

August 4, 2008

The Mahaska County Board of Supervisors met on the above date in regular session at 9:00 a.m. in the third floor conference room of the Mahaska County courthouse. Present were the following board members: Chairman – Henry W. VanWeelden; vice chairman – Greg Gordy; and member – Lawrence Rouw. Also present were the following: Scott Dailey, KBOE Radio; Anthony Capps, Oskaloosa Herald; Sone Scott, Mahaska County Treasurer; Scott Gilliland and Scott VanGilst, Secondary Road Employees; Jim Ducea, Clemons Inc; Jerome Nusbaum, Mahaska County Engineer and Kay Swanson, Mahaska County Auditor. This meeting was filmed by Communications Research Institute of William Penn University.

Chairman VanWeelden called the meeting to order with a moment of silence.

It was moved by Gordy seconded by Rouw to approve the agenda with the addition of courthouse security camera. All present voted aye. Motion carried.

It was moved by Rouw seconded by Gordy to approve the minutes of July 21st meeting. All present voted aye. Motion carried.

It was moved by Rouw seconded by Gordy to approve the following RUSS resolution no. 2008-08-01. All present voted aye. Motion carried.

RESOLUTION NO. 2008-08-01

WHEREAS, the Boards of Supervisors of Davis, Des Moines, Henry, Jefferson, Keokuk, Lee, Louisa, Mahaska, Van Buren, Wapello, and Washington Counties (collectively hereinafter the “Members”) in the State of Iowa have authorized and executed a certain Regional Utility Service Systems Intergovernmental Agreement (the “28E Agreement”) pursuant to Chapter 28E of the Code of Iowa; and

WHEREAS, the terms of the 28E Agreement provide for the creation of the Regional Utility Service Systems Commission (the “RUSS”) for the purposes of planning, designing, developing, financing, constructing, owning, operating, and maintaining wastewater treatment systems and water systems for and on behalf of the Members and the cities and unincorporated areas within the boundaries of the Members; and

WHEREAS, RUSS has authority pursuant to the 28E Agreement and Chapter 28F of the Code of Iowa to issue revenue bonds and interim financing notes to pay the costs of projects undertaken, but prior to the issuance of such bonds or notes each of the Members must adopt a resolution authorizing their issuance; and

WHEREAS, RUSS has undertaken the design and construction of certain sanitary sewer projects described in Exhibit A attached hereto (the “Projects”) in and near the cities and counties listed in Exhibit A (the individual cities and counties listed in Exhibit

A are hereinafter referred to as the “Benefited Governmental Entities”) and has proposed the issuance of sewer revenue bonds (the “Bonds”) and corresponding sewer revenue bond anticipation notes (the “Project Notes”) to pay the costs of the Project; and

WHEREAS, it is now necessary for the Board of Supervisors of Mahaska County to approve and authorize the issuance of the Bonds and the Project Notes;

NOW, THEREFORE, It Is Hereby Resolved by the Board of Supervisors of Mahaska County, Iowa (the “County”), as follows:

Section 1. The County hereby approves and authorizes RUSS to issue the Bonds for each of the Projects in amounts not exceeding the amounts shown on Exhibit A and to issue the Project Notes in a like amount anticipating the issuance of such Bonds in order to finance the corresponding Project.

Section 2. The issuance of the Bonds and the Project Notes will benefit the Members and the Benefited Governmental Entity for each Project. The Benefited Governmental Entity listed for each Project on Exhibit A is the primary beneficiary of the issuance of the Bonds and Project Notes, and the total principal amount of the Bonds and Project Notes shall be allocated to such Benefited Governmental Entity for purposes of Section 2650(3)(c)(iii) of the Internal Revenue Code of 1986 (the “Code”).

Section 3. For those Projects for which the County is the Benefited Governmental Entity, the County hereby designates and authorizes RUSS to designate, on the County’s behalf, the Bonds and Project Notes issued to pay the costs of such Project as “qualified tax exempt obligations” pursuant to Section 265(b)(3)(B) of the Code.

Section 4. The County agrees that it will not issue additional tax exempt obligations during the calendar year in which the Bonds and Project Notes for which it is the Benefited Governmental Entity are issued, which, when added to the County's other tax exempt obligations issued during the same calendar year would be in excess of \$10,000,000.

Section 5. All resolutions or parts thereof in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Passed and approved August 4th, 2008.

MAHASKA COUNTY, IOWA
BY S/ Henry W. VanWeelden
Chairperson

Attest: s/ Kay Swanson
County Auditor

EXHIBIT A

Benefited Governmental Entity	Project Description	Bond Amount
City of Keswick, Iowa	Keswick Sanitary Sewer Project	\$700,000
City of Mount Union, Iowa	Mount Union Sanitary Sewer Project	\$700,000
City of Pleasant Plain, Iowa	Pleasant Plain Sanitary Sewer	\$700,000
County of Jefferson, Iowa	East Pleasant Plain Sanitary Sewer Project	\$700,000
County of Jefferson, Iowa	Greenbriar Sanitary Sewer Project	\$700,000
County of Jefferson, Iowa	Linby Sanitary Sewer Project	\$700,000
County of Jefferson, Iowa	Abingdon Sanitary Sewer Project	\$700,000
County of Lee, Iowa	Argyle Sanitary Sewer Project	\$700,000
County of Van Buren, Iowa	Selma Sanitary Sewer Project	\$700,000
County of Washington, Iowa	Lake Trio Sanitary Sewer Project	\$700,000
County of Washington, Iowa	Rubio Sanitary Sewer Project	\$700,000
County of Washington, Iowa	Richmond Sanitary Sewer Project	\$700,000
Counties of Keokuk and Jefferson	Pekin Sanitary Sewer Project	\$700,000
County of Keokuk	Ollie Sanitary Sewer Project	\$700,000

It was moved by Rouw seconded by Gordy to approve the security camera on top of courthouse with the 911 center contributing \$1000.00, Emergency Management contributing \$500.00 and the rest to come from the room and board funds. All present voted aye. Motion carried.

