

The Marion County Board of Supervisors met in regular session at 2003 N. Lincoln St. Knoxville, IA 50138 on Tuesday, July 8, 2025 with Steve McCombs, Kisha Jahner and Jim Mueller present in-person. Board of Supervisor Chair Jahner opened the regular session at 9:00 A.M. The Pledge of Allegiance was recited.

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

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

Agenda:

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

Communications:

1. Supervisor Jahner – Reminder the sound system microphones in the new BOS meeting room in the North Annex are very sensitive and will pick up side conversations. Thank you to the County Facilities team, IT, and Public Health departments for all the efforts successfully getting the Board room moved to the new location at 2003 N. Lincoln St. Knoxville, IA.

Public Comments: None

Consent Agenda:

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

1. Marion County Warrants #259729 - #259882 through 7/8/2025
2. Marion County Board of Supervisor Regular Minutes: 6/24/2025
3. Marion County Employee Annual Salary Adjustments – Complete list available in the Human Resources Office.

Business:

1. The Board of Supervisors presented the following County Employee Years of Service Awards:

5 Years Service:

Josh Boone – Sheriff's Office
Darrel Brown – Sheriff's Office
Ashley Buckalew – Public Health Department
John Davis – Road Department
Emily Feagins – Emergency Management Department
Cameron Kleinschmidt – Environmental Health Department
Brandon Mayland – Conservation Department
Joy Messer – Attorney's Office
Chris Nesteby – Facilities Department
Brad Shearer – Road Department
Ranae Thompson – Human Resource Department
Teresa Van Kooten – Public Health Department
Barbara Vasquez – Treasurer's Office
Cheyanne Wallace – Attorney's Office

10 Years Service:

Steve Bellon – Road Department
Jessica Kingery – Facilities Department

15 Years Service:

Mark Schmaltz
20 Years Service:

Dennis Krichau – Road Department
Kristen McCombs – Treasurer’s Office
Ross Tuel – Conservation Department

25 Years Service:

Tim Chambers – Road Department
Mike McMurray – Road Department

35 Years Service:

Tim Van Roekel – Road Department

McCombs moved and Mueller seconded to close discussion.

2. The Board discussed the annual Parking Agreement on the VA Campus with Jason Reed representing the Marion County Fair Association. The discussion involved the County VA Campus Haying Lease, agreement timeframe, and payment. The Board requested the County Attorney and Fair Board edit the annual agreement adjusting haying restrictions, timeframe, and \$5,000 payment to Marion County to be used in the repayment of the VA Campus Project Bonds. The proposed Agreement is to be placed on the next Agenda for final consideration. McCombs moved and Mueller seconded to close discussion.

3. Jahner opened a Public Hearing at 9:20 A.M. regarding proposed Ordinance 2025-5 Marion County Zoning Map Chapter 55 Amendment on the matter of the request to rezone Parcel 21994-003-00 from A-1; Agricultural to A-R; Ag Residential to allow for further rural residential development. The request is a requirement of the Marion County Zoning Ordinance 55.23 (6) to further divide Parcel 21994-003-00 in a tract of land (40 acres) that exceeds the allowed 4 buildable lots in a tract of land in the A-1 Zoning District. The property owners are Cassandra and Nicholas Sawhill.

Legal Description: The East 806 feet of the SW ¼ of the NE ¼; and the East 806 feet of Government Lot 3 lying North and East of the former Right-of-Way of the Wabash Railroad Company; all in Section 6, Township 77 North, Range 21 West of the 5th P.M., except the following 2 tracts: 1. That part thereof conveyed to the United States of America by Deed recorded in Book 88, Page 206, Land Deed Record; and 2. That part of said Lot 3 conveyed to the United States of America by Warranty Deed recorded in Book 239, Page 485, Deed Record.

Marion County Zoning Director Missy Poffenbarger presented an overview of the proposed ordinance. There were no public comments. Mueller moved and McCombs seconded to close the Public Hearing at 9:23 A.M.

4. McCombs moved and Mueller seconded to approve the 1st Reading of proposed Marion County Ordinance 2025-5.

5. Jahner opened a Public Hearing at 9:26 A.M. regarding proposed Ordinance 2025-6 amending provisions in Marion County Zoning Chapter 55 as follows:

55.04 DEFINITIONS. (*note: this will cause all other definitions to be renumbered accordingly)

ADD: “Accessory Dwelling Unit” (ADU) means an additional residential dwelling unit located on the same lot as a single-family residence that is either attached to or detached from the single-family residence.

