

June 6, 2016

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 Henry VanWeelden; Vice chairman ó Mike Vander Molen; Member ó Mark Doland. Also present were Jason Madison, CRI; Ken Allsup, Osky News; Hailey Brown, Osky Herald; RD Keep, The Sun; Dave Shanahan, County Engineer; Fred Bridges, Jennifer Huston, Veteranø Affairs; Judy Funk, Heartland Ins; Jamey Robinson, EMA Director; Dave Sedivec, Conservation; Mark Groenendyk; Mark Sullivan; Linda Fox; Mary Jane Sullivan; Mike Johnson; Lawrence Roose; Russ Fynaardt; Neal Brown; John Bandstra; Russell Hammes; Annette Wanders; Steve Wanders; Andrew Jensen and Susan Brown, Mahaska County Auditor.

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

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

It was moved by Doland seconded by Vander Molen to approve the agenda for todayø meeting. All present voted aye. Motion carried.

It was moved by Doland seconded by Vander Molen to approve the minutes of May 16 & 24 meetings. All present voted aye. Motion carried.

It was moved by Vander Molen seconded by Doland to approve May bills in the amount of \$1,089,250.19. All present voted aye. Motion carried.

It was moved by Doland seconded by Vander Molen to approve use of courthouse restrooms on July 30, 2016 for Rollin Oldies Car Show with notation that this would be last year of approval. All present voted aye. Motion carried.

It was moved by Doland seconded by Vander Molen to accept the FY16 audit of the Central Iowa Juvenile Detention Center. All present voted aye. Motion carried.

It was moved by Doland seconded by Vander Molen to approve the Licensed Code Support Agreement and the Information Technology Services Agreement with Solutions Inc. for computer system and software support for FY17 as presented. All present voted aye. Motion carried.

It was moved by Vander Molen seconded by Doland to reappoint Ted Smith effective July 1, 2016 to the Mahaska County Veteranø Affairs Commission for a three year term expiring June 30, 2019. All present voted aye. Motion carried.

Judy Funk of Risk Management Services of Iowa presented the insurance renewal proposal through Heartland Insurance Risk Pool for FY15-16.

It was moved by Doland seconded by Vander Molen to accept renewal rates as presented and authorize the chair to sign the authorization to bind coverage as presented with Heartland Insurance Risk Pool for year beginning July 1, 2016. All present voted aye. Motion carried.

It was moved by Doland seconded by Vander Molen to add Khandi Tucker to payroll in the sheriff's office as part time jailer effective June 1, 2016 at a rate of \$11.00/hour. All present voted aye. Motion carried.

It was moved by Doland seconded by Vander Molen to approve the following 28E agreements. All present voted aye. Motion carried.

28E Agreement

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

The town 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 Town 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 men and equipment necessary therefore to said Town.
2. The said law enforcement services shall consist of patrol and traffic enforcement which shall be provided to said Town for a minimum of eight hours per week.
3. The Town shall pay the County the sum of \$6,240.00 per year as reimbursement for expenses in relation to carrying out this Agreement.
4. The major portion of payment for said service shall be through the Town purchasing equipment for the office of the Sheriff and receiving credit for the cost thereof. The said equipment shall be selected and approved in advance by the Sheriff. Any balance shall be paid to the General Fund of the County.
5. The duration of this Agreement shall be for one year and neither party may terminate it without the express written permission of the other party.
6. The Agreement shall commence on the 1st day of January, 2016.
7. This Agreement shall be supervised by the Mayor and Council of the Town and the Sheriff of the County.
8. In accordance with Section 28E.7 of the Code of Iowa, 2015, 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 Town shall file a copy of this Agreement with the Secretary of State and cause a copy hereof to be recorded with the County Recorder.

10. The provisions of Chapter 573A of the Code of Iowa, 2015, for termination of agreements in the event of a national emergency, apply to this Agreement.
Dated this 6th day of June, 2016.

28E Agreement

This agreement, entered into by and between the Town of University Park, Iowa, a municipal corporation, hereinafter called "the Town", and Mahaska County, Iowa, a political subdivision, hereinafter called "the County", is duly authorized by Chapter 28E of the Code of Iowa.

