

Marshall County Board of Supervisors
Regular Session Wednesday, June 7, 2023, at 9:00 a.m.
Courthouse, First Floor Meeting Room
1 East Main Street, Marshalltown, Iowa

AGENDA

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?](HTTPS://US02WEB.ZOOM.US/J/87136221316?PWD=Q0LDEXVVEHPLSVROA3LVRDVTCXHAQT09)
PWD=Q0LDEXVVEHPLSVROA3LVRDVTCXHAQT09

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 podium and use the microphone, state your name and address 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. Roll Call. Chair Heil, Vice Chair Salasek, Member Hibbs.

- Present:
- Absent:
- Attended By Zoom:

3. Pledge of Allegiance.

4. Approve Agenda.

Motion by _____, second by _____ to _____ agenda.

Roll call vote: Heil, Salasek, Hibbs.

5. Consent Agenda:

5.a. Approve Regular Session Minutes, May 24, 2023 and May Claims List

Documents:

[2023-05-24_MINUTES - FINAL -READY FOR SIGNATUE.PDF](#)

[2023-05_MAY CLAIMS RPT_CLAIMSPUB.PDF](#)

5.b. Approve claims as audited

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.

5.c. File Manure Management Plan

- Blue Valley Pork MMP
- Burt Farm 59927 No Changes
- Hog Heaven Finisher MMP
- Pickard Brothers Finisher MMP
- Langmaid Farm 58012 With Changes
- Jared Whitaker 70163 No Changes
- Justin Whitaker 66798 No Changes

Documents:

[2023-06-07 BLUE VALLEY PORK MMP SIGNED.PDF](#)

[2023-06-07 BURT FARM MMP SIGNED.PDF](#)

[2023-06-07 HOG HEAVEN FINISHER FARM MMP SIGNED.PDF](#)

[2023-06-07 PICKARD BROTHERS FINISHER MMP SIGNED.PDF](#)

[LANGMAID FARM 58012-WITH CHANGES.PDF](#)

[JARED WHITAKER 70163-NO CHANGES.PDF](#)

[JUSTIN WHITAKER 66798-NO CHANGES.PDF](#)

5.d. File Clerk of District Court Report April 2023

Documents:

[CLERK OF COURT APRIL 23 RECEIPT.PDF](#)

5.e. File Sheriff's Office Quarterly Report, January - March 2023

Documents:

[SHERIFFS OFFICE EXPENSE STATEMENT 2023.PDF](#)

5.f. End of Consent Agenda. Roll call vote:

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

Roll call vote: Heil, Salasek, Hibbs.

6. Approve State of Iowa Renewal Tobacco License, Prime Stop

Motion by _____ second by _____ to approve State of Iowa Retail Permit Application for

Cigarette/Tobacco/Nicotine/Vapor, for Prime Stop, 1659D Marshalltown Blvd, Melbourne, Iowa, permit effective 7/1/2023 - 6/30/2024.

Roll call vote: Heil, Salasek, Hibbs.

Documents:

[TOBACCO PERMIT-PIMESTOP JUNE 2023.PDF](#)

7. Approve Band Shell Contract for Ridiculous Day 07-28-2023

Motion by ____ second by ____ to (approve) Band Shell Contract for Ridiculous Day 07-28-2023.

Roll call vote: Heil, Salasek, Hibbs.

Documents:

[2023-07-27_BAND SHELL CONTRACT RIDICULOUS DAYS MCB.D.PDF](#)

8. Approval of Chairman to sign Breiholz Change Order # 9 for \$66,950.16

Motion by ____ second by ____ to (approve) Breiholz Change Order #9 in the amount of \$66,950.16 and authorize Chair to sign.

Roll call vote: Heil, Salasek, Hibbs.

Documents:

[BREIHOLZ CHANGE ORDER 9 FOR 66,950.16.PDF](#)

9. Discussion and possible action to approve Breiholz COR#117, #118, #119, #120, and approve chairman to sign Official Change Order when ready.

Motion by ____ second by ____ to (approve) Breiholz COR#117, #118, #119, #120, and approve chairman to sign Official Change Order when ready.

Roll call vote: Heil, Salasek, Hibbs.

