

**Marshall County Board of Supervisors
Regular Session August 31, 2010, at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, August 31, 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 amend the agenda to add agenda item #17-Setting a public hearing on a preliminary plat of the Green Mountain Street Lighting District. Renummer original #17 to #18 and original #18 to #19.

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

Motion by Grabenbauer, second by Brooks to approve agenda as amended.

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

2. Amendment to Zoning Ordinance No. 3 of Marshall County, the Zoning Ordinance-Public Hearing-- At the public hearing, any resident may present objections to or arguments in favor of the ordinance amendment to Zoning Ordinance No. 3 of Marshall County. This is a request by Heartland Property Coop, legal owner of the land under request which is described as: 03-82-17 BEG AT THE SW COR SE SW THENCE E 132' N 684.8' E 684.99' SE 672.25' E 32.21' NW ALONG ROW 1404.41' W 737.6' S 1347.9' TO POB & LOT 3 NE SW & BEG 132' E OF SW COR SE SW THENCE N 684.8' E 684.99' SE 672.25' W TO POB; Sidwell PIN#: 16-03-300-013, to change the zoning District of the above-described parcel and amend the Zoning Ordinance to change the parcel from A-1 Agricultural District to C-1 General Commercial District.

There were no written comments, questions, or objections on file in the County Auditor's Office on the proposed amendment to Zoning Ordinance No. 3.
Of the 5 individuals attending the public hearing, 2 individuals presented oral comments, questions or objections.

Motion by Brooks, second by Grabenbauer to close the hearing and hold the third reading of Ordinance Amendment No. 10-01 at the regularly scheduled Board of Supervisor's meeting on August 31, 2010. (The second reading of this amendment to Ordinance No. 3 was suspended by majority of the supervisors pursuant to Iowa Code Chapter 331.302(5) at the August 23rd, 2010 Special Session.)

Roll call vote:	Goecke-Aye	Grabenbauer-Aye	Brooks-Aye
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	Chairman	Vice Chairman	Member
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3. Third Reading of Ordinance Amendment-Third and Final Reading of Proposed Amendment No. 10-01 and Adoption to Zoning Ordinance No. 3 of Marshall County

The Marshall County Board of Supervisors is considering the adoption of proposed Amendment No. 10-01 to the Zoning Ordinance No. 3 of Marshall County; and

Whereas the second reading of this ordinance was suspended by majority of the supervisors pursuant to Iowa Code Chapter 331.302(5) at the August 23, 2010 Board of Supervisors meeting, public hearing; and

Now, Therefore Be It Resolved, by the Marshall County Board of Supervisors, that this be considered the third and final reading and adoption of the Proposed Amendment No. 10-01 and Adoption to Zoning Ordinance No. 3 of Marshall County

Request #ZR-10-01 is a request by Heartland Property Coop, legal owner of the land under request which is described as: 03-82-17 BEG AT THE SW COR SE SW THENCE E 132' N 684.8' E 684.99' SE 672.25' E 32.21' NW ALONG ROW 1404.41' W 737.6' S 1347.9' TO POB & LOT 3 NE SW & BEG 132' E OF SW COR SE SW THENCE N 684.8' E 684.99' SE 672.25' W TO POB; Sidwell PIN#: 16-03-300-013, to change the zoning District of the above-described parcel and amend the Zoning Ordinance to change the parcel from A-1 Agricultural District to C-1 General Commercial District.

Be It Further Resolved, that such an amendment shall not be effective until the amendment is published. Notice of the public hearing was published in the Times Republican newspaper, Marshalltown, Iowa on August 24, 2010 and Mid Iowa Enterprise newspaper, State Center, Iowa on August 26, 2010. A public hearing was held on August 31, 2010.

Dated at Marshalltown, Iowa, this 31st day of August, 2010.

Motion by Grabenbauer second by Brooks, to adopt the Ordinance and this constitutes the third reading and final adoption of Amendment No. 10-01 to Zoning Ordinance No. 3.

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

Consent Agenda:

4. Approve Minutes-- from Regular Session of August 17, 2010.

5. Manure Management Plan Update-Norman Pork L.L.C., id no.59367, annual update report received and placed on file with a minor change made to the

MMP. Manure analysis for determining application rates when applying manure is being used.

6. Manure Management Plan Update—Mead Family Farms L.L.C., id #61407, annual update report received and placed on file with no changes made to the MMP.

7. Manure Management Plan Update—Jeff Breja, id #65417, manure management plan has been received and placed on file. There were no changes made to the MMP.

8. Approve Band Shell Rental Agreement — Grandview Heights Nursing Home has submitted a rental agreement for the Mobile Band Shell to be placed at Grandview Heights Nursing Home for September 17, 2010 for an Ice Cream Social with musical entertainment.

9. Approve Corrective Transfer of Funds—Transfer #825, a transfer from General Basic Fund to Conservation Land Acquisition Trust Fund in the amount of \$2,394.26 for FY10 claims paid from the incorrect fund.

10. 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 August; the August list of claims will be a part of the first meeting in September.

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

11. Resolution No. 2010-0020

RESOLUTION NO. 2010-0020

RESOLUTION TO APPROVE REGION 6 HOUSING TRUST FUND MATCH FOR MARSHALL COUNTY

Whereas the goal of the Region 6 Housing Trust Fund is to improve the supply of quality affordable housing across Hardin, Marshall, Poweshiek, and Tama Counties, and

Whereas a 25% local financial match from in-kind, private, and local government sources, is required in order to access \$268,167 of state local housing trust fund grant funds, and

Whereas the Harvester Urban Renewal Plan requires that the County annually set aside funds for low and moderate income family housing (new construction activities, rehabilitation, or general housing activities) using the HUD annually established values by family size and that the Region 6 Housing Trust Fund will follow those HUD established income values for Marshall County, and

Whereas Marshall County will be eligible for \$110,920 of Region 6 Housing Trust Fund grant funds if \$20,798 of cash is pledged, and

Whereas the Region 6 Housing Trust funds are distributed on a per-capita basis using the most recent official census data.

