

**Marshall County Board of Supervisors
Regular Session October 31, 2017 at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, October 31, 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. Years of Service Recognition- Lucas Baedke(Buildings and Grounds Director) – 5 years

Consent Agenda:

3. Approve Minutes--from Regular Session of October 17, 2017

4. File Clerk of District Court Report-9-17

General Supplemental Fund Surcharge-\$822.53

5. Accept Manure Management Plan Update- Triple E Farm, id 58021, annual update received and placed on file with no changes made to the MMP.

6. Accept Manure Management Plan Update- Appelgate G & L Inc., id 59073, annual update received and placed on file with no changes made to the MMP.

7. Accept Sheriff's Quarterly Report-9-17

General Basic – Service Fees \$ 17,683.01

General Basic – Interest Checking \$ 12.98

General Basic – Mileage Fees \$ 3,880.33

8. 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 of October will be published as part of the first meeting in November.

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

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

9. Appointment of County Auditor and Recorder—In accordance with Iowa Code Section 69.14A the Marshall County Board of Supervisors will fill the vacancy created with the resignation of Deanne Raymond, Marshall County Auditor and Recorder, by

appointment. Said appointment will be effective from Tuesday, October 31, 2017, until the official canvass following the next pending election on November 6, 2018 General Election.

Motion by Thompson, second by Salasek, to appoint Nan Benson as Marshall County Auditor and Recorder effective October 31, 2017, until the official canvass of the November 6, 2018 General Election.

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

10. Approve Personnel Action-

a. Appoint **Nan Benson**, Auditor and Recorder, full time, \$61,174.49/yr. effective October 31, 2017.

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

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

b. Hire, **Ken Yeomans**, Sheriff's Office, Courthouse Security, Part time, \$16.38 /hr., effective October 31, 2017.

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

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

11. Resolution No. 2017-0047

**ESTABLISHING THE FAIR MARKET VALUE AND AUTHORIZING THE
ACQUISITION BY EMINENT DOMAIN OF CERTAIN REAL PROPERTY OWNED
BY
MATT SMITH FARMS, INC., LINDA VOSS REVOCABLE TRUST-PAULETTE
BERMUDEZ TRUST, GMG COMMUNITY SCHOOL DISTRICT IN THE
COUNTY OF MARSHALL, IOWA**

Whereas, the County of Marshall intends to acquire a portion of certain real property owned as follows:

- A portion of land owned by Matt Smith Farms, Inc. The parent tract is a rectangular-shaped minimally improved property located along the south side of 170th Street west of Wallace Avenue just west of Green Mountain, Iowa containing 158 taxable acres. Marshall County proposes to purchase 3.90 acres of parent tract as appraised for \$29,000.00.

- A portion of land owned by Linda Voss Revocable Trust – Paulette Bermudez Trust, which the parent tract is a rectangular-shaped minimally improved property located in the southwest corner of 170th Street and Wallace Avenue just west of Green Mountain, IA, tract contains 64.78 taxable acres. Marshall County proposes to purchase 12.60 acres of parent tract as appraised for \$100,800.00.
- A portion of land owned by GMG Community School District of which parent tract is a rectangular-shaped improved property located along the west side of Wallace Avenue just west of Green Mountain, IA. Tract contains 7.00 acres and has frontage along Wallace Avenue, a paved north south-road. Marshall County proposes to purchase .65 acres of parent tract as appraised for \$6,000.00.

All in Marshall County, Iowa for the purpose of creating a wastewater treatment facility; and

Whereas, Iowa law requires that County must make a good faith effort to negotiate with the Owner to purchase the Property before proceeding with condemnation; and

Whereas, County has caused an appraisal of the properties to be made and the appraised values of the properties are \$29,000.00; \$100,800.00, and \$6,000.00

Whereas, the County Board of Supervisors now desires to establish the fair market value of the properties.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF
SUPERVISORS, MARSHALL COUNTY, IOWA:**

1. The fair market value of the Properties are hereby established to be \$29,000.00, \$100,800.00 and \$6,000.00 respectively.
2. The Board of Supervisors hereby authorize commencement of negotiations with the Owner(s) of the Properties and any other interested parties for the purchase of the Properties for a purchase price which is not less than the fair market value established by this Resolution.
3. JCG Land Services, Inc. is hereby authorized to commence proceedings for the acquisition of the Property by eminent domain should negotiations fail.

