Marshall County Board of Supervisors
Regular Session May 17, 2016 at 9:00 a.m.

AGENDA

The Board will meet in regular session on Tuesday, May 17, 2016, at 9:00 a.m. in the Courthouse, meeting room #2, NE corner, 3rd floor with ______members present.

Pledge of Allegiance

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.

1. **Approval or Amendment of Agenda—**

Motion by __________, second by ________, to ________ the agenda as printed.

Roll call vote:	Thompson	Grabenbauer-	Patten-
	Member	Chairman	Vice Chairman

Consent Agenda:

2. **Approve Minutes--**from Regular Session of May 3, 2016.
3. **Accept Annual Manure Management Plan Update-** Marco Pork LP, Tri-Oak Foods, Inc., 4 year complete plan update received and placed on file no changes to MMP.
4. **Accept File Clerk of District Court Report-4-16**
   General Supplemental Fund10% Surcharge-$1,671.58
5. **Approve Public Event Held on County Property—**Oktemberfest, Inc. requests to use the Mobile Band Shell on the Courthouse grounds, Thursday, September 22, 2016 through Sunday, September 25, 2016 for "Fall Family Fun Festival" activities.
6. **Approve Claims—**as audited and authorize the County Auditor and Recorder to issue payment of same. The listing of claims paid at this meeting will be included with all claims paid for the month of May; the May list of claims will be a part of the first meeting in June.

Motion by _________, second by _________, to _________ the consent agenda as printed.

Roll call vote:	Thompson-	Grabenbauer-	Patten-
	Member	Chairman	Vice Chairman

7. Approve Personnel Actions:

a. Hire **Hunter Schaper**, Buildings and Grounds Dept., mobile band shell worker, part-time, as needed, rate of pay $14.37/hr., effective May 17, 2016.

Motion by _________, second by ___________, to ___________ personnel hire.

Roll call vote:	Thompson-	Grabenbauer-	Patten-
	Member	Chairman	Vice Chairman

b. **Rolland(Ron) Nauman**, Veteran's Affairs, Director, Change Rate of Pay from $16.86 for 30 hrs./week to $18.07 for 28hrs/week effective May 23, 2016.

Motion by _________, second by ___________, to ___________ personnel hire.

Roll call vote:	Thompson-	Grabenbauer-	Patten-
	Member	Chairman	Vice Chairman

c. **James Zimmerman**, Veteran's Affairs, Administrative Assistant, Change Rate of Pay from $14.01 for 30 hrs./week to $15.02 for 28hrs/week effective May 23, 2016.

Motion by _________, second by ___________, to ___________ personnel hire.

Roll call vote:	Thompson-	Grabenbauer-	Patten-
	Member	Chairman	Vice Chairman

8. Youth and Shelter Services of Marshall County-David Hicks, Director of Youth and Shelter Services of Marshall County, IA will present a third quarterly report.

Motion by_________, second by___________, to____________ the YSS third quarterly report.

Roll call vote:	Thompson-	Grabenbauer-	Patten-
	Member	Chairman	Vice Chairman

9. Warrants Outstanding for Over One Year - Pursuant to Section 331.554(7), Code of Iowa, warrants outstanding for more than one year shall be canceled by the auditor and the amount of the warrants shall be credited to the fund upon which the warrants were drawn. Said warrants are as follows:

Warrant	Fund	Name	Amount	Issued
239561	General Basic	Doug Bauseman	$1.00	7/15/2014
239629	General Basic	Jack McAllister	$1.00	7/15/2015
239685	General Basic	Logan Wolf	$1.00	7/15/2014

Motion by _____, second by _____, to _____ the County Auditor and Recorder to cancel these warrants.

Roll call vote:	Thompson	Grabenbauer-	Patten-
	Member	Chairman	Vice Chairman

10. Resolution #2016-0020

2015 Business Property Tax Credits
Resolution #2016-0020

Whereas, pursuant to Iowa Code 425.3, 425A.3, 426A.14 and 426C.6(1) the Marshall County Board of Supervisors has received the Business Property Tax claims from the County Auditor for the 2015 taxes, payable 2016-2017.

