

**Marshall County Board of Supervisors Regular Session
May 1, 2018 at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, May 1, 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~~ amended by adding Joel Damman to item #14 for clarification purposes.

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

2. Years of Service Recognition- Luke Hansen(County Attorney's Office) – 5 years, Kyle Kirk(County Attorney's Office) – 5 years

3. Proposed Vacation of a Portion of 110th St., Bangor and Liberty Township, Marshall County, IA (Petition #844)-Public Hearing

There were 25 interested persons present for the public hearing on proposed vacation of the following:

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.

Notice of this public hearing was published in the Marshalltown Times-Republican on April 19, 2018 and in the Mid Iowa Enterprise newspaper on April 19, 2018.

Notices of this hearing were sent to the following by certified mail: Margaret Johnson, Dale and Corinne Martin, Stephen Jessup, Barbara Fiscus, Gregg Durbin, Local Systems Engineer, IDOT, Grundy County, IA REC, Midland Power Coop, Heart of Iowa Communications, Consumers Energy Coop and Interstate Power and Light Co.

There were no individuals presenting written comments, there were no questions or objections on file in the County Auditor's office and the Board of Supervisors' office and 25 individual(s) presented oral comments at the hearing.

Motion by Thompson, second by Salasek to close the hearing at 9:09 a.m.

No action can be taken at this time since claims for damages can be filed until 4:30p.m.on this date. A decision will be made at the Board of Supervisors' Regular Session on May 15, 2018.

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
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4. Proposed Vacation of a Portion of 277th Street, State Center Township, Marshall County, IA (Petition #845)-Public Hearing

There were 25 interested persons present for the public hearing on the proposed vacation of the following:

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.

Notice of this public hearing was published in the Marshalltown Times-Republican on April 19, 2018 and in the Mid Iowa Enterprise newspaper on April 19, 2018.

Notices of this hearing were sent to the following by certified mail: Matt and Linn Steward, Cory and Shannon Eldridge, Gregg Durbin, Local Systems Engineer, IDOT, Qwest Corp/Century Link, Northern Natural Gas, State Center Municipal Utilities, US Sprint, McLeod USA, ITC Midwest, Union Pacific Railroad, Consumers Energy Coop and Interstate Power and Light Co.

There were no individuals presenting written comments, there were no questions or objections on file in the County Auditor's office and the Board of Supervisors' office and no individual(s) presented oral comments at the hearing.

Motion by Salasek, second by Thompson to close the hearing at 9:14 a.m.
No action can be taken at this time since claims for damages can be filed until 4:30 p.m. on this date. A decision will be made at the Board of Supervisors' Regular Session on May 15, 2018.

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

5. Master Matrix-LTA Farms, LLC, Hog Heaven Finisher Farm Site, Construction Permit Application, Public Hearing—

At the public hearing, any resident may present objections to or arguments in favor of a construction permit application for an animal confinement feeding operation for LTA Farms, LLC, Hog Heaven Finisher Farm Site, facility id no. 70146, located in Section 20, Logan Township.

The type of proposed confinement feeding operation structure: Two new 2500 head deep pit swine finisher confinement buildings for a new swine confinement facility. Animal Unit Capacity of the Operation: 2000 animal units (5000 head of swine finishers).

There was no written comments, questions, or objections on file in the County Auditor's Office on the construction permit application of an animal confinement feeding operation for LTA Farms, LLC, Hog Heaven Finisher Farm Site.

Of the 25 individual(s) attending the public hearing, 3 individual(s) presented oral comments, questions or objections.

Motion by Thompson, second by Salasek to close the hearing at 9:23 a.m.

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

6. Resolution #2018-0024

RESOLUTION-Master Matrix –LTA Farms, LLC, Hog Heaven Finisher Farm Site, Application for Construction Permit for an Animal Confinement Feeding Operation, Facility ID #70146—The construction permit application for an animal confinement feeding operation from LTA Farms, LLC was published in the Marshalltown Times-Republican, Marshalltown, Iowa on April 20, 2018, and the Mid Iowa Enterprise, State Center, Iowa on April 26, 2018 and:

There was 1 written comment, questions, or objections ~~on file in the Auditor's Office~~ presented at today's meeting and 25 individuals attended the public hearing. There was 3 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

an animal confinement feeding operation from LTA Farms, LLC, Hog Heaven Finisher Farm Site.