AMEND: “Building line” means the extreme over-all dimensions of a building as determined from its exterior walls or any part of a structural support or component which is nearest to the property line, other than usual uncovered steps, patios, and decks.

ADD: “Dangerous Building” means all buildings or structures that are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health, or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, as specified in this chapter, the Code of Iowa, or any other ordinance, are, for the purpose of this chapter, unsafe and dangerous buildings.

AMEND: “ Dwelling, single-family” means a structure maintained and used as a single dwelling unit. Notwithstanding that a dwelling unit shares one or more walls with another dwelling unit, it is a single-family residence if it has direct access to a street or thoroughfare and shares neither heating facilities, hot water equipment, nor any other essential facility or service with another dwelling unit.

AMEND: “Mini-warehouse” means a building or group of buildings, containing varying sizes of individualized, compartmentalized, and controlled stalls or lockers for the dead storage of customers’ goods or wares, excluding junk, explosive, or flammable materials, and other noxious or dangerous materials.

AMEND: “Setback” means the required minimum horizontal distance permitted between the building line and the related front, side, or rear property line.

AMEND: 55.10 NONCONFORMING USES

2. Nonconforming Lots of Record.

B. The side yard widths of any such lot shall not be less than eight (8) feet.

D. The depth of the front yard of any such lot shall align with the neighboring properties’ build-to line, but in no case shall the depth of the front yard be less than twenty-five (25) feet.

AMEND 55.12: STREET FRONTAGE REQUIRED. No lot shall contain any building used in whole or in part for residential, commercial, or industrial purposes unless such lot abuts at least one established public or private street with frontage on a road or highway that is a part of the State primary or County secondary road system. Frontage on a Level B road does not qualify for this road frontage requirement. The minimum street frontage for each such lot shall be the minimum lot width as required based on the zoning of the property unless the lot is an approved flag lot. Flag lots, when permitted, shall have at least forty (40) feet of frontage on at least one street, and must be approved either by the Zoning Official via a Plat of Survey or by the Board via a Plat of Subdivision. For lots established after the effective date of this Ordinance, access easements shall not be considered acceptable frontage for building purposes. For agricultural purposes only, access may be provided via a private easement at least twenty (20) feet wide to a public or private street. Private streets shall be established only via a Plat of Subdivision and shall meet the subdivision regulations in accordance with Chapter 56.

AMEND 55.13: ACCESSORY STRUCTURES. Accessory structures shall not be permitted within any required front yard. On corner lots or double frontage lots, accessory structures shall conform to the required front yard setback regulations for all abutting streets. Accessory structures shall not occupy more than thirty percent (30%) of the rear yard and shall not exceed the maximum height permitted by the applicable zoning district regulations and shall be built no less than ten (10) feet from a principal building or any other accessory building; however, this regulation shall not be interpreted to prohibit the construction of a four-hundred-forty (440) square foot garage on a minimum rear yard.

ADD footnote 55.19 Sign Regulations:

2. Signs Permitted Based on Zoning.

* Setback defined as one-half (1/2) the distance from the front property line of the applicable Zoning District. Highway High Rise signs setback shall be seventy-five (75) feet from the front property line.

AMEND 55.23 AGRICULTURAL ZONING DISTRICT REGULATIONS (A-1, C-A, A-R)

2. Principal Permitted Uses. Only the following uses or structures or land shall be permitted in the agricultural districts.

	A-1	C-A	A-R
Utilities – Microwave, radio, television, and cellular telephone communication towers.	SUP	P	PR

3. Restrictions for Principal Permitted Uses.

E. Veterinary Clinics. All buildings, including any livestock holding facilities, are at least two-hundred (200) feet from “R” residential districts and one-hundred (100) feet from any “A-1” or “A-R” district boundary.

CLERICAL CORRECTIONS to 55.23 AGRICULTURAL ZONING DISTRICT REGULATIONS (A-1, C-A, A-R).

4. Special Use Permits. Principal permitted uses designated as “SUP” in Subsection 2 of this section shall be permitted only upon approval of a Special Use Permit by the Board of Adjustment in accordance with Section 55.37 in addition to conformance with all appropriate restrictions outlined in Subsection 3 of this section.

ADDITION TO 55.23 AGRICULTURAL ZONING DISTRICT REGULATIONS (A-1, C-A, A-R).

