

**Marshall County Board of Supervisors
Special Session September 20, 2022 at 9:05 a.m.
Marshall County Election Center
107 S 1st Avenue, 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 at the Marshall County Election Center, 107 S 1st Avenue. 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 at the Marshall County Election Center, 107 S 1st Avenue, Marshalltown, Iowa.
- View on YouTube. View live or replay later. [MARSHALL COUNTY YOUTUBE](#)
- 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=Q0LDEXVVEHPLSVROA3LVRDVTcXHAQT09](https://us02web.zoom.us/j/87136221316?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 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 Chairperson 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

THOMPSON, Chair	Salasek, Vice Chair	Patten, Member

3. Pledge of Allegiance

4. Approve Agenda.

Motion by _____, second by _____.

THOMPSON, Chair	SALASEK, Vice Chair	PATTEN, Member

5. Certify Election Canvass, BCLUW School Special Election

Motion by _____, second by _____ to _____ the votes cast at the BCLUW School Special Election held on September 13, held at the Liscomb Community Building in Bangor/Liscomb/Taylor Precinct in Marshall County, State of Iowa, for Proposition IO and Proposition IP.

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THOMPSON, Chair	SALASEK, Vice Chair	PATTEN, Member
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Documents:

[2022-09-20_UNOFFICIAL ELECTION RESULTS.PDF](#)

6. Approval of Oktoberfest requests

Motion by _____, second by _____ to ____ Band Shell Agreement September 22 - 26, 2022, use of Annex Parking Lot and extension of use of courthouse grounds for festival, 9/20-9/26/2022.

THOMPSON, Chair	SALASEK, Vice Chair	PATTEN, Member
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Documents:

[2022 OKTEMBERFEST ACORD FORM 20220916-091557.PDF](#)

[2022-09-22_MOBILE-BAND-SHELL-AGREEMENT-PDF-OKTEMBERFEST 2022 - UNSIGNED.PDF](#)

[2022 - STAGE LOCATION, COURTHOUSE SQUARE, AND CARNIVAL-09-16_10-09-52.PDF](#)

6.A. Oktoberfest Street Closure information

Documents:

[2022 DOWNTOWN STREET CLOSURE TIMES AND DETAILS.PDF](#)

[2022 OKTEMBERFEST LETTER TO BUSINESSES DOWNTOWN.PDF](#)

7. Adjourn. Time _____

Subscribe to receive Marshall County notifications: <http://www.marshallcountya.gov/list.aspx>

MARSHALL COUNTY UNOFFICIAL RESULTS-BCLUW SCHOOL SPECIAL
PROPOSITION IO

Summary: To adopt a Revenue Purpose Statement specifying the use of revenues the BCLUW Community School District will receive from the State of Iowa Secure an Advanced Vision for Education Fund.

Yes 23

No 9

PROPOSITION IP

Shall the Board of Directors of the BCLUW Community School District, in the Counties of Grundy, Hardin, and Marshall, State of Iowa, for the purpose of purchasing and improving grounds; constructing schoolhouses or buildings and opening roads to schoolhouses or buildings; purchasing of buildings; purchase, lease or lease-purchase of technology and equipment; paying debts contracted for the erection or construction of schoolhouses or buildings, not including interest on bonds; procuring or acquisition of libraries; repairing, remodeling, reconstructing, improving, or expanding the schoolhouses or buildings and additions to existing schoolhouses; expenditures for energy conservation; renting facilities under Iowa Code Chapter 28E; purchasing transportation equipment for transporting students; lease purchase option agreements for school buildings or equipment; purchasing equipment authorized by law; or for any purpose or purposes now or hereafter authorized by law, be authorized for a period of ten (10) years, to levy annually, a voter-approved physical plant and equipment property tax not to exceed One Dollar Thirty-Four Cents (\$1.34) per One Thousand Dollars (\$1,000) of the assessed valuation of the taxable property within the school district commencing with the levy for collection in the fiscal year ending June 30, 2024, or each year thereafter?

