

**Marshall County Board of Supervisors
Regular Session June 14, 2016 at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, June 14, 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

2. Years of Service Recognition-Craig Madill(County Assessor) – 40 years, RaDonna Bracy(Sheriff's Office) – 10 years

3. Marshall County Multi-Jurisdictional Hazard Mitigation Plan, Public Hearing

At a public hearing, any resident may present objections to or arguments in favor of any part of the proposed Marshall County Multi-Jurisdictional Hazard Mitigation Plan. This plan identifies hazards, goals and plans of action for the unincorporated area of Marshall County and for every city in the County.

Notice of this public hearing was published in the Marshalltown Times-Republican on June 3, 2016 and in the Mid Iowa Enterprise newspaper on June 9, 2016.

There were no written comments, questions, or objections on file in the County Auditor's Office. Of the 10 individuals attending the public hearing, 1 individual presented an oral comment, question, or objections at the hearing.

Motion by Thompson, second by Patten to close the public hearing at 9:05 a.m.

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

4. Resolution- Marshall County Multi-Jurisdictional Hazard Mitigation Plan-

RESOLUTION NO. 2016-0022

**A RESOLUTION OF THE MARSHALL COUNTY BOARD OF
SUPERVISORS ADOPTING THE MARSHALL COUNTY MULTI-
JURISDICTIONAL HAZARD MITIGATION PLAN**

WHEREAS the Board of Supervisors of Marshall County has authorized the development of a Multi-Jurisdictional Hazard Mitigation Plan; and,

WHEREAS the Marshall County Multi-Jurisdictional Hazard Mitigation Plan was prepared in compliance with the Hazard Mitigation Planning Requirements of Disaster Mitigation Act of 2000 provided by the Iowa Homeland Security and Emergency Management Division; and,

WHEREAS all meetings of the Marshall County Planning Committee were open to the public; and,

WHEREAS, the municipalities within Marshall County that participated in the multi-jurisdictional plan process will each pass their own resolution to approve and adopt the plan.

NOW THEREFORE BE IT RESOLVED, that the Marshall County Board of Supervisors herewith adopts said plan, incorporating citizen comment and recommendation.

Motion by Patten, second by Thompson, to adopt Resolution #2016-0022, A Resolution of the Marshall County Board of Supervisors Adopting the Marshall County Multi-Jurisdictional Hazard Mitigation Plan.

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

PASSED AND ADOPTED this 14th day of June, 2016.

Denny Grabenbauer
Board of Supervisors, Chairman

Attest:

Deanne Raymond
Marshall County
Auditor and Recorder

**5. Proposed Vacation of a Portion of Franklin Street in Lamoille, IA (Petition #840)-
Public Hearing**

There were 10 interested persons present for the public hearing on the vacation of the following:

295 feet of Franklin Street, West of Lots 11, 13, 15 in Block C in Keith's Addition to Lamoille, Section 3, T83-N, R-19W, Washington Township, Marshall County, Iowa.

Notice of this public hearing was published in the Marshalltown Times-Republican on June 8, 2016 and in the Mid Iowa Enterprise newspaper on June 9, 2016.

Notices of this hearing were sent to the following by certified mail: Herschell Brown, John and Lynnette Hauser, Steve Artrip, Allen Cripps, Ronald A. Nelson, Cheryl Hurst, Community Church & Lamoille Congregational, Central Iowa Power Coop, Consumers Energy Coop, Interstate Power and Light, ITC Midwest LLC, State Center Municipal Utilities, Heart of Iowa Ventures LLC, Windstream NTI, Inc., Partner Communication Coop, Qwest Corporation, US Sprint and Century Tel Fiber Co II LLC

One individual presented written comments, there were no questions or objections on file in the County Auditor's office and the Board of Supervisors' office and no individual presented oral comments at the hearing.

Motion by Thompson, second by Patten, to close the hearing at 9:07 a.m. No action can be taken at this time since claims for damages can be filed until 4:30 p.m. on this date. A decision will be made at the Regular Session held on June 28, 2016.

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

6. Proposed Vacation of Alleys in Lamoille, IA (Petition #841)-Public Hearing

There was one interested person present for the public hearing on the vacation of the following:

All of the East-West and North-South alleys in Block C in Keith's Addition to Lamoille, Marshall County, IA

Notice of this public hearing was published in the Marshalltown Times-Republican on June 8, 2016 and in the Mid Iowa Enterprise newspaper on June 9, 2016.

