

**Marshall County Board of Supervisors Regular Session  
March 20, 2018 at 9:00 a.m.**

**MINUTES**

The Board met in regular session on Tuesday, March 20, 2018, at 9:00 a.m. in the Courthouse, meeting room #2, NE corner, 3<sup>rd</sup> 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. Master Matrix-Cory Eldridge Construction Permit Application, Public Hearing, Facility Id #65974—**

At the public hearing, any resident may present objections to or arguments in favor of a construction permit application of an existing permitted animal confinement feeding operation for Cory Eldridge.

There was no written comments, questions, or objections on file in the County Auditor's Office on the construction permit application of an existing animal feeding operation for Cory Eldridge.

Of the 11 individual(s) attending the public hearing, no individual(s) presented oral comments, questions or objections.

Motion by Thompson, second by Salasek to close the hearing at 9:03 a.m.

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

**3. Resolution #2018-0020**

**RESOLUTION-Master Matrix –Cory Eldridge Application for Construction Permit on an existing Animal Confinement Feeding Operation, Facility ID #65974—**The construction permit application of existing animal confinement feeding operation from Cory Eldridge was published in the Marshalltown Times-Republican, Marshalltown, Iowa on March 8, 2018, and the Mid Iowa Enterprise, State Center, Iowa on March 15, 2018 and:

**Board Meeting of  
March 20, 2018**

There was no written comments, questions, or objections on file in the Auditor's Office and 11 individuals attended the public hearing. There was no comment(s), question, or objection at the hearing.

Now, Therefore, Be It Resolved by the Marshall County Board of Supervisors to recommend approval by the Department of Natural Resources on the construction permit application of the existing animal confinement feeding operation from Cory Eldridge.

Dated at Marshalltown, Iowa this 20th day of March, 2018.

Motion by Salasek, second by Thompson to adopt Resolution 2018-0020, Master Matrix – Cory Eldridge Application for Construction Permit on an existing Animal Confinement Feeding Operation, Facility ID #65974.

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

\_\_\_\_\_  
Bill Patten  
Board of Supervisors, Chairman

Attest:

\_\_\_\_\_  
Nan Benson  
Marshall County  
Auditor and Recorder

**Consent Agenda:**

- 4. Approve Minutes**--from Regular Session of March 6, 2018
- 5. Approve Request for Use Mobile Band Shell Rental and Use of Courthouse Grounds**--The Marshalltown National Day of Prayer has requested the use of the Courthouse grounds and the Mobile Band Shell for a National Day of Prayer on Thursday, May 3, 2018 from 9:00 a.m. to 2:00 p.m.
- 6. Accept Annual Manure Management Plan Update**- J.T. Farms East Site, id no. 63208, annual update report received and placed on file with one change made to the MMP: used manure analysis.
- 7. Accept Annual Manure Management Plan Update**- J.T. Farms West Site, id no. 63207, annual update report received and placed on file with no changes made to the MMP.
- 8. Accept Annual Manure Management Plan Update**—Dennis A. Anderson, id no. 62848, annual update received and placed on file with one change to MMP: used manure analysis.
- 9. Accept Annual Manure Management Plan Update**- Aaron Borton, id no. 65862

**Board Meeting of  
March 20, 2018**

annual update received and placed on file with one change to MMP: used manure analysis.

**10. Accept Annual Manure Management Plan Update-** -Bill Havelka Section 10, id no. 62692, annual update report received and placed on file with one change to MMP: used manure analysis.

**11. Accept Annual Manure Management Plan Update-** Breeze Hill Farms, LLC, id no. 65770, annual update report received and placed on file with the following changes made to the MMP: changed crop rotation and using manure analysis for determining application rates when applying manure.

**12. File Clerk of District Court Report-** 2-18

General Supplemental Surcharge-\$922.14

**13. 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 March will be published as part of the first meeting in April.

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   |

**Approve Personnel Actions:**

**a.** Change of Status, **Doug Bausman**, Sheriff's Office, Courthouse Security, Change of Status from part-time to part-time as needed effective 3-26-18.

