

April 5, 2010

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 – Lawrence Rouw, vice chairman – Henry W. Van Weelden and member – Greg Gordy. Also present were the following: Scott Dailey, KBOE Radio, Duane Nollen, Oskaloosa Herald, Julie Bak, Mahaska County CPC; David Krutzfeldt, Oskaloosa City Mayor, Michael Schrock, Jr., Oskaloosa City Manager, Tom Walling, Oskaloosa City Council Member; Ben Hoskinson, IRVM Manager, Michael Rodwell, Mahaska County Secondary Road Dept., Pat Brainard and Marilyn DeJong, Mahaska County DHS Department; Connie Schippers, Mahaska County Treasurer's Office, Eric Dursky, Mahaska County Sanitarian, Larry Septer, Mahaska County Jailer; Mike Brand, John VanDonselaar, Janet Brand, Pat Lafollette, Mahaska County residents; Jerry Nusbaum, Mahaska County Engineer, and Kay Swanson, Mahaska County Auditor.

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

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

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

It was moved by VanWeelden seconded by Gordy to approve the minutes of March 22nd. All present voted aye. Motion carried.

It was moved by Gordy seconded by VanWeelden to approve the bills for March in the amount of \$1,063,408.96. All present voted aye. Motion carried.

Julie Bak, Mahaska County CPC requested the board's signature for the Iowa Department of Human Services Community Mental Health Center Affiliation for fiscal year 2011. It was moved by VanWeelden seconded by Gordy to approve this request. All present voted aye. Motion carried.

**IOWA DEPARTMENT OF HUMAN SERVICES
COMMUNITY MENTAL HEALTH CENTER AFFILIATION**

Name of County: Mahaska Fiscal Year 2011

Chapter 225C.7(3) of the Code of Iowa requires, as a condition of eligibility for receiving Mental Health and Developmental Disabilities Community Services Fund dollars, that counties not currently affiliated with a community mental health center expend a portion of those funds to contract with a community mental health center. The MH/MR/DD/BI Commission may grant a waiver exempting a county from this requirement.

Enter the name and address of the community mental health center your county will affiliate or contract with during the fiscal year you indicated above. Please check either affiliate or contract. If this changes, we must be notified,

Mahaska Health Partnership – New Directions
1229 C Avenue East
Oskaloosa, IA 52577

If your county is not affiliated or contracting with a community mental health center, complete the following information:

Will you request a waiver from the requirement of affiliation with a community mental health center?

___ Yes X No

If you are requesting a waiver, you must complete the “Waiver Request” (Form 470 0887) and submit both documents completed and signed by March 1, 2010 to the MHDS division of the Department of Human Services. The MH/MR/DD/BI Commission may grant the waiver if all criteria are met.

s/Lawrence Rouw

Signature of Chair, County Board of Supervisors Date 4-5-10

It was moved by VanWeelden seconded by Gordy to approve the request of the Oskaloosa Chamber of Commerce to have the public restrooms open for Art on the Square on June 12, 2010. All present voted aye. Motion carried.

It was moved by Gordy seconded by VanWeelden to approve the request from the Jail to increase the wages for jailer Brandon Slobe to \$10.87 per hour beginning April 4, 2010. All present voted aye. Motion carried.

It was moved by VanWeelden seconded by Gordy to remove Sarah Hol from the payroll in the Assessor’s office effective April 1, 2010. All present voted aye. Motion carried.

It was moved by VanWeelden seconded by Gordy to place Becki Ford on the payroll in the Assessor’s office as an interim office staff effective April 12, 2010 at \$11.65 per hour. All present voted aye. Motion carried.

It was moved by Gordy seconded by VanWeelden to place Barb VanPatten on the payroll as seasonal help at \$11.62 per hour effective April 6, 2010 for the IRVM Department. All present voted aye. Motion carried.

It was moved by Gordy seconded by VanWeelden to approve the 3rd quarter quarterly report for fiscal year 2009-2010 for the Auditor. All present voted aye. Motion carried.

Pat Brainard and Marilyn DeJong discussed the phone system at the DHS Office with the board. No decisions were made today.

