

**Marshall County Board of Supervisors  
Regular Session June 19, 2012, at 9:00 a.m.**

**AGENDA**

The Board is meeting in regular session on Tuesday, June 19, 2012, at 9:00 a.m. in the Marshall County Courthouse, 3<sup>rd</sup> Floor, NE corner, meeting room #2, with \_\_\_\_ members present.

**Pledge of Allegiance**

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.

**1. Approval or Amendment of Agenda—**

Motion by \_\_\_\_\_, second by \_\_\_\_\_ to \_\_\_\_\_ the agenda as printed.

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

**Consent Agenda:**

- 2. Approve Minutes--**from Regular Session of June 5, 2012.
- 3. Approve Mobile Band Shell Agreement-** Marshalltown Fireworks Committee has submitted a rental agreement for the Mobile Band Shell to be placed at the Central Iowa Fairgrounds for the Fourth of July Celebration on Wednesday, July 4, 2012.
- 4. Approve Personnel Actions:**
  - a) Change of Status for **Armando Estrada**, probation period completed, change rate of pay and status, Secondary Road, full time, change status from Truck Driver 1 to Truck Driver 2, change rate of pay from \$20.17/hr. to \$20.47/hr., effective June 20, 2012.
  - b) Change of Status for **Pete Hutzl**, probation period completed, change rate of pay and status, Secondary Road, full time, change status from Truck Driver 1 to Truck Driver 2, change rate of pay from \$20.17/hr. to \$20.47/hr., effective June 20, 2012.
- 5. File Clerk of District Court Report –**  
**Jan-12-General Supplemental Fund 10% Surcharge - \$802.05**  
**Feb-12-General Supplemental Fund 10% Surcharge - \$1,204.42**

**May-12-General Supplemental Fund 10% Surcharge - \$1,036.17**

- 6. 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.

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

- 7. Request for Subdivision Variance from Veren Farms Inc., SV 12-02--**Discussion and possible action on a request from Veren Farms Inc. for property legally described as: 4-84-19 SW SW except Parcel A of the 5<sup>th</sup> P.M., parcel pin #06-04-300-005 within Marshall County, Iowa for a subdivision variance from Article III, Section 3 of the Marshall County Platting Subdivision Ordinance of Marshall County.

Motion by \_\_\_\_\_, second by \_\_\_\_\_, after recommendation from the Marshall County Zoning Commission to approve the subdivision variance to Article III, Section 3 of the Platting and Subdivision Ordinance and allow a plat of survey to be filed in lieu of a subdivision. The property involved is: 4-84-19, SW SW except Parcel A of the 5<sup>th</sup> P.M., parcel pin #06-04-300-005 within Marshall County, Iowa

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

- 8. Request for Subdivision Variance from Whitaker Farms, Inc., SV 12-03--**Discussion and possible action on a request from Whitaker Farms, Inc. for property legally described as: 07-84-20 NE SW except Parcel B of the 5<sup>th</sup> P.M., parcel pin #05-07-400-007 within Marshall County, Iowa for a subdivision variance from Article III, Section 3 of the Marshall County Platting Subdivision Ordinance of Marshall County.

Motion by \_\_\_\_\_, second by \_\_\_\_\_, after recommendation from the Marshall County Zoning Commission to approve the subdivision variance to Article III, Section 3 of the Platting and Subdivision Ordinance and allow a plat of survey to be filed in lieu of a subdivision. The property involved is: 07-84-20 NE SW except Parcel B of the 5<sup>th</sup> P.M., parcel pin #05-07-400-007 within Marshall County, Iowa.

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

**9. Iowa Department Natural Resources**—Lynette Seigley, coordinator for Project AWARE, the DNR's volunteer weeklong river clean up project will provide information regarding the event and answer any questions.

**10. Animal Rescue League Agreement**— Discussion and consideration of contract between the Animal Rescue League of Marshalltown and the Marshall County Board of Supervisors.

