

**Marshall County Board of Supervisors
Regular Session August 16, 2011, at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, August 16, 2011, at 9:00 a.m. in Council Chambers, 10 West State Street (Parks and Rec. Entrance), 2nd Floor, 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:	Adams-Aye	Thompson-Aye	Grabenbauer-Aye
	Vice Chairman	Member	Chairman

Consent Agenda:

- 2. Approve Minutes--**from Special Session of July 26, 2011 and Regular Session of August 2, 2011
- 3. File District Court Report-7-11**
General Supplemental Fund 10% Surcharge - \$562.84
- 4. Manure Management Plan Update-**Burt Farm & Livestock, id no. 65507, annual update report received and placed on file with no changes made to the MMP.
- 5. Manure Management Plan Update-**Edler Brothers, id no. 64799, annual update report received and placed on file with no changes made to the MMP.
- 6. Manure Management Plan Update-**Jeff Breja, id no. 75417, annual update report received and placed on file with no changes made to the MMP.
- 7. Manure Management Plan Update-**Timber Creek Pork, id no. 58019, annual update report received and placed on file with no changes made to the MMP. P-Index added.
- 8. Manure Management Plan Update-**Norman Pork, id no. 59367, annual update report received and placed on file with no changes made to the MMP.
- 9. Accept Sheriff's Quarterly Report—6-11**
General Basic – Service Fees \$ 24,872.20
General Basic – Interest on Checking \$ 15.08
General Basic – Mileage Fees \$ 8,601.00
- 10. Accept Sheriff's Annual Report for 2010-2011 Fiscal Year**
Balance on hand July 1, 2010 \$ 77,512.34
Receipts \$730,645.26
Total receipts plus balance on hand \$808,157.60
Disbursements \$712,412.49
Balance on hand June 30, 2011 \$ 92,745.11
- 11. 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 August; the August list of claims

will be a part of the first meeting in September.

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

12. Resolution No. 2011-0026

A RESOLUTION TO APPROVE THE REGION 6 HOUSING TRUST FUND

MARSHALL COUNTY REQUIRED CASH CONTRIBUTION

Whereas the Region 6 Housing Trust Fund can annually apply for approximately \$239,863 of Iowa Finance Authority State Housing Trust Funds if the trust fund secures \$59,966 of local contributions, and

Whereas the per capita state share for Marshall County is \$102,779 if \$25,695 of local assistance is secured, and

Whereas Region 6 Housing Trust Fund currently has 23 Marshall County applicants for roof or other emergency repairs and can only assist 9-10 households, and

Whereas all the applicants must have annual incomes under 80% of the county median as determined by HUD.

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

Section 1: Marshall County will provide \$25,695 of cash assistance in FY 2012/2013.

Approved this 16th day of August, 2011.

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

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

Denny Grabenbauer
Board of Supervisors, Chairman

Attest:

Dawn Williams
Marshall County
Auditor and Recorder

Resolution #2011-0027

13. Resolution--Local Sales and Services Tax

Whereas, according to Chapter 422B.1 (3b), Code of Iowa, the question of the imposition of a local sales and services tax shall be submitted to the qualified electors of the incorporated and unincorporated areas of the county upon receipt by the county commissioner of elections of the motion or motions, requesting such submission, adopted by the governing body or bodies of the city or cities located within the county or of the county, for the unincorporated areas of the county, representing at least one half of the population of the county; and

Whereas, the 2010 population of the City of Marshalltown represents at least one half of the population of the county; and

Whereas, the council of the City of Marshalltown passed a motion on the 25th day of July, 2011, to initiate a local option sales and services tax election in the City of Marshalltown; and

Whereas, the council of the City of Marshalltown passed a motion on the 25th day of July, 2011 at the request of the City of Laurel, to initiate a local option sales and services tax election in the City of Laurel; and

Whereas, by their motions, the City Councils of Marshalltown and Laurel are seeking alternative methods of collecting much needed revenue in order to provide necessary services; and

Whereas, Chapter 422B of the Iowa Code authorizes imposition of certain local option taxes after an election in which the majority of the electors vote in the affirmative.

Now, Therefore, Be It Resolved by the Marshall County Board of Supervisors to direct the county commissioner of elections to hold an election on November 8, 2011, to present to the voters of the cities of Marshalltown and Laurel, for their rejection or approval, the question of imposition of a 1% local sales and services tax to take effect on the first day of July, 2015 and to end on the 30th day of June, 2025.

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

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

Denny Grabenbauer
Board of Supervisors, Chairman

Attest:

Dawn Williams
Marshall County
Auditor and Recorder

14. Report from Marshall County Temporary Redistricting Advisory Committee—
Discussion and possible action to accept report from Temporary Redistricting Advisory Committee.

Motion by Grabenbauer, second by Adams to accept the report.