Notices of this hearing were sent to the following by certified mail: Herschell Brown, John and Lynnette Hauser, Steve Artrip, Allen Cripps, Ronald A. Nelson, Cheryl Hurst, Central Iowa Power Coop, Consumers Energy Coop, Interstate Power and Light, ITC Midwest LLC, State Center Municipal Utilities, Heart of Iowa Ventures LLC, Windstream NTI, Inc., Partner Communication Coop, Qwest Corporation, US Sprint and Century Tel Fiber Co II LLC

One individual presented a written comment; there were no questions or objections on file in the County Auditor's office and the Board of Supervisors' office and no individual presented oral comments at the hearing.

Motion by Thompson, second by Patten, to close the hearing at 9:09 a.m. No action can be taken at this time since claims for damages can be filed until 4:30 p.m. on this date. A decision will be made at the Regular Session held on June 28, 2016.

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
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Consent Agenda:

7. **Approve Minutes**--from Regular Session of May 31, 2016.
8. **Accept File of District Court Report – 5-16**
General Supplemental Fund 10% Surcharge-\$976.83
9. **Accept Annual Manure Management Plan Update** - PLA, LLC, PLA Site, id #63758, has made no changes to their MMP. The MMP update has been received and placed on file.
10. **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 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	Thompson-Aye	Grabenbauer-Aye
	Vice Chairman	Member	Chairman

11. Approve Personnel Actions:

- a. Change Rate of Pay, Cindy Reutzel, Auditor and Recorder's Office, Assistant Auditor and Recorder, Change Rate of Pay from \$21.39/hr. to \$22.39/hr., effective July 1, 2016.

Motion by Thompson, second by Patten, to approve personnel action, change rate of pay, Cindy Reutzel, Auditor and Recorder's Office, Assistant Auditor and Recorder, change rate of pay from \$21.39/hr. to \$22.39/hr., effective July 1, 2016.

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

12. Resolution #2016-0023-FY16 Lease-Purchase Agreement Amendment—

Whereas, a public hearing was held on February 24, 2015, regarding the purchasing of new law enforcement rated vehicles in fiscal year 2016 for the Sheriff's Office and a pickup for the Buildings and Grounds Department; and

Whereas, the Board of Supervisors of Marshall County, Iowa, authorized and approved entering into lease-purchase agreements for a term not to exceed five years in an amount not to exceed \$135,000; and

Whereas, the lease-purchase agreement for four law enforcement rated vehicles for the Sheriff's Office was approved at the May 31, 2016, Board of Supervisors meeting; and

Whereas, the lease-purchase agreement for a pickup for the Buildings and Grounds Department is expected to be available soon after the end of fiscal year 2016;

Whereas, the levy of taxes into the debt service fund to pay the authorized lease-purchase agreements occurred for fiscal year 2016.

Now, Therefore Be It Resolved by the Board of Supervisors of Marshall County, Iowa, that the approval of the lease-purchase agreement for a pickup for the Buildings and Grounds Department will be done after the end of fiscal year 2016.

Passed and approved this 14th day of June, 2016, Marshall County, Iowa.

Motion by Patten, second by Thompson, to adopt Resolution #2016-0023, FY16 Lease-Purchase Agreement Amendment.

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. Resolution #2016-0024-Appropriation of Funds-FY 2016-17 -- Whereas, it is desired to make appropriations for each of the different officers and departments for the fiscal year beginning July 1, 2016, in accordance with Section 331.434(6), Code of Iowa; Now Therefore Be It Resolved by the Board of Supervisors of Marshall County, Iowa, as follows:

<u>Department</u>	<u>Appropriation</u>
#01 Supervisors	182,630
#02 Auditor and Recorder	1,133,170
#03 Treasurer	655,743
#04 County Attorney	1,273,160
#05 Sheriff	5,645,520
#08 Buildings and Grounds	1,171,490
#09 Zoning	66,120
#15 Information Systems	743,860
#16 GIS	191,245
#19 General Assistance	23,950
#20 County Engineer	7,093,400
#21 Veteran Affairs	87,900
#22 County Conservation	1,625,898
#23 Local Health Board	318,770
#24 Weed Eradication	82,710
#25 Dept. of Human Services	168,528
#28 Medical Examiner	109,850
#31 District Court	270,933
#33 County Library Contract	69,442
#40 Harvester TIF	114,000
#42 Gateway TIF	38,000
#60 Mental Health Administration	981,200
#70 Local Emergency Management	22,075
#84 County Capital Building	0
#99 Nondepartment	1,810,192
Total	23,879,786

Section 1. The amounts itemized by department are hereby appropriated from the resources of the County to the department or officer listed.

Section 2. Subject to the provisions of other county procedures and regulations and applicable state law, these appropriations shall constitute authorization for the department or officer listed to make expenditures or incur obligations effective July 1, 2016.

