

**Marshall County Board of Supervisors Regular Session
June 26, 2018 at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, June 26, 2018, at 9:00 a.m. in the Courthouse, meeting room #1, NE corner, 3rd floor, with all 3 members present.

Pledge of Allegiance

1. Approval or Amendment of Agenda—

Motion by Thompson, second by Salasek, to approve the agenda as amended. The estimated fees for services were changed in agenda items #21 and #22.

Roll call vote:	Salasek-Aye	Patten-Aye	Thompson-Aye
	Member	Chairman	Vice Chairman

Consent Agenda:

2. Approve Minutes--from Regular Session of June 12, 2018

3. Annual Manure Management Plan Update- Burt Farm & Livestock, Site 8, id no. 59927, annual update report received and placed on file no changes to MMP.

4. Annual Manure Management Plan Update-Justin Whitaker, id no. 66798, annual update report received and placed on file with no changes to the MMP.

5. Accept Annual Manure Management Plan Update-MTM Farms, id no. 61010, annual update report received and placed on file with no changes to the MMP.

6. Accept Annual Manure Management Plan Update-Pickard Brothers Finisher, id no. 68561, annual update report received and placed on file with no changes to the MMP.

7. Approve Transfer of Funds—Transfer #888, a quarterly transfer of \$550,000 from Rural Services Fund to Secondary Road Fund, but not to exceed the maximum transfer and be above the minimum transfer amount required by Iowa code 331.429(b).

Transfer #889, an annual transfer from LOST revenue in the Rural Services Fund to Secondary Road Fund in the amount of \$695,357.83.

Transfer #890, an annual transfer totaling \$1,181.39 from Urban Renewal Tax Revenue Fund to Low to Moderate Income Housing Fund.

Transfer #891, an annual transfer totaling \$2,275.44 from County Attorney Collection Incentive Fund to General Basic Fund for County Attorney office cleaning expense.

Transfer #892, a transfer of \$375,000 from General Basic Fund to Capital Projects Fund.

8. 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 month of June will be published as part of the first meeting in July.

Motion by Salasek, second by Thompson, to approve the consent agenda as printed.

Roll call vote:	Salasek-Aye	Patten-Aye	Thompson-Aye
	Member	Chairman	Vice Chairman

9. Approve Personnel Actions:

- a. Change of Status and Change of Rate of Pay, **Eric Devig**, Secondary Roads, fulltime, Change of Status from Truck Driver 1 to Truck Driver 2, Change Rate of Pay from \$23.96/hr. to ~~\$24.60/hr.~~ **\$24.30/hr.**, effective June 26, 2018.

Motion by Thompson, second by Salasek to approve personnel action, change of status and change of rate of pay, **Eric Devig**, Secondary Roads, fulltime, change of status from Truck Driver 1 to Truck Driver 2, change rate of pay from \$23.96/hr. to ~~\$24.60/hr.~~ **\$24.30/hr.**, effective June 26, 2018.

Roll call vote:	Salasek-Aye	Patten-Aye	Thompson-Aye
	Member	Chairman	Vice Chairman

10. Request for Use of the Courthouse Grounds-Request from MoveOn.org for use of the Courthouse grounds on Saturday, June 30, 2018 from 12-3 p.m. for a peaceful protest in support of children who cannot speak for themselves.

Motion by Thompson, second by Salasek, to approve the request from MoveOn.org for the use of the Courthouse grounds on Saturday, June 30, 2018 from ~~12-3pm~~ **12-1 p.m.** for a peaceful protest in support of children who cannot speak for themselves.

Roll call vote:	Salasek-Aye	Patten-Aye	Thompson-Aye
	Member	Chairman	Vice Chairman

11. Resolution #2018-0034 - Authorizing Board of Supervisors to Sign Documents at the Marshall County Farm Service Agency--

Whereas, from time to time it has been necessary for the Board of Supervisors to sign documents on behalf of Marshall County at the Marshall County Farm Service Agency.

Now, Therefore, Be It Resolved by the Marshall County Board of Supervisors that any member, now or in the future, of the Board of Supervisors, be authorized to sign documents at the Marshall County Farm Service Agency on behalf of Marshall County.

