

**Marshall County Board of Supervisors
Regular Session January 19, 2021 at 9:05 a.m.**

Due to the recent COVID-19 Virus pandemic and the concern for the safety of all residents of Marshall County, IA, the Board of Supervisors' Public Meetings will now be available **LIVE** online beginning Tuesday, March 31, 2020 until further notice. There are 3 available options to view and/or participate in the public meetings listed below:

**How to View and/or Participate
In The
Board of Supervisor's Public Meeting**

Go to: Zoom for Participation	Dial In By Phone	Go to: YouTube for comments during meeting
Join Zoom Meeting https://us02web.zoom.us/j/82017378114?pwd=a2llUTZjcWFFYmtPUWphekNXZkEvdz09	1-312-626-6799 US Meeting ID: 820 1737 8114 if needed Passcode: 004543, if needed	<u>Marshall County YouTube</u>

The meeting agenda is listed on the following page(s).

**Marshall County Board of Supervisors
Regular Session January 19, 2021 at 9:05 a.m.**

MINUTES

The Board met in regular session on Tuesday, January 19, 2021, at 9:05 a.m. in the Grand Courtroom and via online ZOOM with all 3 members present.

Pledge of Allegiance

1. Approval or Amendment of Agenda—

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

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

2. Years of Service Recognition-Daryl Fricke(Secondary Road Dept.) - 25 years, Benjamin Veren(Sheriff's Office) – 15 years, Whitney Hunt(Auditor's Office) – 15 years, Dave Thompson(Board of Supervisor) – 10 years, Jarret Heil(Treasurer) – 10 years, Lisa Reeder(Engineer's Office) – 10 years, Kaitlyn Randall(Sheriff's Office) – 5 years

3. Resolution #2021-0008

NOTICE MUST BE GIVEN
PURSUANT TO IOWA CODE CHAPTER 21
AND THE LOCAL RULES OF THE COUNTY

The Board of Supervisors of Marshall County, State of Iowa, met in regular session, in the Marshall County Courthouse, 1 East Main Street, Marshalltown, Iowa*, at 9:05 A.M., on the above date. There were present Chairperson Thompson, in the chair, and the following named Board Members:

Bill Patten, Vice Chairman

Steve Salasek, Member

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

* Due to COVID-19, this meeting was conducted in person and electronically pursuant to Iowa Code Section 21.8. Participation was available via the internet or telephonically, as follows:

Internet access:

<https://us02web.zoom.us/j/82017378114?pwd=a2llUTZjcWFFYmtPUWphekNXZkEvdz09>

Call-in Phone Number: (312) 626-6799

Meeting ID: 820 1737 8114

Meeting Password: 004543

* * * * *

The Chairperson announced that this was the time and place for the public hearing and meeting on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$5,250,000 General Obligation Capital Loan Notes, in order to provide funds to pay the costs of (a) peace officer communication equipment and other emergency services communication equipment and systems; and (b) the remediation, restoration, repair, cleanup, replacement and improvement of property, buildings, equipment and public facilities that have been damaged by a disaster as defined in Iowa Code Section 29C.2 and which are located in an area that the President of the United States declared a major disaster on September 12, 2018 following severe storms and tornadoes that occurred on July 19, 2018, for essential county purposes, and that notice of the proposed action by the Board to institute proceedings for the authorization of the Loan Agreement and the issuance of the Notes had been published as provided by Sections 331.402 and 331.443 of the Code of Iowa.

The Chairperson then asked the Auditor whether any written objections had been filed by any resident or property owner of the County to the issuance of the Notes. The Auditor advised the Chairperson and the Board that no written objections had been filed. The Chairperson then called for oral objections to the issuance of the Notes and none were made. Whereupon, the Chairperson declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections received or made, if any)

Whereupon, the Chairperson declared the hearing on the authorization of entering into a Loan Agreement and the issuance of the Notes to be closed.

The Board then considered the proposed action and the extent of objections thereto.

Whereupon, Board Member Patten introduced and delivered to the Auditor the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$5,250,000 GENERAL OBLIGATION CAPITAL LOAN NOTES", and moved:

☒

that the Resolution be adopted.

