

November 21, 2022

Appanoose County Board of Supervisors met in regular session November 21, 2022 at 9:00 A.M. in the Boardroom of the Courthouse. Present: Linda Demry, Chairperson, Mark McGill, and Jeff Kulmatycki Boardmembers. Absent: none.

The meeting started with the pledge.

Add Fair board Financial Report to agenda. McGill motioned to approve the amended agenda. Seconded by Kulmatycki. All voted aye.

McGill motioned to approve the minutes from the November 7<sup>th</sup> & 15<sup>th</sup> 2022 meetings. Seconded by Kulmatycki. All voted aye.

McGill motioned to approve 11/10 payroll, 10/22 Prisoner Room & Board Transfer & FY22 Fair board report. Seconded by Kulmatycki. All voted aye.

McGill motioned to approve the bills. Seconded by Kulmatycki. All voted aye.

Access Sys	Typing-Print.-Bind.Serv.	142.97
Agriland FS	Engineering Services	39346.44
Albia Newspapers	Typing-Print.-Bind.Serv.	1066.51
Alliant	Building Perm. Improvemnt	3850.53
American Legion 407	Polling Places	50.00
App Co Fair Assn	Contrib. & Purchase Serv	20000.00
App Co Pub Hlth	Off. Supplies & Forms	70.00
Sec Rds	Mileage & Transp. Expense	1297.19
Serv Agency	Salary-Regular Employees	2608.33
Bailey Off	Off. Supplies & Forms	410.97
Baker's	Engineering Services	174.13
M Baldwin	Election Official Comp	8.10
Denise Ballanger	Election Official Comp	208.08
L Ballanger	Election Official Comp	225.83
M Benjamin	Election Official Comp	254.45
W Benjamin	Election Official Comp	16.83
C Bradley	Election Official Comp	80.00
J Bradley	Election Official Comp	180.00
L Bradley	Election Official Comp	100.00
M Braster	Election Official Comp	184.50
Bratz Oil	Fuels	236.70
Brown's Shoe	Engineering Services	106.25
BUG PRO	Extermination Services	180.00
C-D Supply	Custodial Supplies	597.33
J Campbell	Election Official Comp	14.94
Cantera Aggregates	Engineering Services	10061.75
Cantril Truck & Trailer	Engineering Services	37.39
Capital One	Jail Equip. & Furniture	105.35
Capital Sanitary Supply	Off. Supplies & Forms	62.61
Card Services	Park Maint. & Supplies	214.15
CarQuest	Park Maint. & Supplies	128.78
Cville Iron	Engineering Services	78.24
Cville Wtrwks	Water & Sewer	68.38
C'ville Produce & Feed	Park Maint. & Supplies	192.43
Chariton Valley Elec	Engineering Services	399.79
City Cville	Salary-Regular Employees	6305.98
Clark's Auto Rpr	Engineering Services	75.00
CocoBeen Reptiles	Park Maint. & Supplies	150.00
S Cole	Educational & Train.Serv.	70.00
L Coltrain	Election Official Comp	255.44
M Conkity	Election Official Comp	232.40
C Conrad	Election Official Comp	180.00
L Conrad	Election Official Comp	20.00
Cook Insurance	Umbrella Insurance	2246.00
C Cossolotto	Election Official Comp	8.10
K Cossolotto	Election Official Comp	188.91
S Cossolotto	Election Official Comp	160.00
K Cridlebaugh	Election Official Comp	180.00
Davis Co Sch	Community Support Program	800.00
Davis Co Daycare	Community Support Program	1602.47
Davis Co Tire	Engineering Services	197.95
B Dittmer	Election Official Comp	200.00
E Dittmer	Election Official Comp	180.00
C Dixon	Election Official Comp	200.00
Don's Truck Sales	Engineering Services	76.32
P Dudenhoeffer	Election Official Comp	117.10
Eastern IA Tire	Engineering Services	2483.37
R Eggerman	Election Official Comp	180.00
Brian Felton	Rent Payments	500.00

