

**Marshall County Board of Supervisors Regular Session
August 21, 2018 at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, August 21, 2018, at 9:00 a.m. in the Great Western Bank Building, 11 N. 1st Ave. (North Entrance), 2nd floor, NW corner of the building, Board of Supervisors' meeting room, 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:	Thompson-Aye	Salasek-Aye	Patten-Aye
	Vice Chairman	Member	Chairman

- 2. Years of Service Recognition-** Jeremiah Manken(Marshall County Conservation Board) – 10 years, Jerry Overstake(Sheriff's Office) – 5 years

Consent Agenda:

- 3. Approve Minutes--**from Regular Session of August 7, 2018.

4. File Clerk of District Court Report-7-18

General Supplemental Fund Surcharge-\$670.33

- 5. Accept Annual Manure Management Plan Annual Update-** Edler Brothers, id no. 59367, Nuese Site, manure management plan received and placed on file. No changes to MMP. P-Index added.

- 6. Accept Annual Manure Management Plan Annual Update-** Norman Pork LLC, id no. 64799, manure management plan received and placed on file. No changes to MMP

- 7. Accept Annual Manure Management Plan Annual Update-** Timber Creek Pork, Troy Hibbs, id no. 58019, manure management plan received and placed on file. No changes to MMP.

- 8. Accept Annual Manure Management Plan Annual Update-** Burt Farm and Livestock Co. – Seminole Site, id no.65507, manure management plan received and placed on file with the following changes to MMP: acres added.

- 9. 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 August will be published as part of the first meeting in September.

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

10. Approve Personnel Actions:

- a. Change of Status and Change of Rate of Pay, **Eric Devig**, Secondary Road Dept., fulltime, Change of Status from Truck Driver 2 to Truck Driver 3, Change Rate of Pay from \$24.73/hr. to \$25.03/hr., effective August 31, 2018.

Motion by Thompson, second by Salasek, to approve personnel action, Change of Status and Change of Rate of Pay, **Eric Devig**, Secondary Road Dept., fulltime, Change of Status from Truck Driver 2 to Truck Driver 3, Change Rate of Pay from \$24.73/hr. to \$25.03/hr., effective August 31, 2018.

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

- b. Change of Status and Change of Rate of Pay, **Tim Pansegrau**, Secondary Road Dept., fulltime, Change of Status from Truck Driver 1 to Truck Driver 2, Change Rate of Pay from \$24.38/hr. to \$24.73/hr., effective August 31, 2018.

Motion by Salasek, second by Thompson, to approve personnel action, Change of Status and Change of Rate of Pay, **Tim Pansegrau**, Secondary Road Dept., fulltime, Change of Status from Truck Driver 1 to Truck Driver 2, Change Rate of Pay from \$24.38/hr. to \$24.73/hr., effective August 31, 2018.

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

11. Secondary Road-Bridge Inspection Contract—Discussion and possible action on the approval of costs to perform inspection on bridges requiring inspection during fiscal years 2019 and 2020 by Calhoun-Burns & Associates. Inspection costs listed below.

Inspection Year	No. of Bridges Needing Inspection	Costs per Year
2019	139	\$26,890.00
2020	146	\$29,110.00

Motion by Thompson, second by Salasek, to approve the bridge inspection costs for the above bridges for fiscal years 2019 and 2020. In addition, on 11 structures, critical fracture inspections will cost approximately \$7,000.00.

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

Resolution #2018-0046

12. Zoning Resolution-Preliminary and Final Plats of The Mohr Subdivision—

Whereas, preliminary and final plats of a proposed subdivision within Marshall County, Iowa, laid out upon the following described real estate, has been filed with the Marshall County Auditor:

**THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26 AND
PART OF SECTION 35, ALL IN TOWNSHIP 83 NORTH, RANGE 18
WEST OF THE 5TH P.M., MARSHALL COUNTY, IOWA**

**THE WEST 70 ACRES OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF
SECTION 35, TOWNSHIP 83 NORTH, RANGE 18 WEST**

