

**Marshall County Board of Supervisors
Regular Session June 28, 2016 at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, June 28, 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:	Thompson-Aye	Grabenbauer-Aye	Patten-Aye
	Member	Chairman	Vice Chairman

Consent Agenda:

2. Approve Minutes--from Regular Session of June 14, 2016.

3. Approve Transfer of Funds—Transfer #873, a quarterly transfer from Rural Services Fund to Secondary Road Fund in the amount of \$482,500, but not to exceed the maximum allowed in Iowa code 331.429(b).

Transfer #874, an annual transfer from LOST revenue in the Rural Services Fund to the Secondary Road Fund in the amount of \$673,009.45.

Transfer #875, an annual transfer totaling \$3,035.38 from Urban Renewal Tax Revenue Fund to Low to Modern Income Housing Fund.

Transfer #876, a corrective transfer from General Basic fund to Conservation Land Acquisition Trust Fund in the amount of \$3,863.00 for Claim #363004

Transfer #877, a corrective transfer from General Basic Fund to Conservation Land Acquisition Trust Fund in the amount of \$2,411.21 for Claim #363450.

Transfer #878, a transfer of \$50,000 from County Attorney Collection Incentive Fund to General Basic Fund.

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

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

5. Central Iowa Community Services- Discussion and possible action on a correction to the 2004 pay grade for the Community Services Assistant position.

Motion by Thompson, second by Patten, to approve the correction to the Community Services Assistant position revised in May 2004 from pay grade 1 to pay grade 3, effective July 1, 2016.

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

6. Approve Personnel Actions:

- a. Change Rate of Pay, Community Services Dept., **Lisa Soder**, Social Worker, full time, Change rate of pay from \$20.47/hr.to \$22.87/hr., effective July 1, 2016.

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

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

- b. **Re-Hire, Richard Monroe**, Secondary Road Department, temporary part time as needed, at \$20.49/hr., effective July 5, 2016.

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

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

7. Resolution #2016-0027

**RESOLUTION TO VACATE A PORTION OF FRANKLIN ST. IN
LAMOILLE, MARSHALL COUNTY, IA
(Petition #840)**

Whereas, the Marshall County Board of Supervisors held a public hearing on June 14, 2014, to vacate the following:

All that portion of Franklin Street lying north of the North line of 2nd St to the North line of Lot 2/1 in the SE NE in Section Three in Township Eighty-three North, Range Nineteen West of the Fifth PM extended to the Northwest corner of Lot 15 in Block C Keith's Addition to Lamoille, Marshall County, IA.

At said public hearing no individual presented written or oral comments, and there were no questions, or objections on file in the County Auditor's Office and the Board of Supervisors' Office.

Whereas, said portion of road is no longer necessary, or required for use by the public for road purposes and will not hereafter be required for construction or maintenance purposes for any road or alley.

Whereas, there were no claims for damages made and none are being awarded.

Now, Therefore, be It Resolved by the Marshall County Board of Supervisors that, all that portion of Franklin Street lying north of the North line of 2nd St to the North line of Lot 2/1 in the SE NE in Section Three in Township Eighty-three North, Range Nineteen West of the Fifth PM extended to the Northwest corner of Lot 15 in Block C Keith's Addition to Lamoille, Marshall County, IA, herein with any and all rights of Marshall County in and to the same are hereby abandoned, and Marshall County hereby disclaims any right, title, or interest in and to said road or to the use thereof for any purpose whatsoever.

Be It Further Resolved that a utility company retains its right to continue in possession of a right-of-way after vacation or sale of road right-of-way. Iowa Code section 306.22 continues rights that were in effect prior to the sale of right-of-way. Iowa Code section 478.17 assures utility companies of reasonable access and Iowa Code section 479.24 gives pipeline companies the right of eminent domain.

The Board of Supervisors hereby resolves to convey title to the above described property by Quit Claim Deed to Steve Artrip, Allen Cripps and Cheryl Hurst. The required Quit Claim Deeds are hereby approved and the Chairman of the Board of Supervisors is authorized to sign them on behalf of Marshall County.

Dated at Marshalltown, Iowa this 28th day of June 2016.

Motion by Thompson, second by Patten, to adopt Resolution #2016-0027-To Vacate a Portion of Franklin St in Lamoille, Marshall County, IA, Petition #840 and authorize the chairman to sign documents.