Be It Resolved, that all claims filed are allowed except those recommended for disallowance by the county Assessor, a list of which is on file in the County Auditor's Office.

Be It Further Resolved that the Chairman of the Board is hereby authorized to sign notices of disallowance to claimants whose applications for Business Property Tax Credits have been disallowed.

Dated at Marshalltown, Iowa this _____ day of May, 2016.

Motion by ___________, second by __________, to ________ Resolution #2016-0020, 2015 Business Property Tax Credit Exemptions.

Roll call vote:	Thompson-	Grabenbauer-	Patten-
	Member	Chairman	Vice Chairman

Resolution #2016-0021

11. Intergovernmental 28E Agreement for the Establishment of an Emergency Management Commission for Marshall County, Pursuant to Provisions of Chapter 28E Code of Iowa, and Carry out Provisions of Chapter 29C of the Code of Iowa

INTERGOVERNMENTAL AGREEMENT FOR THE ESTABLISHMENT OF AN EMERGENCY MANAGEMENT COMMISSION FOR MARSHALL COUNTY

THIS AGREEMENT made and entered into effective as of the ____day of _________, 2016 by and between the undersigned parties.

WITNESSES THAT:

WHEREAS, Section 29C.9(1) Code of Iowa, 2012 mandates that the county of boards of supervisors, city councils, and sheriff in each county cooperate with the emergency management division of the Department of Public Defense to establish a local emergency management commission to carry out the provisions of Chapter 29C Code of Iowa; and

WHEREAS, it is deemed advisable to establish said commission by means of an agreement between the aforesaid jurisdictions made and entered into pursuant to the provisions of Chapter 28E Code of Iowa;

NOW, THEREFORE, the parties hereto have agreed and do agree as follows:

I
PURPOSE

The purpose of this agreement is to comply with the legislative mandate of Section 29C.9(1) Code of Iowa for the establishment of a local emergency management commission in Marshall County; and to:

a) State the precise organization, composition and nature of the separate legal entity created hereby, to be called the Marshall County Emergency Management Commission, together with the powers delegated, thereto.

b) Specify the manner of financing a budget for the activities and undertakings of the said commission.

c) State the manner of acquiring, holding and disposing of real and personal property used by the commission.

d) Provide a method to be employed in accomplishing the termination of the agreement and for disposing of property upon such termination.

II
SEPARATE LEGAL ENTITY CREATED

The Marshall County Emergency Management Commission is, by virtue of Section 29C.9(4) Code of Iowa, a separate legal entity and a municipality as defined by Section 670.1 Code of Iowa. As required by Section 29C.9(2) Code of Iowa the Marshall County Emergency Management Commission shall be composed of a member of the Marshall County Board of Supervisors; the

Marshall County Sheriff, and the Mayor from each city within the county. A commission member may designate an alternate to represent the designated entity. For any activity relating to section 29C.17, subsection 2, or chapter 24, participation shall only be by a commission member or designated alternate that is an elected official from the same designated entity.

III
BYLAWS

The Commission shall adopt bylaws not inconsistent with the provisions of this agreement, and in accordance with the guidelines provided by Iowa Code Section 29C.

IV
FUNDING

The funding for the Marshall County Emergency Management Commission pursuant to Section 29C.17(2)(a) of the Iowa Code shall be annually approved by the Marshall County Emergency Management Commission.

V
PROPERTY

Any and all property acquired for the purpose of implementing this agreement and the functions of the Marshall County Emergency Management Commission, including leasehold and rental agreements, shall be the property of, and in the name of the commission as an independent legal entity and municipality. The property shall be purchased and disposed of during the term of this agreement in accordance with such procedures as the Commission shall deem appropriate, all in accordance with such laws of the State of Iowa as shall apply.

