

**Marshall County Board of Supervisors
Regular Session January 4, 2011, at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, January 4, 2011, 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 Thompson, second by Adams to approve the agenda as printed.

Roll call vote:	Grabenbauer-Aye	Adams-Aye	Thompson-Aye
	Chairman	Vice Chairman	Member

2. Public Hearing-CIRSI Project CDBG Application--

At this public hearing any resident may present objections to or arguments in favor of any part of the CIRSI Project Community Development Block Grant Application. 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 CIRSI Project Community Development Block Grant Application. Any written comments made were read aloud. Of the 5 individuals attending the hearing, 2 individuals presented oral comments, questions or objections.

Motion by Adams, second by Thompson to close the public hearing.

Roll call vote:	Grabenbauer-Aye	Adams-Aye	Thompson-Aye
	Chairman	Vice Chairman	Member

3. RESOLUTION NO. 2011-0001

RESOLUTION NO. 2011-0001

**A RESOLUTION TO APPROVE THE MARSHALL COUNTY
IDED FACILITIES & SERVICES FUND APPLICATION FOR
CIRSI SPECIAL FOCUS AND ADMINISTRATIVE BUILDING**

Whereas Central Iowa Residential Services (CIRSI) owns a building at 111 E Linn Street in Marshalltown and would like to use it for the Special Focus adult day treatment program and for housing administrative services, and

Whereas there are 67 mentally retarded and developmentally disabled adults on the CIRSI waiting lists that can be served at this project, and

Whereas the project is eligible for funds but a local government has to be an applicant.

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

Section 1: The CDBG/IDED Facilities & Services fund application in the amount of \$522,994 for this project is hereby approved. The CDBG request is \$348,662 and the CIRSI local match is \$174,332.

Approved this 4th day of January, 2011.

Motion by Thompson, second by Adams to accept and approve this Resolution.

Roll call vote:	Grabenbauer-Aye	Adams-Aye	Thompson-Aye
	Chairman	Vice Chairman	Member

Denny Grabenbauer
Board of Supervisors, Chairman

Attest:

Karen Squiers
Marshall County Auditor

Consent Agenda:

4. Approve Minutes--from first scheduled meeting of 2011 on January 3, 2011

5. Manure Management Update-Edler Brothers Farm, id no. 58297, annual update report received and placed on file with no changes made to the MMP.

6. Manure Management Update-Liberty Finisher Farm, id no. 58020, annual update report received and placed on file with no changes made to the MMP.

7. Approve Personnel Actions:

a) Hire, **Michael Ray Evertsen**, Sheriff's Office, Jailer, fulltime,
at \$15.85/hr., effective after January 4, 2011

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 January; the January list of claims will be a part of the first meeting in February.

Motion by Adams, second by Thompson, to approve the consent agenda as printed above.

Roll call vote:	Grabenbauer-Aye	Adams-Aye	Thompson-Aye
	Chairman	Vice Chairman	Member

9. Resolution 2011-0002-Construction Evaluation Resolution—(commonly known as the Master Matrix)

RESOLUTION #2011-0002

CONSTRUCTION EVALUATION RESOLUTION

WHEREAS, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a “construction evaluation resolution” relating to the construction of a confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR’s decision regarding a specific application; and

WHEREAS, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2011 and January 31, 2012 and submit an adopted recommendation regarding that application to the DNR; and

WHEREAS, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board’s recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MARSHALL COUNTY that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

Approved this 4th day of January, 2011.

Motion by Adams, second by Thompson to adopt this Construction Evaluation (also known as Master Matrix) for February 1, 2011 to January 31, 2012.

Roll call vote:	Grabenbauer-Aye	Adams-Aye	Thompson-Aye
	Chairman	Vice Chairman	Member

Denny Grabenbauer
Board of Supervisors, Chairman

Attest: _____
Karen Squiers
Marshall County Auditor

10. Secondary Road – Road Closure - Resolution No. 2011-0003

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that effective January 4th, 2011, Paul C. Geilenfeldt, the County Engineer of Marshall County, Iowa, be and he is hereby designated, authorized and empowered on behalf of the Board of Supervisors of said County to execute the requirements of Section 306.41 of the Code of Iowa until such time as formal action can be entered into the minutes of said Board.

