Marshall County Board of Supervisors Regular Session
September 4, 2018 at 9:00 a.m.

AGENDA

The Board will meet in regular session on Tuesday, September 4, 2018, at 9:00 a.m. in the Great Western Bank Building, 11 N. 1st Ave. (North Entrance), 2nd floor, NW corner of the Building, Board of Supervisors' meeting room, 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:	Salasek-	Patten-	Thompson-
	Member	Chairman	Vice Chairman

Consent Agenda:

2. Approve Minutes--from Regular Session of August 21, 2018.

3. Destruction of Records--request from County Auditor and Recorder to destroy the following election materials:

a) Election Voter Registrations greater than 50 years old

4. Accept Annual Manure Management Plan Annual Update- Mead Family Farms id no. 61407, annual update received and placed on file with the following change made to the MMP: MMP 4 year update.

5. Accept Annual Manure Management Plan Annual Update- PAG L.C., id no. 59611, annual update received and placed on file with no changes made to the MMP.

6. Accept Annual Manure Management Plan Annual Update-South Hardin Farms, LLC, id no. 65416, annual update received and placed on file with the following changes made to the MMP: crop rotation or optimum fields and used manure analysis.

7. Accept Annual Manure Management Plan Annual Update-Edler Brothers, Section 13, Schaffer Site, id no. 62427, annual update received and placed on file with the following changes made to the MMP: 4 year update.

8. Appointment- Commencing September 4, 2018

a. Marshall County Commission of Veteran's Affairs- Appoint Robert Grimes to fulfill the unexpired term of Laurel Phillips who passed away July 28, 2018. This term is effective 9-4-18 to 12-31-2020.

9. 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 September will be published as part of the first meeting in October.

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

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

10. Request Approval for Use of the Mobile Band Shell-The Marshall County Prayer Task Force and churches of Marshalltown have submitted a completed rental agreement for use of the mobile band shell during a Community Worship Service at Riverview Park on Saturday, September 22, 2018 from 1-3 p.m.

Motion by______________, second by_____________, to ______________ this request from Marshall County Prayer Task Force and the churches of Marshalltown for use of the mobile band shell during a Community Worship Service at Riverview Park on Saturday, September 22, 2018 from 1-3 p.m.

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

11. Class C Native Wine (WCN) License Renewal—A request from Buzzed Bee Meadery, Inc. for renewal of their Class C Native Wine license with Living Quarters, Outdoor Service and Sunday Sales Privileges.

Motion by___________, second by ___________, to___________ the request from Buzzed Bee Meadery, Inc. for renewal of the Class C Native wine (WCN) license #WCN000167. This license includes: Living Quarters, Outdoor Service and Sunday Sales Privileges, effective October 1, 2018 to September 30, 2019.

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

12. Class B Native Wine Permit (WBN)-A request from Roy Bradbury II, owner of Green Mountain ABS, 1851 Yates Ave., to approve a Class B Native Wine Permit (WBN) for the sale of sealed bottles of native Iowa wine for off sight consumption**.** This permit includes outdoor service and is effective 9-4-18 to 9-4-19.

Motion by__________, second by____________, to ____________ this request.

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

13. Request from "Friends of Marshall County Conservation" Group – A request from "Friends of Marshall County Conservation" to obtain a liquor license for a wine and cheese fundraising event on October 12, 2018 from 5:30-8:00p.m. at the Grimes Farm Nature Center. Proceeds go to Friends of Marshall County Conservation group to support the parks in Marshall County, IA.

Motion by____________, second by____________, to_____________ this request.

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

14. Johnson Controls Inc. Planned Service Proposal-Discussion and possible action to approve the Johnson Controls planned service agreement for the Marshall County Courthouse. This 1 year service agreement is effective 8-1-2018 through 7-31- 2019 and will provide service to the Courthouse chiller and software update.

Motion by, ____________, second by____________, to ___________this service agreement with Johnson Controls Inc. effective 8-1-2018 through 7-31- 2019. This agreement provides service on the Courthouse chiller and software update in the amount of $8,244.00.

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

15. Resolution #2018-0048-Central Iowa Juvenile Detention Center 28E Agreement
Discussion and possible action to adopt the Central Iowa Juvenile Detention Center 28E Agreement—The 28E Agreement can be found at the end of this agenda.

Motion by__________, second by__________, to____________ Resolution #2018-0048, Central Iowa Juvenile Detention Center 28E Agreement.

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

______________________________ Attest: ______________________________

Bill Patten
Board of Supervisors, Chairman

Nan Benson
Marshall County
Auditor and Recorder

16. Great Western Bank Holiday Observance-Discussion and possible action regarding

the Great Western Bank Columbus Day holiday observance on Monday, October 8, 2018 for county employees.

Motion by___________, second by____________, to________________________.

