

July 20, 2009

The Mahaska County Board of Supervisors met on the above date at 9:00 in the third floor conference room of the Mahaska County courthouse. Present were the following board members: Chairman – Greg Gordy; vice chairman – Lawrence Rouw and member – Henry W. VanWeelden. Also present were the following: Don Russell, Mahaska County Sanitarian; Miranda Johnson, MCARD; Linda Forsythe, Sue Brown, members of the Health Insurance Committee; Julie Bak, Mahaska County CPC and Kay Swanson, Mahaska County Auditor.

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

Chairman Gordy opened the meeting with a moment of silence.

It was moved by Rouw seconded by VanWeelden to approve the agenda for today's meeting with the addition of the Farmer's Market Proclamation. All present voted aye. Motion carried.

It was moved by VanWeelden seconded by Rouw to approve the minutes for July 1, 2009. All present voted aye. Motion carried.

Don Russell, Mahaska County Sanitarian gave the board his monthly report and it was placed on file.

Miranda Johnson, Mahaska County Agricultural and Rural Development Director gave the board her monthly report and it was placed on file.

It was moved by VanWeelden seconded by Rouw to open the public hearing for the code of ordinances Ordinance No. 129. All present voted aye. Motion carried. There were no written or oral comments. It was moved by VanWeelden seconded by Rouw to close the public hearing. All present voted aye. Motion carried.

It was moved by Rouw seconded by VanWeelden to adopt the Code of Ordinances No. 129. Roll call vote: Gordy – aye; Rouw – aye and VanWeelden – aye. Motion carried.

NOTICE OF HEARING ON PROPOSED COUNTY ORDINANCE ADOPTING THE COUNTY CODE OF ORDINANCES

You and each of you are hereby notified that the Mahaska County Board of Supervisors will hold a hearing on an Ordinance adopting the County Code of Ordinances in Mahaska County on the 20th day of July, 2009 at 9:15 a.m. in the third floor conference room in Mahaska County Courthouse, Oskaloosa, Iowa.

You are Further Notified that the second and third hearings on said ordinance will be held on August 2, 2009 at 9:15 a.m. and August 17, 2009 at 9:15 a.m. respectively in the third floor conference room of the Mahaska County Courthouse.

You are Further Notified that the proposed Ordinance is on file with the Auditor of Mahaska County, Iowa whose office is located on the first floor of the Mahaska County Courthouse, Oskaloosa, Iowa and that you may obtain a copy of said Ordinance for your review prior to said hearing during regular office hours which are 8:00 a.m. to 4:30 p.m., Monday through Friday.
Kay Swanson, Mahaska County Auditor

MAHASKA COUNTY ORDINANCE NO. 129 An Ordinance re-adopting the existing County Ordinances.

BE IT ENACTED by the Board of Supervisors of Mahaska County, Iowa:

SECTION 1. Purpose. Iowa Code Section 331.302(9) requires that every five (5) years a County shall compile its Code of Ordinances . This Ordinance re-adopts the Ordinances already in effect.

SECTION 2. Re-Adoption of Current Ordinances. The following Ordinances have been previously adopted and enacted into law and were duly published as the law provides. They are stated herein by number and subject matter and by the authority of the Mahaska County Board of supervisors comprise the Mahaska County Code of Ordinances.

ORDINANCE NO. 1 An Ordinance providing for the partial exemption from property taxation of the actual value added to industrial real estate by new construction of industrial real estate, warehouse, distribution centers and the acquisition of or improvement to machinery and equipment assessed as real estate.

ORDINANCE NO. 101 An Ordinance establishing a minimum building and / or structure setback line along highways in Mahaska County, Iowa.

ORDINANCE NO. 102	An Ordinance adopting by reference the private well construction permit rules of the Iowa Administrative Code (Chapter 38). See IAC 567-38 et. al.
ORDINANCE NO. 103	An Ordinance adopting by reference the non public water well rules of the Iowa Administrative Code (Chapter 49). See IAC 567-49 et. al.
ORDINANCE NO. 104	An Ordinance establishing the Area Service System B Road Classification, maintenance policies and liability exemptions pertaining to level "B" roads. However, Section 7 (2) was repealed by Ordinance 109B.
ORDINANCE NO. 105	An Ordinance establishing requirements for the operation of landfills within the county and providing enforcement mechanisms.
ORDINANCE NO. 106	An Ordinance adopting by reference the on-site wastewater treatment and disposal systems of the Iowa Administrative Code (Chapter 69). See IAC 567-69 et. al.
ORDINANCE NO. 107	An Ordinance adopting by reference the requirements for properly plugging abandoned wells as set out in the rules of the Iowa Administrative Code (Chapter 39). See IAC 567-39 et. al.
ORDINANCE NO. 108	An Ordinance to provide for the issuance of permits for utility line installation and the collection of inspection fees and to provide penalties for violations.
ORDINANCE NO. 109	Repealed by Ordinance 109B
ORDINANCE NO. 109A	Repealed by Ordinance 109B