Dated at Marshalltown, Iowa this 1st day of May, 2018.

Motion by Salasek, second by Thompson, to adopt Resolution 2018-0024, Master Matrix – LTA Farms, LLC Application for Construction Permit for an animal confinement feeding operation, Facility ID #70146, located in Section 20, Logan Township, Marshall County, IA.

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
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Consent Agenda:

7. Approve Minutes--from Regular Session of April 17, 2018

8. Accept Annual Manure Management Plan Update- Keno Farms VIII, LLC, id no. 59034, annual update report received and placed on file with the following changes made to the MMP: acres added, changed crop rotation or optimum yields and used manure analysis.

9. Accept Sheriff's Quarterly Report-3-18

General Basic – Service Fees	\$ 18, 347.59
General Basic – Interest Checking	\$ 11.92
General Basic – Mileage Fees	\$ 3,384.80

10. 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 May will be published as part of the first meeting in June.

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

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

11. Approve Personnel Actions:

- a. Hire, **Nichol Jones**, Conservation (MCCB), temporary seasonal, rate of pay \$10.00/hr. effective May 7, 2018.

Motion by Thompson, second by Salasek, to approve personnel hire, Nichol Jones, Conservation(MCCB), temporary seasonal, rate of pay \$10.00/hr., effective May 8, 2018.

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

- b. Hire, **Julie Stahl**, Conservation (MCCB), temporary seasonal, rate of pay \$10.00/hr. effective May 7, 2018.

Motion by Salasek, second by Thompson, to approve personnel hire, Julie Stahl, Conservation(MCCB), temporary seasonal, rate of pay \$10.00/hr., effective May 8, 2018.

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

- c. Change of Status and Change Rate of Pay, **Brian Deeter**, Secondary Road Dept., Fulltime, change of status from Truck Driver 3 to Patrolman 2, change rate of pay from \$24.92/hr. to \$25.00/hr., effective June 5, 2018.

Motion by Thompson, second by Salasek, to approve the Change of Status and Change Rate of Pay, **Brian Deeter**, Secondary Road, Fulltime, change of status from Truck Driver 3 to Patrolman 2, change rate of pay from \$24.92/hr. to \$25.00/hr., effective June 5, 2018.

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

12. Request Use of the Courthouse Grounds - The Marshalltown Football League respectfully requests the use of Mobile Band Shell for a fundraiser event “Kidney for Mikki” to be held at the American Legion on Saturday, May 12, 2018 from 12-7 p.m.

Motion by Salasek, second by Thompson, to approve this request from the Marshalltown Football League respectfully requests the use of Mobile Band Shell for a fundraiser event called “Kidney for Mikki” to be held at the American Legion on Saturday, May 12, 2018 from 12-7 p.m.

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

13. Request Use of the Courthouse Grounds- Sports Plus Sports Medicine and Physical Therapy requests the use of the Courthouse grounds effective May 14, 2018 - May 14, 2019 for clients to access the Courthouse grounds on occasion for physical wellness activities associated with treatment therapy.

Motion by Thompson, second by Salasek, to approve this request from Sports Plus Sports Medicine and Physical Therapy for the use of the Courthouse grounds effective May 14, 2018 - May 14, 2019 for clients to access the grounds on occasion for physical wellness activities associated with treatment therapy. A Certificate of Liability Insurance naming Marshall County as additional insured has been received from Sports Plus Sports Medicine and Physical Therapy effective May 14, 2018-May 14, 2019.

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

14. Submitted to Local Authority-A request from Tap this Concession and Backpocket Brewery for the sale of beer and food located at: Joel Damman, 3291 Hart Ave., Melbourne, Marshall County, IA (Owner), on the July 25, 2018- RAGBRAI stop. A signed Property Usage and Release Agreement has been received and placed on file. “Tap this Concession” and “Backpocket Brewery”, (“Operators”) are required to maintain standard liquor liability and Dram Shop insurance to protect Owner and Operator against any damages or negligence. The license is effective July 24, 2018 through July 25, 2018.

