

August 21, 2023

Appanoose County Board of Supervisors met in regular session August 21, 2023 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.

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

McGill motioned to approve the minutes from the August 7, 2023 meetings. Seconded by Kulmatycki. All voted aye.

McGill motioned to approve 8/18 payroll. Seconded by Kulmatycki. All voted aye.

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

Access Sys	Typing-Print.-Bind.Serv.	147.63
Agriland FS	Engineering Services	13894.43
Albia Newspapers	Off. Supplies & Forms	45.56
Alliant	Gas & Heat	2490.12
Amazon	Off. Equip Repair & Maint	84.87
Amer Home Fdg	Juvenile Detention & Shel	1795.82
Sec Rds	Fuels	493.34
App Co Treas	Off. Supplies & Forms	296.43
Assn of EC Boards	Community Support Program	663.00
BP Business Solns	Transportation	103.90
Bratz Oil	Vehicle Repair & Maintce	1254.06
BUG PRO	Extermination Services	90.00
C-D Supply	Custodial Supplies	725.60
Cantera Aggregates	Engineering Services	20256.56
Capital One	Off. Equip Repair & Maint	142.83
Card Services	Park Maint. & Supplies	99.98
CarQuest	Vehicle Supplies-Access	48.83
Cville Iron	Engineering Services	16.30
Cville Wtrwks	Water & Sewer	179.40
C'ville Produce & Feed	Park Maint. & Supplies	82.07
Central IA Det	Juvenile Detention & Shel	226.48
Central IA Distributing	Park Maint. & Supplies	262.00
Chariton Valley Elec	Electric Light & Power	435.17
City Cville	Salary-Regular Employees	5905.34
City of Plano	Maintenance Contract	175.40
City of Unionville	Maintenance Contract	129.79
Ted Clark Septic	Building Repair & Maintce	250.00
Clark's Auto Rpr	Engineering Services	75.00
CocoBeen Reptiles	Park Maint. & Supplies	150.00
S Cole	Off. Equip Repair & Maint	1174.09
Dave's Tire Shop	Engineering Services	94.00
Davison Fuels & Oil	Fuels	26.65
John Day Co	Engineering Services	1640.17
J De Vries	Legal & Ct-Related Serv.	285.00
S Dittmer	Legal Serv. Dep-Subp-Tran	309.60
Fareway	Food & Provisions	80.00
First National Bank	Dues & Memberships	37.50
Fogle TV	Park Maint. & Supplies	160.51
Forbes Office Solns	Off. Supplies & Forms	51.54
GeoComm	E911 Mapping Expense	15833.12
PJ Greufe	Health Insurance	1500.00
Hills San	Garbage Serv	294.00
Hy-Vee	Food Preparation Service	10473.49
Intoximeters	Law Enf. Equip & Weapons	58.00
IA Media Network	Off. Equip Repair & Maint	150.00
IA Outdoors	Dues & Memberships	25.00
IA ME	Medical & Health Services	6111.00
ISSDA	Educational & Train.Serv.	125.00
IPAC	Election Supplies	272.00
J & J Ready Mix	Engineering Services	2380.00
J&K Rentals	Rent Payments	1200.00
John Deere	Engineering Services	1502.33
Kids World	Community Support Program	728.00
Kinetic Edge	Educational & Train.Serv.	120.00
R Lamb	Medical & Health Services	900.00
LexisNexis	Dues & Memberships	100.00
Lockridge	Park Maint. & Supplies	893.06
MATURA	Community Support Program	254.16
MHC Kenworth	Engineering Services	392.49
MMIT	Off. Equip Repair & Maint	108.22
Monroe Pub Hlth	Community Support Program	810.04
Monroe Pub Hlth	Community Support Program	6848.13

