Board Meeting of
March 15, 2011
Revised 3/16/2011 3:34 PM

Marshall County Board of Supervisors
Regular Session March 15, 2011, at 9:00 a.m.

MINUTES

The Board met in regular session on Tuesday, March 15, 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 agenda item #11 to read "Currently the rate is $35.00 per unit.

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

Motion by Grabenbauer, second by Thompson to amend agenda item #15 to read "set the date of a public hearing at 9:00 a.m. on the 29th day of March 2011."

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

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

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

2. **Recognition-Years of Service—**Melanie Ewalt-25 years, Susan Myers-15 years, Marsha Quigley-5 years

Consent Agenda:

3. **Approve Minutes--**from Regular Session of March 1, 2011
4. **File Clerk of District Court Report -2-11 -** General Supplemental Surcharge-$966.14
5. **Manure Management Plan (MMP) Update**-J.T. Farms West Site, id no. 63207, MMP update received and placed on file with no changes to the MMP.
6. **Approve Public Event Held on County Property—**Marshalltown Central Business District requests permission to hold Garden Extravaganza activities on the Courthouse grounds Saturday, May 7, 2011 during the hours of 9:00 a.m. to 2:00 p.m.
7. **Approve Public Event Held on County Property—**Marshalltown Jaycees requests permission to hold an Easter Egg Hunt on the Courthouse grounds Saturday, April 16, 2011 at 9:00 a.m.
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 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:	Thompson-Aye	Grabenbauer-Aye	Adams-Aye
	Member	Chairman	Vice Chairman

9. Marshall County Employee Health and Prescription Drug Benefit Plan—Discussion and possible action on Summary of Material Modifications No. 9 to the Marshall County Summary Plan Description to clarify retiree and spousal eligibility upon entitlement to Medicare.

Motion by Thompson, second by Adams to accept the Summary of Material Modifications No. 9.

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

10. Agreement-Professional Consulting Services between Marshall County and Cost Advisory Services, Inc.—Discussion and possible action on an Agreement between Marshall County and Cost Advisory Services, Inc. to develop annual central service cost allocation plans based on actual costs incurred for fiscal years 2011, 2012, and 2013. This cost allocation plan recovers eligible indirect costs from the Iowa Department of Human Services. The cost for these services shall not exceed $5,850 for each annual cost allocation plan.

Motion by Adams, second by Thompson to approve the agreement with Cost Advisory Services, Inc.

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

11. Renewal Contract for Targeted Case Management Services—Discussion and action on a contract between Marshall County and Iowa Department of Human Services Targeted Case Management, to provide services for persons with mental retardation, developmental disabilities and chronic mental illness for a period from July 1, 2011 through June 30, 2014. The rate is done annually by Iowa Medicaid Enterprise and is cost settled at the end of each year. Currently the rate is $35.00 per unit.

Motion by Thompson, second by Adams, to approve the Contract with IDHS Targeted Case Management.

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

12. 2011 Marshall County Noxious Weed Control Resolution—

Resolution 2011-0014

Whereas, noxious weeds can reduce crop yields by competing for light, water, and soil nutrients; decrease crop value and market ability; serve as hosts for certain economic insects and disease pathogens; directly affect human and animal health; and detract from the aesthetic value of real property, and

Whereas, In accordance with the **Iowa Weed Law**, landowners and persons in possession or control of any Marshall County lands, rural or urban, should destroy noxious weeds before they bloom or reach their maturity. They can be destroyed by cutting, burning or chemical treatment and;

Whereas, the Code of Iowa provides that if the owner or persons in control of lands fail to comply, the county weed commissioner can order the noxious weeds destroyed and the cost of such will be assessed against the landowner.