5. Permitted Accessory Uses (*note: insert as letter “B” and re-letter accordingly)

B. One Accessory Dwelling Unit (ADU) is permitted on the same lot as a single-family residence when the following criteria are met:

- (1) ADU does not exceed the larger of one thousand (1,000) square feet or fifty percent (50%) of the single-family residence.
- (2) ADU shall share all utilities with the single-family residence. For properties with an existing septic, systems must be sized to accommodate the ADU. The system must meet Marion County Code Chapter 44 and State Code Chapter 69.
- (3) If a manufactured home is used, it shall be on a permanent foundation and converted to real property to be assessed as real estate.
- (4) The ADU can be attached or detached from the single-family residence. When the unit is attached, the ADU shall comply with setbacks for dwellings. When the ADU is detached, the ADU shall comply with the setbacks for accessory structures.
- (5) Construction complies with state and local building code regulations.

AMEND 55.23 AGRICULTURAL ZONING DISTRICT REGULATIONS (A-1, C-A, A-R).

6. Site Development Regulations.

Regulator	A-1	C-A	A-R
<i>Minimum Side Yard</i>			
<i>Dwellings, each side</i>	<i>15 feet</i>	<i>-</i>	<i>15 feet</i>
<i>Other uses, adj. to “A” and “M”</i>	<i>15 feet</i>	<i>50 feet</i>	<i>15 feet</i>
<i>Other uses, adj to “R” and “C”</i>	<i>15 feet</i>	<i>100 feet</i>	<i>15 feet</i>
<i>Accessory Structures</i>	<i>8 feet</i>	<i>8 feet</i>	<i>8 feet</i>

ADD VERBIAGE 55.23 AGRICULTURAL ZONING DISTRICT REGULATIONS (A-1, C-A, A-R).

7. Additional Requirements.

A. Foundations. A permanent foundation is required for all principal dwelling buildings and accessory dwelling units (ADU’s).

ADDITION TO 55.24 RESIDENTIAL ZONING DISTRICT REGULATIONS (RE, R-1, R-2, R-3, R-4, R-5).

5. Permitted Accessory Uses (*note: insert as letter “B” and re-letter accordingly)

B. One Accessory Dwelling Unit (ADU) is permitted on the same lot as a single-family residence when the following criteria are met:

- (1) ADU does not exceed the larger of one thousand (1,000) square feet or fifty percent (50%) of the single-family residence.
- (2) ADU shall share all utilities with the single-family residence. For properties with an existing septic, systems must be sized to accommodate the ADU. The system must meet Marion County Code Chapter 44 and State Code Chapter 69.

(3) If a manufactured home is used, it shall be on a permanent foundation and converted to real property to be assessed as real estate.

(4) The ADU can be attached or detached from the single-family residence. When the unit is attached, the ADU shall comply with setbacks for dwellings. When the ADU is detached, the ADU shall comply with the setbacks for accessory structures.

(5) Construction complies with state and local building code regulations.

AMEND 55.24 RESIDENTIAL ZONING DISTRICT REGULATIONS (RE, R-1, R-2, R-3, R-4, R-5).

6. Site Development Regulations. The following minimum requirements shall be observed, subject to modifications contained in Section 55.28 of this chapter.

BULK REGULATIONS				
Regulator	R-1	R-2	R-3	R-4
<i>Minimum Rear Yard¹ (in feet)</i>				
<i>Accessory Structures</i>	<i>8 feet</i>	<i>8 feet</i>	<i>8 feet</i>	<i>8 feet</i>
<i>Minimum Side Yard¹ (in feet)</i>				
<i>Accessory Structures</i>	<i>8 feet</i>	<i>8 feet</i>	<i>8 feet</i>	<i>8 feet</i>

ADD VERBIAGE 55.24 RESIDENTIAL ZONING DISTRICT REGULATIONS (RE, R-1, R-2, R-3, R-4, R-5).

7. Additional Requirements.

A. Foundations. A permanent foundation is required for all principal dwelling buildings and accessory dwelling units (ADU's).

AMEND lettering 55.24 RESIDENTIAL ZONING DISTRICT REGULATIONS (RE, R-1, R-2, R-3, R-4, R-5).

5. Permitted Accessory Uses.

- F. Temporary buildings...
- G. Solar collectors...
- H. Private Solar...
- I. Small wind...
- J. Common sewage...
- K. Accessory uses...
- L. Beekeeping...

AMEND 55.25 COMMERCIAL ZONING DISTRICT REGULATIONS:

6. Site Development Regulations.

BULK REGULATIONS		
Regulator	C-1	C-2
<i>Minimum Side Yard Depth</i>		
<i>Accessory Structures</i>	<i>8</i>	<i>8</i>
<i>Minimum Rear Yard Depth</i>		
<i>Accessory Structures</i>	<i>8</i>	<i>8</i>
<i>Maximum Height (in feet)</i>		
<i>Accessory structures</i>	<i>25</i>	<i>25</i>

ADD to 55.26 INDUSTRIAL ZONING DISTRICT REGULATIONS.

