Marshall County Board of Supervisors
Regular Session June 30, 2015, at 9:00 a.m.

MINUTES

The Board met in regular session on Tuesday, June 30, 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 Patten, second by Thompson, to approve the agenda as printed.

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

2. Building and Grounds Dept. – Masonry Repairs For Sheriff's Office and Courthouse Letting 9:00 a.m.--Accepting bids to provide for periodic and preventative masonry repairs to the exterior of the Sheriff's Office and the Marshall County Courthouse--

Company Name	Sheriff's Office Base Bid Amount	Courthouse Base Bid Amount	Alternate #1	Alternate #2	Alternate #3	Alternate #4	Bid Bond Yes/No	Total Bid Amount
E & H Restoration, LLC	$204,963	$105, 929	$13, 835	$15, 605	$450	$21, 284	Yes	$362, 066
Renaissance Restoration Inc.	$169,000	$232, 000	$36, 600	$12, 500	$4, 500	$36, 100	Yes	$490,700

Motion by Thompson, second by Patten, to award the Masonry Repairs for Sheriff's Office and Courthouse to E & H Restoration., LLC, Davenport, Iowa. Accepted bid consists of: Courthouse base bid $105, 929, Sheriff's Office base bid, $204, 963, Alternate #1 bid $13,835, Alternate #3 $450 in the total bid accepted amount of $325,177. (Alternate #2 and Alternate #4 not accepted.)

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

Attest:

Denny Grabenbauer
Board of Supervisors, Chairman

Deanne Raymond
Marshall County
Auditor and Recorder

3. Proposed Amendment No. 15-01 to Marshall County, IA Ordinance No. 16- Local Sales and Services Tax, Public Hearing—

At the public hearing, any resident may present objections to or arguments in favor of any part of the proposed amendment no. 15-01 to Zoning Ordinance No.16- Local Sales and Services Tax.

There were no written comments, questions, or objections on file in the County Auditor's Office. Of the 11 individuals attending the public hearing, no individual(s) presented oral comments, questions, or objections at the hearing.

Motion by Thompson, second by Patten, to close the public hearing.

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

4. Resolution #2015-0033 – Second Reading of Proposed Amendment No. 15-01 to Marshall County, IA Ordinance #16- Local Sales and Services Tax—

Local Sales and Services Tax

~~(Amended April 5, 2005)~~

(Amended __________, 2015)

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MARSHALL COUNTY, IOWA.

SECTION 1. Name of Ordinance. The name of the Ordinance is "Local Sales and Services Tax."

SECTION 2. Local Sales and Services Tax. There is imposed a local sales and services tax applicable to transactions within the incorporated and unincorporated areas of Marshall County, Iowa.

The rate of the tax shall be one percent (1%) upon the gross receipts taxed under Chapter 422B.1 of the Iowa Code. The tax shall be collected by all persons required to collect state gross receipt taxes.

All applicable provisions of the appropriate sections of Chapter 422B.1 of the Iowa Code are adopted by reference.

SECTION 3. Allocation and Imposition Date of Tax. This tax is allocated and imposed in the jurisdictions located in Marshall County, IA as follows:

Albion: Revenues from the sales and services tax are to be allocated as follows:

1. Twenty-five percent (25%) for property tax relief.
2. Seventy-five percent (75%) of the revenue for Capital Improvements, effective ~~beginning~~ on July 1, 2000.

Clemons: revenues from the sales and services tax are to be allocated as follows:

1. Zero percent (0%) for property tax relief.

2. The specific purpose for which the revenues will otherwise be expended is: any lawful purpose of the City of Clemons,

effective ~~beginning~~ on July 1, 2000.

Ferguson: Revenues from the sales and services tax are to be allocated as follows:

1. Zero percent (0%) for property tax relief.
2. The specific purpose for which the revenues will otherwise be expended is any lawful ~~corporate~~ purpose of the City of Ferguson,

effective on April 1, 2000.

Gilman: Revenues from the sales and services tax are to be allocated as follows:

1. Ten percent (10%) for property tax relief.
2. Ninety percent (90%) for any lawful purpose of the City of Gilman,

effective on July 1, 2000.

