

April 17, 2023

Appanoose County Board of Supervisors met in regular session April 17, 2023 at 9:00 A.M. in the Boardroom of the Courthouse. Present: Linda Demry, Chairperson, Mark McGill, and Jeff Kulmatycki (via phone) Boardmembers. Absent: none.

The meeting started with the pledge.

Scratch #20 (9:35 A.M. Public Hearing: Acceptance of Offer to Purchase Real Estate) & #21 Approve Purchase Agreement and Quit Claim Deed. McGill motioned to approve the amended agenda. Seconded by Kulmatycki. All voted aye.

McGill motioned to approve the minutes from the April 3 & 5, 2023 meetings. Seconded by Kulmatycki. All voted aye.

McGill motioned to approve 4/14 payroll, Auditor, Recorder & Sheriff Quarterly Reports and Wells Township Financials. Seconded by Kulmatycki. All voted aye.

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

Access Sys	Typing-Print.-Bind.Serv.	142.97
ADLM EM	Contrib. & Purchase Serv	3079.25
Agriland FS	Engineering Services	21578.58
Albia Newspapers	Typing-Print.-Bind.Serv.	1740.74
Alliant	Electric Light & Power	9543.07
Amer Home Fdg	Community Support Program	1641.38
App Co Auditor	Tort Liability Ins.	6000.00
App Co Historical Society	Contrib. & Purchase Serv	750.00
Sec Rds	Fuels	2763.42
App Co Treas	Off. Supplies & Forms	206.16
App Comm Care	Homemaker-Home Health Aid	3421.00
Auto-Jet Muffler	Engineering Services	731.04
Bailey Off	Off. Equip Repair & Maint	336.50
Baker's	Engineering Services	132.98
Blue Sun Graphics LLC	Park Maint. & Supplies	100.00
Bob Barker	Jail Equip. & Furniture	138.89
Bratz Oil	Mileage & Transp. Expense	402.67
BUG PRO	Extermination Services	90.00
C-D Supply	Custodial Supplies	244.05
Calhoun Burns	Engineering Services	3517.30
Cantera Aggregates	Engineering Services	54902.24
Capital One	Engineering Services	47.33
Card Services	Park Maint. & Supplies	390.32
CarQuest	Engineering Services	690.48
CenTec	Care of Soldiers Graves	93.82
Centerville Body Shop	Vehicle Repair & Maintce	72.50
Cville Iron	Engineering Services	129.60
Cville Wtrwks	Water & Sewer	59.62
C'ville Produce & Feed	Park Maint. & Supplies	84.83
Central IA Fasteners	Engineering Services	255.75
Chariton Valley Elec	Electric Light & Power	399.18
City Cville	Salary-Regular Employees	7071.06
City of Ottumwa/SIRG	Construction & Maint.	8783.74
Corydon Vet Clinic	Park Maint. & Supplies	62.50
Davis Co Sch	Community Support Program	800.00
Davis Co Daycare	Community Support Program	1696.84
Diagnostic Imaging	Medical & Health Services	30.00
Don's Truck Sales	Engineering Services	13.06
Douds Stone	Engineering Services	3776.38
Drake Library	Contrib. & Purchase Serv	10750.00
Eastern IA Tire	Engineering Services	6656.04
ESRI	Computer & Microfilm Supp	2090.00
Farm & Home Publishers	Typing-Print.-Bind.Serv.	500.00
First National Bank	Dues & Memberships	37.50
Fogle TV	Equip. Parts & Supplies	192.29
Galls	Uniforms	244.15
Garrett Memorial Library	Contrib. & Purchase Serv	6650.00
D Gee	Contract Services	162.98
Gradient9 Studios	Computer & Microfilm Supp	400.00
W Henderson	Building Perm. Improvemnt	175.02
Hills San	Garbage Serv	555.00
Historic Livingston Fdn	Contrib. & Purchase Serv	250.00
Housby Mack	Engineering Services	207.21
Hy-Vee	Medical & Health Services	10172.89
Impressive Designs	Off. Supplies & Forms	32.00
Interstate Batt	Engineering Services	395.85
ICRA	Educational & Train.Serv.	100.00
IA Media Network	Typing-Print.-Bind.Serv.	1069.46

