

**Marshall County Board of Supervisors
Regular Session March 29, 2023, at 9:00 a.m.
Marshall County Sheriff's Office 2369 Jessup Avenue, Marshalltown, Iowa**

MINUTES

The Marshall County Board of Supervisors met in regular session according to the posted notices in the 3rd floor conference room, Sheriff's Complex, 2369 Jessup Avenue, Marshalltown, Iowa, and online via ZOOM. Chair Heil called the meeting to order on March 29, 2023, at 9:00 a.m. Present: Chair Jarret Heil, Vice Chair Steve Salasek, Member Carol Hibbs. Salasek moved to approve the agenda, second by Hibbs. Motion carried 3-0.

Hibbs moved to adopt the **Consent Agenda**, second by Salasek. Motion carried 3-0. Attorney Gaffney and Auditor & Recorder Benson reflected on the personnel changes requiring board approval for prior dates of service.

Items:

1. Approve Regular Session Minutes, March 15, 2023.
2. Approve Special Session Minutes 1st Canvass of GMG School Election dated 3/14/2023 and Special Session Minutes 2nd Canvass of GMG School Election dated 3/21/2023.
3. 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.
4. File Sheriff's Quarterly Report – 2022 4th Quarter
5. File Manure Management Plans:
 - a. Aaron Borton ID65862 1359 140th St, Clemons - no changes
 - b. Havelka Site 3 ID64515 2833 Garwin Rd, Marshalltown - no changes
 - c. JT Farms East ID63208 2348 290th St, Haverhill - no changes
 - d. Marshall Ridge Farms ID60101 - expansion
6. File Receipt of Marshall Ridge Farms LLC Construction Permit Application for Dairy Expansion
7. Approve Auditor and Recorder Office personnel changes:
 - a. Approve rehire, Auditor & Recorder Office, Election Temporary, Linda Fuller, \$10.00 per hour, parttime, from March 7, 2023 through March 8, 2023.
 - b. Approve new hire, Auditor & Recorder Office, Election Temporary, Bev Worden, \$10.00 per hour, part time, from March 7, 2023 through March 8, 2023.
8. Approve Attorney's Office personnel changes:
 - a. Approve status change, Attorney Office, from Assistant County Attorney to First Assistant County Attorney, Kiyoko Kieffer, change in full time annual salary from \$81,478.88 to \$100,917.84, plus \$675 bonus for additional duties in March, 2023, effective 4/1/2023.
 - b. Approve status change, Attorney Office, Assistant County Attorney, Travis Conder, change in fulltime annual salary from \$68,456.40 to \$71,456.40, effective on 4/1/2023.
 - c. Approve status change, Attorney Office, Assistant County Attorney, Breanna Nelson, change in fulltime annual salary from \$70,383.36 to \$73,383.36, effective 4/1/2023.

- d. Approve status change, Attorney Office, Assistant County Attorney, James Scheetz, change in fulltime annual salary from \$91,778.40 to \$94,778.40, effective on or after 4/1/2023.
- e. Approve new hire, Attorney Office, Assistant County Attorney, Jake Dorman, full time annual salary \$67,500, effective on or after 4/3/2023.

PUBLIC HEARING: 2022-2023 Budget Amendment

Motion by Salasek, second by Hibbs, to open the public hearing at 9:13 a.m. Motion carried 3-0. At the public hearing, any resident may present objections to or arguments in favor of any part of the amendment to the current 2022-2023 county budget. There were no written comments, questions, or objections on file in the County Auditor and Recorder's Office. Of the 15 individuals attending the public hearing, no individual(s) presented oral comments, questions, or objections. Motion by Salasek, second by Hibbs, to close the public hearing at 9:14 a.m. Motion carried 3-0.

Motion by Hibbs, second by Salasek, to adopt Resolution 2023-0016, FY 2022-2023 Budget Amendment. Resolution adopted 3-0.

Resolution 2023-0016, 2022-2023 Budget Amendment

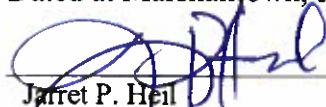
Pursuant to Section 331.435 Code of Iowa, an Amendment to the 2022-2023 County Budget is necessary to permit an increase in any class of expenditures; and

The Notice of Budget Amendment was published in the Marshalltown Times Republican and the State Center Mid-Iowa Enterprise on March 16, 2023; and


There were no written comments, questions, or objections on file in the County Auditor and Recorder's Office, and 15 individuals presented oral comments, questions, or objections at the hearing.