C Fenton	Election Official Comp	192.69
First Bkcd	Dues & Memberships	37.50
Fogle TV	Park Maint. & Supplies	895.92
C Foster	Election Official Comp	226.46
A Fraser	Election Official Comp	180.00
B Frevert	Election Official Comp	180.00
Galls	Uniforms	168.68
S Gillick	Election Official Comp	190.80
D Glenn	Election Official Comp	65.58
GreatAmerica	Off. Equip Repair & Maint	196.95
PJ Greufe	Health Insurance	1500.00
C Havens	Election Official Comp	180.00
J Havens	Election Official Comp	220.50
Jim Hawk Truck	Engineering Services	91.00
Hills San	Park Maint. & Supplies	284.00
J Hinojosa	Building Repair & Maintce	765.00
Housby Mack	Engineering Services	1051.57
Kelly Howard	Mileage & Transp. Expense	52.20
M A Hurley	Election Official Comp	187.20
Hy-Vee	Medical & Health Services	2063.09
Ia Assn of Naturalists	Dues & Memberships	20.00
Inland Truck Parts	Engineering Services	100.54
IA Media Network	Official Pub.& Legal Not.	430.65
ISAC	Dues & Memberships	600.00
J Jay	Election Official Comp	236.99
B Jewett	Election Official Comp	160.00
John Deere	Engineering Services	2148.61
P Johnson	Election Official Comp	180.00
B Kauzlarich	Election Official Comp	65.85
Kids World	Community Support Program	1708.00
Kimball	Engineering Services	342.90
S Kirby	Election Official Comp	191.43
B Kirkpatrick	Election Official Comp	93.14
P Wells	Election Official Comp	85.00
C Knorr	Election Official Comp	186.48
C Kramka	Election Official Comp	180.00
T Kramka	Election Official Comp	190.71
Kris Engineering	Engineering Services	5549.59
Mike Lamb	Mileage & Transp. Expense	70.28
R Lamb	Mileage & Transp. Expense	612.87
S Larson	Election Official Comp	185.49
LexisNexis	Dues & Memberships	100.00
Lockridge	Park Maint. & Supplies	150.74
J Lowry	Election Official Comp	180.00
C McClurg	Election Official Comp	30.00
S McDanel	Election Official Comp	199.35
J McDanolds	Election Official Comp	201.06
J Melhus	Election Official Comp	195.30
Mercy Med Ctr	Engineering Services	35.00
MHC Kenworth	Engineering Services	51.16
P Mitchell	Election Official Comp	180.00
MMIT	Off. Supplies & Forms	103.91
MMIT	Off. Equip Repair & Maint	930.93
Monroe Pub Hlth	Community Support Program	6797.97
P Morrow	Election Official Comp	100.00
Natel	Telephone & Telegr.Serv.	937.19
Nyhart Co	Acct.-Audit.-Cler.Serv.	1925.00
O'Halloran Int'l	Engineering Services	4953.26
O'Reilly	Engineering Services	621.63
G Odgen	Election Official Comp	192.78
Orchard Pl	Community Support Program	1787.89
R Pfannebecker	Mileage & Transp. Expense	33.12
Quill	Off. Supplies & Forms	380.31
RASWC	Engineering Services	16.00
RRWA	Water & Sewer	27.00
L Ray	Election Official Comp	192.60
River Hills	Medical & Health Services	137.00
RK Auto	Vehicle Repair & Maintce	271.20
Rockmount Research	Engineering Services	350.60
G Roefer	Medical & Health Services	200.00
SCICAP	Community Support Program	25623.61
Secretary of State	Off. Supplies & Forms	30.00
Seymour Tire	Engineering Services	33.50
D Sherrard	Election Official Comp	9.09
K Sherrard	Election Official Comp	225.38
SIEDA	Community Support Program	5639.19

Sinclair NAPA	Engineering Services	1828.65
Marla Smith	Election Official Comp	19.85
Solutions	Off. Supplies & Forms	10278.50
SC Dist Assessors	Educational & Train.Serv.	225.00
E Spencer	Election Official Comp	199.08
Superior Cable & Data	Building Perm. Improvemnt	610.00
Thomas Funeral Home	Mileage & Transp. Expense	1650.00
D Thomas-Anderson	Election Official Comp	30.17
M Thomas	Election Official Comp	180.00
J Thompson	Election Official Comp	192.51
US Bank	Off. Supplies & Forms	510.54
US Cellular	Telephone & Telegr.Serv.	645.66
USPS	Office Space	108.00
Walker Welding	Engineering Services	26.16
K Walker	Election Official Comp	187.65
Wex Bank	Mileage & Transp. Expense	280.57
M Whisler	Election Official Comp	168.64
P White	Election Official Comp	176.74
Wigwam Daycare & Preschool	Community Support Program	1829.30
C Wilson	Election Official Comp	200.00
Windstream	Telephone & Telegr.Serv.	257.19
K Young	Election Official Comp	201.96
Yutzy Repair	Engineering Services	161.12
Ziegler	Engineering Services	14128.67
5th Dist Co Off	Educational & Train.Serv.	50.00
Grand Total		208423.39

Kulmatycki motioned to approve BK's Boathouse liquor license. Seconded by McGill. All voted aye.

