

**Marshall County Board of Supervisors
Regular Session November 19, 2013, at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, November 19, 2013, at 9:00 a.m. in meeting room #2, Courthouse, 3rd Floor, NE corner with all 3 members present.

Pledge of Allegiance

1. Approval or Amendment of Agenda—

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

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

2. Years of Service Recognition—Curt Miller(Secondary Road)-20 years, Steve Soddors(Sheriff's Office)-15 years, James Gibson(Sheriff's Office)-5 years

Consent Agenda:

3. Approve Minutes--from Regular Session of November 5, 2013.

4. File Clerk of District Court Report-10-13

General Supplemental Fund 10% Surcharge - \$838.95

5. Accept Central Point of Coordination's MH/DS Annual Report for FY 2013 - for submission to the State of Iowa by December 1, 2013

6. Manure Management Update-McDonald Hog, LLC, Liberty Finisher Farm, id no. 58020, annual update report received and placed on file with no changes made to the MMP.

7. 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 November; the November list of claims will be a part of the first meeting in December.

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

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

8. Resolution #2013-0034

RESOLUTION APPROVING 28E AGREEMENT WITH A PRIVATE ENTITY UNDER CHAPTER 28E OF THE IOWA CODE FOR THE PURPOSE OF MANAGING THE IOWA RIVER RAILROAD RECREATIONAL TRAIL IN MARSHALL COUNTY, IOWA

WHEREAS Marshall County, Iowa (“County”), entered into an agreement with the Trail Resources and Iowa Land Stewards, Inc. (“TRAILS”), an Iowa non-profit corporation organized under Chapter 504A of the Iowa Code which is also seeking tax-exempt status under I.R.C. §501(c)(3), and the City of Marshalltown, Iowa, (“City”) and;

WHEREAS the purpose of acquiring abandoned railroad right-of-way within Marshall County, formerly owned by Iowa River Railroad and construction of a recreational path within that right-of-way and the on-going maintenance and repair of the path; and

WHEREAS neither the County nor the City has committed any public funds toward the purchase, construction, maintenance or repair of the recreational trail, including bridges or other structures supporting the recreational trail.

WHEREAS the County shall assist in maintaining the intersections of the right of way with public streets or highways outside the city limits of Marshalltown, Albion and Liscomb, Iowa.

THEREFORE, IT IS HEREBY RESOLVED BY THE MARSHALL COUNTY BOARD OF SUPERVISORS, AS FOLLOWS:

1. Attached hereto is agreement between the County, City and “TRAILS”, which is hereby approved by the Board of Supervisors, Marshall County, Iowa.
2. The Board of Supervisors hereby authorized to execute any and all documents required concerning this matter.

Passed this 19th day of November, 2013, and signed this 19th day of November, 2013.

Motion by Grabenbauer, second by Adams to adopt Resolution#2013-0034, Approving 28E Agreement with a Private Entity Under Chapter 28E of the Iowa Code for the Purpose of Managing the Iowa River Railroad Recreational Trail in Marshall County, Iowa.

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

Dave Thompson
Board of Supervisors, Chairman

Attest:

Dawn Williams
Marshall County
Auditor and Recorder

Resolution #2013-0035

9. First Reading of Ordinance Amendment-First Reading of Proposed Amendment No. 13-01 to the Zoning Ordinance No. 3 of Marshall County and set a Date and Time for the Public Hearing and Waiver/Suspension of Second Reading of Ordinance—

Whereas, after recommendation from the Marshall County Zoning Commission, the Marshall County Board of Supervisors is considering the adoption of Amendment No. 13-01 to the Zoning Ordinance of Marshall County.

Now, Therefore, Be It Resolved, by the Marshall County Board of Supervisors that this be considered the first reading of the following proposed amendment:

Request #ZR-13-01 is a request by Crop Production Services, legal owner of the land under request which is described as: Lots 4 and 5 in Block 12 and all of the vacated alley between Lots 4 and 5 in said Block 12; Lots 1,2,3 and the North 82 feet of Lot 4 and the South fifty feet of Lot 4 in Block 13; and the North half of the vacated alley abutting said Lots 1,2,3, all in the Town of Bangor, Marshall County, Iowa. Sidwell PIN#: 02-17-327-004. Request #ZR-13-01 is a request by the above-named legal land owner to re-designate the above described property from R-3 Multi-Family Residential to C-1 General Commercial. This would be an amendment to Marshall County Zoning Ordinance No. 3 pursuant to procedure set forth in Article XXIII, Section 1 & 2 of the Marshall County Zoning Ordinance No. 3.

Be It Further Resolved that such proposed amendment shall not be effective until a public hearing is held at 9:00 a.m. on the 17th day of December, 2013, with the notice of hearing published in the Marshalltown Times Republican and the State Center Mid Iowa Enterprise, at least fifteen (15) days prior to the above date, and the Board adopts the third reading of the proposed amendment and the amendment is published.

Dated at Marshalltown, Iowa, this 19th day of November, 2013.

Motion by Adams, second by Grabenbauer, to approve the first reading of the Amendment No. 13-01 to Zoning Ordinance No. 3 and set the public hearing date for December 17, 2013, at 9:00a.m.

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

Motion by Grabenbauer, second by Adams to waive the second reading of this amendment to Ordinance No. 3 by majority of the Supervisors pursuant to Iowa Code Chapter 331.302(6.a.) and hold the third reading of Ordinance Amendment No. 13-01 at the regularly scheduled Board of Supervisor's meeting that will be held on December 17, 2013.

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

Dave Thompson
Board of Supervisors, Chairman

Attest:

Dawn Williams
Marshall County
Auditor and Recorder

10. Marshall County Flexible Spending Plan—Discussion and possible action to add a carryover option to the Marshall County Flexible Spending Plan effective January 1, 2014.

Motion by Adams, second by Grabenbauer, to approve a carryover option to the Marshall County Flexible Spending Plan Document beginning with the current plan year.

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

11. Board of Supervisors Meeting Date for 2014-Discussion and possible action to omit the Board of Supervisor meeting on Tuesday, July 1, 2014.

Motion by Grabenbauer, second by Adams, to omit the Tuesday, July 1, 2014 Board of Supervisor meeting due to an end of fiscal year meeting scheduled Monday, June 30, 2014.

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

12. Floating Holiday for 2014-Discussion and action on setting the floating holiday in 2014 for Marshall County employees.

Motion by Grabenbauer, second by Adams to set December 26th as the date for the floating holiday in 2014.

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

Tabled from November 12, 2013 B.O.S. Meeting

13. Marshalltown Public Library-Sarah Rosenblum, Director of Marshalltown Public Library, Shelley Barron, LeGrand Pioneer Heritage Library, Catherine Nobel and Julia Ohrt, Gutekunst(State Center) Public Library discussed library services and funding sources.

14. Public Forum—Supervisor Grabenbauer received a phone call from Kenn Vinson, Alliant Energy, just prior to the meeting, announcing the power plant is “a go”.

Note: Courthouse Closed Thursday, November 28 - Friday, November 29, 2013 because of the Thanksgiving holiday. All offices in the Marshall County Courthouse will be closed.

15. Adjournment--The next regular session is December 3, 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 **Wednesday**, November 27, 2013, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:55 a.m.

Dave Thompson
Board of Supervisors, Chairman

Attest:

Dawn Williams
Marshall County
Auditor and Recorder