

Marshall County Board of Supervisors
Regular Session December 18, 2024, at 9:00 a.m.
Courthouse, First Floor Meeting Room
1 East Main Street, Marshalltown, Iowa
MINUTES

The Marshall County Board of Supervisors met in regular session according to the posted notices in the Courthouse, First Floor Meeting Room 1 East Main Street, Marshalltown, Iowa, and online via ZOOM. Chair Heil called the meeting to order on December 18, 2024, at 9:00 a.m. Present: Chair Jarret Heil, Vice Chair Steve Salasek, Member Carol Hibbs. Hibbs moved to approve the agenda second by Salasek. Motion carried 3-0.

Service Awards December 2024

5 Years:

- Mariela Tellez, Sheriff's Office, Jailer
- Christopher Donaldson, Secondary Roads, B Operator 3

15 Years:

- Paul Geilenfeldt, Engineer's Office, County Engineer

20 Years:

- Steven Atcher, Sheriff's Office, Jailer

25 Years:

- Daniel Cahalan, Sheriff's Office, Jailer

35 Years:

- Dennis Fouch, Secondary Roads, Patrolman 2

Marshall County Sheriff Joel Phillips and Chief Jail Administrator Pat White thanked those who work at the Sheriff's Office for their years of service and provided a brief insight into their various job duties. Paul Geilenfeldt, Marshall County Engineer, thanked Donaldson and Fouch for the hard work they do in the Secondary Roads department.

Salasek moved to approve the Consent Agenda, second by Hibbs. Motion carried 3-0. Items:

1. 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 current month will be published as part of the first meeting of the following month.
2. Status Change – Sheriff's Office
 - a. Shelby Pennington-Farmer, from Jail Supervisor to Jailer, full time, from \$29.49 per hour to \$28.49 per hour, effective January 5, 2025.
3. File Manure Management Plans:
 - a. Clemons Finisher Farm #58020, 1460 120th St, Clemons, signed with changes.
4. Appoint Dr. Wendy Thiessen to the Marshall County Board of Health, Term Dates January 1, 2025 Through December 31, 2027.

End of Consent Agenda.

Public Hearing: Marshall County Sheriff's Office and Jail Phase 1 Renovation.

- a. Motion by Hibbs, second by Salasek to open the public hearing at 9:11 a.m. Motion carried 3-0.
- b. There were 0 written comments, questions, or objections on file in the County Auditor/Recorder's office. Of the 23 individuals attending the public hearing, 0 individual(s) presented oral comments, questions, or objections.
- c. Motion by Salasek, second by Hibbs to close the public hearing at 9:12 a.m. Motion carried 3-0.

Resolution 2024-0033 Resolution Adopting Plans, Specifications, Form of Contract and Estimate of Cost for the Marshall County Sheriff's Office and Jail – Phase 1 Renovation.

Whereas, on the 8th day of November, 2024, plans, specifications, form of contract and estimate of cost were filed with the Auditor for the construction of certain public improvements described in general as the Marshall County Sheriff's Office & Jail - Phase 1 Renovation; and

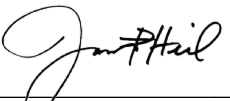
Whereas, notice of hearing on plans, specifications, form of contract and estimate of cost for the public improvements was published as required by law.

Now, Therefore, Be It Resolved by the Board of Supervisors of Marshall County, State of Iowa:

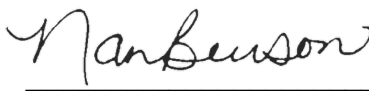
Section 1. That the plans, specifications, form of contract and estimate of cost are hereby approved as the plans, specifications, form of contract and estimate of cost for the public improvements, as described in the preamble of this Resolution.

Passed and approved this 18th day of December, 2024.

Motion by Salasek, second by Hibbs to adopt Resolution 2024-0033 Resolution Adopting Plans, Specifications, Form of Contract and Estimate of Cost for the Marshall County Sheriff's Office and Jail – Phase 1 Renovation. Resolution adopted 3-0.



Jarret P. Heil
Board of Supervisors, Chairman

Attest: 

Nan Benson, Auditor and Recorder

Consideration of Construction Bids of the Marshall County Sheriff's Office and Jail – Phase 1 Renovation.

Company Name	Bid Bond Yes/No	Base Bid	Alternate 1	Alternate 2
RH Grabau Construction	Yes	4,478,000	443,000	319,000
Keystone Construction	Yes	4,480,000	380,000	316,000
Ball Team Construction	Yes	4,270,000	442,000	373,000
Garling Construction	Yes	3,795,000	330,000	280,000
Edge Commercial	Yes	4,234,000	403,000	287,000
Cardinal Construction	Yes	3,928,000	284,000	270,000

After the bids were opened and read, Buildings and Grounds Director Lucas Baedke stated that none of those bids would be able to be accepted at this point because they were all much higher than the original estimate of cost provided by the architect.

Resolution 2024-0034 Resolution Approving Construction Contract and Bond for the Marshall County Sheriff's Office and Jail – Phase 1 Renovation.

There was no action taken on this item.

Resolution 2024-0035 Resolution Establishing a County Compensation Board.

A resolution by Marshall County to establish a county compensation board as authorized by Iowa Code Section 331.905.

Whereas, pursuant to Iowa Code Section 331.905, as amended in 2024 by Senate File 2442, the county board of supervisors may vote to establish a county compensation board.