Mike Schill from Natel introduced Justin Stinson, CEO of Liberty Communications and Jon Kenney, General Manager of Natel to the board. An Addendum to the Grant Agreement was presented. Kulmatycki motioned to approve the Addendum. Seconded by Demry. Demry & Kulmatycki voted aye. McGill nay.

McGill motioned to open the public hearing for an alley vacation in Jerome at 9:22 A.M. Seconded by Kulmatycki. All voted aye. County Engineer, Brad Skinner spoke about the proposed vacation. There were no public comments. Kulmatycki motioned to close the public hearing at 9:23 A.M. Seconded by McGill. All voted aye. McGill motioned to approve Resolution #2022-32. Seconded by Kulmatycki. All voted aye.

#### RESOLUTION NO. 2022-32

WHEREAS, a request has been made by the County Engineer to vacate a county alley which is described as follows:

The remaining portion of a 20-foot-wide alley running north and south 125 feet west of 138<sup>th</sup> Ave, in Sidle's 2<sup>nd</sup>, Subdivision block C Southwest Quarter of the Northeast Quarter Section 3 Township 68 North, Range 19 West more particularly described as follows:

Beginning at the Northwest Corner of Lot 6 Block C, thence proceeding south to the Southwest Corner of Lot 5 Block 3, all between Lots 5-6 and 7-8.

WHEREAS, on the 7<sup>th</sup> day of November, 2022 notice of said hearing was sent by certified mail to the affected property owners and all utility companies whose facilities are on the road right-of-way; and

WHEREAS, on the 9<sup>th</sup> of November, 2022 a Notice of Public Hearing for the proposed road vacation was published in the Moravia Union, newspaper of general circulation in the County where said alley is located; and

WHEREAS, a hearing was held by the Appanoose County Board of Supervisors on the 21<sup>st</sup> day of November, 2022; and

WHEREAS, the Appanoose County Board of Supervisors have determined that provisions of Chapter 306 of the Iowa Code have been met; and

WHEREAS, it has been determined to in the best interest of the County and the affected property owners that the County vacate said alley; and

WHEREAS, the adjoining property owners are:

Juwan Terry

Lewis and Jane Bennett

NOW, THEREFORE, BE IT RESOLVED by the Appanoose County Board of Supervisors the above described alley is hereby vacated and said property right is reverted to the underlying property owners.

PASSED AND APPROVED this 21<sup>st</sup> day of November, 2022

Signed: Appanoose County Board of Supervisors Linda Demry, Chairman, Jeff Kulmatycki, Member, Mark McGill, Member

ATTEST: /s/ Kelly Howard, County Auditor

McGill motioned to open the public hearing for the vacation of Lakeview Drive Lot B in Parkside Knolls Subdivision at 9:24 A.M. Seconded by Kulmatycki. All voted aye. Skinner spoke about the

proposed vacation. A member of the homeowners association was present and stated they were aware of the request. McGill motioned to close the public hearing at 9:25 A.M. Seconded by Kulmatycki. All voted aye. Kulmatycki motioned to approve Resolution #2022-33. Seconded by McGill. All voted aye.

RESOLUTION NO 2022-33

WHEREAS, a request has been made by the County Engineer to vacate a platted lot which is described as follows:

The platted lot "Lakeview Drive Lot B" of Parkside Knolls Subdivision in the Southwest Quarter of the Northwest Quarter Section 16 Township 70 North, Range 18 West.

WHEREAS, on the 7<sup>th</sup> day of November, 2022 notice of said hearing was sent by certified mail to the affected property owners and all utility companies whose facilities are on the road right-of-way; and WHEREAS, on the 9<sup>th</sup> day of November, 2022 a Notice of Public Hearing for the proposed road vacation was published in the Moravia Union, newspaper of general circulation in the County where said alley is located; and

WHEREAS, a hearing was held by the Appanoose County Board of Supervisors on the 21<sup>st</sup> day of November, 2022; and

WHEREAS, the Appanoose County Board of Supervisors have determined that provisions of Chapter 306 of the Iowa Code have been met; and

WHEREAS, it has been determined to in the best interest of the County and the affected property owners that the County vacate said platted lot; and

WHEREAS, the adjoining property owners are:

Randall and Evelyn Machholz  
Parkside Knolls Townhouse Association

NOW, THEREFORE, BE IT RESOLVED by the Appanoose County Board of Supervisors the above-described platted lot is hereby vacated and said property right is reverted to the underlying property owners.