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

8. Resolution #2016-0028

RESOLUTION TO VACATE ALLEYS IN LAMOILLE, MARSHALL COUNTY, IA (Petition #841)

Whereas, the Marshall County Board of Supervisors held a public hearing on June 14, 2014, to vacate the following:

The entire East -West and North-South alleys in Block C in Keith's Addition to Lamoille, Marshall County, Iowa.

At said public hearing no individual presented written or oral comments, and there were no questions, or objections on file in the County Auditor's Office and the Board of Supervisors' Office.

Whereas, said alleys are no longer necessary or required for use by the public for road purposes and will not hereafter be required for construction or maintenance purposes for any road or alley.

Whereas, there were no claims for damages made and none are being awarded.

Now, Therefore, be It Resolved by the Marshall County Board of Supervisors that, all of the East-West and North-South alleys in Block C in Keith's Addition to Lamoille, Marshall County, Iowa, herein with any and all rights of Marshall County in and to the same are hereby abandoned, and Marshall County hereby disclaims any right, title, or interest in and to said road or to the use thereof for any purpose whatsoever.

Be It Further Resolved that a utility company retains its right to continue in possession of a right-of-way after vacation or sale of road right-of-way. Iowa Code section 306.22 continues rights that were in effect prior to the sale of right-of-way. Iowa Code section 478.17 assures utility companies of reasonable access and Iowa Code section 479.24 gives pipeline companies the right of eminent domain.

The Board of Supervisors hereby resolves to convey title to the above described property by Quit Claim Deed to Steve Artrip, Herschell Brown, Cheryl Hurst and Ronald Nelson. The required Quit Claim Deeds are hereby approved and the Chairman of the Board of Supervisors is authorized to sign them on behalf of Marshall County.

Dated at Marshalltown, Iowa this 28th day of June 2016.

Motion by Patten, second by Thompson, to adopt Resolution #2016-0028-To Vacate Alleys in Lamoille, Marshall County, IA, Petition #841 and authorize the chairman to sign documents.

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

9. Resolution #2016-0029-Secondary Road-Project Funding Agreement with IDOT--

Discussion and possible action on an agreement with the Iowa DOT titled "Federal-Aid Agreement for a County Highway Bridge Program Project, Project No. BROS-C064 (125)—5F-64, Iowa DOT Agreement No. 1-16-HBP-S-020". This covers the replacement of Bridge M-14 in the 1100 mile of 320th St. This work is scheduled for Fiscal Year 2017 construction.

Motion by Thompson, second by Patten, to adopt Resolution #2016-0029, an agreement between Marshall County, IA and the IDOT, Project No. BROS-C064 (125)—5F-64, Iowa DOT Agreement No. 1-16-HBP-S-020 and authorizing the Chairman to sign the agreements.

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

Attest:

Denny Grabenbauer
Board of Supervisors, Chairman

Deanne Raymond
Marshall County
Auditor and Recorder

10. Service Agreement for Marshall County Public Health and Central Iowa Healthcare (formerly MMSC) Home Care Services - Discussion and possible action on approval of an agreement between Central Iowa Healthcare (formerly known as Marshalltown Medical and Surgical Center), d/b/a CIH Home Care and Marshall County Public Health, referred to as CIH, the Marshall County Board of Health, and Marshall County providing services to the residents of Marshall County and Home Care service area. This agreement is effective July 1, 2016 through June 30, 2017.

Motion by Patten, second by Thompson, to approve this agreement effective July 1, 2016 through June 30, 2017 between CIH, Board of Health and Marshall County for services provided to the residents of Marshall County and Home Care service area.

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

11. Sheriff's Department-Extension to 28E Agreement between Marshall County and the City of Laurel for Law Enforcement Protection--Discussion and possible action on the Extension Agreement regarding the 28E Agreement between Marshall County and the City of Laurel for law enforcement protection within the corporate limits of the City of Laurel. The agreement is effective July 1, 2016 - June 30, 2017. The City of Laurel agrees to pay Marshall County the sum of \$6,480.00.

Motion by Thompson, second by Patten, to approve the extension to 28E Agreement between Marshall County and the City of Laurel effective July 1, 2016 - June 30, 2017. The City of Laurel agrees to pay Marshall County the sum of \$6,480.00.