The board discussed the grievance update.

It was moved by Rouw seconded by Gordy to approve the request of Sone Scott, Mahaska County Treasurer to place Caroll Jansen and Elizabeth Ann Barnhouse on the payroll at \$7.25 per hour in the tax department as seasonal employees during the tax season. All present voted aye. Motion carried.

It was moved by Gordy seconded by Rouw to accept the resignation of Danny Bridges in the Drivers License department of the Treasurer's office effective August 7, 2008. All present voted aye. Motion carried.

It was moved by Gordy seconded by Rouw to approve the request of the Treasurer to increase Sheila MacKaig to 65% of the Treasurer's salary as she will be doing the duties formerly done by Danny Bridges effective August 10, 2008. All present voted aye. Motion carried.

It was moved by Rouw seconded by Gordy to approve the request of the treasurer to increase Shauna Hol to 62% of the Treasurer's salary in the tax department effective August 10, 2008. Two aye – one nay. Motion carried.

It was moved by Rouw seconded by Gordy to deny the request of the treasurer to increase Michelle VanWyk to 65% of the treasurer's salary in the auto department. One aye – two nay. Motion carried.

Quotations for vehicles were opened from Clemons Inc.

¾ ton work truck Chevrolet 2007 model \$22,342.00

Chevrolet 2008 model \$21,963.00

¾ ton extended cab Chevrolet 2008 model \$26,987.00

It was moved by Rouw seconded by Gordy to purchase two Chevrolet model 2008 ¾ ton work trucks for \$21,963.00 each and one ¾ ton extended cab Chevrolet model 2008 pickup for \$26,987.00 All present voted aye. Motion carried.

It was moved by Rouw seconded by VanWeelden to approve the recommendation of the Engineer to approve the Resolution to Add Locally and FM Funded Project to the Accomplishment Year of the 2009 Five Year Road Program. All present voted aye. Motion carried.

Resolution 2008-08-02

BE IT RESOLVED: That the Board of Supervisors of Mahaska County, Iowa, initiates and recommends that the addition of the following project to the Accomplishment year (FY 2009) be approved by the Iowa Department of Transportation (Iowa DOT) for improvement with local and/or FM funds for the period covering the current secondary road construction program. Project No. FM-C062)-55-62 Spruce Street just East of intersection of V13 to 150 ft east of Broadway St. (965 feet of 2.5" HMA overlay, 800 ft. of 8" HMA for a cost of \$167,000.00.

It was moved by Rouw seconded by Gordy to approve the agreement with IDOT for use of Local Agency Roads. All present voted aye. Motion carried.

AGREEMENT FOR USE OF LOCAL AGENCY ROADS AS DETOURS

This Agreement entered into the 4th day of August, 2008 by and between the Iowa Department of Transportation hereinafter known as the Party of the first Part; and the Mahaska County Board of supervisors, hereinafter known as Party of the Second Part

WHEREAS, The Party of the First Part has determined the necessary to temporarily close IA 92 due to flooding of the South Skunk River at approximately MP 187.9 (near Rose Hill, Iowa) , and

WHEREAS, it is necessary to provide a detour for the primary highway closure period, and

WHEREAS, The Party of the Second Part agrees to permit the use of Mahaska County local agency roads Mahaska County V13 as a detour, more particularly described as follows: for westbound traffic commencing at the junction IA 92 and Mahaska County V13; thence south approximately 8 miles along V13 to the intersection with IA 23 and end of detour and eastbound traffic using the same Mahaska County route as mentioned, but in an opposing direction (beginning at the junction of IA 23 and county V13, - located west of Fremont, Iowa) and

WHEREAS, Authorized engineers representing both the Party of the First Part and the Party of the second Part shall jointly execute and sign a written report concerning the condition of the proposed detour, after jointly inspecting said road, the subject of the proposed detour; said report to be in sufficient detail as to reasonably reflect the condition of the roadway base, surface, shoulders and bridges and

WHEREAS, Party of the First Part agrees (pre-detour-maintenance)

WHEREAS, Party of the First Part agrees to maintain the detour and provide all traffic control devices required by the Iowa MUTCD including the marking of no-passing zones as specified in Section 3B5 of the Iowa MUTCD during the period the local agency road(s) and structure(s) are being utilized as a primary road detour and

WHEREAS. Prior to revocation of the detour, the Party of the First Part shall restore the local agency road to as good condition as it was prior to its designation as a temporary primary road, or compensate the local agency for excessive traffic upon the local agency road during the period it was used as a temporary primary road, in accordance with Section 313.28 or Section 313.29 of the Iowa Code and Iowa DOT Policy 600.05.

WHEREAS. The detour period is estimated to begin June 10.2008 and end June20.2008

NOW, THEREFORE, BE IT AGREED that the described road be used as a detour under stipulations outlined above.

IN WITNESS WHEREOF, The parties hereto have caused this agreement to be executed by proper officers thereunto duly authorized as of the dates below indicated.

Date: --

Attest To:

Iowa Department of Transportation

Chairperson Willie VanWeelden, County
Board of Supervisors

Date:

Date:

Auditor Kay Swanson , County

The matter of the purchase of a snowblower was tabled until next meeting.

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

Henry W. VanWeelden, Chairman
Mahaska County Board of Supervisors

ATTEST: _____
Kay Swanson, Mahaska County Auditor