

Agenda Notice –

**The Mahaska County Board of Supervisors will meet on
Monday, December 20, 2021, at 9:00 a.m.
in the Third-floor conference room of the
Mahaska County Courthouse, 106 South 1st Street, Oskaloosa, IA.**

This meeting may be found at the following live stream link:

https://www.mahaskacountv.org/board_of_supervisors/meetings.php

In addition to this meeting being live-streamed, there will be available an audio-conferencing option for constituents to comment during public comments and any public hearing.

Audio conferencing number: 319-382-2695

Conference ID: 813 470 292#

You will be asked to state your name and press #.

If you call in and do not wish to speak, please be courteous and mute the microphone on your phone.

1. Approve agenda
2. Public Comments
3. 9:00 a.m. Public Hearing
 - * Ordinance #61 - An Ordinance of the Mahaska County Board of Supervisors Establishing The Voting Precincts of Mahaska County, Iowa
4. Action on Ordinance #61
5. Approve minutes Dec 6
6. Payroll Change
 - * Sec Rd
 - * Sheriff Dept.
7. Employee leave of absence approval
8. Discussion with Ernie Adkinson with Iowa Taxpayers for Iowa Tax Relief
9. Consider litigation regarding Emergency Management
10. Consider CellSite Solutions LLC quote for ground ring for communication tower sites
11. Consider CellSite Solutions LLC quote for polyvinyl roof for Mahaska Co Shelters
12. Consider contract with Central Iowa Tourism Region for allocation in FY22
13. Consider contract with Pathfinders for allocation in FY22
14. Consider contract with Mahaska Community Recreation Foundation for allocation in FY22
15. Consider compensation board recommendation for FY23
16. Rescind Engber's Acres Preliminary and Final Plat
17. Consider Ascent Acres Preliminary and Final Plat
18. Public Comments
19. Committee Reports

MAHASKA COUNTY ORDINANCE 61

**AN ORDINANCE OF THE MAHASKA COUNTY BOARD OF SUPERVISORS
ESTABLISHING THE VOTING PRECINCTS OF MAHASKA COUNTY, IOWA,
EFFECTIVE JANUARY 15, 2022**

_____.01 Purpose
_____.03 Repealer

_____.02 Voting Precincts
_____.04 Effective Date

_____.01: Purpose.

WHEREAS the Board of Supervisors of Mahaska County, Iowa is empowered and directed by Chapter 49.7 of the Code of Iowa to determine and establish the voting precincts for Mahaska County, Iowa;

NOW THEREFORE BE IT ORDAINED by the Mahaska County Board of Supervisors that the voting precincts of Mahaska County, Iowa be and hereby are established as follows:

_____.02: Voting Precincts:

1. Precinct One shall consist of Adams Township, that portion of Lincoln Township lying outside the corporate limits of the city of Oskaloosa, Monroe Township, and that portion of Spring Creek Township lying outside the corporate limits of the city of Oskaloosa. Precinct One shall include the city of Keomah Village and the city of University Park.
2. Precinct Two shall consist of Black Oak Township, Richland Township, and Scott Township. Precinct Two shall include the city of Leighton and that portion of the city of Pella lying within Mahaska County.
3. Precinct Three shall consist of Cedar Township, Harrison Township, and White Oak Township. Precinct Three shall include that portion of the city of Eddyville lying within Mahaska County, the city of Fremont, and the city of Rose Hill.
4. Precinct Four shall consist of East Des Moines Township, that portion of Garfield Township lying outside the corporate limits of the city of Oskaloosa, Jefferson Township, and West Des Moines Township. Precinct Four shall include the city of Beacon.
5. Precinct Five shall consist of Madison Township, Pleasant Grove Township, Prairie Township, and Union Township. Precinct Five shall include that portion of the city of Barnes City lying within Mahaska County and the city of New Sharon.
6. Precinct Six shall consist of the city of Oskaloosa Ward 1.
7. Precinct Seven shall consist of the city of Oskaloosa Ward 2.
8. Precinct Eight shall consist of the city of Oskaloosa Ward 3.
9. Precinct Nine shall consist of the city of Oskaloosa Ward 4.