- ORDINANCE NO. 109B An Ordinance to establish the policy and level of service in respect to clearance of snow or ice and maintenance of the County's Secondary Roads during winter months.
- ORDINANCE NO. 110 An Ordinance prescribing the relief program for Mahaska County amended by Ordinance 110A and 110B.
- ORDINANCE NO. 110A A partially repealed Ordinance currently modifying the relief program as set out in Ordinance 110 to exclude non U.S. citizens and college students living in the dorms.
- ORDINANCE NO. 110B An Ordinance modifying and defining the relief program as set out in Ordinance 110 and Ordinance 110A and requiring reimbursement to Mahaska County for relief received.
- ORDINANCE NO. 111 An Ordinance adding a requirement that a person responsible for the storing, handling, and transportation of hazardous materials shall, at their own cost, clean up any spills of those materials and providing remedies for the County to clean up spills and recover costs, if the responsible party fails to do so.
- ORDINANCE NO. 112 An Ordinance establishing restrictions in the 100 year flood plain and establishing penalties for violation of the restrictions.
- ORDINANCE NO. 113 An Ordinance establishing a local option sales and service tax to transactions within the incorporated areas of Barnes City, Beacon, Fremont, Keomah Village, Leighton, New Sharon, Oskaloosa, Rose Hill and University Park and the rural unincorporated area of Mahaska County.
- ORDINANCE NO. 114 An Ordinance regulating the standing or parking of vehicles upon any highway within Mahaska County.
- ORDINANCE NO. 116 An Ordinance classifying certain roads as Area Service "C" roads, and further establishing maintenance levels and access to these roads.
- ORDINANCE NO. 117 An Ordinance establishing a Cemetery Commission.

ORDINANCE NO. 118	An Ordinance prohibiting the use, possession with intent to use, manufacture, and delivery of drug paraphernalia.
ORDINANCE NO. 119	An Ordinance re-adopting the then existing code - Repealed in part and affirmed in part by Ordinance 124.
ORDINANCE NO. 120	An Ordinance prohibiting smoking on the premises of the Mahaska County Courthouse.
ORDINANCE NO. 121	Repealed by Ordinance 122 and subsequently Ordinance 126.
ORDINANCE NO. 122	Repealed by Ordinance 126.
ORDINANCE NO. 123	Repealed by Ordinance 128
ORDINANCE NO. 124	An Ordinance re-adopting the existing County Code –will be repealed in part and affirmed in part, upon passage of Ordinance 129.

- ORDINANCE NO. 125 Repealed on June 20, 2005
- ORDINANCE NO. 126 An Ordinance establishing voting precincts repealing Ordinance 121 and Ordinance 122.
- ORDINANCE NO. 127 An Ordinance establishing rules and regulations for rural residential building plans and plats of subdivisions in unincorporated areas of Mahaska County and providing for enforcement of the rural residential building ordinance and penalties for violation. With Amendment 1 enacted January 3, 2006; and Amendment 2 enacted July 1, 2006.
- ORDINANCE NO. 128 An Ordinance regulating private on-site waste water treatment and disposal and repealing Ordinance 123.

SECTION 3. Code of Ordinances. Copies of the Code as adopted herein shall be on file and available for public inspection in the Office of the Mahaska County Auditor in the Mahaska County Courthouse, Oskaloosa, Iowa.

SECTION 4. When Effective. This Ordinance shall be effective after its' final passage, approval, and publication as provided by law.

First Meeting Date:	Ayes	Nays
July 20, 2009	Gordy VanWeelden Rouw	None

Second Meeting Date:	Ayes	Nays
Waived_July 20, 2009	VanWeelden Rouw Gordy	None

Third Meeting Date:	Ayes	Nays
Waived_July 20, 2009	Rouw Gordy VanWeelden	None

Dated this 20th day of July, 2009

Chairman
Mahaska County Board of Supervisors

ATTEST: _____
Kay Swanson
Mahaska County Auditor

It was moved by VanWeelden seconded by Rouw to waive the Second and Third Readings of this ordinance. Roll call vote: Rouw – aye; VanWeelden – aye; Gordy – aye. Motion carried.

