

Due to active construction in the courthouse area and the concern for the safety of all residents of Marshall County, the Board of Supervisors' Public Meetings will be available LIVE online, as previously established on March 31, 2020, through the COVID-19 Virus pandemic, to continue until the courthouse area, including the grounds, courthouse building and the Grand Courtroom, is no longer an official construction site.

The Board passed "*Resolution 2021-0030 Restricting Public Access to Courthouse During Active Construction*" at their meeting of July 20, 2021, per advisement of legal counsel. The Board encourages the public to remain engaged and actively participate via the ZOOM process. Presenters may provide documentation electronically for inclusion during the meeting prior to the agenda deadline and are requested to participate via ZOOM.

There are 3 available options to view and/or participate in the public meetings listed below:

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**Marshall County Board of Supervisors
Regular Session August 31, 2021 at 9:05 a.m.
1 E MAIN ST, GRAND COURT ROOM AND VIA ZOOM
MINUTES**

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.

The Marshall County Board of Supervisors met in regular session according to the posted notices in the Grand Courtroom, 1 E Main Street, and via online ZOOM on August 31, 2021. Chair Thompson called the meeting to order at 9:05 a.m. and led the Pledge of Allegiance. Present: Chair David E Thompson, Vice Chair Bill Patten, Member Steve Salasek. Salasek moved to approve the agenda as printed, second by Patten. Roll call vote, motion carried 3-0.

The following individuals were honored for their years of service: 25 Years: Christine Kelly, Jailer; **5 Years:** Jonathan Van Horn, Jailer; **5 Years:** Kelly Gerke, Community Services Assistant.

Introduction: John Hall, President & CEO, Marshall County Chamber of Commerce

Consent Agenda: Patten moved to approve the **Consent Agenda** items, second by Salasek. Roll call vote, motion carried 3-0, items:

- a. **Approve Minutes.** Approve Regular Session Minutes of August 17, 2021.
- b. **Approve Claims.** 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.

c. File Manure Management Plans

- i. **Burt Farm & Livestock Co. - Seminole Site, #65507.** 2368 140th St, Marshalltown. No changes.
- ii. **Mead Family Farms LLC # 61407,** 2235 Summit Rd, Marshalltown. No changes.
- iii. **South Hardin Farms #65416,** 33857 O Ave, New Providence. No Changes.

PUBLIC HEARING. Perpetual Underground Electric Line Easement, consideration \$1.00, Interstate Power and Light Company. Location, 121 E Main Street. Chair Thompson called the public hearing open at 9:21a.m. Building and Grounds Superintendent Baedke answered questions regarding the replacement of the transformer, currently located in the parking lot south of the Annex, to be near an existing light pole where the old county shop was. Moving the transformer will allow for additional parking spots and snow removal piles in the winter. There were no written or public comments. Thompson declared the public hearing closed at 9:24 a.m.

RESOLUTION 2021-0032 ADOPTING TENTATIVE RESOLUTION PROVIDING FOR AN EASEMENT AGREEMENT HEREIN DESCRIBED FROM MARSHALL COUNTY, IOWA TO INTERSTATE POWER AND LIGHT COMPANY, AN IOWA CORPORATION

WHEREAS, the Board of Supervisors of the Marshall County, Iowa, did, on the 17th day of August, 2021, place on file a Tentative Resolution proposing to enter into an AN EASEMENT AGREEMENT for a PERPETUAL UNDERGROUND ELECTRIC LINE EASEMENT, property owned by Marshall County, Iowa, to Interstate Power and Light Company, an Iowa Corporation; and

WHEREAS, published notice as required by the law of the intended conveyance by the MARSHALL COUNTY, IOWA, of the proposed PERPETUAL UNDERGROUND ELECTRIC LINE EASEMENT, to be located at EASEMENT AREA BEING THE WEST 12 FEET OF THE SOUTH 20 FEET OF THE FOLLOWING DESCRIBED PARCEL: THE SOUTH 50 FEET OF THE WEST TWO-THIRDS OF LOT 3, BLOCK 14, ORIGINAL TOWN OF MARSHALL COUNTY, IOWA SUBJECT TO EASEMENTS, RESTRICTIONS AND COVENANTS OF RECORD, IF ANY, TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS PURPOSES ONLY OVER AND ACROSS THE NORTH 10 FEET OF THE SOUTH 60 FEET OF THE WEST TWO-THIRDS OF LOT 3, BLOCK 14, ORIGINAL TOWN OF MARSHALL, MARSHALL COUNTY, IOWA., has been duly published and no objections to the proposed conveyance have been filed in writing with the Auditor and Recorder, and no objections thereto are made in open Board of Supervisors meeting to the proposal, and that this is the time and place provided for in the published notice for the Board of Supervisors to take final action upon said Tentative Resolution; and

