

**Marshall County Board of Supervisors
Regular Session January 27, 2015, at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, January 27, 2015, at 9:00 a.m. in the Courthouse, meeting room #2, NE corner, 3rd floor with 2 members present. Supervisor Patten was absent.

Pledge of Allegiance

1. Approval or Amendment of Agenda—

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

Roll call vote:	Grabenbauer-Aye	Thompson-Aye	Patten-Absent
	Chairman	Vice Chairman	Member

- 2. Years of Service Recognition-** Dr. David Bethel (Medical Examiner) – 30 years, Dave Duffy (Secondary Road) – 25 years, Kim Elder (Emergency Management Director) – 10 years, Kyle Eliason (Sheriff's Office) – 5 years, James Zimmerman (Veteran's Affairs) – 5 years

Consent Agenda:

- 3. Approve Minutes--**from Regular Session of January 13, 2015.
- 4. Accept Recorder's Quarterly Report-12-14**
Records Management Fund \$1,345.00
E-Commerce Fund \$1,345.00
General Basic Fund \$47,197.63
- 5. File Clerk of District Court Report-12-14**
General Supplemental Fund 10% Surcharge - \$745.92
- 6. Approve Transfer of Funds—**Transfer #861, a quarterly transfer of \$465,000 from Rural Services Fund to Secondary Road Fund and Transfer #862, \$200,000 from the Capital Project Fund to Secondary Roads.
- 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 January; the January list of claims will be a part of the first meeting in February.

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

Roll call vote:	Grabenbauer-Aye	Thompson-Aye	Patten-Absent
	Chairman	Vice Chairman	Member

8. Approve Personnel Actions:

- a)** Change Rate of Pay, **Kent Hayes**, Buildings and Grounds, fulltime, from \$13.00/hr. to \$14.00/hr., effective 1-27-15.

Motion by Thompson, second by Grabenbauer to approve personnel action.

Roll call vote:	Grabenbauer-Aye	Thompson-Aye	Patten-Absent
	Chairman	Vice Chairman	Member

- b)** Change Rate of Pay, **Mary Stubbs**, Auditor and Recorder's Office, fulltime, from \$24.65/hr. to \$25.99/hr., effective February 1, 2015.

Motion by Thompson, second by Grabenbauer, to approve personnel action.

Roll call vote:	Grabenbauer-Aye	Thompson-Aye	Patten-Absent
	Chairman	Vice Chairman	Member

9. Resolution #2015-0008

**Compensation for Election Board Members
Resolution #2015-0008**

WHEREAS pursuant to §49.20, Code of Iowa, the members of election boards shall be deemed temporary state employees who are compensated by the county in which they serve, and shall receive compensation at a rate established by the board of supervisors, which shall be not less than the minimum wage established in section 91D.1, subsection 1, paragraph "b", while engaged in the discharge of their duties and shall be reimbursed for actual and necessary travel expense at a rate determined by the board of supervisors, except that persons who have advised the commissioner prior to their appointment to the election board that they are willing to serve without pay at elections conducted for any school district or a city of three thousand five hundred or less population, shall receive no compensation for service at those elections. Compensation shall be paid to members of election boards only after the vote has been canvassed and it has been determined in the course of the canvass that the election record certificate has been properly executed by the election board and:

WHEREAS the current compensation rate is \$8 per hour;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the compensation rate be established at \$9.00 per hour, effective upon passage of this Resolution #2015-0008.

Dated at Marshalltown, Iowa, this 27th day of January, 2015.

Motion by Thompson, second by Grabenbauer to adopt Resolution #2015-0008, Compensation for Election Board Members.

Roll call vote:	Grabenbauer-Aye	Thompson-Aye	Patten-Absent
	Chairman	Vice Chairman	Member

Denny Grabenbauer
Board of Supervisors, Chairman

Attest:

Dawn Williams
Marshall County
Auditor and Recorder

10. Marshall County Extension Update- Amy Pieper, Marshall County Administrator and Caleb Carver, County Youth Coordinator gave an update on Marshall County Extension.

11. Zoning Waiver-Separation Distance for a Large Livestock Confinement Facility— Discussion and action on a request from Kevin Blood, 1131 245th St., State Center, Iowa, for approval of a waiver from the minimum set-back of 100' from a county road right-of-way as specified in Iowa Code 459.202(6), and as allowed by Iowa Code Chapter 459.205(2)(a), for construction of a livestock confinement facility, but with a minimum separation distance of 35' from the adjacent public road right-of-way. See page 17.

Motion by Thompson, second by Grabenbauer, to approve the waiver.

