

**Marshall County Board of Supervisors
Regular Session March 29, 2022, at 9:05 a.m.
Election Center, 107 S 1st Avenue and via ZOOM
MINUTES**

The Marshall County Board of Supervisors met in regular session according to the posted notices in the Election Center, 107 S 1st Avenue, Marshalltown, Iowa, and via online ZOOM. Chair Thompson called the meeting to order on March 29, 2022, at 9:05 a.m. and led the Pledge of Allegiance. Present: Chair David E Thompson, Vice Chair Steve Salasek, Member Bill Patten. Patten moved to approve the agenda, second by Salasek. Motion carried 3-0.

PUBLIC HEARING 2022-2023 BUDGET

Motion by Salasek, second by Patten to open the public hearing at 9:06 am, to consider the Budget Adoption and Certification for Fiscal Year 2022-2023. Motion carried 3-0. There were no public or written comments. There were 16 members of the public in attendance and 4 public members attended by zoom.

Supervisor Comments:

1) The supervisors discussed the County Treasurer request to budget increases after the January department budget meetings. Treasurer Jarret Heil renegotiated the DevNet contract for the Receivables Rewrite, reduction from \$25K to \$0. The \$25K was initially included in the IT department budget, with a \$15K increase to the Software Line Item. Heil asked to transfer the \$15K from the IT budget to Treasurer budget. Thompson noted software is a one-time purchase and wages are an ongoing expense. The supervisors also discussed the reasons for persons leaving the Treasurer's office in the past few months, having interviewed a few persons, and found the reasons for leaving were not monetary. Benson suggested engaging Ahlers and Cooney to determine if there are personnel issues to be addressed. Heil asked about the grading structure within the county. Benson noted the grading structure was established in the 1990's and needs to be updated, noting at least one discrepancy exists with another department having a position in a higher grade than a Treasurer department position, with that other department having lower pay. Thompson suggested engaging Ahlers and Cooney to review the outdated grading structure prior to next year's budget season. Thompson received information from some area bankers, who shared their beginning salaries, retirement contribution, holiday pay and health insurance premiums paid by employees. County employees receive single health insurance coverage for just under \$6.00 per month. Private sector employees pay much more for single health insurance policy. Banking employees receive one more banking holiday due to the federal reserve schedule. The overall county compensation package exceeds private employer bank employee packages. Salasek suggested adding an additional 3% to the Treasurer universal clerk positions, over the previously established 3% increase for all employees, to help bridge the gap between other positions. Salasek moved to pay 5 universal clerks an additional 3%, second by Patten. Thompson said he is struggling with the county comparison to private sector overall compensation, given that all department employees received 3%, and the board turned down several other department requests for additional wage increases. Motion failed 1-2, Thompson and Patten dissenting.

2) Conservation budget. Expecting the director to retire in FY23, preparing for an overlap and vacation payout, cost estimated at \$15,900. Patten moved to approve the \$15,900 possible payout for Stegmann retirement, second by Salasek. Motion carried 3-0. Unutilized funds will be kept in the fund balance.

3) Salasek moved to make the software line \$85,000, relating to the DevNet rewrite for receivables, reduction of \$15K, second by Patten. Motion carried 3-0.

Thompson reviewed the significant budget changes include debt service increases for radio tower loan and 27th payroll. Benson added the county only gained \$97,000 in valuation.

Patten moved to close the public hearing, second by Salasek, at 9:36 am. Motion carried 3-0.

Motion by Salasek, second by Patten, to adopt Resolution 2022-0016 Adopt Budget and Certify Taxes for Fiscal Year 2022-2023. Resolution adopted 3-0.

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 no written comments, questions, or objections on file in the County Auditor and Recorder's Office, and no 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.

Passed this 29th day of March, 2022.

Attest:

Dave Thompson
Board of Supervisors, Chairman

Nan Benson
Marshall County Auditor / Recorder

Service Awards Lisa Soder, General Assistance Director, 20 Years and Richard Amendt, Engineering Tech 4, Secondary Roads, 5 Years.

Linda Havelka was present and read the **Proclamation for Child Abuse Prevention Month** of April:

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.

