

**Marshall County Board of Supervisors
Regular Session December 17, 2013 at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, December 17, 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:	Thompson-Aye	Adams-Aye	Grabenbauer-Aye
	Chairman	Vice Chairman	Member

2. Years of Service Recognition-Tim Hungerford (Sheriff's Office) - 10 years

3. 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 10 individuals attending the public hearing, no individuals presented oral comments, questions or objections.

Motion by Adams, second by Thompson to close the hearing and hold the third and final reading of Ordinance Amendment No. 13-01 at the regularly scheduled Board of Supervisor's meeting on December 17, 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:	Thompson-Aye	Adams-Aye	Grabenbauer-Aye
	Chairman	Vice Chairman	Member

Dave Thompson
Board of Supervisors, Chairman

Attest:

Dawn Williams
Marshall County
Auditor and Recorder

Resolution #2013-0036

4. 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 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 17, 2013.

Dated at Marshalltown, Iowa, this 17th day of December, 2013.

Motion by Grabenbauer, second by Adams, to adopt Resolution #2013-0036, which constitutes the third reading and final reading of Amendment No. 13-01 and adoption to Zoning Ordinance No. 3.

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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5. Proposed Vacation of Alley in LaMoille (Petition #839)-Public Hearing

There were 10 interested persons present for the public hearing on the vacation of the following:.

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

Notice of this public hearing was published in the Marshalltown Times-Republican on December 6, 2013 and in the Mid Iowa Enterprise newspaper on December 12, 2013.

Notices of this hearing were sent to the following by certified mail: Ed Reese, Wayne and Linda Tempel, State Center Municipal Light Plant, Consumers Energy Coop, Partner Communications Coop, Heart of Iowa Communications, Central Iowa Power Coop, ITC Midwest LLC, Union Pacific RR/Property, Interstate Power and Light Co., Qwest Corporation/Property Tax, US Sprint/Property Tax Div, Century Tel Fiber Co II, and McCleod USA Network Services Inc.

There was one individual presenting written comments, of the 10 individuals attending the public hearing there were no

questions, or objections on file in the County Auditor's office and the Board of Supervisors' office.

Motion by Grabenbauer, second by Adams to close the hearing. No action can be taken at this time since claims for damages can be filed until 4:30 p.m. on this date. A decision will be made at the Regular Session held on December 31, 2013.

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

Consent Agenda:

6. Approve Minutes--from Regular Session of December 3, 2013.

7. File Clerk of District Court Report-11-13

General Supplemental Fund 10% Surcharge -\$652.12

8. Marshall County Compensation Board Appointments

a.) Re-Appoint Gary McKibbin and Bill Patten - 4 year term -7-1-13 through 6-30-17

b.) County Attorney's Board Representative- 4 year term -7-1-13 through 6-30-17

9. 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

10. Resolution #2013-0037--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 homes which were destroyed by fire:

3202 12th St Lot 17, Marshalltown, IA 50158, VIN #14687Z, Title #64AA18123: A full year of 2013 tax in the amount of \$243.00 which includes interest and cost.

3202 S 12th St Lot 16, Marshalltown, IA 50158, VIN#N035105, Title#64AA66783: A half year of 2012 mobile home tax in the amount of \$88.00 and a full year of 2013 mobile home tax in the amount of \$151.00 which includes interest and cost.

Motion by Adams, second by Grabenbauer, to approve this Resolution #2013-0037- Abatement of Taxes..

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

11. Premier Office Equipment-Discussion and possible action on the purchase of 2 printers for DHS and the service contracts associated with them.

Motion by Adams, second by Grabenbauer to approve the purchase of two(2) printers for DHS and service contracts associated with them.

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

12. Lease-Farm Ground-Bid Letting-Setting the date and time of Tuesday, January 14, 2014 at 9:00a.m. in meeting room #2, for the receipt of bids for the Marshall County Farm Lease in Sections 9 and10 in Township 83N, Range 19W, Washington Township, beginning March 1, 2014.

Motion by Adams, second by Grabenbauer set the date and time of Tuesday, January 14, 2014 at 9:00a.m. in meeting room #2, for the receipt of bids for the Marshall County Farm Lease in Sections 9 and10 in Township 83N, Range 19W, Washington Township, beginning March 1, 2014. Bid packets available upon request in the Board of Supervisor's office, 1 East Main St, 3rd Floor, SE corner of Courthouse.

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

13. Public Forum— No public comments.

14. Adjournment--The next regular session is December 31, 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 26, 2013, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:21 a.m.

Dave Thompson
Board of Supervisors, Chairman

Attest:

Dawn Williams
Marshall County
Auditor and Recorder