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, **Todd Michael Parrish**, Sheriff's Office, Courthouse Security, part time, rate of pay \$16.38/hr., effective 3-21-18.

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

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

**c.** Hire, **Michele Janes**, Treasurer's Office, Universal Clerk, fulltime, rate of pay \$15.50/hr., effective 4-2-18.

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

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

- 14. Approve Request for Use of the Mobile Band Shell and the Courthouse Grounds-** A request from the Marshalltown Arts Festival (formerly named Linn Creek Arts Festival) for use of the Mobile Band Shell and Courthouse grounds on Saturday, July 21, 2018 for activities in conjunction with the art festival.

Motion by Thompson, second by Salasek, to approve use of the Mobile Band Shell and Courthouse grounds for the Marshalltown Arts Festival on Saturday, July 21, 2018 from 10:00 a.m. to 5:00 p.m.

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

**15. Resolution #2018-0021**

**2018 Marshall County Noxious Weed Control Plan  
Resolution #2018-0021**

Whereas, noxious weeds can reduce crop yields by competing for light, water, and soil nutrients; decrease crop value and market ability; serve as hosts for certain economic insects and disease pathogens; directly affect human and animal health; and detract from the aesthetic value of real property, and

Whereas, In accordance with the Iowa Weed Law, landowners and persons in possession or control of any Marshall County lands, rural or urban, should destroy noxious weeds before they bloom or reach their maturity. They can be destroyed by cutting, burning or chemical treatment and;

Whereas, the Code of Iowa provides that if the owner or persons in control of lands fail to comply, the county weed commissioner can order the noxious weeds destroyed and the cost of such will be assessed against the landowner.

Whereas, the Marshall County Board of Supervisors desires to implement an effective noxious weed control program for the 2018 growing season in Marshall County

**Board Meeting of  
March 20, 2018**

Now, Therefore, Be It Resolved, that the following shall constitute the 2018 Marshall County Noxious Weed Control Program;

The following noxious weeds must be destroyed before going to seed and as often as necessary thereafter to prevent seed production:

**Curly (Sour) Dock, Hoary Cress, Leafy Spurge, Perennial Peppergrass, Red (Sheep) Sorrel, Smooth (Pale) Dock, Quackgrass, Buckthorn, Musk Thistle, Buckhorn Plantain, Russian Knapweed, Canadian Thistle, Shattercane and Wild Mustard, Field Bindweed, Poison Hemlock, Wild Carrot, Bull Thistle, Cocklebur, Horse (Bull) Nettle, Perennial Sowthistle, Puncturevine, Tall Thistle, Teasel, Velvetleaf (butterprint), Wild Sunflower and Multiflora Rose.**

The Code of Iowa provides that if the owner or persons in control of lands fail to comply, the county weed commissioner can order the noxious weeds destroyed and the cost of such will be assessed against the landowner.

Persons interested in working for the weed commissioner on a contract basis to mow weeds should submit a bid on an hourly basis, along with information on equipment available and references to the Weed Commissioner, Courthouse.

Marshall County will conduct a roadside weed management spraying program again this year. The county will blanket spray for thistles, wild carrot and wild mustard specifically, and other noxious weeds found in high concentrations generally in the roadsides and areas of county ownership over eight townships in the **West** half of the County in mid to late May or early to mid-June.

In mid to late August the county will conduct a spot spray program in the **East** half of the county for all thistle varieties as well as poison hemlock, wild carrot and wild mustard specifically, and other noxious weeds found in high concentrations generally in the roadsides and areas of the county owned by the county. The county will also conduct a separate spray program on areas of dense populations of Leafy Spurge in selected areas ~~along Summit St. Rd. and Sand Rd.~~ in Marshall County.

Any person seeking to have their land exempted from the county spray program may ask the county to skip their property. This requires filing a proper description with the county which will be placed on the County "Do Not Spray" map. This also requires placement of the County "Do Not Spray" placards at each end of the area not to be sprayed. There is a fee of \$10.00 per area requested to not be sprayed.

Be It Further Resolved that this 2018 Noxious Weed Control Program shall become effective upon its adoption by the Marshall County Board of Supervisors.

