

**March 2, 2020**

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 – Steve Parker. Also present were R.D. Keep, The Sun; Joe Lancello, KBOE; Angie Holland, Osby Herald; Andrew Ritland, Attorney; Russ VanRenterghem, Sheriff; Matt McCain, deputy sheriff; Heather Gross, CDS; Reid Stevens, Sec Road; Joe Warrick; Alven Meppelink; Tom Stodghill and Susan Brown, Mahaska County Auditor. This meeting was live streamed by Communication Research Institute of William Penn University.

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

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

Public Comments: None

It was moved by Parker seconded by Wanders to open public hearing regarding proposed maximum property tax levy for FY21. All present voted aye. Motion carried. There were no written comments. Joe Warrick asked about rates for new year: General and General Supplemental Funds rate will increase from 4.95 to 5.24 in total and Rural Services Fund rate will decrease from 3.95 to 3.82. Expenditures that had been paid from Rural Services that could be paid from General Funds were moved back to General Fund. Rural Services Fund will do the full allowed transfer to secondary roads plus \$100,000 for rock has been budgeted from Rural Services for FY21. It was moved by Parker seconded by Wanders to close public hearing. All present voted aye. Motion carried.

It was moved by Wanders seconded by Parker to approve the following resolution and set public hearing date for proposed FY21 budget adoption for March 23, 2020 at 9:00 a.m. Roll Call vote: Groenendyk: aye. Wanders: aye. Parker: aye. Motion carried.

**Resolution #2020-08**

**Approval of FY21 Maximum Property Tax Dollars**

WHEREAS, the Mahaska County Board of Supervisors have considered the proposed FY21 county maximum property tax dollars for both General County Services and Rural County Services, and

WHEREAS, a notice concerning the proposed county maximum property tax dollars was published as required and posted on county website, and,

WHEREAS, a public hearing concerning the proposed county maximum property tax dollars was held on March 2, 2020,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Mahaska County that the maximum property tax dollars for General County Services and Rural County Services for FY 20/21 shall not exceed the following:

General County Services: \$6,306,715; an increase of 7.11% from the prior year

Rural County Services: \$2,920,352; a decrease of 1.98% from the prior year

By Roll Call Vote:

Ayes: Groenendyk	Nays: _____
Wanders	_____
Parker	_____

Passed and adopted this 2nd day of March, 2020.

It was moved by Wanders seconded by Parker to open public hearing regarding Ordinance #71 - Compilation of Ordinances. Changes were made to Ordinance #32 since last meeting's approval. No comments received written or oral. It was moved by Parker seconded by Wanders to close public hearing. All present voted aye. Motion carried.

It was moved by Wanders seconded by Parker to waive the 2<sup>nd</sup> and 3<sup>rd</sup> readings of Ordinance #32. Groenendyk: nay. Wanders: aye. Parker: aye. Motion carried.

It was moved by Parker seconded by Wanders to approve and adopt Ordinance #71 – Compilation of Ordinances. All present voted aye. Motion carried.

It was moved by Wanders seconded by Parker to approve minutes for February 18 meeting. All present voted aye. Motion carried.

It was moved by Wanders seconded by Parker to approve bills for February totaling \$461,721.82. All present voted aye. Motion carried.

It was moved by Parker seconded by Wanders to approve 12 month Class C Native Wine liquor license application for Tassel Ridge Winery expiring on April 20, 2021. All present voted aye. Motion carried.

It was moved by Wanders seconded by Parker to approve 28E between County, City of Beacon and Sheriff for 83 hours per year at \$42.00/hr for patrol and traffic enforcement. All present vote aye. Motion carried.

It was moved by Wanders seconded by Parker to approve 28E between County, City of Leighton and Sheriff as amended to 1 hour per year at \$42.00/hr for patrol and traffic enforcement. All present voted aye. Motion carried.

County Attorney discussed the fact that an amendment to 28E for South Central Behavioral Health Region is needed to implement children's services. As small four county region board makeup gives concern of non-elected members voting on budgetary issues and the accountability to taxpayers. Two ways to address: add county appointed members or limit voting capacity of non-elected members. Feels there likely could be court action to clarify voting rights. Board expressed appreciation for his time on drafting language. It was moved by Wanders seconded by Parker to approve the following resolution. All present voted aye. Motion carried.