December 6, 2021

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 – Mark Groenendyk; Vice chairman – Steve Wanders; and Member – Chuck Webb. Also present were Joe Lancello, KBOE; Troy Bemis, Maintenance; Blake Lough, Pathfinders RC&D; Andrew McGuire, Engineer; Lindsey Thomas, Assessor; Darin Hite, IT; Tom Flaherty, Economic Development; Andrew Ritland, Attorney and Jody Van Patten, Mahaska County Deputy Auditor. This meeting was live streamed by Communications Research Institute of William Penn University. Meeting was opened with a moment of silence.

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

Public comments: None

Blake Lough with Pathfinders RC&D shared with the board a national award for land reclamation for the DeRonde project. Mr. Lough thanked the Board of Supervisors and Soil & Water for partnering with them.

It was moved by Webb seconded by Wanders to approve minutes of the November 9th, 15th, and 22nd meeting. All present voted aye. Motion carried.

It was moved by Wanders seconded by Webb to approve the bills for the month of November in total \$787,310.03. All present voted aye. Motion carried.

It was moved by Wanders seconded by Webb to approve the following payroll changes as additions to Secondary Road department: Tyler De Rooi full time as Job Classification II, Maintenance & Equipment Operator at 80% of base rate (\$24.02) for the first 6 months employment starting November 30, 2021, and Jacob Grootveld full time as Job Classification III, Mechanic-Level 1 at \$25.23 employment starting November 30, 2021. All present voted aye. Motion carried.

Discussion for a request of rebate of taxes for Reagan Outdoor was held. After much discussion it was moved by Webb seconded by Groenendyk to abate any unpaid taxes for parcel number 10-12-201-019 from 2014, forward and to abate any unpaid taxes for parcel number 15-03-200-014 for assessment years 2020 and 2021. All present voted aye. Motion carried.

It was moved by Groenendyk seconded by Wanders to reappoint Jaci Nunnikhoven to the City of Pella Board of Adjustment for a 5-year term ending January 1, 2027. All present voted aye. Motion carried.

It was moved by Wanders seconded by Webb to authorize signature on plans for HMA overlay on G71 and T39, project FM-CO62(100)—55-62. All present voted aye. Motion carried.

It was moved by Webb seconded by Groenendyk to approve the change order with Cellsite Solutions LLC for the three communication tower sites. All present voted aye. Motion carried.

Discussion was held regarding a contract with Central Iowa Tourism Region for allocation in FY22. Any decision was tabled until the December 20, 2020, board meeting.

It was moved by Wanders seconded by Webb to set public hearing on December 20, 2021, at 9:00 a.m. for Ordinance #61 an ordinance establishing voting precincts of Mahaska County to accommodate redistricting following 2020 census. All present voted aye. Motion carried.

It was moved by Wanders seconded by Webb to certify the Central Service Cost Allocation Plan for use in FY23. All present voted aye. Motion carried.

It was moved by Webb seconded by Groenendyk to approve Resolution #2021-24. All present voted aye. Motion carried.

RESOLUTION NO. 2021-24

Authorizing Mahaska County to Enter into Settlement Agreements with McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc., Agree to the Terms of the Iowa Opioid Allocation Memorandum of Understanding and Authorize Entry Into that Memorandum of Understanding

WHEREAS, in 2018, the County Board of Supervisors authorized Mahaska County (the "County") to enter into an engagement agreement with Crueger Dickinson LLC, Simmons Hanly Conroy LLC and von Briesen & Roper, s.c. (the "Law Firms") to pursue litigation against certain manufacturers, distributors, and retailers of opioid pharmaceuticals (the "Opioid Defendants") in an effort to hold the Opioid Defendants financially responsible for the impact on of the Opioid Epidemic on the County and resources necessary to combat the opioid epidemic;

WHEREAS, on behalf of the County, the Law Firms filed a lawsuit against the Opioid Defendants in 2018 and have been litigating against the Opioid Defendants since that time;

WHEREAS, negotiations to settle claims against several of the Opioid Defendants, specifically McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. (the "Settling Defendants") have been ongoing for several years;

WHEREAS, negotiations with the Settling Defendants have resulted in proposed

of allocation, shall be utilized only for Opioid Related Expenditures incurred after the Effective Date of this MOU. The list of approved Opioid Related Expenditures are set forth in Exhibit 1 to this MOU.