Motion by Salasek, second by Thompson, to approve the sale of beer and food at: Joel Damman, 3291 Hart Ave., Melbourne, Marshall County, IA (Owner) July 24 - 25, 2018 during the RAGBRAI stop by Tap this Concession and Backpack Brewery (Operators).

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

15. Changing Room Numbers on 3rd Floor Meeting Rooms-Effective Wednesday morning May 2, 2018 the two meeting rooms on the 3rd floor of the Courthouse will be renumbered. Meeting room no. 2 will now be labeled meeting room no.1. Meeting room no.1 will now be labeled meeting room no 2. Please be aware of these number changes when scheduling and/or attending future meetings in these rooms.

16. Setting the Date and Time for a Public Hearing - To set the date and time for a public hearing on Tuesday, May 15, 2018 at 9:00 a.m. in Marshall County Courthouse for a Confinement Feeding Operation Construction Permit Application for Jared Whitaker Site, id no. 70163.

Motion by Salasek, second by Thompson, to set the date and time for a public hearing on Tuesday, May 15, 2018 at 9:00 a.m. in Marshall County Courthouse, 3rd floor, meeting room #1(previously labeled meeting room #2) for a Confinement Feeding Operation Construction Permit Application from Jared Whitaker Site, id no. 70163.

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

17. Setting the Date and Time for a Public Hearing - To set the date and time for a public hearing on Tuesday, May 15, 2018 at 9:00 a.m. at the Marshall County Courthouse, 1 East Main St., Marshalltown, IA, 3rd floor, meeting room #1(previously meeting room #2), NE corner for the Green Mountain Wastewater Treatment Facility Project.

Motion by Thompson, second by Salasek to set Tuesday, May 15th, 2018 at 9:00 a.m. for the Green Mountain Wastewater Treatment Facility Project public hearing Marshall County Courthouse, 1 East Main St, Marshalltown, Iowa, 3rd floor, meeting room #1(previously labeled meeting room #2), NE corner.

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

18. Discussion of Personnel Policy Topics- To provide recommendation to the Personnel Policy Committee

19. Targeted Case Management Lease-Discussion and possible action to approve renewal of Targeted Case Management lease.

Motion by Salasek, second by Thompson, to approve the renewal of Targeted Case Management Lease.

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

20. Resolution #2018-0025

**Speed Limit on Underwood Ave. in Green Castle Township
Resolution #2018-0025**

WHEREAS, The Board of Supervisors is empowered under authority of Sections 321.255 and 321.285, Subsection 4 of the Code of Iowa to determine, upon the basis of an engineering and traffic investigation, that the speed limit on any secondary road is greater than is reasonable and proper under the conditions existing, and may determine and declare a reasonable and proper speed limit, and

WHEREAS, Such investigation has been completed in accordance with the 2009 Edition of the Manual on Uniform Traffic Control Devices, Section 2B-13, and the County Engineer has recommended a speed limit of 35 miles per hour.

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that speed limits be established and appropriate signs erected at the locations described as follows:

Underwood Ave from the intersection with 290th St., South to the intersection with Green Castle Road, in Section 7, T-82N, R-17W, Green Castle Township. The established speed limit shall be 35 mph.

Motion by Thompson, second by Salasek, to adopt Resolution #2018-0025, speed limit on Underwood Ave. in Green Castle Township.

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

Passed and approved this 1st day of May, 2018.

BOARD OF SUPERVISORS
Marshall County, Iowa

ATTEST: _____
Nan Benson
Auditor and Recorder

21. Resolution #2018-0026

**Speed Limit on North Center Street in Marshalltown, Iowa
Resolution #2018-0026**

WHEREAS, The Board of Supervisors is empowered under authority of Sections 321.255 and 321.285, Subsection 4 of the Code of Iowa to determine, upon the basis of an engineering and traffic investigation, that the speed limit on any secondary road is greater than is reasonable and proper under the conditions existing, and may determine and declare a reasonable and proper speed limit, and

WHEREAS, Such investigation has been completed in accordance with the 2009 Edition of the Manual on Uniform Traffic Control Devices, Section 2B-13, and the County Engineer has recommended a speed limit of 35 miles per hour.

