

July 21, 2014

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 ó Mike Vander Molen; Vice chairman ó Mark Doland; Member ó Greg Gordy. Also present were Duane Nollen, Osky Herald; Eduardo Zamarripa, Jason Madison, CRI; Charlie Comfort, KBOE; Eric Dursky, Mahaska County Sanitarian; Deann DeGroot, MCARD; Troy Bemis, Mahaska County Maintenance; Julie Bak, Heather Gross, Mid-Iowa Behavioral Health; Amy Brink, Iowa Works and Susan Brown, Mahaska County Auditor.

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

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

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

It was moved by Doland seconded by Gordy to open public hearing at 9:00 a.m. re: Setback Ordinance #35. All present voted aye. Motion carried.

Questions and comments from Eric Dursky were addressed. There were no written comments received.

It was moved by Vander Molen seconded by Doland to close public hearing at 9:05 a.m. All present voted aye. Motion carried.

It was moved by Vander Molen seconded by Doland to approve Ordinance #35 ó Setback Ordinance and waive the 2nd and 3rd readings. Vander Molen aye; Doland aye; Gordy aye. Motion carried.

Mahaska County Ordinance #35

Establishing a minimum building and/or structure setback line along highways in Mahaska County, Iowa.

Be it enacted by the Board of Supervisors of Mahaska County, Iowa

.01 Purpose .02 Definitions .03 Powers of the Board
.04 Authority to Establish .05 Notice of Hearing .06 Building or Structure Setback
.07 Site Plan .08 Violation and Penalties .09 Severability Clause .10 Repealer
.11 Existing Buildings and/or Structures .12 Effective Date

.01 Purpose. The purpose of this ordinance is to establish the minimum distance that any building or structure may be constructed from any highway right-of-way.

.02 Definitions. For use in this ordinance, certain terms or words used shall be interpreted or defined as follows:

- a. "Highway Right-of-Way" means the entire width between property lines of every way or place of whatever nature is open to the use of the public, as a matter of right, for purpose of vehicular traffic.
- b. "Board" means the Board of Supervisors of Mahaska County.
- c. "Building" means any roofed, floored or walled structure fixed or movable.
- d. "Structure" means any part of a building.
- e. "Engineer" means the County Engineer of Mahaska County.
- f. "Setback" means the distance between the highway of right-of-way and any building or structure.

.03 Powers of the Board. All jurisdiction and control over the setback distance between the highway right-of-way and any building or structure shall rest with the board.

.04 Authority to Establish. The Board of Supervisors of Mahaska County is empowered under authority of Chapter 331 of 1987 Code of Iowa to establish an ordinance for setback distance requirement and to provide for the administration and enforcement of the ordinance.

.05 Notice of Hearing. The Board shall fix a time and place for the hearing and cause the notice to be published as provided by law.

.06 Building or Structure Setback. Buildings along existing public roads shall have a minimum setback of one hundred (100) feet from the centerline of the road or thirty (30) feet from the right-of-way whichever is greater.

.07 Site Plan. To assure that the location of the building or structure conforms to the requirement of the ordinance two copies of a detailed site plan showing the location of the building or structure to the highway right-of-way shall be submitted to the Board for approval prior to construction. All site plans shall be drawn at a scale of not less than one (1) inch equals twenty (20) feet.

.08 Violation and Penalties. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance, upon conviction shall be fined not more than one hundred dollars (\$100.00) for each offense. Each day that a violation is permitted to exist constitutes a separate offense. Nothing herein contained shall prevent the County from taking such other lawful action as is necessary to prevent or remedy any violation.

.09 Severability Clause. Should any section or provision of this ordinance be declared by a Court of Competent Jurisdiction to be invalid, that decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

.10 Repealer. All ordinances or part of ordinances in conflict with the provisions of this ordinance are hereby repealed.

.11 Existing Building and/or Structure. This ordinance shall not apply to buildings and/or structures existing within the setback at the time of enactment of this ordinance. Future additions to building and/or structures decreasing the setback distance shall not be allowed.

.12 Effective Date. This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

It was moved by Vander Molen seconded by Gordy to approve minutes of July 7th meeting. All present voted aye. Motion carried.

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

No conservation report received.

It was moved by Vander Molen seconded by Gordy to approve letter to Mahaska County Treasurer directing property tax vouchers to the City of Pella for recently annexed property in Mahaska County. All present voted aye. Motion carried.

Deann DeGroot, MCARD, presented monthly report to board and it was placed on file.

It was moved by Doland seconded by Vander Molen to approve revolving loan fund application from Pella Security Products Inc. \$100,000 at a rate of 2.5% for ten years. All present voted aye. Motion carried.

Amy Brink of Iowa Works explained the National Career Readiness Certificate program a tool for employers in filling open employment positions. It was moved by Doland seconded by Vander Molen to sign agreement of Mahaska County's support for the program. All present voted aye. Motion carried.

It was moved by Gordy seconded by Doland to accept the following reports: Sheriff - 4th qtr; Veterans Affairs - 4th qtr; Recorder - 4th qtr and annual; Treasurer - semiannual and annual. All present voted aye. Motion carried.

It was moved by Doland seconded by Gordy to add Julie Davis and Amara Wanders as part time jailers effective July 7, 2014 and July 8, 2014 respectively. Both at \$11.00 per hour. All present voted aye. Motion carried.

It was moved by Doland seconded by Gordy to approve a \$.50 raise for June Almond in the Maintenance Dept as recommended by Troy Bemis following a six month evaluation. All present voted aye. Motion carried.

It was moved by Vander Molen seconded by Doland to approve the Second Amended and Restated 28E Agreement for Case Management and Mental Health Disability Services as presented. All present voted aye. Motion carried.

It was moved by Gordy seconded by Doland to approve two changes to the County's financial reporting policy as presented. All present voted aye. Motion carried.

Courthouse roof evaluation was tabled.

Committee reports: Mark reported 14 applications have been received for Community Services director position. It was moved by Vander Molen seconded by Gordy to appoint committee to choose three to four of the applicants to be interviewed. Committee members: Supervisor Doland, Connie Kitzman, Heather Gross and Julie Bak. All present voted aye. Motion carried. It was moved by Doland seconded by Gordy to appoint committee to conduct interviews and make a recommendation for hire at next board meeting. Committee members: Supervisor Vander Molen, Connie Kitzman, Heather Gross and Julie Bak. All present vote aye. Motion carried.

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

Attest: _____
Susan L. Brown
Mahaska County Auditor

Michael Vander Molen
Mahaska County Board of Supervisors