

The Marion County Board of Supervisors met in regular session at 3014 E Main St. Knoxville, IA 50138 on Tuesday, April 11, 2023 with Mark Raymie, Steve McCombs, and Kisha Jahner present in-person. Public access to the meeting was available in-person and electronically. Board Chair Jahner opened the regular session at 9:00 A.M.

Unless otherwise indicated, all the motions offered at this meeting were carried with the following vote:

Ayes: Raymie, McCombs, Jahner Nays: None Abstentions: None Absent: None

Agenda:

Raymie moved and McCombs seconded to approve the agenda as posted.

Communications:

1. Supervisor Jahner:
  - a. Pat Ryan, neighbor complaint regarding CJ Auto.
  - b. Robert Latch, complaint regarding road condition near his home.
  - c. Lauren Petersen, Knoxville Township Trustee resignation.

Public Comments:

1. Supervisor Jahner: Thank you – Courthouse Active Shooter Training

Consent Agenda:

Raymie moved and McCombs seconded to approve the consent agenda as follows:

1. Marion County Warrants 249684-249842 through 4/11/2023.
2. Marion County Board of Supervisor Regular Session Minutes: 2/14/2023, 2/28/2023, 3/14/2023, 3/28/2023
3. Marion County Board of Supervisor Special Session Minutes: 2/21/2023
4. Marion County Board of Supervisor 3/7/2023 Prairie City Monroe (PCM) School Special Election Canvass Minutes: 3/14/2023
5. Marion County employee salary adjustments. Complete list available in the Human Resource Office.

Business:

1. Craig Agan, Marion County Central Iowa Regional Housing Authority (CIRHA) representative, presented a report on the current activities of the Authority. Agan reported that after an extensive search, a new Authority executive director had been hired. Raymie moved and McCombs seconded to close discussion.
2. Public Hearing: Chair Jahner opened a Public Hearing at 9:10 A.M. regarding FY24 Proposed Marion County Budget for July 1, 2023 through June 30, 2024. No written or oral comments were received. Raymie moved and McCombs seconded to close discussion.
3. Raymie moved and McCombs seconded to approve Resolution 2023-40 Adoption of Marion County Iowa Budget for FY24 beginning July 1, 2023 through June 30, 2024 as follows:

WHEREAS, IA Code 331.434 requires that after a budget hearing, the Marion County Board of Supervisors shall adopt by Resolution a budget, and;

WHEREAS, the Marion County Board of Supervisors have met the budget publication requirements in Iowa Code 331.434 through publication in the Marion County Express, and;

WHEREAS, the Marion County Board of Supervisors have met the budget hearing requirements in IA Code 331.434 through the public hearing held on 4/11/2023 at 9:00 AM.

THEREFORE, BE IT RESOLVED, on the 11th day of March 2023, the Marion County Board of Supervisors hereby adopts by Resolution the County Budget for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

4. Raymie moved and McCombs seconded to approve Resolution 2023-41 Adoption of Elected Official's Salaries for FY24 beginning July 1, 2023 through June 30, 2024 as follows:

WHEREAS, the Marion 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 Marion County Compensation Board met on December 7, 2022 and established salary recommendations for the following elected officials for the fiscal year beginning July 1, 2023, and

WHEREAS, The Marion County Board of Supervisors determined the recommendations from the Marion County Compensation Board be reduced by 50%.

THEREFORE, BE IT RESOLVED the Marion County Board of Supervisors approve accepting the proposed Marion County Compensation Board salary recommendations reduced by 50% for elected officials for the fiscal year beginning July 1, 2023 with final salaries as follow:

Supervisor - \$44,645.32 (Chair \$46,145.32)  
Sheriff - \$131,356.99  
Auditor - \$87,475.13  
Treasurer - \$85,633.99  
Recorder - \$84,614.08  
Attorney - \$141,504.20

Approved this 11th day of April, 2023.