Roll call vote:	Grabenbauer-Aye	Thompson-Aye	Patten-Absent
	Chairman	Vice Chairman	Member

12. Marshall County Audit Report—Bowman and Miller, P.C. has completed the Marshall County Audit for fiscal year ending June 30, 2014.

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

Roll call vote:	Grabenbauer-Aye	Thompson-Aye	Patten-Absent
	Chairman	Vice Chairman	Member

Tabled from January 13, 2015 BOS Meeting

13. Midwest Wireless Iowa, LLC (d/b/a Verizon Wireless) Agreement- Discussion and possible action to approve an agreement between Midwest Wireless Iowa, LLC and Central Iowa Fair, being fully advised of Marshall County's reversionary interest in the land owned by Central Iowa Fair. This lease is for the installation and maintenance of utility wires, poles, cables, conduits and pipes in the location specified on the survey accompanying in the agreement.

Motion by Thompson, second by Grabenbauer, to approve the agreement between Midwest Wireless Iowa, LLC and Central Iowa Fair.

Roll call vote:	Grabenbauer-Aye	Thompson-Aye	Patten-Absent
	Chairman	Vice Chairman	Member

14. Appointment of Temporary Auditor and Recorder- Discussion and possible action to make a temporary appointment of acting Auditor and Recorder effective February 1, 2015, and until a permanent Auditor and Recorder appointment is made by the Board of Supervisors.

Motion by Thompson, second by Grabenbauer, to appoint Jarret Heil as the acting Auditor and Recorder effective February 1, 2015, and until a permanent Auditor and Recorder appointment is made by the Board of Supervisors.

Roll call vote:	Grabenbauer-Aye	Thompson-Aye	Patten-Absent
	Chairman	Vice Chairman	Member

15. Wiegand FEMA Buyout ; Inspection Services- Discussion and possible action to approve a contract for Asbestos Inspection Services at 2722 Garwin Road that is a required step to confirm the final Wiegand FEMA project that was previously approved by Marshall County Resolution #2014-0008.

Motion by Thompson, second by Grabenbauer, to approve a contract for Asbestos Inspection Services at 2722 Garwin Road that is a required step to confirm the final Wiegand FEMA project that was previously approved by Marshall County Resolution #2014-0008.

Roll call vote:	Grabenbauer-Aye	Thompson-Aye	Patten-Absent
	Chairman	Vice Chairman	Member

16. Public Forum-Harold Lanning thanked Dawn Williams for her service to Marshall County as Auditor and Recorder. The Board of Supervisors thanked Dawn for her service to Marshall County.

17. Adjournment--The next regular session is February 10, 2015, 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** February 5, 2015, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:28 a.m.

Denny Grabenbauer
Board of Supervisors, Chairman

Attest:

Dawn Williams
Marshall County
Auditor and Recorder

Prepared by: John M. Kunc, Marshall County Zoning Administrator, 1 E. Main St., Marshalltown, IA 50158 - Ph.#641-754-6370

MARSHALL COUNTY
WAIVER OF SEPARATION DISTANCE FOR A LARGE
LIVESTOCK CONFINEMENT FACILITY
No. 2015-01

The Iowa Department of Natural Resources minimum required separation distances for the expansion of confinement feeding operations constructed prior to January 1, 1999, are listed in 567 IAC Chapter 65.11 (455B), Table 6-D.

This minimum separation distance would normally require a minimum 100 foot set-back from a livestock confinement facility to a county road right-of-way.

Kevin Blood, owner/operator of the facility in question, legally described as: E ½ NW ¼ AND W 60 ACRES NE ¼ EX N 47 ½ ACRES OF THE ABOVE DESCRIBED PROPERTY, SEC. 17, T83N, R20W, located at 1131 245th St., State Center, IA 50247 has requested that Marshall County, Iowa waive the requirement cited above.

Iowa Code Chapter 459.205 (2) (a) allows for the governmental unit responsible for any thoroughfare affected by the previously cited rule to grant a waiver to the 100 foot set-back minimum.

The Marshall County Director of Planning and Zoning and Public Environmental Health has inspected the property under request and has recommended approval of the waiver.

The Marshall County Board of Supervisors are aware of the minimum required separation distances and do hereby waive those requirements to allow Kevin Blood Dairy to build a livestock confinement facility no closer than 35 feet to the adjacent public road right-of-way, also known as 245th St., located at 1131 245th St., State Center, IA 50247.

Approved this _____ day of _____, 2015.

By: _____
Chairman, Marshall County Board of Supervisors