

**Marshall County Board of Supervisors
Annual Organizational Meeting Agenda
Tuesday, January 3, 2023 at 9:00 a.m.
Election Center, 107 S 1st Avenue, Marshalltown,
Iowa**

1. Call to Order.

How to Participate in the meeting

The Board encourages the public to remain engaged and actively participate via the ZOOM process if they are unable to attend the meeting in person. Presenters may provide documentation electronically for inclusion during the meeting prior to the agenda deadline and are requested to participate via ZOOM. There are 4 available options to view and/or participate in the public meetings:

- Attend in person.
- View on YouTube. View live or replay later. MARSHALL COUNTY YOUTUBE
https://www.youtube.com/channel/UC2SRE_isBm8PyHrZNXf3nsA
- Call in by Phone: 1- 312 - 626 - 6799, Meeting ID 871 3622 1316 Passcode 526957
- Zoom. Participate Live. <HTTPS://US02WEB.ZOOM.US/J/87136221316?PWD=Q0LDEXVVEHPLSVROA3LVRDVTXCXHAQT09>

Notice to the Public

The Board of Supervisors welcomes comments from the public during the time allowed for discussion. You are requested to approach the microphone, state your name for the record and limit the time used to present your remarks in order that others may be given the opportunity to speak. The normal process on any agenda item is for the Chair to read the item from the agenda. The Board is given an opportunity to comment on the issue and/or place a motion on the floor. An opportunity for discussion may be presented at which time the public may participate and a roll call vote will follow.

2. Pledge of Allegiance

3. Roll call.

Heil, Hibbs, Salasek

RCV: Heil: Absent__ Present__ By Zoom__ / Hibbs Absent__ Present__ By Zoom__ /
Salasek Absent__ Present__ By Zoom__

4. Approve or modify the Annual Organizational Meeting agenda.

Motion by ____, second by ____ to ____ the Annual Organizational Meeting agenda.

RCV: Heil Y N / Hibbs Y N / Salasek Y N

5. Select Board of Supervisor Chair and Vice Chair for 2023.

Motion by ____, second by ____ to select (name) as Chair and (name) as Vice Chair.

RCV: Heil Y N / Hibbs Y N / Salasek Y N

6. Consent Agenda:

6.a. Approve Board of Supervisor Committee Appointments, beginning January 1, 2023, one year terms:

Motion by ____, second by ____ to approve appointments:

Internal Committees:	Rep	Alt
Emergency Management Agency - LEM	Steve	Jarret
Marshall County Communications Commission - MCCC	Steve	Jarret
Marshall County Joint E911 Service Board - E911	Steve	Jarret
Radio Governance Board	Steve	Jarret
Department Head Meeting Representative	Carol	Steve
IMWCA Representative	Jarret	Steve
Safety Committee Representative	Steve	Carol
Board of Health	Carol	Jarret
External Committees:		
Marshall County Landfill Commission	Jarret	Steve
Marshalltown Cluster Decategorization Child Welfare Service Plan	Carol	Steve
Chamber Board	Carol	Jarret
Marshall Economic Development (M.E.D.)	Carol	Jarret
28E Board for Central Iowa Community Services	Jarret	Carol
Region VI Planning Commission	Carol	Jarret
Advisory Committee on Intergovernmental Relations	Jarret	Steve

Mid-Iowa Community Action	Carol	Steve
Second Judicial District Department of Correctional Service	Jarret	Steve
Area Agency on Aging	Steve	Carol
Central Iowa Juvenile Detention Commission (Eldora)	Carol	Jarret
WIOA Iowa Workforce CEO Board	Steve	Carol
WIOA Regional Workforce Investment Board	Steve	Carol
Marshall County Early Childhood	Jarret	Steve

6.b. Reappoint Todd Apfel as Marshall Co Weed Commissioner, Sanitarian & Zoning Admin, term expires 12/31/2023

6.c. Approval of Official Newspapers for Calendar Year 2023, Times Republican & Mid Iowa Enterprise, State Center.

6.d. End of Consent Agenda. Roll call vote:

Motion by _____, second by _____ to _____ consent agenda.

RCV: Heil Y N / Hibbs Y N / Salasek Y N

7. Approve Marshall County Discrimination Disclaimer.

Marshall County Discrimination Disclaimer—No person shall be excluded from the receipt of services or benefits, and no employee shall be discriminated against on the basis of race, creed, color, national origin, sex, sexual orientation, gender identity, age, religious or political affiliation and physical or mental disability, consistent with applicable state and federal policies and regulations. Any incident of discrimination should be reported.

Violation of the nondiscrimination policy may result in disciplinary action, which can include reprimand, suspension or dismissal from employment, and may also subject the violator to administrative or civil liability.