WHEREAS at least 75% of the Iowa Abatement Share and 75% of the LG Abatement Share shall be utilized for only the "Core Strategies" listed in Schedule A of Exhibit 1 to this MOU.

WHEREAS, every Participating Local Government that receives a Direct Distribution Amount shall create a separate fund on its financial books and records that is designated for the receipt and expenditure of the entity's Direct Distribution Amount, called the "LG Abatement Fund." Funds in an LG Abatement Fund shall not be commingled with any other money or funds of the Participating Local Government. A Participating Local Government may invest LG Abatement Fund funds consistent with the investment of other funds of a Participating Local Government.

WHEREAS, Funds in a LG Abatement Fund may be expended by a Participating Local Government only for Opioid Related Expenditures. For avoidance of doubt, funds in a LG Abatement Fund may not be expended for costs, disbursements or payments made or incurred prior to the Settlement.

WHEREAS, each LG Abatement Fund shall be subject to audit in a manner consistent with Code of Iowa §§33 I.402(2)(i) and 11.6. Any such audit shall be a financial and performance audit to ensure that the LG Abatement Fund disbursements are consistent with the terms of this MOU. If any such audit reveals an expenditure inconsistent with the terms of this MOU, the Participating Local Government shall immediately redirect the funds associated with the inconsistent expenditure to an Opioid Related Expenditure.

WHEREAS, County has contracted with the Law Finns for representation in the Litigation and the Law Firms have been representing those entities since 2018 and in consideration for the Law Firms' representation, the County entered into a contract with the Law Firms for a 25% contingency fee applied to County's total recovery from any settlement.

WHEREAS, the Settlement Agreements provide for the payment of attorney's fees and legal expenses owed by States and Participating Local Governments to outside counsel retained for Opioid Litigation. To effectuate this, the Court in the MDL Litigation has established a fund to compensate attorneys representing plaintiffs in the Litigation (the "National Attorney Fee Fund").

WHEREAS, the Law Firms intend to make application to the National Attorney Fee Fund. However, because there is still uncertainty regarding what counsel for litigating local governments will recover as compensation for the large volume of work done and the large

Acknowledgement and Agreement to be Bound to Memorandum of Understanding necessary to execute the Allocation MOU;

WHEREAS, the intent of this Resolution is to authorize the County to enter into the Settlement Agreements by executing the Participation Agreements and to enter into the Allocation MOU by executing the Acknowledgement and Agreement to be Bound to Memorandum of Understanding necessary to execute the Allocation MOU;

NOW, THEREFORE, BE IT RESOLVED: the County Board of Supervisors hereby approves and authorizes Mahaska County to settle and release the County's claims against the Settling Defendants in exchange for the consideration set forth in the Settlement Agreements, Allocation MOU and all exhibits thereto, including taking the following measures:

1. The execution of the Participation Agreement to the Distributors Settlement Agreement and any and all documents ancillary thereto.
2. The execution of the Participation Agreement to the Janssen Settlement Agreement and any and all documents ancillary thereto.
3. The execution of the Allocation MOU by executing the Acknowledgement and Agreement to be Bound to Memorandum of Understanding.

BE IT FURTHER RESOLVED: the County hereby establishes an account separate and distinct from the County's general fund which shall be titled "LG Abatement Fund" to receive the LG Abatement Share from the Settlement Agreements.

