

**Marshall County Board of Supervisors
Regular Session February 23, 2016 at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, February 23, 2016, 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	Thompson-Aye	Grabenbauer-Aye
	Vice Chairman	Member	Chairman

Consent Agenda:

2. Approve Minutes--from Regular Session of February 9, 2016.

3. Annual Manure Management Plan Update- J.T. Farms West Site, id no. 63207, annual update report received and placed on file with the following changes made to the MMP: the animal unit capacity has changed and 4yr update.

4. Approve Manure Management Plan Update – Breeze Hill Farms, LLC, id no. 65770, annual update report received and placed on file with the following changes made to the MMP: added acres, changed crop rotation, using manure analysis for determining application rates when applying manure and 4yr update.

5. Approve Manure Management Plan Update – BL Farms, Inc., id no 67141 annual update report received and placed on file with the following changes made to the MMP: changed crop rotation, using manure analysis for determining application rates when applying manure and updated RUSLE 2 & P-Index.

6. Approve Mobile Band Shell Rental- A mobile band shell rental agreement has been received from Road Hogs Bar, JTA Inc. requesting to use the Mobile Band Shell Saturday, June 18th –June 19th in State Center, Iowa for Street Dance and Rose Festival.

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 February; the February list of claims will be a part of the first meeting in March.

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

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

8. Considering the Adoption of an Ordinance, Resolution, Motion or Other Declaration of Intent to Acquire by Condemnation, if Necessary-Public Hearing--The Board of Supervisors will conduct a public hearing for the purposes of considering the adoption of an ordinance, resolution, motion or other declaration of intent to acquire by condemnation, if necessary, all or a portion of the following described real estate:

The North 310 feet of the East 368 feet of the northeast Quarter of the Northwest Quarter of the Northeast Quarter of Section Six, Township Eighty-five North, Range Eighteen West of the 5th P.M., Marshall County, Iowa.

There were no written comments, questions, or objections on file. Of the 12 individuals attending the public hearing, 3 individual(s) presented oral comments, questions or objections.

Motion by Thompson, second by Patten to close the hearing at 9:17 a.m.

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

9. Resolution #2016-0007 - Resolution of Intent to Acquire Parcel by Condemnation, if Necessary--

RESOLVED, that the Marshall County, Iowa Board of Supervisors hereby approve the institution of condemnation proceedings to acquire by condemnation, if necessary, the following described real estate located at 2254 100th Street, Liscomb, Marshall County, Iowa 50148 legally described as follows;

The North 310 feet of the East 368 feet of the Northeast Quarter of the Northwest Quarter of the Northeast Quarter of Section Six, Township Eighty-five North, Range Eighteen West of the 5th P.M., Marshall County, Iowa.

And, be FURTHER RESOLVED, that all necessary procedures contemplated by Chapter 6B of the 2015 Code of Iowa, as contemplated, shall be undertaken for purposes of the condemnation proceedings and a written application pursuant to Section 6B.3 of the 2015 Code of Iowa as amended, is hereby authorized to be filed with the Chief Judge of the judicial district in which Marshall County, Iowa resides.

Dated at Marshalltown, Iowa, this 23rd day of February 2016.

Motion by Thompson, second by Patten to approve this Resolution 2016-0007, Resolution of Intent to Acquire Parcel by Condemnation, if Necessary.

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

Denny Grabenbauer
Board of Supervisors, Chairman

Attest:

Deanne Raymond
Marshall County
Auditor and Recorder

10. 2015-16 Budget Amendment, Public Hearing—

At the public hearing, any resident may present objections to or arguments in favor of any part of the amendment to the current 2015-16 county budget.

There were no written comments, questions, or objections on file in the County Auditor and Recorder's Office. Of the 13 individuals attending the public hearing, no individual(s) presented oral comments, questions, or objections.

Motion by Patten, second by Thompson, to close the public hearing at 9:18 a.m.

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

11. Resolution #2016-0008 - 2015-16 Budget Amendment—

The proposed 2015-16 budget amendment was published in the Marshalltown Times-Republican and the State Center Mid-Iowa Enterprise on February 11, 2016; and

There were no written comments, questions, or objections on file in the Auditor and Recorder's Office, and there were 9 individuals attending the public hearing. There were no oral comments, questions, or objections at the hearing.

Now, Therefore, Be It Resolved by the Marshall County Board of Supervisors that the 2015-16 county budget amendment be adopted and the County Auditor and Recorder be authorized to certify and file the budget amendment as published and presented at the hearing.

Dated at Marshalltown, Iowa this 23rd day of February, 2016.

Motion by Patten, second by Thompson, to adopt Resolution #2016-0008, 2015-16 Budget Amendment.

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

_____	Attest:	_____
Denny Grabenbauer		Deanne Raymond
Board of Supervisors, Chairman		Marshall County
		Auditor and Recorder

12. Resolution #2016-0009 - Re-Appropriation of Funds for FY 2015-16—

Be It Resolved that the estimated appropriations approved by the Board for the various funds and departments in the County at the beginning and during the fiscal year are adjusted to reflect the expenditures incurred and to be incurred by funds.