AND

**LOTS 10 AND 11 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF
SECTION 26, LOTS 1, 2, 3, 4,5, 6 AND 7 OF THE SUBDIVISION OF
THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 AND THE SOUTH
1/2 OF LOT 1 AND THE NORTH 2 ACRES OF LOT 2 OF THE
NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 35, ALL IN
TOWNSHIP 83 NORTH, RANGE 18 WEST OF THE 5TH P.M.,
MARSHALL COUNTY, IOWA**

AND

**LOT 9 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4, EXCEPT
COMMENCING AT THE NORTHWEST CORNER OF THE
NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 35,
TOWNSHIP 83 NORTH, RANGE 18 WEST, THENCE SOUTH 1296
FEET TO THE NORTHWEST CORNER OF LOT 9 OF THE
NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 35;
THENCE NORTH 84°38' EAST ALONG THE NORTH LINE OF SAID
LOT 9, 71.2 FEET TO THE POINT OF BEGINNING; THENCE
CONTINUING NORTH 84°38' EAST 487.9 FEET; THENCE SOUTH
0°13' WEST 476.2 FEET; THENCE NORTH 49°48' WEST 292.2 FEET;
THENCE NORTH 47°30' WEST 356.7 FEET TO THE POINT OF
BEGINNING, BEING A PART OF LOT 9 OF THE NORTHWEST 1/4
OF THE NORTHEAST 1/4, ALL IN SECTION 35, TOWNSHIP 83
NORTH, RANGE 18 WEST; THE SOUTHEAST 1/4 OF THE
NORTHWEST 1/4, ALL THAT PART OF THE NORTHEAST 1/4 OF**

**THE NORTHWEST 1/4 LYING SOUTH OF THE PUBLIC HIGHWAY;
ALL IN SECTION 35, TOWNSHIP 84 NORTH, RANGE 18 WEST**

AND

**LOTS 1, 2, 4 AND 5 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4
AND LOTS 4 AND 5 OF THE SOUTHWEST QUARTER OF THE
NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 83 NORTH, RANGE
18 WEST**

AND

**LOT 3 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4; LOTS 1, 2, AND
3 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, ALL IN
SECTION 35, TOWNSHIP 83 NORTH, RANGE 83NORTH, RANGE 18
WEST, EXCEPT COMMENCING AT THE NORTHWEST CORNER
OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 35,
TOWNSHIP 83 NORTH, RANGE 18 WEST, THENCE SOUTH 1296
FEET TO THE NORTHWEST CORNER OF LOT 9 OF THE
NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 35;
THENCE NORTH 84°38' EAST ALONG THE NORTH LINE OF SAID
LOT 9, 71.2 FEET TO THE POINT OF BEGINNING; THENCE
CONTINUING NORTH 84°38' EAST 487.9 FEET; THENCE SOUTH
0°13' WEST 476.2 FEET; THENCE NORTH 49°48' WEST 292.2 FEET;
THENCE NORTH 47°30' WEST 356.7 FEET TO THE POINT OF
BEGINNING, BEING A PART OF LOT 9 OF THE NORTHWEST 1/4
OF THE NORTHEAST 1/4; AND PART OF LOT 2 AND 3 OF THE
SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 35,
CONTAINING 268.40 ACRES INCLUDING 8.44 ACRES OF
PRESENTLY ESTABLISHED ROAD RIGHT OF WAY. SUBJECT TO
EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.**

Whereas, the Marshall County Zoning Commission has recommended approval of this preliminary and final subdivision plat at their public hearing held on August 14, 2018, and the Marshall County Board of Supervisors has given due consideration to such preliminary and final plats. Said preliminary and final plats conform to the applicable and governing provisions of Chapter 354, Code of Iowa, and other related statutes.

Whereas, the acceptance of these plats in no way infers the acceptance of any road; exclusive of present established right of way into the Secondary Road System and any roads within the subdivision must be maintained as private roads.

Therefore, Be It Resolved, by the Marshall County Board of Supervisors that the preliminary and final plats for The Mohr Subdivision as laid out and platted on the real estate above described and as filed with the Marshall County Auditor be the same, is hereby approved.

