

June 3, 2013

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 – Greg Gordy; Vice chairman – Mike Vander Molen and Member - Mark Doland. Also present were Duane Nollen, Oskey Herald; Ken Allsup, Oskey News; Aaron Riggs and Eduardo Tamez, CRI; Taylor Howard, KBOE; Charles Stream, Mahaska County Attorney; Michael Mitchell, CPS; Julie Bak, Mahaska County CPC; Tony Miller, Ottumwa Fire/SIRG; Jamey Robinson, Mahaska County EMA director; Mark Neff, Oskaloosa Fire Chief; Jerry Nusbaum, Mahaska County Engineer; Rich Johnson; Charles Webb; Jan Overbergen; Jon Overbergen; Bert Bandstra; Larry Veldhuizen; Steve Wanders and Susan Brown, Mahaska County Auditor.

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

Chairman Gordy 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 today's meeting. All present voted aye. Motion carried.

It was moved by Doland seconded by Vander Molen to approve the bills for the month of May in total \$720,227.69. All present voted aye. Motion carried.

It was moved by Vander Molen seconded by Doland to approve the minutes of April 10th and May 20th. All present voted aye. Motion carried.

It was moved by Doland seconded by Vander Molen to approve the recommendation from County Attorney Stream to raise Assistant County Attorney Amy Zenor's salary to \$52,000 per year effective July 1, 2013. All present voted aye. Motion carried.

It was moved by Doland seconded by Vander Molen to approve County Attorney Charles Stream's recommendation to issue a corrective quit claim deed from Mahaska County to the heirs of Jay Veldhuizen correcting the legal description in a previous quit claim deed dated May 1, 1996 and recorded in Book 271, Page 10 of the records of Mahaska County, Iowa. The county will pay for recording costs. All present voted aye. Motion carried.

It was moved by Vander Molen seconded by Doland to go into closed session at 9:15 a.m. per Iowa Code section 21.5 Subsection 1 subsection C to discuss pending litigation. All present voted aye. Motion carried.

It was moved by Vander Molen seconded by Doland to go back into open session at 9:24 a.m. All present voted aye. Motion carried.

It was moved by Vander Molen seconded by Doland to authorize County Attorney Stream to enter into civil law suit as was discussed in closed session. All present voted aye. Motion carried.

Julie Bak, Mahaska County CPC, advised the board that she had been served with a suit to show cause. County Attorney Stream will not be able to represent her because of criminal and civil conflict. It was moved by Vander Molen seconded by Doland to hire Eric Palmer to represent Ms. Bak in this matter. All present voted aye. Motion carried.

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

RESOLUTION #2013-06-01
GIVING MAHASKA COUNTY'S NOTICE OF INTENT TO JOIN A MENTAL
HEALTH SERVICES REGION WITH THE COUNTIES OF MARION AND
POWESHIEK

WHEREAS the State of Iowa Code 331.438C requires that counties comprising a mental health and disability service region shall enter into an agreement under chapter 28E to form a regional administrator under the control of a governing board to function on behalf of those counties in the region; and

WHEREAS the 28E advisory board made up of a Board of Supervisor member from each county has explored various options of regionalization and compliance; and

WHEREAS any county that has not agreed to be part of a region nor been approved for a waiver shall be assigned by the Iowa Department of Human Services after July 1, 2013; and

WHEREAS it is the expectation that counties will have agreed to be part of a region by December 31, 2013 (28E)

NOW, THEREFORE, BE IT HEREBY RESOLVED:

The Mahaska County Board of Supervisors will move forward with its intention to form a 28E agreement with the Counties of Marion and Poweshiek in order to form a Mental Health Services Region.

Passed and approved this 3rd day of June, 2013.

/Greg Gordy
Chairperson – Mahaska County Board of Supervisors

Attest: /Susan Brown, Mahaska County Auditor

It was moved by Doland seconded by Vander Molen to approve Resolution #2013-06-02 approving the recommendation from the Mental Health Regionalization advisory committee to standardize Case Management for all three counties.