Whereas, the Marshall County Board of Supervisors desires to implement an effective noxious weed control program for the 2011 growing season in Marshall County

Now, Therefore, Be It Resolved, that the following shall constitute the 2011 Marshall County Noxious Weed Control Program;

1. The following noxious weeds must be destroyed before going to seed and as often as necessary thereafter to prevent seed production:
Curly (Sour) Dock, Hoary Cress, Leafy Spurge, Perennial Peppergrass, Red (Sheep) Sorrel, Smooth (Pale) Dock, Quackgrass, Buckthorn, Musk Thistle, Buckhorn Plantain, Russian Knapweed, Canadian Thistle, Shattercane and Wild Mustard, Field Bindweed, Poison Hemlock, Wild Carrot, Bull Thistle, Cocklebur, Horse (Bull) Nettle, Perennial Sowthistle, Puncturevine, Tall Thistle, Teasel, Velvetleaf (butterprint), Wild Sunflower and Multiflora Rose.

2. Persons interested in working for the weed commissioner on a contract basis to mow weeds should submit a bid on an hourly basis, along with information on equipment available and references to the Weed Commissioner, Courthouse.

3. Marshall County will conduct a roadside weed management spraying program again this year. The county will blanket spray for thistles, wild carrot and wild mustard specifically, and other noxious weeds found in high concentrations generally in the roadsides and areas of county ownership over eight townships in the east half of the county in mid to late May or early to mid June.

4. In mid to late August the county will conduct a spot spray program in the west half of the county for all thistle varieties as well as poison hemlock, wild carrot and wild mustard specifically, and other noxious weeds found in high concentrations generally in the roadsides and areas of the county owned by the county.

5. The county will also conduct a separate spray program on areas of dense populations of equisetum and teasel in selected areas of the county, primarily along East Main St. Rd. between Vance Ave. and Wallace Ave., and along Wallace Ave. north of East Main St. Rd. to 190th St, and along Main St. Rd. between Highland Acres Rd. and Knapp Ave. The County will also spray for Leafy Spurge in selected areas along Summit St. Rd. and Sand Rd.

6. Any person seeking to have their land exempted from the county spray program may ask the county to skip their property. This requires filing a proper description with the county which will be placed on the County "Do Not Spray" map. This also requires placement of the County "Do Not Spray" placards at each end of the area not to be sprayed. There is a fee of $10.00 per area requested to not be sprayed.

Be It Further Resolved that this 2011 Noxious Weed Control Program shall become effective upon its adoption by the Marshall County Board of Supervisors.

Dated at Marshalltown, Iowa, this 15th day of March, 2011.

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

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

____________________________ Attest: ____________________________

Denny Grabenbauer
Board of Supervisors, Chairman

Dawn Williams
Marshall County Auditor

13. Sheriff's Department-Clerical Union Contract—Discussion and action on the bargaining contract between the Marshall County Sheriff's Department and Chauffeurs, Teamsters and Helpers Local Union No. 238, regarding the clerical union.

Motion by Thompson, second by Adams, to approve the Contract between the Marshall County Sheriff's Department and Chauffeurs, Teamsters and Helpers Local Union No. 238 regarding the clerical union, effective July 1, 2011 through June 30, 2014.

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

14. Sheriff's Department-Deputies and Jailers Union Contract—Discussion and action on the bargaining contract between the Marshall County Sheriff's Department and Chauffeurs, Teamsters and Helpers Local Union No. 238, regarding the Deputies and Jailers.

Motion by Thompson, second by Adams, to approve the Contract between the Marshall County Sheriff's Department and Chauffeurs, Teamsters and Helpers Local Union No. 238, regarding the Deputies and Jailers, effective July 1, 2011 through June 30, 2014.