☐

to ADJOURN and defer action on the Resolution and the proposal to institute proceedings for the issuance of notes to the meeting to be held at _____ .M. on the _____ day of _____, 2021, at this place.

Board Member Salasek seconded the motion. The roll was called and the vote was,

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

Whereupon, the Chairperson declared the measure duly adopted.

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO
EXCEED \$5,250,000 GENERAL OBLIGATION CAPITAL
LOAN NOTES

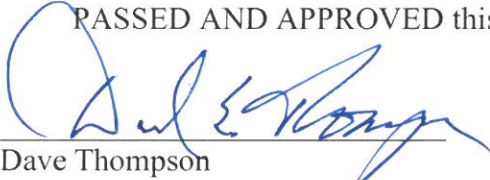
WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$5,250,000 General Obligation Capital Loan Notes, for the essential county purposes, in order to provide funds to pay the costs of (a) peace officer communication equipment and other emergency services communication equipment and systems; and (b) the remediation, restoration, repair, cleanup, replacement and improvement of property, buildings, equipment and public facilities that have been damaged by a disaster as defined in Iowa Code Section 29C.2 and which are located in an area that the President of the United States declared a major disaster on September 12, 2018 following severe storms and tornadoes that occurred on July 19, 2018, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and following action is now considered to be in the best interests of the County and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MARSHALL COUNTY, STATE OF IOWA:

That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$5,250,000 General Obligation Capital Loan Notes, for the foregoing essential county purposes.

This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED AND APPROVED this 19th day of January, 2021.


Dave Thompson
Board of Supervisors, Chairman

Attest:


Nan Benson
Marshall County
Auditor and Recorder

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF MARSHALL)

I, the undersigned County Auditor of Marshall County, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the County showing proceedings of the Board, and the same is a true and complete copy of the action taken by the Board with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Board and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Board pursuant to the local rules of the Board and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective County offices as indicated therein, that no Board vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the County or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Board hereto affixed this 19th day of January, 2021.



County Auditor, Marshall County, State of
Iowa

(SEAL)

Consent Agenda:

4. **Approve Minutes**--from Regular Session of January 5, 2021.
5. **Accept Annual Manure Management Plan Update** - Marshall Ridge Farms LLC, id no. 60101, owner Kevin Blood, annual update report received and placed on file with the following changes to the MMP: acres added, change in crop rotation or optimum yields, and used manure analysis.
6. **Accept Annual Manure Management Plan Update** - Flint Finisher Farm, id no. 71020, owner Henan Farms LLC, annual update report received and placed on file with the following changes made to the MMP: change in crop rotation or optimum yields, and used manure analysis.
7. **Accept Annual Manure Management Plan Update**- Pickard Brothers Inc., id no. 57598, owner Pickard Brothers Inc., manure management plan update received and placed on file with the following changes to the MMP: acres added.
8. **Accept Annual Manure Management Plan Update**- Edler Brothers Section 36, id no. 58297, owner Edler Brothers, manure management plan update received and placed on file with no changes to the MMP.
9. **Approve Transfer of Funds**— Transfer #914, a quarterly transfer of \$670,000.00 from Rural Services Fund to Secondary Road Fund.
Transfer #915, a corrective transfer of \$197,092.00 from Marshall County Communications Commission Fund to E911 Fund for a 12/8/2020 claim that was paid from the wrong fund.
10. **File Clerk of District Court Report-12-2020**
 - a. General Supplemental Fund Surcharge- \$338.91
11. **Accept Recorder's Quarterly Report-December 2020**

Records Management Fund	\$ 1,683.00
E-Commerce Fund	\$ 1,683.00
General Basic Fund	\$ 62,783.11
12. **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 January will be published as part of the first meeting in February.

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

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

13. Approve Personnel Actions:

- a. Hire, **Shari Coughenour**, Board of Supervisors' Office, Administrative Assistant, Part Time, Rate of Pay \$20.00/hr., effective January 19, 2021.