**Resolution 2020-09**  
A Resolution amending the  
South Central Behavioral Health Region 28E agreement

WHEREAS, Mahaska County is a member of the South Central Behavioral Health Region created by a 28E Agreement and,

WHEREAS, the SCBHR is governed by the governing board and,

WHEREAS, the governing board has determined that the 28E Agreement needs to be amended and,

WHEREAS, the governing board has amended the 28E to reflect HF690: A BILL FOR An Act relating to mental health and disability services, including the establishment of a children's behavioral health system and a children's behavioral health system state board, and requiring certain children's behavioral health core services.

NOW THEREFORE BE IT RESOLVED by the Mahaska County Board of Supervisors that they do approve Resolution #2020-09 authorizing the above-mentioned change in the SCBHR 28E Agreement and authorize the Chair to sign the amended 28E Agreement.

Passed and adopted this 2nd day of March, 2020.

It was moved by Parker seconded by Wanders to approve Resolution #2020-10 – Mahaska County Dust Control Policy. Concerns were raised regarding the \$50.00 non-refundable process fee included. Groenendyk: nay. Wanders: nay. Parker: aye. Motion failed.

It was moved by Wanders seconded by Parker to approve the following resolution as amended - changing non-refundable processing fee to \$25.00 and with a review after one year. Groenendyk: aye. Wanders: aye. Parker: nay. Motion carried.

**Resolution #2020-10**  
Mahaska County Dust Control Policy

WHEREAS: The Board of Supervisors is empowered under authority of Section 309.67 and Section 321.369 of the Code of Iowa to establish policies and provide adequate funds to properly maintain the secondary road system, and

WHEREAS: The Board of Supervisors desire to establish a uniform policy for the application of dust control agents for the control of fugitive dust on Mahaska County Secondary Roads, pursuant to the provision of Chapter 318 of the Code of Iowa.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Mahaska County, that effective this 2<sup>nd</sup> day of March, 2020, that the following items establish a COUNTY POLICY for the use of dust control agents for the control of fugitive dust:

1. Calcium Chloride, Magnesium Chloride, or lignin sulfonate and other products as approved in writing by the County Engineer may be used for dust control. A listing of ingredients shall be submitted to the County Engineer stating the composition and percentage of each ingredient of the mixture as well as the most current Safety Data Sheet. Documentation shall be provided that the mixture meets or exceeds applicable

DNR and EPA regulations. Waste oil and/or heavy oil cannot be used for dust control on Mahaska County Secondary Roads.

2. All contractors desiring to provide dust control services in Mahaska County shall submit a certificate of insurance in an amount not less than \$1,000,000 aggregate with Mahaska County listed as an additional insured.
3. It is the Mahaska County Secondary Road Departments responsibility to maintain the secondary road system in Mahaska County. The Mahaska County Secondary Road Department reserves the right to maintain these roads at the discretion of the County Engineer and/or at the discretion of his/her designee(s) at any time. It is the goal of the Mahaska County Road Department to prepare the road segments that will receive dust control prior to application. Preparation efforts may include, but are not limited, to shaping and granular surface material application. No guarantees are made and/or implied that these preparation efforts can or will be completed prior to the application of the dust control product. Should a segment of road that has received dust control application exhibit road deficiencies (e.g. potholes, washboards, secondary ditches, etc.), the Mahaska County Secondary Road Department reserves the right to correct the deficiencies without compensation to the landowner/applicant of the dust control segment. After October 1, the County reserves the right to prepare the dust control areas for winter which may include blading, scarifying, and placing granular surfacing.
4. A completed and signed permit application from the landowner/applicant for dust control must be submitted, along with a \$25.00 non-refundable processing fee payable to the Mahaska County Secondary Road Department, before a permit will be considered for approval. Permit applications are available at the Office of the County Engineer. The Mahaska County Secondary Road Department reserves the right to establish the application periods as shown on the permit application. Furthermore, the Mahaska County Road Department reserves the right to adjust the application period at any time.
5. No obligation to the landowner/applicant shall be made by Mahaska County or inferred by the contractor. It is the obligation of the landowner/applicant to mark the limits of the dust control area as required by the contractor completing the application of the dust control agent.

It was moved by Wanders seconded by Parker to approve building permit application 62-404-20 as presented for 2411 Pilgrim Path, Oskaloosa, IA without need for variance. All present voted aye. Motion carried.

Public Comments: Next meeting will be Monday, March 23, 2020 at 9:00 a.m. This is a change from March 16, 2020.

It was moved by Wanders seconded Parker to adjourn. All present voted aye. Motion carried.

Attest: \_\_\_\_\_  
Susan L. Brown  
Mahaska County Auditor

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Mark Groenendyk  
Mahaska County Board of Supervisors