Yes 14

No 18



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

09/16/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Shomo-Madsen Insurance 22 E Main St Marshalltown IA 50158		CONTACT NAME: Michelle Bromley PHONE (A/C, No, Ext): (641) 753-6691 E-MAIL ADDRESS: mbromley@shomo-madsen.com FAX (A/C, No): (641) 752-5360	
INSURED Oktemberfest, Inc. PO Box 1616 Marshalltown IA 50158		INSURER(S) AFFORDING COVERAGE INSURER A: RPS / National Fire & Marine Ins INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES

CERTIFICATE NUMBER: MarshallCo22-23

REVISION NUMBER:

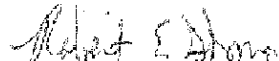
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y		72LPS044063	09/22/2022	09/26/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ Incl in Gen Agg \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: rental of Mobile Band Shell

CERTIFICATE HOLDER**CANCELLATION**

Marshall County, Iowa 1 E Main Street Marshalltown IA 50158	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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**RENTAL AGREEMENT FOR
MARSHALL COUNTY MOBILE BAND SHELL**

www.marshallcountytia.gov

Reservations: All requests to rent the Mobile Band Shell must be received at least thirty (30) days prior to the event. Reservations are not taken unless accompanied by a completed agreement. **Payment is required with the agreement before the Board will consider the rental agreement at their Meeting.** All events staged on the Courthouse grounds must end no later than 10:00 pm unless otherwise authorized by the Board of Supervisors.

Name of Organization/Individual Renting: Oktemberfest Inc	Name or Purpose of Event: Oktemberfest festival
Location of Event, submit site drawing with agreement: Downtown Marshalltown, stage a Main and Center, north side of crossing	
Set Up Date: 9/22/2022	Take Down Date: 9/26/22
Set Up Time: 08:00	Take Down Time: 09:00
Primary Contact Name Steph Anderson	Primary Contact Day Phone: 6414816291
Primary Contact Street Address: 222A Glenda Dr	Primary Contact City: Marshalltown
Primary Contact Email: oktemberfestparade@yahoo.com	
Secondary Contact Name: Duane Dixon	Secondary Contact Day Phone: 6413284622
Secondary Contact Email: duane.dixon@emerson.com	

Insurance: All renters are required to submit to the Board of Supervisors, not less than 30 days prior to their event, a **Certificate of Insurance** listing Marshall County as an “Additional Named Insured”. **Minimum coverage must be \$1,000,000 per occurrence, general liability insurance.** Renters are not allowed to move the Band Shell without prior permission of the Board of Supervisors. If such permission is granted, the renter(s) will be subject to additional insurance requirements. The agreement may be voided if the Certificate is not timely filed. For questions regarding the agreement for the Mobile Band Shell contact the Board of Supervisor’s Office at: (641) 754-6330, or by email bos@marshallcountytia.gov

Rental Fees Include (Any Location in Marshall County)	Total Charges	
Basic Staging Unit (32’ x 14’ total stage area)—Includes mobilization, set up, tear down of basic stage, and attendance by co. attendant.	\$450.00	\$

Any variation from above fee schedule is subject to additional fees.

Non-County Rentals: The Marshall County Band Shell is for rent only within Marshall County.

Cancellation: Ten (10) days prior notice is required to receive a full refund. If the event is cancelled due to inclement weather, the rental fee is forfeited unless cancellation was obtained 24 hours prior to the event.

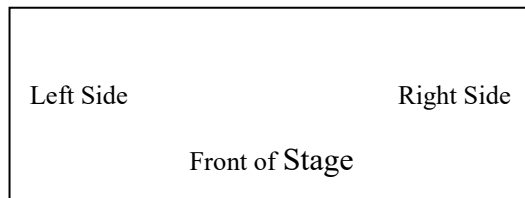
Electrical: If electrical or lighting is used, the stage requires 220 volt, 50 amp service if full lighting is used, or 110 volt, 30 amp service for minimum lighting and receptacle use. Special twist lock plugs are needed for both service cords. Contact County Buildings & Grounds Dept. (641-754-6383)

Water: If water usage is requested it can be made available by prior arrangements.

Restrooms: No building access. Restrooms are not available for security reasons. Locations are available on courthouse grounds for port-a-potties, at the event's expense.

Location: Submit site drawing with agreement, including the exact location that staging is to be placed (include direction to face). Location must be approved by Marshall County authorities due to possible space limitations and/or uneven terrain:

Stair Placement



Damage: Any damage to the staging, or equipment used with the staging will be repaired, or replaced at the expense of the organization renting the Mobile Band Shell. Damage caused by the negligence or misuse by performers, or unsupervised audience members will be the responsibility of the sponsoring organization rather than the individuals involved. Nothing may be attached, or affixed in any manner to the staging or the Mobile Band Shell without prior permission.

Lessee agrees to indemnify and forever hold harmless Marshall County, its officials and employees, from and against any and all claims, suits, actions, damages and/or causes of action brought by any person, corporation, or other entity arising out of the possession and use of the Mobile Band Shell during the term of this lease, for any personal injury, loss of life and/or property damage, and from and against all costs, expenses and liability incurred, or order or judgment entered, as a result of any such claim, the investigation thereof or the defense of any action including attorney's fees.

