

**Marshall County Board of Supervisors
Regular Session April 21, 2015, at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, April 21, 2015, at 9:00 a.m. in the Courthouse, meeting room #2, NE corner, 3rd floor with all 3 members present.

Pledge of Allegiance

1. Approval or Amendment of Agenda—

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

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

2. Years of Service Recognition-Evan McRill(Sheriff's Office)- 15 years, Kathleen Tomas(Sheriff's Office)- 15 years

Consent Agenda:

3. Approve Minutes--from Regular Session of April 7, 2015.

4. File Clerk of District Court Report-3-15

General Supplemental Fund 10% Surcharge - \$1,548.39

5. Accept Annual Manure Management Plan Update-Bill Havelka Site 3, id no. 62692, annual update report received and placed on file with no changes made to the MMP, 4 year P-Index added..

6. Approve Mobile Band Shell Rental- A mobile band shell rental agreement has been received from the Marshalltown Community School District requesting the use of the Mobile Band Shell Thursday-Sunday, May 21-24, 2015 at the Marshalltown High School for Commencement Ceremonies.

7. Request for Use of Courthouse Grounds-Oktemberfest Inc. requests permission to hold "Oktemberfest" activities on the Courthouse grounds Thursday, September 24th, 2015 through Sunday, September 27th, 2015.

8. Accept the Independent Auditor's Report-Central Iowa Juvenile Detention Services Commission-year ended June 30, 2014.

9. Accept Sheriff's Quarterly Report-12-14 and 3-15

General Basic – Service Fees \$21,785.64

General Basic – Interest Checking \$ 1.87

General Basic – Mileage Fees \$ 5,447.00

10. Approve Public Event Held on County Property—FARST Foundation & Full Tilt Riders MC requests permission to use the Courthouse grounds and electricity to host an event "Walk a Mile in Her Shoes" on Saturday, May 9, 2014 from 4-7 p.m. The walk

will begin and end at the Courthouse. Proceeds from sponsored walkers in the event will benefit Assault Care Center Extending Shelter & Support(A.C.C.E.S.S.) serving Boone, Greene, Marshall, Story & Tama Counties.

11. 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 April; the April list of claims will be a part of the first meeting in May.

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

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

12. Approve Personnel Actions:

a.) Hire, **Carol Slifer**, Auditor and Recorder's Office, Temporary Election Clerk, fulltime, \$9.00/hr., effective April 21, 2015.

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

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

b.) Re-Hire, **Richard Monroe**, Secondary Road Department, temporary part time as needed, at \$19.70/hr., effective May 1, 2015

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

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

13. County of Marshall, IA Quit Claim Deed to State of Iowa D.O.T - Discussion and possible action to approve and authorize the Board Chairman and Auditor to sign a Quit Claim Deed whereby the County of Marshall, IA approved Agreement No. 2004-TJ-010, Agreement for Transfer of Public Road Jurisdiction at their regularly scheduled proceedings on December 30, 2003, to transfer to the State of Iowa Department of Transportation, the public road segment including right-of-way as follows:

That portion of former County Road T37/Zeller Avenue, which is now a part of the Primary Road system known as Primary Road No. IA 146, beginning at the intersection of the north right of way line of former Primary Road No. U.S. 30 and former County Road No. T37/Zeller Avenue; thence north along said roadway to a point 278.0 feet south of the W ¼ Corner of Section 12, Township 83 North, Range 17 West of the 5th P.M., Marshall County, Iowa, at side road (former T37/Zeller Avenue) Sta. 1469+07.59m, a distance of approximately 0.43 mile.

Motion by Thompson, second by Patten, to approve the Quit Claim Deed and authorize the Chairman of the Board of Supervisors and the Marshall County Auditor to sign it on behalf of Marshall County.

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

14. Secondary Road- DOT Agreement for Side Road Improvements on Iowa 96-Discussion and possible action on an agreement with Iowa DOT. This agreement involves the 2016 resurfacing project on Iowa 96 within Marshall and Tama Counties, Iowa. Hot Mix Asphalt(HMA) resurfacing/Cold-in-Place(CIP) recycling on Iowa 96 from Iowa 14 in Marshall County east to County Road T47 in Gladbrook in Tama County.

Motion by Thompson, second by Patten, to approve this IDOT agreement involving a 2016 resurfacing project on Iowa 96 within Marshall and Tama Counties, IA. No roll call vote.

Motion by Patten, second by Thompson, to table this motion.

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

15. Full Disclosure Dissemination Agent Agreement – Discussion and possible action on an agreement with Northland Securities, Inc. to act as dissemination agent on behalf of Marshall County for annual compliance with Rule 15c2-12(b)(5) of the Securities Exchange Act of 1934. The annual fee is \$1,250.00 for each year 2015, 2016, 2017.

Motion by Thompson, second by Patten to authorize the County Auditor and Recorder to sign the Full Disclosure Dissemination Agent Agreement.

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

16. Marshall County Employee Health and Prescription Drug Benefit Plan—Discussion and possible action on the renewal with Wellmark Blue Cross and Blue Shield to provide health coverage, administrative services and stop loss insurance coverage for the Marshall County Employee Health and Prescription Drug Benefit Plan beginning [July 1](#), 2015.

