

**Marshall County Board of Supervisors
Regular Session April 2, 2019 at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, April 2, 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 Patten, second by Thompson, to amend the agenda correcting #10b and #19.

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

Consent Agenda:

- 2. Approve Minutes--**from Regular Session of March 19, 2019.
- 3. Accept Region VI Independent Auditor's Report--**Year ended June 30, 2018
- 4. Accept Manure Management Plan Annual Update—** Dennis Anderson id no. 62848, annual update report received and placed on file with the following change to the MMP: used manure analysis.
- 5. Accept Manure Management Plan Annual Update—** Bill Havelka, Site 3, id no. 64515, annual update report received and placed on file with the following change to the MMP: used manure analysis.
- 6. Accept Manure Management Plan Annual Update- J.T. Farms East Site,** id no. 63208, annual update report received and placed on file with no changes to the MMP.
- 7. Accept Manure Management Plan Annual Update- Aaron Borton,** id no. 65862 annual update received and placed on file with no changes to MMP.
- 8. Approve Request for Use of the Mobile Band Shell--**Midnight Ballroom has submitted a completed mobile band shell agreement for a rodeo event to be held at the Central Iowa Fairgrounds on Saturday, April 20, 2019 from 2 pm to 1am.
- 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 April will be published as part of the first meeting in May.

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

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

10. Approve Personnel Actions:

- a. Hire, **Julie Stahl**, Conservation (MCCB), temporary seasonal, rate of pay \$10.50/hr. effective May 27, 2019.

***Discussion: 10a. & b.** Mike said this normal part time summer help. He said that he will have 2 more in the near future. These are in my budget.*

Motion by Patten, second by Thompson, to approve personnel hire, Julie Stahl, Conservation(MCCB), temporary seasonal, rate of pay \$10.50/hr., effective May 27, 2019 through August 23, 2019.

a.

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

- b. Hire, **Alan Naughton**, Conservation (MCCB), temporary seasonal, rate of pay \$10.50/hr. effective **April 8th, 2019**.

Motion by Thompson, second by Patten, to approve personnel hire, **Alan Naughton**, Conservation (MCCB), temporary seasonal, rate of pay \$10.50/hr., effective **April 8th** through September 10, 2019.

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

- c. Change of Status and Change Rate of Pay, **Brian Pansegrau**, fulltime, Change of Status from Truck Driver 1 to Truck Driver 2, Change Ray of Pay from \$24.38 to \$24.73, effective April 2, 2019.

***Discussion: 10 c. and d.** This is a normal change for union employees.*

Motion by Patten, second by Thompson, to approve personnel action, Change of Status and Change Rate of Pay, **Brian Pansegrau**, fulltime, Change of Status from Truck Driver 1 to Truck Driver 2, Change Ray of Pay from \$24.38 to \$24.73,effective April 2, 2019.

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

- d. Change of Status and Change Rate of Pay, **Shane Sweitzer**, fulltime, Change of Status from Truck Driver 1 to Truck Driver 2, Change Ray of Pay from \$24.38 to \$24.73, effective April 2, 2019.

Motion by Thompson, second by Patten, to approve personnel action, Change of Status and Change Rate of Pay, **Shane Sweitzer**, fulltime, Change of Status from Truck Driver 1 to Truck Driver 2, Change Ray of Pay from \$24.38 to \$24.73, effective April 2, 2019 .

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

11. Resolution #2019-0018-Marshall County Procurement Policy—Discussion and possible action to adopt the Marshall County Procurement Policy that is required for FEMA application. Copy of Procurement Policy is on file in the Board of Supervisors' and/or Auditor and Recorder's Office.

***Discussion: 11. 12. & 13.** These are required for our FEMA application but will not be utilized because the Marshall County claim is only for Sheriff's Department Emergency Procedures days immediately following the storm; plus Secondary Roads City clean up day's immediately following storm and a later time for City out by Alliant.*

Motion by Patten, second by Thompson, to adopt Resolution #2019-0018, The Marshall County, IA Procurement Policy.

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

12. Resolution #2019-0019—Discussion and possible action to adopt the Marshall County, IA Reporting Policy that is required for FEMA application.