Signatures: *Aubrey Does*
Aubrey Does (Sep 16, 2022 09:42 CDT)
 Organization Representative

Sep 16, 2022
 Date

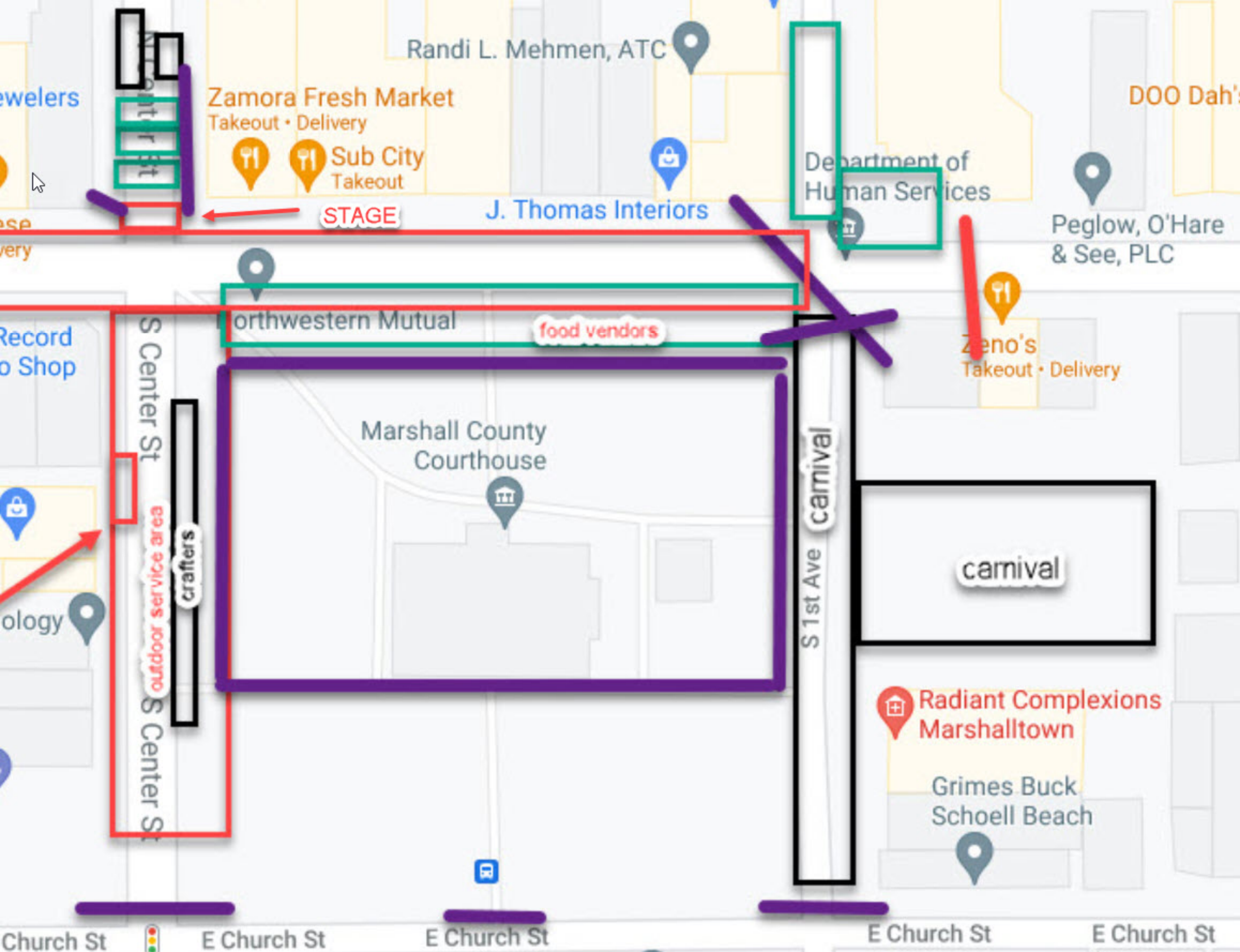
 Board of Supervisors, Chair

 Date

Please note: The band shell is intended for use by organizations and individuals within the Marshall County area. Those communities contributing to the purchase of the band shell shall have a permanent reservation for their yearly community celebration, but are subject to the fee schedule in effect. Use of the band shell by other groups shall be approved on a case by case basis. Charges for band shell rental fees are subject to change each year. Phone reservations are not accepted.

