

**Marshall County Board of Supervisors
Regular Session January 10, 2017 at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, January 10, 2017, 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 Thompson, second by Salasek, to approve the agenda as printed.

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

Consent Agenda:

- 2. Approve Minutes**--from Regular Session of January 3, 2017.
- 3. Accept Annual Manure Management Plan Update-** Edler Brothers Farm, id no. 58297, annual update report received and placed on file with no changes made to the MMP.
- 4. File District Court Report-12-16**
General Supplemental 10% Surcharge-\$760.73
- 5. Accept Recorder's Quarterly Report-12-16**

Records Management Fund	\$1,564.00
E-Commerce Fund	\$1,564.00
General Basic Fund	\$58,841.70
- 6. Approve Claims**—as audited and authorize the County Auditor and Recorder to **issue** the month of January; the January list of claims will be a part of the first meeting in February.

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

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

7. RESOLUTION #2017-0001

CONSTRUCTION EVALUATION RESOLUTION

WHEREAS, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a “construction evaluation resolution” relating to the construction of a confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR’s decision regarding a specific application; and

WHEREAS, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2016 and January 31, 2017 and submit an adopted recommendation regarding that application to the DNR; and

WHEREAS, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board’s recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MARSHALL COUNTY that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

Motion by Thompson, second by Salasek, to adopt Resolution #2017-0001, Construction Evaluation Resolution (Master Matrix).

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

Chair, Board of Supervisors

Date: _____

ATTEST:

County Auditor

Date: _____

8. Reschedule a B.O.S. meeting in 2017-Discussion and possible action to cancel the Tuesday, December 26, 2017 B.O.S. meeting and reschedule the meeting on Wednesday, December 27, 2017.

Motion by Salasek, second by Thompson, to cancel the regularly scheduled BOS meeting on Tuesday, December 26, 2017 and reschedule the meeting to Wednesday, December 27, 2017.

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

9. Proposed Ordinance Regulating the Operations of Off-Highway Vehicles in Marshall County, IA. – Discussion on a request from county resident Jarrod Ulery to consider an ordinance regulating the operations of off-highway vehicles in Marshall County, IA.

10. Johnson Controls Planned Service Proposal-Discussion and possible action to approve the Johnson Controls planned service proposal for the Marshall County Courthouse. This is a 3 year service agreement effective 1-1-2017-12-31-19. This service agreement allows Marshall County to optimize the buildings' facility performance.

Motion by Salasek, second by Thompson, to approve the Service Agreement with Johnson Controls effective 1-1-2017-12-31-19. The agreement price for the first year is \$3,210.00; pricing in subsequent years is listed in service agreement.

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

Resolution #2017-0002

11. Resolution--Assessed/Taxable Values of Utility Companies--

Be It Resolved, that pursuant to Section 433.9, Code of Iowa, there be ordered entered in the minute book the length of lines and the assessed value of the property of each of the following utility companies situated in each city, township, or lesser taxing district in its county as fixed by the Director of Revenue & Finance and certified to the County Auditor. These values shall constitute the taxable value for 2016 Property Taxes, Payable in 2017-2018, and the taxes on said property when collected by the County Treasurer shall be disposed of as other taxes on real estate. A detailed report showing the value for each company, by taxing district, is on file in the County Auditor's office.

<u>RAILROAD</u>	MILES	X RATE PER MILE	= VALUE CERT BY DEPT. OF REV.	TAXABLE VALUE
Union Pacific Railroad	38.88	914349.3190	35,549,902	35,549,902
TOTAL			35,549,902	35,549,902

<u>COMMERCIAL</u>	MILES	X RATE PER MILE	= VALUE CERT BY DEPT. OF REV.
<u>TELEPHONE & TELEGRAPH**</u>			
Century Tel Fiber Co II	26.49	10,803.8106	286,193
Heart of Iowa Comm. Coop	319.31	4,448.2820	1,420,381
Heart of Iowa Ventures	64.08	18,996.7487	1,217,312
Iowa Telecom	61.52	8,731.3788	537,154
McLeod USA Network	81.50	6,198.5680	505,183
Partner Comm. Coop.	248.29	14,531.9806	3,608,145
Minerva Valley Tel. Co.	100.20	1,343.8846	134,657
Qwest	481.65	17,293.8379	8,329,625
Sprint	26.44	2,071.8149	54,779
MCC Telephony of Iowa	216.08	1,862.6427	402,480
TOTAL			**16,495,909**

	<u>ASSESSED VALUE CERT. BY DEPT. OF REV.</u>	<u>TAXABLE VALUE CERT. BY DEPT. OF REV.</u>
Black Hills Energy Corp	111,378	37,358
Interstate Power & Light	365,123,615	97,922,993
ITC Midwest LLC	109,219,436	10,667,397
Consumers Energy	7,655,494	1,163,390
Central Iowa Power Coop	2,105,791	862,383
Grundy Co. REC	697,292	124,564
Mid American Energy	459,269	268,342
Midland Power Coop	50,241	10,898
State Center Municipal Light Plant	76,264	160,900
Western Minnesota Munc. Gas	0	2
TOTAL	485,498,780	111,218,227

	<u>ASSESSED</u> <u>VALUE CERT.</u> <u>BY</u> <u>DEPT. OF REV.</u>
NuStar Ammonia	1,066,533
Northern Border Pipeline	1,067,581
Northern Natural Gas Co	<u>1,581,132</u>
TOTAL	3,715,246

****Less Exempted Assessed Value for Telephone Companies \$5,324,014****

	<u>VALUE CERT BY</u> <u>DEPT. OF REVENUE</u>	
	<u>ASSESSED</u>	<u>TAXABLE</u>
GRAND TOTAL OF ALL UTILITIES IN MARSHALL CO.	541,259,838	161,655,272

Dated at Marshalltown, Iowa this 10th day of January 2017.

