

**Marshall County Board of Supervisors Regular Session
April 3, 2018 at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, April 3, 2018, 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:	Salasek-Aye	Patten-Aye	Thompson-Aye
	Member	Chairman	Vice Chairman

B.O.S. Moved items #19 and #20 to items #2 and #3 with Ahlers Cooney Attorney Maria Brownell on the phone.

- 2. Approve Engagement Letter from Ahlers Cooney Attorneys-**Discussion and possible action to approve an engagement letter from Maria Brownell, Ahlers Cooney Attorney, to advise and assist in the acquisition of property (by exercise of eminent domain through formal condemnation proceedings.) This engagement letter begins the work on the acquisition of agricultural property necessary to construct the County's sewer lagoon in Green Mountain, Iowa.

Motion by Salasek, second by Thompson, to approve the Engagement Letter from Maria Brownell, Ahlers Cooney Attorney, to begin work on the acquisition of agricultural property necessary to construct the County's sewer lagoon in Green Mountain, Iowa.

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

3. Resolution #2018-0022

**RESOLUTION FIXING DATE FOR PUBLIC HEARING PRIOR TO PROJECT
APPROVAL TO CONSIDER A PUBLIC IMPROVEMENT PROJECT WHICH MAY
REQUIRE ACQUISITION OF AGRICULTURAL LAND**

Resolution #2018-0022

WHEREAS, Chapter 6B, Code of Iowa, requires a governmental body which proposes to acquire agricultural land under power of eminent domain for a public improvement project to

hold a public hearing prior to project approval at which interested parties may express their views regarding the project and regarding the proposed acquisition of property, and

WHEREAS, Marshall County, Iowa has before it consideration of a public improvement project which may require acquisition of agricultural land, and,

WHEREAS, with respect to said public improvement project, Marshall County, Iowa has not made a decision to fund any final site-specific design nor has it selected a final route or location,

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

Section 1. That the Board of Supervisors of Marshall County, Iowa shall conduct a public hearing at the Marshall County Courthouse, meeting room number 2, NE Corner, 3rd Floor, located at 1 E. Main St., Marshalltown, IA 50158 at 9:00 A.M. on May 15, 2018, for the purpose of receiving comments from members of the public and any person with an interest in real estate which may be acquired on the question of whether to proceed with the following described project and authorize the use of powers of eminent domain in connection therewith, to wit:

Construction of the Green Mountain Wastewater Treatment Facility Project, consisting of a three cell public sewage lagoon and necessary facilities, sewer mains, and all ancillary uses including required buffer and access areas, for the purpose of providing a wastewater treatment system capable of serving the unincorporated community of Green Mountain, Iowa. The project area consists of approximately 16.53 acres situated directly west of the Green Mountain baseball field located on Wallace Ave. in Green Mountain, Marshall County, Iowa

Section 2. The County Director of Planning & Zoning, Public Environmental Health & Weed Commissioner ("Director"), or his designee, is hereby directed to mail notice of said hearing to the record owners and contract purchasers of record who may have an interest in real estate which may be acquired for the project at least thirty days prior to hearing, and not more than fourteen nor less than seven days prior to mailing said notice to search the records of the Marshall County Auditor to ascertain the names of the owners of record and contract purchasers. The Director or his designee is also hereby directed to publish notice as required by law not less than four nor more than twenty days prior to the date set for hearing.

Section 3. The notices hereby ordered shall be in substantially the form attached hereto.

Dated this 3rd day of April, 2018.

Motion by Thompson, second by Salasek, to adopt Resolution #2018-0022,
Fixing Date for Public Hearing Prior To Project Approval to Consider a Public Improvement
Project Which May Require Acquisition of Agricultural Land

Roll call vote:	Salasek-Aye	Patten-Aye	Thompson-Aye
	Member	Chairman	Vice 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 20, 2018
- 5. Accept Annual Manure Management Plan Update-** Bangor, Finisher Farm, id no. 59034, annual update report received and placed on file with the following changes made to the MMP: added acres, changed crop rotation or optimum yields and used manure analysis.
- 6. Accept Annual Manure Management Plan Update-** Eggers Farm, id no. 56995, annual update report received and placed on file with no changes to the MMP
- 7. Accept Annual Manure Management Plan Update-** Kevin Blood Dairy Farm, id no. 60101, annual update report received and placed on file with no changes to the MMP.
- 8. Accept Annual Manure Management Plan Update-** Edler Brothers Farm, id no. 58296, annual update report received and placed on file with no changes to the MMP.
- 9. Accept Annual Manure Management Plan Update-** Bill Havelka, Site 3, id no. 64515, annual update report received and placed on file with the following change to the MMP: 4 year update
- 10. Accept Annual Manure Management Plan Update-** Dennis Anderson id no. 62848, annual update report received and placed on file with the following change to the MMP: 4 year update.
- 11. Accept Annual Manure Management Plan Update** -Marco Pork LP, id no. 61016, annual update report received and placed on file with no changes to the MMP.
- 12. Approve Public Event Held on County Property**—FARST Foundation & Full Tilt Riders MC and Phi Beta Sigma requests permission to use the Courthouse grounds on **Saturday, May 26, 2018** from 7-11 a.m. The walk will begin and end at the Courthouse. Proceeds from sponsored walkers in the event will benefit Assault Care Center Extending Shelter & Support (A.C.C.E.S.S) serving Boone, Green, Marshall, Story and Tama Counties. A motorcycle ride will begin on the south side of the Courthouse and proceeds will benefit the National Multiple Sclerosis Foundation.
- 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 April will be published as part of the first meeting in May.