For office use only:

Date Fee paid:	Receipt Number:
Amount paid:	Check received from:
Date Approved by Supervisors:	Rev #0001-4-08-91000-612000



Zamora Fresh Market
Takeout • Delivery

Sub City
Takeout

Randi L. Mehmen, ATC

J. Thomas Interiors

Department of
Human Services

DOO Dah'

Peglow, O'Hare
& See, PLC

STAGE

Northwestern Mutual

food vendors

Zeno's
Takeout • Delivery

Marshall County
Courthouse

S Center St
S Center St

outdoor service area
crafters

S 1st Ave
carnival

carnival

Radiant Complexions
Marshalltown

Grimes Buck
Schoell Beach

Church St E Church St E Church St E Church St E Church St

Approximate timeline of details for street and parking lot closures.

Mon –

- S 1st Ave and City parking lot south of Annex - close starting Monday evening between 6 and 8 pm, allowing outflow traffic to clear out.

Tues –

- 8 am S 1st Ave and County Annex lot – Carnival staging/setup to begin

Wed –

- Main; between Center and 1st Ave - limited traffic flow after 6 pm for parking food vendors on south side of the street.

Thurs –

- 8 to 9 am – Stage gets set at Main and Center. North side of intersection
- 3 pm start to limit traffic downtown - outflow traffic allowed
- 5 pm – greater downtown closed to through traffic.
- Main closed from 3rd St to 2nd Ave, Main crossings at 2nd and 1st St closed. Limited travel at Main and 1st Ave
- Open back up for Thurs overnight around 9:30/10pm
- *** Main likely to remain closed/limited travel from Center to 1st Ave overnight Thurs to Sun evening.

Fri

- 3 pm start to limit traffic downtown - outflow traffic allowed – we had concerns in 2019 and 2021 for closing the greater downtown area for all day Thurs and Fri, so we are going to try to accommodate.
- 5 pm - downtown closed to through traffic.
 - Main closed from 3rd St to 2nd Ave,
 - Main crossings at 2nd and 1st St closed.
- *** Leave 1 block radius of Main and Center closed Fri evening until Sun, when we open rest of downtown cross streets on Fri night.
- 1st & 2nd St. crossings to open overnight

Sat

- Close streets by about 6:30/7am for 5k/10k route and downtown areas, parade route/staging areas by about 8 am –
- Open remainder of parade route/staging areas at the end of the parade. Everything west of 3rd St to open.
- Leave downtown closed overnight Sat. for 1 block radius of Main/Center
- Main closed from 3rd St to 2nd Ave,
- Main crossings at 2nd and 1st St closed during the day/evening; opened overnight.

Sun

- Main closed from 3rd St to 2nd Ave,
- Main crossings at 1st St closed, 2nd St(maybe?)
- Event closes at 5pm, 1 block radius to remain closed until about 6 pm

- Slow open of parts of downtown after 5 pm, along Main - Center to 1st Ave to open last to allow craft and food vendors load out Sun evening.

Mon

- Stage pickup,
- Carnival to move out any remaining pieces, likely to relocate to fairgrounds until they leave town.
-

NOTE: Not all of downtown will necessarily be cleaned up by the end of the day Sun evening. Trash bins will be emptied, and we have contracted with someone to do a final cleanup of the area on Mon during the day.

Oktemberfest 2022 will take place **Thurs Sept 22 through Sun Sept 25.**

Our event including the parade and weekend events' staging area will be similar to the layout done last year to accommodate having the event in the downtown district. As an owner/operator of a business within the staging area, the purpose of this letter is to enlist your help, cooperation, and support.

The streets in the downtown area including portions of Main St between 3rd St and 3rd Ave, and Center St, 1st and 2nd St, and 1st and 2nd Ave between Church and State St.

Portions of these streets will remain closed through most of the weekend for the safety of everyone attending or operating the event. Some sections will open overnight Thurs, for business Fri, others will remain closed overnight Fri and Sat.

Please be aware there will be restricted vehicle traffic and limited on street parking in these designated areas during the weekend's events. (Particularly along Main St, Center, and S 1st Ave.) So that we can keep emergency routes open, and not risk damage to your vehicles, please plan to park your vehicles in one of the nearby area parking lots or on one of the side streets.

We currently plan to have some of the streets closed starting at various times, Center St will close in the morning from Main to State. The rest will happen starting at about 3 pm Thurs Sept 22, and mostly reopened for normal vehicle traffic by approximately 6 pm Sun Sept 25, or as soon as time permits.

We are including a more detailed timeline of when to expect certain streets to close, so you may plan as needed

Thank You in advance for your cooperation.
Oktemberfest Board