

MINUTES

Marshall County Board of Supervisors
Regular Meeting September 23, 2026, at 9:00 a.m.
Courthouse, First Floor Meeting Room
1 East Main Street, Marshalltown, Iowa

The Marshall County Board of Supervisors met for the regular meeting according to the posted notices in the Courthouse, First Floor Meeting Room 1 East Main Street, Marshalltown, Iowa, and online via ZOOM. Chair Heil called the meeting to order on September 23, 2026, at 9:00 a.m. Present: Chair Jarret Heil, Vice Chair Carol Hibbs, Member Christian Goodman. Goodman moved to approve the agenda second by Hibbs. Motion carried 3-0.

5-Year Service Award(s):

Tanner Hunt, a Patrol Deputy at the Sheriff's Office, was recognized for five years of service. Sheriff Joel Phillips noted Tanner's instrumental role in the Sheriff's Office K9 program as its first K9 officer, including his involvement in public events and fundraising efforts. He also recognized Tanner's contributions as an instructor for deputies and his previous service with the Marshalltown Police Department. The Board thanked Tanner for his service and contributions to the Sheriff's Office. Tanner was presented with his five-year service award.

Hibbs moved to approve the Consent Agenda, second by Goodman. Motion carried 3-0. Items:

1. Approve Previous Regular Session Minutes – September 9, 2026.
2. Personnel Changes:
 - a. New Hire(s):
 - i. Rene Hernandez-Andrade, Buildings and Grounds, Maintenance Tech 1, at a rate of \$22.50/hour, effective September 24, 2026.
 - ii. Hire, Elections, Precinct Election Officials, at a rate of \$12.00/hour, effective November 3, 2026, for November 3, 2026, only, at eleven polling locations.
 - iii. Hire, Elections, Precinct Election Official Chairs, at a rate of \$14.00/hour, effective November 3, 2026, for November 3, 2026, only, at eleven polling locations.
 - iv. Hire, Elections, Absentee Voting Workers, up to 12 additional full-time equivalent positions, at a rate of \$12.00/hour, effective October 1, 2026, or later.
 - v. Hire, Elections, Special Precinct Board, up to 20 people, at a rate of \$12.00/hour, effective November 2, 2026, through November 9, 2026.
 - b. Status Change(s):
 - i. Nicholas Mason Gould, Marshall County Secondary Roads Department, from TD2 (Truck Driver 2) to TD3 (Truck Driver 3), with a salary increase from \$33.34/hour to \$33.75/hour, effective September 26, 2026.

- c. File Manure Management Plans:
 - i. PAG L.C., #59611, 1699 148th Street, Clemons, signed with no changes.
 - ii. MDH Finishers, #62120, 1671 140th Street, Union, long form.
- 3. 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 current month will be published as part of the first meeting of the following month.

End of Consent Agenda.

Discussion and Possible Action regarding EMC Insurance Renewal.

Motion by Goodman, second by Hibbs to approve the EMC insurance renewal proposal from Shomo-Madsen Insurance, effective October 1, 2026, and authorize the Chair to sign. Motion carried 3-0.

The Board discussed the EMC insurance renewal proposal presented by Shomo-Madsen Insurance. The renewal reflects an increase of less than 4% and includes the County's workers' compensation coverage, which was recently moved to EMC. The Board discussed the County's roof deductible buy-down and noted that additional personal property coverage was included while the associated cost decreased.

The Board also discussed anticipated savings from the timing of workers' compensation payments, with estimated savings of approximately \$100,000.

Approve Third and Final Reading of Proposed Ordinance No. 38: An Ordinance Regarding Maximum Hourly Rates for Court-Appointed Personnel Fees.

Motion by Hibbs, second by Goodman to approve Third and Final Reading of Proposed Ordinance No. 38: An Ordinance Regarding Maximum Hourly Rates for Court-Appointed Personnel Fees and adopt said Ordinance. Motion carried 3-0.

County Attorney Jordan Gaffney explained that the ordinance would establish standardized maximum hourly rates for court-appointed personnel fees for civil matters, including guardianships, consistent with Chapter 815 of the Iowa Code regarding criminal appointments. No comments had been received regarding the proposed ordinance. Attorney Gaffney recommended passage.