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

17. Sheriff's Department-Extension to 28E Agreement between Marshall County and the City of St. Anthony for Law Enforcement Protection--Discussion and action on the Extension Agreement regarding the 28E Agreement between Marshall County and the City of St. Anthony for law enforcement protection within the corporate limits of the City of St. Anthony. The agreement is effective July 1, 2018 - June 30, 2019. The City of St. Anthony agrees to pay Marshall County the sum of $2,280.00.

Motion by ___________, second by ____________to ____________ the extension to the 28E Agreement between Marshall County and the City of St. Anthony effective July 1, 2018- June 30, 2019. The City of St. Anthony agrees to pay Marshall County the sum of $2,280.00.

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

Tabled from July 24, 2018 B.O.S. Meeting

18. Approval of Personnel Policy Revisions-Discussion and possible action to approve revisions to the Marshall County Personnel Policy. The Personnel Policy is available on the county website and by contacting the Auditor and Recorder's office.

Motion by __________, second by ____________, to __________ the Marshall County Personnel Policy revisions effective __________, 2018.

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

19. 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.

20. Adjournment--The next regular session is September 18, 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, September 13, 2018, at 1:00 p.m. There being no further business to come before the Board, the meeting is adjourned at ____a.m.

______________________________ Attest: ______________________________

Bill Patten
Board of Supervisors, Chairman

Nan Benson
Marshall County
Auditor and Recorder

The Board of Supervisors' calendar can be viewed at: http://goo.gl/yubHzV

CENTRAL lOWA JUVENILE DETENTION CENTER
2317 Rick Collins Way, Eldora, lA 50627
28E Agreement- 08-24-18

ARTICLE I- NAME
The official name of this corporation shall be: Central Iowa Juvenile Detention Center (CIJDC)
ARTICLE II - PURPOSE
1. To form a 28E Corporation to provide Juvenile Justice and Social Services.
ARTICLE III- LEGAL STATUS
1. CIJDC is a 28E Corporation and shall be a public body and a separate legal entity exercising public and essential governmental functions. CIJDC shall be governed by a commission as specified in Article VIII.
ARTICLE IV-COMMENCEMENT OF OPERATIONS
1. The operations of this Corporation shall commence upon filing of these Articles with the Iowa Secretary of State and recording with each of the Member County's Recorder
2. The effective date of the Corporation will be August 1, 1993.
ARTICLE V- DURATION
1. The duration and existence of this Corporation shall be perpetual unless dissolved.
ARTICLE VI-POWERS AND DUTIES
1. The Commission shall have the following powers:
a. To adopt and have a common seal and to alter the same at pleasure.
b. To sue and be sued.
c. To acquire, hold and use and dispose of the reserves derived from the operations of its facilities and other moneys of the Corporation.
d. To acquire, hold, use and dispose of other personal property for the purposes of the Corporation.
e. To acquire by purchase, gift, lease or otherwise, real property and easements therein, if any, and to hold and use the same, and to dispose of property so acquired no longer necessary for the purposes of this Corporation.
f. To accept gifts or grants of real or personal property, money, material, labor or supplies for the purposes of the Corporation, and to make and perform such agreements and contracts as may be necessary or convenient in connection with the procuring, acceptance or disposition of such gifts or grants.
g. To make and enforce by-laws or rules and regulations for the management and operation of its business and affairs and for the use, maintenance and operation of its facilities and any other of its properties, and to annul the same.
h. To do and perform any acts and things authorized by Iowa Code Chapter 28E, as amended and by this Agreement, under, through or by means of its, agents and employees, or by contracts with any person.
i. To enter into any and all contracts, execute any and all instruments, and do and perform all acts or things necessary or desirable for the purpose of the Corporation or to carry out any powers expressly given by this Agreement.
j. To make or cause to be made studies and surveys necessary or useful and convenient to carrying out the functions of the Corporation.

k. To contract with and compensate consultants for professional services including but not limited to architects, engineers, planners, lawyers, accountants, and others found necessary or useful and convenient to the stated purpose of the Corporation.
1. To provide for a system of budgeting, accounting, auditing and reporting of all Corporation funds and transactions, for a depository, and for bonding of employees.
m. To consult with representative of Federal, State, and local agencies, departments and their officers and employees and to contract with such agencies and departments.
n. To provide in the preceding authorizing such obligations for remedies upon default in the payment of principal and interest on such obligations including but not limited to, the appointment of a trustee to represent the holders of such obligations in default and the appointment of a receiver of the Corporation's property, such trustee and such receiver to have the powers and duties provided for in the proceeding authorizing such obligations.
o. To hire employees, set their compensation, benefits, personnel rules and regulations, and terminate their employment.
p. To borrow money and accept grants, contributions or loans from, and to enter into contracts, leases, or other transactions.
2. Duties of the Commission
a. To approve policy, staff and to serve member governments and agencies to fulfill the purposes as outlined in Article I. The Corporation may contract with any public or private entity.
b. The Commission shall adopt and revise Bylaws as necessary for the proper operation of the Center. Such Bylaws shall become effective when adopted by the Commission.