Motion by \_\_\_\_\_, second by \_\_\_\_\_ to \_\_\_\_\_ the Agreement.

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

**11. New Hire-Information Services Dept.-**Discussion and possible action on the new hire Stuart J. Zurcher, Information Services, Web Developer, fulltime, at \$21.63/hr., effective June 25, 2012.

Motion by \_\_\_\_\_, second by \_\_\_\_\_ to \_\_\_\_\_ .

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

**12. Resolution 2012-0022**

**Appropriation of Funds-FY 2012-13 Resolution--** Whereas, it is desired to make appropriations for each of the different officers and departments for the fiscal year beginning July 1, 2012, in accordance with Section 331.434(6), Code of Iowa; Now Therefore Be It Resolved by the Board of Supervisors of Marshall County, Iowa, as follows:

| <u>Department</u>         | <u>Appropriation</u> |
|---------------------------|----------------------|
| #01 Supervisors           | 174,690              |
| #02 Auditor               | 701,790              |
| #03 Treasurer             | 638,006              |
| #04 County Attorney       | 1,061,130            |
| #05 Sheriff               | 5,101,710            |
| #07 Recorder              | 276,590              |
| #08-Buildings and Grounds | 1,182,358            |
| #09 Zoning                | 54,410               |
| #15 Information Systems   | 592,385              |
| #16 GIS                   | 181,835              |
| #19 General Assistance    | 21,300               |
| #20 County Engineer       | 6,304,000            |
| #21 Veteran Affairs       | 77,660               |

|                                  |              |
|----------------------------------|--------------|
| #22 County Conservation          | 448,358      |
| #23 Local Health Board           | 355,820      |
| #24 Weed Eradication             | 74,348       |
| #25 Dept of Human Services       | 163,176      |
| #28 Medical Examiner             | 65,850       |
| #31 District Court               | 400,200      |
| #33 County Library Contract      | 69,442       |
| #40 Harvester TIF                | 248,700      |
| #42 Gateway TIF                  | 42,500       |
| #60 Mental Health Administration | 4,104,650    |
| #70 Local Emergency Management   | 19,686       |
| #84 County Capital Building      | 160,000      |
| #99 Nondepartment                | 1,708,632    |
| Total                            | \$24,229,226 |

Section 1. The amounts itemized by department are hereby appropriated from the resources of the County to the department or officer listed.

Section 2. Subject to the provisions of other county procedures and regulations and applicable state law, these appropriations shall constitute authorization for the department or officer listed to make expenditures or incur obligations effective July 1, 2012.

Section 3. In accordance with Section 331.437, Code of Iowa, no department or officer shall expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure of money for any purpose in excess of the amounts appropriated pursuant to this resolution.

Section 4. If at any time during the 2012-13 budget year the Auditor shall ascertain that the available resources of a fund or department for that year will be less than said fund's or department's total appropriations, the Auditor shall immediately so inform the Board and recommend appropriate corrective action.

Section 5. The Auditor shall establish separate accounts for the appropriations, each of which shall indicate the amount of appropriation, the amounts charged thereto, and the unencumbered balance. The Auditor shall report the status to the applicable departments and officers monthly during the 2012-13 budget year.

Section 6. All appropriations authorized pursuant to this resolution lapse at the close of business June 30, 2013.

Dated at Marshalltown, Iowa, this 19th day of June, 2012.

Motion by \_\_\_\_\_, second by \_\_\_\_\_, to \_\_\_\_\_ the resolution set out above.

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

Attest: \_\_\_\_\_

Denny Grabenbauer  
Board of Supervisors, Chairman

Dawn Williams  
Marshall County  
Auditor and Recorder

**13. Resolution 2012-0023**

**Advance Issuance of Payments-Resolution--**

The Board of Supervisors, pursuant to Section 331.506 (3a and b), Code of Iowa, may authorize the County Auditor to issue payment when said Board is not in session for the following purposes:

1. Fixed charges including but not limited to, freight, express, postage, water, light, and telephone service or contracted services, after a bill is filed with the auditor.
2. Salaries and payrolls if the compensation has been fixed or approved by the Board. The salary or payroll shall be certified by the officer or supervisor under whose direction or supervision the compensation is earned.

