

September 17, 2012

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 – Ken Rozenboom, member – Henry W. VanWeelden. Also present were the following: Ginger Allsup, Osky News; Michael VanderMolen; Duane Nollen, Oskaloosa Herald; Detra Dettmann, Pathfinders; Sharon Watson, Case Management Department; Deann DeGroot, MCARD; Mark Reinig, Iowa State University; J.D. Fleener; Larry VanZee, Cablevey; Jerome Nusbaum, Mahaska County Engineer and Kay Swanson, Mahaska County Auditor.

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 VanWeelden seconded by Rozenboom to approve the agenda for today's meeting. All present voted aye. Motion carried.

It was moved by VanWeelden seconded by Rozenboom to approve the minutes for September 4th meeting. All present voted aye. Motion carried.

Eric Dursky, Mahaska County Sanitarian was absent but he sent a written report which was placed on file.

Dave Sedivec, was absent so no report from the Conservation Department today.

Deann DeGroot gave the board her monthly report for Mahaska County Agricultural and Rural Development and it was placed on file.

Detra Dettmann gave the board an update on the Pathfinders RC & D.

Sharon Watson, Mahaska County Case Management discussed a problem with the availability of emergency beds at Country Life.

It was moved by Rozenboom seconded by VanWeelden to approve the Veterans Affairs monthly report for August. All present voted aye. Motion carried.

Mark Reinig, Iowa State University Economic Development discussed with the board assisting with facilitating for the MCARD position. There will be a meeting in October.

It was moved by Rozenboom seconded by VanWeelden to open the public restrooms for the Lighted Christmas Parade events on November 29th and 30th. All present voted aye. Motion carried.

It was moved by Rozenboom seconded by VanWeelden to approve the following 28E Agreement with the City of Eddyville and the Sheriff. All present voted aye. Motion carried.

28E AGREEMENT

This Agreement, entered into by and between the City of Eddyville, Iowa, a municipal corporation, Hereinafter called "the City", and Mahaska County, Iowa, a political subdivision, hereinafter called "the County", is duly authorized by Chapter 28E of the Code of Iowa.

The City desires to have law enforcement services and the County, through the Office of the Sheriff, has the manpower and equipment necessary to provide said services.

Therefore, the said City and County, in a spirit of cooperation between these public agencies, agree with each other under the following terms and conditions as follows:

1. The County shall provide, through the Office of the Sheriff, law enforcement services and all persons and equipment necessary therefore to said City.
 2. The said law enforcement services shall consist of patrol and traffic enforcement which shall be provided to said City for a minimum of ten hours per week.
 3. The City shall pay the County the sum of \$12,575.00 per year as reimbursement for expenses in relation to carrying out this Agreement.
 4. The duration of this Agreement shall be for twelve months, commencing the first day of July, 2012, through June 30, 2013 and neither party may terminate it without the express written permission of the other party.
 5. The City shall pay the General Fund of the County, the following schedule or the first business day thereafter:

| | |
|-----------------|------------|
| July 1, 2012 | \$3,143.75 |
| October 1, 2012 | \$3,143.75 |
| January 1, 2013 | \$3,143.75 |
| April 1, 2013 | \$3,143.75 |
 6. The Agreement shall commence on the 1st day of July, 2012.
 7. This Agreement shall be supervised by the Mayor and Council of the City and Sheriff of the County.
 8. In accordance with Section 28E.7 of the Code of Iowa, 2011, this Agreement does not relieve any of the parties hereto of any obligation or responsibility imposed upon it or them by law, except that to the extent of actual and timely performance thereof by any contracting party hereto, said performance may be offered in satisfaction of the obligation or responsibility.
 9. The City shall file a copy of this Agreement with the Secretary of the State and cause a copy hereof to be recorded with the County Recorder.
 10. The provisions of Chapter 573A of the Code of Iowa, 2011, for termination of agreements in the event of a national emergency, apply to this Agreement.
- Dated this 4th day of September, 2012

ATTEST: City Clerk

CITY OF EDDYVILLE, IOWA
A Municipal Corporation

Attest: s/Kay Swanson

BY:
Mayor
COUNTY OF MAHASKA, IOWA
A Political Subdivision
BY: s/Greg Gordy
Chairman, Board of Supervisors

It was moved by Rozenboom seconded by VanWeelden to approve the following Election Security Policy. All present voted aye. Motion carried.

Elections Security Policy Mahaska County, Iowa

A written security policy is required due to the implementation of the Federal Help America Vote Act (HAVA), and corresponding amendments to the Iowa Administrative Code. This policy is to include plans to protect election equipment and data from unauthorized access, document certain aspects of the election process, and describe methods to preserve the integrity of the election. This policy applies to the Auditor and staff identified within this policy. Election misconduct in the first degree is a Class "D" felony under Iowa law.