WHEREAS, the consideration for the proposal of AN EASEMENT AGREEMENT for PERPETUAL UNDERGROUND ELECTRIC LINE EASEMENT to Interstate Power and Light Company, an Iowa Corporation as set forth above, sum of One Dollar (\$1.00) and other valuable consideration; and

WHEREAS the Board of Supervisors finds the proposed PERPETUAL UNDERGROUND ELECTRIC LINE EASEMENT to Interstate Power and Light Company, an Iowa Corporation, is in the best interest of Marshall County.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE MARSHALL COUNTY, IOWA:

Section 1. The Board of Supervisors considers and approves proposal of the Tentative Resolution placed on file in the office of the Auditor and Recorder of Marshall County, Iowa, on the 17th day of August, 2021, for a PERPETUAL UNDERGROUND ELECTRIC LINE EASEMENT to Interstate Power and Light Company, an Iowa Corporation, to be located as follows: EASEMENT AREA BEING THE WEST 12 FEET OF THE SOUTH 20 FEET OF THE FOLLOWING DESCRIBED PARCEL: THE SOUTH 50 FEET OF THE WEST TWO-THIRDS OF LOT 3, BLOCK 14, ORIGINAL TOWN OF MARSHALL COUNTY, IOWA SUBJECT TO EASEMENTS, RESTRICTIONS AND COVENANTS OF RECORD, IF ANY, TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS PURPOSES ONLY OVER AND ACROSS THE NORTH 10

FEET OF THE SOUTH 60 FEET OF THE WEST TWO-THIRDS OF LOT 3, BLOCK 14, ORIGINAL TOWN OF MARSHALL, MARSHALL COUNTY, IOWA., SUBJECT TO EXISTING EASEMENTS FOR UTILITY PURPOSES.

Section 2. The conveyance of the vacated alley as described in Section 1 of this Resolution shall be by PERPETUAL UNDERGROUND ELECTRIC LINE EASEMENT, from MARSHALL COUNTY, to Interstate Power and Light Company, an Iowa Corporation.

Section 3. The County Auditor and Recorder is hereby authorized to execute and record the PERPETUAL UNDERGROUND ELECTRIC LINE EASEMENT to Interstate Power and Light Company, an Iowa Corporation, upon payment of the required consideration and do all things necessary to carry out said action.

Dated at Marshalltown, Iowa this 31st day of August, 2021.

Motion by Salasek, second by Patten to adopt **RESOLUTION 2021-0032 ADOPTING TENTATIVE RESOLUTION PROVIDING FOR AN EASEMENT AGREEMENT HEREIN DESCRIBED FROM MARSHALL COUNTY, IOWA TO INTERSTATE POWER AND LIGHT COMPANY, AN IOWA CORPORATION.** Roll call vote, motion carried 3-0.

Attest:

Dave Thompson
Board of Supervisors, Chairman

Nan Benson
Marshall County Auditor and Recorder

TENTATIVE RESOLUTION 2021-0033 SETTING PUBLIC HEARING ON SEPTEMBER 14, 2021, AT 9:05 AM, PROVIDING FOR CONVEYANCE OF A QUIT CLAIM DEED FROM MARSHALL COUNTY, IOWA TO IOWA REGIONAL UTILITIES ASSOCIATION, FOR THE GREEN MOUNTAIN SEWER, CDBG GRANT

WHEREAS, the IOWA REGIONAL UTILITIES ASSOCIATION, has requested a QUIT CLAIM DEED, for the public purpose of constructing of the GREEN MOUNTAIN SEWER PROJECT, CDBG GRANT, with consideration being good and valuable consideration.

NOW, THEREFORE, BE IT RESOLVED BY BOARD OF SUPERVISORS, MARSHALL COUNTY, IOWA:

Section 1. Marshall County, Iowa, by this Tentative Resolution, proposes to convey by QUIT CLAIM DEED, for the public purpose of constructing the GREEN MOUNTAIN SEWER PROJECT, CDBG GRANT, to IOWA REGIONAL UTILITIES ASSOCIATION, and said property is described as follows, to-wit:

Parcel "B" located in the Southeast ¼ of the Northeast ¼ of Section 9, Township 84 North, Range 17 West of the 5th P.M., Marshall County, Iowa, and

Parcel "C" in the Southwest Quarter of the Northeast Quarter of Section 9, Township 84 North, Range 17 West of the 5th P.M., Marshall County, Iowa, all as shown in Plat of Survey filed as Document #2018-00002676 of the Records of the Auditor/Recorder's Office, Marshall County, Iowa, from Root of Title.