Natel	Telephone & Telegr.Serv.	55.00
O'Halloran Int'l	Engineering Services	60.10
O'Reilly	Engineering Services	494.08
Orchard Pl	Community Support Program	1150.56
Ottumwa Health Group	Engineering Services	80.00
Owl Pharm	Medical Supplies	98.36
Petty C-Sheriff	Postage & Mailing	5.01
R Pfannebecker	Mileage & Transp. Expense	5.67
Polk Co Treas	Medical & Health Services	2234.77
Proctor Corp	Heat-Cool-Elevator-Rpr-Mn	2180.00
Professional Forms & Supplies	Jail Equip. & Furniture	175.22
Quill	Off. Supplies & Forms	213.89
RACOM	Radio and related equipme	272.88
Radar Rd Tec	Law Enf. Equip & Weapons	579.00
RASWC	Engineering Services	8.00
RRWA	Water & Sewer	28.50
River Hills	Medical & Health Services	856.00
G Roefer	Medical & Health Services	400.00
Sapphire Repair Center	Vehicle Repair & Maintce	1724.40
SCICAP	Community Support Program	10428.44
Sinclair NAPA	Engineering Services	1041.72
Sinclair Tractor	Vehicle Supplies-Access	25.91
Solutions	Computer & Microfilm Supp	7072.10
D Sturms	Mileage & Transp. Expense	253.15
Dr. Anthony Tatman	Educational & Train.Serv.	10.00
Thomas Funeral Home	Mileage & Transp. Expense	750.00
Tri-County Fire Equip	Park Maint. & Supplies	245.00
US Bank	Engineering Services	741.37
US Cellular	Telephone & Telegr.Serv.	689.04
USPS	Postage & Mailing	450.00
Wapello Co Sheriff	Legal Serv. Dep-Subp-Tran	41.55
Windstream	Telephone & Telegr.Serv.	479.69
Ziegler	Engineering Services	8781.19
5th Dist Aud Assn	Educational & Train.Serv.	25.00
Grand Total		147112.61

Kulmatycki motioned to approve the liquor license for The Retreat. Seconded by McGill. All voted aye.

The second reading of Resolution 2023-28 was read. Kulmatycki motioned to approve Resolution 2023-28. Seconded by McGill. Roll call vote was taken. Demry aye, McGill aye, Kulmatycki aye.

Resolution #2023-28
RESOLUTION DECLARING EMERGENCY MEDICAL SERVICES
TO BE AN ESSENTIAL SERVICE

A resolution by Appanoose County to declare emergency medical services (EMS) to be an essential county service as authorized by Iowa Code Section 422D.1.

WHEREAS, Appanoose County contracts for EMS for its residents.

WHEREAS, ensuring efficient and effective EMS coverage is essential for maintaining the health and welfare of its residents.

WHEREAS, to be able to efficiently and effectively provide EMS to its residents, the Board of Supervisors will proceed with the process under Iowa Code Section 422D.1 to declare emergency medical services as an essential county service to allow a local option income surtax and/or an ad valorem property tax for EMS and the creation of a county emergency medical services system advisory council to assist in researching and assessing the service needs of the county and guiding the implementation of the same.

WHEREAS, Appanoose County on May 15, 2023, directed that notice of the first meeting to consider this resolution be made and any other actions be taken as necessary to proceed with the process under Iowa Code Section 422D.1 to declare EMS to be an essential county service.

First Reading: July 17, 2023 Roll Call: Demry aye McGill aye Kulmatycki aye Approved

Second Reading: August 21, 2023 Roll Call: Demry aye McGill aye Kulmatycki aye Approved

Third Reading: September 5, 2023 Roll Call: Demry ___ McGill ___ Kulmatycki ___ Approved/Denied

NOW THEREFORE, BE IT RESOLVED; that Appanoose County hereby declares emergency medical services to be an essential county service.

BE IT FURTHER RESOLVED, that Appanoose County directs that and any other actions be taken as necessary to proceed with the process under Iowa Code Section 422D.1 to declare EMS be an essential county service.

HEREBY RESOLVED by the Board of Supervisors for Appanoose County on this _____ day of _____, 2023.

Linda Demry, Chairman Appanoose County Board of Supervisors

Attest: Kelly Howard, Appanoose County Auditor

McGill motioned to approve the Bond to Insure Against Double Payment for L&W Quarries warrant #54327 for \$977.54. Seconded by Kulmatycki. All voted aye

Kulmatycki motioned to approve the Homestead and Disabled Vet credit applications. Seconded by McGill. All voted aye.

McGill motioned to set the public hearing for Ordinance No 55 for 9/5/23 at 9:15 A.M. Seconded by Kulmatycki. All voted aye.

The board requested an updated position change/salary increase letter for Mackenzie due to the anniversary date being incorrect. There was discussion regarding if the Assistant Engineer is an exempt position. Kulmatycki motioned to approve the position change and 10% salary increase for Mackenzie Milani as Assistant Engineer, now exempt employee effective August 14, 2023. Seconded by McGill. All voted aye.