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

15. First Reading of Proposed Amendment No. 11-1 to Marshall County Ordinance No. 21, To Establish Election Precincts in Marshall County, Not Including the City of Marshalltown and Set Hearing—

AN ORDINANCE ESTABLISHING THE VARIOUS VOTING PRECINCTS IN MARSHALL COUNTY, IOWA, NOT INCLUDING THE CITY OF MARSHALLTOWN AND DEFINING THE BOUNDARIES AND LISTING THE POPULATIONS THEREOF PURSUANT TO CODE OF IOWA, CHAPTER 49, 2011.

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

SECTION 1. Purpose. The purpose of this ordinance is to establish new voting precincts in Marshall County, due to the required reprecincting following the 2010 decennial census. The Marshall County Board of Supervisors shall establish new election precincts following census block lines, comprised of one or more whole townships and contained wholly within an existing legislative district that will best serve the convenience of the voters while promoting electoral efficiency pursuant to the Code of Iowa, Chapter 49, 2011.

SECTION 2. Precincts. Marshall County, Iowa, is hereby divided into 11 voting precincts that do not include the City of Marshalltown. The precincts and population numbers from the 2010 census are as follows:

1. BANGOR/LISCOMB, population 848: Bangor Township including the part of the incorporated City of Liscomb and Liscomb Township including the part of the incorporated City of Liscomb, Marshall County, Iowa.
2. EDEN/LOGAN, population 1765: Eden Township including the incorporated city of Rhodes and Logan Township including the incorporated city of Melbourne, Marshall County, Iowa.
3. GREEN CASTLE, population 1059: Green Castle Township including the incorporated cities of Ferguson and Gilman, Marshall County, Iowa.

4. JEFFERSON, population 826: Jefferson Township including the incorporated cities of Haverhill and Laurel, Marshall County, Iowa.
5. LEGRAND, population 1565: LeGrand Township including the incorporated city of LeGrand, Marshall County, Iowa.
6. LIBERTY/MINERVA, population 720: Liberty Township including part of the incorporated city of St. Anthony and Minerva Township including the incorporated city of Clemons and part of the incorporated city of St. Anthony, Marshall County, Iowa.
7. MARIETTA/WASHINGTON, population 923: Marietta Township and Washington Township, Marshall County, Iowa.
8. MARION/VIENNA, population 1147: Marion Township and Vienna Township, Marshall County, Iowa.
9. STATE CENTER, population 1951: State Center Township including the incorporated city of State Center, Marshall County, Iowa.
10. TAYLOR, population 1127: Taylor Township including the incorporated city of Albion, Marshall County, Iowa.
11. TIMBER CREEK, population 1167: Timber Creek Township, Marshall County, Iowa.

SECTION 3. Effective Date. This ordinance shall be in full force and effect on January 15, 2012 after its final passage, approval and publication as provided by law.

Dated at Marshalltown, Iowa, this 16th day of August, 2011.

Motion by Grabenbauer, second by Adams to adopt the first reading of proposed amendment No. 11-1 to Marshall County Ordinance No. 21, To Establish Election Precincts in Marshall County, Not Including the City of Marshalltown and set hearing date for Tuesday, August 30, 2011 at 9:00 a.m.

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

Denny Grabenbauer
Board of Supervisors, Chairman

Attest:

Dawn Williams
Marshall County
Auditor and Recorder

16. Sheriff's Department-Extension to 28E Agreement Between Marshall County and the City of Gilman for Law Enforcement Protection--Discussion and action on the Extension Agreement regarding the 28E Agreement between Marshall County and the City of Gilman for law enforcement protection within the corporate limits of the City of Gilman. The agreement is extended through June 30, 2012. The city of Gilman agrees to pay Marshall County the sum of \$17,380.00.

Motion by Thompson, second by Adams, to approve the Extension Agreement between Marshall County and the City of Gilman.

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

17. Secondary Road-Equipment Purchase-Discussion and possible action on the purchase of dump body and snow removal equipment for the new tandem axle truck owned by the County from Henderson Truck Equipment of Manchester, Iowa for \$70,365.00 for secondary road use.

Motion by Adams, second by Grabenbauer to approve the purchase of dump body and snow removal equipment for the new tandem axle truck owned by the County from Henderson Truck Equipment of Manchester, Iowa for \$70,365.00 for secondary road use.

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

18. Public Forum—Harold Lanning had questions regarding bike trail repair and upkeep. Supervisor Deane Adams commented taxes certified, by tonight all tax receipts will be mailed out. Supervisor Denny Grabenbauer welcomed Mike Malloy, a new reporter, from the Times Republican newspaper.

19. Adjournment--The next regular meeting is August 30, 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 Thursday, August 25, 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:

Dawn Williams
Marshall County
Auditor and Recorder