An individual who is directed or assigned, by the Auditor, duties within the voting system and election process for Mahaska County shall sign an Elections Security Agreement which shall be on file in the Auditor's Office.

Voting System Security

Hardware: Mahaska County has chosen to use a blended paper ballot election equipment system to fully comply with HAVA. The hardware was purchased from Premier Election Solutions which was purchased by Election Systems and Software, Inc. (ES&S) in September, 2009. The following equipment is used for each election unless a paper ballot system is determined to be sufficient for smaller elections.

1. Accu Vote Optical Scan (OSX) tabulator with ballot box
2. AutoMARK ballot marking device

Each voter has the choice of one of the following options for each election:

1. Voting at the precinct in which they reside
2. Voting absentee by mail
3. Voting absentee at the county courthouse or at a satellite voting location
4. Voting at a health care facility if a resident there

Equipment certified for Federal elections use as of November 2008 shall be locked in the basement area of the courthouse known as Election Central. The storage area will be locked with a key lock and only certain individuals will have access to Election Central, as follows:

1. The Auditor and Deputy Auditors
2. One permanent Voting Equipment Technician (VETS) (County Head of Maintenance)
3. Staff assigned to assist with preparing voting equipment for elections, under the direction of the Auditor, Deputy Auditors or the VETS
4. Staff assigned to deliver or pick up the equipment, under the direction of the VETS

The equipment, along with any components shall be stored as recommended by the manufacturer. Each unit shall be insured by the Mahaska County property insurance policy (on file in Mahaska County Auditor's office).

Software: Mahaska County shall own and operate the necessary software and equipment to program locally all elections. The Global Election Management System (GEMS) computer shall be used to prepare ballots and voting equipment programs, and to compile and report election results. The GEMS shall not be used for any other function. The appropriate firewalls to filter network traffic will be used on all computers that contain election related programs. The GEMS computer shall not be directly linked to the Internet. Access to the GEMS computers shall be limited to the Mahaska County Auditor, Deputy Auditors, and designated election staff members, and supported by designated staff from the Information Technology Department. Access to all computers that contain election related programs will be password protected. Password content is at the user's discretion. Mahaska County uses a UPS power back-up for the GEMS computers. In the event of unexpected power loss, the system must shut down appropriately.

Data Transmissions and Transports: Election data files shall be transported using either a documented contract carrier or transmitted via the Internet using an encrypted and password protected file.

Memory Cards: Each piece of voting equipment requires a memory card, a removable device containing data files programmed to define each election. Each memory card includes a serial number printed on a visible permanent label. Mahaska County owns the memory cards, but the programming of such is outsourced as directed by the Auditor. Security for the memory cards includes perpetual inventory, with the inventory records containing:

- The date each memory card was acquired
- Each use of the card in an election
- The date each memory card is sent to programmer
- The date each memory card is received from the programmer
- Each maintenance activity
- Any problems or errors detected while using the memory card during its life
- Record, reason, and date of removal from inventory

Once programmed memory cards are received from the programmer they shall be stored in a locked cabinet in Election Central. The memory cards shall be removed from storage as necessary for an election, and prepared, logged, and sealed into a voting device. The

seal shall be tamper-evident. If transportation of a memory card outside of the Auditor's office is necessary, the memory cards shall be enclosed in a sealed container or envelope. The election log for the memory cards shall record the following:

- Serial number of card
- Precinct or polling location assignment
- Programmer(s), date, time
- Machine number, installed by, date, time
- Seal number
- Return information

The election log shall be maintained on file in the Elections Office for the duration of election documentation as required by Iowa law.

Ballot Security

Ballots for each election will be delivered by the printer to the Auditor's Office, checked for accuracy and then stored in Election Central.

Precinct Polling Locations: Precinct Election Officials shall track all ballots by completing the ballot record and receipt. Ballots shall be initialed at the time of giving one to a voter. Voters place their voted ballot into the ballot scanner or the ballot box emergency compartment or give the ballot to an official. Oversight shall be provided by officials to prevent any ballot from improperly leaving the precinct. Officials shall seal voted and unvoted ballots in separate containers and return them to election staff. Ballots shall remain sealed and secured unless accessed for recount or contest and until destroyed after the retention period provided for by law.

Health Care Facility and Satellite Locations: Precinct Election Officials shall track all ballots by completing the ballot record and receipt. Ballots shall be initialed at the time of giving one to a voter. Voters will place their voted ballot into a signed affidavit envelope and seal the envelope before placing the ballot into the ballot box or giving the ballot to an official. Ballots are not counted at any health care facilities or satellite locations. Oversight shall be provided by officials to prevent any ballot from improperly leaving the voting area. Officials shall seal voted and unvoted ballots in containers and return them to election staff at the courthouse. Unvoted ballots will be returned to inventory and voted ballots will be counted according to procedures established for the Absentee Ballot & Special Voter's Precinct.

