

**November 6, 2023**

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 Andrew Ritland, County Attorney; Andrew McGuire, Carter Brehm and Mike Rodwell, Secondary Roads; Troy Bemis, Courthouse Maintenance Director; Lindsey Thomas, Assessor; Russ Van Renterghem, Sheriff; Chris Clingan, Conservation Director; Eric Dursky, Sanitarian; Rep. Helena Hayes, Mayor Dave Krutzfeldt, Paul Greufe, John Bandstra, Jeff DeRooi, Jack Rempe, Jean Stanford, Gary and Joyce Wilson, Channing Rucks, Oskaloosa Herald; Nick Ryan via phone and Teri Rogers, County Auditor. This meeting was live streamed by Communications Research Institute of William Penn University.

Chairman Groenendyk opened the meeting with a moment of Silence.

It was moved by Wanders seconded by Webb to approve the agenda for today's meeting after striking agenda item #19. All present voted aye. Motion carried.

Public comments:

- ✚ Steve Wanders reported that some constituents were asking about the recording of the last meeting; it wasn't available on the county website. CRI had technical difficulties that day and forgot to download it when it was available. It will be posted today.
- ✚ Mayor Krutzfeldt addressed the Board about item #18 on the agenda (the discussion about Ordinance 1459). He raised concerns that discussing the ballot question was improper, due to the meeting being held in the courthouse, which is a voting location. County attorney, Andrew Ritland, informed the board that his office had been in contact with the Iowa Secretary of State's office and as long as the discussion was on the 3<sup>rd</sup> floor of the courthouse rather than the 1<sup>st</sup> floor where voting occurs, that there were no legal issues that would affect the discussion.

It was moved by Wanders to approve the minutes of Oct. 16th. The motion died for lack of second. Board member Webb made a motion seconded by Wanders to add the following language to the Oct. 16 minutes. "At this time, Board chair Groenendyk, addressed the public regarding the charges of child abuse brought against him in the past. He informed everyone that the charges have been adjudicated by the Iowa Attorney General and that the child was more likely to be subjected to abuse by another party. Sheriff Van Renterghem responded by saying he was not aware of any investigation by DHS or by the Attorney General." All present voted aye. Motion carried.

It was moved by Webb seconded by Wanders to accept the 1<sup>st</sup> quarter report for Veterans Affairs. All present voted aye. Motion carried.

It was moved by Webb seconded by Wanders to approve the 2023 Weed Commissioners report. All present voted aye. Motion carried.

It was moved by Wanders seconded by Webb to accept the bid for award of contract for courthouse HVAC system amount of \$2,055,000 by Christener Contracting Inc. in Ottumwa. This was the only bid received. The alternate items, electrical (\$168,400) and generator (\$262,000), will be dealt with later. All present voted aye. Motion carried.

It was moved by Wanders seconded by Webb to approve the following payroll changes in consent. Tom Flaherty resigned from his position as Economic Development Director. His last day of employment with Mahaska County was Oct. 6, 2023. Jonathan Lanser and Amber Luckey are new full-time jailers. Jonathan's first day of employment will be Nov. 1, 2023, and Amber's first day is Nov. 6, 2023. Both will have an annual salary of \$41,016. All present voted aye. Motion carried.

It was moved by Wanders seconded by Webb to approve the two additional 65+ Homestead Exemption disallowances as recommended by the Assessor for Assessment year 2023. All present voted aye. Motion carried.

It was moved by Wanders seconded by Webb to approve the 5 disallowances for Family Farm tax credit allowances and disallowances as recommended by the Assessor for Assessment year 2023. All present voted aye. Motion carried.

There was discussion around Ordinance 41 regarding burial allowances for the poor. The ordinance says refer to the contract. The last contract that was located is dated 04-06-2009. A work session is being considered to determine how much will be paid, who would qualify for the Mahaska County burial policy and basically how will the details be handled. Should the ordinance be revised or leave the ordinance and revise the contract? A motion was made by Webb seconded by Wanders to review the ordinance in a work session. All present voted aye. Motion carried.

It was moved by Webb seconded by Wanders to set the date and time for a public hearing for Monday, Nov. 20, 2023, at 9:00 am for possible action on vacating roadway pursuant to Iowa Code 354.23. Roadway being described as South Street, measuring 66 feet in width which runs between Block 3 of the Original Plat of the Town of Peoria and Block 3 of Maxon's Addition, from the east right-of-way line of West Street east to the west right-of-way line of Cross Street (County Road T33). All present voted aye. Motion carried.