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

15. First Reading of Proposed Ordinance No. 34 and Set Date of Public Hearing--
The Marshall County Board of Supervisors is considering the adoption of Ordinance No. 34 which reads as follows:

AN ORDINANCE AUTHORIZING THE COUNTY TREASURER TO SEPARATELY OFFER AND SELL AT ANNUAL TAX SALE DELINQUENT TAXES ON CERTAIN PARCELS THAT ARE EITHER ABANDONED OR LIKELY TO BECOME PUBLIC NUISANCES PURSUANT TO IOWA CODE SECTION 446.19B

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MARSHALL COUNTY, IOWA:

Section 1. **NEW.** Marshall County, Iowa, hereby adopts the provisions of Section 446.19B of the Iowa Code, as said provisions may be amended from time to time, authorizing the county treasurer to separately offer and sell at the annual tax sale each year delinquent taxes on any residential property or commercial multifamily housing property which is either abandoned property, or likely to become a public nuisance, upon timely receipt of a verified statement in compliance with the provisions of Section 446.19B.

Section 2. **REPEALER**. All ordinances or part of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 3. **SEVERABILITY.** If any section, provision or part of this Ordinance shall be adjudged invalid, unconstitutional or unenforceable for any reason, such adjudication shall not affect the validity or enforcement of the remaining provisions.

Section 4. **EFFECTIVE DATE**. This Ordinance shall become effective from and after its final passage, approval and publication as provided by law.

[Iowa Code §331.302]

Be It Further Resolved that such Ordinance shall not be effective until a public hearing is held at 9:00 a.m. on the 29th day of March 2011, with a notice of the public hearing published in the Marshalltown Times-Republican and the Mid Iowa Enterprise, and the Board adopts the third reading of the proposed ordinance and the ordinance is published.

Dated at Marshalltown, Iowa this 15th day of March 2011.

Motion by Adams, second by Thompson to approve the first reading of the Ordinance and set the date of a public hearing at 9:00 a.m. on the 29th day of March 2011.

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

______________________________ Attest: ______________________________

Denny Grabenbauer
Board of Supervisors, Chairman

Dawn Williams
Marshall County Auditor

16. Secondary Road-"STP" Funding Agreement--Discussion and action on the agreement with the Iowa DOT titled "Agreement for Federal-Aid Surface Transportation Program (STP) Project, Project No. STP-S-C064 (113)—5E-64, Agreement No. 1-11-STPS-003.
This covers the Hot Mix Asphalt and Cold In Place recycling of Marble Rd (E-18) from Ingram Ave. east to the Railroad Right of Way in Liscomb. This work is scheduled for calendar year 2011 construction.

Motion by Thompson, second by Grabenbauer, to approve entering into this agreement with the IDOT, Project No. STP-S-C064 (113)—5E-64, Agreement No. 1-11-STPS-003.

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

17. Resolution-Bond Issuance

RESOLUTION NO. 2011-0015

Resolution authorizing and approving a Loan Agreement and providing for the issuance of $2,085,000 General Obligation County Courthouse Improvement and Refunding Bonds, Series 2011A and the levy of taxes to pay the same

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 held a hearing thereon on March 1, 2011; and

WHEREAS, on March 1, 2011, the County approved a certain bond purchase agreement with Northland Securities, Inc., Minneapolis, Minnesota (the "Purchaser"), and it has been further proposed that the County enter into the Loan Agreement with the Purchaser and issue $2,085,000 General Obligation County Courthouse Improvement and Refunding Bonds, Series 2011A (the "Bonds") in evidence of its obligations under the Loan Agreement; and

WHEREAS, it is now necessary to take final action for approval of the Loan Agreement and the issuance of the Bonds, and to authorize the early redemption of the Callable 2005 Notes;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Marshall County, Iowa, as follows:

Section 1. The County shall enter into the Loan Agreement with the Purchaser in substantially the form as has been placed on file with the Board, providing for a loan to the County in the principal amount of $2,085,000, for the purpose or purposes set forth in the preamble hereof.

The Chairperson of the Board and County Auditor are hereby authorized and directed to sign the Loan Agreement on behalf of the County, and the Loan Agreement is hereby approved.