BE IT FURTHER RESOLVED that all actions heretofore taken by the Board of Supervisors and other appropriate public officers and agents of the County with respect to the matters contemplated under this Resolution are hereby ratified, confirmed and approved. Adopted by the Mahaska County Board of Supervisors this 6th day of December 2021.

Mark Groenendyk
Board Chair

ATTEST:

Jody Van Patten
County Clerk

It was moved by Wanders seconded by Webb to authorize signature on Opioid Litigation documents. All present voted aye. Motion carried.

Phone: (641) 672-2897

mcguire@mahaskacounty.org

Fax: (641) 672-1385

Mahaska County Secondary Roads Department

*2074 Old Hwy. 163
Oskaloosa, Iowa 52577*

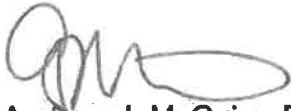
December 9, 2021

Mahaska County Auditor
c/o Mrs. Sue Brown
1st Floor
106 South 1st Street
Oskaloosa, IA 52577

Dear Sue:

This letter is to inform you of a personnel change request. This request is to add Russ Darland as a new employee. His classification will be Job Classification II. (Maintenance & Equipment Operator) at a base hourly wage rate of \$24.02. Per the Union Contract his actual hourly rate will be 80% of the base rate listed for the first 6 months (min.) of employment. This hourly rate is \$19.22. Russ' start date is December 20, 2021.

Sincerely,



Andrew J. McGuire, P.E.
Mahaska County Engineer

Office of the Sheriff

Mahaska County

RUSSELL J. VAN RENTERGHEM
Sheriff

RENEE L. SIMPSON
Civil Supervisor

Phone: (641) 673-4322
Fax: (641) 672-1191

214 High Avenue East
Oskaloosa, Iowa 52577

SCOTT R. MILLER
Chief Deputy

LARRY D. SEPTER
Jail Adm.
Jail
(641) 673-2591



December 9, 2021

Sue Brown, Auditor
Mahaska County Board of Supervisors
Mahaska County Courthouse
Oskaloosa, Iowa 52577

Re: Employment

Dear Sue and Gentleman:

Rebecca Tillis/Fowler has resigned. Her last day of employment will be December 27, 2021.

Thank you,

A handwritten signature in black ink, appearing to read "Russel J. VanRenterghem", written over a horizontal line.

Sincerely,

Russel J. VanRenterghem
Mahaska County Sheriff



CellSite Solutions, LLC
 CellSite Solutions, LLC
 4150 C Street SW
 Cedar Rapids IA 52404
 United States

Quote
 #QUO-4951
 12/9/2021

CUSTOMER
 Mahaska County Courthouse
 106 South 1st Street
 1st Floor
 Oskaloosa IA 52577
 United States

LOCATION
 (2) Sites Mahaska County
 New Sharon, Beacon, Eddyville
 IA
 United States

TOTAL

\$8,460.00

Expires: 12/16/2021

Expires	Exp. Close	Sales Rep	Shipping Method
12/16/2021	12/23/2021	Tracy Casey	

Project Name
Mahaska County Iowa Project

Qty	Item	Rate	Amount
	Description Eddyville \$4,230.00		
1	Civil Work Services: Basic External Ground Ring - NC • (6) 5/8"x8' Copper Clad Steel Ground Rods driven around Foundation. • Continuous #2 AWG solid tinned copper wire ring, bonded to Ground Rods by exothermic welds. • #2 AWG solid tinned copper wire leads connected to Main Ground Ring by exothermic welds, left coiled above final grade for connections to Master Ground Bar, External Ground Bar, HVAC Units, and Site Fence. Additional Leads are available upon Customer Request.	\$4,230.00	\$4,230.00
	Description New Sharon \$4,230.00		
1	Civil Work Services: Basic External Ground Ring - NC • (6) 5/8"x8' Copper Clad Steel Ground Rods driven around Foundation. • Continuous #2 AWG solid tinned copper wire ring, bonded to Ground Rods by exothermic welds. • #2 AWG solid tinned copper wire leads connected to Main Ground Ring by exothermic welds, left coiled above final grade for connections to Master Ground Bar, External Ground Bar, HVAC Units, and Site Fence. Additional Leads are available upon Customer Request.	\$4,230.00	\$4,230.00