Now, Therefore, Be It Resolved by the Marshall County Board of Supervisors that the 2022 2023 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 29th day of March, 2023.



Jafret P. Heil
Board of Supervisors, Chair

Attest: 

Nan Benson
Marshall County Auditor / Recorder

PUBLIC HEARING: 2022-2023 Decrease in Appropriations

Motion by Hibbs, second by Salasek, to open the public hearing at 9:16 a.m. Motion carried 3-0. At the public hearing, any resident may present objections to or arguments in favor of any part of the decrease in appropriations in the current 2022-2023 county budget. There were no written comments, questions, or objections on file in the County Auditor and Recorder's Office. Of the 15 individuals attending the public hearing, no individual(s) presented oral comments, questions, or objections. Motion by Hibbs, second by Salasek, to close the public hearing at 9:17 a.m. Motion carried 3-0.

Motion by Salasek, second by Hibbs, to adopt Resolution 2023-0017, Budget Decrease in Appropriations 2022-2023. Resolution adopted 3-0.

Resolution 2023-0017, Budget Decrease in Appropriation 2022-2023

Pursuant to Section 331.434(6) Code of Iowa, the 2022-2023 County Budget proposes decreases in departmental appropriations of more than 10%, or \$5,000, whichever is greater; and

The proposed decrease in appropriations for, Buildings & Grounds, Informational Systems, Sheriff, Weed Eradication, and General Assistance departments was published in the Marshalltown Times Republican, Marshalltown, Iowa, and the Mid Iowa Enterprise, State Center, Iowa, on March 16th, 2023; and

There were no written comments, questions, or objections on file in the County Auditor and Recorder’s Office. There were 15 individuals attending the public hearing, and no individuals presented oral comments, questions, or objections at the hearing.

Now, Therefore, Be It Resolved by the Marshall County Board of Supervisors that the budget decrease in appropriations be approved as published.

Dated at Marshalltown, Iowa this 29th day of March, 2023.


Jarret P. Hill
Board of Supervisors, Chair

Attest: 
Nan Benson
Marshall County Auditor / Recorder

Motion by Hibbs, second by Salasek, to adopt Resolution 2023-0018, Re appropriation of Funds for FY2022-2023. Resolution adopted 3-0.

Resolution 2023-0018, Re-Appropriation of Funds for FY 2022-2023


Pursuant to Section 331.434(6) Code of Iowa, a re-appropriation of funds is necessary following resolutions for the 2022-2023 decrease in appropriations; and


Be It Resolved that the estimated appropriations approved by the Board for the various departments in the County be adjusted as follows:

| <u>Department</u> | <u>Current Appropriation</u> | <u>Re-Appropriation</u> |
|-------------------------------|------------------------------|-------------------------|
| #01 – Supervisors | 193,010 | 200,388 |
| #02 – Auditor and Recorder | 1,190,971 | 1,234,844 |
| #03 – Treasurer | 786,472 | 775,972 |
| #04 - County Attorney | 1,536,510 | 1,623,110 |
| #05 – Sheriff | 6,640,650 | 6,564,350 |
| #08 – Buildings & Grounds | 1,125,670 | 951,670 |
| #09 – Zoning | 18,900 | 18,900 |
| #15 - Information Systems | 861,540 | 761,540 |
| #16 – GIS | 274,985 | 226,985 |
| #19 - General Assistance | 30,980 | 15,500 |
| #20 - County Engineer | 9,173,400 | 10,087,925 |
| #21 - Veteran Affairs | 101,180 | 101,088 |
| #22 - County Conservation | 2,669,925 | 2,720,075 |
| #23 - Local Health Board | 217,541 | 233,891 |
| #24 - Weed Eradication | 78,450 | 38,450 |
| #25 - Dept. of Human Services | 69,450 | 69,450 |
| #28 - Medical Examiner | 163,350 | 163,350 |

| <u>Department</u> | <u>Current Appropriation</u> | <u>Re-Appropriation</u> |
|-------------------------------|------------------------------|-------------------------|
| #31 - District Court | 232,250 | 436,597 |
| #33 - County Library Contract | 69,442 | 69,442 |
| #42 - Gateway TIF | 60,000 | 60,547 |
| #60 - Mental Health Admin | 6,000 | 6,000 |
| #70 - Local Emergency Mgmt. | 1,460,956 | 1,460,956 |
| #84 - County Capital Building | 4,827,561 | 11,368,483 |
| #87 - E-911 Towers | 677,500 | 1,383,918 |
| #99 - Non-departmental | 6,992,216 | 3,796,345 |
| Total | 39,458,909 | 44,369,776 |

Dated at Marshalltown, Iowa this 29th day of March, 2023.