Section 2. The Bonds are hereby authorized to be issued in evidence of the obligation of the County under the Loan Agreement, in the total aggregate principal amount of $2,085,000, to be dated April 1, 2011, in the denomination of $5,000 each, or any integral multiple thereof, maturing annually on June 1 in each of the years, in the respective principal amounts and bearing interest at the respective rates as follows:

Year	Principal Amount	Interest Rate Per Annum	Year	Principal Amount	Interest Rate Per Annum
2012	$250,000	2.00%	2016	$275,000	2.00%
2013	$255,000	2.00%	2017	$285,000	2.30%
2014	$270,000	2.00%	2018	$290,000	2.55%
2015	$460,000	2.00%			

Section 3. Bankers Trust Company, Des Moines, Iowa, is hereby designated as the Registrar and Paying Agent for the Bonds and may be hereinafter referred to as the "Registrar" or the "Paying Agent". The County shall enter into an agreement (the "Registrar/Paying Agent Agreement") with the Registrar, in substantially the form as has been placed on file with the Board; the Chairperson and County Auditor are hereby authorized and directed to sign the Registrar/Paying Agent Agreement on behalf of the County; and the Registrar/Paying Agent Agreement is hereby approved.

The County reserves the right to prepay part or all of the principal of the Bond maturing in the year 2018, prior to and in any order of maturity on June 1, 2017, or on any date thereafter upon terms of par and accrued interest. If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Registrar by lot. The Bonds may be called in part in one or more units of $5,000. If less than the entire principal amount of any Bond in a denomination of more than $5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be sent by electronic means or mailed by certified mail to the registered owners thereof at the addresses shown on the County's registration books not less than 30 days prior to such redemption date. Any notice of redemption may contain a statement that the redemption is conditioned upon the receipt by the Paying Agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the Bonds so called for redemption, and that if funds are not available, such redemption shall be cancelled by written notice to the owners of the Bonds called for redemption in the same manner as the original redemption notice was sent. All of such Bonds as to which the County reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

Accrued interest on the Bonds shall be payable semiannually on the first day of June and December in each year, commencing December 1, 2011. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months. Payment of interest on the Bonds shall be made to the registered owners appearing on the registration books of the County at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid to the registered owners at the addresses shown on such registration books. Principal of the Bonds shall be payable in lawful money of the United States of America to the registered owners or their legal representatives upon presentation and surrender of the Bond or Bonds at the office of the Paying Agent.

The Bonds shall be executed on behalf of the County with the official manual or facsimile signature of the Chairperson of the Board and attested with the official manual or facsimile signature of the County Auditor, and shall be fully registered Bonds without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Bonds shall cease to be such officer before the delivery of the Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

The Bonds shall not be valid or become obligatory for any purpose until the Certificate of Authentication thereon shall have been signed by the Registrar.

The Bonds shall be fully registered as to principal and interest in the names of the owners on the registration books of the County kept by the Registrar, and after such registration, payment of the principal thereof and interest thereon shall be made only to the registered owners or their legal representatives or assigns. Each Bond shall be transferable only upon the registration books of the County upon presentation to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

Section 4. Notwithstanding anything above to the contrary, the Bonds shall be issued initially as Depository Bonds, with one fully registered Bond for each maturity date, in principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). On original issue, the Bonds shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the "Participants"). In the event that DTC determines not to continue to act as securities depository for the Bonds or the County determines not to continue the book-entry system for recording ownership interests in the Bonds with DTC, the County will discontinue the book-entry system with DTC. If the County does not select another qualified securities depository to replace DTC (or a successor depository) in order to continue a book-entry system, the County will register and deliver replacement bonds in the form of fully registered certificates, in authorized denominations of $5,000 or integral multiples of $5,000, in accordance with instructions from Cede & Co., as nominee for DTC. In the event that the County identifies a qualified securities depository to replace DTC, the County will register and deliver replacement bonds, fully registered in the name of such depository, or its nominee, in the denominations as set forth above, as reduced from time to time prior to maturity in connection with redemptions or retirements by call or payment, and in such event, such depository will then maintain the book-entry system for recording ownership interests in the Bonds.