The town 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 Town 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 men and equipment necessary therefore to said Town.
2. The said law enforcement services shall consist of patrol and traffic enforcement which shall be provided to said Town for a minimum of eight hours per week.
3. The Town shall pay the County the sum of \$4,200.00 per year as reimbursement for expenses in relation to carrying out this Agreement.
4. The major portion of payment for said service shall be through the Town purchasing equipment for the office of the Sheriff and receiving credit for the cost thereof. The said equipment shall be selected and approved in advance by the Sheriff. Any balance shall be paid to the General Fund of the County.
5. The duration of this Agreement shall be for one year and neither party may terminate it without the express written permission of the other party.
6. The Agreement shall commence on the 1st day of July, 2016.
7. This Agreement shall be supervised by the Mayor and Council of the Town and the Sheriff of the County.
8. In accordance with Section 28E.7 of the Code of Iowa, 2015, 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 Town shall file a copy of this Agreement with the Secretary of State and cause a copy hereof to be recorded with the County Recorder.
10. The provisions of Chapter 573A of the Code of Iowa, 2015, for termination of agreements in the event of a national emergency, apply to this Agreement.

Dated this 6th day of June, 2016.

Jamey Robinson, spoke to the board regarding three Law Enforcement Center updates that the sheriff's department would like to complete. The board would like to see bids for the projects. It was moved by Vander Molen seconded by Doland to authorize use of funds from Fund 29000 LEC Improvement Fund for these updates. All present voted aye. Motion carried.

It was moved by Doland seconded by Vander Molen to approve and direct chairman to sign an updated Haul Road Damages Agreement and Permit between Mahaska County and Dakota Access, LLC as recommended by the County Engineer. All present voted aye. Motion carried.

A petition for Extension of Local Option Sales Tax has been filed with the Board of Supervisors. It was moved by Doland and seconded by Vander Molen to accept the petition. All present voted aye. Motion carried.

It was moved by Vander Molen seconded by Doland to approve the following resolution. Ayes ó Doland; Vander Molen. Nays ó VanWeelden. Motion carried.

RESOLUTION NO. 2016-11

RESOLUTION REQUESTING SUBMISSION OF THE QUESTION OF CONTINUANCE WITHOUT REPEAL OF THE LOCAL SALES AND SERVICES TAX TO THE QUALIFIED ELECTORS OF THE UNINCORPORATED AREAS OF MAHASKA COUNTY.

WHEREAS, Chapter 423B of the Iowa Code provides for the imposition of certain local option taxes, including a local sales and services tax; and

WHEREAS, the Code provides that the question of the imposition of a local sales and services tax shall be submitted to the registered voters of the incorporated and unincorporated areas of the county upon receipt of a petition, requesting such submission, signed by the electors of the whole county equal in number to five percent of the persons in the whole county who voted at the last preceding general election; and

WHEREAS, the Mahaska County Board of Supervisors of Mahaska County, Iowa are the governing body of the citizens who lie in the unincorporated area of Mahaska County; and

WHEREAS, there is a need for a County Conservation Center to further the County's commitment to conservation and education of Mahaska County; and,

WHEREAS, adequate funding for the construction and maintenance of public road infrastructure is essential to creating and maintaining a strong economy; and,

WHEREAS, a local sales and services tax is currently imposed in the unincorporated area of Mahaska County and is set to expire on December 31, 2016; and

WHEREAS, the Mahaska County Board of Supervisors find it to be in the best interests of Mahaska County for the voters to be asked whether the one percent (1%) sales and services tax should be continued without repeal until December 31, 2036 and used as set forth in the ballot proposition stated below.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY BOARD OF SUPERVISORS OF MAHASKA COUNTY, IOWA, as follows:

1. The following ballot proposition language for the continuance without repeal of the local sales and services tax is approved:

SHALL THE FOLLOWING PUBLIC MEASURE BE ADOPTED? Yes

No

Summary: To authorize the continuance without repeal of the local sales and services tax in the unincorporated area of Mahaska County at the rate of one (1%) to be effective until December 31, 2036.

Revenues from the sales and services tax are to be allocated as follows:

FOR THE UNINCORPORATED AREA OF MAHASKA COUNTY:

80% for maintenance, reconstruction or construction of County roads and bridges;

20% for construction of a County Conservation Center that provides learning opportunities for all County residents and that houses and displays recently discovered mammoth bones in Mahaska County. Any surplus funds shall be used for maintenance, reconstruction or construction of County roads and bridges.

0% for property tax relief.

2. The Mahaska County Commissioner of Elections is hereby requested and authorized to place said ballot proposition language on the ballot for the election to be held on November 8, 2016.

3. It is hereby requested by the Mahaska County Board of Supervisors to direct that the ballot contain a provision for the repeal, without election, of the local sales and service tax on December 31, 2036.

4. The Mahaska County Auditor is hereby authorized and directed to promptly provide a certified copy of this resolution to the Mahaska County Commissioner of Elections and to notify the Mahaska County Board of Supervisors of the adoption of this resolution.

PASSED AND APPROVED this 6th day of June, 2016.

Public comments: None

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

Attest: _____

Susan L. Brown
Mahaska County Auditor

Henry VanWeelden
Mahaska County Board of Supervisors