Approve Agreement for Use of Marshall County Grounds by St. Francis – Fatima Rosary Rally on October 10, 2026.

Motion by Hibbs, second by Goodman to approve Agreement for Use of Marshall County Grounds by St. Francis – Fatima Rosary Rally on October 10, 2026. Motion carried 3-0.

The Board reviewed the agreement for use of the Marshall County Grounds by St. Francis Fatima Rosary Rally on October 10, 2026, at noon. The event will be held on the north side of the courthouse grounds in front of the courthouse. No vendors or sales will be associated with the event.

Approve Service Agreement with iWorQ Applications and Services and Authorize the Chair to Sign.

Motion by Goodman, second by Hibbs to approve Service Agreement with iWorQ Applications and Services and Authorize the Chair to sign. Motion carried 3-0.

Austin Ewalt, Marshall County Secondary Roads Operations Superintendent, explained that the iWorQ system will provide fleet management and GIS capabilities. The system will replace the current signs program used to track county signage and will integrate information currently maintained through collective data and signs into one system. The annual cost is \$15,000, with a one-time \$10,000 setup fee for data migration.

Approve IDNR 28E Agreement with Marshall County for 2026-2031 Well Services and Authorize the Chair to Sign.

Motion by Hibbs, second by Goodman to approve IDNR 28E Agreement with Marshall County for 2026-2031 Well Services and Authorize the Chair to sign. Motion carried 3-0.

Tyler Kelley, Marshall County Environmental Health, explained that the agreement with the Iowa Department of Natural Resources (IDNR) is for a five-year period and allows Marshall County Environmental Health to permit and inspect new private wells drilled within the County. The agreement is a renewal of the previous five-year agreement.

Adopt Resolution No. 2026-0030: A Resolution Establishing a Temporary Six-Month Moratorium on Applications Related to Data Centers and Authorize the Board of Supervisors to Sign.

A RESOLUTION ESTABLISHING A TEMPORARY SIX-MONTH MORATORIUM ON APPLICATIONS FOR DATA CENTERS, ARTIFICIAL INTELLIGENCE COMPUTING FACILITIES, DATA MINING FACILITIES, AND CRYPTOCURRENCY (BITCOIN) MINING OPERATIONS WITHIN MARSHALL COUNTY, IOWA.

WHEREAS, the Marshall County Board of Supervisors is responsible for promoting the health, safety, and general welfare of the citizens of Marshall County through responsible planning and land use policies.

WHEREAS, data centers, artificial intelligence computing facilities, data mining facilities, and cryptocurrency (Bitcoin) mining operations are an emerging form of development that may require substantial electrical infrastructure, water resources, cooling systems, and other public and private utilities.

WHEREAS, these facilities may also create unique considerations related to land use compatibility, noise, lighting, environmental impacts, transportation, emergency services, and other public infrastructure.

WHEREAS, the Board of Supervisors finds that additional time is necessary to research the potential impacts of these facilities, review applicable laws and regulations, consult with industry experts, utility providers, and the public, and evaluate best practices adopted by other jurisdictions.

WHEREAS, the Board of Supervisors further finds that a temporary moratorium is in the public interest and will allow Marshall County to develop appropriate policies, zoning regulations, and performance standards before considering future applications for these types of facilities.

WHEREAS, the Board intends that this temporary moratorium provide sufficient time for the Planning and Zoning Commission, County staff, the County Attorney, utility providers, and other stakeholders to evaluate and make recommendations regarding the regulation of these facilities.

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

That Marshall County, Iowa, hereby adopts the following temporary moratorium designated
“Resolution No. 2026-0030”. The Temporary Data Center Moratorium Resolution is as follows:
SECTION 1. DEFINITIONS.

For purposes of this Resolution, the following definitions shall apply:

"Data Center" shall mean a building, structure, facility, or portion thereof primarily used to house computer servers, data-processing equipment, digital storage equipment, networking equipment, telecommunications equipment, or related systems for the remote storage, management, processing, transmission, or distribution of digital data, including associated mechanical, electrical, cooling, security, power-generation, and utility infrastructure.

The term "Data Center" shall not include incidental server or computer equipment customarily maintained as an accessory use within an office, commercial, governmental, educational, medical, industrial, or other principal use when such equipment is used primarily to support activities conducted on the same premises.