**Board Meeting of  
March 20, 2018**

Dated this 20th day of March, 2018, Marshall County, IA.

Motion by Thompson, second by Salasek, to adopt Resolution #2018-0021,  
2018 Marshall County Noxious Weed Control Plan.

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

|                                                        |         |                                                                |
|--------------------------------------------------------|---------|----------------------------------------------------------------|
| _____<br>Bill Patten<br>Board of Supervisors, Chairman | Attest: | _____<br>Nan Benson<br>Marshall County<br>Auditor and Recorder |
|--------------------------------------------------------|---------|----------------------------------------------------------------|

**16. Secondary Roads -FY2018 Iowa DOT Budget Amendment**—Discussion and possible action on the approval of the amended FY 2018 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 20, 2018.

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

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

**17. Request for Subdivision Variance from Craig E. & Rachel J. McKibbin, SV 18-02**  
Discussion and possible action on a request from Craig E. & Rachel J. McKibbin for property legally described as:

**Parcel “B” located in the Southwest Quarter of the Northwest Quarter, the Southeast Quarter of the Northwest Quarter, the Southeast Quarter of the Northwest Quarter, the Southwest Quarter of the Northeast Quarter, the Southeast Quarter of the Northeast Quarter, the Northwest Quarter of the Southwest Quarter, the Northeast Quarter of the Southwest, the Northeast of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter Section 17, and in the Southwest Quarter of the Northwest Quarter Section 16, all in Township 82 North, Range 20 West of the 5<sup>th</sup> P.M., Marshall County, Iowa as shown in Plat of Survey recorded on April 15, 2011 in Document No. 2011-00002089.**

Motion by Thompson, second by Salasek, to approve the subdivision variance to Article III, Section 3 of the Platting and Subdivision Ordinance and allow a plat of survey to be filed in lieu of a subdivision. The property involved is: Parcel “B” located in the Southwest Quarter of

**Board Meeting of  
March 20, 2018**

the Northwest Quarter, the Southeast Quarter of the Northwest Quarter, the Southeast Quarter of the Northwest Quarter, the Southwest Quarter of the Northeast Quarter, the Southeast Quarter of the Northeast Quarter, the Northwest Quarter of the Southwest Quarter, the Northeast Quarter of the Southwest, the Northeast of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter Section 17, and in the Southwest Quarter of the Northwest Quarter Section 16, all in Township 82 North, Range 20 West of the 5<sup>th</sup> P.M., Marshall County, Iowa as shown in Plat of Survey recorded on April 15, 2011 in Document No. 2011-00002089.

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

**18. GMG Community School District Easement Purchase Agreement-**Discussion and possible action to accept and countersign the Easement Purchase Agreement with GMG Community School District in the amount of \$6,500.00.

Motion by Salasek, second by Thompson, to approve the Purchase Agreement with GMG Community School District in the amount of \$6,500.

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

**19. Condemnation Process for the Green Mountain Sewer Lagoon Project-** Discussion and possible action to approve moving forward with applications for condemnation regarding Matt Smith Farms, Inc. consisting of 3.90 acres at the appraised value of \$29,000.00, and the Linda Voss Revocable Trust (5/6) and Paulette Bermudez Trust parcel (1/6) consisting of 12.60 acres at the appraised value of \$100,800.00, to acquire the needed property for the Green Mountain Sewer Lagoon project.

Motion by Thompson, second by Salasek, to approve this request. Condemnation hearings are to be held at the earliest possible date.

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

**20. Public Forum**—Nan Benson, County Auditor and Recorder, announced the new 4<sup>th</sup> ward precinct location will be at Redeemer Lutheran Church and 4,000 cards will be mailed to residents to inform them. Jarret Heil, announced property taxes are due 4/2/18 since 3/31/18 is a Saturday. Dave Thompson, Vice Chairman, thanked Deputy Hungerford for doing a good job.

**Board Meeting of  
March 20, 2018**

**21. Adjournment**--The next regular session is April 3, 2018, 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, March 29, 2018, 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:

\_\_\_\_\_  
Nan Benson  
Marshall County  
Auditor and Recorder

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