

**Marshall County Board of Supervisors
Regular Session September 25, 2012, at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, September 25, 2012, at 9:00 a.m. in the Marshall County Courthouse, 3rd Floor, NE corner, meeting room #2, with all 3 members present.

Pledge of Allegiance

1. Approval or Amendment of Agenda—

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

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

Consent Agenda:

2. **Approve Minutes**--from Regular Session of September 11, 2012.
3. **File Clerk of District Court -8-12**-General Supplemental Surcharge-\$752.53
4. **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 September; the September list of claims will be a part of the first meeting in October.

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

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

5. Request for Subdivision Variance from Dick A. Veren, SV 12-04--Discussion and possible action on a request from Dick A. Veren for a subdivision variance from Article III, Section 3 of the Marshall County Platting Subdivision Ordinance of Marshall County for property legally described as:

The SE ¼ of the SW ¼ of Section 33 Township 85 North, Range 19 West of the 5th P.M., Marshall County, IA.

Motion by Grabenbauer, second by Adams, 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: The SE ¼ of the SW ¼ of Section 33 Township 85 North, Range 19 West of the 5th P.M., Marshall County, IA.

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

6. Request for Subdivision Variance from Leslie Shaw, SV 12-05--Discussion and possible action on a request from Leslie Shaw for a subdivision variance from Article III, Section 3 of the Marshall County Platting Subdivision Ordinance of Marshall County for property legally described as:

The SE ¼ of the NW ¼ except Parcel B and except Parcels A and C that lie within the South ½ of the NW ¼ and except that part condemned by the State of Iowa in condemnation proceedings recorded in micro file no. 2781-1993-4 of the records of the Recorder's Office of Marshall County, Iowa

and

Lot 2 of the SW ¼ of the NW ¼ except Parcels A and C that lie within the South ½ of the NW ¼ and except that part condemned by the State of Iowa in condemnation proceedings recorded in micro file no. 2781-1993-4 of the records of the Recorder's Office of Marshall County, Iowa,

all in Section 15, Township 83 North, Range 18 West of the 5th P.M., Marshall County, IA.

Motion by Adams, second by Grabenbauer, 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: The SE ¼ of the NW ¼ except Parcel B and except Parcels A and C that lie within the South ½ of the NW ¼ and except that part condemned by the state of Iowa in condemnation proceedings recorded in micro file no. 2781-1993-4 of the records of the Recorder's Office of Marshall County, Iowa

and

Lot 2 of the SW ¼ of the NW1/4 except Parcels A and C that lie with the South ½ of the NW ¼ and except that part condemned by the State of Iowa in condemnation proceedings recorded in micro file no. 2781-1993-4 of the records of the Recorder's Office of Marshall County, Iowa,

all in Section 15, Township 83 North, Range 18 West of the 5th P.M., Marshall County, IA.

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

7. Set Hearing on Proposed Anhydrous Storage Facility –A request from Crop Production Services regarding the location of an anhydrous storage facility.

Motion by Thompson, second by Grabenbauer to set Tuesday, October 9, 2012 at 9:00 am in Marshall County Courthouse, Meeting Room #2 as the time and place to conduct a public hearing on a proposed anhydrous storage facility for Crop Production Services located a ½ mile east of (Bangor) Union, IA at 1779 Marble Road.

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

8. Resolution #2012-0030–Abatement of Taxes -

Whereas, pursuant to Chapter 445.62, Code of Iowa, the County Treasurer has the authority to determine when it is impractical to pursue collection of property taxes through the tax sale or law suit remedies;

Whereas, upon making this determination the County Treasurer shall provide a recommendation of abatement to the Board of Supervisors, and the Board shall abate the taxes:

Now, Therefore, Be it Resolved by the Marshall County Board of Supervisors to authorize the County Treasurer to abate the taxes on the following mobile home which was destroyed by fire: 605 W Main St Lot 2 LeGrand, Iowa 50142, VIN #01560427M, Title # 64AA92627: A full year of 2012 in the amount of \$126.00 which includes interest and cost.

Motion by Adams, second by Thompson, 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 and Recorder
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9. Resolution #2012-0031-Speed Limit on 295th St. West of Rhodes, IA

WHEREAS, The Board of Supervisors is empowered under authority of Sections 321.255 and 321.285, Subsection 4 of the Code of Iowa to determine, upon the basis of an engineering and traffic investigation, that the speed limit on any secondary road is greater than is reasonable and proper under the

conditions existing, and may determine and declare a reasonable and proper speed limit, and

WHEREAS, Such investigation has been completed in accordance with the 2009 Edition of the Manual on Uniform Traffic Control Devices, Section 2B-13, and the County Engineer has recommended a speed limit of 35 miles per hour.

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that speed limits be established and appropriate signs erected at the locations described as follows:

295th St. from City of Rhodes corporate limits, west 890 feet, in Section 8, T-82N, R-20W, Eden Township. The established speed limit shall be 35 MPH.

Motion by Adams, second by Grabenbauer to adopt this Resolution 2012-0031.

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

Passed and Approved this 25th day of September, 2012.

BOARD OF SUPERVISORS
Marshall County, Iowa

ATTEST: _____
Dawn Williams - County Auditor

10. Resolution #2012-0032-Speed Limit on Cooper Ave. in Rhodes, IA

WHEREAS, The Board of Supervisors is empowered under authority of Sections 321.255 and 321.285, Subsection 4 of the Code of Iowa to determine, upon the basis of an engineering and traffic investigation, that the speed limit on any secondary road is greater than is reasonable and proper under the conditions existing, and may determine and declare a reasonable and proper speed limit, and

WHEREAS, Such investigation has been completed in accordance with the 2009 Edition of the Manual on Uniform Traffic Control Devices, Section 2B-13, and the County Engineer has recommended a speed limit of 35 miles per hour.

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that speed limits be established and appropriate signs erected at the locations described as follows:

N Marietta St (Cooper Ave) from the intersection with Cherry Lane within the City of Rhodes, North 730 feet, in Section 9, T-82N, R-20W, Eden Township. The established speed limit shall be 35 MPH.

Motion by Thompson , second by Grabenbauer to adopt this Resolution 2012-0031.

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

Passed and Approved this 25th day of September, 2012.

BOARD OF SUPERVISORS
Marshall County, Iowa

ATTEST: _____
Dawn Williams - County Auditor

11. Public Forum—Todd Kelley, Buildings and Grounds Superintendent, gave update on the Courthouse bell. Jarret Heil, Treasurer, reminded public that 1st half of property taxes are due.

12. Adjournment--The next regular meeting is October 9, 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, October 4, 2012, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:18 a.m.

Denny Grabenbauer
Board of Supervisors, Chairman

Attest:

Dawn Williams
Marshall County
Auditor and Recorder