5. Raymie moved and McCombs seconded to approve Resolution 2023-42 Marion County Fund Designation from Local Sales and Services Tax (LOSST) revenues in FY24 as follows:

WHEREAS, the voters of Marion County, Iowa approved the imposition of certain local option taxes beginning January 1, 2004 in the unincorporated areas of the County at an election on September 30, 2003 and again on March 1, 2011; and

WHEREAS, the Board of Supervisors of Marion County, Iowa, declared its intention to pledge fifty percent (50%) of said local option sales and service tax revenues to be allocated for property tax relief and fifty percent (50%) for community betterment, including, but not limited to payment for debt construction costs, capitalized repair funds, and any other costs associated with the following projects: 1.) The historic preservation of the Marion County Courthouse. 2.) Capital equipment, improvement projects, construction, and repair. 3.) The improvement of Marion County Secondary Road Projects; and

WHEREAS, the voters of Marion County, Iowa approved the continued imposition of certain local option taxes effective January 1, 2024 in the unincorporated areas of the County at an election on November 2, 2021; and

WHEREAS, the Board of Supervisors of Marion County, Iowa, declared its intention to pledge fifty percent (50%) of said local option sales and service tax revenues to be allocated for property tax relief and fifty percent (50%) for community betterment projects or other lawful purposed of the County of Marion, Iowa.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Marion County, Iowa, the Local Option Sales Tax Revenues for the FY23-24 Marion County Budget be deposited as following:

- 1.) General Fund (01000) property tax relief – 30%
- 2.) General Supplemental Fund (02000) property tax relief – 20%
- 3.) Local Option Sales & Services Fund (29000) projects – 50%

Passed and adopted this 11th day of April 2023.

6. Raymie moved and McCombs seconded to approve Resolution 2023-43 Marion County Homestead Tax Credit Applications Received 7/2/2021 – 7/1/2022 as follows:

WHEREAS, the State of Iowa annually appropriates monies from the general fund of the state to the department of revenue to be credited to the homestead credit fund for the benefit of residential homeowners, and

WHEREAS, the process for residential landowners and the local Marion County, Iowa government offices regarding this tax credit is described in Iowa Code Chapter 425 – Homestead Tax Credits and Reimbursement, and

WHEREAS, the Marion County Assessor is to receive homestead tax credit applications through July 1 of each year and recommend a list to allow/disallow to the Marion County Board of Supervisors, and

WHEREAS, the Marion County Board of Supervisors are required to allow or disallow the application claims of residential landowners for homestead tax credits, and

WHEREAS, it is in the best interest of the property taxpayers in Marion County, Iowa to allow/disallow such recommended homestead tax credits.

NOW, THEREFORE, BE IT RESOLVED the Marion County Board of Supervisors allow/disallow the homestead tax credit applications received through July 1, 2022 as recommended by the Marion County Assessor per Iowa Code Chapter 425 and said tax credits be applied to the taxes payable 2023-2024. Recommended tax credit application lists are available in the Marion County Auditor's Office and electronically through OnDemand.

7. McCombs moved and Raymie seconded to approve Resolution 2023-44 Marion County Disabled Veterans Homestead Credit Applications Received 7/2/2021 – 7/1/2022 as follows:

WHEREAS, the State of Iowa annually appropriates monies from the general fund of the state to the department of revenue to be credited to the disabled veterans homestead credit fund for the benefit of residential homeowners, and

WHEREAS, the process for residential landowners and the local Marion County, Iowa government offices regarding this tax credit is described in Iowa Code Chapter 425 – Homestead Tax Credits and Reimbursement, and

WHEREAS, the Marion County Assessor is to receive disabled veteran homestead tax credit applications through July 1 of each year and recommend a list to allow/disallow to the Marion County Board of Supervisors, and

WHEREAS, the Marion County Board of Supervisors are required to allow or disallow the application claims of residential landowners for disabled veteran homestead tax credits, and

WHEREAS, it is in the best interest of the disabled veteran property taxpayers in Marion County, Iowa to allow such recommended disabled veteran homestead tax credits.

