

## August 16, 2004

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 Lawrence Rouw, Vice Chairman Henry W. VanWeelden and member Greg Gordy.

Also present were the following: Jerome Nusbaum, Mahaska County Engineer; Duane Nollen, Oskaloosa Herald; Howard Gay, Mahaska County Secondary Road Foreman; Leroy Nugteren, Mahaska County Conservation Board; Daryl Menninga, Murphy Truck Company; Peggy Wright, President Mahaska County Conservation Board; Michael Gipple, Mahaska County Conservation Director; Reid Stevens, Mahaska County IRVM Department; Joe Durian, Veterans Affairs Commission; Ted Smith, Veterans Affairs Commission; Kay Swanson, Mahaska County Auditor.

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

It was moved by Gordy seconded by VanWeelden to approve the agenda with the deletion of the Veterans Affairs Monthly Report. All present voted aye. Motion carried.

It was moved by VanWeelden seconded by Gordy to approve the minutes of August 2<sup>nd</sup>. All present voted aye. Motion carried.

Michelle Moore from the Mahaska County Agricultural and Rural Development Committee was absent but she filed a written report for the period of April 15, 2004 – August 13, 2004.

It was moved by VanWeelden seconded by Gordy to approve and authorize the Resolution Naming Depositories for Regional Utility Services Systems (RUSS). All present voted aye. Motion carried.

It was moved by VanWeelden seconded by Gordy to approve and authorize the Resolution Establishing the Investment Policy for Regional Utility Service Systems (RUSS). All present voted aye. Motion carried.

It was moved by Rouw seconded by Gordy to reappoint Michelle Moore as Mahaska County's representative to the Area 15 Regional Planning Commission for a three year term beginning August 21, 2004. All present voted aye. Motion carried.

It was moved by Gordy seconded by VanWeelden to approve the Master Service Agreement with LightEdge Solutions, Inc. to provide services to the email accounts for Mahaska County subject to 90 day notification clause. All present voted aye. Motion carried.

The board discussed the Roadside Vegetation Management position. No decisions were made at this time.

10:00 a.m. It was moved by VanWeelden seconded by Gordy to open the public hearing for the 2<sup>nd</sup> reading of Ordinance #125. All present voted aye. Motion carried. There were no written or oral comments. It was moved by Gordy seconded by VanWeelden to close the public hearing. All present voted aye. Motion carried.

It was moved by VanWeelden seconded by Gordy to approve the 2<sup>nd</sup> reading for Ordinance #125 and to waive the third reading. All present voted aye. Motion carried.

#### Ordinance #125

An Ordinance relating to the sale of items which may be used in the manufacture of methamphetamine.

WHEREAS Mahaska County is aware that the manufacture of methamphetamine is a hazard to the citizens of Mahaska County and the State of Iowa; and

WHEREAS the ingredients necessary for the manufacture of methamphetamine are legally sold in the retail market; and

WHEREAS the illegal use of methamphetamine presents a clear and present danger to the citizens of Mahaska County and the State of Iowa; and

WHEREAS the use of methamphetamine has resulted in an increase in crime, mental and substance abuse problems, and other behaviors contrary to the best interests of the citizens of Mahaska County and the State of Iowa;

THEREFORE BE IT ENACTED by Mahaska County, Iowa:

Section 1. REGISTRATION. The following named products and any substance containing the described products are controlled substance precursors:

- a. Muriatic/Sulfuric Acid
- b. Ephedrine
- c. Pseudoephedrine
- d. Red Phosphorus
- e. Lithitun
- f. Ether
- g. Camping Fuel

All persons and/or businesses selling, transferring, or otherwise delivering or distributing for consideration any substances containing the above-described controlled substance precursors shall require the purchaser or person receiving said substance or substances to provide his/her name, address, telephone number, and to produce photo identification. Said person or business shall also log the date, time, and description of the

item(s) purchased. Said information shall be kept by the said person or business in a log that shall be accessible to any law enforcement officer upon request during regular business hours of said business.

Section 2. VIOLATIONS. Any person or business violating this Ordinance by failing to secure proper identification, or by failing to log the items as required, or failing or refusing to provide a log for inspection by law enforcement shall be guilty of a municipal infraction punishable by a fine of \$500.00 per occurrence or punishable by any other injunctive remedies that the Court may impose, pursuant to Iowa's municipal infraction authority.

Section 3. SEVERABILITY CLAUSE. If any section, provision, or part of the Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole, or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. EFFECTIVE DATE. This Ordinance shall be effective from and after its final passage, approval, and publication as provided by law.

First Meeting Date  
August 2, 2004  
Second Meeting Date  
August 16, 2004  
Third Meeting Date  
Waived  
Dated this 16<sup>th</sup> day of August, 2004.

Lawrence Rouw, Chairman  
Mahaska County Board of Supervisors

Kay Swanson  
Mahaska County Auditor

10:00 a.m. Open bids for project #L-RL22-04(01)-04 and L-SP28-16(02)-04:

Manatt's Inc. \$177,702.20  
(Project # L-RL22-04(01)-04 \$132,737.70  
Project # L-SP-28-16(02)-04 44,964.50)

No decisions were made today. The engineer will review.

The entrance resolution will be retyped and put on a later agenda.

It was moved by Gordy seconded by VanWeelden to approve the Collective Bargaining Agreement between Mahaska County and Service Employees International Local #199 for the period of July 1, 2004 – June 30, 2005. All present voted aye. Motion carried.

10:30 a.m. Open Motor Grader Bids:

Murphy Tractor & Equipment 2004 John Deere 770CH Series II Motor Grader  
\$124,395.00

Ziegler Inc. Caterpillar 140H \$143,200.00

No decisions were made today. The engineer will review the bids.

10:45 a.m. The Conservation Board members discussed the IRVM department with the board. The consensus of the group was to keep the IRVM department as a separate department.

The Veterans Affairs Commission met with the board to discuss the placement of Christine Harr on the payroll at \$10.00 per hour for 4 hours per day. It was moved by VanWeelden seconded by Gordy to approve the recommendation of the Veteran's Affairs Commission to place Christine Harr on the payroll up thru October 9, 2004 at which time it will be reviewed. All present voted aye. Motion carried.

The engineer gave the board a proposal from RACOM Critical Communications for their review.

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

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Lawrence Rouw, Chairman  
Mahaska County Board of Supervisors

ATTEST: \_\_\_\_\_  
Kay Swanson, Mahaska County Auditor