

The Marion County Board of Supervisors met in regular session at 3014 E. Main St. Knoxville, IA 50138 on Tuesday May 14, 2024 with Mark Raymie, Steve McCombs, and Kisha Jahner present in-person. Public access to the meeting was available in-person and electronically. Board of Supervisor Chair 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, McCombs, Jahner Nays: None Abstentions: None Absent: None

Agenda:

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

Communications: None

Public Comments:

1. Marion County Zoning Director Missy Poffenbarger announced the Marion County Zoning layer was now available on the Beacon website.
2. Jocelyn Richards thanked the Board, Attorney's Office, and Human Resources for assistance regarding Pleasant Grove Township.

Consent Agenda:

Jahner moved and McCombs seconded to approve the consent agenda as follows:

1. Marion County Warrants #254298 - #254528 through 5/14/2024.
2. Marion County Regular Session Board of Supervisor Minutes: 4/23/2024
3. Marion County employee salary adjustments. NOTE: There were no salary changes for this meeting.

Business:

1. Marion County Development Director Carla Eysink introduced the new Marion County Development Assistant Director Christopher Watkins. Jahner moved and McCombs seconded to close agenda item #1.
2. Dylan Morse presented an overview from the Emergency Medical Services (EMS) Ad-Hoc Advisory Committee and reported the group had voted unanimously to recommend proceeding with declaring EMS as an Essential Service and using Iowa Code Chapter 422D. McCombs indicated the necessity of having all EMS organizations represented in the next Advisory Committee. Raymie inquired about any committee concerns regarding tax levies and potential increases. Marion County Attorney Jared Harmon indicated the Board could bring forth an agenda item to begin the process of declaring EMS as an Essential Service. Jahner moved and McCombs seconded to close agenda item #2.
3. McKay Group representatives Scott Ziller and Tanya Hurst provided information regarding the County's FY25 Iowa Community Assurance Pool (ICAP) insurance renewal. The ICAP rates are increasing due to recent losses by the ICAP Pool. There will be a new 2% deduction on all wind and hail claims. McKay will monitor for this upcoming year and work towards rate reduction options for the next fiscal year. Jahner moved and McCombs seconded to close agenda item #3.
4. Representatives of Pella's St. Mary Catholic Church, Doug Polking and Brian Huddle, requested the County work with the City of Pella to upgrade 218th Place to hard surface due to safety issues. The road is controlled 54% City of Pella and 44% Marion County due to irregular corporate limits in the area. The church has a petition and willingness to provide financial support with the project. The church has recently held meetings with the City of Pella and received a willingness to work on the project. Bruce Schiebout, adjoining landowner, voiced support of the project. Marion County Engineer Tyler Christian indicated this road segment was not a high target priority for his department and his position was still to not spend any money on the project. Christian was asked by the Board to research the possibility of transferring the jurisdiction of the road to the City of Pella and report back to the Board. Jahner moved and Mc Combs seconded to close agenda item #4.
5. Rachel Cecil, Heart of Iowa Community Services Director of Regional Operations, presented a proposal to update the CROSS Mental Health Region 28E Agreement to administratively update the Region to 13 County Members. Jahner

moved and McCombs seconded to approve the Second Amendment and Restated 28E Agreement for Heart of Iowa Region.

6. Jahner moved and McCombs seconded to approve Special Event Permit Application as follows:
- Knoxville RAGBRAI Executive Committee: 7.24.2024

7. McCombs moved and Jahner seconded to approve Resolution 2024-50 RAGBRAI – Food and Merchandise Vendors and Campgrounds as follows:

WHEREAS, Marion County desires to control the safety and well-being of the public during the RAGBRAI visit to Marion County, Iowa on July 24-25, 2024.

WHEREAS, All operations shall keep the State and County Right of Way clear of congestion to ensure public safety.

WHEREAS, per the Marion County Zoning Ordinance, *Temporary Enterprises, small scale* is defined as “*Involving smaller assemblages of people or automobiles including, but not limited to, campground and food vendors intended to serve attendees of larges events such as RAGBRAI*”.

WHEREAS, Temporary Enterprises, small scale (as defined above) is a Permitted Use with Restrictions per the Marion County Zoning Ordinance.

WHEREAS, Marion County Zoning will allow for properly licensed Food and Merchandise Vendors and/or Camping on properties located within the jurisdiction of Marion County Zoning starting at 12:00 a.m., Wednesday, July 24, 2024, and ending no later than 11:59 p.m., Thursday, July 25, 2024.

WHEREAS, any property located within the jurisdiction of Marion County Zoning found to be conducting business as Temporary Enterprises, small scale prior to 12:00 a.m., Wednesday, July 24, 2024, and/or after 11:59 p.m., Thursday, July 25, 2024, will be considered to be in violation of the Marion County Zoning Ordinance and will be cited accordingly.