Jarret P. Heil
Board of Supervisors, Chair

Attest: 
Nan Benson
Marshall County Auditor / Recorder

PUBLIC HEARING: 2023-2024 Budget

Motion by Hibbs, second by Salasek, to open the public hearing at 9:20 a.m. Motion carried 3-0. 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 15 individuals attending the public hearing, no individual(s) presented oral comments, questions, or objections. Motion by Hibbs, second by Salasek, to close the public hearing at 9:21 a.m. Motion carried 3-0.

Motion by Salasek, second by Hibbs to adopt Resolution 2023-0019, Adopt Budget and Certify Taxes for Fiscal Year 2023-2024. Resolution adopted 3-0. Chair Heil thanked the Department Heads for their work on the budget and was pleased to resolve the budget issues created by SF181. Auditor & Recorder Benson mentioned the budget proposal is fairly flat with the exception of the health benefits fund.

Resolution 2023-0019 Adopt Budget and Certify Taxes for Fiscal Year 2023-2024

Pursuant to Section 331.434(5)a, counties are required to adopt the county budget and certify taxes; and


The proposed 2023-2024 County Budget was published in the Marshalltown Times Republican and State Center Mid Iowa Enterprise, on March 16, 2023; and

There were no written comments, questions, or objections on file in the County Auditor and Recorder's Office, and 15 individuals presented oral comments, questions, or objections at the hearing.

Now, Therefore, Be It Resolved that the County Budget for fiscal year 2023-2024 be adopted and the County Auditor and Recorder be authorized to certify and file the budget and certificate of taxes as adopted.

Dated at Marshalltown, Iowa this 29th day of March, 2023.


Jarret P. Heil
Board of Supervisors, Chair

Attest: 
Nan Benson
Marshall County Auditor / Recorder

Motion by Hibbs second by Salasek to adopt RESOLUTION 2023-0020 APPROVING APPOINTMENT OF KIYOKOKIEFFER TO THE POSITION OF FIRST ASSISTANT COUNTY ATTORNEY IN THE OFFICE OF THE COUNTY ATTORNEY. Resolution adopted 3-0.


RESOLUTION 2023-0020 APPROVING APPOINTMENT OF KIYOKO KIEFFER TO THE POSITION OF FIRST ASSISTANT COUNTY ATTORNEY IN THE OFFICE OF THE COUNTY ATTORNEY


Now Therefore, Be it Resolved

The Board of Supervisors Approve the Appointment of Kiyoko Kieffer to the position of First Assistant County Attorney in the Office of the County Attorney effective March 29, 2023.

This Resolution shall be in effect after approval and signature of the Board Chairman as required by law.

Dated at Marshalltown, Iowa this 29th day of March 2023.


Jarret P. Heil
Board of Supervisors, Chair

Attest: 
Nan Benson
Marshall County Auditor / Recorder

Motion by Salasek second by Hibbs to adopt RESOLUTION 2023-0021 APPROVING APPOINTMENT OF JAKE RYAN DORMAN TO THE POSITION OF ASSISTANT COUNTY ATTORNEY IN THE OFFICE OF THE COUNTY ATTORNEY. Resolution adopted 3-0.

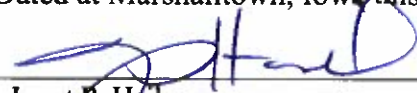
RESOLUTION 2023-0021 APPROVING APPOINTMENT OF JAKE RYAN DORMAN TO THE POSITION OF ASSISTANT COUNTY ATTORNEY IN THE OFFICE OF THE COUNTY ATTORNEY

Now Therefore, Be it Resolved

The Board of Supervisors Approve the Appointment of Jake Ryan Dorman to the position of Assistant County Attorney in the Office of the County Attorney effective April 3, 2023.