County Farm Land

Legal Description: Land Located: in the S½ of the SW ¼, and the SE ¼ except beginning at the Southeast corner of said SE ¼ , thence North approximately 1280' to a point on the North

line of an East-West entrance driveway, thence West 2,200', thence South 1,320', thence East to the Southeast corner of said SE ¼ and point of beginning, all in Section 9, and the W½ of the SW ¼ of Section 10, except Parcel A in the NW ¼ of the SW ¼, and except that portion of land used for a sewage lagoon by Marshall County and except that portion of land used for access to the sewage lagoon, and except Parcel A in the SW ¼ of the SW ¼, used for the Central Iowa Water tower site, all in Washington Township 83N, Range 19W of the 5th P.M., Marshall County, Iowa, containing approximately 230.0 acres.

Dated this 26th day of June, 2018.

Motion by Salasek, second by Thompson to adopt this Resolution #2018-0034, Authorizing Board of Supervisors to Sign Documents at the Marshall County Farm Service Agency.

Roll call vote:	Salasek-Aye	Patten-Aye	Thompson-Aye
	Member	Chairman	Vice Chairman

Attest:

Bill Patten
Board of Supervisors, Chairman

Nan Benson
Marshall County
Auditor and Recorder

12. Resolution# 2018-0035 - Authorizing Marshall County Conservation Board Director to Sign Documents at the Marshall County Farm Service Agency--

Whereas, from time to time it has been necessary for the Marshall County Conservation Board Director to sign documents on behalf of Marshall County at the Marshall County Farm Service Agency. In the absence of the MCCB Director the MCC Board Chair is authorized to sign documents.

Now, Therefore, Be It Resolved by the Marshall County Board of Supervisors that any Marshall County Conservation Board Director now or in the future, be authorized to sign documents at the Marshall County Farm Service Agency on behalf of Marshall County.

The Klauenberg Prairie Reserve

The Klauenberg Prairie Reserve is located approximately three miles south and one mile west of Van Cleve in south central Marshall County. Legal description (2); The South Half of the Northeast Quarter of Section thirty-four, Township Eighty-two north, Range Nineteen West of the Fifth P.M. Marshall County, Iowa. Total field is 108.48 acres. 89.27 acres of that total is rented by bid process.

Grimes Farm

Legal Description: Part of the Southwest Quarter of Section 5 and part of the Northwest Quarter of Section 8, all in Township 83 North, Range 18 West of the 5th P.M., Marshall County, Iowa. Totaling approximately 35 acres.

Dated this 26th day of June, 2018.

Motion by Thompson, second by Salasek to adopt this Resolution #2018-0035, Authorizing Marshall County Conservation Board Director to Sign Documents at the Marshall County Farm Service Agency. In the absence of the MCCB Director the MCC Board Chair is authorized to sign documents.

Roll call vote:	Salasek-Aye	Patten-Aye	Thompson-Aye
	Member	Chairman	Vice Chairman

_____ Bill Patten Board of Supervisors, Chairman	Attest: Nan Benson Marshall County Auditor and Recorder
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13. Resolution #2018-0036

E911 Joint Services Board Fiscal Agent

Whereas, the City of Marshalltown in the past has performed the function of fiscal agent for the E911 Joint Services Board as part of the prior 2010 28E agreement and;

Whereas, the City of Marshalltown has given notice that the City will no longer serve as fiscal agent after June 30, 2018 and:

Whereas, Iowa Code requires a fiscal agent for the E911 Joint Services Board;

Be it Resolved, the Marshall County Board of Supervisors volunteer to serve as fiscal agent for the E911 Joint Services Board effective upon approval of E911 Joint Services Board.

Approved this 26th of June, 2018

Motion by Thompson, second by Salasek, to adopt Resolution #2018-0036, E911 Joint Services Board Fiscal Agent effective upon approval of E911 Joint Service Board.

