

**Marshall County Board of Supervisors
Regular Session January 2, 2013, at 9:00 a.m.**

MINUTES

The Board met in regular session on Wednesday, January 2, 2013, 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

2. Chairman and Vice-Chairman Selected for 2013—

Motion by Grabenbauer, second by Adams, that Dave Thompson be selected as the Chairman and Deane Adams be the Vice-Chairman of the Marshall County Board of Supervisors for 2013.

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

Consent Agenda:

- 3. Approve Minutes--**from Regular Session of December 18, 2012.
- 4. Approve Personnel Actions:**
 - a) Hire **Kiyoko Balk**, County Attorney's Office, Assistant County Attorney, full-time, at \$54,000/year effective January 1, 2013.
- 5. Manure Management Plan Update--**Edler Brothers Farm, id no. 58297, annual update report received and placed on file with no changes made to the MMP.
- 6. Appointments--Commencing January 1, 2013:**
 - a. **Marshall County Conservation Board** – Re-Appoint Jeff Mathis – 5 year term
 - b. **Veteran's Affairs-** Re-Appoint Laurel Phipps - 3 year term
 - c. **Green Mountain Street Lighting District** – Re-Appoint Jalene Primus- 1 year term and Re-Appoint Jean Clawson-2 year term
 - d. **Marshall County Board of Health** – Appoint Rita Riskedahl -3 year term
 - e. **Marshall County Mental Health/Developmental Disabilities Advisory Board--Re-Appoint** -Anne Vance, Allen Fagerlund, Lisa Fifo, and Rich Byers - 3 year term. Appoint Dorie Tammen Brennecke-3 year term
 - f. **Zoning Commission** -Appoint John Maddick - 3 year term
 - g. **Marshall County Zoning Administrator, Public Environmental**

- Health Director and Weed Commissioner**-John Kunc – 1 year term
- h. Board of Adjustment** - Pam Knox - 5 year term
- i. County Medical Examiner** - Dr. David Bethel-2 year term
- j. Prairie Rivers Resource Conservation & Development** – Reed Riskedahl – 1 year term
- 7. Board of Supervisors Appointments - Commencing January 1, 2013:**
 - a. Landfill Commission** – Denny Grabenbauer – 1 year term
 - b. Area Agency on Aging** – Deane Adams – 1 year term
 - c. Central Iowa Juvenile Detention Commission (Eldora)** - Dave Thompson; Denny Grabenbauer, Alternate – 1 year term
 - d. Second Judicial District Department of Correctional Services** - Dave Thompson; Deane Adams, Alternate – 1 year term
 - e. Emergency Management Agency** – Denny Grabenbauer – 1 year term
 - f. Marshalltown Cluster Decategorization Child Welfare Service Plan** Denny Grabenbauer – 1 year term
 - g. M.E.D.I.C.** – Denny Grabenbauer – 1 year term
 - h. Center Associates Board of Directors** – Dave Thompson – 1 year term
 - i. Mid-Iowa Community Action** – Deane Adams – 1 year term
 - j. Regional Workforce Investment Board** – Dave Thompson; Denny Grabenbauer, Alternate – 1 year term
 - k. Region VI Planning Commission** – Dave Thompson – 1 year term
 - l. Substance Abuse Treatment Unit of Central Iowa (SATUCI)** – Denny Grabenbauer – 1 year term
 - m. Advisory Committee on Intergovernmental Relations**-Denny Grabenbauer, Deane Adams and Dave Thompson
 - n. Early Childhood** – Deane Adams – 1 year term
- 8. Approval of Official Newspapers for 2013**—for publications of County Proceedings-Times-Republican, Marshalltown and Mid Iowa Enterprise, State Center, Iowa.
- 9. Marshall County Discrimination Disclaimer**—No person shall be excluded from the receipt of services or benefits, and no employee shall be discriminated against on the basis of race, creed, color, national origin, sex, sexual orientation, gender identity, age, religious or political affiliation and physical or mental disability, consistent with applicable state and federal policies and regulations. Any incident of discrimination should be reported. Violation of the nondiscrimination policy may result in disciplinary action, which can include reprimand, suspension or dismissal from employment, and may also subject the violator to administrative or civil liability.
- 10. 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 December; the December list of claims will be a part of the first meeting in January.

