

**Marshall County Board of Supervisors
Regular Session April 4, 2017 at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, April 4, 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 Salasek, second by Thompson, to approve the agenda as printed.

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

2. Bill Havelka Site 1, Facility Id No. 61559 (Non Matrix) Construction Permit Application for Expansion of an Existing Confinement Feeding Operation, Public Hearing

At the public hearing, any resident may present objections to or arguments in favor of the application for expansion of an existing permitted animal confinement feeding operation for Bill Havelka Site 1, Facility Id. No. 61559.

There were no written comments, questions, or objections on file in the County Auditor's Office on the application for expansion of an existing animal feeding operation for Bill Havelka Site 1, Building Id. No. 61559.

Of the 14 individual(s) attending the public hearing, no individual presented oral comments, questions or objections.

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

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

3. Resolution #2017-0024

Bill Havelka Site 1, Facility Id No. 61559 Application for Animal Confinement Feeding Operation Expansion (Non-Matrix)--

The application for expansion of existing animal confinement feeding operation from Bill Havelka, Site 1 was published in the Marshalltown Times-Republican, Marshalltown, Iowa,

and the Mid Iowa Enterprise, State Center, Iowa on March 23, 2017; and there were no written comments, questions, or objections on file in the Auditor's Office and 14 individual(s) attended the public hearing. There were no comments, questions, or objections at the hearing.

Now, Therefore, Be It Resolved by the Marshall County Board of Supervisors to recommend approval by the Department of Natural Resources of the application for the expansion of the existing animal confinement feeding operation from Bill Havelka, Site 1.

Dated at Marshalltown, Iowa this 4th day of April, 2017.

Motion by Thompson, second by Salasek, to adopt Resolution #2017-0024, Bill Havelka, Site 1, Facility Id No. 61559, Application for Animal Confinement Feeding Operation Expansion(Non-Matrix).

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

Bill Patten
Board of Supervisors, Chairman

Attest:

Deanne Raymond
Marshall County
Auditor and Recorder

Consent Agenda:

4. **Approve Minutes**--from Regular Session of March 21, 2017.
5. **Accept Manure Management Plan Annual Update** -TriOak Foods Inc., Marco Pork LP, id no. 61016, annual update report received and placed on file with the following changes: updated soil tests, and P-Index.
6. **Accept Annual Manure Management Plan Update**-Bill Havelka Section 10, id no. 62692, annual update report received and placed on file. No changes made to the MMP.
7. **Accept Annual Manure Management Plan Update**—Dennis A. Anderson, id no. 62848, annual update received and placed on file. No changes to MMP.
8. **Accept Annual Manure Management Plan Update**- J.T. Farms East Site, id no. 63208 annual update received and placed on file. No changes to MMP.
9. **Accept Annual Manure Management Plan Update**-Bill Havelka Site 3, id no. 62692, annual update report received and placed on file. No changes to the MMP.
10. **Accept Annual Manure Management Plan Update**- Aaron Borton, id no. 65862 annual update received and placed on file. No changes to MMP.

11. Accept Annual Manure Management Plan Update- Prestage Farms of Iowa, LLC, id no. 67142, PI-341, annual update report received and placed on file. No changes to the MMP.

12. Approve Claims—Approve claims as audited and authorize the County Auditor and Recorder to issue payment of the same. The listing of claims paid at this meeting and all claims paid in the month April will be published as part of the first meeting in May.

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

13. Approve Personnel Actions:

- a. Hire, Richard Monroe, Secondary Road Dept., temporary part time as needed, rate of pay \$20.49/hr. for Secondary Road Department, effective May 1, 2017

Motion by Thompson, second by Salasek, to approve personnel action to hire, Richard Monroe, Secondary Road Dept., temporary part time as needed, rate of pay \$20.49/hr. for Secondary Road Department, effective May 1, 2017.

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

- b. Hire, Christopher Robert Christensen, full time, Sheriff's Office, Jailer, rate of pay \$17.42/hr., effective April 17, 2017

Motion by Salasek, second by Thompson, to approve personnel action to hire Christopher Robert Christensen, full time, Sheriff's Office, Jailer, rate of pay \$17.42/hr., effective April 17, 2017 .

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

14. Request for Use of Courthouse Grounds- Discussion and possible action on request from Marshalltown YMCA-YWCA and Marshalltown-Not In Our Town for use of the Courthouse grounds in a Stand Against Racism Rally on Monday, April 24, 2017, 12:00-1:00 p.m. Everyone is encouraged to wear "orange".