Passed and Approved this 4th day of January, 2011.

Motion by Thompson, second by Adams to approve and accept Resolution 2011-0003.

Roll call vote:	Grabenbauer-Aye	Adams-Aye	Thompson-Aye
	Chairman	Vice Chairman	Member

BOARD OF SUPERVISORS
Marshall County, Iowa

ATTEST: _____
County Auditor

11. Secondary Road-Certificate of Completion - Resolution No. 2011-0004

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that effective January 4th, 2011, Paul C. Geilenfeldt, the County Engineer of Marshall County, Iowa, be and is hereby designated, authorized and empowered on behalf of the Board of Supervisors of said County to execute the certification of completion of work and final acceptance thereof in accordance with plans and specifications therefore in connection with all Farm to Market and Federal or State aid construction projects in this county.

Passed and Approved this 4th day of January, 2011.

Motion by Adams, second by Thompson to pass Resolution 2011-0004.

Roll call vote:	Grabenbauer-Aye	Adams-Aye	Thompson-Aye
	Chairman	Vice Chairman	Member

BOARD OF SUPERVISORS
Marshall County, Iowa

ATTEST: _____

12. Secondary Road-Moving Permits - Resolution No. 2011-0005

WHEREAS, the Board of Supervisors is empowered under authority of Section 321.1 of the Code of Iowa to issue permits for the movement of machines, vehicles or loads, or combinations thereof which exceed the maximum dimensions and/or weights specified in Sections 321.453 to 321.466 but within the limitations of Chapter 321E upon Secondary Roads under their jurisdiction, and

WHEREAS, it is important that such permits be issued by persons familiar with the statutes and regulations relating to such permits and also with the limitations of the county's roadways, road surfaces and structures along the selected or designated routes.

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that the Marshall County Engineer and the following named employees of the Secondary Road Department be authorized to issue and sign special permits for the movement of vehicles of excessive size and weight upon Marshall County Secondary Roads in accordance with said Chapter 321E:

Named employees:

Paul C. Geilenfeldt, PE
Mark Hentges
Dee Koch

Passed and Approved this 4th day of January, 2011.

Motion by Adams, second by Thompson to adopt Resolution 2011-0005.

Roll call vote:	Grabenbauer-Aye	Adams-Aye	Thompson-Aye
	Chairman	Vice Chairman	Member

BOARD OF SUPERVISORS
Marshall County, Iowa

ATTEST: _____
County Auditor

13. Secondary Road -Embargo Signs - Resolution No. 2011-0006

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that the County Highway Department representing the Board of Supervisors be hereby authorized and directed to erect embargo signs restricting such loads on county routes, when such conditions exist, that all such loads be

restricted to a maximum load as determined by the office of the County Engineer.

Locations of signs to be verified at the next adjourned session.

Passed and Approved this 4th day of January, 2011.

Motion by Thompson, second by Adams to approve Resolution 2011-0006.

Roll call vote:	Grabenbauer-Aye	Adams-Aye	Thompson-Aye
	Chairman	Vice Chairman	Member

BOARD OF SUPERVISORS

Marshall County, Iowa

ATTEST: _____
County Auditor

14. Secondary Road-Construction Road Closure - Resolution No. 2011-0007

WHEREAS, Chapter 306, Section 306.41 of the Code of Iowa, provides for the temporary closing of a highway for construction, reconstruction, maintenance or natural disaster, and

WHEREAS, The Board of Supervisors of Marshall County, Iowa has delegated, effective January 4th, 2011, to Paul C. Geilenfeldt, the duly appointed County Engineer, the authority to temporarily close any section of highway he deems a hazard,

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors through their agent, Paul C. Geilenfeldt, that the following section(s) of highway be temporarily closed as necessary:

BRS-C064(106) Bridge C-9 over Iowa River in 2000 mile Marble Rd.

