

**Marshall County Board of Supervisors
Regular Session March 29, 2022, at 9:05 a.m.
Marshall County Election Center, 107 S 1st Avenue, Marshalltown, Iowa
AGENDA**

1. Call to Order.

How to Participate in the meeting

The Board encourages the public to remain engaged and actively participate via the ZOOM process if they are unable to attend the meeting at the Marshall County Election Center, 107 S 1st Avenue. Presenters may provide documentation electronically for inclusion during the meeting prior to the agenda deadline and are requested to participate via ZOOM. There are 4 available options to view and/or participate in the public meetings:

- Attend in person at the Marshall County Election Center, 107 S 1st Avenue, Marshalltown, Iowa.
- View on YouTube. View live or replay later. [MARSHALL COUNTY YOUTUBE](#)
- Call in by Phone: 1-312-626-6799, Meeting ID 871 3622 1316 Passcode 526957
- Zoom. Participate Live. [HTTPS://US02WEB.ZOOM.US/J/87136221316?PWD=Q0LDEXVVEHPLSVROA3LVRDVTcxHAQT09](https://us02web.zoom.us/j/87136221316?pwd=Q0LDEXVVEHPLSVROA3LVRDVTcxHAQT09)

Notice to the Public

The Board of Supervisors welcomes comments from the public during the time allowed for discussion. You are requested to approach the microphone, state your name for the record and limit the time used to present your remarks in order that others may be given the opportunity to speak. The normal process on any agenda item is for the Chairperson to read the item from the agenda. The Board is given an opportunity to comment on the issue and/or place a motion on the floor. An opportunity for discussion may be presented at which time the public may participate and a roll call vote will follow.

2. Pledge of Allegiance

3. Roll Call.

Present ___ / Absent ___ / By ZOOM ___	Present ___ / Absent ___ / By ZOOM ___	Present ___ / Absent ___ / By ZOOM ___
THOMPSON, Chair	SALASEK, Vice Chair	PATTEN, Member

4. Approve Agenda.

Motion by _____, second by _____.

THOMPSON, Chair	SALASEK, Vice Chair	PATTEN, Member

5. PUBLIC HEARING: 2022-2023 Budget.

Time: _____ Motion by _____, second by _____ to open the public hearing to consider the Budget Adoption and Certification for Fiscal Year 2022-2023.

THOMPSON, Chair	SALASEK, Vice Chair	PATTEN, Member

At the public hearing, any resident may present objections to or arguments in favor of any part of the proposed county budget. There were _____ written comments, questions, or objections on file in the County Auditor and Recorder’s Office. Of the _____ individuals

attending the public hearing, _____ individual(s) presented oral comments, questions, or objections.

Supervisor comment:

Staff Comment:

Public Comment:

Written Comment received:

Time: _____ Motion by _____, second by _____ to close the public hearing.

THOMPSON, Chair	SALASEK, Vice Chair	PATTEN, Member

Following the public hearing, the Board will consider adopting the Resolution Adopting Budget and Certify Taxes for Fiscal Year 2022-2023:

RESOLUTION 2022-0016 Adopt Budget and Certify Taxes for Fiscal Year 2022-2023

Pursuant to Section 331.434(5)a, counties are required to adopt the county budget and certify taxes; and

The proposed 2022-2023 County Budget was published in the Marshalltown Times Republican and State Center Mid Iowa Enterprise, on March 17, 2022; and

There were _____ written comments, questions, or objections on file in the County Auditor and Recorder's Office, and _____ individual(s) presented oral comments, questions, or objections at the hearing.

Now, Therefore, Be It Resolved that the County Budget for fiscal year 2022- 2023 be adopted and the County Auditor and Recorder be authorized to certify and file the budget and certificate of taxes as adopted.

Dated at Marshalltown, Iowa this 29th day of March, 2022.

Motion by _____, second by _____ to adopt Resolution 2022-0016 Adopt Budget and Certify Taxes for Fiscal Year 2022-2023.