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

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

- b. Hire, **Zach Veren**, Secondary Road Dept., Temporary Part Time, Rate of Pay \$22.10/hr., effective January 19, 2021.

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

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

14. Resolution #2021-0009

**County Compensation Board Resolution
RESOLUTION #2021-0009**

WHEREAS, the Marshall County Compensation Board meets annually to recommend a compensation schedule for elected officials for the fiscal year immediately following, in accordance with Iowa Code Chapters 331.905 and 331.907, and

WHEREAS, the Marshall County Compensation Board met on January 7, 2021, and made the following salary recommendations for the following elected officials for the fiscal year beginning July 1, 2021:

<u>Elected Official</u>	<u>Current Salary</u>	<u>Recommendation Percentage</u>	<u>Recommendation Salary</u>
Auditor and Recorder	\$74,632.50	5.00%	\$78,364.13
County Attorney	\$109,779.96	5.00%	\$115,268.96
Sheriff	\$93,004.66	5.00%	\$97,654.89
Board of Supervisors	\$38,487.44	5.00%	\$40,411.81
Treasurer	\$64,250.45	5.00%	\$67,462.97

OPTION 1:

THEREFORE, BE IT RESOLVED that the Marshall County Board of Supervisors adopts the salary recommendations for elected officials for the fiscal year beginning July 1, 2021 as recommended by the Marshall County Compensation Board.

OPTION 2: (if different than compensation board recommendation)

THEREFORE, BE IT RESOLVED that the Marshall County Board of Supervisors approves the following salary adjustments for the following elected officials for the fiscal year beginning July 1, 2021:

<u>Elected Official</u>	<u>Approved Salary</u>	<u>Approved Percentage</u>
Auditor and Recorder	\$ 76,871.48	3.00 %
County Attorney	\$113,073.36	3.00 %
Sheriff	\$ 95,794.80	3.00 %
Board of Supervisors	\$ 39,353.41	2.25 %
Treasurer	\$ 66,177.96	3.00 %

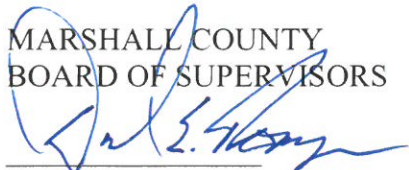
Motion by Salasek, second by Patten, to adopt Resolution #2021-0009, County Compensation Board Resolution.

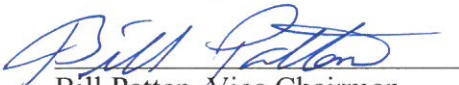
Discussion: Bill said prior to being on the Board of Supervisor he served on the Compensation Board and he appreciates the work the Compensation Board does. The Supervisors need to take into account current year budget issues which is due to COVID. The staff is getting a 2.25% and I would recommend a 3%. Steve said my original thought was to drop to 4%, however, due to the budget issues I can go along with the 3%. Steve asked about taking the Supervisors to 2.25% and leaving the remainder at 3%. Bill agreed.

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

Approved this 19th day of January, 2021.

MARSHALL COUNTY
BOARD OF SUPERVISORS


David Thompson
Board of Supervisors, Chairman


Bill Patten, Vice Chairman


Steve Salasek, Member

ATTEST:


Nan Benson
Marshall County
Auditor and Recorder

15. Contract Between RACOM Corporation and Marshall County, IA—Discussion and possible action to approve a contract between RACOM Corp. and Marshall County, IA for the Marshall County Radio Project.

Motion by Salasek, second by Patten to approve the contract between RACOM Corporation and Marshall County, IA for the Marshall County Radio Project and authorize the chairman to sign the contract.

Discussion on contract with RACOM and needing a Project Lead at Marshall County. After discussion Steve Salasek said he would be that contact. Additional discussion about the contract and that it was reviewed by Kristine with Ahlers & Cooney.

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

16. Financing Security Vendor- Discussion and possible action to approve Financing Security Vendor for Marshall County, IA to use for the Marshall County Radio Project and Construction Expenses.

Motion by _____, second by _____ to _____ Financing Security Vendor _____ for Marshall County, IA.

