

**Marshall County Board of Supervisors
Regular Session October 26, 2010, at 7:00 p.m.
(Please note location and time change of Regular Session)**

MINUTES

The Board met in regular session on Tuesday, October 26, 2010, at 7:00 p.m. at Laurel Community Library, 102 N. Main Street, Laurel, Iowa with all 3 members present.

1. Approval or Amendment of Agenda—

Motion by Grabenbauer, second by Brooks to amend the agenda as printed.

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

Motion by Brooks, second by Grabenbauer to approve as amended . Refer to Consent Agenda item 7a.

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

2. Discussion on a Resolution to Sell County Owned Real Estate, Public Hearing - At this public hearing any resident may present objections to or arguments in favor of any part of the RESOLUTION set out below in the next Agenda item. The public has been invited to submit written comments prior to this hearing and may make oral comments at this hearing.

Now is the time for both comments by the Board of Supervisors and the public attending this hearing, as well as presentation of the written comments received.

There were no written comments, questions or objections on file in the County Auditor's office on the RESOLUTION set out as a part of the next Agenda item. Of the 15 individuals attending the hearing, 3 individuals presented oral comments, questions or objections.

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

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

3. Resolution #2010-0025

Resolution No. 2010-0025

WHEREAS, Marshall County owns the following described real estate:

The Northwest Quarter of the Southwest Quarter, except the South 95.0' thereof, and the East Half of the Southwest Quarter all being in Section 32, Township 82 North, Range 18 West of the 5th P.M., Marshall County, Iowa. The 118 acres is comprised of 74 tillable and 44 acres of pasture.

WHEREAS, Marshall County shall sell the real estate described above at public auction;

WHEREAS, the proceeds of sale would be exclusively used for capital improvements, including improvements on other farmland owned by Marshall County. These proceeds will not be used for general operating expenses nor placed in the general operating fund. These proceeds will be held and dedicated only for the purposes recited in this paragraph;

WHEREAS, the public auction will occur on November 23, 2010, at a time and place set in a public notice to be published by the Marshall County Supervisors.

NOW THEREFORE BE IT RESOLVED, that the Marshall County Board of Supervisors shall sell the above described real estate at public auction to be held on November 23, 2010, at 9:00 a.m., in Meeting Room #2, third floor, Courthouse, Marshalltown, Iowa. Sealed bids may be submitted prior to the beginning of the auction by those unable to attend the auction by depositing them in the office of the Marshall County Auditor before the time of sale. The person(s) bidding, or their designee, must be present at the auction in order to raise their bid. The Board reserves the right to reject any or all bids. A PUBLIC NOTICE of the sale shall be published which shall set out the place, date, time, and terms of sale.

Motion by Grabenbauer, second by Brooks to adopt this Resolution as printed above. The public auction will occur on November 23, 2010 at 9:00 a.m. in Meeting Room #2, third floor, Courthouse.

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

Attest:

Ronald D. Goecke
Board of Supervisors, Chairman

Karen Squiers
Marshall County Auditor

Consent Agenda:

4. Approve Minutes-- from Regular Session of October 12, 2010

5. Approve Transfer of Funds—Transfer #826, a quarterly transfer from Rural Services Fund to Secondary Road Fund in the amount of \$407,285.50.

6. Accept Sheriff's Quarterly Report-9-10

General Basic – Service Fees \$19,588.87

General Basic – Interest on Checking\$ 12.27

General Basic – Mileage Fees \$ 3,970.36

7. Approve Personnel Actions:

- a) Hire Joann Noack, temporary, full time, Auditor/Election Dept., Voting Equipment Delivery, rate of pay \$10.00/hr., effective October 27, 2010 to November 5, 2010.

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 October; the October list of claims will be a part of the first meeting in November.

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

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

9. Terry Monson-Laurel Wind Farm—Presentation by Terry Monson and Kirk Kraft, RPM Access Wind Development LLC.

10. Request for Subdivision Variance from Raymond and Wanda Smith, SV 10-03--

Discussion and possible action on a request from Raymond and Wanda Smith for property legally described as: 28-82-18 NE NE, parcel pin #15-28-200-005 within Marshall County, Iowa for a subdivision variance from Article III, Section 3 of the Marshall County Platting Subdivision Ordinance of Marshall County.

