

September 4, 2001

The Mahaska County Board of Supervisors met on the above date at 9:00 a.m. in the third floor conference room of the Mahaska County Courthouse. Present were the following Board members: Howard Groenendyk, Henry W. VanWeelden, Greg Gordy. Also present were the following: Kay Swanson, County Auditor; Dennis Luebbe, County Engineer, Randy DeGeest, Kelly Minter, Don Sandor, Lester Fynaardt, Pete Fynaardt, Lawrence Rouw, Cor VanEgmond, Larry Jackson, Marcia VanMaanen, Paul Fynaardt, Don and Betty Parlett, Hank VanWeelden, Tucker Lillis, Michelle Moore, Tom O'Brien, Kirby Moss, Jennifer Swanson, Oskaloosa Herald and Lori Faybink Ottumwa Courier. Chairman Groenendyk opened the meeting with a moment of silence.

It was moved by VanWeelden seconded by Gordy to approve the agenda for today's meeting. All ayes. Motion carried.

It was moved by VanWeelden seconded by Gordy to approve the minutes from the August 20th and 22nd meetings. All ayes. Motion carried.

It was moved by VanWeelden seconded by Gordy to approve the bills and payroll for August in the amount of \$708,840.29 and \$353,573.71. All ayes. Motion carried.

The appointment to the Regional Planning Commission Full Board was postponed until the next meeting.

It was moved by VanWeelden seconded by Gordy to approve the Agreement and Constitution and By-laws of the Southeast Iowa Response Group and to authorize the chairman to sign the documents. All ayes. Motion carried.

Ruth VanEngelenhoven discussed with the board that they had not received Family Farm Credit for the year 2000. The matter was tabled until the September 17th meeting.

It was moved by VanWeelden seconded by Gordy to approve the request of the sheriff to remove Marcus McCain from the jail payroll effective September 4, 2001 and to place Dana Linderman on the jail payroll effective September 4, 2001 at a salary of \$21,900.00. Also to place Lana Jo Conner on the Jail payroll effective September 17, 2001 at a salary of \$21,900.00, and to place Emmy Williams on the jail payroll effective August 29, 2001 at a salary of \$21,900.00. All ayes. Motion carried.

It was moved by Gordy seconded by VanWeelden to increase the poll workers pay from \$5.15 to \$5.60 per hour effective September 4, 2001. All ayes. Motion carried.

It was moved by Gordy seconded by VanWeelden to approve the contract for fiscal years 2001 and 2002 with DMG-Maximus for cost allocation plan services. All ayes. Motion carried.

It was moved by VanWeelden seconded by Gordy to approve the agreement with the IDOT for Federal-Aid Highway Bridge Replacement and Rehabilitation Program Project. This is to use federal bridge funds to replace an aging structure on 245th Street over a branch of Muchakinock Creek. This is project no. BROS-CO62(39)—8J-62. All ayes. Motion carried.

10:00 a.m. Public Hearing.

It was moved by VanWeelden seconded by Gordy to open the public hearing for Re-classification of Public Roads from level “B” to lever “C”. All ayes. Motion carried. After discussion of the two roads to be changed with the adjoining landowners it was moved at 10:10 a.m. to close the public hearing by VanWeelden and seconded by Gordy. All ayes. Motion carried.

It was moved by Gordy seconded by VanWeelden to reclassify the level of service from “B” to “C” and to approve the following resolution. All ayes. Motion carried.

RESOLUTION

AREA SERVICE “C” ROADS

WHEREAS: Mahaska County desires to classify certain roads on the area service system in the County to provide for a minimal level of maintenance and access by means of a gate or barrier; and

WHEREAS: the County, after consultation with the County Engineer, has the authority To specify certain roads within the County as Area Service “C” roads Pursuant to Iowa Code Section 309.57(1995) as amended by House File 419 (1966); and

WHEREAS: the County has received a petition, attached to this resolution, signed by All landowners adjoining the road, requesting that the following road be Classified as an Area Service “C” road:

Beginning at a point approximately 475 feet north and 430 feet west of the E ¼ corner 31-75-16 on Gambell Ave.; thence southwesterly approximately 700 feet to a point; thence westerly approximately 2500 feet.

1. Blading: Blading or dragging will not be performed on a regular basis.
2. Snow and Ice Removal: Snow and ice removal will not be performed on a regular basis. Sanding and salting will not be performed on a regular basis.
3. Bridges: Bridges on Area Service “C” roads may not be maintained to carry legal loads but will be posted as appropriate to advise of any load limitations. .