NOW, THEREFORE, BE IT RESOLVED the Marion County Board of Supervisors allow/disallow the new disabled veteran homestead tax credit applications July 2, 2021 through July 1, 2022 as recommended by the Marion County Assessor per Iowa Code Chapter 425 and said tax credits be applied to the taxes payable 2023-2024. Recommended tax credit application list is available in the Marion County Auditor's Office and electronically through OnDemand.

8. McCombs moved and Raymie seconded to approve Resolution 2023-45 Marion County Military Service Property Tax Exemption Applications Received 7/2/2021 – 7/1/2022 as follows:

WHEREAS, the State of Iowa annually appropriates monies from the general fund of the state to the department of revenue to be credited to the military credit fund for the benefit of landowners, and

WHEREAS, the process for landowners and the local Marion County, Iowa government offices regarding this property tax exemption is described in Iowa Code Chapter 426A – Military Service Tax Credit and Exemptions, and

WHEREAS, the Marion County Assessor is to receive military property tax exemption applications through July 1 of each year and recommend a list to allow/disallow to the Marion County Board of Supervisors, and

WHEREAS, the Marion County Board of Supervisors are required to allow or disallow the application claims of landowners for military property tax exemptions, and

WHEREAS, it is in the best interest of the property taxpayers in Marion County, Iowa to allow/disallow such recommended military property tax exemptions.

NOW, THEREFORE, BE IT RESOLVED the Marion County Board of Supervisors allow/disallow the new military property tax exemption applications July 2, 2021 through July 1, 2022 as recommended by the Marion County Assessor per Iowa Code Chapter 426A and said tax exemptions be applied to the taxes payable 2023-2024. Recommended property tax exemption application lists are available in the Marion County Auditor's Office and electronically through OnDemand.

9. McCombs moved and Raymie seconded to approve Resolution 2023-46 Marion County Family Farm Tax Credit Applications Received 11/2/2021 – 11/1/2022 as follows:

WHEREAS, the State of Iowa annually appropriates monies to the family farm tax credit fund of the state to the department of revenue to be credited to the family farm tax credit fund for the benefit of family farm agricultural landowners, and

WHEREAS, the process for family farm agricultural landowners and the local Marion County, Iowa government offices regarding this tax credit is described in Iowa Code Chapter 425A – Family Farm Tax Credit, and

WHEREAS, the Marion County Assessor is to receive family farm tax credit applications through November 1 of each year and recommend a list to allow/disallow to the Marion County Board of Supervisors, and

WHEREAS, the Marion County Board of Supervisors are required to allow or disallow the application claims of family farm agricultural landowners for family farm tax credits, and

WHEREAS, it is in the best interest of the property taxpayers in Marion County, Iowa to allow/disallow such recommended family farm tax credits.

NOW, THEREFORE, BE IT RESOLVED the Marion County Board of Supervisors allow/disallow the family farm tax credit applications received through November 1, 2022 as recommended by the Marion County Assessor per Iowa Code Chapter 425A and said tax credits be applied to the taxes payable 2023-2024. Recommended tax credit application lists are available in the Marion County Auditor's Office and electronically through OnDemand.

10. Raymie moved and McCombs seconded to approve a Marion County Procurement Policy – Version 2023 as follows:

#### PURPOSE

The purpose of this Procurement Policy is to ensure that sound business judgment is utilized in all procurement transactions and that supplies, equipment, construction and services are obtained efficiently and economically and in compliance with applicable federal law and executive orders and to ensure that all procurement transactions will be conducted in a manner that provides full and open competition.

#### APPLICATION

This policy applies to the procurement of all supplies, equipment, construction, and services of and for Marion County related to the implementation and administration of federal awards. All procurement will be done in accordance with 2CFR Part 200 and Appendix II to Part 200.

#### POLICY

##### GENERAL PROCUREMENT PRACTICES

Marion County will adhere to the following general procurement practices: document procurement standards; maintain oversight of contractors to ensure performance in accord with standards; avoid acquisition of unnecessary or duplicative items; encourage procurement or use of shared goods and services; use Federal excess and surplus property when feasible; encourage value-engineering clauses in construction contracts; award contracts only to responsible contractors; limit use of time and materials contracting; and use good administrative judgment to settle all contractual and administrative issues.