IA Prison Industries	Engineering Services	100.00
IA Sec State	Voter Registration Serv.	82.53
IA Workforce	Off. Supplies & Forms	386.71
John Deere	Engineering Services	2125.57
Kids World	Community Support Program	2016.00
Kimball	Engineering Services	289.67
Kone	Heat-Cool-Elevator-Rpr-Mn	391.68
L&W Quarries	Engineering Services	3517.77
K Laurson	Educational & Train.Serv.	151.27
LexisNexis	Dues & Memberships	100.00
Lockridge	Engineering Services	868.39
Mail Serv	Postage & Mailing	5297.42
MATURA	Community Support Program	854.16
MercyOne	Medical & Health Services	221.00
MHC Kenworth	Engineering Services	375.00
Mid Country Machinery	Engineering Services	228.47
Monroe Pub Hlth	Community Support Program	6507.86
Moravia Historical Society	Contrib. & Purchase Serv	400.00
Moravia Public Library	Contrib. & Purchase Serv	6650.00
Moulton Hist Soc	Contrib. & Purchase Serv	400.00
Myers Custom Signs	Transportation	50.00
Mystic Highland Cemetery	Care of Soldiers Graves	514.00
Natel	Telephone & Telegr.Serv.	55.00
O'Reilly	Engineering Services	492.77
Orchard Pl	Community Support Program	2406.22
Ottumwa Regional Hlth Ctr	Engineering Services	80.00
R Pfannebecker	Building Repair & Maintce	495.43
Polk Co Treas	Medical & Health Services	459.77
Power Ins	Building Insurance	2758.00
Prof Computer	Off. Equip Repair & Maint	31.95
Prof Rescue	Construction & Maint.	1000.00
Quill	Off. Supplies & Forms	74.97
Rainbo Oil	Engineering Services	3050.29
RASWC	Engineering Services	53.30
RRWA	Water & Sewer	27.00
River Hills	Medical & Health Services	199.00
RK Dixon	Off. Supplies & Forms	16.67
SCICAP	Community Support Program	35469.74
Seymour Tire	Engineering Services	110.50
Simmons Bldg Materials	Engineering Services	11.38
Sinclair NAPA	Engineering Services	2307.65
B Skinner	Educational & Train.Serv.	13.58
Smith Fertilizer	Engineering Services	1133.60
SJ Smith Co Inc	Engineering Services	33.94
UMB Bank, N.A.	G.O. Bonds Principal	509415.00
UnityPoint	Engineering Services	42.00
US Bank	Off. Supplies & Forms	13838.88
US Cellular	Radio and related equipme	646.01
USPS	Postage & Mailing	500.00
Verizon	Contrib. & Purchase Serv	60.00
Wapello Co Aud	Off. Supplies & Forms	108.00
Watson & Ryan	Legal & Ct-Related Serv.	910.10
Wigwam Daycare & Preschool	Community Support Program	2009.72
Windstream	Off. Supplies & Forms	1559.70
Ziegler	Engineering Services	13214.41
Grand Total		800671.72

McGill motioned to approve the liquor license for Elliott's General Store. Seconded by Kulmatycki. All voted aye.

Mike Matthes from PACT presented a housing strategy to the board. Brett Mihalovich requested the county match what the corporations committed. Demry stated they couldn't make any commitments at this time due to pending legislation regarding tax levies.

McGill motioned to open the public hearing for FY23 County Budget Amendment at 9:11 A.M. Seconded by Kulmatycki. All voted aye. There were no public comments. McGill motioned to close the public hearing at 9:12 A.M. Seconded by Kulmatycki. All voted aye. McGill motioned to approve Resolution #2023-24 (FY23 County Budget Amendment). Seconded by Kulmatycki. All voted aye. A copy can be found in the Auditor's Office. McGill motioned to approve Resolution #2023-25. Seconded by Kulmatycki. All voted aye.