Section 3. In accordance with Section 331.437, Code of Iowa, no department or officer shall expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure of money for any purpose in excess of the amounts appropriated pursuant to this resolution.

Section 4. If at any time during the 2016-17 budget year the Auditor and Recorder shall ascertain that the available resources of a fund or department for that year will be less

than said fund's or departments total appropriations, the Auditor and Recorder shall immediately so inform the Board and recommend appropriate corrective action.

Section 5. The Auditor and Recorder shall establish separate accounts for the appropriations, each of which shall indicate the amount of appropriation, the amounts charged thereto, and the unencumbered balance. The Auditor and Recorder shall report the status to the applicable departments and officers monthly during the 2016-17 budget year.

Section 6. All appropriations authorized pursuant to this resolution lapse at the close of business June 30, 2017.

Dated at Marshalltown, Iowa, this 14th day of June, 2016.

Motion by Thompson, second by Patten, to adopt Resolution #2016-0024, Appropriation of Funds-FY2016-17.

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

14. Resolution #2016-0025-Advance Issuance of Payments- --

The Board of Supervisors, pursuant to Section 331.506 (3a and b), Code of Iowa, may authorize the County Auditor and Recorder to issue payment when said Board is not in session for the following purposes:

1. Fixed charges including but not limited to, freight, express, postage, water, light, and telephone service or contracted services, after a bill is filed with the Auditor and Recorder.

2. Salaries and payrolls if the compensation has been fixed or approved by the Board. The salary or payroll shall be certified by the officer or supervisor under whose direction or supervision the compensation is earned.

Therefore Be It Resolved to authorize the County Auditor and Recorder to issue payments for the aforementioned when said Board is not in session.

Be it further resolved, all bills paid under provisions of Section 331.506 (3a and 3b), Code of Iowa, shall be submitted to the board for review and approval following the payment.

Dated at Marshalltown, Iowa, this 14th day of June, 2016.

Motion by Patten, second by Thompson, to adopt Resolution #2016-0025, Advanced Issuance of Payments for FY2016-17.

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

Attest:

Denny Grabenbauer
Board of Supervisors, Chairman

Deanne Raymond
Marshall County
Auditor and Recorder

15. Resolution #2016-0026

Secondary Road – Resolution – Weight Limit Bridge Postings Revised

WHEREAS, Marshall County has inspected and replaced bridges causing the bridge load limit posting list to change,

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors on this 14th day of June, 2016 as provided in Sections 321.471, 321.472 and 321.473, Code of Iowa, to erect and/or maintain weight limit signs in advance of the following bridges located on the Federal Aid, Farm to Market, and Local Secondary Road Systems as follows:

County Bridge No.	Location SEC/TWN/RN G	Weight Limit (TONS)	Multiple Postings (TONS)
A6	12-85-17	1 Truck at a time	
A7	12-85-17	Closed	
A11	31-85-17		20-33-34
A13	33-85-17	1 Truck at a time	
B6	23-85-18	22	
B9	31-85-18	1 Truck at a time	
B10	33-85-18	15	
C1	1-85-19	10	
C2	1-85-19	15	
C4	5-85-19	15	
C6	6-85-19	1 Truck at a time	20-30-30
D11	16-85-20	10	
D12	18-85-20	22	
D16	27-85-20	24	
D20	35-85-20	8	
E13	18-84-20	18	
E15	25-84-20	20	
E19	30-84-20		18-30-30
F4	3-84-19	20	
F9	6-84-19	1 Truck at a time	
G9	23-84-18	18	
G10	26-84-18	10	
G11	26-84-18	20	
G13	26-84-18	20	
H2	1-84-17	15	
H7	4-84-17	16	
H14	14-84-17	20	
H20	22-84-17	17	
H23	27-84-17	20	
I4	3-83-17	Closed	
I6	8-83-17	24	
I11	11-83-17	9	
I12	11-83-17		20-31-36
I14	13-83-17	Closed	
I24	32-83-17	15	
J2	8-83-18	20	
J3	8-83-18	20	
J15	23-83-18		10-15-15

J16	24-83-16	15	
J17	26-83-18	10	
J18	32-83-18	1 Truck at a Time	
J21	34-83-18	22	
K7	5-83-19	18	
K9	5-83-19	12	
K10	6-83-19	20	
K17	26-83-19	20	
L14	31-83-20	15	
M11	24-82-19	1 Truck at a time	
M13	27-82-20	1 Truck at a time	
M14	29-82-20	15	
M20	36-82-20	20	
N6	16-82-19	1 Truck at a time	
N12	28-82-19		25-37-40
N18	33-82-19	25	
N19	33-82-19	10	
N20	34-82-19	20	
N21	35-82-19	1 Truck at a time	
N24	36-82-19	20	
O2	1-82-18	15	
O9	13-82-18	25	
O17	32-82-18	5	
O18	33-82-18	20	
P1	1-82-17	1 Truck at a time	
P5	6-82-17	24	
P6	6-82-17	15	
P8	7-82-17	22	
P9	7-82-17	18	
P13	13-82-17	20	
P14	14-82-17	Closed	
P15	16-82-17	20	
P21	22-82-17	22	

Motion by Thompson, second by Patten, to adopt Resolution #2016-0026, Weight Limit Bridge Postings.