##### COMPETITION

Marion County will provide full and open competition; publishing Marion County Express; prohibit use of state or local geographical preferences; develop written procedures for procurement transactions to ensure competition is not restricted; and ensure that pre-qualified lists are current.

#### FIVE METHODS OF PROCUREMENT

Procurement under grants shall be made by one of the following methods, as described herein: (a) micro-purchase; (b) small purchase procedures; (c) sealed bids (formal advertising/published); (d) competitive proposals; (e) noncompetitive proposals.

- A. Micro-purchase includes the acquisition of supplies or services that do not exceed \$3,000 (or \$2,000 for acquisitions for construction subject to Davis-Bacon Act)
- B. Small purchase procedures are relatively simple and informal procurement methods that are sound and appropriate for the procurement of services, supplies, or other property, costing in aggregate not more than \$150,000. If small purchase procedures are used for a procurement under a grant, then a price or rate quotations (minimum of 2) shall be obtained from an adequate number of qualified sources.
- C. In sealed bids (formal advertising), sealed bids are publicly solicited (published) and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bids method is the required method for procuring construction.
  1. In order for formal advertising to be feasible, appropriate conditions must be present, including, at a minimum, the following:
    - a) A complete, adequate and realistic specification or purchase description is available.
    - b) Two or more responsible bidders are willing and able to compete effectively for Marion County's business; and
    - c) The procurement lends itself to a firm-fixed price contract, and the selection of the successful bidder can be made principally on the basis of price.
  2. When sealed bids are used for a procurement under a grant, the following requirements apply:
    - a) A sufficient time prior to the date set for opening of bids, bids shall be solicited (publicly advertised/published) from an adequate number of known suppliers.
    - b) The invitation for bids, including specifications and pertinent attachments, shall clearly define the items or services needed in order for the bidders to properly respond to the invitation for bids.
    - c) All bids shall be opened publicly at the time and place stated in the invitation for bids.
    - d) A firm-fixed-price contract award shall be made by written notice to that responsible bidder whose bid, conforming to the invitation for bids, is lowest. Where specified in the bidding documents, factors such as discounts, transportation costs and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine low bid when prior experience of Marion County indicates that such discounts are generally taken.
    - e) Any or all bids may be rejected if there are sound documented business reasons in the best interest of the program.
- D. Procurement by competitive proposals (REP or RFQ) is normally conducted with more than one source submitting an offer and either a fixed-price or cost-reimbursable type contract is awarded as appropriate. Competitive proposals are generally used when conditions are not appropriate for the use of sealed bids. If the competitive proposals method is used for a procurement under a grant, the following requirements apply:
  1. Requests for proposals shall be publicized (publicly advertised/published) and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals shall be honored to the maximum extent practical.
  2. Requests for Proposals shall be solicited from an adequate number of qualified sources.
  3. Marion County shall have a method for conducting evaluations of the proposals received and for selecting awardees.
  4. Awards will be made to the responsible offeror whose proposal will be most advantageous to the procuring party, with price (other than architectural/engineering – no price in RFQ's) and other factors considered. Unsuccessful offerors will be promptly notified in writing.

5. Marion County should use competitive proposal procedures for qualification-based procurement of architectural/engineering (A/E) professional services whereby competitor's qualifications are evaluated, and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in the procurement of A/E professional services. It cannot be used to procure other types of services (e.g., administration professional services) even though A/E firms are a potential source to perform the proposed effort.
- E. Noncompetitive proposal is procurement through solicitation of a proposal from only one source, or after solicitation from a number of sources, competition is determined inadequate. A noncompetitive proposal means a procurement through either a "sole source," when the Recipient solicits an offer from one source, or a "single source," when the Recipient solicits offers from multiple sources but receives only one or the competition is determined inadequate. Noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids (formal advertising), or competitive proposals. Circumstances under which a contract may be awarded by noncompetitive proposals are limited to the following:
  1. The item is available from only a single source;
  2. After solicitation of a number of sources, competition is determined inadequate;
  3. A public exigency or emergency exists when the urgency for the requirement will not permit a delay incident to competitive solicitation; and
  4. If the awarding agency authorized noncompetitive proposals. (Sole or single source procurement for supplies, equipment, construction and services valued at \$25,000 or more must have prior approval of the awarding agency.

