

**Marshall County Board of Supervisors
Regular Session March 1, 2011, at 9:00 a.m.**

MINUTES

The Marshall County Board of Supervisors met in regular session on Tuesday, March 1, 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 amend the agenda adding item #7.

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

2. Appointment of County Auditor and Recorder—In accordance with Iowa Code Section 69.14A (2)(a), the Marshall County Board of Supervisors will fill the vacancy created with the resignation of Karen Squiers, Marshall County Auditor and Recorder, by appointment. Said appointment will be effective from March 1, 2011, until the official canvass following the next pending election on November 6, 2012.

Motion by Thompson, second by Adams to appoint Dawn Williams as Marshall County Auditor and Recorder effective March 1, 2011 until the official canvass of the November 6, 2012 General Election.

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

3. Auditor and Recorder - Swearing In

4. Recognition-Years of Service

5. Bond Financing--Public Hearing- The Board of Supervisors of Marshall County, Iowa, met on March 1, 2011, at 9:00 o'clock a.m., at the County Courthouse, 3rd Floor, Meeting Room #2, Marshalltown, Iowa.

This being the time and place specified for a hearing and taking action on the proposal to enter into a loan agreement and issue bonds for the purpose of installing HVAC equipment in the County Courthouse and refunding the outstanding balance of the County's 2005 General Obligation County Purpose and Refunding Notes.

There were no written comments, questions, or objections on file in the County Auditor's Office. Of the 19 individuals attending the public hearing, 1 individual(s) presented oral comments, questions or objections.

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

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

6. RESOLUTION NO. 2011-0012

The County Auditor reported that the County had received a proposal from Northland Securities, Inc. for the purchase of the County's General Obligation County Courthouse Improvement and Refunding Bonds, Series 2011A in the principal amount of \$2,105,000.

Resolution taking additional action to enter into a Loan Agreement and Approve a Bond Purchase Agreement

WHEREAS, the Board of Supervisors (the "Board") of Marshall County, Iowa (the "County"), pursuant to a resolution of the Board adopted on March 22, 2005 (the "2005 Note Resolution"), previously issued its \$3,360,000 General Obligation County Purpose and Refunding Notes, Series 2005, dated April 1, 2005 (the "2005 Notes"), a portion of which remain outstanding; and

WHEREAS, pursuant to the 2005 Note Resolution, the Board reserved the right to call for early redemption the 2005 Notes maturing in the years 2012 to 2018 (the "Callable 2005 Notes"), inclusive, on any date on or after June 1, 2011; and

WHEREAS, the Board has heretofore proposed to enter into a loan agreement (the "Loan Agreement") in a principal amount not to exceed \$2,150,000 pursuant to the provisions of Section 331.402 of the Code of Iowa for the purposes of paying the cost, to that extent, of refunding the Callable 2005 Notes and of installing heating and air conditioning equipment in the County Courthouse, and has published notice of the proposed action and has held a hearing thereon on March 1, 2011; and

WHEREAS, it has been proposed that the County enter into the Loan Agreement with Northland Securities, Inc., Minneapolis, Minnesota (the "Underwriter") in the amount of \$2,105,000 and issue \$2,105,000 General Obligation County Courthouse Improvement and Refunding Bonds, Series 2011A (the "Bonds") in evidence of its obligations under the Loan Agreement; and

WHEREAS, a certain Bond Purchase Agreement (the "Bond Purchase Agreement") has been prepared setting forth the terms of the Bonds and the understanding between the County and the Underwriter, and it is now necessary to make provision for the approval of the Bond Purchase Agreement;

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 and issue the Bonds and determines that this Resolution constitutes the “additional action” required by Section 331.402 of the Code of Iowa.

Section 2. The Bond Purchase Agreement is hereby approved in substantially the form as presented to this Board. The Chairperson and County Auditor are hereby authorized and directed to execute and deliver the Bond Purchase Agreement to the Underwriter.

Section 3. All resolutions and orders or parts thereof in conflict with the provisions of this resolution, to the extent of such conflict, are hereby repealed.

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

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

Passed and approved March 1, 2011.

_____	Attest:	_____
Denny Grabenbauer		Dawn Williams
Board of Supervisors, Chairman		Marshall County Auditor

7. Budget 2011-2012, Public Hearing—

At the public hearing, any resident may present objections to or arguments in favor of any part of the proposed budget.

There were 1 written comments, questions, or objections on file in the County Auditor’s Office. Of the 19 individuals attending the public hearing, 1 individual presented oral comments, questions, or objections.

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

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

8. Resolution-Adopt Budget and Certify Taxes for Fiscal Year 2011-2012—

The proposed 2011-2012 County Budget was published in the Marshalltown Times-Republican, Marshalltown, Iowa, and the Mid Iowa Enterprise, State Center, Iowa, on February 17, 2010; and

There were 1 written comments, questions, or objections on file in the County Auditor’s Office; and 1 individual(s) presented oral comments and questions, or objections at the hearing.

