be allocated for the use from said fund:

- Jct. 92 – Road Department Shop \$1,000,000

**THEREFORE BE IT RESOLVED** the Marion County Board of Supervisors endorses the allocation of \$1,000,000 from the General Basic Fund (Fund 01) for the project listed and authorizes the payments as they are presented. This resolution also authorizes receipt of revenue from the sale of existing Secondary Road Facilities into the General Basic Fund.

## 9. Board of Supervisor Updates



VII. **BOARD OF SUPERVISOR ADJOURNMENT**