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

12. Sheriff's Department-Extension to 28E Agreement between Marshall County and the City of Clemons for Law Enforcement Protection--Discussion and possible action on the Extension Agreement regarding the 28E Agreement between Marshall County and the City of Clemons for law enforcement protection within the corporate limits of the City of Clemons. The agreement is effective July 1, 2016 - June 30, 2017. The City of Clemons agrees to pay Marshall County the sum of \$3,300.00.

Motion by Patten, second by Thompson, to approve the extension

to 28E Agreement between Marshall County and the City of Clemons effective July 1, 2016- June 30, 2017. The City of Clemons agrees to pay Marshall County the sum of \$3,300.00.

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

13. Sheriff's Department-Extension to 28E Agreement between Marshall County and the City of Liscomb for Law Enforcement Protection--Discussion and possible action on the Extension Agreement regarding the 28E Agreement between Marshall County and the City of Liscomb for law enforcement protection within the corporate limits of the City of Liscomb. The agreement is effective July 1, 2016 - June 30, 2017. The City of Liscomb agrees to pay Marshall County the sum of \$7,320.00.

Motion by Thompson, second by Patten, to approve the extension to 28E Agreement between Marshall County and the City of Liscomb effective July 1, 2016 - June 30, 2017. The City of Liscomb agrees to pay Marshall County the sum of \$7,320.00.

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

14. Sheriff's Department-Extension to 28E Agreement between Marshall County and the City of Gilman for Law Enforcement Protection--Discussion and possible action on the Extension Agreement regarding the 28E Agreement between Marshall County and the City of Gilman for law enforcement protection within the corporate limits of the City of Gilman. The agreement is effective July 1, 2016 - June 30, 2017. The City of Gilman agrees to pay Marshall County the sum of \$12,900.00.

Motion by Thompson, second by Patten, to approve the extension to 28E Agreement between Marshall County and the City of Gilman effective July 1, 2016- June 30, 2017. The City of Gilman agrees to pay Marshall County the sum of \$12,900.00.

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

15. Sheriff's Department-Extension to 28E Agreement between Marshall County and the City of Haverhill for Law Enforcement Protection--Discussion and possible action on the Extension Agreement regarding the 28E Agreement between Marshall County and the City of Haverhill for law enforcement protection within the corporate limits of the City of Haverhill. The agreement is effective July 1, 2016 - June 30, 2017. The City of Haverhill agrees to pay Marshall County the sum of \$4,140.00.

Motion by Patten, second by Thompson, to approve the extension to 28E Agreement between Marshall County and the City of Haverhill effective July 1, 2016 - June 30, 2017. The City of Haverhill agrees to pay Marshall County the sum of \$4,140.00.

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

16. Sheriff's Department-Extension to 28E Agreement between Marshall County and the City of LeGrand for Law Enforcement Protection--Discussion and possible action on the Extension Agreement regarding the 28E Agreement between Marshall County and the City of LeGrand for law enforcement protection within the corporate limits of the City of LeGrand. The agreement is effective July 1, 2016 - June 30, 2017. The City of LeGrand agrees to pay Marshall County the sum of \$23,820.00.

Motion by Thompson, second by Patten, to approve the extension to 28E Agreement between Marshall County and the City of LeGrand effective July 1, 2016 - June 30, 2017. The City of LeGrand agrees to pay Marshall County the sum of \$23,820.00.

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

17. Sheriff's Department-Extension to 28E Agreement between Marshall County and the City of Ferguson for Law Enforcement Protection--Discussion and possible action on the Extension Agreement regarding the 28E Agreement between Marshall County and the City of Ferguson for law enforcement protection within the corporate limits of the City of Ferguson. The agreement is effective July 1, 2016 - June 30, 2017. The City of Ferguson agrees to pay Marshall County the sum of \$3,240.00.

Motion by Patten, second by Thompson, to approve the extension to 28E Agreement between Marshall County and the City of Ferguson effective July 1, 2016 - June 30, 2017. The City of Ferguson agrees to pay Marshall County the sum of \$3,240.00.

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

18. Public Forum— Jerry Mimick, 1833 Reed Ave., county resident, gave Board of Supervisors and Paul Geilenfeldt a letter with concerns about a box culvert and concerns about dust control, traffic and maintenance on road during bridge work.

19. Adjournment--The next regular session is July 12, 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**, July 7, 2016, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:36 a.m.

Board Meeting of
June 28, 2016

Denny Grabenbauer
Board of Supervisors, Chairman

Attest:

Deanne Raymond
Marshall County
Auditor and Recorder