Upon the termination of this agreement, all property of the commission shall be sold by an individual or agency as appointed by the Commission and the proceeds shall be added to the Marshall County Emergency Management fund, and then the fund will be equally divided among the jurisdictions that are members of the Commission at that time. These procedures will be followed except as otherwise required by law or express agreement of all the parties hereto.

VI
LIMITATION OF LIABILITY

All contracts and causes of action and claims arising out of the activities and functions of the Marshall County Emergency Management Commission shall be the obligation of the commission only; and no claimant shall have any resource beyond the limits of the Emergency Management Commission fund. The acts and omissions of the Marshall County Emergency Management Commission and the acts and omissions of its coordinator or other employees or agents shall not create an obligation of any of the parties hereto. When personnel and equipment of any party hereto are placed in action under the auspices of the commission, its coordinator, or the emergency operations plan established by the commission, the commission shall hold such party harmless from loss or liability arising out of such action.

VII
MEMBERS VOTING RIGHTS

In adopting and amending this 28E agreement, each member of the Commission shall have but one vote, of equal weight. Voting by phone or email will be an officially recognized method of vote. Documentation of electronic votes will be made in the minutes of the meeting. Modification of the terms of this 28E agreement will require a majority vote of at least two-thirds (2/3rds) of the Commission, provided that, under the Chair's authority and at least ten(10) days prior to that meeting, each individual member shall have received by email an exact copy of each proposed amendment. A quorum for the conducting of business shall be nine members.

VIII
DURATION

This agreement shall be in effect for perpetuity. It may, however, be amended by mutual agreement of the parties to a duration decided by the Commission. At the time of termination, all property shall pass to Marshall County as provided for in Article V.

IX
CONSENT OF JURISDICTIONS

This document has been presented to the Marshall County Board of Supervisors, the Marshall County Sheriff, and to each and every City Council with the request that their respective jurisdictions become a party to this agreement by adopting a measure to that effect, pursuant to the legislative mandate of Section 29C.9 Code of Iowa.

X
FILING REQUIREMENT

This document shall be filed online with the Iowa Secretary of State's office and annual reports shall be filed as required by the Iowa Secretary of State.

Motion by___________, second by___________, to ____________Resolution #2016-0021, Intergovernmental 28E Agreement for the Establishment of an Emergency Management Commission for Marshall County, IA**.**

Roll call vote:	Thompson-	Grabenbauer-	Patten-
	Member	Chairman	Vice Chairman

_____________________________ Attest: _____________________________

Denny Grabenbauer
Board of Supervisors, Chairman

Deanne Raymond
Marshall County
Auditor and Recorder

12. Secondary Road Equipment Purchase- Discussion and possible action on the purchase of a 2016 Dodge Ram 1500 truck from Ken Wise of Marshalltown, IA. This truck has a crew cab configuration.

Motion by_________, second by___________, to ___________ the purchase of a 2016 Dodge Ram 1500 from Ken Wise of Marshalltown, IA in the amount of $36,063.00. This purchase will be paid from our FY2017 equipment budget.

Roll call vote:	Thompson-	Grabenbauer-	Patten-
	Member	Chairman	Vice Chairman

13. Secondary Road Equipment Purchase- Discussion and possible action on the purchase of 4 Pup Trailers from Henderson Truck Equipment of Manchester, IA. These units will be used with the County's tandem axle trucks.

Motion by_________, second by___________, to ___________the purchase of 4 Pup Trailers from Henderson Truck Equipment of Manchester, IA in the amount of $42,228 each for a total of $168,912. This will be paid from our FY2017 equipment budget.

Roll call vote:	Thompson-	Grabenbauer-	Patten-
	Member	Chairman	Vice Chairman

14. Public Forum— is a 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.

15. Adjournment--The next regular session is May 31, 2016, at 9:00 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 **Thursday,** May 26, 2016, at 1:00 p.m. There being no further business to come before the Board, the meeting is adjourned at ____a.m.

_____________________________ Attest: _____________________________

Denny Grabenbauer
Board of Supervisors, Chairman

Deanne Raymond
Marshall County
Auditor and Recorder