It was moved by Gordy seconded by Rouw to table the non-union insurance matter until the union contracts are signed. Vote was two aye – one nay. Motion carried.

It was moved by Gordy seconded by VanWeelden to table the clean-up days in Leighton until later date. All present voted aye. Motion carried.

It was moved by VanWeelden seconded by Gordy to sign the plan for project BROS-CO62(68) a RCB Culvert new twin box located approximately 2.0 miles North of the City of Oskaloosa on G39/220th St. over Painter Creek (2-75-16) for the Secondary Road Department at an approximate cost of \$160,757.36. All present voted aye. Motion carried.

It was moved by VanWeelden seconded by Gordy to approve the contract for seal coat for project FMCO62-70 on Cemetery road to Cedar for \$180,371.91 from Sta-bilt Construction Co. of Harlan, IA. All present voted aye. Motion carried.

It was moved by Gordy seconded by VanWeelden to approve the following 28E Agreement with the city of Oskaloosa. All present voted aye. Motion carried.

28E AGREEMENT FOR COOPERATIVE DEVELOPMENT OF GREEN STREET/LAVEEN AVENUE

THIS AGREEMENT, is made and entered into this _5th day of April, 2010, by and between the City of Oskaloosa Iowa, herein called “City”, and Mahaska County Iowa, herein called “County”.

NOW WHEREAS City and County have agreed to work in a cooperative fashion for necessary roadway improvements to Green Street/Laveen Avenue;

AND WHEREAS the location of the roadway is within an area adjacent to City, which may be subject to future annexation proceedings by City;

AND WHEREAS the parties wish to recognize and record the public purpose of contemplated improvements to the said roadway;

AND WHEREAS the parties wish to memorialize their agreement to a commitment for a cooperative effort between the entities for the improvement of the roadway, within the framework of such formal agreement as may subsequently be entered into by and between the parties as to specific terms.

IT IS THEREFORE AGREED, in consideration of the mutual covenants and promises contained herein, as follows:

1. City and County acknowledge and agree that the development and improvement of the public roadway at Green Street/Laveen Avenue is necessary for the orderly growth and development of the City of Oskaloosa and the enhancement of Mahaska County Iowa; that such development and improvement is necessary to accommodate the use and utilization of recreational facilities at Lacey Recreational Complex and any future growth and development within the area; that such recreational opportunities and potential future growth and development inheres to the public benefit of the Citizens of Oskaloosa and Mahaska County Iowa through direct benefits as well as intangible ancillary benefits

from moneys spent within the community by visitors utilizing the recreational facilities; and that a recognizable and legitimate public purpose exists for such concerted actions.

2. City agrees that it will provide the primary funding for the development and improvement of Green Street/Laveen Avenue within the contemplation of such specific terms as may be developed and agreed to by the parties.

3. County agrees that it will devote and contribute to the development and improvement of Green Street/Laveen Avenue within the contemplation of such specific terms as may be developed and agreed to by the parties by its "I-Jobs funds" or equivalent amounts.

4. The parties acknowledge and agree to the importance of cooperative efforts to develop and improve Green Street/Laveen Avenue.

IN WITNESS WHEREOF, the parties hereto have affixed their signature on the date above written.

CITY OF OSKALOOSA, IOWA

MAHASKA COUNTY, IOWA

By: _____

By: Lawrence Rouw _____

10:00 a.m. It was moved by Gordy seconded by VanWeelden to open the public hearing for the following road vacation. All present voted aye. Motion carried.
A road being 40 feet in width described as follows: beginning at the N 1/4 corner of the NE 1/4 of the NE 1/4 of Section 26-77-16 (Prairie Township) thence easterly 2540 feet to a point 760 feet west of the N 1/4 corner Section 25-77-16. Said road is also known as 140th street and is part of 140th Street reclassified to a Service Level B road in the Mahaska County Resolution dated September 14th, 1989. The road to be vacated includes Structure No. 238290, a wooden structure currently rated at a 3 ton load limit. Structure No. 238290 is to be vacated and removed.