Motion by _____, second by _____ to _____

RCV: Heil Y N / Hibbs Y N / Salasek Y N

8. Title VI Non-Discrimination Agreement - Annual

Motion by _____, second by _____ to _____ Title VI Non-Discrimination Agreement and Authorize Chair to sign.

RCV: Heil Y N / Hibbs Y N / Salasek Y N

Documents:

9. ADOPT RESOLUTION 2023-0001 CONSTRUCTION EVALUATION RESOLUTION, RELATING TO CONSTRUCTION OF CONFINEMENT FEEDING OPERATION STRUCTURE

WHEREAS, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a “construction evaluation resolution” relating to the construction of a confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR’s decision regarding a specific application; and

WHEREAS, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2023, and January 31, 2024, and submit an adopted recommendation regarding that application to the DNR; and

WHEREAS, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board’s recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MARSHALL COUNTY that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

Motion by _____, second by _____ to _____ Resolution 2023-0001 CONSTRUCTION EVALUATION RESOLUTION, RELATING TO CONSTRUCTION OF CONFINEMENT FEEDING OPERATION STRUCTURE

RCV: Heil Y N / Hibbs Y N / Salasek Y N

Documents:

[RES 2023-0001_2023-01-03_RES CONSTRUCTION EVALUATION AKA MASTER MATRIX.PDF](#)

10. ADOPT RESOLUTION 2023-0002 MOVING PERMITS

WHEREAS, the Board of Supervisors is empowered under authority of Section 321.1 of the Code of Iowa to issue permits for the movement of machines, vehicles or loads, or

combinations thereof which exceed the maximum dimensions and/or weights specified in Sections 321.453 to 321.466 but within the limitations of Chapter 321E upon Secondary Roads under their jurisdiction, and

WHEREAS, it is important that such permits be issued by persons familiar with the statutes and regulations relating to such permits and also with the limitations of the county's roadways, road surfaces and structures along the selected or designated routes.

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that the Marshall County Engineer and the following named employees of the Secondary Road Department be authorized to issue and sign special permits for the movement of vehicles of excessive size and weight upon Marshall County Secondary Roads in accordance with said Chapter 321E: Named Employees: Paul Geilenfeldt, Mark Hentges, Lisa Reeder, Jill Tompkins, Andrew Rhodes.

Motion by _____, second by _____ to _____ Resolution 2023-0002 Moving Permits

RCV: Heil Y N / Hibbs Y N / Salasek Y N

Documents:

[RES 2023-0002_2023-01-03_RES MOVING PERMITS.PDF](#)

11. ADOPT RESOLUTION 2023-0003 BLANKET ROAD CLOSURE

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that effective January 5, 2023, Paul C. Geilenfeldt, the County Engineer of Marshall County, Iowa, be and he is hereby designated, authorized and empowered on behalf of the Board of Supervisors of said County to execute the requirements of Section 306.41 of the Code of Iowa until such time as formal action can be entered into the minutes of said Board.

Motion by _____, second by _____ to _____ Resolution 2023-0003 Blanket Road Closure

RCV: Heil Y N / Hibbs Y N / Salasek Y N

Documents:

[RES 2023-0003_2023-01-03_RES BLANKET ROAD CLOSURE.PDF](#)

12. ADOPT RESOLUTION 2023-0004 CERTIFICATE OF COMPLETION

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that effective January 3, 2023, Paul C. Geilenfeldt, the County Engineer of Marshall County, Iowa, be and is hereby designated, authorized and empowered on behalf of the Board of Supervisors of said County to execute the certification of completion of work and final acceptance thereof in accordance with plans and specifications therefore in connection with all Farm to Market and Federal or State aid construction projects in this

county.

Motion by _____, second by _____ to _____ Resolution 2023-0004 Certificate of Completion.

RCV: Heil Y N / Hibbs Y N / Salasek Y N

Documents:

[RES 2023-0004_2023-01-03_RES CERTIFICATE OF COMPLETION.PDF](#)

13. ADOPT RESOLUTION 2023-0005 ERECT EMBARGO SIGNS

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that the County Highway Department representing the Board of Supervisors be hereby authorized and directed to erect embargo signs restricting such loads on county routes, when such conditions exist, that all such loads be restricted to a maximum load as determined by the office of the County Engineer. Locations of signs to be verified at the next adjourned session.

Motion by _____, second by _____ to _____ Resolution 2023-005 Erect Embargo Signs.

RCV: Heil Y N / Hibbs Y N / Salasek Y N

Documents:

[RES 2023-0005_2023-01-03_RES ERECT EMBARGO SIGNS.PDF](#)

14. Public Forum.

Time set aside for the public to make comments on topics of County business other than those listed on this agenda. No action will be taken on any of these topics brought up in the public forum.