Therefore Be It Resolved to authorize the County Auditor to issue payments for the aforementioned when said Board is not in session.

Be it further resolved, all bills paid under provisions of Section 331.506 (3a and 3b), Code of Iowa, shall be submitted to the board for review and approval following the payment.

Dated at Marshalltown, Iowa, this 19th day June, 2012.

Motion by \_\_\_\_\_, second by \_\_\_\_\_, to \_\_\_\_\_ this Resolution.

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

\_\_\_\_\_  
Denny Grabenbauer  
Board of Supervisors, Chairman

Attest:

\_\_\_\_\_  
Dawn Williams  
Marshall County  
Auditor and Recorder

**14. Marshall County Employee Dental Benefit Plan—Discussion and action on the July 1, 2012 through June 30, 2013 renewal with Delta Dental Plan of Iowa.**

Motion by \_\_\_\_\_, second by \_\_\_\_\_, to \_\_\_\_\_ the renewal.

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

**15. Marshall County Community Services-Provider and Program Participation**

**Agreement—**Discussion and possible action on the program provider renewal agreement for Mary Greeley Medical Center effective July 1, 2012 through June 30, 2013. This agreement

is for involuntary commitments for mental health and substance abuse. This is a renewal agreement and the rates are the same as FY12.

Motion by \_\_\_\_\_, second by \_\_\_\_\_ to \_\_\_\_\_ this agreement.  
This agreement is for involuntary commitments for mental health and substance abuse. This is a renewal agreement and the rates are the same as FY12.

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

**16. Resolution 2012-0024-Designating a STOP Intersection and Erecting STOP Signs--**

Whereas, The Board of Supervisors is empowered under authority of Sections 321.236, 321.255 and 321.345 of the 1997 Code of Iowa to designate any secondary road intersection under their jurisdiction as a STOP intersection and to erect STOP signs at one or more entrances to such intersection.

Now, Therefore Be It Resolved by the Marshall County Board of Supervisors that the following secondary road approach be designated as a "STOP APPROACH" and that a STOP sign shall be erected accordingly:

STOPPING EASTBOUND AND WESTBOUND TRAFFIC ON 125TH STREET AT THE  
INTERSECTION OF KNAPP AVENUE AND 125TH STREET IN THE EAST HALF OF  
SECTION 14, T85N, R19W, LISCOMB TOWNSHIP.

Dated at Marshalltown, Iowa, this 19th day of June 2012.

Motion by \_\_\_\_\_, second by \_\_\_\_\_ to \_\_\_\_\_ this Resolution.

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

Attest:

\_\_\_\_\_  
Denny Grabenbauer  
Board of Supervisors, Chairman

\_\_\_\_\_  
Dawn Williams  
Marshall County  
Auditor and Recorder

**17. Secondary Road-Equipment Purchase--**Discussion and possible action on the purchase of a John Deere 772G Motor Grader. The purchase price is \$208,812 with the trade allowance on the Secondary Road 1191 Cat 140G. This will be paid from the FY13 Secondary Road Department Equipment Fund

Motion by \_\_\_\_\_, second by \_\_\_\_\_ to \_\_\_\_\_ the purchase of a  
John Deere 772G Motor Grader.

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

**18. Liquor License-Class C Liquor License with Sunday Sales Privilege and Outdoor Service**—request from West Marshall Golf Course Association, d/b/a Lincoln Valley Golf, for renewal of their Class “C” Liquor License including Sunday Sales Privilege and Outdoor Service, effective 6-30-2012 to 6-29-2013.

Motion by \_\_\_\_\_, second by \_\_\_\_\_ to \_\_\_\_\_ the renewal request.

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

**19. 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.

**20. Adjournment**--The next regular meeting is June 29, 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, June 21, 2012, 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