This Resolution shall be in effect after approval and signature of the Board Chairman as required by law.

Dated at Marshalltown, Iowa this 29th day of March 2023.


Jarret P. Heil
Board of Supervisors, Chair

Attest: 
Nan Benson
Marshall County Auditor / Recorder

Motion by Hibbs second by Salasek to approve amendments to the 28E Agreement for Sharing of Mental Health Advocate with the following counties: Franklin, Hamilton, Hardin, Marshall, Story, and authorize the Chair to sign and direct staff to record the agreement and file with the Secretary of State. Motion carried 3-0. The existing agreement, dated March 2017, is being modified to include Hamilton County to share the Mental Health Advocate. Agreement effective date: March 20, 2023. Attorney Gaffney noted his approval.

Motion by Hibbs second by Salasek to approve contract for easement for Sanford Ave east of Iowa Highway 14 from Carolyn R. Maschmann, to correct a situation where insufficient easement was acquired at the time of construction. County Engineer Geilenfeldt explained several decades ago the IDOT regraded and relocated Hwy 14, and there was a vacated rail easement, and the IDOT never acquired the right of way, so now the county will acquire the right of way and settle the property ownership. Motion carried 3-0.

Motion by Salasek second by Hibbs to approve purchase of a used 2016 VOLVO VNL64T300 day cab truck from Central Iowa Farm Store in Marshalltown. This purchase will be made after July 1, 2023, and paid from FY 2024 equipment budget. Motion carried 3-0. The acquisition of the truck will create operational efficiencies and is expected to have a life of 30 years.

Motion by Hibbs second by Salasek to approve Change Order requests in the amount of \$36,011.58 and authorize the Chair to sign contract change orders. Motion carried 3-0. Building and Grounds Director Baedke reviewed the necessary work and 2011 installation of air handling equipment. The largest improvement, when the 3rd floor was added in 1970, the soundproofing of the windows to buffer noise between the two floors. The expense is all within budget.


| <u>Change</u> | <u>Description</u> | <u>Owner</u> | <u>Storm</u> | <u>Code</u> | <u>Damages</u> | <u>SOV</u> |
|---------------|----------------------------|---------------------------|---------------------------|--------------------|--------------------|----------------|
| | Rotunda Plaster | | | | | |
| COR 102 | Repair | \$3,990.00 | \$7,410.00 | | | Interior Owner |
| COR 103 | VAV Box Re-Pipe | \$964.28 | | | | Interior Storm |
| | Soundproof 2nd-3rd | | | | | Interior |
| COR 105 | floor Windows | \$19,597.04 | | | | Owner/Storm |
| COR 108 | Generator Charger | | \$4,050.26 | | | Interior Storm |
| Total | <u>\$ 36,011.58</u> | <u>\$24,551.32</u> | <u>\$11,460.26</u> | <u>\$ -</u> | <u>\$ -</u> | |

Motion by Hibbs second by Salasek to approve Renewal of Liquor License for PRIME STOP INC., LE0003882, effective 5/18/2023 - 5/17/2024. Motion carried 3-0.

Public Forum: Public Members Jeff Robinson and Jack Robinson asked about the improvement of Fairman Road south of Hwy 30 due to agricultural traffic. Geilenfeldt responded the Wolfe Lake area will be improved next year, anticipating adding the Fairman Road, proposing to pave one mile south to 250th street. The “Pines” area may participate in the project if they want to fund the paving themselves. Should the “Pines” desire the county to maintain their subdivision, the road within the subdivision is required to be constructed to county specifications. Hibbs asked if there were any grants, farm to market, or other economic development monies available for the paving of Fairman Road, with the expansion of Marshall Ridge Farms (Blood’s dairy).

Emergency Management Director Kim Elder explained the attorney review of the RFP for the siren project is underway, and asked individuals to participate in Storm Readiness activities.

Adjournment. The next regular session is Wednesday, April 12, 2023, 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 Wednesday, April 5, 2023, at 12:00 p.m. There being no further business to come before the Board, the meeting is adjourned at 10:00 a.m.


Jarret P Heil
Board of Supervisors, Chairman

Attest:


Nan Benson, Auditor and Recorder