15. Adjournment.

The next regular session is January 17, 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, January 11, 2023, at 12:00 p.m. There being no further business to come before the Board, the meeting is adjourned at _____ a.m.

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COUNTY of MARSHALL, IA
Title VI Notice to the Public

hereby gives public notice that it is the policy of the **COUNTY of MARSHALL, IA** to assure full compliance with Title VI of the Civil Rights Act of 1964, related statutes and regulation provide that no person shall on the ground of race, color, national origin, gender, age or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. The Civil Rights Restoration Act of 1987 amended Title VI to specify that entire institutions receiving federal funds, whether schools, colleges, government entities, or private employers, must comply with Federal civil rights laws, rather than just the programs or activities that receive federal funds.

We are also concerned about the impacts of our programs, projects and activities on low income and minority populations (“Environmental Justice”) under Title VI. Any person who believes that they are being denied participation in a project, being denied benefits of a program, or otherwise being discriminated against because of race, color, national origin, gender, age, or disability, may contact:

Nan Benson
County of Marshall, IA
641-754-6323

Civil Rights Coordinator – IA DOT
Bureau of Civil Rights
800-262-0003 or 515-239-1304

YOU SHOULD CONTACT THE ABOVE INDIVIDUAL OR IOWA DOT OFFICE AS SOON AS POSSIBLE BUT NO LATER THAN 180 DAYS AFTER THE ALLEGED DISCRIMINATION OCCURRED, OR IF THERE HAS BEEN A CONTINUING COURSE OF CONDUCT, NO LATER THAN 180 DAYS AFTER THE ALLEGED DISCRIMINATION WAS DISCONTINUED. CONTACT THE CIVIL RIGHTS COORDINATOR TO GET MORE INFORMATION ON THE IOWA DOT’S TITLE VI PROGRAM.

Roll
Call:

Thompson__, Patten__, Salasek__.

RESOLUTION 2023-0001 CONSTRUCTION EVALUATION RESOLUTION

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WHEREAS, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR’s decision regarding a specific application; and

WHEREAS, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2023, and January 31, 2024, and submit an adopted recommendation regarding that application to the DNR; and

WHEREAS, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board’s recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MARSHALL COUNTY that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

Passed this 3rd day of January, 2023.

Attest:

Board of Supervisors, Chair

Nan Benson

Marshall County Auditor / Recorder

RESOLUTION 2023-0002 MOVING PERMITS

WHEREAS, the Board of Supervisors is empowered under authority of Section 321.1 of the Code of Iowa to issue permits for the movement of machines, vehicles or loads, or combinations thereof which exceed the maximum dimensions and/or weights specified in Sections 321.453 to 321.466 but within the limitations of Chapter 321E upon Secondary Roads under their jurisdiction, and

WHEREAS, it is important that such permits be issued by persons familiar with the statutes and regulations relating to such permits and also with the limitations of the county's roadways, road surfaces and structures along the selected or designated routes.

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Passed this 3rd day of January, 2023.

Attest:

Board of Supervisors, Chair

Nan Benson

Marshall County Auditor / Recorder

ADOPT RESOLUTION 2022-0003 BLANKET ROAD CLOSURE

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that effective January 5, 2022, Paul C. Geilenfeldt, the County Engineer of Marshall County, Iowa, be and he is hereby designated, authorized and empowered on behalf of the Board of Supervisors of said County to execute the requirements of Section 306.41 of the Code of Iowa until such time as formal action can be entered into the minutes of said Board.

Passed this 3rd day of January, 2022.

Attest:

Board of Supervisors, Chairman

Nan Benson

Marshall County Auditor / Recorder

RESOLUTION 2023-0004 CERTIFICATE OF COMPLETION

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that effective January 3, 2023, Paul C. Geilenfeldt, the County Engineer of Marshall County, Iowa, be and is hereby designated, authorized and empowered on behalf of the Board of Supervisors of said County to execute the certification of completion of work and final acceptance thereof in accordance with plans and specifications therefore in connection with all Farm to Market and Federal or State aid construction projects in this county.

Passed this 3rd day of January, 2023.

Attest:

Board of Supervisors, Chair

Nan Benson

Marshall County Auditor / Recorder

RESOLUTION 2023-0005 ERECT EMBARGO SIGNS

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that the County Highway Department representing the Board of Supervisors be hereby authorized and directed to erect embargo signs restricting such loads on county routes, when such conditions exist, that all such loads be restricted to a maximum load as determined by the office of the County Engineer. Locations of signs to be verified at the next adjourned session.

Passed this 3rd day of January, 2023.

Attest:

Board of Supervisors, Chair

Nan Benson

Marshall County Auditor / Recorder