

November 4, 2002

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. The following board members were present: Greg Gordy; Howard Groenendyk and Henry W. VanWeelden. Also present were the following: Lori Faybik, Ottumwa Courier; Lawrence Rouw; Emily Russell; Chuck Russell; Barbara Ballou; Barbara Campbell; Michelle Fagerstone, Main Street; Kay Swanson, County Auditor.

Chairman VanWeelden opened the meeting with a moment of silence.

It was moved by Gordy seconded by Groenendyk to approve the agenda with the deletion of the approval of October's minutes. All present voted aye. Motion carried.

It was moved by Gordy seconded by Groenendyk to approve the bills for October in the amount of \$483,884.57 and payroll for \$533,388.51. All present voted aye. Motion carried.

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

RESOLUTION

WHEREAS, Mahaska County has been notified by the Southeast Iowa Response Group Board that Ringgold County would like to join the Southeast Iowa Response Group and a resolution would need to be approved by the Mahaska County Board of Supervisors to achieve the addition of Ringgold County to the existing "28E" Agreement,

BE IT HEREBY RESOLVED that Mahaska County approves adopting an amendment to the existing "28E Agreement" adding Ringgold County to said agreement.

Dated November 4, 2002

Henry W. VanWeelden, Chairman
Board of Supervisors

AYES: _____

NAYS: _____

ATTEST: _____
County Auditor

It was moved by Gordy seconded by Groenendyk to approve and place on file the quarterly report for first quarter 2003 for the Veterans Affairs Commission. All present voted aye. Motion carried.

It was moved by Groenendyk seconded by Gordy to approve the request of the Sheriff to increase the mileage for serving papers in the City Limits of Oskaloosa may charge a minimum of \$2.00 for the service of any civil paper within the city limits of Oskaloosa. All present voted aye. Motion carried.

It was moved by Gordy seconded by Groenendyk to appoint the following to the Judicial Magistrate Nominating Commission subject to the acceptance of each of them. The terms are for 6 years beginning January 1, 2003. Vickie Cope; Kevin Renaud; and Marcia VanMaanen. All present voted aye. Motion carried.

Mr. Charles Russell, Chair of the Historic Preservation Committee spoke to the board about requesting funds for the Frankel Building on South Market Street. The building has collapsed and they are requesting funds to restore the building. They have put a cap on the cost of the renovation at \$190,000.00 and so far they have raised approximately \$183,000.00. Michelle Fagerstone from Main Street also spoke to the board about this building. It was moved by VanWeelden to give \$10,000.00 to this fund based on the outcome of the consulting engineer's report. The motion died for a lack of a second. No further action was taken today.

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

RESOLUTION

WHEREAS: Certain streets and alleyways in the town of Peoria, Iowa, were closed and vacated by the Mahaska County Board of Supervisors in special session on July 10, 1952 (Recorded in Supervisors' Book No. 12),

WHEREAS: Land ownership was not transferred to adjacent proprietors in the July 10, 1952, Board of Supervisors' action,

WHEREAS: The Board of Supervisors is empowered under authority of Section 354.23 of the Code of Iowa to convey the vacated property to adjoining proprietors through the vacation instrument,

THEREFORE, the following properties will be conveyed to adjacent proprietors as follows:

1. The 16 ½ ft alley on the West side of Lots 2 & 7, Block 5, West Addition, Town of Peoria, shall be conveyed to Peoria Cemetery,
2. The 16 ½ ft alley on the West side of Lots 2 & 7, Block 6 West Addition, Town of Peoria shall be conveyed to Marvin J. & Gladys Vander Molen,
3. The 36.3 foot Oak Street from the centerline of High Street to the West corporation line, West Addition, Town of Peoria, shall be conveyed to Marvin J. & Gladys Vander Molen,
4. The 66 foot North Street from the West side of High Street, as vacated by petition #1053, to the West corporation line, West Addition, Town of Peoria, shall be conveyed to Peoria Cemetery,
5. The West 33 feet of High Street from the North side of Main Street to the North side of North Street, West Addition, Town of Peoria, shall be conveyed to Peoria Cemetery,
6. The East 33 feet of High Street from the North side of Main Street to the North side of North Street, West Addition, Town of Peoria, shall be conveyed to James and Tena Bandstra.

Passed and approved this 4th day of November, 2002.
Mahaska County Board of Supervisors

Henry VanWeelden, Chairman

Greg Gordy

Howard Groenendyk

ATTEST:

Kay Swanson, Auditor

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

**STOP AT INTERSECTION
MUTCD 2B-5**

RESOLUTION

WHEREAS: the Board of Supervisors is empowered under authority of Sections 321.236 and 321.255 of the Code of Iowa to designate any secondary road intersection under their jurisdiction as a STOP intersection and to erect STOP signs at one or more entrances to such intersection, and

WHEREAS: traffic on 293rd St. which is functionally classified as a minor collector, is endangered by traffic from the North on Kent Av. at the intersection located approximately ¼ mile west of the NE corner of section 11-T74N-R16W, because terrain and vegetation which limit sight distance.

NOW, THEREFORE, BE IT RESOLVED by the Mahaska County Board of Supervisors that the secondary road approach from the North be designated as “STOP approach” to the above described intersection and that a STOP sign shall be erected accordingly.

Passed and approved this 4th day of November, 2002.

Chairman, Board of Supervisors

ATTEST:

County Auditor

It was moved by Groenendyk seconded by Gordy to approve the request of the County Engineer to authorize the County Engineer to proceed with negotiations with Iowa Department of Transportation for transfer of jurisdiction to Mahaska County for roadways Iowa 432 for and Iowa 371. All present voted aye. Motion carried.

Board recessed until 10:30 a.m.

Reconvened at 10:30 a.m.

It was moved by Groenendyk seconded by Gordy to open the public hearing for the Application for Construction Permit and Manure Management Plan for Keith VanWaardhuizen of VanWaardhuizen Inc.. All present voted aye. Motion carried.

Chairman VanWeelden presented some rules to be followed during the hearing: This is not a forum to discuss confinement livestock facilities; Comments should be only related to the VanWaardhuizen permit; Supervisors cannot say yes or no; the Legislature controls this process.

The following were in attendance at this hearing: Don Russell; Herb Jordon; Lawrence Rouw; Emily Russell; Barbara Ballou; Barbara Campbell; Paul VanDonselaar; Ken Rozenboom; Verlan VanWyk; Julie VanWaardhuizen; Keith VanWaardhuizen; John DeRooi; Tunis Kelderman; David L. Figland; Macy Schitlhott; Larry L. McCullough; Mary Lowenberg. The following members of the public spoke at the hearing: Larry McCullough; Barbara Ballou; Mary Lowenberg; and Ken Rozenboom. The board also received four letters on this construction permit.

It was moved by Gordy seconded by Groenendyk to close the public hearing. All present voted aye. Motion carried. It was moved by Gordy seconded by Groenendyk to forward the written comments to the Department of Natural Resources without comment from the Supervisors. All present voted aye. Motion carried.

It was moved by Groenendyk seconded by Gordy to waive the fourteen (14) day waiting period after draft permit. All present voted aye. Motion carried.

It was moved by Gordy seconded by Groenendyk to recess until 1:20 p.m.

Reconvened at 1:22 p.m.

The board interviewed 3 applicants for the maintenance position at the courthouse.

It was moved by Gordy seconded by Groenendyk to offer the position to Jerry Allen at \$12.00 per hour and to begin December 1, 2002. All present voted aye. Motion carried.

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

Henry W. VanWeelden, Chairman
Mahaska County Board of Supervisors

ATTEST: _____
Kay Swanson, County Auditor