L-FM(11) Box Culvert in 2900 mile of Garwin Rd.

STP-S-C064(113) Resurfacing on Marble Rd, from Ingram Ave to Liscomb.

FM-C064(107) Resurfacing 2100 mile of Knapp Ave and 2000 - 2200 mile West Main St

L-C04(05) Bridge C-4 in 1700 mile of 105th St.

BROS-C064(114) Bridge M-19 in 1500 mile of 330th St.

L-D11(06) Bridge D-11 in 1200 mile of 120th St.

L-GRK1(09) Grade 225th St. from HWY 330 to Langford Avenue

L-N07(07) Box Culvert N-7 3000 mile of Gerhart Avenue

L-P12(10) Bridge P-12 in 2900 mile Abbott Ave. - Joint Tama County

L-P21(10) Bridge P-21 in 3100 mile of Wallace Ave.

Passed and Approved this 4th day of January, 2011.

Motion by Thompson, second by Adams to approve Resolution
2011-0007

Roll call vote:	Grabenbauer-Aye	Adams-Aye	Thompson-Aye
	Chairman	Vice Chairman	Member

BOARD OF SUPERVISORS
Marshall County, Iowa

ATTEST: _____
County Auditor

WHEREAS, Marshall County has structurally repaired several bridges causing the bridge load limit posting list to change,

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors on this 4th day of January 2011 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 Bridge No.	Location SEC/TWN/RNG	Weight Limit (TONS)	Multiple Postings (TONS)
A6	12-85-17	1 Truck at a time	
A7	12-85-17		21-32-38
A13	33-85-17	1 Truck at a time	
B6	23-85-18	22	
B9	31-85-18	1 Truck at a time	
B10	33-85-18	15	
C1	1-85-19	10	
C2	1-85-19	15	
C4	5-85-19	15	
C5	6-85-19	5	
C6	6-85-19	1 Truck at a time	
D11	16-85-20	10	
D12	18-85-20	22	
D20	35-85-20	8	
E13	18-84-20	18	
E15	25-84-20	20	
F4	3-84-19	20	
F9	6-84-19	1 Truck at a time	
G6	12-84-18	22	
G9	23-84-18	18	
G10	26-84-18	20	
G11	26-84-18	20	
G13	26-84-18	20	
H2	1-84-17	15	
H7	4-84-17	16	
H14	14-84-17	20	
H20	22-84-17	17	
H23	27-84-17	20	
I1	1-83-17	Closed	
I4	3-83-17	Closed	
I6	8-83-17	24	
I11	11-83-17	9	
I12	11-83-17		20-31-36
I14	13-83-17	12	
I24	32-83-17	15	
I28	28-83-17	6	
J2	8-83-18	20	
J5	9-83-18	25	
J8	19-83-18	22	
J10	22-83-18	10	

County Bridge No.	Location SEC/TWN/RNG	Weight Limit (TONS)	Multiple Posting (TONS)
J15	24-83-18		28-37-38
J16	24-83-16	15	
J17	26-83-18	10	
J18	32-83-18	1 Truck at a Time	
J21	34-83-18	22	
K1	1-83-19	Closed	
K7	5-83-19	18	
K9	5-83-19	12	
L10	24-83-20	20	
L14	31-83-20	15	
M11	24-82-19	1 Truck at a time	
M13	27-82-20	1 Truck at a time	
M14	29-82-20	15	
M19	36-82-20	10	
M20	36-82-20	20	
N6	16-82-19	1 Truck at a time	
N9	20-82-19	1 Truck at a time	
N12	28-82-19		25-37-40
N18	33-82-19	25	
N19	33-82-19	15	
N20	34-82-19	20	
N21	35-82-19	1 Truck at a time	
N24	36-82-19	20	
O2	1-82-18	15	
O9	13-82-18	25	
O17	32-82-18	15	
O18	33-82-18	20	
P1	1-82-17	1 Truck at a time	
P5	6-82-17	24	
P6	6-82-17	15	
P8	7-82-17	22	
P9	7-82-17	18	
P12	12-82-17	3	
P13	13-82-17	20	
P14	14-82-17	Closed	
P15	16-82-17	20	
P21	22-82-17	22	
P27	32-82-17	6	