MARSHALL COUNTY, IOWA REPORTING POLICY

PURPOSE

The purpose of this Reporting Policy is to ensure that Marshall County complies with Code of Federal Regulations, 2 CFR, Section 200.113 that requires reporting of violations of federal criminal law involving fraud, bribery, or gratuity potentially affecting a federal grant.

POLICY

Marshall County departments and/or employees are required to disclose, in writing and in a timely manner, all violations of federal criminal law involving fraud, bribery, or gratuity potentially affecting a federal award. This requirement applies to violations involving Marshall County, its employees, and sub-recipients of a federal grant.

If a Marshall County department or employee learns of a violation of federal criminal law involving fraud, bribery, or gratuity potentially affecting a federal grant, the department or employee must report the violation to the Marshall County Auditor/Recorder. Reportable violations include not only those violations concerning Marshall County or its employees, but also include violations relating to sub-recipients of award monies.

The Marshall County Auditor/Recorder is responsible for reporting the violation to the relevant federal agency in writing in a timely manner.

Motion by Thompson, second by Patten, to adopt Resolution #2019-0019, Marshall County, Iowa Reporting Policy.

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

Passed and adopted this 2nd day of April, 2019.

Steve Salasek
Board of Supervisors, Chairman

Attest:

Nan Benson
Marshall County
Auditor and Recorder

13. Resolution #2019-0020- Discussion and possible action to adopt the Marshall County Conflict of Interest Policy that is required for FEMA application.

MARSHALL COUNTY, IOWA CONFLICT OF INTEREST POLICY

A RESOLUTION of Marshall County, Iowa Adopting a Conflict of Interest Policy for Officers, Employees, and Agents:

PURPOSE

The purpose of this Code of Conduct is to ensure the efficient, fair, and professional administration of federal grant funds in compliance with 2 CFR; Part 200.112; 24 CRR, and other applicable federal and state standards, regulations, and laws.

APPLICATION

This Code of Conduct applies to all officers, employees, or agents of Marshall County engaged in the award or administration of contracts supported by federal grant funds.

REQUIREMENTS

No officer, employee, or agent of Marshall County shall participate in the selection, award, or administration of a contract supported by federal grant funds, if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

- a. The employee, officer, or agent;
- b. Any member of his/her immediate family;
- c. His/her partner; or
- d. An organization which employs, or is about to employ any of the above; has a financial or other interest in the firm selected for award. Marshall County officers, employees, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or subcontractors.

REMEDIES

To the extent permitted by federal, state, or local laws or regulations, violation of these standards may cause penalties, sanctions, or other disciplinary actions to be taken against Marshall County's officers, employees, or agents.

Motion by Patten, second by Thompson, to adopt Resolution #2019-0020, Marshall County, IA Conflict of Interest Policy.

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

Passed and adopted this 2nd day of April, 2019.

Steve Salasek
Board of Supervisors, Chairman

Attest:

Nan Benson
Marshall County
Auditor and Recorder

14. Buildings and Grounds Dept. - Engineering Building Upgrades—Discussion and possible action to approve Engineers' proposed building upgrades beyond insurance responsibilities.

Discussion: *Lucas explained that there are 5 options for upgrades to Engineer's Office. The main option is the awning, which also adds masonry and signage options. There are also options for windows and electrical upgrade which will allow fob access down the road. Paul and I agree for upgrades for #2 and #3 for total of \$12,196.80. These windows will be much more efficient and will not open.*

Motion by Thompson, second by Patten, to approve Engineers' building upgrades to the following Companies:

Company Name	Location of Company	Work Performed	Amount
Nelson Electric	Ames, Iowa	Electrical	\$4,782.40
Marshall Glass	Marshalltown, Iowa	Windows	\$7,414.40

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

15. Secondary Roads—Award of Contract for Project BROS-SWAP-C064(129)--FE-64--

Discussion and possible action to award contract to Peterson Contractors, Inc. of Reinbeck, Iowa in the low bid amount of \$2,667,696.26. This project is for the south two bridges on North Center St and the adjacent paving. This project was let at the D.O.T. in Ames, Iowa on March 19, 2019. This will be paid State and Federal Funding.