Documents:

[2023-06-07 COR118 PAINT FIREPLACES.PDF](#)

[2023-06-07 COR119 ADD LIGHT SWITCH AT JAMES DESK IN BOARDROOM 180.PDF](#)

[2023-06-07 COR 120 RF120 NO POWER SHOWN TO SINKS AT MENS 404 WOMENS 402 RESTROOMS.PDF](#)

[COR117 URN BASE RE-WORK.PDF](#)

10. Discussion and possible action to Determine Options for Issues in Marshall County Parking Spaces

Motion by ____ second by ____ to (approve) to determine options for issues in Marshall County parking spaces being breached by vehicles which do not have a permit.

Roll call vote: Heil, Salasek, Hibbs.

11. Discussion and Possible Action on Home Base Iowa, Veterans' Relocation to Marshall County Program.

Motion by ____ second by ____ to (approve) Home Base Iowa, Veterans' Relocation to Marshall County Program.

Roll call vote: Heil, Salasek, Hibbs.

12. Adopt Resolution 2023-0027 Enacting Stop Approaches on Eastman Ave

WHEREAS, The Board of Supervisors is empowered under authority of Sections 321.236 and 321.255 and 321.345, Code of Iowa to designate any secondary road intersection under their jurisdiction as STOP intersections and to erect STOP signs at one or more entrances to such intersection. NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that the following secondary road approaches be designated as a "STOP APPROACH" and that a STOP sign shall be erected accordingly:

STOPPING SOUTH BOUND TRAFFIC ON EASTMAN AVE AT THE INTERSECTION OF 230TH ST AND EASTMAN AVE AT THE S 1/4 CORNER OF SECTION 3, T83N, R20W, STATE CENTER TOWNSHIP.

Motion by _____, second by _____ to (adopt) RESOLUTION 2023-0027 ENACTING STOP APPROCHES PM EASMAN AVE.

Roll call vote: Heil, Salasek, Hibbs.

Documents:

[STOP RESOLUTION 230TH ST AND EASTMAN AVE.PDF](#)

13. Adopt Resolution 2023-0028 Farm to Market Review Board Application

WHEREAS, a county may apply for modifications to its farm to market system to add or subtract mileage from its system, to accept or delete highways gained or lost through jurisdictional transfers, or to change the classification of roads within its system, and

WHEREAS, the Board of Supervisors of Marshall County has consulted with its County Engineer and desires to modify its farm to market road system to provide continuity of intra- county and inter-county routes, to meet the needs of existing or potential traffic, to better meet land use needs, or to provide a more suitable location for a farm to market route, and

WHEREAS, application for modifications to any county's farm to market system must be made to the Farm to Market Review Board per the requirements of Code of Iowa Section 306.6,

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MARSHALL COUNTY that this county is formally requesting that the Farm to Market Review Board approve the following modifications to its farm to market system:

Road segments proposed for addition to the farm to market system:

Binford Avenue from Iowa Highway 30 to 245th Street located on the west side of Section 17, T-83N, R-20W, State Center Township

245th Street from Binford Avenue to Canfield Avenue located within Section 17, T-83N, R-20W, State Center Township

Canfield Avenue from 245th Street to Iowa Highway 30 located on the east side of Section 17, T-83N, R-20W, State Center Township

Total mileage added to the Farm to Market System: 1.964 miles

Road segments proposed for deletion from the farm to market system:

Underwood Ave from Shady Oaks Road to Iowa Highway 30 on the east side of Section 7, T-83N, R-17W, Le Grand Township

Total mileage deleted to the Farm to Market System: 0.491 miles

Road segments proposed for deletion from the farm to market extension system:

Iowa Avenue East from Iowa Highway 14 to the corporate limits of Marshalltown located on the north side of Sections 13 and 14, T-83N, R-18W, Timber Creek Township and on the north side of Section 18, T-83N, R-17W, Le Grand Township

Governor Road from East Olive Street to Iowa Avenue East within Sections 1 and 12, T-83N, R-18W, Timber Creek Township

South 18th Avenue from East Main Street to Iowa Highway 30 on the east side of Section 30, T-84N, R-18W, Taylor Township and on the east side of Sections 1, 12 and 13, T-83N, R-18W, Timber Creek Township

Total mileage deleted to the Farm to Market System: 6.467 miles

Motion by _____, second by _____ to (adopt) RESOLUTION 2023-0028 FARM TO MARKET BOARD APPLICATION.

