

**Marshall County Board of Supervisors
Regular Session June 7, 2011, at 9:00 a.m.**

(PLEASE NOTE NEW MEETING LOCATION)

AGENDA

The Board is meeting in regular session on Tuesday, June 7, 2011, at 9:00 a.m. in Council Chambers, 10 West State Street (Parks and Rec. Entrance), 2nd Floor, with ____ members present.

Notice to the public--The Board of Supervisors welcomes comments from the public during the time allowed for discussion. You are requested to approach the microphone, state your name for the record and limit the time used to present your remarks in order that others may be given the opportunity to speak. The normal process on any agenda item is for the Chairperson to read the item from the agenda. The Board is given an opportunity to comment on the issue and/or place a motion on the floor. An opportunity for discussion may be presented at which time the public may participate and a roll call vote will follow.

Be It Further Resolved that a public hearing was held at 9:00 a.m.

1. Approval or Amendment of Agenda—

Motion by _____, second by _____ to _____ the agenda as printed.

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

2. Amendment No. 11-01 to Zoning Ordinance No. 3, Public Hearing—

At this public hearing any resident may present objections to or arguments in favor of any part of Amendment No. 11-01 to Zoning Ordinance No. 3. 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 _____ written comments, questions or objections on file in the County Auditor's office on Amendment No. 11-01 to Zoning Ordinance No. 3. Of the _____ individuals attending the hearing, ____ individuals presented oral comments, questions or objections.

Motion by _____, second by _____ to close the public hearing.

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

Attest:

Denny Grabenbauer
Board of Supervisors, Chairman

Dawn Williams
Marshall County
Auditor and Recorder

3. Third and Final Reading of Amendment No. 11-01 to Zoning Ordinance No. 3—

The Second Reading of Amendment No. 11-01 to Zoning Ordinance No. 3 was waived/suspended by action at the May 24, 2011 Board of Supervisor meeting.

Whereas, after recommendation from the Marshall County Zoning Commission, the Marshall County Board of Supervisors is considering the adoption of Amendment No. 11-01 to the Zoning Ordinance of Marshall County.

Now, Therefore, Be It Resolved, by the Marshall County Board of Supervisors that this be considered the first reading of the following proposed amendments to Zoning Ordinance:

Article XIX, Section 2 of the zoning Ordinance, adding “Subsection F”, regarding building permit exemption for structures under 120 sq. ft. by adding “No structure 120 sq. ft. or less in area shall be required to obtain a building permit.”

and amend Article XIX, Section 3, Subsection A, striking the existing language and inserting a new permit fee scale – For values of \$0-\$10,000 a fee of 3% of the value. For values of \$10,001 and up, a fee of \$300 plus .2% of the total value.

and amend Article VI, Section 3, Subsection A, (8) 2 – Adding “All wind turbines must set-back the height of the turbine (base to tip of the blades full extended upward) from any lot line or right-of-way lines.”

and amend Article VII, Section 3, Subsection E, 2 – Adding “All wind turbines must set-back the height of the turbine (base to tip of the blades full extended upward) from any lot line or right-of-way lines.”

and amend Article VIII, Section 3, Subsection E, 2– Adding “All wind turbines must set-back the height of the turbine (base to tip of the blades full extended upward) from any lot line or right-of-way lines.”

and amend Article IX, Section 3, Subsection E, 2– Adding “All wind turbines must set-back the height of the turbine (base to tip of the blades full extended upward) from any lot line or right-of-way lines.”

and amend Article X, Section 2, Subsection E, 2 – Adding “All wind turbines must set-back the height of the turbine (base to tip of the blades full extended upward) from any lot line or right-of-way lines.”

and amend Article XI, Section 2, Subsection E, 2 – Adding “All wind turbines must set-back the height of the turbine (base to tip of the blades full extended upward) from any lot line or right-of-way lines.”

and amend Article IV by adding “Section 28. No recreational vehicle nor fifth wheel trailer or camper shall be used as a habitation for more than 90 days in any 365 day period without a special use permit.”

Be It Further Resolved that a public hearing was held at 9:00 a.m. on the 7th day of June, 2011. Notice of the public hearing was published in the Times-Republican newspaper on May 31st, 2011 and Mid Iowa Enterprise newspaper on June 2, 2011.

Dated at Marshalltown, Iowa, this 7th day of June, 2011.

Motion by _____, second by _____, to _____ this third and final reading of the Amendment No. 11-01 to Zoning Ordinance No. 3 and the amendment to the Ordinance is adopted.