Sole or single procurement is unusual and the circumstances and rationale for its use must be fully documented.

- F. Marion County will provide, to the greatest extent possible, that contracts be awarded to qualified small and minority firms, women business enterprises and labor surplus area firms whenever they are potential sources.
- G. Any other method of procurement must have prior approval of the awarding agency.

#### RECYCLED MATERIALS

(Recipient) will procure items with recycled content following the requirements of Code of Iowa chapter 8A.315-317 and Iowa Administrative Code chapter 11-117.6(5) – Recycled Product and Content.

#### BID LANGUAGE – PROCUREMENT OF RECOVERED MATERIALS

Recipients shall include in all request for proposals and bid documents the following language.

*"The contractor agrees to comply with all the requirements of Code of Iowa chapter 8A.315-317 and Iowa Administrative Code chapter 11-117.6(5) – Recycled Product and Content."*

#### CONTRACT PRICING

- A. The cost plus a percentage of cost and percentage of construction cost method of contracting shall not be used.
- B. Marion County shall perform some form of cost/price analysis for every procurement action, including modifications, amendments or change orders.

#### PROCUREMENT RECORDS

Marion County shall maintain records sufficient to detail the significant history of a procurement, including the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price. Marion County shall make technical specifications and procurement documents available for review upon request.

#### BONDING REQUIREMENTS

Bonding requirements for construction or facility improvement contracts must meet the federal minimum requirements or receive a determination that the federal interest is adequately protected.

11. Raymie moved and Jahner seconded to approve Resolution 2023-49 Marion County Credit Card Authorization and Credit Limit – County Attorney as follows:

Be It Resolved, by the Board of Supervisors of Marion County, Iowa the following County departmental offices are hereby authorized to use a credit card through Marion County Bank with the credit limits as shown:

Marion County Attorney's Office – Jared Harmon  
(replaces former County Attorney Ed Bull)  
Adopted the 11th day of April, 2023.

\$30,000 (current)



12. McCombs moved and Raymie seconded to approve the following Marion County Courthouse Grounds Special Event Application as follows:

- Flag Day – Knoxville Area Ministers Association and Knoxville Every Step Hospice: June 14, 2023

13. McCombs moved and Raymie seconded to approve Resolution 2023-33 FY24 Iowa Department of Transportation – Secondary Road Budget as follows:

WHEREAS, on or before April 15 annually the County shall adopt a secondary roads construction budget, and;

WHEREAS, the budget includes a list of receipts and expenditures for the upcoming fiscal year and shows actual two prior fiscal year receipts and expenditures, and;

WHEREAS, the County Engineer has estimated the transportation related expenditures for the County and;

WHEREAS, The County's secondary road budget is based on a projection of the funds available for the upcoming fiscal year,

NOW THEREFORE, BE IT RESOLVED, that the county adopt the proposed secondary road budget for the period of Fiscal Year 2024.

14. McCombs moved and Raymie seconded to approve Resolution 2023-34 Iowa Department of Transportation – Secondary Road Five Year Program FY24 – FY28 as follows:

WHEREAS, Iowa Code 309.22 requires the County to annually adopt a secondary road construction program, and;

WHEREAS, the proposed construction program includes a project accomplishment list for the upcoming fiscal year and a project priority list for the succeeding four fiscal years and;

WHEREAS, the County Engineer has evaluated the transportation needs for the county and;

WHEREAS, the County's secondary road construction program is based on a projection of the funds available for the five-year period,

NOW THEREFORE, BE IT RESOLVED that the county adopt the proposed secondary road construction program for the period of FY24 through FY28.

