

**Marshall County Board of Supervisors
Regular Session February 19, 2019 at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, February 19, 2019, at 9:00 a.m. in Great Western Bank, 11 N. 1st Ave., Marshalltown, Iowa, meeting room #1, 2nd floor (north entrance) with all 3 members present.

Pledge of Allegiance

1. Approval or Amendment of Agenda—

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

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

2. Years of Service Recognition-Wesley Beane (Sheriff's Office) – 20 years, Austin Ewalt (Secondary Road Department) – 5 years

3. 2018-2019 Budget Amendment, Public Hearing—

At the public hearing, any resident may present objections to or arguments in favor of any part of the amendment to the current 2018-2019 county budget.

There were no written comments, questions, or objections on file in the County Auditor and Recorder's Office. Of the 5 individuals attending the public hearing, no individual(s) presented oral comments, questions, or objections.

Motion by Patten, second by Thompson, to close the public hearing at 9:04 a.m.

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

4. Resolution #2019-0010

2018-2019 Budget Amendment

The proposed 2018-19 budget amendment was published in the Marshalltown Times-Republican and the State Center Mid-Iowa Enterprise on February 7, 2019; 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 by the Marshall County Board of Supervisors that the 2018-19 county budget amendment be adopted and the County Auditor and Recorder be authorized to certify and file the budget amendment as published and presented at the hearing.

Dated at Marshalltown, Iowa this 19th day of February, 2019.

Motion by Thompson, second by Patten, to adopt Resolution #2019-0010, 2018-2019 Budget Amendment.

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

Attest:

Bill Patten
Board of Supervisors, Chairman

Nan Benson
Marshall County
Auditor and Recorder

5. Resolution #2019-0011

Re-Appropriation of Funds for FY 2018-2019

Be It Resolved that the estimated appropriations approved by the Board for the various departments in the County at the beginning and during the fiscal year are adjusted to reflect the expenditures incurred and to be incurred.

<u>Department</u>	<u>Current Appropriation</u>	<u>Re-Appropriation</u>
#01 – Supervisors	181,070	181,070
#02 – Auditor and Recorder	987,185	994,185
#03 – Treasurer	700,560	695,560
#04 - County Attorney	1,270,530	1,279,530
#05 – Sheriff	6,118,765	6,178,765
#08 – Buildings & Grounds	1,166,900	1,171,900
#09 – Zoning	67,720	67,720
#15 - Information Systems	737,400	755,160
#16 – GIS	190,655	190,655
#19 - General Assistance	32,270	32,270
#20 - County Engineer	7,966,000	8,622,000
#21 - Veteran Affairs	85,215	90,400
#22 - County Conservation	979,081	1,072,382
#23 - Local Health Board	251,470	259,970
#24 - Weed Eradication	79,557	94,105
#25 - Dept. of Human Services	166,028	166,028
#28 - Medical Examiner	111,550	111,550

<u>Department</u>	<u>Current Appropriation</u>	<u>Re-Appropriation</u>
#31 - District Court	272,833	272,833
#33 - County Library Contract	69,442	69,442
#40 – Harvester TIF	248,804	248,804
#42 – Gateway TIF	22,820	46,000
#60 - Mental Health Admin	1,072,570	1,070,870
#70 - Local Emergency Mgmt.	1,015,154	1,015,154
#84 - County Capital Building	200,000	16,000,000
#99 – Nondepartmental	684,638	645,714
Total	24,678,217	41,423,067

Dated at Marshalltown, Iowa this 19th day of February, 2019.

Motion by Patten, second by Thompson, to adopt Resolution #2019-0011,
Re-appropriation of funds for FY 2018-2019.

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

Bill Patten
Board of Supervisors, Chairman

Attest:

Nan Benson
Marshall County
Auditor and Recorder

6. 2019-2020 Budget, Public Hearing—

At the public hearing, any resident may present objections to or arguments in favor of any part of the proposed budget.

There were no written comments, questions, or objections on file in the County Auditor and Recorder's Office. Of the 5 individuals attending the public hearing, no individual(s) presented oral comments, questions, or objections.