2. Principal Permitted Uses.

PRINCIPAL PERMITTED USES	M-1	M-2
Manufacturing and assembly of equipment, truck, etc.	P	P

6. Site Development Regulations.

BULK REGULATIONS		
Regulator	M-1	M-2
<i>Minimum Side Yard Depth</i>		
<i>Accessory Structures</i>	8	8
<i>Minimum Rear Yard Depth</i>		
<i>Accessory Structures</i>	8	8

CLERICAL CORRECTION to 55.29 SITE PLAN REGULATIONS:

3. Procedure.

G. Upon final action by the Board of Supervisors on any site plan, a copy of said site plan, with the action of the Board of Supervisors included, shall be filed with the Zoning Official.

ADDITION TO 55.38 VARIANCES:

1. No variation in the application of the provisions of the Zoning Code shall be made unless and until the Board of Adjustment shall be satisfied that granting the variation will not:

H. Practical difficulties are unique to the property and not self-created; granting the variance will not significantly alter the essential character of the surrounding neighborhood.

Marion County Zoning Director Missy Poffenbarger presented an overview of the proposed ordinance. There were no public comments. McCombs moved and Mueller seconded to close the Public Hearing at 9:28 A.M.

6. Mueller moved and McCombs seconded to approve the 1st Reading of proposed Marion County Ordinance 2025-6.

7. McCombs moved and Mueller seconded to approve Class B Retail Alcohol License Application: Red Rock SMI OPCO, LLC dba Red Rock Marina – 1768 Hwy G28, Pella, IA 50219

8. Scott Ziller, McKay Group, discussed the 2025-2026 Marion County Iowa Community Assurance Pool (ICAP) Property/Liability and Cyber Security insurance renewals. Discussion involved premiums and cyber coverages. Ziller recommended the ICAP Cyber coverage for 2025-2026. The Board requested McKay Group go to market for the 2026-2027 year. This will require the County sign a Letter of Intent to Shop and send to ICAP in January 2026. Mueller moved and McCombs seconded to approve Resolution 2025-76 FY26 Iowa Community Assurance Pool (ICAP) Proxy Designation and Property/Liability/Cyber Coverages as follows:

Whereas, Marion County, Iowa, is a member of the Iowa Communities Assurance Pool for insurance purposes, and

Whereas, it is in the best interest of the County to nominate and appoint the following individual and alternate to represent the Member with the Iowa Communities Assurance Pool, and

Whereas, the individual and alternate shall act as liaison between the County and Iowa Communities Assurance Pool for the purposes of relating risk reduction and loss control information, and any other information or instructions concerning the obligations of the County imposed by signing the Iowa Risk Management Agreement and the rules and regulations established thereunder.

Now, Therefore be it Resolved by the Board of Supervisors of Marion County, Iowa the following be nominated and approved to act in such manner.

Individual – Jake Grandia, Marion County Auditor

Alternate – Dani Graves, Marion County Auditor’s Office

Furthermore, Therefore be it Resolved by the Board of Supervisors of Marion County, Iowa the FY26 Renewal Coverages and Cyber Policy be authorized.

9. McCombs moved and Jahner seconded to approve Resolution 2025-72 Award of Contract for 110th PCC Paving L-110PCC26-6 as follows:

WHEREAS; on June 26, 2025 the Marion County received bids for project L-110PCC26-6 for 110th Ave. PCC Paving in Marion County on 110th Ave. and;

WHEREAS; TK Concrete, Inc. from Pella, Iowa submitted the lowest responsible bid and;

WHEREAS; the low bid of \$108,984.00 is acceptable to Marion County;

NOW THEREFORE, BE IT RESOLVED; that Marion County approve the award of a construction contract and bonds for project L-110PCC26-6 with; TK Concrete, Inc. in the amount of \$108,984.00 for PCC Paving on the 110th Ave. in Marion County, IA.

10. McCombs moved and Mueller seconded to approve Resolution 2025-73 Award of Contract for PCC Bridge Approaches L-PCCAPPR26-7 as follows:

WHEREAS; on June 26, 2025 the Marion County received bids for project L-PCCAPPR26-7 for PCC Bridge Approach replacement on three bridges in Marion County on S45 and T22 and;

WHEREAS; Boulder Contracting, LLC from Grundy Center, Iowa submitted the lowest responsible bid and;

WHEREAS; the low bid of \$201,490.40 is acceptable to Marion County;

NOW THEREFORE, BE IT RESOLVED; that Marion County approve the award of a construction contract and bonds for project L-PCCAPPR26-7 with; Boulder Contracting, LLC. in the amount of \$201,490.40 for PCC Bridge Approaches in Marion County, IA.