Motion by Grabenbauer, second by Brooks, to approve the subdivision variance to Article III, Section 3 of the Platting and Subdivision Ordinance and allow a plat of survey to be filed in lieu of a subdivision. The property involved is:

Section 28 Township 82 Range 18, NE NE, parcel pin #15-28-200-005 within Marshall County, Iowa.

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

11. Request for Subdivision Variance from Hilleman Farms Inc. (Ronald Papenberg), SV 10-04--

Discussion and possible action on a request from Hilleman Farms Inc. (Ronald Papenberg) for property legally described as: 24-84-20 SW NW Ex Parcel A, parcel pin # 05-24-100-007 within Marshall County, Iowa for a subdivision variance from Article III, Section 3 of the Marshall County Platting Subdivision Ordinance of Marshall County.

Motion by Brooks, second by Grabenbauer, to approve the subdivision variance to Article III, Section 3 of the Platting and Subdivision Ordinance and allow a plat of survey to be filed in lieu of a subdivision. The property involved is:

Section 24 Township 84 Range 20, SW NW Ex Parcel A, parcel pin # 05-24-100-007 within Marshall County, Iowa.

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

12. Request for Subdivision Variance from John W. Landherr, SV 10-05--

Discussion and possible action on a request from John W. Landherr for property legally described as: 11-83-19 Lafayette Park Sub Lot 5 Ex Parcel A, parcel pin #10-11-400-025

within Marshall County, Iowa for a subdivision variance from Article III, Section 3 of the Marshall County Platting Subdivision Ordinance of Marshall County.

Motion by Grabenbauer, second by Brooks, to approve the subdivision variance to Article III, Section 3 of the Platting and Subdivision Ordinance and allow a plat of survey to be filed in lieu of a subdivision. The property involved is:

Section 11 Township 83 Range 19, Lafayette Park Sub Lot 5 Ex Parcel A, parcel pin #10-11-400-025 within Marshall County, Iowa.

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

13. Secondary Road-Bridge Inspection Contract—Discussion and action on the approval of costs to perform inspection on bridges requiring inspection during fiscal years 2011 and 2012 by Calhoun-Burns & Associates. Inspection costs listed below.

Inspection Year	No. of Bridges Needing Inspection	Costs per Year	Avg. Cost per Structure
2011	156	\$22, 730.00	\$147.11/structure
2012	134	\$20,090.00	\$149.93/structure

This compares with 2010's cost of \$141.53 per structure (a 2.9 % increase from 2010).

Motion by Brooks, second by Grabenbauer, to approve the bridge inspection costs for the above bridges for fiscal years 2011 and 2012.

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

14. Resolution-2010-0026

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 WEST BOUND TRAFFIC ON 190TH STREET AT THE INTERSECTION OF TAYLOR AVENUE AND 190TH STREET NEAR THE SW CORNER OF SEC. 18, T84N, R17W, MARION TOWNSHIP.

Passed and Approved this 26th day of October 2010.

Motion by Grabenbauer, second by Brooks to adopt this Resolution and authorize the Chairman and Board members to sign.

Roll call vote:	Grabenbauer-Aye	Brooks-Aye	Goecke-Aye
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	Vice Chairman	Member	Chairman
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BOARD OF SUPERVISORS
Marshall County, Iowa

ATTEST: _____
County Auditor

15. South Building, Sheriff's Complex—Discussion and possible action on Asbestos removal on the interior of the South Building, Sheriff's Complex.

Motion by Brooks second by Grabenbauer to proceed to solicit cost estimates to remove the asbestos in the mentioned building.

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

16. Public Forum—Karen Squiers, County Auditor, reminder on absentee ballots. Dave Thompson, suggested taking deep consideration of cost estimates for asbestos removal and look at using the farm sale to do heating and cooling.

17. Adjournment--The next regular meeting is November 9, 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 November 4, 2010, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 8:17 p.m.

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