

**Marshall County Board of Supervisors
Regular Session March 27, 2012, at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, March 27, 2012, 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 amend the agenda by removing item #4 from the Consent Agenda.

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

Motion by Adams to add agenda item #4 back to the Consent Agenda. Died for lack of a second.

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

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

2. Recognition-Years of Service-Paul Crawford-25 years, Lisa Soder-10 years, Tricia Dieleman-5 years

Consent Agenda:

- 3. Approve Minutes--**from Regular Session of March 13, 2012.
- 4. Approve Mobile Band Shell Rental**—A mobile band shell rental agreement has been received from the Midnight Ballroom requesting to use the Mobile Band Shell Saturday, April 7th, 2012 for entertainment during the rodeo held at the Central Iowa Fairgrounds.
- 5. Approve Band Shell Rental Agreement**—Marshall County Arts and Culture Alliance requests to use the Mobile Band Shell at Fisher Community Center, Sunday, July 15, 2012 for the Linn Creek Arts Festival.
- 6. Accept the Independent Auditor's Report**—North Iowa Juvenile Detention Services Commission—year ended 6-30-11
- 7. Accept the Independent Auditor's Report**—Region VI Planning Commission—years ended June 30, 2011 and 2010
- 8. Accept the Independent Auditor's Report**—Solid Waste Management Commission of Marshall County—years ended June 30, 2011 and 2010
- 9. Manure Management Plan Update**—Bill Havelka Site 3, id no. 62692, annual update report received and placed on file with no changes made to the MMP

- 10. Manure Management Plan Update**-Bill Havelka Site 3, id no. 64515, annual update report received and placed on file with no changes made to the MMP
- 11. Manure Management Plan Update**-J.T. Farms East, id no. 63207, annual update report received and placed on file with no changes made to the MMP
- 12. Manure Management Plan Update**-J.T. Farms East, id no. 63208, annual update report received and placed on file with no changes made to the MMP
- 13. Manure Management Plan Update**-TriOak Foods, Marco Pork LP, id no. 61016, annual update report received and placed on file with one change made to the MMP. Updated soil tests
- 14. 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 March; the March list of claims will be a part of the first meeting in April.

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

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

15. Use of Courthouse Grounds for Multiple Public Events-Marshalltown Central Business District is requesting the use of the Courthouse grounds on the north side of the Courthouse, the concrete slab and the sidewalk each Thursday, beginning May 24th through October 11, 2012 from 3-7pm for the Main Street Farmer's Market.

They also request the use of the Courthouse grounds for the following future events:

Garden Extravaganza on May 5, 2012

Latino Festival on June 2, 2012

Art Walk on October 4, 2012.

Motion by Thompson, second by Adams to approve the use of the Courthouse grounds each Thursday, beginning May 24th through October 11, 2012 from 3-7pm for the Main Street Farmer's Market, Garden Extravaganza on May 5, 2012, Latino Festival on June 2, 2012 and the Art Walk on October 4, 2012.

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

16. Class C Liquor License (LC) (Commercial)—application for license renewal (8 months) 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, _____, expires _____.

Motion by Grabenbauer, second by Adams, to table the renewal of the Harvester, Jensen Golf, L.C. liquor license until the Special Session on Tuesday, April 3, 2012.

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

17. Secondary Road-Collective Bargaining Agreement—Accept the Collective Bargaining Agreement between Marshall County, Iowa Secondary Road Department and Public, Professional and Maintenance Employees Local No. 2003. This Agreement covers the period from July 1, 2012 through June 30, 2014.

Motion by Adams, second by Thompson, to accept this Agreement.

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

18. Secondary Road Dept.-Equipment Purchase Approval—Discussion and possible action on the approval of the purchase of 3 Chevrolet pickup trucks. DOT State bids have been received and still awaiting quotes from local dealerships.

Motion by Thompson, second by Adamsto authorize the purchase of 3 Chevrolet Pickup Trucks within the Secondary Road Budget.