PASSED AND APPROVED this 21<sup>st</sup> day of November, 2022

Signed: Appanoose County Board of Supervisors Linda Demry, Chairman, Jeff Kulmatycki, Member, Mark McGill, Member

ATTEST: /s/ Kelly Howard, County Auditor

McGill motioned to open the public hearing for proposed Service "B" on a portion of 550<sup>th</sup> Street at 9:25 A.M. Seconded by Kulmatycki. All voted aye. Skinner spoke about the proposed designation. Jim Sutter's farm manager spoke about retaining access and requested it not be a level C road. Gary Messersmith asked about landowner notifications. Skinner stated certified letters were sent to the addresses used for tax statements. Messersmith stated his sister did not receive a letter. McGill motioned to close the public hearing at 9:31 A.M. Seconded by Kulmatycki. All voted aye. McGill motioned to table the approval pending landowner notification. Seconded by Kulmatycki. All voted aye.

McGill motioned to open the public hearing on establishing speed limits on Highway J29 at 9:32A.M. Seconded by Kulmatycki. All voted aye. Skinner spoke about the speed limit study. No public comments. McGill motioned to close the public hearing at 9:34 A.M. Seconded by Kulmatycki. All voted aye. Kulmatycki motioned to approve Resolution #2022-34. Seconded by McGill. All voted aye.

RESOLUTION FOR ESTABLISHING SPEED LIMITS

Appanoose County Resolution No 2022-34

WHEREAS, the Board of Supervisors is empowered under the authority of the Code of Iowa Sections 321.255 and 321.285 of the Code of Iowa, to determine upon the basis of an engineering and traffic investigation, that the speed limit of any secondary road is greater than is reasonably proper under the conditions existing, and may determine and declare a reasonable and proper speed limit, and WHEREAS, such an investigation has been requested and has been completed by the Appanoose County Engineer.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERISORS OF APPANOOSE COUNTY that the speed limit be established and appropriate signs be erected on County Highway J29 at the locations described as follows:

From Iowa Highway 5 to 213<sup>th</sup> Ave - 55 mph

From 213<sup>th</sup> Ave to Hickory St. in Rathbun - 45 mph

From Hickory St. through the city of Rathbun to the Corporate Limit - 25 mph

From the Corporate Limit to Highway J5T - 45mph

Resolution adopted this 21<sup>st</sup> day of November, 2022

Appanoose County Board of Supervisors

/s/ Linda Demry, Board of Supervisors Chairperson, Jeff Kulmatycki, Member, Mark McGill, Member

McGill motioned to accept the 11/8/2022 General Election Post-Election Audit Report.

Seconded by Kulmatycki. All voted aye.

John Hansen was not present.

Skinner, provided an update to the board. They will continue to work on speed limit updates. The Boothill Bridge railroad flat cars were set last week. Work is expected to be complete December 10<sup>th</sup>. They received Corps and DNR approval on some bank work on 310<sup>th</sup>. Supply issues on the fleet

maintenance continues. Trucks are 12-18 months out while graders are 12 months out. Plans are to order now for delivery between December of 2023 and June of 2024.

McGill motioned to set the public hearing for Appanoose County Ordinance No 54: Readopting Existing Ordinances for 12/5/2022 at 9:15 A.M. Seconded by Kulmatycki. All voted aye.

Public Comments: Tammy Wheeler from Farmer's Mutual provided a Broadband project update and spoke about Natel's project costs. Randall Machholz asked about an antenna being installed by Lakeshore Heights. He also requested his last name be corrected on Resolution 2022-33.

McGill motioned to adjourn. Seconded by Kulmatycki. All voted aye.

The Board adjourned to meet the call of the Auditor at 9:44 A.M.

Appanoose County Board of Supervisors

*Linda Henry*

*Paul M. Sch*

*[Signature]*

Attest:

*Kelly Howard*

Kelly Howard, Appanoose County Auditor