<u>Department</u>	<u>Current Appropriation</u>	<u>Re-Appropriation</u>
#01 – Supervisors	183,870	183,870
#02 – Auditor and Recorder	1,039,230	1,029,230
#03 – Treasurer	677,138	677,138
#04 - County Attorney	1,266,000	1,266,000
#05 – Sheriff	5,611,340	5,611,340
#08 – Buildings & Grounds	1,155,630	1,155,630
#09 – Zoning	64,360	64,610
#15 - Information Systems	803,568	903,568
#16 – GIS	192,445	192,445
#19 - General Assistance	22,750	22,750
#20 - County Engineer	6,560,200	6,745,850
#21 - Veteran Affairs	87,900	86,900
#22 - County Conservation	1,418,856	1,558,318
#23 - Local Health Board	342,570	342,570
#24 - Weed Eradication	54,110	91,110
#25 - Dept. of Human Services	168,544	168,544
#28 - Medical Examiner	109,850	109,850
#31 - District Court	373,200	373,200
#33 - County Library Contract	69,442	69,442
#40 – Harvester TIF	120,000	120,000
#42 – Gateway TIF	38,000	38,000
#60 - Mental Health Admin	1,465,117	1,525,141
#70 - Local Emergency Mgmt.	21,432	21,432
#84 - County Capital Building	352,430	385,430
#99 - Nondepartmental	2,078,378	1,876,078
Total	24,276,360	24,618,446

Dated at Marshalltown, Iowa this 23rd day of February, 2016.

Motion by Thompson, second by Patten, to adopt Resolution #2016-0009. Re-appropriation of funds for FY 2015-16.

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

Denny Grabenbauer
Board of Supervisors, Chairman

Attest:

Deanne Raymond
Marshall County
Auditor and Recorder

13. Lease-Purchase of Equipment, Public Hearing--

At the public hearing, any resident may present objections to or arguments in favor of the lease-purchase of equipment for the Marshall County Secondary Road Department.

There were no written comments, questions, or objections on file in the County Auditor's Office. Of the 9 individuals attending the public hearing, no individual(s) presented oral comments, questions or objections.

Motion by Patten, second by Thompson, to close the public hearing at 9:22 a.m.

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

14. Resolution #2016-0010-Lease-Purchase Agreement and Certification of Debt—

Whereas, the Marshall County Engineer has determined the need to purchase equipment to allow for in-house repair and replacement of county owned infrastructure, and

Whereas the Marshall County Board of Supervisors desires to enter into a lease-purchase agreement for the equipment, and

Whereas, pursuant to Iowa Code Section 331.402 and in lieu of calling an election, a notice of a public hearing regarding the lease-purchase of Secondary Road equipment was published on February 11, 2016 in the Marshalltown Times Republican and the State Center Mid-Iowa Enterprise, and

Whereas this notice referred to the right to petition for an election on the proposal to contract indebtedness and enter into a lease-purchase agreement for the general county purpose of acquiring equipment for the Secondary Road Department, and

Whereas, a public hearing was held on February 23, 2016 regarding the purchase of equipment for the Secondary Road Department in an amount not to exceed \$200,000.

Now, Therefore Be It Resolved by the Board of Supervisors of Marshall County, Iowa, that Marshall County authorizes and approves entering into a lease-purchase agreement in an amount not to exceed \$200,000 contingent upon the approval of the lease-purchase agreement at a later date.

A certified copy of this resolution shall be filed with the County Auditor. The interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current available funds of the County. The County hereby pledges the faith, credit,

revenues and resources and all of the real and personal property of the County for the full and prompt payment of the principal of and interest on the lease-purchase agreement.

Passed and approved this 23rd day of February 2016, Marshall County, Iowa.

Motion by Thompson, second by Patten, to adopt Resolution #2016-0010, Lease-Purchase Agreement and Certification of Debt.

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

_____ Denny Grabenbauer Board of Supervisors, Chairman	Attest:	_____ Deanne Raymond Marshall County Auditor and Recorder
--	---------	--

15. 2016-17 Budget, Public Hearing—

At the public hearing, any resident may present objections to or arguments in favor of any part of the proposed budget.

There were no written comments, questions, or objections on file in the County Auditor and Recorder's Office. Of the 9 individuals attending the public hearing, 1 individual presented oral comments, questions, or objections.

Motion by Patten, second by Thompson, to close the public hearing at 9:51 a.m.