Haverhill: Revenues from the sales and services tax are to be allocated as follows:

~~One hundred percent (100%) for property tax relief,~~

~~effective on July 1, 2000, and to end on June 30, 2005.~~

1. Zero percent (0%) for property tax relief.
2. The specific purpose for which the revenues will otherwise be expended is: any lawful purpose of the City of Haverhill,

effective on July 1, 2005.

Laurel: Revenues from the sales and services tax are to be allocated as follows:

1. Zero percent (0%) for property tax relief.
2. Fifty percent (50%) for the continuation of the resurfacing of the streets and alleys and the continuation of maintenance of the streets and alleys within the City of Laurel, Iowa
3. Fifty percent (50%) ~~to be used~~ for use in the General Fund for any lawful purpose of the City of Laurel, Iowa,

effective ~~on July 1, 2000, and to end on March 31, 2005~~ ~~from July 1, 2005 through June 30, 2015.~~ from July 1, 2015 through June 30, 2025.

LeGrand: Revenues from the sales and services tax are to be allocated as follows:

1. Fifty percent (50%) for property tax relief.
2. Fifty percent (50%) of the revenue to the general fund,

effective on July 1, 2000.

Liscomb: Revenues from the sales and services tax are to be allocated as follows:

1. Zero percent (0%) for property tax relief.
2. The specific purpose for which the revenues will otherwise be expended is: any lawful purpose of the City of Liscomb,

effective ~~January 1, 1997, through December 31, 2001.~~ on July 1, 2003.

Marshalltown: Revenues from the sales and services tax are to be allocated as follows:

1. Seventy-five percent (75%) for general property tax relief.
2. Five percent (5%) ~~of the revenue shall be applied to accumulation of cash reserves of the City~~ for any lawful purpose of the City of Marshalltown.
3. Twenty percent (20%) ~~of the revenue shall be used~~ ~~for the purposes of~~ for capital improvements, including storm sewer ~~maintenance and~~ improvements and related street repairs,

effective ~~April 1, 2000, through March 31, 2005.~~ ~~from July 1, 2005 through June 30, 2015.~~ from July 1, 2015 through June 30, 2025.

Melbourne: Revenues from the sales and services tax are to be allocated as follows:

1. Fifty percent (50%) for property tax relief.
2. Twelve and one-half percent (12.5%) shall be used for improvements for the Melbourne Fire Department.
3. Twelve and one-half percent (12.5%) shall be used for improvements for the Melbourne First Responders.
4. Twelve and one-half percent (12.5%) shall be used for improvements for the Melbourne Swimming pool.
5. Twelve and one-half percent (12.5%) shall be used for improvements for the Melbourne Recreation Center,

effective on April 1, 2000.

Rhodes: Revenues from the sales and services tax are to be allocated as follows:

1. Zero percent (0%) for property tax relief.
2. The specific purpose for which the revenues will otherwise be expended is any lawful purpose of the City of Rhodes,

effective on April 1, 2000.

St. Anthony: Revenues from the sales and services tax are to be allocated as follows:

1. Zero percent (0%) for property tax relief.
2. The specific purpose for which the revenues will otherwise be expended is: in the general fund for any lawful purpose of the City of St. Anthony,

effective ~~from~~ ~~April 1, 2000, through March 31, 2004.~~ ~~July 1, 2004 through June 30, 2008.~~ on July 1, 2009.

State Center: Revenues from the sales and services tax are to be allocated as follows:

~~3. Twenty-five percent (25%) for property tax relief.~~
~~4. Fifty percent (50%) for street replacement.~~
~~5. Twenty-five percent (25%) for general corporate purposes,~~

1. Zero percent (0%) for general fund property tax relief,
2. Fifty percent (50%) for street replacement or repair,
3. Twenty-five percent (25%) for general corporate purposes
4. Twenty-five percent (25%) for public safety,

effective ~~on July 1, 2000, and to end on March 31, 2005~~ ~~from July 1, 2005 through June 30, 2015.~~ from July 1, 2015 until June 30, 2025.

