Marshall County Board of Supervisors
Regular Session June 8, 2010, at 9:00 a.m.

MINUTES

The Board met in regular session on Tuesday, June 8, 2010, at 9:00 a.m. in meeting room #2, 3rd Floor, northeast corner of the courthouse 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. Green Mountain Street Light Project, Public Hearing---
At the public hearing, any resident may present objections to or arguments in favor of any part of the Green Mountain Street Light District.

There were no written comments, questions, or objections on file in the County Auditor's Office. Of the 10 individuals attending the public hearing, 1 individual presented oral comments, questions, or objections at the hearing.

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

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

3. Resolution #2010-0016

RESOLUTION ESTABLISHING THE GREEN MOUNTAIN STREET LIGHTING DISTRICT AND BOUNDARIES THEREOF

WHEREAS, a Petition has been filed signed by the required number of property owners owning the required total assessed valuation of property within the proposed street lighting district, all as required by Iowa Code Chapter 357C (2010);

WHEREAS, a public hearing, upon proper public notice, was held on the establishment of such a proposed district;

WHEREAS, the Marshall County Board of Supervisors is fully advised concerning the need to establish the boundaries of the proposed district, and the benefits thereof.

THEREFORE, IT IS HEREBY RESOLVED by the Marshall County Board of Supervisors as follows:

1. This RESOLUTION establishes the Green Mountain Street Lighting District, with the boundaries as set out in the attached map. See Exhibit A attached hereto.

2. The Marshall County Board of Supervisors hereby appoints Paul Geilenfeldt, P.E., to do the preliminary plat required by Iowa Code Chapter 357C.5 (2010). Thereafter, a public hearing will be held on the preliminary plat. After this public hearing the Board of Supervisors shall approve or disapprove the preliminary plat, and may make such changes in the boundaries of the District as are deemed advisable.

This Resolution is adopted by the Marshall County Board of Supervisors on this 8th day of June, 2010, as a part of their regular Agenda, immediately following a public hearing as required by Iowa Code Chapter 357C.

Signed on this 8th day of June, 2010.

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

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

_____ Attest: _____

Ronald D. Goecke
Board of Supervisors, Chairman

Karen Squiers
Marshall County Auditor

Consent Agenda:

4. Approve Minutes-- from Regular Session of May 25, 2010.

5. File District Court Report-5-10

General Supplemental Fund Surcharge-$706.67

6. Manure Management Update - Tom Butters**,** id #59927**,** has made no changes to their MMP. It has been received and placed on file.

7. Approve Band Shell Rental –Rose Festival Association requests to use the Mobile Band Shell in State Center, IA, June 18-20, 2010 for the State Center Rose Festival.

8. Approve Claims –as audited and authorize the County Auditor to issue payment of same. The listing of claims paid at this meeting will be included with all claims paid for the month of June; the June list of claims will be a part of the first meeting in July.

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

Roll call vote:	Brooks-Aye	Goecke-Aye	Grabenbauer-Aye

	Member	Chairman	Vice Chairman

9. Public Events Held on County Property—Discussion and action on a request from the Marshalltown Municipal Band for use of the north side of the Courthouse grounds to hold Municipal Band concerts for the following 2010 dates: June 17, 24, and July 1, 8, 22 and 29, all Thursday evenings starting at 7:30 PM.

Motion by Brooks, second by Grabenbauer, to approve the use of County property by the Marshalltown Municipal Band.

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

10. Discussion Item-Rose Festival Road Race-Presentation by Scott Wall concerning the Rose Festival Road Race to be held on June 20, 2010, 8:30-3:30p.m., 20 mile course on various Marshall County Roads.

Memorandum of Cooperation

The Central Iowa Cycling Club, an Ames, IA based bicycle racing club affiliated with USA Cycling, the governing body for bicycle racing in the United States, respectfully requests the use of Marshall County, IA roads E18, S52, E29, and S62 to hold the Rose Festival Road Race, a bicycle road race, on Sunday, June 20, 2010.

This event will be run under a USA Cycling permit which includes insurance coverage for participants and for Marshall County. It will be held under the supervision of USA Cycling licensed officials who will ensure a safe and fair event for all participants.

This event will promote the sport of bicycle racing in Iowa and showcase what rural Marshall County has to offer to cyclists from around the state and surrounding states. Bicycling promotes physical fitness and a healthy lifestyle.

The Marshall County Supervisors agree that this event offers positive benefits to the county and does not present an undue danger to participants and residents and, therefore, will cooperate with the Central Iowa Cycling Club in their use of the above named roads on June 20, 2010.