Ownership interest in the Bonds may be purchased by or through Participants. Such Participants and the persons for whom they acquire interests in the Bonds as nominees will not receive certificated Bonds, but each such Participant will receive a credit balance in the records of DTC in the amount of such Participant's interest in the Bonds, which will be confirmed in accordance with DTC's standard procedures. Each such person for which a Participant has an interest in the Bonds, as nominee, may desire to make arrangements with such Participant to have all notices of redemption or other communications of the County to DTC, which may affect such person, forwarded in writing by such Participant and to have notification made of all interest payments.

The County will have no responsibility or obligation to such Participants or the persons for whom they act as nominees with respect to payment to or providing of notice for such Participants or the persons for whom they act as nominees.

As used herein, the term "Beneficial Owner" shall hereinafter be deemed to include the person for whom the Participant acquires an interest in the Bonds.

DTC will receive payments from the County, to be remitted by DTC to the Participants for subsequent disbursement to the Beneficial Owners. The ownership interest of each Beneficial Owner in the Bonds will be recorded on the records of the Participants whose ownership interest will be recorded on a computerized book-entry system kept by DTC.

When reference is made to any action which is required or permitted to be taken by the Beneficial Owners, such reference shall only relate to those permitted to act (by statute, regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices are given, they shall be sent by the County to DTC, and DTC shall forward (or cause to be forwarded) the notices to the Participants so that the Participants can forward the same to the Beneficial Owners.

Beneficial Owners will receive written confirmations of their purchases from the Participants acting on behalf of the Beneficial Owners detailing the terms of the Bonds acquired. Transfers of ownership interests in the Bonds will be accomplished by book entries made by DTC and the Participants who act on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interest in the Bonds, except as specifically provided herein. Interest and principal will be paid when due by the County to DTC, then paid by DTC to the Participants and thereafter paid by the Participants to the Beneficial Owners.

Section 5. The Bonds shall be in substantially the following form:

(Form of Bond)

UNITED STATES OF AMERICA

STATE OF IOWA MARSHALL COUNTY

GENERAL OBLIGATION COUNTY COURTHOUSE IMPROVEMENT AND REFUNDING BOND, SERIES 2011A

No. _____ $_________

RATE	MATURITY DATE	BOND DATE	CUSIP
_______%	June 1, 20___	April 1, 2011	572121 _____

Marshall County (the “County”), Iowa, for value received, promises to pay on the maturity date of this Bond to

Cede & Co.
New York, NY

or registered assigns, the principal sum of

THOUSAND DOLLARS

in lawful money of the United States of America upon presentation and surrender of this Bond at the office of Bankers Trust Company, Des Moines, Iowa (hereinafter referred to as the “Registrar” or the “Paying Agent”), with interest on said sum, until paid, at the rate per annum specified above from the date of this Bond, or from the most recent interest payment date on which interest has been paid, on June 1 and December 1 of each year, commencing December 1, 2011, except as the provisions hereinafter set forth with respect to redemption prior to maturity may be or become applicable hereto. Interest on this Bond is payable to the registered owner appearing on the registration books of the County at the close of business on the fifteenth day of the month next preceding the interest payment date, and shall be paid to the registered owner at the address shown on such registration books.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Registrar.

This Bond is one of a series of General Obligation County Courthouse Improvement and Refunding Bonds, Series 2011A (the "Bonds"), issued in the aggregate principal amount of $2,085,000 by the County to evidence its obligation under a certain Loan Agreement, dated as of April 1, 2011 (the "Loan Agreement"), entered into by the County for the purposes of paying the cost, to that extent, of refunding the outstanding balance of the County's General Obligation County Purpose and Refunding Notes, Series 2005, dated April 1, 2005 and of installing heating and air conditioning equipment in the County Courthouse.