Linda Forsythe and Sue Brown from the Health Insurance Committee presented the board with the proposal for this year's wellness program. They recommended that the annual 2009 Wellness Program screening be administered by Health Solutions LLC, of Cedar Rapids, IA. The county will pay for the cost of the program from the Mahaska County Health Plan Trust Account for all employees that participate in our health care plan. We further recommend that the program be made available to each participating employee's spouse at their own cost. We also recommend that the program continue to be mandatory.

The cost of the Health Risk Assessment is \$65.00 per person. This amount includes all tests that have been done in our most recent screenings, followed by individual and executive reports of the results. Health Solutions, LLC also offers ongoing personal consultations to those participants who are found to be at risk. We recommend that the participant would handle the scheduling and costs associated with any ongoing personal consultations with Health Solutions LLC.

It was moved by Rouw seconded by VanWeelden to approve the recommendation of the Health Insurance Committee for the Wellness Screening for 2009. All present voted aye. Motion carried.

It was moved by Rouw seconded by VanWeelden to approve the following resolution with Area 15. All present voted aye. Motion carried.

RESOLUTION #

RESOLUTION PROVIDING FOR THE FINANCIAL SUPPORT OF THE AREA 15 REGIONAL PLANNING COMMISSION

WHEREAS, Chapters 28E and 473A of the State Code of Iowa, as amended, authorized the governing bodies of governmental units to cooperate in the operation of a regional planning commission; and

WHEREAS, by the Articles of Agreement, signed on August 15, 1973, as amended, the Area 15 Regional Planning Commission did become the authorized planning agency for Service Delivery Area 15; and

WHEREAS, the governing body of Mahaska County is a part of the Area 15 Regional Planning Commission and has agreed to contribute \$.41 per capita, for a total amount equal to \$ 4,672.77, to cover financial operating costs of the Area 15 Regional Planning Commission from July 1, 2009 through June 30, 2010.

BE IT FURTHER RESOLVED, that Mahaska County, IA has designated:
Lawrence Rouw _____ Official Representative
_____ Alternate
to serve on the Area 15 Regional Planning Board of Directors.

AGREED TO THIS 20th DAY OF JULY, 2009. s/ Greg Gordy
Chairperson

ATTEST:


County Auditor

It was moved by Rouw seconded by VanWeelden to approve the request of Julie Bak, Mahaska County CPC to approve the following contract for services with New Directions. All present voted aye. Motion carried.

**CONTRACT FOR MENTAL HEALTH SERVICES
BETWEEN MAHASKA COUNTY AND
MAHASKA HEALTH PARTNERSHIP NEW DIRECTIONS**

THIS AGREEMENT entered into this 1st day of July, 2009 by and between Mahaska County, and legal subdivision of the subdivision of the State of Iowa, hereinafter referred to as "County", and Mahaska Health Partnership New Directions, a non-profit agency, hereinafter referred to as provider.

Now, therefore the parties do hereby mutually agree as follows:

- I. The County agrees:
1. To provide training on the CPC process.
 2. Issue funding agreement when appropriate.
 3. Pay all claims in a timely fashion.
 4. Will comply with all state and federal laws / rules on confidentiality.
 5. Will comply with the managed care plan.

The Provider agrees:

1. To provide mental health services as outlined in provider profile at rates outlined in provider profile.(see attached)
2. To comply with all federal / state rules / laws.
3. To provide billing in a timely manner.
4. Comply with Mahaska County managed care plan.

III. The County and Provider mutually agree:

A. Effective date:

1. This agreement shall begin on July 1, 2009 at 12:01 AM.
2. This agreement shall end on June 30, 2010, at 12:00 midnight

B. Assurance of Civil, Human and Legal Rights of County Residents:

1. The civil, human and legal rights of County residents utilizing the services of the provider shall be protected, specifically including the right to decline disclosure of the resident's name, or other readily recognizable identifying information.

2. The refusal of a County resident to disclose information, or to secure information, or to secure information about him or her, by the staff of the Provider shall not be justification for denying the clinical services to said County resident, except in cases in which such disclosures or securing information is deemed by the County as necessary to the effective utilization of said services, or as may be required by Iowa Law.