Motion by Grabenbauer, second by Brooks to approve this memorandum and authorize the Chairman to sign.

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

Requested by:_____
Race Promoter, Central Iowa Cycling Club

Approved:_____
Ronald D. Goecke, Chairman

11. Early Childhood Iowa Funds—Discussion and possible action on approval of the Fiscal Agent Agreement. The Fiscal Agent Agreement is on file for viewing in the Board of Supervisor's office.

Motion by Brooks, second by Grabenbauer to approve this Fiscal Agent Agreement between the **Marshall County Community Empowerment Area Board**, referred to as **LOCAL BOARD**, and **Marshall County Board of Supervisors**, referred to as the **Fiscal Agent.**

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

Resolution 2010-0017
12. Interlocal Agreement Between the City of Marshalltown and Marshall County—2010 Edward Byrne Memorial Justice Assistance Grant (JAG) Program CMS Application Number 2010-H5247-IA-DJ

This agreement is made and entered into this 8th day of June 2010, by and between the COUNTY of Marshall, acting by and through its governing body, the Board of Supervisors, hereinafter referred to as COUNTY, and the CITY of Marshalltown, acting by and through its governing body, the City Council, hereinafter referred to as CITY, both of Marshall County, State of Iowa, witnesseth:

NOW THEREFORE, the COUNTY and CITY agree as follows**:**

City agrees to pay COUNTY a total of $ 15,076.50 of JAG funds,

COUNTY agrees to use $15,076.50 for the purchase of LED toplights and part of the County's non-match funding for the Byrne/JAG competitive drug task force grant in Marshall County for FY 2010.

CITY OF MARSHALLTOWN, IOWA

_____
Chief of Police
Jack K McAllister

_____
Mayor
Gene L Beach

COUNTY OF MARSHALL, IOWA

_____
Marshall County Sheriff
Ted G Kamatchus

_____
Chairman, Board of Supervisor
Ronald D. Goecke

Motion by Grabenbauer, second by Brooks to adopt this interlocal agreement between the City of Marshalltown and Marshall County and authorize signature.

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

_____ Attest: _____

Ronald D. Goecke — Karen Squiers
Board of Supervisors, Vice Chairman — Marshall County Auditor

13. Board of Health- Home Care Plus-Amended and Restated Agreement—Discussion and possible action on the approval of the agreement between Marshalltown Medical & Surgical Center, Marshall County and the Marshall County Board of Health. The amended and restated agreement in on file for viewing in the Board of Supervisors office.

Motion by Brooks, second by Grabenbauer to approve this Amended and Restated Agreement between Marshalltown Medical & Surgical Center, Marshall County and the Marshall County Board of Health.

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

14. Lease—Lease between Masonic Holding Corporation and Marshall County—Discussion and action on a lease between the Masonic Holding Corporation and Marshall County regarding room nos. 204, 205, 206, 207, 208a, 209, and 216 consisting of approx. 2127 square feet, used for general office, in the Masonic Temple Building, 26 South 1st Ave., Marshalltown. Terms of the lease shall be for one year, July 1, 2010 – July 1, 2011, at a rate of $1050.00 per month.

Motion by Grabenbauer, second by Brooks to approve this lease agreement.

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

15. Resolution – Abatement of Taxes -

Whereas, pursuant to Chapter 445.16, Code of Iowa, the County Treasurer has the authority to determine when it is impractical to pursue collection of property taxes through the tax sale or law suit remedies;

Whereas, upon making this determination the County Treasurer shall provide a recommendation of abatement to the Board of Supervisors, and the Board shall abate the taxes:

Now, Therefore, Be it Resolved by the Marshall County Board of Supervisors to authorize the County Treasurer to abate the taxes on the following mobile home which was moved without a tax clearance issued: 513 6th St SW #19 State Center, IA 50247,

VIN #8247N, Title # 64aa64917: A full year of 2009 in the amount of $154.00 which includes interest and cost.

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

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

_____ Attest: _____

Ronald D. Goecke
Board of Supervisors, Chairman

Karen Squiers
Marshall County Auditor

16. Discussion of Proposed Green Mountain Sewer Project—Presentation by John Kunc

17. Public Forum—Karen Squiers, County Auditor, reminded everyone that today is the Primary Election and polls are open until 9:00 p.m.

18. Adjournment--The next regular meeting is June 22, 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 June 17, 2010, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:39 a.m.

_____ Attest: _____

Ronald D. Goecke
Board of Supervisors, Chairman

Karen Squiers
Marshall County Auditor