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

_____ Denny Grabenbauer Board of Supervisors, Chairman	Attest: _____ Dawn Williams Marshall County Auditor and Recorder
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4. Recognition-Years of Service-

Consent Agenda:

5. **Approve Minutes**--from Regular Session of May 24, 2011
6. **Approve Mobile Band Shell Rental**- A mobile band shell rental agreement has been received from the State Center Rose Festival Committee requesting to use the Mobile Band Shell Friday- Sunday, June 17th-19th in State Center, Iowa for the State Center Rose Festival.
7. **Approve Mobile Band Shell Rental**- A mobile band shell rental agreement has been received from the Iowa Barbeque Contest Committee requesting to use the Mobile Band Shell Friday - Saturday, June 24th-25th in Riverview Park for the Iowa Barbeque Contest.
8. **Use of Courthouse Grounds**- Marshall County Career Development Center is requesting to use the Courthouse steps on north side of the Courthouse, Tuesday June 28, 2011 from 11:45 a.m.-1:00 p.m. to play patriotic music with bells for the public with upcoming 4th of July celebration.
9. **Accept Audit Report-Central Iowa Juvenile Detention Center**
10. **Resignation of Appointment**—Bill Armbrecht, Board of Adjustment, resignation effective May 24, 2011.
11. **Accept Appointment**— 5 year term-Bill Patton, Board of Adjustment, effective June 7, 2011- December 31, 2015, fulfilling the unexpired term of Bill Armbrecht. (January 1, 2007 - December 31, 2011).

12. Manure Management Plan Annual Update – Tamco Pork II LLC,
id no.58267, manure management plan update received and placed on file. There
were no changes to the manure management plan.

13. Approve Claims—as audited and authorize the County Auditor and Recorder to
issue payment of same. The listing of claims paid at this meeting will be included
with all claims paid for the month of June; the June list of claims will be a part
of the first meeting in July.

Motion by _____, second by _____, to _____ the consent agenda as
printed above.

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

14. Provider Agreements for FY12-Discussion and possible action on the following
provider agreements and rates.

Central Iowa Residential Services, Inc.

Special Focus-Adult Day Care	\$55.00 per day
Supported Community Living	\$34.11 per hour

MIW, Inc.

Sheltered Workshop	\$43.53 per day
Sheltered Workshop	\$21.77 per ½ day
Supported Employment	\$25.00 per hour

Iowa Valley Career Development Center

Work Activity	\$38.87 per day
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Motion by _____, second by _____ to _____ the listed provider
agreements and rates for FY12.

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

15. Program Provider Agreement with Center Associates--Discussion and possible
action of the FY12 agreement with Center Associates to begin 7/1/2011.

Motion by _____, second by _____ to _____ this program provider
agreement with Center Associates beginning 7/1/2011.

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

16. County Attorney-Presentation by County Attorney Jennifer Miller and Dane Zuercher
on Expanding Collections Program--

17. Sheriff's Department-Extension to 28E Agreement Between Marshall County and the City of Ferguson for Law Enforcement Protection--Discussion and action on the Extension Agreement regarding the 28E Agreement between Marshall County and the City of Ferguson for law enforcement protection within the corporate limits of the City of Ferguson. The agreement is extended through June 30, 2012. The city of Ferguson agrees to pay Marshall County the sum of \$3,025.00.

Motion by _____, second by _____, to _____ the Extension Agreement between Marshall County and the City of Ferguson through June 30, 2012.

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

18. Sheriff's Department-Extension to 28E Agreement Between Marshall County and the City of Haverhill for Law Enforcement Protection--Discussion and action on the Extension Agreement regarding the 28E Agreement between Marshall County and the City of Haverhill for law enforcement protection within the corporate limits of the City of Haverhill. The agreement is extended through June 30, 2012. The city of Haverhill agrees to pay Marshall County the sum of \$3,795.00.

Motion by _____, second by _____, to _____ the Extension Agreement between Marshall County and the City of Haverhill through June 30, 2012.

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

19. Sheriff's Department-Extension to 28E Agreement Between Marshall County and the City of Clemons for Law Enforcement Protection--Discussion and action on the Extension Agreement regarding the 28E Agreement between Marshall County and the City of Clemons for law enforcement protection within the corporate limits of the City of Clemons. The agreement is extended through June 30, 2012. The city of Clemons agrees to pay Marshall County the sum of \$3,520.00.

Motion by _____, second by _____, to _____ the Extension Agreement between Marshall County and the City of Clemons through June 30, 2012.

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

20. Public Forum--is a time set aside for the public to make comments on topics of County business other than those listed on this agenda. No action will be taken on any of these topics brought up in the public forum.

Board Meeting of
June 7, 2011
Revised June 6, 2011

21. Adjournment--The next regular meeting is June 21, 2011, at 9:00 a.m. All business to be acted upon at that session should be submitted to the County Auditor and Recorder's Office or the Board of Supervisors' Office by June 16, 2011, at 1:00 p.m. There being no further business to come before the Board, the meeting is adjourned at ____ a.m.

Denny Grabenbauer
Board of Supervisors, Chairman

Attest:

Dawn Williams
Marshall County
Auditor and Recorder