It was moved by Gordy seconded by Doland to amend Resolution #2013-06-02 by adding to the last paragraph “subject to satisfactory 28E agreement”. Votes: Vander Molen: No; Gordy, Yes; Doland, Yes. Motion carried.

All present voted aye on Resolution #2013-06-02 as amended.

RESOLUTION #2013-06-02
AUTHORIZING APPROVAL FOR
REGIONAL TRI-COUNTY CASE MANAGEMENT SERVICES

WHEREAS the State of Iowa Code 331.438C requires that counties comprising a mental health and disability service region shall enter into an agreement under chapter 28E to form a regional administrator under the control of a governing board to function on behalf of those counties in the region; and

WHEREAS the 28E advisory board made up of a Board of Supervisor member from each county has explored various options of regionalization and compliance; and

WHEREAS the 28E advisory board has voted in favor of standardized case management for the region; and

NOW, THEREFORE, BE IT HEREBY RESOLVED:

The Mahaska County Board of Supervisors approves the recommendation of the 28E advisory board to agree to Tri-County Case Management Service by the region consisting of the counties of Marion, Mahaska and Poweshiek subject to satisfactory 28E agreement.

Passed and approved this 3rd day of June, 2013.

/Greg Grody
Chairperson – Mahaska County Board of Supervisors

Attest: /Susan Brown, Mahaska County Auditor

Jamey Robinson, Mahaska County EMA, updated the board regarding EMS Association requiring a change in grant application procedure.

It was moved by Gordy seconded by Vander Molen to approve the emergency disaster declaration signed on Monday, May 27, 2013. All present voted aye. Motion carried.

Tony Miller, SIRG, addressed the board regarding incorrect information presented in local newspaper articles concerning SIRG and their response to HazMat incidents.

It was moved by Gordy seconded by Doland to hire Carlton Salmons at a rate of \$145/hour to do an informational presentation on concerns about Mahaska County EMA/Hazmat structure according to Iowa Code. Vote: Vander Molen, No; Gordy, Yes; Doland, Yes. Motion carried.

It was moved by Vander Molen seconded by Doland to approve the fireworks display permit for New Sharon Spring Festival, June 7, 2013. All present voted aye. Motion carried.

It was moved by Vander Molen seconded by Doland to approve the consulting/ services agreement with Bearence Management Group for health plan benefit programs. All present voted aye. Motion carried.

It was moved by Vander Molen seconded by Doland to approve Material Modification #5 to Mahaska County Health Plan. The modification removes limitation on chiropractic visits per the Affordable Care Act. All present voted aye. Motion carried.

It was moved by Doland seconded by Vander Molen to approve recommendation from the insurance committee in modifying dental visit language to "limited to twice per calendar year". All present voted aye. Motion carried.

It was moved by Vander Molen seconded by Doland to approve the Licensed Code Support Agreement and Information Technology Services Agreement Statement of Work with Solutions, Inc. for computer system and software support for fiscal year 2014. All present voted aye. Motion carried.

It was moved by Doland to schedule an informational public meeting June 17th, 2013 at 6:00 p.m. to answer questions from the county perspective regarding the regional airport. Motion died for lack of second.

It was moved by Vander Molen seconded by Doland to approve HMA resurfacing contract no. 62-C062-051 for Indian Way and authorize chair to sign bond. All present voted aye. Motion carried.

It was moved by Vander Molen seconded by Doland to approve Secondary Road non-union salary increases recommended by the Engineer effective July 1, 2013. Mike Rodwell, asst. to County Engineer - \$25.00/hour; Edward Goemaat, Road Foreman -

\$25.00/hour; Judy Playle, Cleaning, part-time - \$9.15/hour. All present voted aye. Motion carried.

It was moved by Gordy to sell the secondary road shop at Leighton subject to Iowa Code provisions. Motion withdrawn. The Engineer will draft an ad to accept sealed bids.

Comments: Jon Overbergen encouraged the board to hold the informational meeting for regional airport questions and he would like to see them work to overturn the 28E.

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

Attest: _____
Susan L. Brown
Mahaska County Auditor

Greg Gordy
Mahaska County Board of Supervisors