THOMPSON, Chair	SALASEK, Vice Chair	PATTEN, Member

Documents:

[BUDGET ADOPTION PAGE TO BE SIGNED BY CHAIR AND NAN.PDF](#)

6. Service Awards

- Lisa Soder, General Assistance Director, 20 Years
- Richard Amendt, Engineering Tech 4, Secondary Roads, 5 Years

7. April is Child Abuse Prevention Month - Proclamation

Child Abuse Prevention Month Proclamation

WHEREAS, child abuse and neglect is a serious problem affecting every segment of our community, and finding solutions requires input and action from everyone; and

WHEREAS, our children are our most valuable resources and will shape the future of the county; and

WHEREAS, child abuse can have long-term psychological, emotional, and physical effects that have lasting consequences for victims of abuse; and

WHEREAS, effective child abuse prevention activities succeed because of the partnerships created between child welfare professionals, education, health, community- and faith-based organizations, businesses, law enforcement agencies, and families; and

WHEREAS, communities must make every effort to promote programs and activities that create strong and thriving children and families; and

WHEREAS, we acknowledge that we must work together as a community to increase awareness about child abuse and contribute to promote the social and emotional well-being of children and families in a safe, stable, and nurturing environment; and

WHEREAS, prevention remains the best defense for our children and families.

NOW, THEREFORE, the Marshall County Supervisors do hereby proclaim April as CHILD ABUSE PREVENTION MONTH in Marshall County and urge all citizens to recognize this month by dedicating ourselves to the task of improving the quality of life for all children and families.

8. Consent Agenda:

8.A. Approve Minutes, March 15, 2022

Documents:

[2022-03-15 MINUTES.PDF](#)

8.B. Approve claims as audited and authorize the County Auditor and Recorder to issue payment of the same. The listing of claims paid at this meeting and all claims paid in the current month will be published as part of the first meeting of the following month.

8.C. File Clerk of District Court Report: February 2022. General Supplemental Fund Surcharge- \$269.07

Documents:

[CLERK OF DISTRICT COURT REPORT, FEBRUARY 2022 SURCHARGE 269.07.PDF](#)

8.D. File Manure Management Plans

- Dennis Anderson ID62848 1832 Main St Rd, Marshalltown, annual update
- Aaron Borton ID65862 1359 140th St, Clemons, annual update
- Bill Havelka Site 3 ID 64515, 2833 Garwin Rd, Marshalltown, annual update
- JT EAST ID63208 2349 290th Street, Haverhill, annual update
- Marco Pork LP, ID 61016, 1131 140th St, St Anthony, with changes
- Prestage Farms P341 ID67142 1422 Davidson Ave, St Anthony, with changes

Documents:

[DENNIS ANDERSON ID62848 1832 MAIN ST RD, MARSHALLTOWN, ANNUAL UPDATE.PDF](#)
[AARON BORTON ID65862 1359 140TH ST, CLEMONS, ANNUAL UPDATE.PDF](#)
[BILL HAVELKA SITE 3 ID 64515, 2833 GARWIN RD, MARSHALLTOWN, ANNUAL UPDATE.PDF](#)
[JT EAST ID63208 2349 290TH STREET, HAVERHILL, ANNUAL UPDATE.PDF](#)
[MARCO PORK LP, ID 61016, 1131 140TH ST, ST ANTHONY, WITH CHANGES.PDF](#)
[PRESTAGE FARMS P341 ID67142 1422 DAVIDSON AVE, ST ANTHONY, WITH CHANGES.PDF](#)

8.E. End of Consent Agenda. Roll call vote:

Motion by _____, second by _____.

THOMPSON, Chair	SALASEK, Vice Chair	PATTEN, Member

9. Personnel Changes:

9.A. Approve New Hire, Sheriff Department, Jailer, Daniel McCreedy, Permanent Full Time, \$19.88/hr., with a start date on or after March 29, 2022.

Motion by _____, second by _____.

THOMPSON, Chair	SALASEK, Vice Chair	PATTEN, Member

Documents:

[JAILER NEW HIRE-MCCREADY.PDF](#)

10. Adopt First Reading of Ordinance, of Proposed Amendment 2022-01 to Marshall County Ordinance No. 21, “ESTABLISHING THE VARIOUS VOTING PRECINCTS IN MARSHALL COUNTY, IOWA, AND DEFINING THE BOUNDARIES”

The City of Marshalltown made changes to their precincts after the county last amended Ordinance Number 21 on January 4, 2022, requiring the county to amend Ordinance Number 21, by referencing the City of Marshalltown's Code of Ordinance Chapter 11 regulating precinct boundaries. There are no changes to the physical boundaries. The Secretary of State has advise the county an additional public hearing is not required. This is the first of three readings.