Section 2. That the consideration for the above-referred to conveyance being granted in Section 1 is good and valuable consideration.

Section 3. Marshall County, Iowa, hereby proposes the easement agreement shall be subject to existing easements being retained and rights-of-way of utilities, and access to and maintenance of said utilities. Said easements, rights-of-way and access will be retained until such time as the County or any utility no longer utilizes or needs facilities in this location.

Section 4. The Auditor and Recorder shall cause to be published the notice required by law, by publication once in the Marshalltown Times-Republican, and again in the Mid Iowa Enterprise, both newspapers having general circulation in Marshall County, Iowa, the publications to be not less than four (4) days nor more than twenty (20) days prior to the date and time hereinafter fixed in the Grand Courtroom, 1 Main Street, Marshalltown,

Iowa, at 9:05 am on the 14th day of September, 2021, to consider any and all comments filed with the Auditor and Recorder, or made in open meeting to the proposal for conveyance as herein contained and to take final action thereon.

Motion by Patten, second by Salasek to adopt **TENTATIVE RESOLUTION 2021-0033 SETTING PUBLIC HEARING ON SEPTEMBER 14, 2021, AT 9:05 AM, PROVIDING FOR CONVEYANCE OF A QUIT CLAIM DEED FROM MARSHALL COUNTY, IOWA TO IOWA REGIONAL UTILITIES ASSOCIATION, FOR THE GREEN MOUNTAIN SEWER, CDBG GRANT**. Roll call vote, motion carried 3-0.

Attest:

Dave Thompson
Board of Supervisors, Chairman

Nan Benson
Marshall County Auditor and Recorder

Review of the Marshall County ARPA Committee recommendations and Approval of the following project expenditures, to be paid from the AMERICAN RESCUE PLAN ACT (ARPA) FUND: Total \$887,366.03

	<u>PROJECTS recommended by ARPA Committee 8/19/2021</u>		<u>Amount</u>
1	All Depts - COVID Sick Time by Dept - 3/03/21 - 5/31/21 IT - Owls, TV, etc. Conference Rooms		\$ 3,374.24
2a	Annex - 2	\$ 9,500.00	
2b	Conservation - 1	\$ 5,750.00	
2c	Courthouse -5	\$ 23,750.00	
2d	Election Center - 2 (Monitor & Click Share Only) & 1 Owl	\$ 8,500.00	
2e	Engineer's Office - 1	\$ 4,750.00	
2f	Sheriff's Office - 6	<u>\$ 28,500.00</u>	
2	Total of Conference Room IT items:		\$ 80,750.00
3	911/EMA National Homeland Security Conference - Kim & Rhonda		\$ 3,893.22
4	Building Improvements. Equipment for Annex, Courthouse, Election Center and Sheriff Complex (see breakdown at end of minutes)		\$ 769,773.94
5	Green Mountain Fire Dept radios \$59,149.25 (50% paid by LOST Revenue)		<u>\$ 29,574.63</u>
			<u><u>\$ 887,366.03</u></u>

Motion by Salasek, second by Patten, to approve all **project expenditures, contribute \$887,366.03 for items, to be paid from the AMERICAN RESCUE PLAN ACT (ARPA) FUND**. Roll call vote, motion carried 3-0. Auditor and Recorder Benson reviewed items #1 and #2. The COVID Sick time reimbursement period started on March 3, 2021, which is the date expenses are eligible for ARPA coverage, and ending on May 31, 2021, which is the date the county stopped coverage for COVID related sick time. After the installation of the IT items in the conference rooms, all of the conference rooms will be COVID friendly. Item #3 is for the two 911/EMA directors to attend a national conference. Thompson asked if the expense should be split among the members of the MCCC, it was determined by the internal ARPA committee that the county could approve the whole expense. Item #4 covers multiple building improvements in the Courthouse, Annex, Election Center and Sheriff's complex. Item #5 – the supervisors discussed this item, with input from Patrick Cornwell, a member of the Green

