

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

MINUTES

The Board met in regular session on Tuesday, August 9, 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

2. Years of Service Recognition-Christine Kelly(Sheriff's Office)- 20 years

Consent Agenda:

3. Approve Minutes--from Regular Session of July 26, 2016.

4. File Clerk of District Court Report-6-16

General Supplemental Fund 10% Surcharge-\$959.91

5. 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 August; the August list of claims will be a part of the first meeting in September.

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

6. Approve Personnel Actions:

- a. Hire, **Kelly Gerke**, Community Services, Community Services Assistant, full time, rate of pay \$15.00/hr. effective August 16, 2016.

Motion by Thompson, second by Patten, to approve personnel action, hire **Kelly Gerke**, Community Services, Community Services Assistant, full time, rate of pay \$15.00/hr. effective August 16, 2016.

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

7. Resolution #2016-0032

**RESOLUTION TO VACATE A PORTION OF ROAD IN
MARSHALL COUNTY, IA
(Petition #842)**

Whereas, the Marshall County Board of Supervisors held a public hearing on July 26, 2016, to vacate the following:

At said public hearing 4 individuals 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.

All of Underwood Avenue Right-of-Way (ROW) between the South ROW line of Merle Hibbs Blvd and the North ROW line of Highway 30 in Section 7 & 8, Township 83 North, Range 17 West of the 5th P.M., Marshall County, Iowa.

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 of Underwood Avenue Right-of-Way (ROW) between the South ROW line of Merle Hibbs Blvd and the North ROW line of Highway 30 in Section 7 & 8, Township 83 North, Range 17 West of the 5th P.M., 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 Norman Johnson. The required Quit Claim Deed is hereby approved and the Chairman of the Board of Supervisors is authorized to sign it on behalf of Marshall County.

Dated at Marshalltown, Iowa this 9th day of August 2016.

Motion by Thompson, second by Patten, to adopt Resolution #2016-0032, To Vacate a Portion of Road in Marshall County, IA.

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

Attest:

Denny Grabenbauer
Board of Supervisors, Chairman

Deanne Raymond
Marshall County
Auditor and Recorder

Tabled from July 26, 2016 Board of Supervisor Meeting

8. 2016 Laurel Ween-11.75K Run- Discussion and possible action on the use of utilizing 330th St in southern Marshall County for a 11.75K run and community celebration Laurel-Ween Parade and Party held on Saturday, October 29, 2016.

Motion by Patten, second by Thompson, to approve use of Marshall County road 330th St. for a 11.75K run on Saturday, October 29, 2016.

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

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

10. Adjournment--The next regular session is August 23, 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**, August 18, 2016, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:20 a.m.

Attest:

Denny Grabenbauer
Board of Supervisors, Chairman

Deanne Raymond
Marshall County
Auditor and Recorder