

**Marshall County Board of Supervisors
Regular Session December 3, 2013 at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, December 3, 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 Adams, second by Grabenbauer, to approve the agenda as printed.

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

Consent Agenda:

2. **Approve Minutes**--from Regular Session of November 19, 2013.
3. **Accept 2013 Weed Commissioner's Report**
4. **Approve FY2013 Annual Urban Renewal Report**
5. **Accept Solid Waste Management Commission of Marshall County Independent Auditor's Report-June 30, 2013 and 2012**
6. **Approve Personnel Actions:**
 - a. **Re-Hire Eric Devig, Gary Engle, Glen Wiley, Craig Rhodes, Doug Houston and Brett McClintock**, Secondary Road Department, seasonal, as needed, temporary part-time, at \$19.31/hr., effective December 4, 2013.
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 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:	Adams-Aye	Grabenbauer-Aye	Thompson-Aye
	Vice Chairman	Member	Chairman

8. **Amendment to Zoning Ordinance No. 3 of Marshall County, the Zoning Ordinance-Public Hearing**-- At the public hearing, any resident may present objections to or arguments in favor of the ordinance amendment to Zoning Ordinance No. 3 of Marshall County. This is a request by Crop Production Services, legal owner of the land under request which is

described as: **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.**

There were no written comments, questions, or objections on file in the County Auditor's Office on the proposed amendment to Zoning Ordinance No. 3.

Of the 15 individuals attending the public hearing, no individuals presented oral comments, questions or objections.

Motion by Grabenbauer, second by Adams to close the hearing and hold the third reading of Ordinance Amendment No. 13-01 at the regularly scheduled Board of Supervisor's meeting on December 3, 2013. (The second reading of this amendment to Ordinance No. 3 was suspended by majority of the supervisors pursuant to Iowa Code Chapter 331.302(6.a.) at the November 19, 2013 Regular Session.)

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

9. Third Reading of Ordinance Amendment-Third and Final Reading of Proposed Amendment No. 13-01 and Adoption to Zoning Ordinance No. 3 of Marshall County

The Marshall County Board of Supervisors is considering the adoption of proposed Amendment No. 13-01 to the Zoning Ordinance No. 3 of Marshall County; and

Whereas the second reading of this ordinance was suspended by majority of the supervisors pursuant to Iowa Code Chapter 331.302(6.a.) at the November 19, 2013 Board of Supervisors meeting, public hearing; and

Now, Therefore Be It Resolved, by the Marshall County Board of Supervisors, that this be considered the third and final reading and adoption of the Proposed Amendment No. 13-01 and Adoption to Zoning Ordinance No. 3 of Marshall County

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.

Be It Further Resolved, that such an amendment shall not be effective until the amendment is published. Notice of the public hearing was published in the Times Republican newspaper, Marshalltown, Iowa on November 26, 2013 and Mid Iowa Enterprise newspaper, State Center, Iowa on November 28, 2013. A public hearing was held on December 3, 2013.

Dated at Marshalltown, Iowa, this 3rd day of December, 2013.

Motion by Grabenbauer, second by Adams, to adopt the Ordinance and this constitutes the third reading and final reading of Amendment No. 13-01 to Zoning Ordinance No. 3.

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

Attest:

Dave Thompson
Board of Supervisors, Chairman

Dawn Williams
Marshall County
Auditor and Recorder

10. Marshall County Cost Allocation-Cost Advisory Services, Inc. Report—The fiscal year 2013 cost allocation plan will result in a total reimbursement of \$40,728 for indirect cost recoveries regarding the local Department of Human Services Office during FY2015.

Motion by Grabenbauer, second by Adams to approve this report.

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

Tabled from 10-22-13 BOS meeting.

11. Vacation of Alley-Set Time and Place for Public Hearing on Proposed Vacation--

Petition #839 to consider vacating an alley described as:

The entire 15' East-West alley between Blocks 4 & 5, in the platted Town of LaMoille, Marshall County, Iowa.

Marshall County has authority to vacate said alley because the alley lies in an unincorporated area of Marshall County.

Motion by Grabenbauer, second by Adams to set December 17, 2013, at 9:00 a.m. in meeting room #2, 3rd floor, northeast corner of the courthouse as the time and place for this public hearing.

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

12. A Request from the REM Bell Choir— “The REM Bell Choir” from the Career Development Program (serves adults with disabilities) would like to present a bell program on the 2nd floor, Courthouse rotunda on Friday, December 13, 2013, 10:30 a.m. to play traditional Christmas songs.

Motion by Adams, second by Grabenbauer, to accept the request by REM Bell Choir to play traditional Christmas songs on Friday, December 13, 2013, 10:30 a.m. in the 2nd floor, Courthouse rotunda.

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

13. Information Services - Storage Area Network Purchase -- Discussion and possible action on the purchase of a Nimble CS240 Storage Area Network (SAN) with 5 year maintenance agreement.

Motion by Grabenbauer, second by Adams to approve the purchase of a Nimble CS240 SAN appliance and confirm the Board of Supervisor’s intent to sign the lease associated with the SAN at a future B.O.S. meeting.

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

14. Possible Sale of County Farm--Discussion on the possible sale of the County Farm.

Motion by Thompson, second by Adams to not sell the County Farm and pursue leasing the farm.

Supervisor Adams lead discussion on renting the farm. Farm is not currently in compliance for farm program. Options were discussed to be good stewards fo the land.

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

15. Public Forum—Virtus Brockman commented that he was pleased with the Board's decision to keep the County Farm

16. Adjournment--The next regular session is December 17, 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**, December 12, 2013, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:46 a.m.

Dave Thompson
Board of Supervisors, Chairman

Attest:

Dawn Williams
Marshall County
Auditor and Recorder