Motion by Thompson, second by Salasek to adopt this Resolution #2017-0002,
Assessed/Taxable Values of Utility Companies.

_____ Bill Patten Board of Supervisors, Chairman	Attest: _____ Deanne Raymond Marshall County Auditor and Recorder
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Roll call vote:	Thompson-Aye	Salasek-Aye	Patten-Aye
	Vice Chairman	Member	Chairman

12. Resolution #2017-0003-Moving Permits

RESOLUTION # 2017-0003

WHEREAS, the Board of Supervisors is empowered under authority of Section 321.1 of the Code of Iowa to issue permits for the movement of machines, vehicles or loads, or combinations thereof which exceed the maximum dimensions and/or weights specified in Sections 321.453 to 321.466 but within the limitations of Chapter 321E upon Secondary Roads under their jurisdiction, and

WHEREAS, it is important that such permits be issued by persons familiar with the statutes and regulations relating to such permits and also with the limitations of the county's roadways, road surfaces and structures along the selected or designated routes.

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that the Marshall County Engineer and the following named employees of the Secondary Road Department be authorized to issue and sign special permits for the movement of vehicles of excessive size and weight upon Marshall County Secondary Roads in accordance with said Chapter 321E:

Named employees:

Paul Geilenfeldt
Mark Hentges
Lisa Reeder
Jill Tompkins
Andrew Rhodes

Motion by Salasek, second by Thompson, to adopt this Resolution #2017-0003, Moving Permits.

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

Passed and Approved this 10th day of January, 2017.

Bill Patten
Board of Supervisors, Chairman

Attest:

Deanne Raymond
Marshall County
Auditor and Recorder

13. Resolution #2017-0004-Blanket Road Closure

R E S O L U T I O N #2017-0004

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that effective January 10, 2017, Paul C. Geilenfeldt, the County Engineer of Marshall County, Iowa, be and he is hereby designated, authorized and empowered on behalf of the Board of Supervisors of said County to execute the requirements of Section 306.41 of the Code of Iowa until such time as formal action can be entered into the minutes of said Board.

Motion by Thompson, second by Salasek, to adopt this Resolution #2017-0004, Blanket Road Closure.

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

Passed and Approved this 10th day of January, 2017.

Bill Patten
Board of Supervisors, Chairman

Attest:

Deanne Raymond
Marshall County
Auditor and Recorder

14. Resolution #2017-0005-Certification of Completion

R E S O L U T I O N #2017- 0005

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that effective January 10, 2017, Paul C. Geilenfeldt, the County Engineer of Marshall County, Iowa, be and is hereby designated, authorized and empowered on behalf of the Board of Supervisors of said County to execute the certification of completion of work and final acceptance thereof in accordance with plans and specifications therefore in connection with all Farm to Market and Federal or State aid construction projects in this county.

Motion by Salasek, second by Thompson, to adopt this Resolution #2017-0005, Certificate of Completion.

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

Passed and Approved this 10th day of January, 2017.

Bill Patten
Board of Supervisors, Chairman

Attest:

Deanne Raymond
Marshall County
Auditor and Recorder

15. Resolution 2017-0006-Erect Embargo Signs

R E S O L U T I O N #2017-0006

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that the County Highway Department representing the Board of Supervisors be hereby authorized and directed to erect embargo signs restricting such loads on county routes, when such conditions exist, that all such loads be restricted to a maximum load as determined by the office of the County Engineer. Locations of signs to be verified at the next adjourned session.

Motion by Thompson, second by Salasek, to adopt this Resolution #2017-0006, Erect Embargo Signs.

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

Passed and Approved this 10th day of January, 2017.

Bill Patten
Board of Supervisors, Chairman

Attest:

Deanne Raymond
Marshall County
Auditor and Recorder

16. Secondary Road –Award of BROS-C064(124)—8J-64 Contract—Discussion and possible action to award the contract with Peterson Contractors, Inc. of Reinbeck, IA in the amount of \$454,568.60. This project consists of the replacement of bridge D-20 in the 1400 mile of 155th St. This project is funded with Federal Bridge Funds and Local Bridge Funds. This project was let at the D.O.T. in Ames, Iowa on December 20, 2016.

Motion by Salasek, second by Thompson to award this contract to Peterson Contractors, Inc. of Reinbeck, Iowa in the amount of \$454,568.60 and authorize the Chairman to sign the contracts and bond after submittal of approved documents.

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

17. Secondary Road –Award of BROS-C064(125)—5F-64 Contract—Discussion and possible action to award the contract with Peterson Contractors, Inc. of Reinbeck, IA in the amount of \$440,859.16. This project consists of the replacement of bridge M-14 in the 1100 mile of 320th St. This project is funded with Federal Bridge Funds and Farm to Market Funds. This project was let at the D.O.T. in Ames, Iowa on December 20, 2016.

Motion by Thompson, second by Salasek to award this contract to Peterson Contractors, Inc. of Reinbeck, Iowa in the amount of \$440,859.16 and authorize the Chairman to sign the contracts and bond after submittal of approved documents.

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

18. Public Forum-There were not public comments

19. Adjournment--The next regular session is January 24, 2017, 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**, January 19, 2017, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:34 a.m.

Bill Patten
Board of Supervisors, Chairman

Attest:

Deanne Raymond
Marshall County
Auditor and Recorder