Whereas, pursuant to this same Code Section, when the board of supervisors establishes a county compensation board, the compensation board shall be comprised of seven members who are residents of the county. Two members shall be appointed by the board of supervisors, one member each by the county auditor/recorder, county attorney, county treasurer, and county sheriff. The members of the county compensation board shall not be officers or employees of the state or a political subdivision of the state and shall serve staggered terms.

Whereas lots were drawn to determine the duration of initial staggered terms for members of the county compensation board.

Now, Therefore, Be It Resolved, Marshall County hereby establishes a county compensation board for the county.

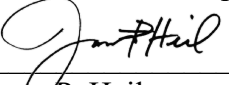
Be It Further Resolved, Marshall County directs each of the elected officials to submit their respective appointments to the chair, of the board of supervisors and auditor/recorder by January 3, 2025.

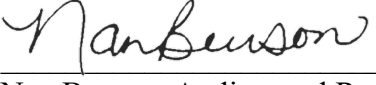
Be It Further Resolved, the representatives of the auditor/recorder, county treasurer, and county sheriff shall serve an initial term of four years, and the representatives board of supervisors and county attorney shall serve an initial term of two years.

Be It Further Resolved, this resolution shall apply retroactively to July 1, 2024.

Passed and approved this 18th day of December, 2024.

Motion by Hibbs, second by Salasek to adopt resolution 2024-0035 Resolution Establishing a County Compensation Board. This resolution originally stated that it shall be comprised of six members due to the Auditor/Recorder's office being combined, however the resolution was amended to be changed to seven members due to the way the Iowa Code was discussed during the Board of Supervisor meeting. Harold Lanning spoke briefly giving his support of having a compensation board as he has previously served on the compensation board. This resolution has no sunset, however the Board can repeal the decision to establish a compensation board at any time. Resolution adopted 3-0.


Jarret P. Heil
Board of Supervisors, Chairman

Attest: 
Nan Benson, Auditor and Recorder

Discussion and Possible Action: Green Burial – Patrick Lynott

There was no action taken on this item until further research could be done. Patrick Lynott spoke on his desire to have a green burial done on his property when he passes away. Tyler Kelley, Marshall County Planning and Zoning Director had done some research of his own and prepared it for the Board prior to this meeting. Blaze Wurr, Marshall County Assessor, wanted to gather some additional information regarding assessment of the property with a green burial done on it from other counties before a decision was made.

Approve Additional Non-Union Holiday and Courthouse Closure on December 26, 2024.

Motion by Salasek, second by Hibbs to approve an additional non-union holiday and Courthouse closure on December 26, 2024. Motion carried 3-0.

Purchase of Temporary Easement and Permanent Easement from John M Weitzell and Betty Weitzell for Project BROS-C064(145)—8J-64 and Authorize the Chair to Sign.

Motion by Hibbs, second by Salasek to approve the purchase of a temporary easement and permanent easement from John M Weitzell and Betty Weitzell for Project BROS-C064(145)—8J-64 and authorize the Chair to sign. Paul Geilenfeldt, Marshall County Engineer, provided clarification on this item.

Approval of 28E Agreement Between Grundy County and Marshall County for Road Maintenance and Construction on 100th St.

Motion by Salasek, second by Hibbs to approve a 28E Agreement between Grundy County and Marshall County for road maintenance and construction on 100th St on the County line between Marshall County and Grundy County. Paul Geilenfeldt provided clarification. This 28E

agreement was approved by the Grundy County Board of Supervisors on December 2, 2024.
Motion carried 3-0.

Discussion and Possible Action: Safety Action Plan Pledge.

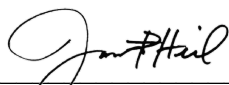
Motion by Hibbs, second by Salasek to pledge Marshall County's support of the Safety Action Plan and authorize the Chair to sign. Motion carried 3-0.

Public Forum. Harold Lanning gave many thanks to Steve Salasek for his years of service to Marshall County. Nan Benson, Marshall County Auditor/Recorder read a letter from Tom Swartz regarding an item that was discussed at a prior Board of Supervisor meeting.

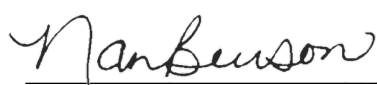
Closed Session Per Iowa Code 21.5(1)(c) Pending Litigation.

- a. Motion by Hibbs, second by Salasek to enter into Closed Session pursuant to Section 21.3, subsection 1, paragraph c, of the Code of Iowa to discuss strategy with council in matters where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the country in that litigation. Marshall County has an attorney-client relationship with the office of the Marshall County Attorney and Ahlers & Cooney P.C. Time: 10:15 a.m. Motion carried 3-0.
- b. Motion by Salasek, second by Hibbs to end closed session and return to open session. Time: 10:49 a.m. Motion carried 3-0.
- c. Motion by Hibbs, second by Salasek to proceed as discussed in closed session, directing staff and attorney's action. Motion carried 3-0.

Adjournment. The next regular session is Thursday, January 2, 2025 at 9:00 a.m., at the Courthouse, 1st floor meeting room, 1 E Main Street. 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 Friday, December 27, 2024, at 12:00 p.m. There being no further business to come before the Board, the meeting is adjourned at 10:50 a.m.



Jarret P. Heil
Board of Supervisors, Chairman

Attest: 

Nan Benson, Auditor and Recorder