Discussion: Dave said that if we go with a local bank we would need to approve a document with them. Bill added discussion that we have always talked about going with a local Marshall County bank. Jarret said the information is not a Line of Credit and that those would be around 2%. On a Line of Credit we would like to have the rate locked in and not have a prepayment penalty. Steve said we need \$450,000 upon signing. Diana said that the next \$450,000 is due around 90 days after that. The next payment would be around November 2021. Bill asked for clarification on the land acquisition on needing an acre of land. Diana said that she would have the engineer get the information over to the Supervisors today.

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

17. Resolution 2021-0010

Resolution - 2020 Homestead and Family Farm Credits and Military Service Tax Exemptions—

Whereas, pursuant to Iowa Code 425.3, 425A.3, and 426A.14 the Marshall County Board of Supervisors has received the Homestead Tax Credit claims, Family Farm Tax Credit claims and the Military Service Tax Exemption claims from the County Auditor for the 2020 taxes, payable 2021-2022.

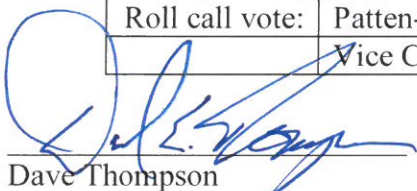
Be It Resolved, that all claims filed are allowed except those recommended for disallowance by the County Assessor, a list of which is on file in the County Auditor's Office.

Be It Further Resolved that the Chairman of the Board is hereby authorized to sign notices of disallowance to claimants whose applications for Homestead Tax Credits, Family Farm Credits and Military Service Tax Exemptions have been disallowed.

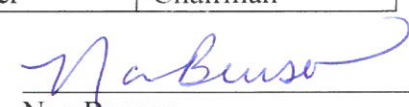
Dated at Marshalltown, Iowa this 19th day of January, 2021.

Motion by Patten, second by Salasek to adopt Resolution #2021-0010 Homestead and Family Farm Credits and Military Service Tax Exemptions, and authorize the Chairman to sign letters of disallowance.

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



Dave Thompson
Board of Supervisors, Chairman

Attest: 
Nan Benson
Marshall County
Auditor and Recorder

18. Secondary Road Department Equipment Purchase- Discussion and possible action to approve the purchase of a 2021 RAM 2500 truck.

Motion by Salasek, second by Patten to approve the purchase of a 2021 RAM 2500 truck. This truck will be purchased from Greg Young Automotive, of Newton, Iowa, in the amount of \$38,485 to be paid from FY2021 equipment budget.

Discussion: Paul needs a ¾ ton for the Maintenance Superintendent and he has a quote from Marshalltown and Newton. He said the Marshalltown quote has the Sport Package of \$1,200 which they say they cannot remove. Greg Young Automotive Newton's price does not have this and is the low bid of \$38,485 which is over \$15,000 below MSP.

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

19. Secondary Road Dept.-Temporary Right of Entry Agreement for J-15 Bridge Replacement Project - Discussion and possible action to approve a Right of Entry Agreement with Dustin and Sarah Bower. This agreement is for temporary right of way on approximately 0.17 acres needed for the replacement of Bridge J-15 on 260th St.

Motion by Salasek, second by Patten, to approve this agreement for temporary right of way construction and damages on approximately 0.17 acres needed for the replacement of Bridge J-15 on 260th St in the amount of \$200.00. This agreement is for project BROSCHBP-C064 (134)—NC-64.

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

20. Secondary Road Dept.-Temporary Right of Entry Agreement for J-15 Bridge Replacement Project - Discussion and possible action to approve a Right of Entry Agreement with Rene D. and Debra M. Holsapple. This agreement is for temporary right of way on approximately 0.16 acres needed for the replacement of Bridge J-15 on 260th St.

Motion by Patten, second by Salasek, to approve this agreement for temporary right of way construction and damages on approximately 0.16 acres needed for the replacement of Bridge J-15 on 260th St in the amount of \$200.00. This agreement is for project BROSCBHP-C064 (134)—NC-64.