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

19. Secondary Road Dept.-Approve Agreement with Top Notch Tree Service-- Discussion and possible action on the approval of Top Notch Tree Service to load approx 750 CY of tree debris from various sites throughout the county and haul the debris to either 900 Woodland St or the County Yard at 2848 Gerhart Ave. The debris will be chipped by Chamness Technology.

Motion by Adams, second by Thompson to approve Top Notch Tree Service of Marshalltown to load and haul tree debris to either 900 Woodland St. or the County Yard at 2848 Gerhart Ave. and authorize the chairman to sign the contract.

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

20. Resolution 2012-0014

Resolution - 2011 Homestead and Family Farm Credits and Military Service Tax Exemptions—

Whereas, pursuant to Iowa Code 425.3, 425A.3, and 426A.14 the Marshall County Board of Supervisors has received the Homestead Tax Credit claims, Family Farm Tax Credit claims and the Military Service Tax Exemption claims from the County Auditor for the 2011 taxes, payable 2012-2013.

Be It Resolved, that all claims filed are allowed except those recommended for disallowance by the County Assessor, a list of which is on file in the County Auditor's Office.

Be It Further Resolved that the Chairman of the Board is hereby authorized to sign notices of disallowance to claimants whose applications for Homestead Tax Credits, Family Farm Credits and Military Service Tax Exemptions have been disallowed.

Dated at Marshalltown, Iowa this 27th day of March, 2012.

Motion by Adams, second by Thompson to adopt this Resolution and authorize the Chairman to sign letters of disallowance.

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

Denny Grabenbauer
Board of Supervisors, Chairman

Attest:

Dawn Williams
Marshall County Auditor

21. 2012 Marshall County Noxious Weed Control Resolution—

Resolution 2012-0015

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 2012 growing season in Marshall County

Now, Therefore, Be It Resolved, that the following shall constitute the 2012 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 west 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 east 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 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 2012 Noxious Weed Control Program shall become effective upon its adoption by the Marshall County Board of Supervisors.

Dated at Marshalltown, Iowa, this 27th day of March, 2012.

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

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

Denny Grabenbauer
Board of Supervisors, Chairman

Attest: _____
Dawn Williams
Marshall County Auditor

22. Resolution #2012-0016

Child Abuse Prevention Month Proclamation

Whereas, Iowa's Children are one of the most precious resources in our state and provide the hope for a brighter tomorrow in Iowa;

Whereas, 252 Marshall County children were confirmed to be victims of child abuse in 2010;

Whereas, the effects of child abuse are felt by entire communities and preventing this tragedy depends on involvement of people throughout the community;

Whereas, effective child abuse prevention succeeds because of partnerships created between parents, practitioners, school, faith communities, health care organizations, law enforcement agencies, and the business community;

Whereas, all citizens need to be more aware of child abuse and neglect and its prevention within the community, and be involved in supporting parents to raise their children in a safe, nurturing society;

Now, Therefore, We, The Marshall County Board of Supervisors, do hereby proclaim April as Child Abuse Prevention Month in Marshall County, Iowa and urge all citizens, community agencies, religious organizations, medical facilities, and business to increase their participation in efforts to prevent child abuse and neglect, thereby strengthening the communities in which we live.

Dated at Marshalltown this 27th of March, 2012.

Motion by Thompson, second by Adams to adopt this Resolution proclaiming April as "Child Abuse Prevention Month" in Marshall County, Iowa.

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

23. Iowa Natural Heritage Foundation-Andrea Chase, Trails Coordinator, discussion only item on railroad abandonment. Members of the public made comments.

24. Public Forum—There were no comments from the public.

25. Adjournment--The next regular meeting is April 10, 2012, 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, April 5, 2012, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 10:25 a.m.

Denny Grabenbauer
Board of Supervisors, Chairman

Attest:

Dawn Williams
Marshall County
Auditor and Recorder