"Development Approval" shall include, but not be limited to, any permit, application, zoning amendment, rezoning request, site plan, development plan, subdivision approval, special-use permit, variance, building permit, grading permit, utility-extension approval, certificate of occupancy, or other County authorization related to the establishment, construction, expansion, or operation of a Data Center.

"Substantial Expansion" shall mean any expansion, modification, redevelopment, or conversion that increases the operational capacity, physical footprint, utility demand, or primary function of a facility for Data Center purposes.

SECTION 2. MORATORIUM ESTABLISHED.

A temporary moratorium is hereby established on the acceptance, processing, review, approval, and issuance of permits, site plans, zoning approvals, development agreements, or any other County authorization for the construction, establishment, expansion, or operation of Data centers within the jurisdiction of Marshall County, Iowa.

SECTION 3. APPLICABILITY.

This Resolution shall apply to:

1. New Data Centers proposed within the boundaries of Marshall County; and
2. The substantial expansion, redevelopment, or conversion of existing structures or uses for Data Center purposes.

This Resolution shall not prevent ordinary repair, maintenance, or replacement work necessary to protect public health, safety, or welfare at a lawfully existing facility, provided such work does not constitute the establishment, expansion, or conversion of a facility into a Data Center.

SECTION 4. DURATION.

This moratorium shall become effective immediately upon adoption of this Resolution and shall remain in effect for a period of six (6) months, unless terminated by subsequent action of the Marshall County Board of Supervisors as permitted by law.

The Board of Supervisors may extend the effective period of this Resolution one time, by resolution, if the Board determines that additional time is necessary to complete review of potential amendments to the Zoning Ordinance, development regulations, or other applicable policies relating to Data Centers. Any extension authorized pursuant to this Section shall identify the extended expiration date of the moratorium and shall not be construed as

authorizing an indefinite continuation of the moratorium without further action by the Board of Supervisors.

SECTION 5. PURPOSE.

The purpose of this temporary moratorium is to allow the County sufficient time to:

- Research the impacts of these facilities on electrical infrastructure, water resources, transportation systems, emergency services, and other public infrastructure;
- Evaluate land use compatibility and potential zoning standards;
- Study environmental impacts, including energy consumption, water usage, noise, lighting, and related concerns;
- Review applicable federal, state, and local regulations;
- Consult with utility providers, planning professionals, industry representatives, and other subject matter experts;
- Receive public input from residents, businesses, agricultural producers, and other interested parties; and
- Develop recommendations for future regulations governing these types of facilities.

SECTION 6. DIRECTION TO COUNTY STAFF.

During the moratorium period, County departments and officials are directed to refrain from accepting, processing, or approving applications subject to this moratorium, except as otherwise authorized by the Board of Supervisors or required by law.

County staff, the Planning and Zoning Commission, and the County Attorney are further directed to conduct research and prepare recommendations for the Board's consideration prior to the expiration of the moratorium.

SECTION 7. EXISTING APPLICATIONS.

This moratorium shall apply to all applications submitted on or after the effective date of this Resolution. Applications deemed complete prior to the effective date shall be processed in accordance with applicable County ordinances and policies unless otherwise directed by the Board or required by law.

SECTION 8. SEVERABILITY.

If any provision of this moratorium is determined to be invalid or unenforceable by a court of competent jurisdiction, such determination shall not affect the remaining provisions, which shall remain in full force and effect.

SECTION 9. EFFECTIVE DATE.

This Resolution shall take effect immediately upon its adoption.

PASSED AND RECOMMENDED FOR ADOPTION on the 23rd day of September 2026.


[Jarret P Heil \(Oct 9, 2026 09:16:17 CDT\)](#)
Jarret Heil, Chair


[Carol Hibbs \(Oct 9, 2026 10:19:53 CDT\)](#)
Carol Hibbs, Vice Chair


[Christian Goodman \(Oct 10, 2026 10:28:55 CDT\)](#)
Christian Goodman, Member

Attest:


Nan Benson, Auditor/Recorder

Motion by Goodman, second by Hibbs to adopt Resolution No. 2026-0030: A Resolution Establishing a Temporary Six-Month Moratorium on Applications Related to Data Centers and authorize the Board of Supervisors to sign. Resolution adopted carried 3-0.

