Marshall County Board of Supervisors Proceedings
Special Session September 8, 2010, at 7:00 p.m.

MINUTES

The Board met in Special session on Wednesday, September 8, 2010, at 7:05 p.m. at Lions Park Community Building, Green Mountain, Iowa with all 3 members present.

1. Approval or Amendment of Agenda—

Motion by Brooks, second by Grabenbauer to approve the agenda as printed.

Roll call vote:	Brooks-Aye	Goecke-Aye	Grabenbauer-Aye
	Member	Chairman	Vice Chairman

2. Consideration of Green Mountain Lighting District Preliminary Plat for approval or disapproval, including needed changes.

Motion by Grabenbauer, second by Brooks to approve the Green Mountain Street Lighting District Preliminary Plat as final under Iowa Code 357C.6 (2010).

Roll call vote:	Brooks-Aye	Goecke-Aye	Grabenbauer-Aye
	Member	Chairman	Vice Chairman

3. Set Election Date on Proposed Levy and Candidates for Trustees- Discussion and action to set an election date with the Green Mountain Lighting District under Iowa Code 357C.7 (2010)

Iowa Code 357C.7 (2010) reads as follows:
357C.7 Election on Proposed Levy and Candidates for Trustees.
When a preliminary plat has been approved by the Board of Supervisors, an election shall be held within the district within sixty days to approve or disapprove the levy of a tax of not more than fifty-four cents per thousand dollars of assessed value on all the taxable property within the district, and to choose candidates for the offices of trustees of the district. Notice of the election, including the time and place of holding the same, shall be given in the same manner as for the original public hearing as provided herein. The vote shall be by ballot which shall state clearly the proposition to be voted upon, and any registered voter residing within the district at the time of the election shall be entitled to vote. It shall not be mandatory for the county commissioner of elections to conduct elections held pursuant to this chapter, but they shall be conducted in accordance with the provisions of chapter 49 where not in conflict with this Chapter. Judges shall be appointed to serve without pay by the Board of Supervisors from among the registered voters of the district who will have charge of the election. The proposition shall be deemed to have carried if sixty percent of those voting thereon vote in favor of same. [C71, 73, 75,77,79,81, 357C.7] 94 Acts, ch 1169, 64

Iowa Code 357C.8 reads as follows:
357C.8 Trustees—Term and Qualification.

At the election, the names of candidates for trustee shall be written in by the voters on blank ballots without formal nomination, and the Board of Supervisors shall appoint three from among the five receiving the highest number of votes as trustees for the district; one to serve for one year, one for two years, and one for three years. The trustees and their successors must be residents of the district and shall give bond in the amount which the Board of Supervisors may require, the premium of which shall be paid by the district the trustees represent. Vacancies may thereafter be filled by election, or by appointment by the Board of Supervisors. The term of succeeding trustees shall be for three years.
[C71, 73, 75, 77, 79, 81, 357C.8]
91 Acts, ch 111, 3

Iowa Code 357C.9 reads as follows:
357C.9 Trustees' Powers.

The trustees may purchase street lighting service and facilities and may levy an annual tax not to exceed fifty-four cents per thousand dollars of assessed value for the purpose of exercising the powers granted in this chapter. This levy shall be optional with the trustees, but no levy shall be made unless first approved by the voters as provided herein. The trustees may purchase material, employ labor, and may perform all other acts necessary to properly maintain and operate the benefited street lighting district. The trustees shall be allowed necessary expenses in the discharge of the duties, but shall not receive any salary.
[C71, 73, 75, 77, 79, 81, 357C.9]

Motion by Brooks, second by Grabenbauer to set the election date for September 28, 2010 from 12:00 p.m. – 8:00 p.m. at the Lions Park Community Building in Green Mountain, Iowa, District of Green Mountain, pursuant to the requirements of Iowa Code 357C.7 and 357C.8 (2010).

Roll call vote:	Brooks-Aye	Goecke-Aye	Grabenbauer-Aye
	Member	Chairman	Vice Chairman

4. Public Forum-There were no comments made from the public.

5. Adjournment--The next regular meeting is September 14, 2010 at 9:00 a.m. All business to be acted upon at that session should be submitted to the County Auditor's Office or the Board of Supervisors' Office by September 9, 2010, at 1:00 p. m. There being no further business to come before the Board, the meeting was adjourned at 7:26 p.m.

_____ Attest: _____

Ronald D. Goecke
Board of Supervisors, Chairman

Karen Squiers
Marshall County Auditor