Mountain Fire Department. Green Mountain is an unincorporated area of the county and is not eligible to apply for ARPA funds. The amount covers nineteen pagers, six mobile radios, 4 portable handhelds for the First Responders and 10 portable handhelds for the Fire Department. Green Mountain has levied the maximum amount since 1996. (see public comment for additional information)

Motion by Patten, second by Salasek, to approve **New Hire, Auditor/Recorder Assistant, Wendy Hilderbrand**, permanent full time, 40 hours per week, \$18.50/hour, start date on or after September 1, 2021. Roll call vote, motion carried 3-0. Hilderbrand is currently employed with the county in the Treasurer's Department. Benson stated there could be opportunity to share the employee during the training period with the County Treasurer, as the County's General Fund covers both departments' salary expense. Heil said he was OK with the employee starting September 1.

Public Forum. Baedke announced DHS has moved to the Annex on the corner of 1st Avenue and Main Street. The county has leased the W State Street building from two owners during the past 25 years. Benson said the Annex will also house CICS, Veterans Affairs and Public Health, making it easier for the public to receive services from these agencies. Thompson directed staff to ensure insurance coverage and utility services cease.

Cornwall added he has tried to get state legislation passed to allow additional levy for situations like Green Mountain, which provides fire service for a large area without a nearby incorporated city. Supervisor Thompson suggested Cornwall speak with County Treasurer Heil to get more information on an improvement district to raise levy funds for their fire station improvement and other needs. The members of the tax district would have to approve the additional levy by a vote. Kim Elder suggested Cornwall approach Koch Brothers, (anhydrous tanks) currently under new management, for a donation.

Adjournment. The next regular session is **September 14, 2021, 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, September 8, 2021 at 12:00 p.m.** There being no further business to come before the Board, the meeting is adjourned at 9:56 a.m.

Attest:

Dave Thompson
Board of Supervisors, Chairman

Nan Benson, Auditor and Recorder

<u>ARPA Eligible Items, Approved 8/31/2021:</u>	<u>DOLLAR</u> <u>APPROVAL</u>	<u>TOTAL</u>
All Depts - COVID Sick Time by Dept - 3/03/21 - 5/31/21	\$3,374.24	
Total: COVID Sick Time Reimbursement:		\$3,374.24
IT/Conference Room Equipment: Annex - 2	\$9,500.00	
IT/Conference Room Equipment: Conservation - 1	\$5,750.00	
IT/Conference Room Equipment: Courthouse -5	\$23,750.00	
IT/Conference Room Equipment: Election Center - 2 (Monitor & Click Share Only) & 1 Owl	\$8,500.00	
IT/Conference Room Equipment: Engineer's Office - 1	\$4,750.00	
IT/Conference Room Equipment: Sheriff's Office - 6	\$28,500.00	
Total: IT Conference Room Equipment:		\$80,750.00
911/EMA National Homeland Security Conference - Kim & Rhonda	\$3,893.22	
Total: National Homeland Security Conference:		\$3,893.22
Annex - HVAC	\$108,430.00	
Annex - Glass	\$20,000.00	
Annex - Touchless RR Faucets	\$10,000.00	
Courthouse - HVAC	\$384,934.20	
Courthouse - CARES Funds \$225,000 (PREVIOUSLY BUDGETED)	(\$225,000.00)	
Courthouse - Meeting Room 1 A/V	\$68,349.21	
Courthouse - Signage	\$40,000.00	
Courthouse - Glass	\$40,000.00	
Courthouse - Touchless RR Faucets	\$10,000.00	
Courthouse - Public Phones	\$20,000.00	
Election Center - Footings and Grade Concrete	\$139,687.07	
Election Center - Structural Engineers	\$24,700.00	
Election Center - Doors & Frames & Hardware	\$6,257.00	
Election Center - First Floor Masonry/Demising Wall	\$16,147.80	
Election Center - Landfill/Disposal	\$331.10	
Election Center - Electrical	\$8,600.14	
Election Center - Plumbing	\$60,000.00	
Election Center - Carpet	\$21,290.42	
Election Center - HVAC/Air Filtration	\$11,047.00	
Sheriff's Office - Rest Room Upgrades	\$5,000.00	
Total: Other Building Improvements, Equipment:		\$769,773.94
Green Mountain FIRE RADIOS \$59,149.25 (50%)	\$29,574.63	
Total: Green Mountain Fire Dept Radios:		\$29,574.63
Total Approved 8/31/2021 by Supervisors:		\$887,366.03