It was moved by Webb seconded by Wanders to approve the following resolution. This is an effort to bridge the gap until the county receives reimbursement of expenses from the other funding sources. All present voted aye. Motion carried.

#### **Resolution # 2023-19**

#### **A Resolution authorizing an Interfund Loan to the SE CONNECTOR fund from the SECONDARY ROADS fund**

WHEREAS, the Board of Supervisors of Mahaska County for the SE Connector Roads project will authorize an interfund loan from the Secondary Roads fund to the SE Connector fund.

WHEREAS, a sufficient amount of money is available in the Secondary Roads Fund to provide an interfund loan (the "loan") of up to \$605,000 to the SE Connector fund; and

WHEREAS, the money in the SE Connector fund may be used for design and construction expenditures and is not otherwise restricted as to its use, and will not compromise the economic viability of the Secondary Roads Fund; and

WHEREAS, the loan may be provided by the Secondary Roads fund without having an adverse impact on the financial condition of the fund or any approved allocations; and

WHEREAS, issuance of the loan constitutes temporary short-term financing issued and will be repaid by June 30, 2024, after the receipt of funds from any bond issuance, RISE Grant, or reimbursements from the City of Oskaloosa.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. The Mahaska County Auditor is authorized to transfer up to \$605,000 as reflected above.

Section 2. The terms of the loan are:

- A. The loan may be prepaid in whole or in part at any time.
- B. No interest will be charged on the loan.
- C. The loan is to be repaid from legally available funds received from the RISE Grant and from other receivables due from respective agencies.

Passed and approved this 6th day of November, 2023.

It was moved by Webb seconded by Wanders to table the revision to the original agreement for Project NHSX-063-3(93)- -3H-62. The public information meeting for the Jewell Ave connection to Hwy 163 was valuable, but more information must be gathered. All present voted aye. Motion carried.

It was moved by Webb seconded by Wanders to approve the contract for project #BRS-C062(102) – 60-62 for the bridge replacement over the North Skunk River on G29. We received four (4) bids with the low bidder being Iowa Bridge & Culvert, L.C. with a bid of \$2,878,038.12. County engineer, Andrew McGuire, recommended that the Board accept the low bid as we have worked with this company previously. A mobile messaging board will be considered to alert motorists who use that route regularly. All present voted aye. Motion carried.

It was moved by Wanders seconded by Webb to approve signing the final pay voucher for project # BROS-SWAP-C062(99) – FE-62. This is the bridge project southwest of Fremont on 335<sup>th</sup> Street. All present vote aye. Motion carried.

It was moved by Wanders seconded by Webb to approve signing the final pay voucher for project # BROS-SWAP-C062(96) – FE-62. This project is on 110<sup>th</sup> Street northwest of Peoria. All present vote aye. Motion carried.

It was moved by Webb seconded by Wanders to end the agreement with ISG due to Navigator Heartland Greenway announcing that they are canceling their pipeline project. This controversial project would have cut right through the middle of Mahaska County. All present voted aye. Motion carried.

A lengthy discussion took place with Attorney Ritland explaining the City of Oskaloosa's Ordinance 1459, a ballot question that asks voters if Article VI, initiative and referendum, should be removed from the city's charter.

It was moved by Wanders seconded by Webb to deny signing the letter of support to IDOT. Mark Groenendyk spoke in support of private property rights and Steve Wanders spoke in regard to a situation where the FAA is taking land away from a current renter and giving it to another renter without offering it publicly to the highest bidder. This looks like a very unethical practice. We have moved further away from an annexation support letter rather than closer. All present voted aye. Motion carried.

It was moved by Wanders seconded by Webb to table the topic of hiring Paul Greufe for Union contract negotiations for two weeks. All present voted aye. Motion carried.

It was moved by Webb seconded by Wanders to not move forward with the closed session. It was decided that the Board members would meet individually with Mr. Greufe instead. All present voted aye. Motion carried.

Committee Reports: None

Public Comments:

- ✚ John Bandstra thanked the Board for all their work and gave his input on agenda item #13 regarding Jewell Ave. and agenda item #20 regarding the annexation issue.
- ✚ Rep. Helena Hayes thanked the Board for their service, and she also thanked Attorney Ritland for his explanation regarding the form of government the City of Oskaloosa operates under. She also spoke about the cancellation of the pipeline by Navigator.
- ✚ Mayor Krutzfeldt addressed the Board and provided them with some background information regarding the petition that was brought before the city council.

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

Attest: \_\_\_\_\_

Teri Rogers  
Mahaska County Auditor

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Mark Groenendyk  
Mahaska Co. Board of Supervisors