Secondary Road- Resolutions -One - Lane Bridge Postings—

WHEREAS, Marshall County has geometrically repaired several bridges causing the one-lane bridge posting list change, and/or in order to allow vehicles of the posted weight (if any) limitation to safely cross the bridge.

NOW THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors of Marshall County, Iowa on this 4th day of January, 2011 to erect and/or maintain ONE LANE SIGNS in advance of the following bridges located on the Farm to Market and Local Secondary Road System as follows:

County Bridge No.	Location Sec/Twp/Rng
C1	1-85-19
C2	1-85-19
C3	3-85-19
C4	5-85-19
C6	6-85-19
C14	21-85-19
D1	5-85-20
D2	8-85-20
D11	16-85-20
D16	27-85-20
D18	32-85-20
D20	35-85-20
E10	15-84-20
F4	3-84-19
F12	13-84-19
G5	9-84-18
G6	12-84-18
H5	3-84-17
H7	4-84-17
H21	25-84-17

County Bridge No.	Location Sec/Twp/Rng
J2	8-83-18
J4	9-83-18
J15	24-83-18
J17	26-83-18
K1	1-83-19
K17	26-83-19
M14	29-82-20
M19	36-82-20
N6	16-82-19
N7	18-82-19
N12	28-82-19
N13	31-82-19
N18	33-82-19
N19	33-82-19
N20	34-82-19
N21	35-82-19
N24	36-82-19
P5	6-82-17
P15	16-82-17
P21	22-82-17
P23	24-82-17

Passed and Approved this 4th day of January, 2011.

Motion by Thompson, second by Adams to accept Resolution 2011-0008.

Roll call vote:	Grabenbauer-Aye	Adams-Aye	Thompson-Aye
	Chairman	Vice Chairman	Member

BOARD OF SUPERVISORS, Marshall County, Iowa

ATTEST: _____
County Auditor

16. Master Matrix-Marco Pork, LP, Application for Animal Confinement Feeding Operation Expansion--Setting the Date and Time for the Public Hearing—

Discussion and possible action on setting the date and time for January 18, 2011 at 9:00am for the public hearing for Marco Pork, LP application for the animal confinement feeding operation expansion.

Motion by Adams, second by Thompson to set Tuesday, January 18, 2011 at 9:00 a.m. as the date and time for the public hearing for Marco Pork, LP application for the animal confinement feeding operation expansion.

Roll call vote:	Grabenbauer-Aye	Adams-Aye	Thompson-Aye
	Chairman	Vice Chairman	Member

17. Marshall County Public Health Contract Extension—Discussion and possible action on extending the termination notice required by the current contract for a period not to exceed 90 days. This additional time will allow MMSC and Board of Supervisors to work together in negotiating a fair agreement. MMSC has the intention to present a jointly reached solution at the January 18, 2011 Board of Supervisor's meeting.

Motion by Thompson, second by Adams to grant the extension to the termination notice on the current Marshall County Public Health Contract period between MMSC and Marshall County Board of Supervisors not to exceed 90 days.

Roll call vote:	Grabenbauer-Aye	Adams-Aye	Thompson-Aye
	Chairman	Vice Chairman	Member

18. Public Forum—No comments were made at public forum.

19. Adjournment--The next regular meeting is January 18, 2011, 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 January 13, 2011, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:24 a.m.

Denny Grabenbauer
Board of Supervisors, Chairman

Attest:

Karen Squiers
Marshall County Auditor