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

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

11. RESOLUTION #2013-0001

CONSTRUCTION EVALUATION RESOLUTION

WHEREAS, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a “construction evaluation resolution” relating to the construction of a confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR’s decision regarding a specific application; and

WHEREAS, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2013 and January 31, 2014 and submit an adopted recommendation regarding that application to the DNR; and

WHEREAS, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board’s recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MARSHALL COUNTY that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

Dated at Marshalltown, Iowa this 2nd day of January, 2013.

Motion by Adams, second by Grabenbauer, to adopt Resolution #2013-0001 Construction Evaluation Resolution.

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

_____ Dave Thompson Board of Supervisors, Chairman	Attest: Dawn Williams Marshall County Auditor and Recorder
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12. Marshall Economic Development Impact Committee (M.E.D.I.C.)-Tom Deimerly, President of M.E.D.I.C., presented an update on local economic development and Kenn Vinson, M.E.D.I.C. Business Manager, gave an update on the Alliant Energy Generation Plant.

13. Resolution #2013-0002-Moving Permits

WHEREAS, the Board of Supervisors is empowered under authority of Section 321.1 of the Code of Iowa to issue permits for the movement of machines, vehicles or loads, or combinations thereof which exceed the maximum dimensions and/or weights specified in Sections 321.453 to 321.466 but within the limitations of Chapter 321E upon Secondary Roads under their jurisdiction, and

WHEREAS, it is important that such permits be issued by persons familiar with the statutes and regulations relating to such permits and also with the limitations of the county's roadways, road surfaces and structures along the selected or designated routes.

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that the Marshall County Engineer and the following named employees of the Secondary Road Department be authorized to issue and sign special permits for the movement of vehicles of excessive size and weight upon Marshall County Secondary Roads in accordance with said Chapter 321E:

Named employees:
Paul Geilenfeldt
Mark Hentges
Dee Koch
Andrew Rhodes

Passed and Approved this 2nd day of January, 2013.

Motion by Adams, second by Grabenbauer, to approve this Resolution

#2013-0002.

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

Dave Thompson
Board of Supervisors, Chairman

Attest:

Dawn Williams
Marshall County
Auditor and Recorder

14. Resolution #2013-0003-Blanket Road Closure

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that effective January 2nd, 2013, Paul C. Geilenfeldt, the County Engineer of Marshall County, Iowa, be and he is hereby designated, authorized and empowered on behalf of the Board of Supervisors of said County to execute the requirements of Section 306.41 of the Code of Iowa until such time as formal action can be entered into the minutes of said Board.

Passed and Approved this 2nd day of January, 2013.

Motion by Grabenbauer, second by Adams, to adopt this Resolution #2013-0003.

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

BOARD OF SUPERVISORS,
Marshall County, Iowa

ATTEST: _____
County Auditor and Recorder

15. Resolution #2013-0004-Certification of Completion

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that effective January 2nd, 2013, Paul C. Geilenfeldt, the County Engineer of Marshall County, Iowa, be and is hereby designated, authorized and empowered on behalf of the Board of Supervisors of said County to execute the certification of completion of work and final acceptance thereof in accordance with plans and specifications therefore in connection with all Farm to Market and Federal or State aid construction projects in this county.

Passed and Approved this 2nd day of January, 2013.

Motion by Grabenbauer, second by Thompson, to adopt this Resolution #2013-0004.

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

BOARD OF SUPERVISORS,
Marshall County, Iowa

ATTEST: _____
County Auditor and Recorder

16. Resolution 2013-0005-Erect Embargo Signs

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that the County Highway Department representing the Board of Supervisors be hereby authorized and directed to erect embargo signs restricting such loads on county routes,

when such conditions exist, that all such loads be restricted to a maximum load as determined by the office of the County Engineer. Locations of signs to be verified at the next adjourned session.

Passed and Approved this 2nd day of January, 2013.

Motion by Adams, second by Grabenbauer, to adopt this Resolution #2013-0005.

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

BOARD OF SUPERVISORS,
Marshall County, Iowa

ATTEST: _____
County Auditor and Recorder

17. Marshall County Audit Report—Bowman and Miller, P.C. has completed the Marshall County Audit for fiscal year ending June 30, 2012.