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

16. Resolution #2016-0011

Elected Officials Salaries for 2016-2017

WHEREAS, the Marshall County Compensation Board meets annually to recommend a compensation schedule for elected officials for the fiscal year immediately following, in accordance with Iowa Code Chapters 331.905 and 331.907, and

WHEREAS, the Marshall County Compensation Board met on January 18, 2016, and made the following salary recommendations for the following elected officials for the fiscal year beginning July 1, 2016:

<u>Elected Official</u>	<u>Current Salary</u>	<u>Proposed Increase</u>	<u>Recommended Salary</u>
Auditor/Recorder	\$ 57, 573.03	4.8 %	\$60,336.54
County Attorney	\$ 89,855.17	4.8 %	\$94,168.22

Sheriff	\$ 78,443.39	4.8 %	\$82,208.67
Supervisors	\$ 34,605.85	4.8 %	\$36,266.93
Treasurer	\$ 55,516.37	4.8 %	\$58,181.16

THEREFORE, BE IT RESOLVED that the Marshall County Board of Supervisors approves the following salary adjustments for the following elected officials for the fiscal year beginning July 1, 2016:

<u>Elected Official</u>	<u>Approved Salary</u>	<u>Approved Increase</u>
Auditor	\$58,724.49	2%
County Attorney	\$91,652.27	2%
Sheriff	\$80,012.26	2%
Supervisors	\$35,297.97	2%
Treasurer	\$56,626.70	2%

Motion by Patten, second by Thompson, to adopt Resolution #2016-0011, Elected Officials Salaries for 2016-2017.

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

17. Resolution #2016-0012 - Adopt Budget and Certify Taxes for Fiscal Year 2016-17—

The proposed 2016-17 County Budget was published in the Marshalltown Times-Republican, State Center Mid Iowa Enterprise, on February 11, 2016; and

There were no written comments, questions, or objections on file in the County Auditor and Recorder's Office; and no individual(s) presented oral comments and questions, or objections at the hearing.

Now, Therefore, Be It Resolved that the County Budget for fiscal year 2016-17 be approved and the County Auditor and Recorder authorized to certify and file the budget and certificate of taxes as adopted.

Dated at Marshalltown, Iowa this 23rd day of February, 2016.

Motion by Thompson, second by Patten, to adopt, Resolution #2016-0012, Adopt Budget and Certify Taxes for Fiscal Year 2016-17.

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

Denny Grabenbauer
Board of Supervisors, Chairman

Attest:

Deanne Raymond
Marshall County
Auditor and Recorder

18. Request to Renumber Previously Adopted Resolution —Discussion and possible action to renumber Resolution #2016-0004 Assessed/Taxable Values of Utility Companies adopted at the January 26, 2016 Board of Supervisor public meeting to Resolution #2016-0004-1. The Resolution #2016-0004 number was previously assigned at the January 12, 2016 BOS meeting.

Motion by Patten, second by Thompson to rename Resolution #2016-0004, Assessed/Taxable Values of Utility Companies adopted at the January 26, 2016 Board of Supervisor meeting to Resolution #2016-0004-1. The information of the previously adopted resolution remains unchanged.

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

19. Secondary Road Equipment Lease-Purchase—Discussion and possible action to approve the purchase of one 2016 John Deere 210G Lc Ft4 Excavator, from Murphy Tractor and Equipment Company, Des Moines, IA. The purchase price is \$199,496 which consists of 5 annual payments in the amount of \$43,933.25 each.

Motion by Thompson, second by Patten, to approve the lease-purchase of a 2016 John Deere 210G Lc Ft4 Excavator, from Murphy Tractor and Equipment Company, Des Moines, IA. The purchase price is \$199,496

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

20. Secondary Road Equipment Purchase- Discussion and possible action to approve the purchase of a Kent Fx275Qtv Hydraulic Breaker, from Murphy Tractor and Equipment Company, Des Moines, IA. The purchase price is \$43,871.

Motion by Patten, second by Thompson, to approve the purchase of a Kent Fx275Qtv Hydraulic Breaker, from Murphy Tractor and Equipment Company, Des Moines, IA. The purchase price is \$43,871.

Roll call vote:	Patten-Aye	Thompson-Aye	Grabenbauer-Aye
-----------------	------------	--------------	-----------------

	Vice Chairman	Member	Chairman
--	---------------	--------	----------

21. Secondary Road Equipment Purchase- Discussion and possible action to approve the purchase of a 2016 Kent HP210 Hydraulic Compactor, from Murphy Tractor and Equipment Company, Des Moines, IA. The purchase price is \$12,381.

Motion by Thompson, second by Patten, to approve the purchase of a 2016 Kent HP210 Hydraulic Compactor, from Murphy Tractor and Equipment Company, Des Moines, IA. The purchase price is \$12,381.

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

22. Public Forum— Harold Lanning, citizen, had a question about in-kind contribution to bike trail and complaint about ditch on Vine Ave. not being cleared.

23. Adjournment--The next regular session is March 8, 2016, 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**, March 3, 2016, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 10:07 a.m.

Denny Grabenbauer
Board of Supervisors, Chairman

Attest:

Deanne Raymond
Marshall County
Auditor and Recorder