11. McCombs moved and Mueller seconded to approve Resolution 2025-74 Joint CHBP Grant Agreement and Letter of Support for the Competitive Highway Bridge Program (CHBP) Grant Project as follows:

Whereas, Marion County, Iowa bridge FHWA number(s): 239470, has been identified as being part of a joint Competitive Highway Bridge Program (CHBP) Grant Project, and

Whereas, Iowa bridge FHWA number(s) 239470 have been included in a Bundle, as detailed in Exhibit B, and

Whereas, we accept the Contracting Authority for the bundle as detailed in Exhibit B, and acknowledge the roles and responsibilities of each party as detailed in Sections 3 and 4, and

Whereas, it is desired by and in the interest of Marion County to participate fully in the CHBP project activities as a Sub-recipient and provide all requisite information necessary to bring to completion all project phases through final completion, and

Whereas, we are in support of the Iowa DOT providing Primary Recipient roles and duties, and

Whereas, we understand and accept the Sub-recipient roles and responsibilities as defined in the “28E Cooperative Agreement for a Competitive Highway Bridge Program (CHBP) Grant Project”, including its referenced Exhibits, and

Whereas, each County as shown in Section 4, paragraph A shall be responsible for all matching funds and accept any costs exceeding the funds requested in the CHBP Grant application for their respective structure, and

Whereas, it is the intent of Marion County, upon award of CHBP funds, to enter into a Federal-aid Agreement with the Iowa Department of Transportation (DOT).

THEREFORE, BE IT RESOLVED that the Board of Supervisors of Marion County, Iowa hereby approves and directs the Chair to sign this Letter of Support for the Competitive Highway Bridge Program (CHBP) Grant Project and the 28E Cooperative Agreement for a Competitive Highway Bridge Program (CHBP) Grant Project, and to provide all pertinent correspondence and project information to:

Attn: Nicole Stinn, P.E.
Secondary Roads Engineer
Iowa DOT Local Systems Bureau
800 Lincoln Way, Ames, IA 50010

12. Mueller moved and McCombs seconded to approve Resolution 2025-75 FY25-26 Secondary Road Payroll 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 25/26 Secondary Road Payroll Policy be approved as amended.

13. Marion County IT Director Drew Claseman presented a request to have Neapolitan Labs proceed with the creation of a Marion County Employee Portal on the County Website. The discussion involved set-up cost, employee uses, documents, timelines, annual support cost, employee phone numbers and texting service options. After further discussion, there was a consensus to include the texting option as HR reported the County has employee phone numbers. Mueller moved and McCombs seconded to move forward with the proposed employee portal website updates.

14. The Board held discussion with Marion County Sheriff Jason Sandholdt regarding updates on the Mental Health (MH) grant monies for the MH Deputy position. The grant funding was uncertain due to the recent changes at the State level regarding mental health services and providers. The Board and Sheriff Sandholdt had previous conversation regarding the possibility of not back filling a current open Road Deputy Position due to the loss of the MH Deputy Position grant funding. Sheriff Sandholdt reported a new mental health deputy salary and benefit funding agreement had been secured with Iowa Primary Care Association acting as the new State MH Provider. The new agreement will provide salary and benefit funding over a 4-year period at a descending level of 100% - 75% - 50% - 25%. The Board and Sheriff understood this may lead to further conversations in the future, but the hope is the Agreement can be renegotiated at a higher funding level. Mueller moved and Jahner seconded to approve backfilling the Marion County Sheriff's Deputy position.

15. McCombs moved and Mueller seconded to approve Special Event Application: Marion County Fair Association 8/5/25

16. Board of Supervisor Updates:

Mueller: Out of Town next week with no electronic contact. Thank you again to all for efforts in new meeting room.

McCombs: Landfill meeting, HIRTA meetings

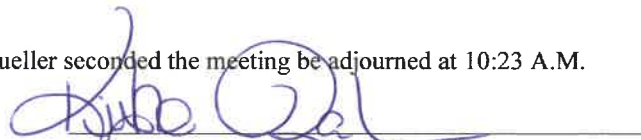
Jahner: Paper copy Handbook distribution from HR need employee signatures

Adjournment:

There being no other business, McCombs moved and Mueller seconded the meeting be adjourned at 10:23 A.M.



Jake Grandia, County Auditor



Kisha Jahner, Board of Supervisor Chair