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

21. Secondary Road Dept.-Temporary Right of Entry Agreement for J-15 Bridge Replacement Project - Discussion and possible action to approve a Right of Entry Agreement with Larry A. and Joynell E. Raymon. This agreement is for temporary right of way on approximately 0.07 acres needed for the replacement of Bridge J-15 on 260th St.

Motion by Salasek, second by Patten, to approve this agreement for temporary right of way construction and damages on approximately 0.07 acres needed for the replacement of Bridge J-15 on 260th St in the amount of \$200.00. This agreement is for project BROSCBHP-C064 (134)—NC-64.

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

22. Submitted to Local Authority-Class C Liquor License (LC) (Commercial)—Application for license renewal for a Class C Liquor License (LC) (Commercial) with Outdoor Service, Sunday Sales and Catering privileges from The Harvester, Jensen Golf, L.C., 833 Foster Dr., Rhodes, Iowa. The current license LC0040617 expires January 31, 2021. The renewed license will be for the period of February 1, 2021 - January 31, 2022.

Motion by Salasek, second by Thompson, to approve the renewal of The Harvester, Jensen Golf, L.C. Class C liquor license for the period of February 1, 2021 – January 31, 2022.

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

23. 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 renewed licenses will expire March 15, 2022 and March 7, 2022 respectively.

Motion by Salasek, second by Thompson, to approve the renewal of Randhawa's Travel Center beer permit #BC0027644 and liquor license #LE0001781. The renewed licenses will expire March 15, 2022 and March 7, 2022 respectively.

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

24. Buildings and Grounds Dept.--Discussion and possible action to approve carpentry work on the dome skirt of the tower for the courthouse by Renaissance Roofing of Belvidere IL.

Motion by Patten, second by Salasek to approve carpentry work on the dome skirt of the tower for the Courthouse by Renaissance Roofing of Belvidere IL. Work estimated at \$49,556.00, amended to \$55,502.72.

Discussion: Lucas Baedke provided information on this carpentry work but does not include the 12% so the amount \$55,502.72.

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

25. Fiscal Year 2021-2022 Budget Review

Discussion: Mary discussed valuation increases to \$27,000,000 and TIF decreases per the information provided by Whitney Hunt.

- *\$9.32 yielding \$14,800,000*
- *Debt Service needs to be certified by April 1, 2021 with minimum of 34 cents for the Deb Service*
- *Mary did 3.5% General Basic which raises an additional \$108,000*
- *Reductions in General Supplemental by \$34,000*
- *29 cents Mental Health and keeping it steady would*
- *Rural Services \$3.31 is a 2.34% increase*
- *SF 634 we will need an additional meeting due to any of these being greater than 2%*

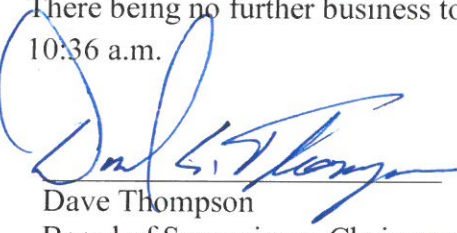
Mary went through funds proposed balances for FY21 and FY22. General Supplemental is a problem because we are levying less than we are spending for multiple years. Mary provided additional information on other departments and outside agencies. Dave, Bill and Steve discussion on the outside agencies and the request from the Chamber. Mary will run some scenarios.

26. Public Forum— *Sheriff Hoffman said that he added budget information on the vehicles to still be funded due to the vehicles is already over 100,000 miles. In FY19, we over*

achieved revenue by \$273,000 and turned in over \$770,000 at FY20. He would hope that the success at the Sheriff's Office of not having a positive COVID case for any inmate. Also, remind that the former Sheriff said that we may not be able to provide revenue after ten years.

27. Adjournment--The next regular session is February 2, 2021, at 9:05 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 **Wednesday, January 27, 2021 at 12:00 p.m.**

There being no further business to come before the Board, the meeting was adjourned at 10:36 a.m.



Dave Thompson
Board of Supervisors, Chairman

Attest:



Nan Benson
Marshall County
Auditor and Recorder

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