Marshall County Board of Supervisors
Regular Session February 16, 2010, at 9:00 a.m.

MINUTES

The Board met in regular session on Tuesday, February 16, 2010, at 9:00 a.m. in meeting room #2, 3rd Floor, northeast corner of the courthouse with 2 members present. **Supervisor Brooks was present by conference speaker phone from out of the area.**

1. Approval or Amendment of Agenda—

Motion by Brooks, second by Grabenbauer to amend the agenda ~~as printed~~ **to add the words "for the term of the grant only" to agenda item #12c.**

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

Motion to approve the agenda as amended.

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

2. Bond Financing--Public Hearing

At the public hearing, any resident may present objections to or arguments in favor of the bond financing of essential purpose bonds for capital projects.

There were no written comments, questions, or objections on file in the County Auditor's Office. Of the 2 individuals attending the public hearing, no individual(s) presented oral comments, questions or objections.

Motion by Brooks, second by Grabenbauer to close the hearing.

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

3. Resolution--Bond Financing

The Board investigated and found that a notice of intention to institute proceedings to enter into a General Obligation County Buildings Improvements Loan Agreement had been duly published as provided by law and that this is the time and place at which the Board shall receive oral or written objections from any resident or property owner of the County. The County Auditor announced that no written objections had been placed on file. Whereupon, the Chairperson called for any written or oral objections, and there being none, the Chairperson closed the public hearing.

RESOLUTION NO. 2010-0010

Authorizing a Loan Agreement and not to exceed $750,000 General Obligation County Buildings Improvements Bonds and providing for the levy of taxes to pay the same

WHEREAS, pursuant to the provisions of Section 331.402 of the Code of Iowa, the Board of Supervisors of Marshall County, Iowa, has heretofore proposed to contract indebtedness and enter into a loan agreement in a principal amount not to exceed $750,000 (the "Loan Agreement") to provide funds to pay the cost, to that extent, of making improvements and repairs to County buildings, and has published notice of the proposed action and has held a hearing thereon;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Marshall County, Iowa, as follows:

Section 1. The Board hereby determines to enter into the Loan Agreement in the future, providing for a loan to the County in a principal amount not to exceed $750,000 for the purpose or purposes set forth in the preamble hereof.

Section 2. General Obligation County Buildings Improvements Bonds shall be issued in a principal amount not to exceed $750,000 in evidence of the County's obligation under the Loan Agreement at the time such funds are needed.

Section 3. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Bonds as the same become due, there is hereby ordered levied on all the taxable property in the County in each of the years while the Bonds are outstanding, a tax sufficient for that purpose, and in furtherance of this provision, but not in limitation thereof, there is hereby levied on all the taxable property in the County a direct annual tax for collection in the fiscal year beginning July 1, 2010, sufficient to produce the net sum of $211,959.

Section 4. A certified copy of this resolution shall be filed with the County Auditor and the Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the County and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the County and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Bonds hereby authorized and for no other purpose whatsoever.

Section 5. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved February 16, 2010.

Motion by Grabenbauer, second by Brooks to adopt this resolution.

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

Attest:

Ronald D. Goecke
Board of Supervisors, Chairman

Karen Squiers
Marshall County Auditor

4. Lease-Purchase of Vehicles for Sheriff's Department--Public Hearing

At the public hearing, any resident may present objections to or arguments in favor of the lease-purchase of three vehicles for the Marshall County Sheriff's Department.

There were no written comments, questions, or objections on file in the County Auditor's Office. Of the 2 individuals attending the public hearing, No individual(s) presented oral comments, questions or objections.

Motion by Brooks, second by Grabenbauer to close the hearing.

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

5. Resolution-Lease-Purchase Agreement and Certification of Debt—

Whereas, it is the recommendation of the Marshall County Sheriff that three vehicles are in need of replacement to allow for proper response to county emergencies and routine patrol, and

Whereas the Marshall County Board of Supervisors desires to enter into lease-purchase agreements for the vehicles, and

Whereas, pursuant to Iowa Code Section 331.402 and in lieu of calling an election, a notice of a public hearing regarding the lease-purchase of vehicles was published on February 6, 2010 in the Marshalltown Times Republican and February 10, 2010 in the Mid-Iowa Enterprise, and

Whereas this notice included the notice of the right to petition for an election on the proposal to contract indebtedness and enter into a lease-purchase agreement for the general county purpose of acquiring vehicles for the sheriff's department, and

Whereas, a public hearing was held on February 16, 2010 regarding the purchasing of three vehicles in FY11 for the Sheriff's Department in an amount not to exceed $100,000, and

Now, Therefore Be It Resolved by the Board of Supervisors of Marshall County, Iowa, that Marshall County **authorizes** and **approves** entering a lease-purchase agreement in an amount not to exceed $100,000 and for the levy of taxes into the debt service fund to pay the same, contingent upon the approval of the lease-purchase agreement at a later date.