4. Weeds, Brush, and Trees: Mowing or spraying weeds, cutting brush and tree removal will not be performed on a regular basis. Adequate sight distances will not be maintained on a regular road.
5. Structures: Bridges and culverts may not be maintained on a regular basis to carry legal loads. Upon failure or loss, the replacement structure will be for traffic thereon.
6. Road Surfacing: There will be no surfacing materials applied to Area Service "C" roads.
7. Shoulders: Shoulders will not be maintained.
8. Crown: A crown will not be maintained.
9. Repairs: There will be no road repairs on a regular basis.
10. Uniform Width: Uniform width for the traveled portion of the road will not be maintained.
11. Inspections: Regular inspections will not be conducted.
12. Gate: The gate shall be purchased and installed by the County and maintained by the adjoining landowners. If not so maintained, the County may remove the gate; and

WHEREAS, the only persons who will have access rights to the road shall be:

- a. the owner, lessee, or person in lawful possession of any adjoining land,
- b. the agent or employee of the owner, lessee or person in lawful possession of any adjoining land,
- c. any peace officer,
- d. any magistrate,
- e. any public employee whose duty it is to supervise the use or perform maintenance of the road,
- f. any agent or employee of any utility located upon the road.

THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MAHASKA COUNTY that this County does hereby establish the road described as an Area Service "C" road, with restricted access and a minimal level of maintenance.

Enacted this 4th day of September, 2001

Chairperson, Board of Supervisors

Attest: _____
County Auditor

It was moved by VanWeelden seconded by Gordy to approve the following resolution.
All ayes. Motion carried.

RESOLUTION

AREA SERVICE “C” ROADS

WHEREAS: Mahaska County desires to classify certain roads on the area service System in the County to provide for a minimal level of maintenance and access by means of a gate or barrier; and

WHEREAS: the County, after consultation with the County Engineer, has the authority to specify certain roads within the County as Area Service “C” roads pursuant to Iowa Code Section 309.57 (1995) as amended by House File 419 (1966); and

WHEREAS: the County has received a petition, attached to this resolution, signed by All landowners adjoining the road, requesting that the following road be Classified as an Area Service “C” road:

Beginning approximately 33 feet east of the NE corner SE SW 9-74-15 thence easterly along 295th Street to its intersection with Plymouth Ave.; thence southerly along Plymouth Ave. to a point approximately 33 feet north of the E ¼ corner 16-74-15.

1. Blading: Blading or dragging will not be performed on a regular basis.
2. Snow and Ice Removal: Snow and ice removal will not be performed on a regular basis. Sanding and salting will not be performed on a regular basis.
3. Bridges: Bridges on Area Service “C” roads may not be maintained to carry legal loads but will be posted as appropriate to advise of any load limitations.
4. Weeds, Brush and Trees: Mowing or spraying weeds, cutting brush and tree removal will not be performed on a regular basis. Adequate sight distances will not be maintained on a regular road.
5. Structures: Bridges and culverts may not be maintained on a regular basis to carry Legal loads. Upon failure or loss, the replacement structure will be for traffic thereon.

6. Road Surfacing: There will be no surfacing materials applied to Area Service "C" roads.
7. Shoulders: Shoulders will not be maintained.
8. Crown: A crown will not be maintained.
9. Repairs There will be no road repairs on a regular basis.
10. Uniform Width: Uniform width for the traveled portion of the road will not be maintained.
11. Inspections: Regular inspections will not be conducted.
- 12 Gate: The gate shall be purchased and installed by the County and maintained by the adjoining landowners. If not so maintained, the County may remove the gate; and

WHEREAS, the only persons who will have access rights to the road shall be:

- a. the owner, lessee, or person in lawful possession of any adjoining land,
- b. the agent or employee of the owner, lessee or person in lawful possession of any adjoining land,
- c. any peace officer,
- d. any magistrate,
- e. any public employee whose duty it is to supervise the use or perform maintenance of the road,
- f. any agent or employee of any utility located upon the road.

THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MAHASKA COUNTY that this County does hereby establish the road described as an Area Service "C" road, with restricted access and a minimal level of maintenance.

Enacted this 4th day of September, 2001.

Chairperson, Board of Supervisors

Attest: _____
County Auditor

Sales tax allocations were discussed at this time. Members of the audience spoke to the board regarding this issue. It was moved by Gordy seconded by Groenendyk to allocate the county's portion of the one-cent sales tax to the school districts based on taxable valuations of total Mahaska County (2000 Valuation Year) percent of the school's valuation. Two- aye; One – nay. Motion carried.

2000 Taxable Valuations of Mahaska County by School District:

Eddyville Community	45,868,944	6.2854%
Fremont Community	34,725,400	4.7584%
Lynnville-Sully Community	2,222,417	.3045%
North Mahaska Community	144,464,237	19.7959%
Oskaloosa Community	419,879,338	57.5361%
Pella Community	59,010,995	8.0863%
Tri-County Community	7,065,746	.9682%
Twin Cedars Community	16,530,100	2.2651%
Totals	729,767,177	100.0000%

It was moved by Gordy seconded by VanWeelden to support the revote provision in the 28E agreement language with the city of Oskaloosa and the Oskaloosa Community School district. This is a 3 year revote cooperative agreement in order to have another election. All ayes. Motion carried.

Tom O'Brien and Kirby Moss from Employee Group Services discussed the Health Insurance program with the board. This was the 6 month review report.

Meeting adjourned.

Chairman, Board of Supervisors
Mahaska County, Iowa

ATTEST: _____
Mahaska County Auditor