Documents:

[RFM64 WITH MODIFICATION REQUEST.PDF](#)

[2023-06-07 RESOLUTION FOR FARM TO MARKET BOARD APPLICATION WITH DELETIONS UPDATED.PDF](#)

14. Adopt Resolution 2023-0029 Speed Limit Eastman Ave north of State Center

WHEREAS, The Board of Supervisors is empowered under authority of Sections 321.255 and 321.285, Subsection 4 of the Code of Iowa to determine, upon the basis of an engineering and traffic investigation, that the speed limit on any secondary road is greater than is reasonable and proper under the conditions existing, and may determine and declare a reasonable and proper speed limit, and WHEREAS, Such investigation has been completed in accordance with the 2009 Edition of the Manual on Uniform Traffic Control Devices, Section 2B-13, and the County Engineer has recommended a speed limit of 35 miles per hour. NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that the speed limit be established and appropriate signs erected at the location described as follows:

Eastman Ave from the intersection with 230th St (a.k.a. 7th St NW in the City of State Center), North 1000 feet, in Section 3, T-83N, R-20W, State Center Township. The established speed limit shall be 35 MPH.

Motion by _____, second by _____ to (adopt) RESOLUTION 2023-0029 SPEED LIMIT TO BE 35 MPH ON EASTMAN AVE NORTH OF STATE CENTER .

Documents:

[RESOLUTION-SPEED EASTMAN AVE.PDF](#)

15. ADOPT RESOLUTION 2023-0030 COUNTY OFFICIAL BOND APPROVAL PURSUANT TO IOWA CODE CHAPTER 64

- WHEREAS, Iowa Code Sections 64.2, 64.8, and 64.10 require public officers, including county attorneys, recorders, auditors, sheriffs, assessors, and treasurers to obtain a bond; and
- WHEREAS, Iowa Code Section 64.8 requires county attorneys, recorders, auditors, sheriffs, and assessors to obtain a bond in a penal sum of not less than twenty thousand dollars (\$20,000); and
- WHEREAS, Iowa Code Section 64.10 requires treasurers to obtain a bond in a penal sum of not less than fifty thousand dollars (\$50,000); and

- WHEREAS, Iowa Code Section 64.19 requires that the bond purchased for the county attorney, recorder, auditor, sheriff, assessor, and treasurer must be approved by the Board of Supervisors; and
- WHEREAS, Iowa Code Section 64.11 requires that the reasonable cost of said bond be paid by the county where the bond is filed; and
- WHEREAS, Iowa Code Section 331.324(6) allows that a blanket surety bond insuring the fidelity of county officers and employees who are accountable for county funds or property subject to the minimum surety bond requirements of Iowa Code Chapter 64; and
- WHEREAS, Iowa Code Section 64.5 states that all bonds required by law shall be construed as impliedly containing the conditions required by statute, anything in the terms of said bonds to the contrary notwithstanding; and
- WHEREAS, the Marshall County Board of Supervisors have obtained a blanket bond in the amount of twenty thousand dollars (\$20,000), meeting the requirements of Iowa Code Chapter 64 and Iowa Code Section 331.324(6), a copy of which is attached hereto as Exhibit A.
- NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that the surety bond, as set forth above and a copy of which is attached hereto as Exhibit A is hereby approved pursuant to Iowa Code Section 64.19.

Motion by _____, second by _____, to (adopt) RESOLUTION 2023-0030 COUNTY OFFICIAL BOND APPROVAL PURSUANT TO IOWA CODE CHAPTER 64. Roll call vote: Heil, Salasek, Hibbs.

Documents:

[RES 2023-0030 ALL OFFICIALS SURETY BOND.PDF](#)

16. Tabled: Animal Rescue League to June 7, 2023.

Review and possible approval of Animal Rescue League Contract.

Motion by _____, second by _____, to remove item from table for discussion and possible action.

Roll call vote: Heil, Salasek, Hibbs.

17. 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.

18. Adjournment.

The next regular session is Wednesday, June 21, 2023, 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 Wednesday, June 14, 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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