Passed, approved and adopted this 31st day of October, 2017.

Board of Supervisor, Chairman

Board of Supervisor, Vice Chairman

Board of Supervisor, Member

Attest: _____
Marshall County Auditor and Recorder

Motion by Salasek, second by Thompson, to adopt Resolution #2017-0047,

ESTABLISHING THE FAIR MARKET VALUE AND AUTHORIZING THE
ACQUISITION BY EMINENT DOMAIN OF CERTAIN REAL PROPERTY
OWNED BY MATT SMITH FARMS, INC., LINDA VOSS REVOCABLE TRUST-
PAULETTE BERMUDEZ TRUST, GMG COMMUNITY SCHOOL DISTRICT IN THE
COUNTY OF MARSHALL, IOWA

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

12. Resolution No. 2017-0048

**Abatement of Real Estate Taxes
Resolution #2017-0048**

Whereas, pursuant to Chapter 445.16, Code of Iowa, the County Treasurer has the authority to determine when it is impractical to pursue collection of property taxes through the tax sale or law suit remedies;

Whereas, upon making this determination the County Treasurer shall provide a recommendation of abatement to the Board of Supervisors, and the Board shall abate the following taxes:

512 E Main St, Marshalltown, Iowa, Parcel # 8418-26-484-010 for current and delinquent taxes during the 2013 – 2016 property tax years in the amount of \$2,516, which includes penalty, interest and costs.

108 N 7th Ave, Marshalltown, Iowa, Parcel # 8418-25-354-009 for current and delinquent taxes during the 2014 – 2016 property tax years in the amount of \$2,050, which includes penalty, interest and costs.

612 Bromley St, Marshalltown, Iowa, Parcel # 8418-25-351-020 for current and delinquent taxes during the 2014 – 2016 property tax years in the amount of \$801, which includes penalty, interest and costs.

Parcel # 8417-10-151-001, owner unknown in Green Mountain, Iowa, for current and delinquent taxes during the 2006 – 2013 property tax years in the amount of \$315, which includes penalty, interest and costs.

Parcel # 8418-06-328-002, owner unknown in Albion, Iowa, for current and delinquent taxes during the 2000 – 2013 property tax years in the amount of \$325, which includes penalty, interest and costs.

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 #2017-0048, Abatement of Real Estate Taxes.

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

Bill Patten
Board of Supervisors, Chairman

Attest:

Jarret Heil
Interim Marshall County
Auditor and Recorder

13. Request for Use of Courthouse Square-Holiday Light Display by Noon Optimists
Discussion and possible action to approve the request from the Noon Optimist Club to use the Courthouse square for the holiday light display.

Motion by Salasek, second by Thompson, to approve the use of the courthouse square for a holiday light display by the Noon Optimist Club. The holiday lights will showcase the square each evening from November 17, 2017(Holiday Stroll) through December 31, 2017.

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

14. Official Notice to Agencies Considering Requesting County Funding for Fiscal Year 2017/2018—The Board of Supervisors requires that all funding requests are submitted to the Board of Supervisors by Friday, December 1, 2017, at 4:30 p.m. Applications must be accompanied by documentation to substantiate the request. You may provide documentation of your own or you may request a budget packet from the County Auditor and Recorder's Office.

15. Public Forum— Supervisor Patten announced that improvements to Courthouse Security will include locking the North door of the Courthouse to the public during business hours after the first of the year.

16. Adjournment--The next regular session is November 14, 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, November 9, 2017, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:28 a.m.

Bill Patten
Board of Supervisors, Chairman

Attest:

Jarret Heil
Interim Marshall County
Auditor and Recorder

The Board of Supervisors' calendar can be viewed at: <http://goo.gl/yubHzV>