Motion by Salasek, second by Thompson, to approve this request.

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

15. Resolution #2017-0025

Abatement of Mobile Home Taxes; Iowa Code 445.16 and 648.22A

Whereas, pursuant to Iowa Code 445.16, the County Treasurer as determined that it is impractical to pursue collection of the total amount due through the delinquent taxes and the personal judgment remedies, and pursuant to Iowa Code 648.22A, executions involving mobile homes.

Now, Therefore, Be it Resolved by the Marshall County Board of Supervisors to authorize the County Treasurer to abate the taxes on the following properties:

Whereas, Sunset Village MHC, LLC, Plaintiff vs Christopher Allen Larson and Heather Lynn Larson, Defendant, small claims No. SCSC031738, Iowa Code 648.22A, a mobile home located at 3202 S 12th St Lot # 11, Marshalltown, IA 50158, VIN # 0510036798, Junking Certificate # 640115461 with current taxes due in the amount of \$229.00.

Now, Therefore, Be it Resolved, by the Marshall County Board of Supervisors that the amount due be abated and the County Treasurer is directed to strike the amounts due from the county system.

Motion by Thompson, second by Salasek, to adopt Resolution #2017-0025, ~~Resolution #2017-0026~~, Abatement of Mobile Home Taxes; Iowa Code 445.16 and 648.22A and strike Resolution #2017-0026 from the motion line.

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

Motion by Thompson, second by Salasek to adopt Resolution #2017-0025.

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

Bill Patten
Board of Supervisors, Chairman

Attest:

Deanne Raymond
Marshall County
Auditor and Recorder

16. Resolution #2017-0026

Approving the Assignment of Certificate of Purchase at Tax Sale to the Following:

Whereas, the City of Marshalltown, Marshalltown, Iowa, requests to obtain certificate of tax sale #S2302 for the following: Parcel Number 8418-25-354-009, Property Address: 108 N 7th Avenue, Marshalltown, Iowa – with the taxable description of:

WESTLAKE'S ADD S 44' LOTS 1 & 2 BLK 3

Whereas, Marshall County therefore avoids the expense of tax redemption procedure, and;

Whereas, the transfer of said certificate of tax purchase to The City of Marshalltown, Iowa, is in the better interest of the County and is in the better interest of the City of Marshalltown, Iowa to eliminate any form of liability to Marshall County, now

Therefore, it is hereby resolved that the Chairman of the Board of Supervisors is authorized and directed to execute the assignment of certificates of tax purchases of this real estate upon receipt of \$10.00 assignment of tax sale certificate fee payment.

Motion by Salasek, second by Thompson, to adopt Resolution #2017-0026, Approving the Assignment of Certificate of Purchase at Tax Sale.

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

Bill Patten
Board of Supervisors, Chairman

Attest:

Deanne Raymond
Marshall County
Auditor and Recorder

17. Resolution #2017-0027

Approving the Assignment of Certificate of Purchase at Tax Sale to the Following:

Whereas, the City of Marshalltown, Marshalltown, Iowa, requests to obtain certificate of tax sale #S2289 for the following: Parcel Number 8418-26-484-010, Property Address: 512 E Main Street, Marshalltown, Iowa – with the taxable description of:

MARSHALLTOWN E ½ LOT 11 BLK 7

Whereas, Marshall County therefore avoids the expense of tax redemption procedure, and;

Whereas, the transfer of said certificate of tax purchase to The City of Marshalltown, Iowa, is in the better interest of the County and is in the better interest of the City of Marshalltown, Iowa to eliminate any form of liability to Marshall County, now

Therefore, it is hereby resolved that the Chairman of the Board of Supervisors is authorized and directed to execute the assignment of certificates of tax purchases of this real estate upon receipt of \$10.00 assignment of tax sale certificate fee payment.

Motion by Thompson, second by Salasek, to adopt Resolution #2017-0027, Approving the Assignment of Certificate of Purchase at Tax Sale.