Unincorporated Areas: Revenues from the sales and services tax are to be allocated as follows:

~~Seventy-five percent (75%) property tax relief.~~
~~Twenty-five percent (25%) bridge repair upkeep and replacement,~~

effective ~~on July 1, 2000, and to end on June 30, 2005~~ ~~from July 1, 2005 through June 30, 2015.~~

1. Fifty percent (50%) for property tax relief
2. Fifty percent (50%) for bridge and roadway culvert repair, inspection, upkeep and replacement.

Be it Resolved, that such amendment shall not be effective until a public hearing is held at 9:00 a.m. on the 30th day of June, 2015, with a notice of the public hearing published in the Marshalltown Times-Republican and the Mid Iowa Enterprise not less than four nor more than twenty days before the date of the hearing which meet the requirements of section 618.14 of the Code of Iowa, and the Board adopts the third reading of the proposed amendment and the amendment is published.

Be it Further Resolved that such Amendment to replace Ordinance No. 16, Local Sales and Services Tax shall become effective after its final passage, approval and the Amendment is published.

Dated at Marshalltown, Iowa, this 30th day of June, 2015.

Motion by Patten, second by Thompson, to adopt Resolution #2015-0033, Second Reading of Proposed Amendment No 15-01 to Marshall County, IA Ordinance #16, Local Sales and Services Tax.

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

______________________________ Attest: ______________________________

Denny Grabenbauer
Board of Supervisors, Chairman

Deanne Raymond
Marshall County
Auditor and Recorder

Consent Agenda:

5. **Approve Minutes--**from Regular Session of June 16, 2015.
6. **Approve Request for Use of the Mobile Band Shell-** A mobile band shell rental agreement has been received from LeGrand Pioneer Days requesting to use the Mobile Band Shell Saturday, August 22, 2015 for entertainment to celebrate the LeGrand Pioneer Days.
7. **Revised Manure Management Plan-Original Non-Permitted MMP-** The Board has received and placed on file a revised original non-permitted manure management plan and animal confinement feeding operation from Ryan and Brandon Pickard, Pickard Brothers Finisher, located in Section 9, T82N, R19W, Logan Township, Marshall County, Iowa and placed on file. The proposed operation would operate at a Non-permitted capacity of 2,499 head of hogs.
8. **Approve Transfer of Funds**—Transfer #864, quarterly transfer from Rural Services Fund to Secondary Road Fund in the amount of $465,000.00, but not to exceed the maximum allowed in Iowa Code 331.429(b).

   Transfer #865, an annual transfer from LOST revenue in the Rural Services Fund to the Secondary Road Fund in the amount of $206,737.55.

   Transfer #866, an annual transfer totaling $22,281.52 from Urban Renewal Tax Revenue to Low to Moderate Income Housing Fund.

   Transfer #867, $194,525.34 from Capital Projects Fund to General Basic Fund for acquisition and equipping of vehicles for the Sheriff and Conservation Departments and costs paid in error from the General Basic Fund for constructing, remodeling, equipping and furnishing improvements to the County Courthouse and the Sheriff's Office/Administration building.

Transfer #868, $50,000 from County Attorney Collection Incentive Fund to General Basic Fund

9. **Approve Claims—**as audited and authorize the County Auditor and Recorder to **i**ssue payment of same. The listing of claims paid at this meeting will be included with all claims paid for the month of June; the June list of claims will be a part of the first meeting in July.

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

10. New Alliant Energy Plant Update -Kenn Vinson, Alliant Energy Representative, gave a power point update on the progress of the new Alliant Energy power plant.

11. Zoning Waiver-Separation Distance for a Large Livestock Confinement Facility— Discussion and possible action on a request from Blue Valley Pork, owner/operator of the facility in question, legally described as: SE ¼ of the SW ¼ of the SE ¼ of SEC. 23, T85N, R17W, located at 3255 140th St., Marshalltown, IA 50158 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 60' from the adjacent public road right-of-way. See attachment on last page of agenda. See attached waiver at end of agenda.

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

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

12. Warrants Outstanding for Over One Year - Pursuant to Section 331.554(7), Code of Iowa, warrants outstanding for more than one year shall be canceled by the auditor and the amount of the warrants shall be credited to the fund upon which the warrants were drawn. Said warrants are as follows:

Warrant	Fund	Name	Amount	Issued
234949	General Basic	Richard Collins	$1.00	7/30/2013
237991	General Basic	Ruben Martinez	$87.60	3/11/2014

Motion by Thompson, second by Patten, to approve the County Auditor and Recorder to cancel these warrants.