Motion by Thompson, second by Patten, to execute the renewal with Wellmark Blue Cross and Blue Shield to provide health coverage, administrative services and stop loss insurance coverage for the Marshall County Employee Health and Prescription Drug Benefit Plan beginning [July 1](#), 2015, and authorize the chairman to sign the renewal documents.

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

17. Mobile Band Shell Agreement—Discussion and possible action to revise the Mobile Band Shell Agreement changing the existing fee schedule.

**RENTAL AGREEMENT FOR
MARSHALL COUNTY MOBILE BAND SHELL**

www.co.marshall.ia.us

Reservations: All requests to rent the Mobile Band Shell must be received at least thirty (30) days prior to the event. Reservations are not taken unless accompanied by a completed application. Payment is requested with application/reservation. All events staged on the Courthouse grounds must end no later than 10:00 pm unless otherwise authorized by the Board of Supervisors. To reserve the Mobile Band Shell contact the Board of Supervisors Office at: (641)754-6330.

Name of Organization Renting: _____

Purpose of Event: _____

Primary Contact Person: _____ **Event Day**
Phone: _____

E-mail address: _____ **Phone:** _____

Mailing Address: _____

Secondary Contact Person: _____ **Event Day**
Phone: _____

Mailing Address: _____ **Phone Number:** _____

Dates Requested: _____

Set-Up **Take down**
Day/Date: _____ **Day/Date:** _____

Time: _____ **Time:** _____

Insurance: All renters are required to submit to the Board of Supervisors, not less than 30 days prior to their event, a **Certificate of Insurance** listing Marshall County as an “Additional Named Insured”. Minimum coverage must be \$1,000,000 per occurrence general liability insurance. Renters are not allowed to move the Band Shell without prior permission of the Board of Supervisors. If such permission is granted, the renter(s) will be subject to additional insurance requirements. The application may be voided if the Certificate is not timely filed.

Rental Fees Include (Any Location in Marshall County)		Total Charges
Basic Staging Unit with Standard Stage (32' x 14' total stage area)—Includes mobilization, set up, tear down of basic stage, and attendance by co. attendant. Skirting by request.	\$450.00	\$

Basic Staging Unit PLUS additional staging (32' x 22' total stage area) — Includes mobilization, set up, and tear down of both stages and attendance by co- attendant. Skirting by request.	\$650.00	\$
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Any variation from above fee schedule is subject to additional fees.

Non-County Rentals: The Marshall County Band Shell is for rent only within Marshall County.

Cancellation: Ten (10) days prior notice is required to receive a full refund. If the event is cancelled due to inclement weather, the rental fee is forfeited unless cancellation was obtained 24 hours prior to the event.

Electrical: If electrical or lighting is used, the stage requires 220 volt, 50 amp service if full lighting is used, or 110 volt, 30 amp service for minimum lighting and receptacle use. Special twist lock plugs are needed for both service cords. Contact County Buildings & Grounds Dept. (750-6784) (754-6383)

Water: If water usage is requested at Courthouse it can be made available by prior arrangements.

Restrooms: No building access. Restrooms are not available for security reasons. Locations are available on courthouse grounds for port-a-potties.

Location: Exact location that staging is to be placed (include direction to face). Location must be approved by Marshall County authorities due to possible space limitations and/or uneven terrain:

Stair Placement:

Please check the number of stairs needed.

Number of stairs; _____ 1 Set
_____ 2 Sets



Circle where you want the stairs on the diagram:

Damage: Any damage to the staging, or equipment used with the staging will be repaired, or replaced at the expense of the organization renting the Mobile Band Shell. Damage caused by the negligence or misuse by performers, or unsupervised audience members will be the responsibility of the sponsoring organization rather than the individuals involved. Nothing may be attached, or affixed in any manner to the staging or the Mobile Band Shell without prior permission.

Lessee agrees to indemnify and forever hold harmless Marshall County, its officials and employees, from and against any and all claims, suits, actions, damages and/or causes of action brought by any person, corporation, or other entity arising out of the possession and use of the Mobile Band Shell during the term of this lease, for any personal injury, loss of life and/or property damage, and from and against all costs, expenses and liability incurred, or order or

judgment entered, as a result of any such claim, the investigation thereof or the defense of any action including attorney's fees.

Signatures:

Organization Representative

Date

County Representative

Date

Please note: The band shell is intended for use by Marshall County and communities within Marshall County. Those communities contributing to the purchase of the band shell shall have a permanent reservation for their yearly community celebration, but are subject to the fee schedule in effect. Applications by other groups shall be approved on a case by case basis. Charges for band shell rental fees are subject to change each year. Phone reservations are not accepted.

For Office Date Fee Paid _____

Receipt Number _____

Use Only: Amount Paid _____

Check Received From: _____

Motion by Patten, second by Thompson, to approve the revised Mobile Band Shell Agreement that removes the "additional staging" rental option and fee.

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

18. Public Forum— There were no comments from the public.

19. Adjournment--The next regular session is May 5, 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** April 30, 2015, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:30 a.m.

Denny Grabenbauer
Board of Supervisors, Chairman

Attest:

Deanne Raymond
Marshall County
Auditor and Recorder