C. Renegotiation or Modification:

Any alterations, variations, modifications, or waivers of provisions of this agreement shall only be valid when they have been reduced to writing duly signed, and attached to the original of this agreement. The parties agree to renegotiate this agreement if Federal or State revision of any applicable laws or regulations make amendment to this agreement necessary.

D. Termination:

This agreement, or part of this agreement, may be terminated by either party at any time, upon no less than six months notice in writing to the other party. Said notice shall be delivered by certified mail or in person.

E. All terms and conditions included in agreement:

This agreement contains all terms and conditions agreed upon by the parties. No other agreements oral or otherwise, regarding the subject matter of this agreement, shall be deemed to exist, or to bind any of the parties hereto.

The parties hereto have caused this agreement to be executed by their officials thereunto duly authorized.

Mutually agreed this 1st day of July, 2009.

BY: s/J Christensen

DATE SIGNED: 6 -30- 09

MAHASKA HEALTH PARTNERSHIP NEW DIRECTIONS

TITLE: CEO

BY: s/ Greg Gordy

DATE SIGNED: 7-20-09

FOR Mahaska County State of Iowa

TITLE: Chairman Board of Supervisors

It was moved by VanWeelden seconded by Rouw to approve the Veterans Affairs Commission Monthly report for June 2009. All present voted aye. Motion carried.

It was moved by Rouw seconded by VanWeelden to approve the 4th quarter fiscal year 2008-2009 for the Veterans Affairs Commission. All present voted aye. Motion carried.

It was moved by Rouw seconded by VanWeelden to approve the 4th quarter report for fiscal year 2008-2009 for the Sheriff. All present voted aye. Motion carried.

It was moved by Rouw seconded by VanWeelden to approve the 4th quarter report for the Auditor for fiscal year 2008-2009. All present voted aye. Motion carried.

It was moved by VanWeelden seconded by Rouw to approve the 4th quarter report for the Recorder for fiscal year 2008-2009. All present voted aye. Motion carried.

It was moved by VanWeelden seconded by Rouw to approve the semi-annual and annual report for fiscal year 2008-2009 for the Treasurer. All present voted aye. Motion carried.

It was moved by VanWeelden seconded by Rouw to approve the annual report for the Sheriff for fiscal year 2008-2009. All present voted aye. Motion carried.

It was moved by Rouw seconded by VanWeelden to approve the annual report for the Auditor for fiscal year 2008-2009. All present voted aye. Motion carried.

It was moved by VanWeelden seconded by Rouw to approve the annual report for the Recorder for fiscal year 2008-2009. All present voted aye. Motion carried.

The appointment for the Supervisors to the Compensation Board was tabled until later date.

It was moved by Rouw seconded by VanWeelden to select Alliance Benefit Group to do the GASB 45 reporting. All present voted aye. Motion carried.

It was moved by VanWeelden seconded by Rouw to approve the following proclamation for the farmer's market. All present voted aye. Motion carried.

Proclamation

WHEREAS, Summertime in Oskaloosa offers warm days with plentiful sunshine and an abundance and variety of locally-grown, fresh fruits and vegetables; and

WHEREAS, the Oskaloosa Farmers Market supports this community by providing access to nutritious foods, providing a community people gathering place, and enhancing the local economy; and

WHEREAS, the Oskaloosa Farmers Market gives our new and small scale farmers an outlet for their products; and

WHEREAS, our citizens are encouraged to recognize the bountiful production of our farmers and their contributions to our state by providing wholesome, nutritious foods; and

WHEREAS, the Oskaloosa Farmers Market participates in the Iowa Farmers Market Nutrition Program (FMNP) offering affordable and Iowa grown produce to nutritionally at-risk Women, Infants and Children (WIC) and Senior residents; and

WHEREAS, the Oskaloosa Farmers Market is an appealing destination for both vendors and shoppers by offering quality Iowa agricultural products, activities and services, and promoting Iowa agriculture; and

NOW, THEREFORE, as Board of Supervisors of Mahaska County, we do hereby proclaim the week of August 2-8, 2009 as Farmers Market Week in Oskaloosa.

s/Greg Gordy
Mahaska County Board of Supervisors

Date: July 20, 2009

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

Greg Gordy, Chairman
Mahaska County Board of Supervisors

ATTEST: _____
Kay Swanson, Mahaska County Auditor