The Bonds are issued pursuant to and in strict compliance with the provisions of Sections 331.402(3) and 331.443 of the Code of Iowa, 2011, and all other laws amendatory thereof and supplemental thereto, and in conformity with a resolution of the County Board of Supervisors authorizing and approving the Loan Agreement and providing for the issuance and securing the payment of the Bonds (the "Resolution"), and reference is hereby made to the Resolution and the Loan Agreement for a more complete statement as to the source of payment of the Bonds and the rights of the owners of the Bonds.

The County reserves the right to prepay part or all of the principal of the Bond maturing in the year 2018, prior to and in any order of maturity on June 1, 2017, or on any date thereafter upon terms of par and accrued interest. If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Registrar by lot. The Bonds may be called in part in one or more units of $5,000. If less than the entire principal amount of any Bond in a denomination of more than $5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be sent by electronic means or by certified mail to the registered owners thereof at the addresses shown on the County's registration books not less than 30 days prior to such redemption date. All of such Bonds as to which the County reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

This Bond is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the County in the office of the Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Bond to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The County, the Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and the County, the Registrar and the Paying Agent shall not be affected by any notice to the contrary.

And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa, to exist, to be had, to be done or to be performed precedent to and in the issue of this Bond were and have been properly existent, had, done and performed in regular and due form and time; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the County for the payment of the principal of and interest on this Bond as the same will respectively become due; that the faith, credit, revenues and resources and all the real and personal property of the County are irrevocably pledged for the prompt payment hereof, both principal and interest; and that the total indebtedness of the County, including this Bond, does not exceed any constitutional or statutory limitations.

IN TESTIMONY WHEREOF, Marshall County, Iowa, by its Board of Supervisors, has caused this Bond to be executed with the duly authorized facsimile signature of its Chairperson and attested with the duly authorized facsimile signature of its County Auditor, all as of April 1, 2011.

DO NOT SIGN________________	Attest:	DO NOT SIGN_________________
Denny Grabenbauer		Dawn Williams
Board of Supervisors, Chairman		Marshall County Auditor

Registration Date: (Registration Date)

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned Resolution.

BANKERS TRUST COMPANY
Des Moines, Iowa
Registrar

By__(Authorized Signature)______________
Authorized Officer

ABBREVIATIONS

The following abbreviations, when used in this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM	-	as tenants in common	UTMA ______________________
TEN ENT	-	as tenants by the entireties	(Custodian)
			As Custodian for ________________
JT TEN	-	as joint tenants with right of survivorship and not as tenants in common	(Minor) under Uniform Transfers to Minors Act ______________________ (State)

Additional abbreviations may also be used though not in the list above.

ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Bond to

____

(Please print or type name and address of Assignee)

____

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint ____________________________, Attorney, to transfer this Bond on the books kept for registration thereof with full power of substitution.

Dated: ____________________________

Signature guaranteed:

____
____
____

(Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signatures to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.)

____

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears on this Bond in every particular, without alteration or enlargement or any change whatever.

Section 6. The Bonds shall be executed as herein provided as soon after the adoption of this resolution as may be possible and thereupon shall be delivered to the Registrar for registration, authentication and delivery to or upon the direction of the Purchaser, upon receipt of the loan proceeds, and all action heretofore taken in connection with the Loan Agreement and the sale of the Bonds is hereby ratified and confirmed in all respects.

Section 7. The Callable 2005 Notes are hereby called for redemption as of June 1, 2011 (the "Redemption Date"), and Bankers Trust Company, Des Moines, Iowa, as Registrar and Paying Agent for the 2005 Notes, is hereby authorized to take all action necessary to call the Callable 2005 Notes for redemption as of the Redemption Date, including sending notice of such redemption to each of the registered owners of the Callable 2005 Notes to be redeemed, at the addresses shown on the County's registration books, not less than 30 days prior to the Redemption Date.