Amendment 2022-01 Marshall County Ordinance #21: AN ORDINANCE REPEALING AND REPLACING ORDINANCE #21 “ESTABLISHING THE VARIOUS VOTING PRECINCTS IN MARSHALL COUNTY, IOWA, AND DEFINING THE BOUNDARIES”

Whereas pursuant to Chapter 49 of the Code of Iowa, 2021, Marshall County is required to establish new voting precincts in Marshall County, due to the required reprecincting following the 2020 decennial census; and

Whereas the Marshall County Board of Supervisors has established new election precincts following census block lines, comprised of one or more whole townships and contained wholly within an existing legislative district that will best serve the convenience of the voters while promoting electoral efficiency pursuant to Chapter 49, Code of Iowa, 2021; and

Whereas Ordinance Number 21, having been passed by the Marshall County Board of Supervisors on January 4, 2022, following a public hearing held on December 21, 2021, is being repealed and replaced by this new Ordinance #21, dated _____, 2022; and

Whereas there are no physical boundary changes following the adoption of Ordinance Number 21 on January 4, 2022, the public hearing held on December 21, 2021, is sufficient for adoption of this Amendment; and

Whereas the City of Marshalltown, Iowa, passed Ordinances establishing city election precincts following census block lines, promoting electoral efficiency pursuant to Chapter 49, Code of Iowa, 2021; and

Whereas Marshall County Board of Supervisors will reference the “City of Marshalltown Code of Ordinances Chapter 11: Boundaries” in defining the City of Marshalltown’s election precincts; and

Whereas the Marshall County Board of Supervisors finds this action to be in the best interest of the public.

THEREFORE, BE IT ORDAINED BY THE MARSHALL COUNTY BOARD OF SUPERVISORS, AS FOLLOWS:

SECTION 1. Repeal Ordinance Number 21, dated January 4, 2022, "ESTABLISHING THE VARIOUS VOTING PRECINCTS IN MARSHALL COUNTY, IOWA, NOT INCLUDING THE CITY OF MARSHALLTOWN AND DEFINING THE BOUNDARIES" in the Marshall County, Iowa, Code of Ordinances.

SECTION 2. Replace Ordinance Number 21, January 4, 2022, "ESTABLISHING THE VARIOUS VOTING PRECINCTS IN MARSHALL COUNTY, IOWA, AND DEFINING THE BOUNDARIES" in the Marshall County, Iowa, Code of Ordinances with the following:

"ORDINANCE No. 21 ESTABLISHING THE VARIOUS VOTING PRECINCTS IN MARSHALL COUNTY, IOWA, AND DEFINING THE BOUNDARIES.

Marshall County, Iowa, is hereby divided into 7 voting precincts that do not include the City of Marshalltown, and 8 voting precincts within the City of Marshalltown. The precincts from the 2020 census are as follows:

1. BANGOR/LISCOMB/TAYLOR: Bangor Township including the part of the incorporated City of Liscomb, Liscomb Township including the part of the incorporated City of Liscomb, and Taylor Township including the incorporated city of Albion, Marshall County, Iowa.
2. EDEN/LOGAN/WASHINGTON: Eden Township including the incorporated city of Rhodes, Logan Township including the incorporated city of Melbourne, and Washington Township, Marshall County, Iowa.
3. GREEN CASTLE/LEGRAND: Green Castle Township including the incorporated cities of Ferguson and Gilman, and LeGrand Township including the incorporated city of LeGrand, Marshall County, Iowa.
4. JEFFERSON/TIMBER CREEK: Jefferson Township including the incorporated cities of Haverhill and Laurel, and Timber Creek Township, Marshall County, Iowa.
5. LIBERTY/MARIETTA/MINERVA: Liberty Township including part of the incorporated city of St. Anthony, Marietta Township, and Minerva Township including the incorporated city of Clemons and part of the incorporated city of St. Anthony, Marshall County, Iowa.
6. MARION/VIENNA: Marion Township and Vienna Township, Marshall County, Iowa.
7. STATE CENTER: State Center Township including the incorporated city of State Center, Marshall County, Iowa.
8. CITY OF MARSHALLTOWN: The City of Marshalltown Code of Ordinances Chapter 11: Boundaries" regulates eight City of Marshalltown voting precincts, and is adopted by reference."

