

**Marshall County Board of Supervisors
Regular Session December 31, 2013 at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, December 31, 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 December 17, 2013.

3. Appointments-Commencing January 1, 2014:

a. Condemnation Compensation Commission – 1-year term:

Owner-Operators of Agricultural Property:

George Baitinger, Ronald D. Goecke, Clair Long, Gene Wiemers, Don Wogen,
David Scott, Virtus Brockman

Real Estate Salespersons or Real Estate Brokers

Dean Elder Jr., Martha Garcia, Deb Block, Christopher Brodin, Bob Grimes, Val
Alkire, G. Ward Miller

Owners of City Property

Larry Southard, Wendell Harmon, Sarah Hesmer, Helen Settle, Howard
Stegmann, Edward Eugene Neven, Jean Clawson

Persons Having Knowledge of Property Values by Reason of Their Occupation

Joseph Armbrecht, Jim Bacino, Cecil Buschbom, Russ D. Paul, Wayne
McDonald, Dean Elder Jr., Joseph W. Ludley

4. Appointments-Commencing January 1, 2014

a. Marshall County Conservation Board – Re-Appoint Julie Stahl –5 year term

b. Veteran’s Affairs- Re-Appoint Melvin Pitzen - 3 year term

c. Green Mountain Street Lighting District – Re-Appoint Jalene Primus- 1
year term and Re-Appoint John Worden-3 year term

d. Marshall County Board of Health – Re-Appoint Dr. David Thomas -3year
term

- e. Marshall County Mental Health/Developmental Disabilities Advisory Board**-Re-Appoint Michelle Allen, Cara Ferch, Appoint Roger Johnson and April Woolridge-3 year term. Appoint James Seed to fulfill the unexpired term of Robert Stokesbary ending 12/31/14. Anne Vance will serve as 2014 Chair and Lisa Fifo will serve as 2014 Vice Chair.
- f. Zoning Commission** –Re-Appoint Pat VonAhnen - 3 year term
- g. Marshall County Zoning Administrator, Public Environmental Health Director and Weed Commissioner**-Re-Appoint John Kunc – 1 year term
- h. Board of Adjustment** – Appoint Jay Carollo - 5 year term
- i. Prairie Rivers Resource Conservation & Development** – Re-Appoint Reed Riskedahl – 1 year term
- j. Civil Service Commission**-Re-Appoint Stan Kolbe, Appoint Darrell Templeton- 6 year term

5. Board of Supervisors Appointments - Commencing January 1, 2014:

- 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; Denny Grabenbauer, 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, Dave Thompson, Alternate – 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
- o. Central Iowa Recovery (CIR) Board Representative**-Deane Adams-1 year term
- p. 28E Board for Central Iowa Community Services**--Deane Adams- 1 year term

- 6. 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

7. Resolution #2013-0038

**RESOLUTION TO VACATE ALLEY IN
LAMOILLE, MARSHALL COUNTY, IA
(Petition #839)**

Whereas, the Marshall County Board of Supervisors held a public hearing on December 17, 2013, to vacate the following:

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

At said public hearing 1 individual presented written or oral comments, and there were no questions, or objections on file in the County Auditor's Office and the Board of Supervisors' Office.

Whereas, said portion of road is no longer necessary, or required for use by the public for road purposes and will not hereafter be required for construction or maintenance purposes for any road or alley.

Whereas, there were no claims for damages made and none are being awarded.

Now, Therefore, be It Resolved by the Marshall County Board of Supervisors that, The entire 15' East-West alley between Blocks 4 & 5, in the platted Town of LaMoille, Marshall County, Iowa herein with any and all rights of Marshall County in and to the same are hereby abandoned, and Marshall County hereby disclaims any right, title, or interest in and to said road or to the use thereof for any purpose whatsoever

Be It Further Resolved that a utility company retains its right to continue in possession of a right-of-way after vacation or sale of road right-of-way. Iowa Code section 306.22 continues rights that were in effect prior to the sale of right-of-way. Iowa Code section 478.17 assures utility companies of reasonable access and Iowa Code section 479.24 gives pipeline companies the right of eminent domain.

The Board of Supervisors hereby resolves to convey title to the above described property by Quit Claim Deed to Ed Reese and Wayne and Linda Tempel. The required Quit Claim Deeds are hereby approved and the Chairman of the Board of Supervisors is authorized to sign them on behalf of Marshall County.

Dated at Marshalltown, Iowa this 31st day of December 2013.

Motion by Grabenbauer, second by Adams, to adopt Resolution #2013-0038-To Vacate Alley in LaMoille, Marshall County, IA, Petition #839 and authorize the chairman to sign documents.