Section 8. As required by Chapter 76 of the Code of Iowa, and for the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the interest on the Bonds as it falls due, and also to pay and discharge the principal thereof at maturity, there is hereby ordered levied on all the taxable property in the County in each of the years while the Bonds or any of them are outstanding, a tax sufficient for that purpose, and in furtherance of this provision, but not in limitation thereof, there is hereby levied on all the taxable property in the County the following direct annual tax for collection in each of the following fiscal years:

For collection in the fiscal year beginning July 1, 2011,
sufficient to produce the net annual sum of $301,509;

For collection in the fiscal year beginning July 1, 2012,
sufficient to produce the net annual sum of $294,150;

For collection in the fiscal year beginning July 1, 2013,
sufficient to produce the net annual sum of $304,050;

For collection in the fiscal year beginning July 1, 2014,
sufficient to produce the net annual sum of $488,650;

For collection in the fiscal year beginning July 1, 2015,
sufficient to produce the net annual sum of $294,450;

For collection in the fiscal year beginning July 1, 2016,
sufficient to produce the net annual sum of $298,950;

For collection in the fiscal year beginning July 1, 2017,
sufficient to produce the net annual sum of $297,395.

Section 9. A certified copy of this resolution shall be filed with the County Auditor, and the Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the County and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the County and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Bonds hereby authorized and for no other purpose whatsoever. Any amount received by the County as accrued interest on the Bonds shall be deposited into such special account and used to pay interest due on the Bonds on the first interest payment date.

Section 10. The interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current available funds of the County in advance of taxes levied and when the taxes shall have been collected, reimbursement shall be made to such current funds in the sum thus advanced. The County hereby pledges the faith, credit, revenues and resources and all of the real and personal property of the County for the full and prompt payment of the principal of and interest on the Bonds.

Section 11. It is the intention of the County that interest on the Bonds be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof, the County covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with the applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Bonds will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the County are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

The County hereby designates the Bonds as "Qualified Tax Exempt Obligations" as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

Section 12. The Securities and Exchange Commission (the "SEC") has promulgated certain amendments to Rule 15c2-12 under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the "Rule") that make it unlawful for an underwriter to participate in the primary offering of municipal securities in a principal amount of $1,000,000 or more unless, before submitting a bid or entering into a purchase contract for such securities, an underwriter has reasonably determined that the issuer or an obligated person has undertaken in writing for the benefit of the holders of such securities to provide certain disclosure information to prescribed information repositories on a continuing basis so long as such securities are outstanding.

On the date of issuance and delivery of the Bonds, the County will execute and deliver a Continuing Disclosure Certificate pursuant to which the County will undertake to comply with the Rule. The County covenants and agrees that it will comply with and carry out the provisions of the Continuing Disclosure Certificate. Any and all of the officers of the County are hereby authorized and directed to take any and all actions as may be necessary to comply with the Rule and the Continuing Disclosure Certificate.

Section 13. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Motion by Adams, second by Thompson to approve Resolution #2011-0015 regarding the loan agreement, issuance of $2,085,000 General Obligation bonds and levy of taxes to pay the same.

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

Passed and approved March 15, 2011

_______________________________ Attest: _______________________________

Denny Grabenbauer
Board of Supervisors, Chairman

Dawn Williams
Marshall County Auditor

18. Secondary Road-To Set the Date for the 2011 Granular Resurfacing Letting-- Discussion and possible action on setting the date and time for the 2011 Granular Resurfacing Letting.

Motion by Grabenbauer second by Thompson to set the 2011 Granular Resurfacing Letting date for Tuesday, April 12, 2011 at 9:00a.m. during the regularly scheduled Board of Supervisor's meeting at Council Chambers, 10 W. State Street(Park and Rec Entrance), 2nd Floor.

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

19. Public Forum—Supervisor Adams publicly thanked Jeff Heil, Northland Securities, Inc., for working with Marshall County on refinancing bonds.

20. Adjournment--The next regular meeting is March 29, 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 24, 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.

_______________________________ Attest: _______________________________

Denny Grabenbauer
Board of Supervisors, Chairman

Dawn Williams
Marshall County Auditor