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE. This ordinance shall be in full force and effect after its final passage, approval and publication as provided by law.

Dated at Marshalltown, Iowa, this ___ day of ____, 2022.

Motion by _____, second by _____.

THOMPSON, Chair	SALASEK, Vice Chair	PATTEN, Member

Documents:

[AMENDMENT 2022-01-ORDINANCE 21-REPRECINCTING TOWNSHIPS AMEND 2021-01.PDF](#)
[MARSHALL COUNTY PRECINCT MAP TOWNSHIPS.PDF](#)
[TOWNSHIP ELECTION STATS-2010-2020.PDF](#)
[TOWNSHIP ELECTION STATS-CHART POLL USE.PDF](#)
[2022-02-28_ORDINANCE 15038_AMENDING CHAPTER 11 BOUNDARIES.PDF](#)
[2022-02-28_REVISIED CITY PRECINCT MAP.PDF](#)

10.A. Waive readings of the Redistricting Ordinance, and to adopt as final reading. Discussion, possible action.

Motion by _____, second by _____ to waive second and third readings and adopt Ordinance Amendment 2022-01 to Chapter 21, Marshall County Ordinance **“ESTABLISHING THE VARIOUS VOTING PRECINCTS IN MARSHALL COUNTY, IOWA, AND DEFINING THE BOUNDARIES”**

THOMPSON, Chair	SALASEK, Vice Chair	PATTEN, Member

11. Adopt Resolution 2022-0017, Abatement of Real Estate Taxes

Resolution 2022-0017, Abatement of Real Estate Taxes

Whereas, pursuant to Chapter 657A.10B, Code of Iowa, If the court determines that the property has been abandoned or that subsection 5 applies, the court shall enter judgment and order awarding title to the city or county. The title awarded to the city or county shall be free and clear of any claims, liens, or encumbrances held by the respondents.

Whereas, the county treasurer shall make an entry in the county system canceling the sale of the property and shall refund the purchase money to the tax sale certificate holder

Whereas, pursuant to Chapter 445.16, Code of Iowa, the County Treasurer has the authority to determine when it is impractical to pursue collection of property taxes through the tax sale or lawsuit remedies;

Whereas, upon making this determination the County Treasurer shall provide a recommendation of abatement to the Board of Supervisors, and the Board shall abate the following Real Estate taxes:

- 204 N 1st Ave, Marshalltown, Iowa, Parcel 8418-26-451-018 for delinquent taxes in the amount of \$860.00, which includes penalty and interest.
- 606 E Boone St, Marshalltown, Iowa, Parcel 8418-36-103-014 for delinquent taxes in the amount of \$1,463.00, which includes penalty and interest.
- 21 W Main St, Marshalltown, Iowa, Parcel 8418-26-381-010 for delinquent taxes in the amount of \$378.00, which includes penalty and interest.
- 105 W Webster, Marshalltown, Iowa, Parcel 8418-26-332-018 for delinquent taxes in the amount of \$4,001.00, which includes refunded tax sale, penalty, and interest.
- 108-110 W Main St, Marshalltown, Iowa, Parcel 8418-35-127-029 for delinquent taxes in the amount of \$233.00, which includes penalty and interest.
- 308 S 7th Ave, Marshalltown, Iowa, Parcel 8418-36-152-009 for delinquent taxes in the amount of \$4,451.99, which includes refunded tax sale, penalty, and interest.
- 310 N 5th St, Marshalltown, Iowa, Parcel 8418-26-308-008 for delinquent taxes in the amount of \$8,582.85, which includes refunded tax sale, penalty, and interest.

Passed and Approved this ___ day of March, 2022.