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that speed limits be established and appropriate signs erected at the locations described as follows:

North Center Street from the Marshalltown corporate limits, 2,600 feet northwest, in sections 22, 23 and 26, T-84N, R-18W, Taylor Township. The established speed limit shall be 35 mph.

Motion by Salasek, second by Thompson, to adopt Resolution #2018-0026, Speed Limit on North Center Street in Marshalltown, IA.

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

Passed and Approved this 1st day of May, 2018.

BOARD OF SUPERVISORS
Marshall County, Iowa

ATTEST: _____
Nan Benson
Auditor and Recorder

22. Application of Dust Control on Dillon Road- Discussion on the application of dust control on the 2 miles of Dillon Rd. between 270th and 290th St.

23. Marshall County Employee Health and Prescription Drug Benefit Plan and Marshall County Employee Dental Benefit Plan—Discussion and possible action on setting the monthly rates for FY19.

Health and Prescription Drug Benefit Plan:

Single \$812.00

Employee plus one \$1,306.70

Family \$1,745.84

Dental Benefit Plan:

Single \$36.50

Employee plus one \$73.00

Family \$83.50

Motion by Thompson, second by Salasek, to approve the monthly rates for FY19 as set out above.

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

24. Non-Union Employee Monthly Contribution Rates for Health Insurance for FY19-

Discussion and possible action on setting non-union employee contribution rates for FY19.

7-1-18 BLA recommendation.

	Employee		Employer		Employer + Employee Total	
	Monthly Rate	Annual Contribution	Monthly Rate	Annual Contribution	Monthly Rate	Annual Contribution
Single (Currently (\$5.88/mo.)	\$5.88	\$4,586.40 (65 employees)	\$806.12	\$628,773.60 (65 employees)	\$812.00	\$633,360.00
Employee + 1 dependent (Currently (\$44.62/mo.)	\$44.62	\$17,134.08 (32 employees)	\$1,262.08	\$484,638.72 (32 employees)	1,306.70	\$501,772.80
Employee + 2 or more dependents (Currently (\$70.86/mo.)	\$70.86	\$41,665.68 (49 employees)	\$1,674.98	\$984,888.24 (49 employees)	\$1,745.84	\$1,026,553.92
		\$63,386.16		\$2,098,300.5		\$2,161,686.72

Motion by Salasek, second by Thompson to approve the non-union employee contribution rates for Health Insurance for FY19 as set out above.

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

25. Secondary Roads—Award of Contract for Project FM-C064 (127)—55-64—

Discussion and possible action on to award of the contract with Manatt's Inc. of Brooklyn,

IA. This project consists of HMA Resurfacing on E41/235th St from east City limits of State center, east 9 miles to IA Hwy 330. This project is funded with Farm to Market Funds. This project was let at the D.O.T. in Ames, Iowa on April 17, 2018.

Motion by Thompson, second by Salasek to award this contract to Manatt's Inc. of Brooklyn, IA in the amount of \$2,085,605.30 and authorize the Chairman to sign the contracts and bond after submittal of approved documents.

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

26. Resolution #2018-0027

**Approving the Assignment of Certificate of Purchase at Tax Sale to the Following:
Resolution #2018-0027**

Whereas, the City of Marshalltown, Marshalltown, Iowa, requests to obtain certificate of tax sale #2016 S301 for the following:

Parcel Number 8418-35-428-011, Property Address: 401 ½ May Street, Marshalltown, Iowa – with the taxable description of:

ANSON'S 4TH SUB E ½ LOT 6 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 to eliminate any form of liability to Marshall County.

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 #2018-0027, Resolution Approving the Assignment of Certificate of Purchase at Tax Sale to the parcels listed.

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

27. Public Forum—No public comments.

28. Adjournment--The next regular session is May 15, 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, May 10, 2018, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 11:10 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>