Roll call vote:	Salasek-Aye	Patten-Aye	Thompson-Aye
	Member	Chairman	Vice Chairman

_____ Bill Patten Board of Supervisors, Chairman	Attest: Nan Benson Marshall County Auditor and Recorder
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14. Resolution #2018-0037

Approving the Assignment of Certificate of Purchase at Tax Sale

Whereas, the City of Marshalltown, Marshalltown, Iowa, requests to obtain certificate of tax sale #2018-N000 for the following:

Parcel Number 8418-26-277-001, Property Address: 719 N 4th Ave, Marshalltown, IA
50158 – with the taxable description of:
BINFORD PARK MANOR ADD LOT 10 BLK 4

Whereas, the City of Marshalltown, Marshalltown, Iowa, requests to obtain certificate of tax sale #2018-N001 for the following:

Parcel Number 8418-28-481-008, Property Address: 112 N 18th St, Marshalltown, IA
50158 – with the taxable description of:
SUMMIT PARK ADD LOT 19

Whereas, the City of Marshalltown, Marshalltown, Iowa, requests to obtain certificate of tax sale #2018-N002 for the following:

Parcel Number 8418-36-380-012, Property Address: 1001 S 10th Ave, Marshalltown, IA
50158 – with the taxable description of:
FRELAND HEIGHTS ADD LOT 29

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 for each assignment of tax sale certificate fee payment.

Motion by Salasek, second by Thompson, to adopt Resolution #2018-0037,
Approving the Assignment of Certificate of Purchase at Tax Sale.

Roll call vote:	Salasek-Aye	Patten-Aye	Thompson-Aye
	Member	Chairman	Vice Chairman

Bill Patten
Board of Supervisors, Chairman

Attest:

Nan Benson
Marshall County
Auditor and Recorder

15. Resolution #2018-0038

Abatement of Mobile Home Taxes

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 law suit 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 taxes:

3202 South 12th St, Lot 137. Marshalltown, Iowa, a mobile home described as a 1995 Champion. VIN #05955758793, with current and delinquent taxes in the amount of \$105.00 which includes penalty and interest.

Now, Therefore, Be it Resolved, by the Marshall County Board of Supervisors that the amount due be abated and the County Treasurer is directed to strike the amounts due from the county system.

Motion by Thompson, second by Salasek, to adopt Resolution #2018-0038, Abatement of Mobile Home Taxes.

Roll call vote:	Salasek-Aye	Patten-Aye	Thompson-Aye
	Member	Chairman	Vice Chairman

Bill Patten
Board of Supervisors, Chairman

Attest:

Nan Benson
Marshall County
Auditor and Recorder

16. Authorize Lease-Purchase Agreement—Discussion and possible action on the authorization of a lease purchase agreement for two Dodge RAM 1500 SSV Trucks and one Dodge Charger Pursuit Vehicle for the Sheriff's Office. The public hearing was held on February 7, 2017.

Motion by Salasek, second by Thompson, to approve the lease-purchase agreement and authorize the chairman to sign.

Roll call vote:	Salasek-Aye	Patten-Aye	Thompson-Aye
	Member	Chairman	Vice Chairman

17. Resolution #2018-0039-Appropriation of Funds-FY 2018-19

Whereas, it is desired to make appropriations for each of the different officers and departments for the fiscal year beginning July 1, 2018, in accordance with Section 331.434(6), Code of Iowa; Now Therefore Be It Resolved by the Board of Supervisors of Marshall County, Iowa, as follows:

<u>Department</u>	<u>Appropriation</u>
#01 Supervisors	181,070
#02 Auditor and Recorder	987,185
#03 Treasurer	700,560
#04 County Attorney	1,270,530
#05 Sheriff	6,118,765
#08 Buildings and Grounds	1,166,900
#09 Zoning	67,720
#15 Information Systems	737,400
#16 GIS	190,655
#19 General Assistance	32,270
#20 County Engineer	7,966,000
#21 Veteran Affairs	85,215
#22 County Conservation	1,059,081
#23 Local Health Board	251,470
#24 Weed Eradication	94,105
#25 Dept. of Human Services	166,028
#28 Medical Examiner	111,550
#31 District Court	272,833
#33 County Library Contract	69,442
#40 Harvester TIF	70,000
#42 Gateway TIF	46,000
#60 Mental Health Administration	1,072,570
#70 Local Emergency Management	1,015,154
#84 County Capital Building	200,000
#99 Nondepartmental	745,714
Total	24,678,217

Section 1. The amounts itemized by department are hereby appropriated from the resources of the County to the department or officer listed.