Subtotal	\$8,460.00
Tax (%)	\$0.00
Total	\$8,460.00



QUO-4951



CellSite Solutions, LLC
 CellSite Solutions, LLC
 4150 C Street SW
 Cedar Rapids IA 52404
 United States

Quote
#QUO-4964
 12/13/2021

CUSTOMER

Mahaska County Courthouse
 106 South 1st Street
 1st Floor
 Oskaloosa IA 52577
 United States

LOCATION

(3) Mahaska County Sites
 New Sharon, Eddyville & Beacon
 IA
 United States

TOTAL

\$9,685.00

Expires: 12/20/2021

Expires	Exp. Close	Sales Rep	Shipping Method
12/20/2021	12/24/2021	Tracy Casey	

Project Name

CO (3) Roofs for Mahaska County Shelters

Qty	Item	Rate	Amount
1	Polyvinyl Roof New Sharon 10' x 16'	\$2,995.00	\$2,995.00
	Provide & Install Polyvinyl Roof Solution. Includes 2 year workmanship, 10 year materials warranty. Includes applicable travel deployment cost.		
1	Polyvinyl Roof Eddyville 10' x 16'	\$2,995.00	\$2,995.00
	Provide & Install Polyvinyl Roof Solution. Includes 2 year workmanship, 10 year materials warranty. Includes applicable travel deployment cost.		
1	Polyvinyl Roof Beacon 10' x 22'	\$3,695.00	\$3,695.00
	Provide & Install Polyvinyl Roof Solution. Includes 2 year workmanship, 10 year materials warranty. Includes applicable travel deployment cost.		

Subtotal \$9,685.00

Tax (%) \$0.00

Total \$9,685.00

- *Please note all formal quotes are good for 7 business days from the date on the quote. Shipping price is valid only for 7 days from date of quote and must be re-quoted within 7 days of item delivery due to the current shipping climate.
- *All quotes are subject to equipment availability.
- *Purchase price is subject to tax unless proper tax exemption documents are provided to CellSite Solutions, LLC.
- *Terms are net 30 upon project completion unless otherwise agreed upon in writing.
- *Unless otherwise noted, Buyer is responsible for any related building permits, electrical permits, mechanical permits, zoning permits, or any other permits required for the project.
- *No materials, project planning, or project management, including scheduling, will be performed until a Purchase Order is received from Buyer.
- *CellSite Solutions, LLC reserves the right to progress bill for any work completed or materials purchased on any project that goes beyond 30 calendar days.
- *Any items above and beyond the Scope of Work listed in this Quote are subject to Change Order process.
- *CellSite Solutions, LLC is not responsible for any omissions in Scope of Work made by the Buyer.
- *Signature of Authorized Buyer below constitutes acceptance of terms listed on this Quote.



QUO-4964

Contract #2022.20

Mahaska County

FY 2022 (July 1, 2021 – June 30, 2022)

Parties to this contract: Mahaska County Iowa and Central Iowa Tourism Region

Contract Amount: \$600 annually

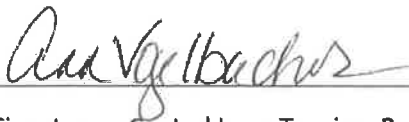
Services provided by the Central Iowa Tourism Region through this contract:

1. Promote Mahaska County in the annual Central Iowa Travel Guide including the county's attractions, recreational trails, public golf courses, and county, state, or federal campground. The Central Iowa Guide is the region's primary fulfillment piece and mailed to all requests for visitor information and is distributed at the Iowa Welcome Centers and other promotional distribution points.
2. Promote Mahaska County's tourism opportunities in response to requests for information received in the Region Office.
3. Provide education & professional development opportunities including region seminars, webinars, and other training sessions.
4. Special projects including the CITR booth during the Iowa State Fair, Professional Guide Training & Certification Program, and the Travel Iowa Marketplace group travel focused tradeshow.
5. Access to technical assistance & training for organizations located in Mahaska County.
6. Career development & mentoring including sharing industry internship and job postings, networking, and mentoring at industry related events and activities.
7. Mahaska County may appoint two representatives to represent your county to the Region.