A certified copy of this resolution shall be filed with the County Auditor, and the Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the County and set aside therein to be used solely and only for the payment of the principal of and interest on the lease-purchase agreement hereby authorized and for no other purpose whatsoever. The interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current available funds of the County in advance of taxes levied and when the taxes shall have been collected, reimbursement shall be made to such current funds in the sum thus advanced. The County hereby pledges the faith, credit, revenues and resources and all of the real and personal property of the County for the full and prompt payment of the principal of and interest on the lease-purchase agreement.

Passed and approved February 16, 2010.

Motion by Grabenbauer, second by Brooks, to adopt this Resolution.

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

Attest:

Ronald D. Goecke
Board of Supervisors, Chairman

Karen Squiers
Marshall County Auditor

Consent Agenda:

6. Approve Minutes-- from Regular Session of February 2, 2010.

7. Accept Treasurer's Semi-Annual Report—for July 1, 2009 – December 31, 2009. (See page 6)

8. Accept Sheriff's Quarterly Report-12-09

General Basic – Service Fees $20,759.88
General Basic – Interest on Checking $ 13.24
General Basic – Mileage Fees $ 3,608.98

9. File District Court Report-1-10

General Supplemental Fund 10% Surcharge - $603.96

10. Manure Management Update-Kix Site, id no. 65705, annual update report received and placed on file with changes made to the MMP. The changes include: adding acres, changes to crop rotation or optimal yields and using a manure analysis for determining application rates when applying manure.

11. Manure Management Update--Eric Finisher Farm (aka Breeze Hill Farms, LLC), id no. 65770, annual update report received and placed on file with changes made to the MMP. The changes include: adding acres, changes to crop rotation or optimal yields and using a manure analysis for determining application rates when applying manure.

12. Approve Personnel Actions

a. Hire **Rick Sawyer, Armando Estrada, Todd Borton,** and re-employment of **Lody Whitmore,** Secondary Road, Seasonal Truck Drivers, Temporary Part Time, at 17.78/hr., effective February 16, 2010.

b. Hire **Karen Bacon**, County Attorney's office, Administrative Assistant, Full time, at 13.75/hr., effective February 22, 2010

c. Hire **Benjamin Stansberry,** County Attorney's Office, Assistant Marshall County Attorney, Full time, at 60,000/yr. (grant funded), effective March 15, 2010 **for the term of the grant only(as referred to above in agenda item #1).**

13. Marshall County Audit Report—Bowman and Miller, P.C. has completed the Marshall County Audit for fiscal year ending June 30, 2009.

14. Approve Claims –as audited and authorize the County Auditor to issue payment of same.

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

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

15. Class C Beer Permit (BC) with Sunday Sales Privilege—application for renewal license (one year) for a Class "C" Beer Permit with Sunday Sales Privilege from Randhawa's Travel Center, 1659-D Marshalltown Blvd., Melbourne, Iowa. The current license expires March 15, 2010.

Motion by Grabenbauer, second by Brooks, to recommend that the renewal of Randhawa's Travel Center beer permit be approved.

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

16. Secondary Road-Dust Control Contracts—Discussion and action on approval of dust control contracts with Jerico Services, Inc., Indianola, Iowa; and Mid-Iowa Co-op, Beaman, Iowa, to supply dust control to residents in Marshall County for the summer of 2010.
Motion by Brooks, second by Grabenbauer, to approve the dust control contracts and authorize the Chairman to sign.

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

17. Secondary Road—Update on purchase of Tractor Backhoe/Loader- County Engineer will give an update on the purchase of the 710J Tractor Backhoe/Loader from Murphy Tractor & Equipment Co. of Des Moines, Iowa. **The old one was traded for $25,000.00, taking delivery tomorrow.**

18. Public Forum—Supervisors Brooks commented the need to find money to balance the budget.

19. Adjournment--The next regular meeting is March 2, 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 February 25, 2010, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:34 a.m.