Motion by Patten, second by Thompson, to close the public hearing at 9:08 a.m.

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

7. Resolution #2019-0012

Adopt Budget and Certify Taxes for Fiscal Year 2019-2020

The proposed 2019-2020 County Budget was published in the Marshalltown Times-Republican and State Center Mid Iowa Enterprise, on February 7, 2019; 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 2019-2020 be adopted and the County Auditor and Recorder authorized to certify and file the budget and certificate of taxes as adopted.

Dated at Marshalltown, Iowa this 19th day of February, 2019.

Motion by Thompson, second by Patten to adopt Resolution #2019-0012, Adopt Budget and Certify Taxes for Fiscal Year 2019-2020.

Discussion: Dave is going by our levy rate history, this is the lowest since 2007. We reduced 11.13 cents from last year. State Center and Marshalltown also had changes in their TIF Valuations. The County has had good management of the County which lowers the levy rate. Dave wants to caution that next year could be different because of valuations due to Marshalltown Tornado and reduced agriculture economy. Our combined levy will be \$9.32224 for FY 19-20.

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

Bill Patten
Board of Supervisors, Chairman

Attest:

Nan Benson
Marshall County
Auditor and Recorder

Consent Agenda:

8. Approve Minutes--from Regular Session of February 5, 2019

9. Accept Annual Manure Management Plan Update- Edler Brothers Farm, id no. 58296, annual update report received and placed on file with no changes made to the MMP. 4 year Update.

10. Accept Grimes Organic Field Lease Agreement-lease agreement between Marshall County Conservation Board and Russ Paul for 14 acres more or less of cropland located in part of the SE ¼ of the SE ¼ of Section 5, T83N, R18W and part of the NE ¼ of the

NE ¼ of Section 8, T83N, R18W of the 5th P.M., Marshall County, IA. effective March 15, 2019 and continuing from year to year unless terminated by either party.

- 11. 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 February will be published as part of the first meeting in March.

Discussion: Bill said the Marshall County Conservation Board has already approved item #10 and this is just a formality.

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

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

12. Approve Personnel Action:

- a. Change of Status and Change Rate of Pay, **Raymond Meling**, fulltime, Change of Status from Truck Driver 1 to Truck Driver 2, Change Ray of Pay from \$24.38 to \$24.73, effective February 19, 2019.

Motion by Thompson, second by Patten, to approve personnel action.

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

- 13. Roof Bid Package Alternate 3 Beam and Sheathing Repair**--Discussion and possible action to approve Renaissance Roofing, Belvidere, Illinois in the amount of \$79,856.

Discussion: Lucas said this is part of the original bid package as what should be repaired but not as a result of the tornado. This is the first set of what has been found as the roof repair continues. This has become apparent also as duct work is getting removed. This saves us money because the roofing company is already here. Steve asked how many more issues we are anticipating. Lucas said the roofing company is currently working on review of some possible masonry deterioration.

Motion by Patten, second by Thompson, to approve this action.

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

- 14. Roof Bid Package Alternate 1 Gutter Heat:** Discussion and possible action to approve Nelson Electric, Ames, Iowa in the amount of \$48,742.40.

Discussion: Lucas said this went out to bid as well. Nelson Electric has done some work and has been happy with their work. This will solve a freeze/thaw issue we have on the south side of building February/March to keep the ice from building up. Lucas said Renaissance Roofing also bid, but Nelson Electric in Ames was the most local bidder.

Motion by Thompson, second by Patten, to approve this action.

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

15. Dome and Tower Alternate 5 Interior Tuck-Pointing: Discussion and possible action to approve Ciro Dilorio Masonry & Landscaping, Marshalltown, Iowa in the amount of \$79,721.60.

Discussion: Lucas said that Ciro are the masons we have accepted the bid for chimney replacement. This tuck pointing is our responsibility beginning on level 7 up to the bottom of the dome. This is more labor intensive versus materials. This is really preserving the life of the Courthouse. Ciro is a Marshalltown contractor. We have had good luck with him previous. Steve asked about how close the other bids were. Lucas said one was really high.