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

Dave Thompson
Board of Supervisors, Chairman

Attest:

Dawn Williams
Marshall County
Auditor and Recorder

8. Marshalltown Gateway Centre Urban Renewal Area Tax Increment Financing (TIF) Indebtedness Certification to County Auditor- Discussion and possible approval of:

- a. Consumers Energy has certified to the Marshall County Auditor that during the time period December 1, 2012 to December 1, 2013 they have incurred outstanding loans, advances, indebtedness, or bonds, none of which have been previously certified in the amounts shown below:

\$0.00

Motion by Grabenbauer, second by Adams to approve the Marshalltown Gateway Centre Urban Renewal Area Tax Increment Financing (TIF) Indebtedness Certification.

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

9. Harvester Urban Renewal Area Tax Increment Financing (TIF) Indebtedness Certification to County Auditor- Discussion and possible approval of:

- b. Harvester Development L.C. has certified to the Marshall County Auditor that during the time period December 1, 2012 to December 1, 2013 they have incurred outstanding loans, advances, indebtedness, or bonds, none of which have been previously certified in the amounts shown below:

\$424,087.00

Motion by Adams, second by Grabenbauer to approve the Harvester Urban Renewal Area Tax Increment Financing (TIF) Indebtedness Certification.

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

Resolution #2013-0039

10. 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 2013 Property Taxes, Payable in 2014-2015, 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	= VALUE CERT BY DEPT. OF REV.	<u>TAXABLE VALUE</u>
Union Pacific Railroad	38.88	602,662.3511	23,431,512	22,259,940
Iowa River Railroad	13.50	10,521.4152	<u>142,039</u>	<u>134,937</u>
TOTAL			23,573,551	22,394,877

<u>COMMERCIAL</u>	MILES	X RATE PER MILE	= VALUE CERT BY DEPT. OF REV.
<u>TELEPHONE & TELEGRAPH</u>			
Century Tel Fiber Co II	26.49	5,131.2429	135,927
Heart of Iowa Comm. Coop	594.08	4,479.2410	2,661,028

Heart of Iowa Ventures	41.55	16,314.4021	677,863
Iowa Telecom	59.05	8,477.9785	500,625
McLeod USA Network	81.50	7,100.7736	578,713
Partner Comm. Coop.	246.33	13,804.7527	3,400,525
Minerva Valley Tel. Co.	100.2	858.3853	86,010
Qwest	475.03	19,276.0789	9,156,716
Sprint	26.44	5548.7914	146,710
MCC Telephony of Iowa	211.45	1,911.9851	<u>404,289</u>
TOTAL			17,748,406

	<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>
Black Hills Energy Corp	112,010	55,949
Interstate Power & Light	163,924,713	66,321,575
ITC Midwest LLC	64,630,363	8,414,288
Consumers Energy	7,269,413	1,173,030
Central Iowa Power Coop	2,252,378	1,073,906
Grundy Co. REC	606,310	133,007
Mid American Energy	359,602	292,166
Midland Power Coop	35,117	9,580
State Center Municipal Light Plant	85,550	154,005
Western Minnesota Munc. Gas	<u>0</u>	<u>1</u>
TOTAL	239,275,456	77,627,502

	<u>ASSESSED</u> <u>VALUE CERT.</u> <u>BY</u> <u>DEPT. OF REV.</u>
NuStar Ammonia	1,148,669
Northern Border Pipeline	1,155,939
Northern Natural Gas Co	<u>1,587,674</u>
TOTAL	3,892,282

****Exempted Assessed Value for Telephone Companies**

\$3,332,194**

VALUE CERT BY

DEPT. OF REVENUE

	<u>ASSESSED</u>	<u>TAXABLE</u>
GRAND TOTAL OF ALL UTILITIES IN MARSHALL CO.	268,628,494	121,663,067

Dated at Marshalltown, Iowa this 31st day of December 2013.

Motion by Adams, second by Grabenbauer, to adopt this Resolution #2013-0039-
Assessed/Taxable Values of Utility Companies.

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

Dave Thompson
Board of Supervisors, Chairman

Attest: _____
Dawn Williams
Marshall County Auditor

11. Authorize Lease-Purchase Agreement—Discussion and possible action on the authorization of a lease purchase agreement for a 2013 Dodge Durango for the Sheriff's Department. The public hearing was held on February 12, 2013 regarding this purchase.

Motion by Grabenbauer, second by Adams, to approve the lease purchase agreement and authorize the chairman to sign.

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

12. Public Forum— There were no public comments.

13. Adjournment--The next regular session is January 2, 2014, 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 **Tuesday**, December 31, 2013, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:20 a.m.

Dave Thompson
Board of Supervisors, Chairman

Attest:

Dawn Williams
Marshall County
Auditor and Recorder