**RESOLUTION NO 2023-25**  
**APPROPRIATIONS AMENDMENT**

WHEREAS, Resolution No 2022-13 dated June 6, 2022 set appropriations by department for Fiscal Year 2023, and

WHEREAS, the FY23 Budget was amended on October 17, 2022 with the following appropriations by department:

<u>Dept# &amp; Name</u>	<u>Amount</u>	<u>Dept# &amp; Name</u>	<u>Amount</u>
22-Conservation	\$113,500	51-Courthouse	\$200,000
57-E911	\$750,000	99-Nondept	\$1,215,431

NOW THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Appanoose County, Iowa to amend department appropriations by the following amounts:

<u>Dept# &amp; Name</u>	<u>Amount</u>	<u>Dept# &amp; Name</u>	<u>Amount</u>
20-Secondary Roads	\$1,220,000	21-Veteran Affairs	\$100
36-Ambulance	\$4,060	51-Courthouse	\$77,327

The above and foregoing resolution was adopted by the Board of Supervisors of Appanoose County, Iowa on April 17, 2023, the vote thereon being as follows:

AYES: /s/Linda Demry, Mark McGill, Jeff Kulmatycki NAYS: none

/s/Linda Demry, Chairperson, Board of Supervisors

Attest: /s/ Kelly Howard, Appanoose County Auditor

McGill motioned to approve Resolution #2023-26. Seconded by Kulmatycki. All voted aye.

#### Resolution 2023-26

##### Resolution Regarding the Confidentiality of

##### Appanoose County Disaster Recovery Plan/Continuity of Operations Plan

WHEREAS, The Appanoose County Board of Supervisors, recognizes the threat that major emergencies and disaster events pose to people and property within our community;

WHEREAS, The Appanoose County Board of Supervisors has determined the adoption of a Disaster Recovery/Continuity of Operations Plan is necessary. The plan provides general guidelines and principles for managing and coordinating the overall planning, response, recovery and mitigation activities before, during and after major emergencies and disaster events that affect Appanoose County;

WHEREAS, Code of Iowa, Chapter 22, subsection 7, paragraph 50 identifies confidential public records as: Information and records concerning physical infrastructure, cyber security, critical infrastructure, security procedures, or emergency preparedness developed, maintained, or held by a government body for the protection of life or property, if disclosure could reasonably be expected to jeopardize such life or property.

- a. Such information includes but is not limited to information directly related to vulnerability assessments; information contained in records relating to security measures such as security and response plans, security codes and combinations, passwords, restricted area passes, keys, and security or response procedures; emergency response protocols; and information contained in records that if disclosed would significantly increase the vulnerability of critical physical systems or infrastructures to attack.
- b. This subsection shall only apply to information held by a government body that has adopted a rule or policy identifying the specific records or class of records to which this subsection applies and which is contained in such a record; and

WHEREAS, the Appanoose County Board of Supervisors advocates 100% transparency in local government, has concluded that releasing public records related to the vulnerabilities of disaster recovery efforts would be irresponsible and detrimental to the public/taxpayers and may allow bad actors to affect the integrity of the continuity of operations plan administered by the County; and

NOW, THEREFORE, BE IT RESOLVED, that the Appanoose County Board of Supervisors, a government body defined in Code of Iowa Chapter 22, section 1, paragraph 1, hereby designates as a matter of public policy that any public records related to Appanoose County's Disaster Recovery/Continuity of Operations Plan and the protection, security measures, response plans, emergency preparedness, security codes/combinations/passwords, restricted physical area passes, keys, audio/video systems, emergency response protocols, vulnerabilities, and any information contained in records that if disclosed would significantly increase the vulnerability of continuity of operations shall remain confidential public records unless such public records are approved for examination or released by the Appanoose Board of Supervisors; and

FURTHER, BE IT RESOLVED, that this resolution is effective upon the date of approval by the Appanoose County Board of Supervisors.

ADOPTED AND PASSED by the Board of Supervisors of the County of Appanoose this 17<sup>th</sup> day of April, 2023  
/s/: Linda Demry – Chairperson Board of Supervisors

Attest: /s/Kelly Howard - County Auditor

McGill motioned to approve the Disaster Recovery Plan/Continuity of Operations Plan.