Section 2. Subject to the provisions of other county procedures and regulations and applicable state law, these appropriations shall constitute authorization for the department or officer listed to make expenditures or incur obligations effective July 1, 2018.

Section 3. In accordance with Section 331.437, Code of Iowa, no department or officer shall expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure of money for any purpose in excess of the amounts appropriated pursuant to this resolution.

Section 4. If at any time during the 2018-19 budget year the Auditor and Recorder shall ascertain that the available resources of a department for that year will be less than said department's total appropriation, the Auditor and Recorder shall immediately so inform the Board and recommend appropriate corrective action.

Section 5. The Auditor and Recorder shall establish separate accounts for the appropriations, each of which shall indicate the amount of appropriation, the amounts charged thereto, and the unencumbered balance. The Auditor and Recorder shall report the status to the applicable departments and officers monthly during the 2018-19 budget year.

Section 6. All appropriations authorized pursuant to this resolution lapse at the close of business June 30, 2019.

Dated at Marshalltown, Iowa, this 26th day of June, 2018.

Motion by Thompson, second by Salasek, to adopt Resolution #2018-0039, Appropriation of Funds-FY2018-19.

Roll call vote:	Salasek-Aye	Patten-Aye	Thompson-Aye
	Member	Chairman	Vice Chairman

Bill Patten
Board of Supervisors, Chairman

Attest:

Nan Benson
Marshall County
Auditor and Recorder

18. Resolution #2018-0040-Advance Issuance of Payments

The Board of Supervisors, pursuant to Section 331.506 (3a and b), Code of Iowa, may authorize the County Auditor and Recorder to issue payment when said Board is not in session for the following purposes:

1. Fixed charges including but not limited to, freight, express, postage, water, light, and telephone service or contracted services, after a bill is filed with the Auditor and Recorder.

2. Salaries and payrolls if the compensation has been fixed or approved by the Board. The salary or payroll shall be certified by the officer or supervisor under whose direction or supervision the compensation is earned.

Therefore Be It Resolved to authorize the County Auditor and Recorder to issue payments for the aforementioned when said Board is not in session.

Be it further resolved, all bills paid under provisions of Section 331.506 (3a and 3b), Code of Iowa, shall be submitted to the board for review and approval following the payment.

Dated at Marshalltown, Iowa, this 26th day of June, 2018.

Motion by Salasek, second by Thompson, to adopt Resolution #2018-0040, Advanced Issuance of Payments for FY2018-19.

Roll call vote:	Salasek-Aye	Patten-Aye	Thompson-Aye
	Member	Chairman	Vice Chairman

_____ Bill Patten Board of Supervisors, Chairman	Attest: _____ Nan Benson Marshall County Auditor and Recorder
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19. Resolution #2018-0041—Establish the Marshall County Communications Commission Fund

A 28E agreement was signed on January 15, 2018 creating the Marshall County Communications Commission, and

The Commission shall be financed through a county-wide supplemental levy (the Emergency 911 Commission Levy) as authorized by sections 29C.9 (6) and 331.424(9) of the Iowa Code, and

The Emergency Management Commission budget will include the proposed Communications Commission budget, and

The Emergency Management Commission will receive funds from the Emergency 911 Commission Levy semi-annually from Marshall County General Supplemental Fund, and

The Emergency Management Commission will transfer those same funds semi-annually to the Marshall County Communications Commission, and

Marshall County was designated as the fiscal agent and desires to set up an agency, or non-budgetary, fiduciary fund for the expenses and receipts of the Marshall County Communications Commission.

Therefore, Be It Resolved that a new agency fund be established and named Marshall County Communications Commission Fund.

Dated at Marshalltown, Iowa, this 26th day of June, 2018.

Motion by Thompson, second by Salasek, to adopt Resolution #2018-0041, Establish Marshall County Communications Commission Fund.