There were no written comments. Mike Brand, John VanDonselaar and Janet Brand spoke to the board concerning closing of this road.

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

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

**FINAL ORDER ON ROAD VACATION
CODE 306.16
RESOLUTION**

WHEREAS: A hearing was held April 5, 2010, on the matter of vacating and closure of a portion of Mahaska County Secondary Roads described as follows:

A road being 40 feet in width described as follows: beginning at the N 1/4 corner of the NE 1/4 of the NE 1/4 of Section 26-77-16 (Prairie Township) thence easterly 2540 feet to a point 760 feet west of the N 1/4 corner Section 25-77-16. Said road is also known as 140th street and is part of 140th street reclassified to a Service Level B road in the Mahaska County Resolution dated September 14th, 1989. The road to be vacated

includes Structure No. 238290, a wooden structure currently rated at a 3 ton load limit. Structure No. 238290 is to be vacated and removed.

WHEREAS: All objections and or comments received at the April 5, 2010, public hearing were dealt with by the Board of Supervisors.

AND WHEREAS: Said part of present right-of-way of the closed roads are no longer necessary or required for use by the public for highway purposes and will not hereafter be required for construction or maintenance purposes for any highway;

NOW THEREFORE BE IT RESOLVED by Mahaska County that said part of present right-of-way herein described, together with any and all right of Mahaska County in and to the same are hereby abandoned, and Mahaska County hereby disclaims any right, title or interest in and to said part of present right-of-way or to use thereof for any purposes whatsoever.

It was moved by _____ and seconded by _____ to deny any and all claims filed on any of the road closing acted on in this meeting, motion carried.

Signed this 5 day of April, 2010.

s/Lawrence Rouw

Chairman, Board of Supervisors

s/Kay Swanson

Attest: County Auditor

10:45 a.m. It was moved by VanWeelden seconded by Gordy to open the public hearing. All present voted aye. Motion carried. There were no written or oral comments on this road.

Structure No. 238265, a wooden structure /located 1971 feet south of the NW corner Section 26-77-16 (Prairie township). Said structure was located on the east side of Kirby Avenue serving as a field entrance. Said structure was unsafe at any loading and was removed for safety considerations January 14. 2010.

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

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

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WHEREAS: All objections and/ or comments received at the April 5, 2010, public hearing were dealt with by the Board of Supervisors.

AND WHEREAS: Said part of present right-of-way of the closed roads are no longer necessary or required for use by the public for highway purposes and will not hereafter be required for construction or maintenance purposes for any highway;

NOW THEREFORE BE IT RESOLVED by Mahaska County that said part of present right-of- way herein described, together with any and all right of Mahaska County in and to the same are hereby abandoned, and Mahaska County hereby disclaims any right, title or interest in and to said part of present right-of-way or to use thereof for any purposes whatsoever.

It was moved by _____ and seconded by _____ to deny any and all claims filed on any of the road closing acted on in this meeting, motion carried.

Signed this 5 day of April, 2010.

s/Lawrence Rouw

Chairman, Board of Supervisors

s/Kay Swanson

Attest: County Auditor

Under any other matters: Pat Lafollette spoke to the board about the clean up of Smokeville.

It was moved by VanWeelden seconded by Gordy to approve the retirement of Glenn Gerard effective April 2, 2010 from the Secondary Road Department. All present voted aye. Motion carried.

Mr. Nusbaum, Mahaska County Engineer will get a signed copy of the SEIU Union contract.

It was moved by Gordy seconded by VanWeelden to set May 3, 2010 as the date for public hearing for vacating of road in Scott Township. All present voted aye. Motion carried.

It was moved by Gordy seconded by VanWeelden to approve the request of the engineer to hire a person for mowing for this year. This is a temporary position with no benefits that will begin on April 19, 2010 at \$10.00 per hour and to increase to \$10.60 per hour after 45 days. All present voted aye. Motion carried.

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

Lawrence Rouw, Chairman
Mahaska County Board of Supervisors

ATTEST: _____
Kay Swanson, Mahaska County Auditor