Motion by Patten, second by Thompson, to approve this action.

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

16. Carpentry RFI 14 Ledger Replacement: Discussion and possible action to approve Renaissance Roofing, Belvidere, Illinois in the amount of \$12,989.76.

Discussion: Lucas said this is the first RFI that we have found that is above and beyond the original roof bid package. It is a deteriorated beam which is the County's responsibility. There is a whole process of determining if it is something that is Insurance or County's responsibility. There is two more and probably a third that will be coming for approval.

Motion by Thompson, second by Patten, to approve this action.

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

17. Resolution # 2019-0013

28E COOPERATIVE AGREEMENT BETWEEN THE CITY OF MARSHALLTOWN AND MARSHALL COUNTY FOR COLLECTION OF CITY OF MARSHALLTOWN DELINQUENT PARKING TICKETS

THIS AGREEMENT made and entered into effective the 1st day of March 2019, by and between the City of Marshalltown, Iowa and Marshall County, Iowa WITNESSETH:

WHEREAS, it is the best interest of the City of Marshalltown and Marshall County to enter into this cooperative agreement.

WHEREAS, Iowa Code Section 331.553(8) provides that a county may enter into an agreement with a city pursuant to the provisions of Iowa Code Chapter 28E whereby the county treasurer agrees to collect or enforce delinquent parking tickets on behalf of a city in conjunction with renewal of vehicle registrations pursuant to Iowa Code Sections 321.40(7) and 321.236; and

THEREFORE, IN CONSIDERATION of the recitals, representation, covenant and Agreements set forth herein, the parties hereby represent, covenant and agree as follows:

1. City parking tickets that are unpaid within 30 days after the first statement to violators is sent, are eligible to be presented for collection through the Marshall County Treasurer's Office and the Department of Motor Vehicle.
2. The City of Marshalltown shall provide to the Iowa Department of Transportation, the information in the City's possession necessary to identify each delinquent parking ticket debtor as determined by the City and the debt amount owed. This information shall be delivered electronically and provided in a format as determined by the Iowa Department of Transportation. It will be the responsibility of the City to update this information should the status on a ticket be changed due to payment at City Hall, or voiding for any reason. The City shall hold the County harmless and the City shall assume all liability for any failure to update ticket status information.
3. The Marshall County Treasurer will accept payment (cash, check, money order, debit card, credit card, ACH) for City of Marshalltown's delinquent parking tickets. The Marshall County Treasurer will ACH the amount of delinquent parking ticket debt collections to the City of Marshalltown by the 15th day of each month following collection. The Marshall County Treasurer agrees to notify the City by email the following day of collections and provide notice of any returned payments. The email will include the date of collection/return, debtor's name, amount and customer number. If no collections were made, a daily report will be sent indicating such. The monthly report will be sent by the 15th of each month and will itemize delinquent parking ticket debt collections and returns.
4. In the event a debtor's payment is returned to the Marshall County Treasurer as unpaid, payment for delinquent parking ticket debts returned unpaid will be reported to the City of Marshalltown at the time the vehicle registration fee is revoked in order

- for the City to reactivate the delinquent parking ticket debt. The Marshall County Treasurer will deduct the total amount of delinquent parking ticket debt payments returned unpaid, for which the vehicle registration fee was revoked, from the total amount of collections to be transferred to the City of Marshalltown. The parties will monitor the process for the collection and return of payments and any necessary modifications or improvements to such process will be addressed by an amendment agreed to by the parties.
5. The Marshall County Treasurer will renew a vehicle registration if an applicant's payment is received through the mail, online, or in the Treasurer's drop box and the delinquent parking ticket debt was not added to the Iowa Department of Transportation Titling and Registration System until after the registration renewal notice for said applicant was created.
 6. Marshall County and the City of Marshalltown agree to institute procedures to insure that adequate safeguards are established to provide protection against unauthorized access or disclosure of information received pursuant to and in accordance with this Agreement.
 7. This Agreement shall continue in effect until terminated by either party. The Agreement may be terminated at any time by Marshall County or the City of Marshalltown by written notice. The termination shall not be effective until 90 days after notice is received by the other party.
 8. Any notice required or authorized by the Agreement shall be in writing and either personally delivered or sent by ordinary mail to the following addresses:

City of Marshalltown, Iowa Attn: City Clerk 24 N. Center St Marshalltown, IA 50158	Marshall County, Iowa Attn: County Treasurer 1 E Main St. Marshalltown, IA 50158
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 9. If any section, provision or part of this Agreement shall be found to be unconstitutional or otherwise invalid, such finding shall not affect the validity of the Agreement as a whole or any section, provision or part thereof not found to be invalid or unconstitutional.
 10. This Agreement shall be effective upon its approval and execution by the Marshalltown City Council and the Marshall County Treasurer and its filing with the

Iowa Secretary of State in an electronic format and recorded with the Marshall
County Recorder, in accordance with Iowa Code Section 28E.8.

IN WITNESS THEREOF, the parties hereto have caused this Agreement to be executed as of
the day and year first above written.

Signed this 19th day of February 2019 (County)

Signed this 25th day of February 2019 (City)

CITY OF MARSHALLTOWN, IOWA
MARSHALL COUNTY

IOWA COUNTY OF

By: _____
Mayor Joel Greer

By: _____
Marshall County Board of Supervisors'
Chairman, Steve Salasek

Attest:

Attest:

Marshalltown City Clerk
Shari Coughenour

Marshall County Auditor/Recorder
Nan Benson

Discussion: Jarret said that the Treasurer's Office has done this since 2003. We take the money and deposit it directly into the City bank account. New agreement will let City upload information. We do this because we are good people. We do this as a service to get our fee for the Auto License. Steve asked if our external auditor had any issues. Jarret said no but they are now towing vehicles so the new system of the Treasurer's Office being to update quickly will help.

Motion by Patten, second by Thompson, to adopt Resolution #2019-0013, A Resolution Approving a 28E Cooperative Agreement between the City of Marshalltown and Marshall County for Collection of City of Marshalltown Delinquent Parking Tickets.

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

Passed and Approved this 19th day of February, 2019

Steve Salasek
Board of Supervisors, Chairman

Attest: _____
Nan Benson
Marshall County
Auditor and Recorder

18. Resolution #2019-0014

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 S 12th St, Lot #26, Marshalltown, Iowa, a mobile home described as a 1973 Rollohome. VIN # 28770, with delinquent taxes in the amount of \$149.00 which includes penalty, interest and cost.

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.

Discussion: Jarret this mobile home was junked and is gone. The taxes were certified and this one missed.

Motion by Thompson, second by Patten, to adopt Resolution #2019-0014, Abatement of Mobile Home Taxes.

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

Steve Salasek
Board of Supervisors, Chairman

Attest: _____
Nan Benson
Marshall County
Auditor and Recorder

19. Submitted to Local Authority-Class C Beer Permit (BC) with Sunday Sales

Privilege, Class E Liquor License—Application for renewal license (one year) for a Class “C” Beer Permit with Sunday Sales Privilege #BC0027644 and Class E Liquor license

#LE0001781 from Randhawa's Travel Center, 1659-D Marshalltown Blvd., Melbourne, Iowa. The current licenses expire March 15, 2019 and March 7, 2019 respectively.

Motion by Thompson, second by Patten, to approve the renewal of Randhawa's Travel Center beer permit #BC0027644 and liquor license #LE0001781.

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

20. Public Forum— Nan, Auditor and Recorder, reported that the IVCCD Election will be on April 2, 2019. Absentee Voting will begin on March 4, 2019, in the Annex.

21. Adjournment--The next regular session is March 5, 2019, 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, February 28, 2019, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:51 a.m.

Steve Salasek
Board of Supervisors, Chairman

Attest:

Nan Benson
Marshall County
Auditor and Recorder

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