Courthouse: Absentee ballots shall be tracked using IVOTERS, Iowa's state voter registration and elections system managed by the Secretary of State. Voters must return voted ballots to election personnel. Returned ballots shall be organized and stored in a secure interior room where their return will be verified using IVOTER reports. Unvoted absentee ballot supplies shall be stored in the locked auditor's office and inventoried on a daily basis. Precinct ballots are stored in Election Central prior to disbursement to Precinct Election Officials. Ballots shall remain sealed and secured following an election unless accessed for recount or contest and until destroyed after the retention period provided for by law.

Election Process

Mahaska County shall adhere to IAC 721 22.39-22.51 for testing the OSX and AutoMARK voting equipment. This includes preelection testing and public testing. Mahaska County transmits results one of two ways:

- 1) Via runners who are Precinct Election Officials or county employees. Runners may be assigned to one or more polling locations and must arrive at the polling places shortly after the closing of the polls. Election Officials shall verify the runner's county identification and will have prepared the memory card and proper documentation for the transporting envelope.
- 2) Via telephone call if directed to do so by the Auditor. The memory card is then returned to the auditor's office by two precinct election officials after polls have closed on election day.

There shall be both registered Democrats and registered Republicans on the election board panel at each polling place per the provisions of Section 49.15(2)(a) of the Code of Iowa. One of the precinct election officials shall serve as Chairperson and be responsible for the equipment once received from the Auditor. The chairperson shall verify the number of ballots received, the seal number on the ballot container, the seal number on the memory cards locked into each piece of election equipment. This verification shall be signed by the chairperson prior to election day as the equipment is received from the Auditor. This same verification takes place by the Auditor or designated staff as the equipment is returned once the polls have closed on election day. This verification record and receipt shall be maintained on file in the Auditor's Office for the duration of election documentation as required by Iowa law. All seals are tamper-evident. All precinct election officials and county employees shall take an oath prior to the election, and receive a copy of the election security policy.

The chairpeople shall work at the polling location for all hours of election day. The Auditor shall hire the remainder of the officials as equally balanced in political affiliation and gender as possible, and may approve half-day work shifts as compliant with Iowa law.

Evacuation

If it is necessary to evacuate the polling place, the precinct election officials shall immediately attempt to notify the Auditor and have two primary objectives:

1. Keep people safe. The officials shall ascertain that all voters and other persons are safely out of the polling location or, directed to a safe area.
2. Protect critical election documents and materials. After the safety of the voters and others has been secured, and if the precinct election officials can do something without threatening their own safety, the officials shall attempt to remove or secure the following, in descending order of importance:

The voting machine memory cards

The voted ballots

All unvoted ballots

The Ballot Record & Receipt (which includes the spoiled ballot envelope)
The precinct election register (electronic or paper), including the voter's
declaration of eligibility
The tabulating device, the ballot marking device and the ballot box

Signed:

s /Greg Gordy_____ Date_9-17-12_____

s /Ken Rozenboom_____ Date_9-17-12_____

s /Henry W.VanWeelden _____ Date_9-17-12_____

ATTEST s/Kay Swanson_____

It was moved by Rozenboom seconded by VanWeelden to approve the recommendation of the County Engineer the following list for the Consultant Selection Committee for Project STP-S-CO62(81)—5E-62. All present voted aye. Motion carried. Ken Rozenboom, Mahaska County Board of Supervisors; Beth Danowsky, MCDG; Akilish Pal, P.E., City of Oskaloosa, Jerome Nusbaum, P.E. Mahaska County; and Michael Rodwell, Mahaska County.

9:30 a.m. meeting recessed till 10:00 a.m.
Chairman Gordy reconvened the meeting at 10:00 a.m.

It was moved by Rozenboom seconded by VanWeelden to open the public hearing for the vacation of a portion of road right of way (Osburn Avenue and Highway 23). All present voted aye. Motion carried.

There were no written comments.

Larry VanZee from Cablevey discussed the road right of way with the engineer and the supervisors.

It was moved by Rozenboom seconded by VanWeelden to close the public hearing for the vacation of a portion of road right of way Osburn Avenue and Highway 23. All present voted aye. Motion carried.

It was moved by Rozenboom seconded by VanWeelden to table the Vacation of the road right of way until November 19th meeting. All present voted aye. Motion carried.

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

Greg Gordy, Chairman
Mahaska County Board of Supervisors

ATTEST:_____
Kay Swanson, Mahaska County Auditor