Motion by Grabenbauer, second by Adams, to accept the report and place it on file.

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

18. Resolution #2013-0006

Resolution--Assessed/Taxable Values of Utility Companies--

Be It Resolved, that pursuant to Section 433.9, Code of Iowa, there be ordered entered in the minute book the length of lines and the assessed value of the property of each of the following utility companies situated in each city, township, or lesser taxing district in its county as fixed by the Director of Revenue & Finance and certified to the County Auditor.

These values shall constitute the taxable value for 2012 Property Taxes, Payable in 2013-2014, and the taxes on said property when collected by the County Treasurer shall be disposed of as other taxes on real estate. A detailed report showing the value for each company, by taxing district, is on file in the County Auditor's office.

<u>RAILROAD</u>	MILES	X RATE PER MILE	= <u>VALUE CERT BY</u> <u>DEPT. OF REV.</u>	<u>TAXABLE</u> <u>VALUE</u>
Union Pacific Railroad	41.89	574,375.4455	24,060,587	24,060,587
Iowa River Railroad	13.50	25,046.5549	<u>338,129</u>	<u>338,129</u>
TOTAL			24,398,716	24,398,716

<u>COMMERCIAL</u>	MILES	X RATE PER MILE	= <u>VALUE CERT</u> <u>BY</u> <u>DEPT. OF REV.</u>
<u>TELEPHONE &</u> <u>TELEGRAPH</u>			
Century Tel Fiber Co II	26.49	3,843.6617	101,818
Heart of Iowa Comm. Coop	593.56	5,448.4128	3,233,961
Heart of Iowa Ventures	40.80	21,986.3347	897,043
Iowa Telecom	59.05	9,531.0515	562,809
McLeod USA Network	77.23	7,204.9837	556,441
Partner Comm. Coop.	243.39	13,352.7112	3,249,916
Minerva Valley Tel. Co.	100.13	1,328.6680	133,039
Qwest	459.57	22,029.0257	10,123,879
Sprint	26.44	6973.9126	184,392
MCC Telephony of Iowa	211.05	2,470.4689	<u>521,393</u>
TOTAL			19,564,691

	<u>ASSESSED</u> <u>VALUE CERT.</u> <u>BY</u> <u>DEPT. OF REV.</u>	<u>TAXABLE</u> <u>VALUE CERT.</u> <u>BY</u> <u>DEPT. OF</u> <u>REV.</u>
Interstate Power & Light	154,176,803	64,448,974
ITC Midwest LLC	56,296,207	8,080,614
Consumers Energy	7,291,063	1,507,596
Consumers Development LLC	0	0
Central Iowa Power Coop	2,223,748	1,055,095
Grundy Co. REC	534,159	133,831
Mid American Energy	454,768	297,264
Midland Power Coop	31,636	9,142
State Center Municipal Light Plant	<u>89,609</u>	<u>148,946</u>
TOTAL	221,097,993	75,681,462

	<u>ASSESSED</u> <u>VALUE CERT.</u> <u>BY</u> <u>DEPT. OF REV.</u>
NuStar Ammonia	838,240
Northern Border Pipeline	1,153,230
Northern Natural Gas Co	<u>1,575,623</u>
TOTAL	3,567,093

VALUE CERT BY
DEPT. OF REVENUE

	<u>ASSESSED</u>	<u>TAXABLE</u>
GRAND TOTAL OF ALL UTILITIES IN MARSHALL CO.	268,628,494	123,211,963

Dated at Marshalltown, Iowa this 2nd day of January 2013.

Motion by Adams, second by Grabenbauer, to adopt this Resolution #2013-0006.

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

Dave Thompson
Board of Supervisors, Chairman

Attest: _____
Dawn Williams
Marshall County Auditor

19. Public Forum—Supervisor Thompson thanked Denny Grabenbauer for serving as Board of Supervisor Chairman for the past 2 years. Supervisor Thompson congratulated Dawn Williams, Denny Grabenbauer and Ted Kamatchus on their newly re-elected terms.

20. Adjournment--The next regular meeting is January 15, 2013, 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, January 10, 2013, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:44 a.m.

Dave Thompson
Board of Supervisors, Chairman

Attest:

Dawn Williams
Marshall County
Auditor and Recorder

