Marshall County Board of Supervisors
Special Session September 19, 2012, at 11:30 a.m.

MINUTES

The Board met in special session on Wednesday, September 19, 2012, at 11:30 a.m. in meeting room #2, Courthouse, 3rd Floor, NE corner with all 3 members present.

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

Motion by Adams, second by Grabenbauer to approve the agenda as printed.

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

2. **Site Confinement Construction Permit, Kevin Blood Dairy –** Resolution to consider a waiver of Marshall County's right to appeal issuance of final construction permit for the construction of confined animal feeding operation by the Iowa Department of Natural Resources Site Confinement Construction Permit for Kevin Blood Dairy, Facility ID 60101

RESOLUTION NO. 2012-0029

A RESOLUTION TO APPROVE A WAIVER OF MARSHALL COUNTY'S RIGHT TO APPEAL ISSUANCE OF FINAL CONSTRUCTION PERMIT FOR THE CONSTRUCTION OF CONFINED ANIMAL FEEDING OPERATION BY THE IOWA DEPARTMENT OF NATURAL RESOURCES.

BE IT RESOLVED by the Marshall County Board of Supervisors as follows:

Section 1. The Marshall County Board of Supervisors has received notice from the Iowa Department of Natural Resources (DNR) that Kevin Blood Dairy, Facility ID #60101 has been issued a draft permit for the construction of a confined animal feeding operation building(s) in the SW ¼ of the NW ¼ of Section 22, T83N, R20W, State Center Township, Marshall County, IA.

Section 2. The Marshall County Board of Supervisors reviewed the construction permit application and the manure management plan and determined that both appeared to be in compliance with the requirements of the Master Matrix, Iowa Code Section 459 and the Iowa DNR rules and recommended approval of said application on 09-10-2012.

Section 3. The Marshall County Board of Supervisors hereby waives its right to appeal the issuance of the final permit within the fourteen (14) day limit from the time of receipt of notice of the issuance of the draft permit.

Section 4. The Marshall County Board of Supervisors encourages the Iowa DNR to issue the Final Permit immediately upon notification of this waiver.

Section 5. The Marshall County Board of Supervisors authorized the Board Chairman to notify the Iowa DNR of this waiver.

Section 6. This resolution shall take effect immediately.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MARSHALL COUNTY: Waives Marshall County's right to appeal issuance of final construction permit for the construction of confined animal feeding operation by the Iowa Department of Natural resources for Kevin Blood Dairy, Facility ID #60101.

Approved this 19th day of September, 2012.

Motion by Thompson, second by Adams to approve 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 and Recorder

3. Adjournment - The next special session is October 2, 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, September 27, 2012, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 11:31 a.m.