Dated at Marshalltown, Iowa this 21st day of August, 2018.

Motion by Thompson, second by Salasek, to adopt Resolution #2018-0046 that accepts the recommendation of the Zoning Commission and approves the preliminary and final subdivision plats of the Mohr Subdivision.

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

Resolution #2018-0047

13. Zoning Resolution-Preliminary and Final Plats of the Howe Subdivision—

Whereas, preliminary and final plats of a proposed subdivision within Marshall County, Iowa, laid out upon the following described real estate, has been filed with the Marshall County Auditor:

**THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER EXCEPT
THE SOUTH 128.7 FEET OF SECTION 15, TOWNSHIP 85 NORTH,
RANGE 20 WEST OF THE 5TH P.M., MARSHALL COUNTY, IOWA.
SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF
ANY.**

Whereas, the Marshall County Zoning Commission has recommended approval of this preliminary and final subdivision plat at their public hearing held on August 14, 2018, and the Marshall County Board of Supervisors has given due consideration to such preliminary and final plats. Said preliminary and final plats conform to the applicable and governing provisions of Chapter 354, Code of Iowa, and other related statutes.

Whereas, the acceptance of these plats in no way infers the acceptance of any road; exclusive of present established right of way into the Secondary Road System and any roads within the subdivision must be maintained as private roads.

Therefore, Be It Resolved, by the Marshall County Board of Supervisors that the preliminary and final plats for The Howe Subdivision as laid out and platted on the real estate above described and as filed with the Marshall County Auditor be the same, is hereby approved.

Dated at Marshalltown, Iowa this 21st day of August, 2018.

Motion by Salasek, second by Thompson, to adopt Resolution #2018-0047 that accepts the recommendation of the Zoning Commission and approves the preliminary and final subdivision plats of the Howe Subdivision.

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

Attest:

Bill Patten
Board of Supervisors, Chairman

Nan Benson
Marshall County
Auditor and Recorder

14. Temporary Lease Agreement-Discussion and possible action to approve a temporary lease agreement between Marshall County, Iowa (Tenant) and Marshalltown Center IO, LLC (Landlord) located at the Marshalltown Mall, 2500 S. Center St, Suite 1410, Marshalltown, Iowa. This lease agreement is for temporary office space for County offices to perform business services during the lengthy Courthouse repair process as a result of the July 19, 2018 tornado damage. The term of the lease is for 6 months and then on a month to month basis following that time period. The County will be renting approximately 3441 square feet for \$1,433.75/month plus utilities.

Motion by Salasek, second by Thompson, to approve the lease agreement between Marshall County, IA and Marshalltown Center IO, LLC for the use of office space for \$1,433.75/month plus utilities. The term of the lease is for 6 months and then on a month to month basis following that time period.

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

15. 2018 Oktoberfest Fall Family Fun Festival has moved to Central Iowa Fairgrounds- At the June 12, 2018 Board of Supervisor's meeting the Board approved Oktoberfest Inc. use of the Courthouse grounds and mobile band shell for the festival. Due to the tornado on July 19, 2018 the festival has been moved from the Courthouse to the Central Iowa Fairgrounds Thursday, September 27, 2018 through Sunday, September 30, 2018.

16. Public Forum— Nan Benson, Auditor and Recorder, announced that election paper filing is open until 5:00 p.m. on August 29, 2018. That additional ½ hour for filing may be located outside the north entrance of the Great Western Bank or the Engineer's office if it is raining. Details are still being worked out on the location for that ½ time period. Supervisor Bill Patten thanked our County Engineer Paul Geilenfeldt for allowing officials and employees use of the Engineer's office during this period of transition following the July 19th, 2018 storm. John Kunc, Weed Commissioner, announced fall spray will be earlier this year as fall appears to be coming sooner. In the next couple of weeks they will be spot spraying the east side of the county. Wild Cucumber and Field Bindweed have been prevalent this year.

17. Adjournment--The next regular session is September 4, 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, August 30, 2018, 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:

Nan Benson
Marshall County
Auditor and Recorder

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