______________________________	Attest:	______________________________
Ronald D. Goecke		Karen Squiers
Board of Supervisors, Chairman		Marshall County Auditor

SEMI-ANNUAL SETTLEMENT OF THE BOARD OF SUPERVISORS OF MARSHALL COUNTY, IOWA

WITH DEANE R. ADAMS TREASURER OF SAID COUNTY FOR THE PERIOD FROM JULY 01, 2009 TO DECEMBER 31, 2009, INCLUSIVE

ASSETS IN HANDS OF COUNTY TREASURER AT CLOSE OF BUSINESS December 31, 2009	TOTAL AMOUNT	NAME OF BANK	TOWN	BALANCE IN DEPOSITORIES AT CLOSE OF BUSINESS December 31, 2009 DEPOSIT IN TRANSIT	BANK BALANCES	CHECKS OUTSTANDING	INTEREST	TREASURER'S NET BALANCE
VAULT	520.00							
TILL	6,557.50	FARMERS SAVINGS	MARSHALLTOWN	3382	471099.06	471575.17	77.56	2828.33
DRAFTS & CHECKS	40,803.56	F&M BANK	MARSHALLTOWN		3610.15		7.41	3,602.74
TIME CERTIFICATES (CD'S)	2,000,000.00	US BANK	MARSHALLTOWN		2946.51		0.27	2,946.24
SAVINGS ACCOUNTS	6,922,814.19	WELLS FARGO	MARSHALLTOWN	123	2783.06		3.89	2,902.17
CASH ITEM	408.00	WELLS FARGO AUD.	MARSHALLTOWN		571449.21		183.62	571,265.59
CONSERVATION LAND ACQUISITION	75,491.20							
FLEX BENEFITS	23,526.91							
KLAUENBERG TRUST SAVINGS	5,099.18							
KLAUENBERG TRUST CD's	464,423.91							
RECORDER'S RECORDS	6,858.13							
SOLID WASTE MGMT IRREVOCABLE TRUST	2,702,237.76							
SPECIAL RESOURCE ENHANCEMENT	80,750.21							
E-911	8,141.92	**NET AMT. ON DEPOSIT IN BANKS AT CLOSE OF BUSINESS 12-31-09**						**583,545.07**
SPECIAL EVENTS	669.02							
MARSHALL COUNTY FIREWORKS	4,427.16							
WELLNESS	11263.1	**BALANCE AT CLOSE OF BUSINESS DECEMBER 31, 2009**						**14,052,066.42**
EMPLOYEE DENTAL	14814.85							
EMPLOYEE HEALTH	1026756.25							
D.A.R.E. FUND	210.86							
JAIL COMMISSARY FUND	237213.55							
SHERIFF INVESTIGATIVE FUND	2176.13							
ATTORNEY FORFEITURE FUND	11690.56							
COUNTY CAPITAL BUILDING FUND	37192.85							
EARLY CHILDHOOD PROGRAM	29198.46							
SCHOOL RADY CHILDREN SERVICES	146062.21							
FARM TO MARKET ACCOUNT	192758.95							
BALANCE AT CLOSE OF BUSINESS 12-30-2009	**14,052,066.42**	**TOTAL ASSETS**						**14,635,611.49**

I, DEANE R. ADAMS COUNTY TREASURER OF MARSHALL COUNTY, IOWA DO HEREBY CERTIFY THAT THE FOREGOING STATEMENT CORRECTLY SHOWS THE BALANCE IN DEPOSITORIES AT THE CLOSE OF BUSINESS DECEMBER 31, 2009.

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COUNTY TREASURER

MARSHALLTOWN, IOWA, ________________, 20____

I, KAREN SQUIERS, AUDITOR OF MARSHALL COUNTY, IOWA, DO HEREBY CERTIFY THAT THE STATEMENT GIVEN ABOVE CORRECTLY SHOWS THE CONDITION OF THE FUNDS IN THE HANDS OF DEANE R. ADAMS, TREASURER OF SAID COUNTY, AT THE CLOSE OF BUSINESS DECEMBER 31, 2009 AS SHOWN BY ACCOUNTS IN MY OFFICE.

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COUNTY AUDITOR