Seconded by Kulmatycki. All voted aye.

McGill motioned to open the public hearing for ZOMA 0714-01 Rathbun Junction Subdivision from Ag to Residential for 4/17/23 at 9:15 A.M. Seconded by Kulmatycki. All voted aye. Zoning Administrator Beth Burgin spoke about the change request. There were no public comments. McGill motioned to close the public hearing at 9:16 A.M. Seconded by Kulmatycki. All voted aye. The auditor read ZOMA 0714-01. McGill motioned to approve the first reading of ZOMA 0714-01. Seconded by Kulmatycki. All voted aye. McGill motioned to waive the second and third readings of ZOMA 0714-01. Seconded by Kulmatycki. All voted aye.

McGill motioned to open the public hearing for ZOMA 0714-02 Eddie Gingerich Property Ag to Commercial for 4/17/23 at 9:20 A.M. Seconded by Kulmatycki. All voted aye. Burgin stated Gingerich did not attend the zoning meeting after reaching out. There were no public comments. McGill motioned to close the public hearing at 9:21 A.M. Seconded by Kulmatycki. All voted aye. The auditor read ZOMA 0714-02. McGill motioned to approve the first reading of ZOMA 0714-02. Seconded by Kulmatycki. All voted aye. McGill motioned to waive the second and third readings of ZOMA 0714-02. Seconded by Kulmatycki. All voted aye.

McGill motioned to approve the Notice of Destruction of Noxious Weeds. Seconded by Kulmatycki. All voted aye.

McGill motioned to approve the Integrated Roadside Vegetation Management Plan. Seconded by Kulmatycki. All voted aye.

McGill motioned to approve the FY23 Iowa DOT Budget Amendment. Seconded by Kulmatycki. All voted aye.

County Engineer, Brad Skinner provided an update to the board. The FM rock haul has started. The deck on the 135<sup>th</sup> bridge was poured Friday. The railing and rip rap remain and should be done in another month. Brush cutting is winding down but they will work on 130<sup>th</sup> before the reshape. Assistant Engineer Mackenzie Milani has completed her paperwork. McGill asked if the brush is being sprayed. Skinner stated yes. Tammy Wheeler from Farmer's Mutual requested notice ahead of time when there will be reshaping done due to their fiber project. Demry reported the speed limit sign in Plano needs replaced.

The 9:25 A.M. Public Hearing on tax sale properties in Mystic was scratched. Buyer was not present and no interest from public.

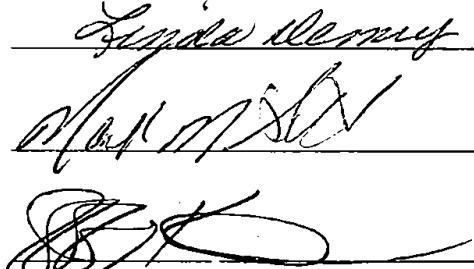
McGill motioned to open the public hearing on Ordinance No. 55 at 9:30 A.M. Seconded by Kulmatycki. All voted aye. There were no public comments. McGill motioned to close the public hearing at 9:31 A.M. Seconded by Kulmatycki. All voted aye. The auditor read Ordinance No. 55. McGill motioned to approve the first reading of Ordinance No. 55. Seconded by Kulmatycki. All voted aye. Kulmatycki motioned to waive the second and third readings of Ordinance No. 55. Seconded by McGill. All voted aye.

Public Comments: none

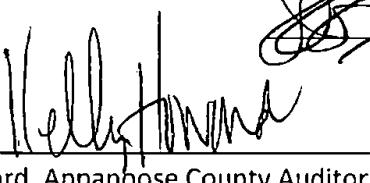
McGill motioned to adjourn. Seconded by Kulmatycki. All voted aye.

The Board adjourned to meet the call of the Auditor at 9:37 A.M.

Appanoose County Board of Supervisors



Attest:



Kelly Howard, Appanoose County Auditor