Motion by _____, second by _____, to adopt Resolution 2022-0017, Abatement of Real Estate Taxes, as printed.

THOMPSON, Chair	SALASEK, Vice Chair	PATTEN, Member

12. Approval of Johnson Controls Service agreement for Marshall County Sheriff office. Discussion, possible action.

Extension of a one year continuation of the current agreement for the annual sum of \$8,696.00, to be paid annually. The scope will remain the same and the term of this contract will be 08/01/2022 to 07/31/2023. Future annual service cost to be negotiated.

Motion by _____, second by _____.

--	--	--

THOMPSON, Chair	SALASEK, Vice Chair	PATTEN, Member
-----------------	---------------------	----------------

Documents:

EMAIL DESCRIBING JOHNSON CONTROL AGREEMENT.PDF
 JOHNSON CONTROLS SERVICE AGREEMENT MSO FIRST YEAR END 7-31-2023 8,696.PDF

13. Siren project for unincorporated areas. Discussion, possible action.

Motion by _____, second by _____.

THOMPSON, Chair	SALASEK, Vice Chair	PATTEN, Member

14. Items previously tabled:

14.A. Tabled: Review and possible Approval of selected project expenditures recommended by the Marshall County ARPA Committee, to be paid from the AMERICAN RESCUE PLAN ACT (ARPA) FUND

PROJECTS recommended by ARPA Committee at their meeting 2/1/2022:

Tabled "without specific date":

- Mental Health Court, \$229,000.00
- Assist LeGrand for radio equipment acquisition, 50% of purchase price, \$16,099.26
- Assist Timber Creek Township for radio equipment acquisition, 50% of purchase price, \$17,154.76.

Motion by _____, second by _____, to remove item from table for discussion and possible action.

THOMPSON, Chair	SALASEK, Vice Chair	PATTEN, Member

Motion by _____, second by _____, to

THOMPSON, Chair	SALASEK, Vice Chair	PATTEN, Member

o

15. General discussion, construction issues. Possible motion.

Motion by _____, second by _____, to _____.

THOMPSON, Chair	SALASEK, Vice Chair	PATTEN, Member

16. Closed Session per Iowa Code 21.5(1)(c) Pending Litigation

CLOSED SESSION - PENDING LITIGATION. Motion to enter into Closed Session pursuant to Section 21.5, subsection 1, paragraph c, of the Code of Iowa, to discuss strategy with counsel in matters where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the county in that litigation. Marshall County has an attorney-client relationship with the Office of the Marshall County Attorney and Ahlers & Cooney P.C.

- Motion by _____, second by _____, to go into closed

session

pursuant to Section 21.5, subsection 1, paragraph c, of the Code of Iowa, to discuss strategy with counsel in matters where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the county in that litigation. Marshall County has an attorney-client relationship with the Office of the Marshall County Attorney and Ahlers & Cooney P.C. Time: _____

(All of the motion must be read to be entered into the minutes to comply with Iowa Law)

THOMPSON, Chair	SALASEK, Vice Chair	PATTEN, Member

- Roll call vote in closed session: (present/absent) Time: _____

THOMPSON, Chair	SALASEK, Vice Chair	PATTEN, Member

- Motion by _____, second by _____, to end closed session and return to open session. Time: _____

THOMPSON, Chair	SALASEK, Vice Chair	PATTEN, Member

- Roll call vote in open session: (present/absent) Time: _____

THOMPSON, Chair	SALASEK, Vice Chair	PATTEN, Member

- Possible motion: Motion by _____, second by _____, to proceed as discussed, directing staff or attorney's action. Time: _____

THOMPSON, Chair	SALASEK, Vice Chair	PATTEN, Member

17. Public Forum. Time set aside for the public to make comments on topics of County business other than those listed on this agenda. No action will be taken on any of these topics brought up in the public forum.

18. Adjournment.

The next regular session is April 12, 2022, at 9:05 a.m. All business to be acted upon at that session should be submitted to the County Auditor and Recorder's Office or the Board of Supervisors' Office by Wednesday, April 6, 2022, at 12:00 p.m. There being no further business to come before the Board, the meeting is adjourned at _____ a.m.