ARTICLE VII- FINANCING

1. The Corporation shall operate on a fiscal year basis, July 1 through June 30.
2. Prior to the end of each Fiscal Year the Commission shall review a proposed budget for the next fiscal year, prepared by the C.I.J.D.C. Executive Director.
3. The budget shall project anticipated revenues and expenditures.
4. The Commission shall adopt the budget for the next fiscal year no later than June 25111
5. All expenditures provided for herein shall be subject to the provisions of Chapter 24 of the current Code of Iowa and the Chair or a Vice-Chair of the Commission is hereby declared to be the certifying official.
6. Per Diem Detention Rates shall be established and adjusted by the Commission.

ARTICLE VIII- MEMBERSHIP

1. Members & Date Joined: Boone, Calhoun, Hardin, Hamilton, Story, Webster 09-03-93 Marshall 02-04-94 Winnebago 07-07-95 Greene 06-11-99 Tama 01-07-00 Poweshiek 02-02-01 Jasper & Hancock 12-14-01 Humboldt 01-11-02 Kossuth 12-12-02 Iowa 11-07-03 Buena Vista & Palo Alto 12-01-08 Floyd 08-27-09 Wright 10-08-09 Franklin 06-11 -10 Mahaska 09-10-10 Appanoose 05-13-11 Benton 06-21-13 Emmet 02-15-14 Lucas 01-24-17 Crawford 02-07-17 Worth 03-06-17 Dubuque 04-24-17 Buchanan 06-22-18
2. Method of Joining- Any county may join this Corporation by proceeding in the following manner.
a. The Board of Supervisors of the applicant county shall pass a resolution requesting membership in CIJDC.
b. Acceptance of the applicant county shall be by majority a vote of the CIJDC Commission.
c. The applicant county may be assessed an initial fee, determined by the CIJDC Commission.

d. The Board of Supervisors of the joining county shall appoint a Delegate and Alternate
3. Duration of Membership- A member county remains a member until such time as:
a. The Corporation is dissolved or the Member County terminates membership
4. Membership-Termination- Members may withdraw from this Corporation in the following manner:
a. The Member County Board of Supervisors, shall adopt a Resolution requesting to withdraw their membership from the 28E and shall forward a copy to CIJDC.
b. The Commission will approve the Resolution during their next meeting.
c. Any member that terminates membership shall forfeit all financial interest in CIJDC.

ARTICLE IX- APPOINTMENTS TO THE COMMISSION

1. Each county shall appoint a County Supervisor as: Commission Member and Alternate at the annual meeting

ARTICLE X - OFFICERS, MEETINGS, EMPLOYEES AND VOTING

1. Executive Officers. The Executive Officers will consist of:
Ex-Officio- former Chair of the Commission; Chair; 1st Vice-Chair; 2nd Vice-Chair
The Commission shall elect from its membership a Chair, a 1st Vice-Chair, and 211d Vice-Chair. They shall serve for a term of one year through January, or until their successors are elected, or they no longer represent their county in the same manner. In this event the remaining members shall elect a replacement. The Ex-Officio Member has voting rights on the Executive Committee only if another member is absent.
2. Meetings- The Commission shall meet not less than quarterly and at such times as the Chair or Vice-Chair shall call a meeting of the Commission.
3. Personnel- The Commission may employ staff, pay independent contractors and pay consultants.
4. Voting- Each member of the Commission shall be entitled one vote, to be cast by the Delegate or Alternate.
5. Quorum- A simple majority of present members shall constitute quorum and be sufficient to pass motions.

ARTICLE XI-BYLAWS

1. The Commission shall adopt bylaws for the operation of the Corporation.
2. Bylaws may be repealed, changed, or modified by a majority vote of the Commission.

ARTICLE XII - DISSOLUTION

1. This 28E Agreement created may be dissolved by a majority vote of the Member Counties. Upon such dissolution all assets shall be liquidated and the net proceeds and all debt shall be distributed to the member counties of this Corporation according to the Member Equity Formula. The Member Equity Formula is derived by most current data in equal parts of the following 5 factors: Factors #1 -#4 Last 4 Fiscal Years of Bed Days at CIJDC, Factor #5 County Population from most recent Census.

ARTICLE XIII- AMENDMENTS

1. The terms of this 28E Agreement may be modified by a majority vote of the Commission.
2. Commission Members must receive a copy of proposed changes at least twenty (20) days prior to the date that action is to be taken.

ARTICLE XIV- SEVERABILITY

1. If any provisions of this 28E Agreement, or the application thereof to any person or circumstance, are held to be invalid, such invalidity shall not affect other provisions or

applications or these Articles, which can be given effect with the invalid provisions or applications and to this end the provisions of these Articles are declared to be severable.

David Thompson, Commission Chair	Date	Tony Reed, Executive Director	Date