Roll call vote:	Salasek-Aye	Patten-Aye	Thompson-Aye
	Member	Chairman	Vice Chairman

_____ Bill Patten Board of Supervisors, Chairman	Attest: _____ Nan Benson Marshall County Auditor and Recorder
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20. Resolution #2018-0042—Maintain Marshall County Chart of Accounts

Marshall County maintains governmental and fiduciary funds in the Marshall County Chart of Accounts according to the Uniform Chart of Accounts for Iowa County Governments and the Iowa Department of Management, and

At certain times it becomes necessary for the County to rename funds, and

It is also desirable to delete funds from the County Chart of Accounts after all cash has been expended or ending cash balance has been transferred to another fund,

The County Recorder's Electronic Transaction Fund has not been active since fiscal year 2006, and

The Early Childhood Program Fund was established for pass-through grant funds and has not been active since fiscal year 2012, and

The School Ready Children Services Fund was established for pass-through grant funds and has not been active since fiscal year 2012.

Be It Resolved beginning in FY2019 that the Local Emergency Management Fund be known as Emergency Management Commission Fund, and

The County Recorder's Electronic Transaction, Early Childhood Program and School Ready Children Services funds be deleted from the County's chart of accounts.

Dated at Marshalltown, Iowa, this 26th day of June, 2018.

Motion by Salasek, second by Thompson, to adopt Resolution #2018-0042, Maintain Marshall County Chart of Accounts.

Roll call vote:	Salasek-Aye	Patten-Aye	Thompson-Aye
	Member	Chairman	Vice Chairman

Bill Patten
Board of Supervisors, Chairman

Attest:

Nan Benson
Marshall County
Auditor and Recorder

21. Secondary Road-Supplemental Agreement for Final Design Services with Calhoun-Burns and Associates, Inc--Discussion and possible action on a supplemental agreement with Calhoun-Burns & Associates for final design services to Marshall County Bridge #G-10 located in Section 23 of Taylor Township. This will be funded by FY19 ~~equipment~~ budget. The estimated fees for these services is ~~\$5,950.00~~ **\$27,790.00**.

Motion by Thompson, second by Salasek, to approve the supplemental agreement with Calhoun-Burns and Associates for final design services on Bridge #G-10.

Roll call vote:	Salasek-Aye	Patten-Aye	Thompson-Aye
	Member	Chairman	Vice Chairman

22. Secondary Road-Supplemental Agreement for Final Design Services with Calhoun-Burns and Associates, Inc--Discussion and possible action on a supplemental agreement with Calhoun-Burns & Associates for final design services to Marshall County Bridge #G-13 located in Section 26 of Taylor Township. This will be funded by FY19 equipment budget. The estimated fees for this work is ~~\$16,570.00~~ **\$113,790.00**.

Motion by Salasek, second by Thompson to approve the supplemental agreement with Calhoun-Burns and Associates for final design services on Bridge #G-13.

Roll call vote:	Salasek-Aye	Patten-Aye	Thompson-Aye
	Member	Chairman	Vice Chairman

23. Secondary Road Equipment Purchase—Discussion and possible action to approve the purchase of a New Holland ~~T.4110~~ **T4.110** Utility Tractor with a loader.

Motion by Thompson, second by Salasek, to approve this equipment purchase of a New Holland ~~T.4110~~ **T4.110** Utility Tractor with a loader to be paid out of FY19 equipment budget.

Roll call vote:	Salasek-Aye	Patten-Aye	Thompson-Aye
	Member	Chairman	Vice Chairman

24. My Marshalltown “M” Project—Discussion and possible action to approve a request from Gary Schaudt, sponsor, to place a My Marshalltown “M” on Marshall County Courthouse grounds in SW corner.

Motion by Thompson, second by Salasek, to approve this request.

Roll call vote:	Salasek-Aye	Patten-Aye	Thompson-Aye
	Member	Chairman	Vice Chairman

25. Public Forum— No public comments.

26. Adjournment--The next regular session is July 10th, 2018, 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, July 5th, 2018, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 10:31 a.m.

Bill Patten
Board of Supervisors, Chairman

Attest:

Nan Benson
Marshall County
Auditor and Recorder

The Board of Supervisors’ calendar can be viewed <http://goo.gl/yubHzV>