

{{Sig_es_:signer1:signature}}

{{Sig_es_:signer2:signature}}

{{Sig_es_:signer3:signature}}

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

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. 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.

Chair Thompson called the meeting to order on November 9, 2021, 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.

Service Award – 5 Year, Emily Herring, Naturalist.

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 October 26, 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 Receipt of Cooper test list dated 10-21-2021.**
 - a. **File Manure Management Plans** - Applegate G and L Farms #59073, 2845 Garwin Rd, annual update, no changes; Clemons Finisher Farm ID #58020, 1460 120th Street Clemons, includes 4 year complete plan.

ADOPT RESOLUTION #2021-0038 APPROVING THE ASSIGNMENT OF CERTIFICATE OF PURCHASE AT TAX SALE OF 906 S 11th AVENUE, MARSHALLTOWN, IOWA, TO THE CITY OF MARSHALLTOWN, IOWA

WHEREAS the City of Marshalltown, Marshalltown, Iowa, requests to obtain the following certificates of tax sale:

Tax Sale Certificate #S2223, Parcel Number 8418-36-378-005, Property Address: 906 S 11th Avenue, Marshalltown, Iowa.

WHEREAS Marshall County therefore avoids the expense of tax redemption procedure, and

WHEREAS the transfer of said certificate of tax purchase to The City of Marshalltown, Iowa, is in the better interest of the County and is in the better interest of the City of Marshalltown to eliminate any form of liability to Marshall County.

THEREFORE it is hereby resolved that the Chairman of the Board of Supervisors is authorized and directed to execute the assignment of certificates of tax purchases of this real estate upon receipt of \$10.00 assignment of tax sale certificate fee payment.

Motion by Salasek to **Adopt Resolution #2021-0038**, second by Patten. Roll call vote carried 3-0.

PASSED AND APPROVED this 9th day of November, 2021.

_____ Dave Thompson Board of Supervisors, Chairman	Attest: _____ Nan Benson Marshall County Auditor / Recorder
--	---

Possible Approval of **Enhanced Supervision (Drug Court) Mental Health** selected project expenditures recommended by the Marshall County ARPA Committee, to be paid from the **AMERICAN RESCUE PLAN ACT (ARPA) FUND: Total \$253,060.00**. The ARPA Committee recommended approval at their 10-21-2021 meeting. Assistant County Attorney Sarah Tupper reviewed the program, utilizing resources from probation, public defender, to have a positive impact on both the individuals involved and the community. Attorney - Enhanced Supervision (Drug Court) Mental Health for 1 year: \$253,060.00. Motion by Patten, second by Salasek, to **table this item until the next meeting**. Motion carried 3-0.

Approve Clerk of District Court Scanning Project Statement of Work between Marshall County, the Iowa Judicial Branch, and HOV Services, Inc. The agreement states Marshall County is responsible for paying approved invoices until the first \$150,000 in fees and charges have been paid. The State of Iowa is responsible for any fees and charges thereafter. Paper documents will be scanned as Group IV tiffs at 200 dpi bitonal and formatted as multi-page searchable PDFs. Paper documents will be shredded following the image verification process. Estimate for all case files in ICIS: \$204,104.02. 1 Optional, pending budget: Estimate for all case files prior to ICIS: \$253,456.90. Motion by Salasek, second by Patten. Roll call vote, motion carried 3-0.

Set Marshall County Employee Floating Holiday for 2022. Patten moved to set the floating holiday The Federal Reserve Bank has the following dates on their calendar in 2022 as a Holiday in addition to ones we observe: Martin Luther King Day – Monday January 17; second by Salasek. Roll call vote, motion carried 3-0.

Approve Second Level Plan Administrator Appeal to the Marshall County Medical Benefit Plan— Discussion and possible action to consider a claim deviation appeal to the Marshall County Medical Benefit Plan. Motion by Salasek, second by Patten, to **table this item until the next meeting**. Roll call vote, motion carried 3-0.

Resources available for opioid-affected individuals in Marshall County. County Attorney Gaffney will present documentation to the BOS prior to the settlement sign in date of Jan 2, 2022. Thompson asked that the BOS consider this item for action on a future agenda prior to the deadline date, as soon as the settlement documentation is available for signature.

Public Forum. There were no members of the public making comment. Auditor and Recorder Benson informed the public of the 1st Election Canvass at 2 pm today and the 2nd Canvass at 9 am on November 16, 2021. Building and Grounds Superintendent Baedke reviewed the construction progress timeline on the courthouse interior. October 2018, original architect review with OPN to determine utilized space for the interior reconstruction. Significant delays with the insurance carrier relating to code covered and storm damages were settled in October 2020, with final agreement signed prior to the interior work beginning in January 2021. Seven months after interior construction began, it was determined the general contractor should be changed severing the contract with Perfection/Onsite on July 23, 2021. Breiholz Construction, previously a subcontractor on the project, promoted to general contractor on August 3, 2021. Status of the project is that 95% of the demolition and structural steel work is complete. The interior rebuild is at 15%. Thompson noted the newspaper portrayal of the courthouse project was inaccurate. Breiholz submitted a schedule of value to the county on November 8, 2021, that was about \$500k below Perfection/Onsite's original estimate. The county is gathering data to present to Perfection

/Onsite for damages occurred during their contract. EMC is paying just under 69% of the interior work cost. Marshall County has insurance coverage up to around \$34 million and the project is not over budget.

Perfection/Onsite original estimate: \$8,727,541.95.

Breiholz Statement of Value, including 37 ASI's/Change Orders: \$8,225,311

Code: \$1,004,952

Storm: \$4,664,520

Owner: \$2,555,839

Total: \$8,225,311

Difference between the two contractor estimates: \$502,230.95

Adjournment. The next regular session is **November 23, 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, November 17, 2021 at 12:00 p.m.** There being no further business to come before the Board, the meeting is adjourned at 10:08 a.m.

Attest:

Dave Thompson
Board of Supervisors, Chairman

Nan Benson, Auditor and Recorder