Now, Therefore, Be It Resolved that the County Budget for fiscal year 2011-12 as published be adopted and the County Auditor is authorized to certify and file the budget and certificate of taxes as published and adopted.

Dated at Marshalltown, Iowa this 1st day of March, 2011.

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

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

Attest:

Denny Grabenbauer
Board of Supervisors, Chairman

Dawn Williams
Marshall County Auditor

Consent Agenda:

9. Approve Minutes--from Regular Session of February 15, 2011

10. Marshall County Drug Endangered Children Taskforce requests the use of the Courthouse grounds on Saturday, April 30, 2011 from 9:00 a.m.-12:00 p.m. for the Marshall County Prescription Drug Drop-Off Program.

11. Manure Management Update- Eric Finisher Farm, LLC, and id no.65770, manure management update received and placed on file. These are the following changes: crop rotation or optimal yields and the use of a manure analysis for determining application rates when applying manure.

12. Manure Management Update- Marco Pork L.P., id no. 61016, revisions on manure management plan expansion from Jan 4, 2011 meeting received and placed on file.

13. Manure Management Update-Kix Site Finisher Farm, id no. 65705, manure management update received and placed on file. These changes have been added: acres have been added, changed crop rotation or optimum yields, use of manure analysis for determining application rates when applying manure.

14. 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 March; the March list of claims will be a part of the first meeting in April.

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

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

15. Resolution—2010-0013

**RESOLUTION AUTHORIZING FUNDING FROM THE HARVESTER TIF DISTRICT
TO BE USED TOWARDS THE TALLCORN TOWERS REDEVELOPMENT PROJECT
FOR LOW AND MODERATE INCOME HOUSING CONDUCTED BY
COMMONBOND COMMUNITIES**

WHEREAS CommonBond Communities is proposing a redevelopment project of the Historic Tallcorn Towers for use as forty-nine affordable housing units; and

WHEREAS CommonBond Communities is proposing financing through a variety of sources including State Low Income Housing Tax Credits, State and Federal Historic Tax Credits, Enterprise Zone Incentives, Tax Abatement, HOME funding and private investment; and

WHEREAS CommonBond Communities has requested support from Marshall County in the amount not to exceed \$61,250 to be funded with Harvester TIF funds; and

WHEREAS the Marshall County Board of Supervisors has identified this project as an important redevelopment opportunity which meets the criteria for funding.

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

Section 1. This Board hereby authorizes support in the amount not to exceed \$61,250 to be made to CommonBond Communities for the redevelopment of Tallcorn Towers from the Low and Moderate Income Housing fund.

Section 2. Funding is contingent upon final negotiations, State and Federal approvals and the completion of a developers agreement with Marshall County outlining the terms and conditions associated with funds awarded.

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

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

Passed this 1st day of March 2011 and signed this 1st day of March 2011.

_____ Denny Grabenbauer Board of Supervisors, Chairman	Attest: _____ Dawn Williams Marshall County Auditor
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16. Harvest from the Heart of Iowa –No representative from Harvest from the Heart of Iowa, presented an updated report and project list for 2011.

17. Certificate of Substantial Completion—Discussion and possible action on approval of the Certificate of Substantial Completion for the Marshall County Window Restoration with OPN Architects, and Hay Construction Services, Inc.

Motion by Thompson, second by Adams to accept the Certificate of Substantial Completion with OPN Architects, and Hay Construction Services, Inc.

Original Contract Sum- \$491,750.00

Certificate of Substantial Completion-\$492,945.00

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

18. Class C Beer Permit (BC)—application for license renewal (one year) for a Class C Beer Permit (BC) with Sunday Sales Privileges from The Harvester General Store, 1101 330th St., Rhodes, Iowa. The current license, BC0027666, expires April 30, 2011.

Motion by Adams, second by Thompson, to approve the renewal of the Harvester General Store liquor license.

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

19. Class C Liquor License (LC) (Commercial)—application for license renewal (one year) for a Class C Liquor License (LC) (Commercial) with Outdoor Service, Sunday Sales and Catering privileges from The Harvester, Jensen Golf, L.C., 833 Foster Dr., Rhodes, Iowa. The current license, LC0031153, expires March 14, 2011.

Motion by Thompson, second by Adams, to approve the renewal of the Harvester, Jensen Golf, L.C. liquor license.

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

20. Public Forum—Supervisor Adams recognized Mary Stubbs for her excellent budget work. Supervisor Grabenbauer reminded the public that beginning April 12, 2011 BOS meetings will be moved to City Hall.

21. Adjournment--The next regular meeting is March 15, 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 March 10, 2011, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:44 a.m.

_____ Denny Grabenbauer Board of Supervisors, Chairman	Attest: _____ Dawn Williams Marshall County Auditor
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