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

13. Personnel Policy-Marshall County Health Insurance Revision--

6.1 HEALTH INSURANCE

Marshall County agrees to offer coverage to each full-time employee with group health insurance. The County will pay a portion of the cost of the policy for each full-time employee. Family coverage may be obtained at initial employment through payroll deduction, at the rate set by the Board of Supervisors. After initial employment, family coverage is available under the conditions in the current health insurance policy. Insurance is effective on the first day of the month following initial employment.

The County will pay a portion of the cost of the policy for group health insurance. (Bargaining units are subject to their contracts.) All other coverages shall pay the rates set annually by the Board of Supervisors at the time of policy renewal effective July 1st of that year.

Motion by Patten, second by Thompson to amend the verbiage above to be effective Aug 1, 2015 and then every year after be effective July 1st of that year.

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

Motion by Thompson, ___________, to approve the 6.1 Health Insurance revision into the Marshall County Personnel Policy for FY16.

Motion died for lack of a second.

Motion by Patten, second by Thompson, to table the 6.1 Health Insurance revision into the Marshall County Personnel Policy.

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

14. Non-Union Employee - Contribution Rates for Health Insurance for FY16- Discussion and possible action to set non-union employee contribution rates for 2015-2016.
7-1-15 BLA recommendation.

	Employee		**Employer**		**Employer + Employee Total**	
	Monthly Rate	Annual Contribution	Monthly Rate	Annual Contribution	Monthly Rate	Annual Contribution
Single (Currently $0/mo.)	$11.76	$10,584.00 (75 employees)	$812.00	$730,800.00 (75 employees)	$823.76	$741,384.00
Employee + 1 dependent (Currently $85.00/mo.)	$89.24	$31,055.52 (29 employees)	$1,306.70	$454,731.60 (29 employees)	$1,395.94	$485,787.12
Employee + 2 or more dependents (Currently $135.00/mo.)	$141.74	$79, 941.36 (47 employees)	$1,745.84	$984,653.76 (47 employees)	$1,887.58	$1,064,595.12
		$121,580.88		$2,170,185.36		$2,291,766.24

Motion by__________, second by___________, to ___________the non-union employee contribution rates for Health Insurance for FY16. **No action taken, discussion only.**

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

15. Lease between Marshall County, IA and the Mid-Iowa Antique Power Association-- Discussion and possible action to lease approximately 51 acres in Section 9, Township 83, Range 19, Washington Township, Marshall County, IA to the Mid-Iowa Antique Power Association (M.I.A.P.A.) The total annual cash rent will be $6,375.00, payable $3,187.50 on the 1st day of March annually and $3,187.50 payable on the 1st day of September annually.

At the previous June 16, 2015 Board of Supervisor's regularly scheduled meeting, the lease between Marshall County, IA and M.I.A.P.A. dated March 1, 2009, and ending February 28, 2019 was extended 5 years under the same terms. The new lease will be effective July 1, 2015 through June 30, 2024.

Motion by Thompson, second by Patten, to approve the real estate lease between Marshall County, IA and Mid-Iowa Antique Power Association effective July 1, 2015 through June 30, 2024.

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

16. Resolution #2015-0034-Third and Final Reading of Proposed Amendment No ZA-15-01 and Adoption to Zoning Ordinance No. 3 –

The Marshall County Board of Supervisors is considering the adoption of proposed amendment no. ZA-15-01 to the Zoning Ordinance No. 3 of Marshall County, IA; 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 ZA-15-01 and adoption to Zoning Ordinance No. 3 of Marshall County, IA:

This is a request to amend:

> Article XXII, Section 3, Subsection C. by removing "one time in a newspaper(s) of general circulation in Marshall County" and replacing it with "at least once, not less than four nor more than 20 days before the date of the hearing in one or more newspapers which meet the requirements of Section 618.14" – and – amend
>
> Article XXIII, Section 2, Subsection B. by removing "one time in a newspaper(s) of general circulation in Marshall County at least ten (10) days before the date of such hearing" and replace it with "at least once, not less than four nor more than 20 days before the date of the hearing in one or more newspapers which meet the requirements of Section 618.14" - and – amend
>
> Article XXIII, Section 2, Subsection C. of the zoning Ordinance, removing " at least fifteen (15) days notice of the time and place of which shall be given by one (1) publication in a newspaper(s) of general circulation in Marshall County." And replace it with "at least once, not less than four nor more than 20 days before the date of the hearing in one or more newspapers which meet the requirements of Section 618.14"

Reason for the amendment request: To conform the requirements of the County Zoning Ordinance with the Code of Iowa.

Be It Further Resolved that such proposed amendment shall not be effective until the Board adopts the amendment and the amendment is published in the Marshalltown Times Republican and the State Center Mid Iowa Enterprise.

Dated at Marshalltown, Iowa this 30th day of June 2015.

Motion by Thompson, second by Patten, to adopt Resolution #2015-0034, Third and Final Reading of Proposed Amendment No. ZA-15-01 and Adoption to Zoning Ordinance No. 3.

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

Attest:

Denny Grabenbauer
Board of Supervisors, Chairman

Deanne Raymond
Marshall County
Auditor and Recorder

17. Resolution #2015-0035-Third and Final Reading of Proposed Amendment No. SOA-15-01 and Adoption to Zoning Ordinance No. 10

The Marshall County Board of Supervisors is considering the adoption of proposed amendment no. SOA-15-01 to Platting and Subdivision Ordinance No. 10 of Marshall County, IA

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 SOA-15-01 and adoption to Platting and Subdivision Ordinance No. 10 of Marshall County, IA:

This is a request to amend:

> Article XIII, of the Marshall County Platting and Subdivision Ordinance, adding the underlined words: "The Board shall, from time to time, establish by resolution fees for the review of plats. No plat of survey, retracement, acquisition plat, DOT disposition plat or any subdivision plat shall be reviewed prior to consideration for approval unless and until said application for review and approval of the plat is accompanied by the fee, as established by resolution of the Board and as required by these regulations."

Reason for the amendment request: To clarify which instruments are required to submit a fee for review.

Be It Further Resolved that such proposed amendment shall not be effective until the Board adopts the amendment and the amendment is published in the Marshalltown Times Republican and the State Center Mid Iowa Enterprise.

Dated at Marshalltown, Iowa, this 30th day of June, 2015.

Motion by Thompson, second by Patten, to adopt Resolution #2015-0035, Third and Final Reading of Proposed Amendment No. SOA-15-01 and Adoption to Platting and Subdivision Ordinance No. 10.

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

Attest:

Denny Grabenbauer
Board of Supervisors, Chairman

Deanne Raymond
Marshall County

Auditor and Recorder

18. Resolution #2015-0036-Naming Bank Depositories—

On March 23, 2004, a Resolution was adopted naming bank depositories;

Now, Therefore, Be It Resolved that the Board of Supervisors of Marshall County, Iowa, approve the following updated list of financial institutions to be depositories of the County funds in conformance with all applicable provisions of Chapters 12B and 12C of the Code of Iowa. The Marshall County Officers are hereby authorized to deposit the County funds in amounts not to exceed the maximum approved for each respective financial institution as set out below:

Depository Name	Location	Previous Maximum	Current Maximum
County Auditor:			
Great Western Bank	11 N. 1st Ave. Marshalltown, IA 50158	$50,000	$50,000
Board of Supervisors Health Trust Fund:			
Wells Fargo	102 S. Center St. Marshalltown, IA 50158	$600,000	$3,000,000
County Recorder:			
Great Western Bank	11 N. 1st Ave. Marshalltown, IA 50158	$100,000	$100,000
Home Federal Savings Bank	303 W. Main St. Marshalltown, IA 50158	$50,000	$50,000
County Sheriff:			
Great Western Bank	11 N. 1st Ave. Marshalltown, IA 50158	$500,000	$500,000
Wells Fargo	102 S. Center St. Marshalltown, IA 50158	$210,000	$210,000
GNB Bank	2504 S 2nd St Marshalltown, IA 50158	0	$750,000
Farmers Savings Bank	205 W Main St Marshalltown, IA 50158	0	$750,000
County Treasurer:			
Wells Fargo	102 S. Center St. Marshalltown, IA 50158	$26,000,000	$26,000,000
Great Western Bank	11 N. 1st Ave. Marshalltown, IA 50158	$24,000,000	$24,000,000
U. S. Bank	123 W. Main St. Marshalltown, IA 50158	$14,000,000	$14,000,000
Central State Bank	109 W. Main St. State Center, IA 50247	$24,000,000	$24,000,000
Midwest One Bank	202 Main St. Melbourne, IA 50162	$4,000,000	$4,000,000
Citizens Savings Bank	103 S. Elm St. Gilman, IA 50106	$4,000,000	$4,000,000
Hardin County Savings Bank	102 Main Street Liscomb, IA 50148	$4,000,000	$4,000,000
Home Federal Savings Bank	303 W. Main St. Marshalltown, IA 50158	$12,000,000	$12,000,000
Farmers Savings Bank	205 W Main St Marshalltown, IA 50158	$24,000,000	$24,000,000
GNB Bank	2504 S 2nd St	0	$4,000,000

Depository Name	Location	Previous Maximum	Current Maximum
	Marshalltown, IA 50158		
Pinnacle Bank	1610 S. Center St. Marshalltown, IA 50158	$12,000,000	$12,000,000
Iowa Public Agency Investment Trust (IPAIT)	P. O. Box 837 Des Moines, IA 50304-0837	$12,000,000	$12,000,000
United Bank and Trust	2101 S. Center St. Marshalltown, IA 50158	$24,000,000	$24,000,000

Motion by Patten, second by Thompson, to approve Resolution#2015-0036, Naming Bank Depositories.

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

Attest:

Denny Grabenbauer
Board of Supervisors, Chairman

Deanne Raymond
Marshall County
Auditor and Recorder

19. Sheriff's Department-Extension to 28E Agreement between Marshall County, IA and the City of Gilman for Law Enforcement Protection--Discussion and possible action on the Extension Agreement regarding the 28E Agreement between Marshall County, IA and the City of Gilman for law enforcement protection within the corporate limits of the City of Gilman. The agreement is effective July 1, 2015 - June 30, 2016. The City of Gilman agrees to pay Marshall County, IA the sum of $14,280.00.

Motion by Thompson, second by Patten, to approve the extension to 28E Agreement between Marshall County, IA and the City of Gilman effective July 1, 2015 - June 30, 2016. The City of Gilman agrees to pay Marshall County, IA the sum of $14,280.00.

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

20. Sheriff's Department-Extension to 28E Agreement between Marshall County, IA and the City of Laurel for Law Enforcement Protection--Discussion and possible action on the Extension Agreement regarding the 28E Agreement between Marshall County, IA and the City of Laurel for law enforcement protection within the corporate limits of the City of Laurel. The agreement is effective July 1, 2015 - June 30, 2016. The City of Laurel agrees to pay Marshall County, IA the sum of $6,720.00.

Motion by Patten, second by Thompson, to approve the extension to 28E Agreement between Marshall County, IA and the City of Laurel effective July 1, 2015 - June 30, 2016. The City of Laurel agrees to pay Marshall County, IA the sum of $6,720.00.

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

21. Public Forum- There were no public comments.

22. Adjournment--The next regular session is July 14, 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** July 9, 2015, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 10:52 a.m.

____________________________ Attest: ____________________________

Denny Grabenbauer
Board of Supervisors, Chairman

Deanne Raymond
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. 2015-02

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.

Blue Valley Pork, owner/operator of the facility in question, legally described as: SE ¼ of the SW ¼ of the SE ¼ of SEC. 23, T85N, R17W, located at 3255 140th St., Marshalltown, IA 50158 has requested that Marshall County, Iowa waiver 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 Blue Valley Pork to build a livestock confinement facility no closer than 60 feet to the adjacent public road right-of-way, also known as 140th St., located at 3255 140th St., Marshalltown, IA 50158.

Approved this ______ day of __________________, 2015.

By:____
Chairman, Marshall County Board of Supervisors