NOW, THEREFORE, BE IT RESOLVED BY THE MARSHALL COUNTY BOARD OF SUPERVISORS:

Section 1. Marshall County will provide \$20,798 of cash for the Region 6 Housing Trust Fund 10/1/2010 application for the exclusive purpose of owner-occupied home rehabilitation. This matching contribution of \$20,798.00 shall be paid during the FY 2011-2012 and shall come from the Harvester Urban Renewal Plan funds for low and moderate income housing.

Section 2. Region VI shall provide the Marshall County Auditor with a list of recipients of matching funds, including the amounts received, and rehabilitation services funded.

APPROVED this 31st day of August 2010.

Motion by Grabenbauer, second by Brooks to adopt this Resolution 2010-0020 to approve Region 6 Housing Trust Fund Match for Marshall County.

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

Ronald D. Goecke
Board of Supervisors, Chairman

Attest:

Karen Squiers
Marshall County Auditor

12. Board Action on Bid Proposals for Marshall County Property and Casualty Insurance – Discussion and action on bid for the Marshall County Property and Casualty Insurance. Review of bid received from contractors, public discussion and motion by Board of Supervisors.

Name of Bidder	Amount of Bid	Type of Insurance
Koehler Insurance	\$283,314	All Requested

Motion by Brooks, second by Grabenbauer, to accept the bid from Koehler Insurance in the amount of \$283,314 and **clarified by the letter dated August 27, 2010** and authorize the Chairman to sign the contract documents.

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

13. Public Events Held on County Property-Community Appreciation

Event—Discussion and action on a request from Randy Mason, Pastor of Liberty Baptist Church, for use of the Courthouse grounds, Sunday, September, 12 2010, from 2:00 p.m. to 8:00 p. m., for a community appreciation event, which shall include food, entertainment, and yard games.

Motion by Grabenbauer, second by Brooks, to approve this request.

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

14. Agreement between Iowa D.O.T. and Marshall County—Discussion and possible action on Agreement #2011-C-019 between Iowa D.O.T. and Marshall County concerning the bike trail connecting the Grimes Farm trail with the current trail South of IA HWY 30 at Marsh Ave.

Motion by Brooks, second by Grabenbauer to approve Agreement #2011-C-019 between Iowa D.O.T. and Marshall County.

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

15. Secondary Road-Approval of Right of Entry Agreements—Discussion and action on approval of Right of Entry agreements for the following parcels on project: STP-E-C064 (108)—8V-64, 2011-C-019 that connects the Grimes Farm trail with the current trail South of IA HWY 30 at Marsh Ave.

Parcel #1 – Right of Entry Agreement with Timothy and Rex Jennings

Parcel #2 – Right of Entry Agreement with John Guckert

Parcel #3 – Right of Entry Agreement with Justin & Jennifer McGill

Parcel #4 – Right of Entry Agreement with Jan Keller & Louise Powers

Motion by Grabenbauer, second by Brooks to approve the four Right of Entry Agreements with Timothy and Rex Jennings, John Guckert, Justin & Jennifer McGill, and Jan Keller & Louise Powers.

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

16. Secondary Road Resolution 2010-0021-Bridge Inspections--

R E S O L U T I O N 2010-0021

WHEREAS, Marshall County semi-annually completes an inspection of all bridges on the Secondary Road System of Marshall County and

WHEREAS, part of this inspection involves the recalculation of the safe load capacity of any structure showing remarkable deterioration of the structural components of that structure and

WHEREAS, that structural evaluation has resulted in the recommendation to reduce the safe load capacity that can be supported by certain structures,

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors on this 31st day of August, 2010 as provided in Sections 321.471, 321.472 and 321.473, Code of Iowa, to erect and/or maintain weight limit signs in advance of the following bridges located on the Federal Aid, Farm to Market, and Local Secondary Road Systems as follows:

County	Location	Gross Load Weight Limit	Multiple Posting	Lane Restrictions
<u>Br. No.</u>	<u>Sec.-T-R)</u>	<u>(Tons)</u>	<u>Tons</u>	
I-12	11-83-17		20-31-36 tons	Narrow
I-1413-83-17		12T		Narrow
P-2732-82-17		6T		Narrow

Passed and approved this 31st day of August, 2010.

Motion by Brooks, second by Grabenbauer to adopt this Resolution to change the bridge postings on Bridges I-12, I-14, P-27 listed above.

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

Ronald D. Goecke
Board of Supervisors, Chairman

Attest:

Karen Squiers
Marshall County Auditor

17. Setting a Public Hearing Date on a Preliminary Plat of the Green Mountain Street Lighting District

Motion by Brooks, second by Grabenbauer to set September 8, 2010 at 7:00 p.m. as the date & time for the Public Hearing to be held at Lions Park Community Building in Green Mountain.

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

18. Public Forum-There were no comments made at the public forum.

- 19. Adjournment**--The next meeting is a Special Session on September 7, 2010 at 9:00 a.m. The next regular meeting is September 14, 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 September 9, 2010, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:38 a.m.

Ronald D. Goecke
Board of Supervisors, Chairman

Attest:

Karen Squiers
Marshall County Auditor