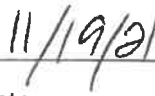
This instrument contains the entire contract between both parties. By signing below, the parties execute this contract.

Signature - Mahaska County Board of Supervisors

Date



Signature – Central Iowa Tourism Region
Ann Vogelbacher, Executive Director



Date

INDEX LEGEND

COUNTY: MAHASKA
SECTION: 34, T-77N, R-17 W
SW 1/4 OF THE NW 1/4

SURVEY FOR: ZACH & HALI RUITER, PELLA, IA
OWNER: DONNA & HENRY VAN RHEENEN, PELLA, IA

SURVEYOR & SURVEY COMPANY:
J. Brian Morrissey, P.E., P.L.S.
Morrissey Surveying & Consulting, L.L.C.
1405 Hwy G28, Otley, IA 50214

PREPARED BY AND RETURN TO:
J. Brian Morrissey, 1405 Hwy G28, Otley, IA 50214
(515) 480-2531

ASCENT ACRES

**SW 1/4 of the NW 1/4, SEC. 34, T-77N, R-17W
MAHASKA COUNTY, IOWA**

(SEE PAGE 2 FOR GRAPHICAL REPRESENTATION OF THIS PLAT OF SURVEY)

DESCRIPTION

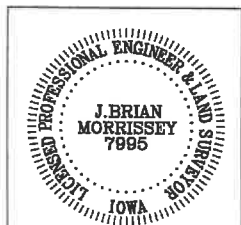
That part of the north 65 acres of the south one-half of the Northwest Quarter of Section 34, Township 77 North, Range 17 West of the Fifth Principal Meridian, Mahaska County, Iowa, except the north 505 feet thereof, located in the Southwest Quarter of the Northwest Quarter of said Section 34 described as follows:

Commencing at the southwest corner of the Southwest Quarter of the Northwest Quarter of said Section 34;
thence on an assumed bearing of North 00 degrees 53 minutes 34 seconds West 249.36 feet along the west line of said Southwest Quarter of the Northwest Quarter to the northwest corner of the south 15 acres of the south one-half of the Northwest Quarter of said Section 34 and the point of beginning;
thence North 00 degrees 53 minutes 34 seconds West 562.48 feet along said west line to the southwest corner of the north 505.00 feet of said Southwest Quarter of the Northwest Quarter;
thence North 89 degrees 23 minutes 11 seconds East 1313.12 feet along the south line of said north 505.00 feet of said Southwest Quarter of the Northwest Quarter to the east line of said Southwest Quarter of the Northwest Quarter;
thence South 00 degrees 41 minutes 07 seconds East 562.06 feet along said east line to the north line of the south 15 acres of the south one-half of the Northwest Quarter of said Section 34;
thence South 89 degrees 22 minutes 06 seconds West 1311.08 feet along said north line to the west line of the Southwest Quarter of the Northwest Quarter of said Section 34, the northwest corner of said 15 acres, and the point of beginning.

Said tract contains 16.94 acres and is subject to a Mahaska County Highway Easement over the west 0.43 acres thereof.

MONUMENTS

- ▲ - found sec. cor. (pipe, stone, etc.)
- - set - 5/8" x 18" rebar with orange plastic cap P.L.S. 7995 or Mag nail in pavement
- - no monument found or set
- - found lot cor. (pipe, stone, etc.)



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

Signed *J. Brian Morrissey* Date 9/15/21
J. Brian Morrissey Iowa Lic. No. 7995
My license renewal date is 12/31/2021
Pages covered by this seal: 1 & 2

ASCENT ACRES
 SW 1/4 of the NW 1/4, SEC. 34, T-77N, R-17W
 MAHASKA COUNTY, IOWA