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

BOARD OF SUPERVISORS, Marshall County, Iowa

ATTEST: _____
County Auditor and Recorder

16. Marshall County Emergency Management Agency- Discussion and possible action on approval to install an amateur radio linker at the Courthouse.

Motion by Patten, second by Thompson, to approve the installation of an amateur radio linker at the Courthouse.

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

17. Jail Inspection--the Iowa Department of Corrections conducted the inspection, as required by Iowa Code Section 356, to ensure compliance with Chapter 201-50 of the Iowa Administrative Code. on April 27, 2016. The inspection included an examination of staff training records, required documentation, prisoner files, jail policy and procedures and a tour of the jail. Marshall County Jail is a very clean, well-managed, and well-maintained facility. Documentation appears to be complete and readily available for inspection. It is a pleasure to work with the professional staff of the Marshall County Jail. I wish to thank Chief Jailer Joel Phillips, Jail Supervisors Pat White and Wendell Millizer, Nurse RaDonna Bracy, Maintenance Director Lucas Baedke and the entire jail staff for their cooperation and assistance during the inspection.

Motion by Thompson, second by Patten, to acknowledge receipt of the jail inspection done on April 27, 2016, by the Department of Corrections and to place it on file.

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

18. Liquor License-Class C Liquor License #LC0010945 with Sunday Sales Privilege and Outdoor Service—request from West Marshall Golf Course Association, d/b/a Lincoln Valley Golf, for renewal of their Class “C” Liquor License.

Motion by Patten, second by Thompson, to approve the Class C liquor license #LC0010945 renewal request from Lincoln Valley Golf, State Center, IA. This license includes Sunday Sales Privilege and Outdoor Service, effective 6-30-2016 to 6-29-2017.

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

19. Central Iowa Community Services-Discussion and possible action to approve the Central Iowa Community Services Employee Statement of Understanding between Marshall County, IA and the Central Iowa Community Services Governing Board. The statement identifies the individual employees, the position filled, and portion of the employee’s wages and benefits that will be the responsibility of the region.

Motion by Patten, second by Thompson, to approve the Central Iowa Community Services Employee Statement of Understanding for Marshall County Community Services employees.

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

20. Cigarette/Tobacco/Nicotine/Vapor Permit Application—renewal request from Pandori Petroleum Inc. /Randhawa Travel Center for a Cigarette/Tobacco/Nicotine/Vapor Permit effective July 1, 2016 through June 30, 2017.

Motion by Thompson, second by Patten, to approve this renewal.

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

21. Lease between Masonic Holding Corporation and Marshall County—Discussion and action on a lease between the Masonic Holding Corporation and Marshall County regarding room nos. 204, 205, 206, 207, 208a, 209, and 216 consisting of approx. 2127 square feet, used for general office space by Juvenile Court Services, second floor, Masonic Temple Building, 26 South 1st Ave., Marshalltown. Terms of the lease shall be for two years, July 1, 2016 – June 30, 2018, at a rate of \$1,150.00 per month.

Motion by Patten, second by Thompson to approve this lease agreement for two years, July 1, 2016 – June 30, 2018, at a rate of \$1,150.00 per month.

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

22. Sheriff's Department- Extension to 28E Agreement between Marshall County and the City of Albion for Law Enforcement Protection--Discussion and possible action on an extension to a 28E Agreement between Marshall County and the City of Albion for law enforcement protection within the corporate limits of the City of Albion. The agreement is effective July 1, 2016 - June 30, 2017. The City of Albion agrees to pay Marshall County the sum of \$11,940.00.

Motion by Thompson, second by Patten to approve the extension to the 28E Agreement between Marshall County and the City of Albion effective July 1, 2016 - June 30, 2017. The City of Albion agrees to pay Marshall County the sum of \$11,940.00.

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

23. Public Forum— Paul Geilenfeldt, County Engineer, talked about the 2018-19 construction of North Center St. bridge.

24. Adjournment--The next regular session is June 28, 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**, June 23, 2016, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:40 a.m.

Denny Grabenbauer
Board of Supervisors, Chairman

Attest:

Deanne Raymond
Marshall County
Auditor and Recorder