WHEREAS the property owner/agent is responsible to ensure all operations comply with all applicable State and County permits/ordinance; including by not limited to State and County Health codes, food inspections/permits/licenses.

WHEREAS The property owner/agent is responsible to comply with all Environmental Health regulations including those applying to potable water, restroom requirements and solid waste removal.

WHEREAS, Any citations issued for violations of this resolution will be subject to the provisions of Marion County Code of ordinances, including but not limited to section 1.11.

NOW THEREFORE, BE IT RESOLVED, the Marion County Board of Supervisors that this Resolution shall be in full force and effective from and after its passage and approval and recorded with the County Recorder in the manner provided by law.

8. Board Chair Raymie opened a Public Hearing at 10:06 AM proposed Marion County Zoning Map amendment Ordinance 2024-1 regarding the matter of the rezoning of a portion of Parcel 21521-000-00 from the current A-1, M-1 and C-2 to A-1; Agricultural. The legal description is: The SE 1/4 of the SW 1/4 and the south 2 acres of the NE1/4 of the SW 1/4 except: Parcel B of E 1/2 of SW1/4 (according to the Plat of Survey recorded in Book 252, Page 379. Parcel C of SE 1/4 of the SW 1/4 (according to the Plat of Survey recorded in Book 253, Page 117) Parcel E in the SE1/4 of the SW1/4 of Section 7, Township 77N, Range 20W in Marion County per Book 2024, Page 1056 dated 3/22/2024. Zoning Director Missy Poffenbarger presented overview of the proposed Ordinance. There were no Public Comments. Jahner moved and McCombs seconded to close the Public Hearing at 10:08 AM.

9. Jahner moved and McCombs seconded to approve 1st Reading of proposed Marion County Ordinance 2024-1 Zoning Map Amendment – Rezoning from the current A-1, M-1 and C-2 to A-1; Agricultural.

10. Jahner moved and McCombs seconded to approve waiving 2nd and 3rd Readings of proposed Marion County Ordinance 2024-1 and Final Approval Authorizing Publication and Zoning Map Amendment.

11. Board Chair Raymie opened a Public Hearing at 10:09 AM proposed Marion County Zoning Map amendment Ordinance 2024-2 regarding the matter of the rezoning Parcel E in the SE1/4 of the SW1/4 of Section 7, Township 77N, Range 20W of the 5th p.m. in Marion County, Iowa per Book 2024, Page 1056 dated 3/22/2024. Zoning Director Missy Poffenbarger presented overview of the proposed Ordinance. There were no Public Comments. Jahner moved and McCombs seconded to close the Public Hearing at 10:11 AM.

12. Jahner moved and McCombs seconded to approve 1st Reading of proposed Marion County Ordinance 2024-2 Zoning Map Amendment – Rezoning from the current C-2 and A-1 to M-1R; Light Industrial Restricted

13. Jahner moved and McCombs seconded to approve waiving 2nd and 3rd Readings of proposed Marion County Ordinance 2024-2 and Final Approval Authorizing Publication and Zoning Map Amendment.

14. Jahner moved and McCombs seconded to approve Resolution 2024-51 Amending Marion County Land Use Plan – Part of Otley Area as follows:

WHEREAS, the Marion County Zoning Commission has recommended an amendment to the Comprehensive Future Land Use Plan for Marion County, Iowa, as it concerns the following described real property:

All that part of the S1/2 of the SW1/4 of Section 15, Township 77 North, Range 19 West of the 5th P.M. lying North of Baldwin's Addition to the Town of Otley and north of a westerly extension of the North line of said addition and lying North and East of the northeasterly right-of-way line of Iowa Primary Highway No. 163, and lying South and West of the right-of-way of Business Highway 163.

WHEREAS, the Comprehensive Future Land Use Plan currently designates the property as Medium Density Residential use.

WHEREAS, after careful review of this matter, the Zoning Commission has recommended that the Comprehensive Future Land Use Plan be amended to designate this property as General Commercial use; and

WHEREAS, the Board of Supervisors of Marion County, Iowa believes it to be in the best interest of the County to make the change to the Comprehensive Future Land Use Plan as recommended by the Zoning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Marion County, Iowa that after review and discussion of the matter, the Comprehensive Future Land Use Plan is hereby amended to designate the following property as Commercial Use:

15. Board Chair Raymie opened a Public Hearing at 10:14 AM proposed Marion County Zoning Map amendment Ordinance 2024-3 regarding the matter of the rezoning Parcel Number: 22424-000-00 – described as - Lots 6, 7, and 8 in Block 2 and Lots 1, 2, 3 and 4 in Block 3 in Baldwin's Addi2on to the town of Otley, Marion County, Iowa and that part of the SE 1/4 of the SW 1/4 of Sec2on 15, Township 77 North, Range 19 West of the 5th P.M. encompassing Summit Street lying between Blocks 3 and 4 in Baldwin's Addition and also Johnston Street lying between Blocks 2 and 3 in said Baldwin's Addition: and, Lot 1 and the Northwesterly 44 feet of Lot 2 in Block 4 in Baldwin's Addition to the town of Otley, Marion County, Iowa, and part of the SE 1/4 of the SW 1/4 of Section 15, Township 77 North, Range 19 West of the 5th P.M., Marion County, Iowa, described as follows: Beginning at the Northwest corner of Block 3 in said Baldwin's Addition, thence South 38" 41' West 65.6 feet, thence South 27" 30' East 397.3 feet, thence North 62" 30' East 60 feet to the West line of Block 4 in said Baldwin's Addition, thence Northerly 424 feet along the West line of Block 3 and 4 in said Baldwin's Addition in the Northwest corner at said Block 3 being the point of beginning. Zoning Director Missy Poffenbarger presented overview of the proposed Ordinance. Public comments were received from Tyler Thuene, Mark Van Haaften, and Kyle Anderson. The comments were in general support of the project with emphasis to work together regarding safety and appearance in the area. Jahner moved and McCombs seconded to close the Public Hearing at 10:26 AM.

16. Jahner moved and McCombs seconded to approve 1st Reading of proposed Marion County Ordinance 2024-3 Zoning Map Amendment – Rezoning from the current Residential to C-1 Restricted. Supervisor Jahner requested all parties work together as neighbors. McCombs only concern was additional travel on the seal coat road.

17. Jahner moved and McCombs seconded to approve waiving 2nd and 3rd Readings of proposed Marion County Ordinance 2024-3 and Final Approval Authorizing Publication and Zoning Map Amendment.

18. Jahner moved and McCombs seconded to approve Resolution 2024-49 Road Department Yield Sign Installation at SB Fillmore Drive at the East Roberts Creek Campground Entrance 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 controlled intersections and to erect appropriate signs at one or more entrances to such intersection per section 321.345, and

WHEREAS, Marion County has jurisdiction over the Secondary Road System and,

WHEREAS, an engineering review for each of the intersection of Fillmore Dr. and the entrance to the East Roberts Creek Campground was completed and it was determined to erect a regulatory sign to regulate traffic and promote safe maneuvers of vehicular traffic at this intersection,

WHEREAS, the County Engineer recommends a Yield sign for the particular direction of travel at the intersections listed below and,

NOW THEREFORE BE IT RESOLVED; the Marion County Board of Supervisors designate Yield sign for control of southbound Fillmore Dr. traffic at the East Roberts Creek Campground entrance for the secondary road system.

19. Marion County Engineer Tyler Christian presented a Road Department construction projects update. The Department has many projects this summer including Junction 92 Complex, T15 Flagler Bridge, G28, G-76, T15 Shoulders, 150th North G44, 216th, Old Hwy 92 Bridge, and Red Rock Dam. Jahner moved and McCombs seconded to close agenda item #19.

20. Marion County Facilities Director Chris Nesteby presented updated quotes for various demolition and repair projects at the VA Campus.

- VA Campus Laundry Building – Roof Repair: McCarty Roofing - \$29,900
- VA Campus Laundry Building – Equipment Removal: Kaufmann Metal Recycling - \$35,000
- Equipment Removal: Earth Services & Abatement - \$86,000
- VA Campus Water Tower – Removal: Kaufmann Metal Recycling - \$50,000

The Board discussed benefits of projects and funding options. City of Knoxville Mayor Brian Hatch was supportive of the projects. The Board had a consensus to move forward with the projects using undesignated ARPA monies. A Resolution designating the monies is to be brought forth at the next BOS meeting. Jahner moved and McCombs seconded to close agenda item #20.

21. Jahner moved and McCombs seconded to approve Special Event Permit Application as follows:

- Knoxville Rotary – Plaque Celebration: 5/15/2024
- Knoxville Rotary – Plaque Celebration: 5/22/2024

22. Board of Supervisor Updates:

McCombs: None

Jahner: Aging Resources, Upcoming Pleasant Grove Twp Trustee Appointment

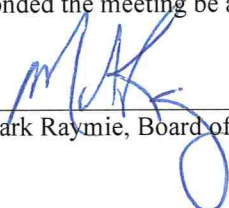
Raymie: None

Adjournment:

There being no other business, Jahner moved and McCombs seconded the meeting be adjourned at 11:04 A.M.



Jake Grandia, County Auditor



Mark Raymie, Board of Supervisor Chair