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

Bill Patten
Board of Supervisors, Chairman

Attest:

Deanne Raymond
Marshall County
Auditor and Recorder

18. Resolution #2017-0028

Approving the Assignment of Certificate of Purchase at Tax Sale to the Following:

Whereas, the City of Marshalltown, Marshalltown, Iowa, requests to obtain certificate of tax sale #S2301 for the following: Parcel Number: 8418-25-351-020, Property Address: 612 Bromley Street, Marshalltown, Iowa – with the taxable description of:

WEST LAKES ADD S ½ LOT 6 EX PORTION DESCRIBED AS BEG NE COR OF SAID S ½ OF LOT 6 THENCE S 25' THENCE WLY 60.2 THENCE N 26.5' TO NW COR OF SAID S ½ LOT 6 THENCE E TO POB BLK 2

Whereas, Marshall County therefore avoids the expense of tax redemption procedure, and

Whereas, the transfer of said certificate of tax purchase to The City of Marshalltown, Iowa, is in the better interest of the County and is in the better interest of the City of Marshalltown, Iowa to eliminate any form of liability to Marshall County, now

Therefore, it is hereby resolved that the Chairman of the Board of Supervisors is authorized and directed to execute the assignment of certificates of tax purchases of this real estate upon receipt of \$10.00 assignment of tax sale certificate fee payment.

Motion by Salasek, second by Thompson, to adopt Resolution #2017-0028, Approving the Assignment of Certificate of Purchase at Tax Sale.

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

Bill Patten
Board of Supervisors, Chairman

Attest:

Deanne Raymond
Marshall County
Auditor and Recorder

19. Secondary Roads -FY2017 Iowa DOT Budget Amendment—Discussion and possible action on the approval of the amended FY 2017 Iowa DOT Budget for the Marshall County Secondary Road Department. This amendment is to cause our DOT budget to reflect the same changes that were made with the Marshall County Budget amendment of February 21, 2017.

Motion by Thompson, second by Salasek, to approve the amended FY2017 Iowa DOT Budget for the Marshall County Secondary Road Department.

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

20. Secondary Roads-FY2018 Iowa DOT Budget—Discussion and possible action on the approval of the FY2018 Iowa DOT Budget for the Marshall County Secondary Road Department.

Motion by Salasek, second by Thompson, to approve FY2018 Iowa DOT Budget for the Marshall County Secondary Road Department.

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

21. Secondary Roads-FY2018 Five Year Secondary Roads Construction Program—Discussion and possible action on the approval of the FY2018 Five Year Secondary Roads Construction Program for the Marshall County Secondary Road Department.

Motion by Thompson, second by Salasek, to approve FY2018 Five Year Secondary Roads Construction Program for the Marshall County Secondary Road Department.

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

22. Secondary Roads-Discussion and possible action on policy selling fuel to other departments and governmental entities.

Motion by Thompson, second by Salasek to table this item until Paul Geilenfeldt, County Engineer gathers additional information.

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

23. Secondary Roads- Signage on Marshall County Roads in the State of Iowa—
Discussion item only.

24. Secondary Roads- DOT Agreement for Road Improvements to Hwy 146-Discussion and possible action on an agreement with Iowa DOT. This agreement involves a future Hot Mix Asphalt resurfacing project on Hwy 146 within Marshall County, Iowa.

Motion by Thompson, second by Salasek, to approve this IDOT agreement involving a future resurfacing project on Hwy 146 within Marshall County, IA.

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

25. Secondary Roads- Right of Way Contract—Discussion and possible action on the approval of the Right of Way contract with Sherrie McClanahan. This contract is for the purchase of approximately 0.23 acres of permanent right of way easement for public highway and road purposes. The easement for public highway and road purposes is to land described as follows:

The NW1/2 of the East 70.00' of the West 140.00' & the West 70.00', all of the North 284.28' of the South 858.95' of the Southwest ¼ of the Southwest ¼ of Section 26, Township 85 North Range 20 West of the 5th P.M., in the County of Marshal, State of Iowa.

Motion by Salasek, second by Thompson, to approve the Right of Way contract with Sherrie McClanahan and authorize the Chairman to sign.

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

26. Notice to Public and Bidders Regarding Passenger Elevator Upgrade and Modernization for Marshall County Courthouse Project-The original project completion date has been changed from August 4th, 2017 to September 22, 2017.

27. Public Forum—Residents of Marshall County, IA attended the meeting to discuss the heavy traffic on the one mile stretch of gravel on East Main St Rd. Greg Twedt brought about road concerns. Paul Geilenfeldt, County Engineer is going to place a road counter for a week.

28. Adjournment--The next regular session is April 18, 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, April 13, 2017, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 10:27 a.m.

Bill Patten
Board of Supervisors, Chairman

Attest:

Deanne Raymond
Marshall County
Auditor and Recorder