The Board reviewed Resolution No. 2026-0030 establishing a temporary six-month moratorium on applications related to data centers. The resolution identifies potential considerations associated with data centers and related facilities, including electrical infrastructure, water resources, cooling systems, land use compatibility, noise, lighting, environmental impacts, transportation, emergency services, and other public infrastructure. The resolution provides additional time to research potential impacts, review applicable laws and regulations, consult with industry experts, utility providers, and the public, and develop appropriate policies, zoning regulations, and performance standards.

Tyler Kelley, Marshall County Planning and Zoning Director, explained that the resolution was revised to remove the provision for an additional two-month period, allowing the effective period to be amended as needed. County Attorney Jordan Gaffney explained that a resolution establishes the Board's policy and provides flexibility to extend or shorten the moratorium as needed while the Planning and Zoning Commission works on an ordinance.

Kelley stated that the Planning and Zoning Commission will begin monthly work sessions to develop a data center ordinance and will review information from other counties and the City of Marshalltown. He stated that the goal is to have a draft ordinance ready for the Board of Supervisors to begin the public hearing process.

Public comments were received regarding the timing of the moratorium and the development of regulations, as well as information being gathered regarding data center ordinances and resolutions in other jurisdictions. The Board thanked the public for their input.

Motion by Hibbs, second by Goodman, to amend the agenda and allow Public Forum before going into Closed Session. Motion carried 3-0.

Public Forum.

Sheri Larsen, 2241 Shady Oaks Road, asked about the County's efforts to support the health and growth of small towns in Marshall County, including housing development. Alex Ferneau representing the Marshalltown Area Chamber of Commerce, explained that she works with the small towns throughout the County to identify opportunities for community improvements and funding. Housing was identified as a significant priority, with some communities facing limitations due to available land and infrastructure. She also discussed efforts to identify grants and funding opportunities, including a proposed community center in Albion.

Ferneau reported that she meets with area mayors regularly and holds quarterly mayor meetings to connect communities with available resources and organizations. She also discussed a recent downtown walk-through conducted with the Iowa Economic Development Authority in several Marshall County communities to provide feedback on potential improvements. The Board discussed the importance of supporting the County's small communities and their schools.

Kim Elder, Emergency Management Director/Coordinator, provided an update regarding recent grant awards through Prairie Meadows. Albion will be receiving a new outdoor warning siren, which will be connected to the County's newer warning system. Marshalltown is also working to upgrade its legacy sirens, with the goal of transitioning to the newer system over the next five years. Additional radios were purchased through the second grant.

Elder also reported that the County's updated Hazard Mitigation Plan has been approved by the State and is currently with FEMA for review, with minor additional information being added. She further provided an update regarding first-aid coverage for Oktoberfest, noting that the CERT team will provide first aid and a trailer will be located in the horseshoe parking area due to wet ground conditions.

Closed Session.

Motion by Hibbs, second by Goodman to enter into Closed Session pursuant to Section 21.5, subsection 1, paragraph c, of the Code of Iowa, to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the county in that litigation. Marshall County has an attorney client relationship with the office of the Marshall County Attorney. Time: 9:36 a.m. Motion carried 3-0. Motion by Hibbs, second by Goodman to end Closed Session and return to open session. Time: 10:18 a.m. Motion carried 3-0.

Motion by Hibbs, second by Goodman to proceed as directed in Closed Session. Motion carried 3-0.

Adjournment. The next regular session is Wednesday, October 7, 2026, at 9:00 a.m., at the Courthouse, 1st floor meeting room, 1 E Main Street. 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 Wednesday, September 30, 2026, at 12:00 p.m. There being no further business to come before the Board, the meeting is adjourned at 10:19 a.m.

Attest:


Jarret P Heil (Oct 9, 2026 09:16:17 CDT)
Jarret Heil,
Board of Supervisors Chair


Nan Benson, Auditor/Recorder

260923 Minutes

Final Audit Report

2026-10-12

Created:	2026-10-07
By:	Aviana Rodriguez Nolte (arodriguez@marshallcountyia.gov)
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"260923 Minutes" History

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2026-10-09 - 2:16:15 PM GMT
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