Patten moved to adopt the Consent Agenda, second by Salasek. Motion carried 3-0. Items:

- 1) Approve Minutes, March 15, 2022.
- 2) 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.
- 3) File Clerk of District Court Report: February 2022. General Supplemental Fund Surcharge-\$269.07.
- 4) File Manure Management Plans
 - a) Dennis Anderson, ID62848 1832 Main St Rd, Marshalltown, annual update
 - b) Aaron Borton, ID65862 1359 140th St, Clemons, annual update
 - c) Bill Havelka, Site 3 ID64515, 2833 Garwin Rd, Marshalltown, annual update
 - d) JT EAST, ID63208 2349 290th Street, Haverhill, annual update
 - e) Marco Pork LP, ID61016, 1131 140th St, St Anthony, with changes
 - f) Prestage Farms, P341 ID67142 1422 Davidson Ave, St Anthony, with changes

Personnel Changes: Salasek moved to **Approve New Hire, Sheriff Department, Jailer, Daniel McCready**, Permanent Full Time, \$19.88/hr., with a start date on or after March 29, 2022, second by Patten. Phillips explained this is a replacement for Tom Heil. Motion carried 3-0.

Motion by Patten, second by Salasek to **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”** Motion carried 3-0 to adopt first reading. 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.

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 **March 29, 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.

Passed this 29th day of March, 2022.

Attest:

Dave Thompson
Board of Supervisors, Chairman

Nan Benson
Marshall County Auditor / Recorder

Benson recommended waiving the additional readings, as it is an administrative change only for the City of Marshalltown Precincts 1-1 and 1-2. Motion by Salasek, second by Patten 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.” Motion carried 3-0, second and third reading waived, Ordinance adopted.

Ordinance Adopted and Passed this 29th day of March, 2022.

Attest:

Dave Thompson
Board of Supervisors, Chairman

Nan Benson
Marshall County Auditor / Recorder

Motion by Patten, second by Salasek, to adopt Resolution 2022-0017, Abatement of Real Estate Taxes, as printed. Resolution adopted 3-0.

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 Adopted this 29th day of March, 2022.

Attest:

Dave Thompson
Board of Supervisors, Chairman

Nan Benson
Marshall County Auditor / Recorder

Motion by Salasek, second by Patten, to approve Johnson Controls Service agreement for Marshall County, for 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 carried 3-0. Baedke explained the software system is available via computer.

Hazard Mitigation Grant - Siren project for incorporated and unincorporated areas. Kim Elder explained the VHF repeaters for existing towers are somewhat complicating the grant application due to the old VHF system being at end-of-life and phasing out to go to the new system of P25. The proposed new sirens work with a VHF repeater to utilize one of the Marshall County VHF frequencies. The new sirens could possibly use VHF using the old towers and adding 2-3 digipeaters/repeaters allowing redundancies to the warning system. The committee is studying the P25 and the VHF option in the sirens while also looking at longevity of the proposed warning sirens along with being cost effective. Proposed sirens can be built to include P25 for about \$5K per tower, as an option, but P25 is not built for data transmission, rather voice transmission, and an additional \$100,000 would have to be spent on the communications center radio system to allow data to work over the P25 system to 'talk' to the new sirens. The full siren committee meets 3/30/22 and will discuss details and options. The cities of Marshalltown and LeGrand utilize VHF sirens but chose not to join the joint warning siren grant application. Kim has compared population densities with a map from GIS, current working sirens, cities proposing new sirens, and proposed unincorporated areas needing sirens to map out where the proposed siren coverage would fall throughout the county, along with committee members and vendor input. All grant applicants plus the communications commission will have to agree on which system, P25 or VHF is used while considering longevity and cost. The grant should be submitted shortly, hopefully in the next week.

No action is required by the board at this time. Grant award is expected after July 1, with approximately 56 weeks after award is received from FEMA to complete the project. Note, current existing sirens will have to be looked at even if the new siren project is not completed, as the current system is end-of-life and upgrades will be needed to continue use of these existing sirens.

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: "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.

Public Forum: Benson will be reaching out to school district regarding county use of Orpheum for court services until the Courthouse renovation is complete.

CLOSED SESSION-PENDING LITIGATION. Salasek left the meeting at 10:13 a.m. and returned at 10:15 am. Motion by Patten, second by Thompson, 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., at 10:14 am. Motion carried 2-0. Roll call vote in closed session at 10:16 am: All present. Motion by Salasek, second by Patten, to end closed session at 10:45 am and return to open session. Motion carried 3-0. Roll call vote in open session at 10:46 am: All present. Motion by Patten, second by Salasek, to proceed as discussed at 10:47 am, directing staff or attorney's action.

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 10:47 a.m.

Attest:

Dave Thompson
Board of Supervisors, Chairman

Nan Benson, Auditor and Recorder