15. McCombs moved and Raymie seconded to approve Resolution 2023-38 Award of Contract (M-MICRO32-1) for Microsurfacing of Segments of G40 and G76 as follows:

WHEREAS; on March 28, 2023, the Marion County Road Department received bids for Microsurfacing of County Roads G76 and G40, project M-MICRO24-1 and;

WHEREAS; this work is planned for farm-to-market roads within Marion County;

WHEREAS; Sta-Bilt Construction Co., of Harlan, Iowa submitted the lowest responsible bid and;

WHEREAS; the low bid of \$427,535.34 is acceptable to Marion County;

NOW THEREFORE, BE IT RESOLVED; that Marion County approve the award of a construction contract for the project M-MICRO32-1 with Sta-Bilt Construction Co. in the amount of \$427,535.34 for the microsurfacing of G40 and G76.

16. McCombs moved and Raymie seconded to approve Resolution 2023-39 T15 Flagler Bridge Federal Aid Funding Agreement 5-23-HBP-S-009 for Project BRS-CO63(142)-CO-63 as follows:

WHEREAS, County Road T15 are under the jurisdiction of Marion County and;

WHEREAS, County Road T15 is in need of bridge replacement and;

WHEREAS, a project, BRS-CO63(142)—60-63, to replace the bridge near Flagler is included in the current County Five Year Construction Plan and;

WHEREAS, Federal funding is available through the Federal Highway Administration (FHWA) Highway Bridge Program (HBP) to fund the project;

NOW THEREFORE, BE IT RESOLVED, that a project to replace the T15 bridge near Flagler shall be initiated and the Board of Supervisors shall enter into a Federal-Aid Agreement, No. 05-23-HBP-S-009 with the Iowa Department of Transportation.

17. Supervisor Raymie presented a proposed Amended and Restated 28E Agreement with the City of Knoxville regarding the VA Campus as drafted by Nathan Overburg from Ahlers and Cooney. The proposed amendment language addresses the County transferring portions of the VA Campus to Knoxville for defined development areas for a more streamlined process. The original financial constraints would remain in effect. City of Knoxville Mayor Brian Hatch indicated the City would be open to the amendment and asked to include the area formerly known as the "Doctors Quarters". City of Knoxville Manager Heather Ussery indicated the amendment would be an administrative win. The Board was in consensus on the concept. McCombs moved and Raymie seconded to close discussion.

18. Supervisor Raymie requested an agenda item to continue the discussion of the proposed disposition of the Marion County property at 104 S. Sixth St. Knoxville, IA. The Board continues to move towards a disposition of the property. The County Attorneys Office was requested to review the current lease agreement of the property with Iowa Department of Human Services (DHS) Case Management. The Board would also need to find a suitable arrangement with the "regular" DHS and decide on a disposition method. Raymie moved and Jahner seconded to end discussion.

19. The Board discussed the compensation levels of elected Township Trustees and Clerks. Further discussion included the language and interpretation of the term "employee" and township officials. Proposed increases in elected township official compensation levels could involve an increased per meeting amount and adding additional consideration for township clerks. Raymie moved and McCombs seconded to end discussion.

20. Board of Supervisor Update:

Raymie – CROSS MH Region merging with Heart of Iowa MH Region, Property Tax legislation.

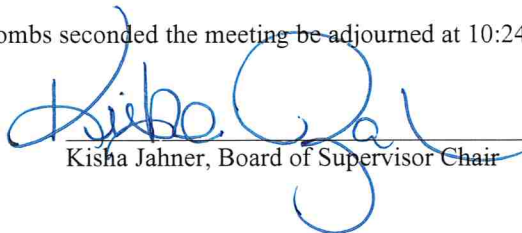
Mc Combs – Landfill closed 4/24/23 – 5/2/23 for scale upgrades.

Jahner – Employee evaluations, Iowa Capital legislative updates.

Adjournment:

There being no other business, Raymie moved and McCombs seconded the meeting be adjourned at 10:24 A.M.

  
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Jake Grandia, County Auditor

  
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Kisha Jahner, Board of Supervisor Chair