Kulmatycki motioned to open the public hearing on the vacation of 510th Street at 9:17 A.M. Seconded by McGill. All voted aye. County Engineer, Brad Skinner spoke about the vacation. There were no public comments. Kulmatycki motioned to close the public hearing at 9:20 A.M. Seconded by McGill. All voted aye. Kulmatycki motioned to approve Resolution No. 2023-44. Seconded by McGill. All voted aye.

RESOLUTION NO. 2023-44

WHEREAS, a request has been made by the County Engineer to vacate a county road and bridge, the centerline of which is described as follows:

That portion of 510th Street (Old Primary Highway No. 2) with a Right-of-Way easement width of 66 feet sideline extended to intersect with the east Right-of-Way line of 135th Avenue, commencing approximately 750 feet north of the South Quarter Corner of Section 27, Township 69N, Range 19W at the intersection of said 510th Street and 135th Ave; thence southeasterly approximately 46 feet to the east Right-of-Way line of 135th Ave, said point being the point of beginning; thence approximately 1070 feet along the centerline of said 510th Street southeasterly to a point 60 feet west of the centerline of a residential driveway, together with all structures, including but not limited to bridge 992758 (FHWA #603380).

WHEREAS, on the 2nd of August, 2023 notice of said hearing was sent by certified mail to the affected property owners, all utility companies whose facilities are on the road right-of-way and the Iowa Department of Transportation; and

WHEREAS, on the 9th of August, 2023 a Notice of Public Hearing for the proposed road vacation was published in the Moravia Union and Appanoose Weekly, newspapers of general circulation in the County where said road is located; and

WHEREAS, a hearing was held by the Appanoose County Board of Supervisors on the 21st of August, 2023; 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 not purchase the vacated road, but instead transfer said road to the adjoining property owners by resolution; and

WHEREAS, the Appanoose County Engineer will remove bridge deck and abutments due to safety concerns of public

WHEREAS, the adjoining property owners are:

DeWayne Watters

William F. Bostwick, Jr.

Michael Lenz

Contract Purchaser- Dan Egbert

NOW, THEREFORE, BE IT RESOLVED by the Appanoose County Board of Supervisors that the County Engineer shall cause the existing bridge and pavement to be removed and the affected area restored compatible to adjacent property, and that upon completion of said removals the above-described road easement is hereby vacated and ownership of same is transferred to the adjoining property owners.

PASSED AND APPROVED this 21st of August, 2023

Signed: Appanoose County Board of Supervisors /s/Linda Demry, Chairperson, Mark McGill, Member, Jeff Kulmatycki, Member

ATTEST:/s/ Kelly Howard, County Auditor

McGill motioned to approve the hiring of Eric Spring as Deputy Sheriff effective September 1, 2023 at 75% of the Sheriff's salary. Seconded by Kulmatycki. All voted aye.

McGill motioned to approve the hiring of Bonnee Bregetta Hislop as Jailer effective September 1, 2023 for \$20 per hour. Seconded by Kulmatycki. All voted aye.

Kulmatycki motioned to approve Resolution 2023-43. Seconded by McGill. All voted aye.

BRIDGE EMBARGO
RESOLUTION 2023-43

WHEREAS: The Board of Supervisors is empowered under authority of Sections 321.236 Sub. (8), 321.255 and 321.471 to 321.473 to prohibit the operation of vehicles or impose limitations as to the weight thereof on designated highways or highway structures under their jurisdiction, and

WHEREAS: the County Engineer has completed (or has caused to be completed) the Structure Inventory and Appraisal of certain county bridges, in accordance with the National Bridge Inspection Standards and has determined (or it has been determined) that they are inadequate for two-lane legal loads at allowable operating stress.

NOW, THEREFORE, BE IT RESOLVED by the Appanoose County Board of Supervisors that in addition to any previously established restrictions established by this Board, that vehicle and load limits be established, that signs be erected advising of the permissible maximum weights thereof on the bridges listed, that a violation of the ordinance is punishable by fine as set forth in Iowa Code section 321.471(2)(b), and that said limitations remain in place until the County Engineer certifies (or has caused to be certified) that said limitations have been resolved, as follows:

FHWA	Bridge ID	Location T-R-Sec	Type 4	Type 3S3	Type 3-3	Features Crossed
065790	060377	70-16-03	28	40	40	N BRANCH SOAP CREEK
065990	063155	70-16-31	25	40	40	SOAP CREEK
066170	083682	70-18-36	23	29	29	BUCK BRANCH
362130	093040	70-19-30	28	40	40	STREAM
063440	760406	67-16-04	10	16	16	INDIAN CREEK
063500	760973	67-16-09	20			LONG BRANCH
063650	762120	67-16-21	28	40	40	STREAM
063791	771954	67-17-19	26	40	40	STREAM
063841	781670	67-18-16	15	20	20	STREAM
063900	782392	67-18-23	20	34	34	STREAM
063910	790590	67-19-05	26	40	40	STREAM
063920	790610	67-19-06	15	25	24	STREAM
064060	860105	68-16-01	28	40	40	FOX CREEK
064260	863458	68-16-34	7			INDIAN CREEK
064370	871104	68-17-04	25	40	40	STREAM
064390	871392	68-17-13	27	40	40	STREAM
064450	872699	68-17-26	26	40	40	CHARITON RIVER
064560	880337	68-18-03	20	32	35	STREAM
064570	880706	68-18-07	25	40	40	COOPER CREEK
064580	880901	68-18-09	28	40	40	COOPER CREEK
064691	882560	68-18-25	19	28	39	STREAM
064800	891007	68-19-10	18	27	32	COOPER CREEK
064880	892253	68-19-22	13	21	23	STREAM
064930	892750	68-19-27	25	40	40	KIRKENDALL CREEK
064941	892909	68-19-29	22	29	29	STREAM
064965	893006	68-19-30	28	40	40	UNNAMED STREAM
064971	893107	68-19-31	25	40	40	SMALL STREAM
065000	961067	69-16-10	20			STREAM
065110	963403	69-16-34	26	38	40	STREAM
065151	970664	69-17-06	30			STREAM
065281	972662	69-17-26	13	23	23	STREAM
065450	981405	69-18-05	25	40	39	WALNUT CREEK
065500	982014	69-18-14	22	35	35	SMALL STREAM
065731	992502	69-19-25	3			WALNUT CREEK
065760	993206	69-19-32	3			WALNUT CREEK
065770	993274	69-19-32	28	40	40	WALNUT CREEK

OTHER STRUCTURES

FHWA	Bridge ID	Location T-R-Sec	Type 4	Type 3S3	Type 3-3	Features Crossed
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NA 073012 70-17-30 6 RAILROAD

LIMITED TO ONE LANE

FHWA	Bridge ID	Location T-R-Sec	Type			Features Crossed
			4	3S3	Type 3-3	
065931	062704	70-16-27				SOAP CREEK
065961	072591	70-17-25				SMALL STREAM
066271	093030	70-19-30				STREAM
603550	761365	67-16-13	21	31	31	SMALL STREAM
063710	770229	70-17-02				PACKARD CREEK
363640	892565	68-19-25				STREAM
064961	893005	68-19-30				STREAM
065140	970535	69-17-05				STREAM
065661	991305	69-19-13				WALNUT CREEK

CLOSED TO TRAFFIC

FHWA	Bridge ID	Location T-R-Sec	Type			Features Crossed
			4	3S3	Type 3-3	
603380	992758	69-19-27	0			WOLF BRANCH CREEK

Passed and Approved this 21st day of August, 2023
 Chairman, Board of Supervisors /s/ Linda Demry
 ATTEST: County Auditor /s/ Kelly Howard

There was discussion on Projects BROS-C004(121)-8J-04 and BROS-C004(122)-5F-04. Only three of the five right-of-ways have been acquired. Skinner recommended pushing the project back a month or two. No action was taken.

Skinner provided an update to the board. There was an accident at Hwy 2 and 323rd that involved a dump truck and a distracted driver who hit the dump truck on the side near the fuel tank and requires repairs. They plan to get two more bridges and the road re-shape southeast of Cincinnati completed this year. Kulmatycki asked for an update on Hwy 5 Bridge. Skinner stated it will be after Labor Day which now conflicts with their asphalt project.

Public Comments: The third reading of Resolution 2023-28 will be September 5th. Tammy Wheeler from Farmer's Mutual provided an update on their fiber project.

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

The Board adjourned to meet the call of the Auditor at 9:36 A.M.

Appanoose County Board of Supervisors

Linda Demry

Mark [unclear]

[unclear]

Attest:

Kelly Howard

 Kelly Howard, Appanoose County Auditor