

## March 18, 2013

The Mahaska County Board of Supervisors met in regular session 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: Chairman – Greg Gordy; Vice chairman – Mike Vander Molen. Member Mark Doland was absent. Also present were the following: Ken Allsup, Osky News; Duane Nollen, Oskaloosa Herald; Jerry Nusbaum, Mahaska County Engineer; Dave Sedivec, Mahaska County Conservation Director; Susan Brown, Mahaska County Auditor; Eric Dursky, County Sanitarian; DeAnn De Groot, MCARD director; and Justin Stout.

This meeting was filmed by Communications Research Institute of William Penn University.

Chairman Gordy opened the meeting at 9:00 a.m. with a moment of silence.

It was moved by Vander Molen seconded by Gordy to approve the agenda for today's meeting. All present voted aye. Motion carried.

It was moved by Vander Molen seconded by Gordy to approve the minutes for March 4<sup>th</sup>. All present voted aye. Motion carried.

It was moved by Vander Molen seconded by Gordy to approve Veterans Affairs monthly reports for November and December 2012, January and February 2013 and 2<sup>nd</sup> quarter Oct-Nov-Dec 2012. All present voted aye. Motion carried.

Eric Dursky, Mahaska County Sanitarian gave the board his monthly report and it was placed on file.

Dave Sedivec, Mahaska County Conservation Director gave the board his monthly report and it was placed on file.

Deann DeGroot, MCCARD gave the board her monthly report and it was placed on file.

Approval of seasonal employee for Mahaska County IRVM was tabled until April 1<sup>st</sup> meeting to allow research into look-back period questions regarding insurance.

It was moved by Gordy seconded by Vander Molen to approve the replacement of 660 feet of fence on the west side of the county farm by Hite Fencing at a cost of \$1,340. All present voted aye. Motion carried.

It was moved by Vander Molen seconded by Gordy to open the 9:30 a.m. public hearing for road reclassification from "B" to "C" - Merino Ave from 135<sup>th</sup> to 140<sup>th</sup> St. in Union Twp. All present voted aye. Motion carried.

Justin Stout, 2327 125<sup>th</sup> St, New Sharon, addressed the board with his concerns. Telephone comments from Lois Stephen, property owner in the area, were also heard.

It was moved by Vander Molen seconded by Gordy to close the public hearing. All present voted aye. Motion carried.

Supervisor Vander Molen read the following resolution into the record and moved that it be approved. Seconded by Gordy. All present voted aye. Motion carried.

**Resolution #2013-03-02**  
**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 (1996); and

WHEREAS: the County has received a request that the following road be classified as an Area "C" road:

*A road 66 feet in width described as follows: beginning near the SE Corner Section 19-T77 N-R15W, thence northerly to the NE corner of the SE1/4 of said section. (0.5 mile) Said road is also known as Merino Avenue between 135<sup>th</sup> Street and 140<sup>th</sup> Street, Union Township. Said road was reclassified from Area Service "A" to Area Service "B" September 14, 1998.*

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 limits.
4. Weeds, Brush and Trees: Mowing or spraying weeds, cutting brush and tree removal will not be performed on a regular basis. Adequate sight distance will not be maintained on a regular basis.
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. Shoulder: Shoulders will not be maintained.
8. Crown: A crown will not be maintained.
9. Repairs: There will not be 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 person 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 18th day of March, 2013

s/Greg Gordy, Chairperson, Board of Supervisors

Attest: s/Susan L. Brown, County Auditor

Supervisor Vander Molen read the following resolution into the record and moved that it be approved. Seconded by Gordy. All present voted aye. Motion carried.

**Resolution #2013-03-03**  
**Resolution Authorizing Transfer of County Vehicle**

WHEREAS, Mahaska County, Iowa is in possession of a 1988 Mack Tandem Truck model RD690S which has exceeded its useful purpose as a Secondary Roads vehicle;

WHEREAS, The Southern Iowa Fair Board is in need of a truck for watering operations at the Southern Iowa Fairgrounds and Raceway;

WHEREAS, The Southern Iowa Fairgrounds is a valid public enterprise that contributes to the economy in Mahaska County;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors authorizes transfer of a 1988 Mack Tandem Truck, Model RD690S (v/n 1M2P195C6JA001499) to the Southern Iowa Fair Board.

Enacted this 18th day of March, 2013

s/Greg Gordy, Chairperson, Board of Supervisors

Attest: s/Susan L. Brown, County Auditor

The Board discussed a proposal from Bearence Management Group offering Human Resource services to the county.

Supervisor Vander Molen read the following resolution into the record and moved that it be approved. Seconded by Gordy. All present voted aye. Motion carried.

**Resolution #2013-03-04**  
**Resolution Authorizing Update to County Employee Handbook**

WHEREAS, Mahaska County, Iowa is engaged in employment of personnel to carry out the operations of the County;

WHEREAS, the County Handbook has not been updated since its adoption on February 19, 2008;

WHEREAS, the County Handbook may be in need of various updates in view of changes and additions to Federal and/or State law;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors authorizes the law office of Gaudineer, Comito & George, L.L.P. to update the Employee Handbook at a cost not to exceed \$2500 for later adoption by elected officials, agency directors, administrators, and department heads of Mahaska County.

Enacted this 18th day of March, 2013

s/Greg Gordy, Chairperson, Board of Supervisors

Attest: s/Susan L. Brown, County Auditor

Chairman Gordy read the resignation letter from Rose Anne Mefford, Mahaska County Attorney. It was moved by Vander Molen seconded by Gordy to accept her resignation as of March 17, 2013. All present voted aye. Motion carried. Rose Anne was thanked for her service to the county.

It was moved by Gordy seconded by Vander Molen to employ Misty White at a rate of \$40.79 per hour as interim Mahaska County Attorney beginning March 18, 2013 and until such time as a new county attorney is appointed or elected. All present voted aye. Motion carried.

It was moved by Gordy seconded by Vander Molen to make an appointment to the office of Mahaska County Attorney and to place an ad for recruitment of applicants. All present voted aye. Motion carried.

It was moved by Vander Molen seconded by Gordy to run the ad in the Oskaloosa Herald and to post it online on the Iowa County Attorneys Association website. All present voted aye. Motion carried.

It was moved by Gordy seconded by Vander Molen to approve the payroll change recommendation to increase Asst. County Attorney Amy Zenor's salary to \$44,000 per year effective immediately. All present voted aye. Motion carried.

The board discussed an upcoming meeting regarding Mental Health Regionalization planning with Marion, Poweshiek and Jasper counties on March 21<sup>st</sup> here at the courthouse. The auditor was directed to post the meeting.

There were no supervisor committee reports given.

It was moved by Gordy seconded by Vander Molen to adjourn. All present voted aye. Motion carried.

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Greg Gordy, Chairman  
Mahaska County Board of Supervisors

Attest: \_\_\_\_\_  
Susan L. Brown  
Mahaska County Auditor