Motion by Salasek, second by Thompson, to approve the consent agenda as amended by adding Saturday, May 26, 2018 to item #12.

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

14. Request the Use of Courthouse Grounds-Child Abuse Prevention Services

Jana Enfeld and Emma Chase, Director of Community Awareness for Child Abuse Prevention, is requesting the use of the Courthouse grounds and electricity to have a “kick-off” rally to raise awareness throughout our community about the importance of preventing abuse. They are requesting to place two wooden “Blue Kids” figures on the Courthouse lawn in the Northeast and Southwest corners.

Motion by Thompson, second by Salasek, to approve the request to hold a “kick-off” rally on Friday, April 20, 2018 from 12:15-12:45 p.m. on the Courthouse grounds to bring awareness to the community about the importance of preventing child abuse. If raining, the rally will be held in the Rotunda on the 2nd floor of the Courthouse.

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

15. Warrants Outstanding for Over One Year - Pursuant to Section 331.554(7), Code of Iowa, warrants outstanding for more than one year shall be canceled by the auditor and the amount of the warrants shall be credited to the fund upon which the warrants were drawn. Said warrants are as follows:

<u>Warrant</u>	<u>Fund</u>	<u>Name</u>	<u>Amount</u>	<u>Issued</u>
252279	General Supplemental	Linsey Slifer	24.75	2/21/2017

Motion by Salasek, second by Thompson, to authorize the County Auditor and Recorder to cancel these warrants.

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

16. Set Time and Place for Public Hearing on Proposed Vacation of a Portion of 110th Street, Bangor Township, Petition #844 –The Marshall County Board of Supervisors is in receipt of a petition requesting that a portion of 110th Street in Bangor Township, Marshall County, IA be vacated. The residents are requesting this vacation because this right of way is not being used for a roadway and retaining it serves no public purpose. The County Engineer is in support of this vacation as well. Please note: half of this proposed vacation is in Liberty Township. The proposed portion of vacated road is described as:

All of 110th Street between the East Right-of-Way line of Fredrick Avenue in Section 01, Township 85 North, Range 20 West of the 5th PM and the West Right-of-Way line of Glick Avenue in Section 06, Township 85, Range 19 West

of the 5th PM., all in Marshall County, IA.

Motion by Salasek, second by Thompson, to set May 1, 2018 at 9:00 a.m. in meeting room #2, 3rd floor, northeast corner of the courthouse as the date and time for a public hearing to consider closing a portion of 110th St in Bangor Township, Marshall County, IA.

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

17. Set Time and Place for Public Hearing on Proposed Vacation of a Portion of 277th Street, State Center Township, Petition #845 –The Marshall County Board of Supervisors is in receipt of a petition requesting that a portion of 277th Street in State Center Township, Marshall County, IA be vacated. The residents are trying to prevent illegal dumping and other potentially illegal activities that they believe may be occurring on their property. The County Engineer supports this vacation because this section of 277th St. is a dead end and the petitioners are the only residents served by the roadway that is proposed to be vacated. The proposed portion of vacated road is described as:

All that part of 277th Street located within the NW ¼ of the SW ¼ and in the NE ¼ of the SW ¼ of Section 32, Township 83 North, Range 20 West of the 5th PM., all in Marshall County, IA, lying east of the East line of Lot 4 of North subdivision.

Motion by Thompson, second by Salasek, to set May 1, 2018 at 9:00 a.m. in meeting room #2, 3rd floor, northeast corner of the courthouse as the date and time for a public hearing to consider closing a portion of 277th St in State Center Township, Marshall County, IA.

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

18. Secondary Roads-FY2019 Iowa DOT Budget—Discussion and possible action on the approval of the FY2019 Iowa DOT Budget for the Marshall County Secondary Road Department.

Motion by Salasek, second by Thompson, to approve FY2019 Iowa DOT Budget for the Marshall County Secondary Road Department.

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

19. Secondary Roads-FY2019 Five Year Secondary Roads Construction Program—Discussion and possible action on the approval of the FY2019 Five Year Secondary Roads Construction Program for the Marshall County Secondary Road Department.

Motion by Thompson, second by Salasek, to approve FY2019 Five Year Secondary Roads Construction Program for the Marshall County Secondary Road Department.

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

20. Marshall County Actuarial Services—Discussion and possible action on an Actuarial Services Agreement by and between Silverstone Group, Inc. and Marshall County continuing through December 31, 2018, for compliance with Government Accounting Standards Board (GASB) Statement 75.

Motion by Salasek, second by Thompson, to approve the agreement between Marshall County, Iowa and Silverstone Group, Inc.

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

21. Resolution #2018-0023

**Deputy Sheriff Positions
Resolution #2018-0023**

Whereas, it is by the request of the Marshall County Sheriff to increase the deputy sheriff positions from 19 positions to 20 positions, and:

Whereas increasing the deputy sheriff position by one position will allow for training purposes prior to vacancies created by announced retirement or separations of employment

Now Therefore be it Resolved, by the Marshall County Board of Supervisors, to authorize an increase in deputy sheriff positions from 19 to 20, effective April 3, 2018.

Dated this 3rd day of April, 2018.

Motion by Thompson, second by Salasek, to adopt Resolution #2018-0023, Deputy Sheriff Positions.

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

Bill Patten
Board of Supervisors, Chairman

Attest:

Nan Benson
Marshall County
Auditor and Recorder

22. Public Forum— County Engineer, Paul Geilenfeldt mentioned sewer repairs are not going well and it may require a sewer replacement. No estimate at this point. Some of the lines are close to fueling lines. We will need to hire the work done.

23. Adjournment--The next regular session is April 17, 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, April 12, 2018, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 10:06 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>