***Discussion:** Paul said this is step 1 to get the contract signed. The estimate is very near our Engineer's estimate. The next closest bid was an additional \$400,000. Dave said none of this is paid by property tax dollars it is all State and Federal funding. This is a 200 working day contract with late start date of 5/28/19.*

Motion by Thompson, second by Patten to award this contract to Peterson Contractors, Inc. of Reinbeck, IA in the amount of \$2,667,696.26 and authorize the Chairman to electronically sign the contracts and bond after submittal of approved documents.

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

16. Secondary Roads -FY2019 Iowa DOT Budget Amendment—Discussion and possible action on the approval of the amended FY 2019 Iowa DOT Budget for the Marshall County Secondary Road Department. This amendment is to cause our DOT budget to reflect the same changes that were made with the Marshall County Budget amendment of February 19, 2019.

Motion by Patten, second by Thompson, to approve the amended FY2019 Iowa DOT Budget for the Marshall County Secondary Road Department.

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

17. Secondary Roads-FY2020 Iowa DOT Budget—Discussion and possible action on the approval of the FY2020 Iowa DOT Budget for the Marshall County Secondary Road Department.

Motion by Thompson, second by Patten, to approve FY2020 Iowa DOT Budget for the Marshall County Secondary Road Department.

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

18. Secondary Roads-Marshall County FY2020 Secondary Roads Construction Program—

Discussion and possible action on the approval of the FY2020 Secondary Roads Construction Program for the Marshall County Secondary Road Department.

Discussion: Paul said this to do a real 5 year plan of what we are programming for highway paving and bridge repair. There has been some reorganizing due to bridge state funding. We have added J17 -Ridge Road and J15 we are trying to get a FHWA grant. Jarret asked if any additional work on Oaks Ave, Paul said the single lane bridge on Oaks is scheduled for 2022. Jarret said he personally had a vehicle totaled and his wife was injured. Paul said we need more land to get more ditch space but thinks land owners would be willing.

Motion by Patten, second by Thompson, to approve FY2020 Secondary Roads Construction Program for the Marshall County Secondary Road Department.

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

19. Secondary Roads-Receipt of Petition to Request Blacktopping 260th St and Ridge Rd--

Discussion and possible action to **accept** the petition request to blacktop 260th St. and Ridge Rd.

Discussion: Bill said that this is not all of 260th St. Dave said this is just accepting the petition not approving project. Paul said this area has about the same number of homes as Green Mountain and has hills and curves. Dave asked about Iowa Code asking for neighboring land owners to pay for project. Paul had experience from Jasper County but that has been 15 years ago it is called a Voluntary Assessment. Dave asked if we needed 100% agreement with the home owners. Steve asked about cost. Paul said that we need to evaluate how many metal culverts would need to be replaced. Bill asked if this could be completed this year. Paul said no because it isn't part of programming for 2019. He said there are 2 bridges near that are set to be replaced this year. Per (public participants) there are 3 which have not signed. Paul said this improvement would make our maintenance each year much easier. Bill said having the 47 people (3 have not signed) that are for this project. Per Bill this is the beginning of this project. Dave said we must be careful because we are setting a precedent. Dave said to ask Paul to get a cost estimate. Paul said we will also look at the Code to see what is allowed. Paul said that the speed limit would go to 35 instead of 25. Paul said historically we have not done the Voluntary Assessment in the past but this could assist with getting the project done sooner. Dave, if we copy what City did on Westwood, there could be a minimum and maximum assessment. Dave said we will begin the due diligence.

Motion by Thompson, second by Patten to accept petition.

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

20. Public Forum— Kim Elder attend meeting NENA 911 Meeting and spoke about various topics learned. Bill and Kim will go to Region 2 on April 4th to speak on the tornado. There will be a FEMA applicant briefing on April 12th which is for flooding damage. Kim will be speaking on May 8th at IEMA conference. On April 11th is our 911 meeting.

21. Adjournment--The next regular session is April 16, 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, April 11, 2019, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 10:12 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>