

**Marshall County Board of Supervisors  
Regular Session June 7, 2023, at 9:00 a.m.  
Courthouse, First Floor Meeting Room  
1 East Main Street, Marshalltown, Iowa**

**MINUTES**

The Marshall County Board of Supervisors met in regular session 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 June 7, 2023, at 9:00 a.m. Present: Chair Jarret Heil, Vice Chair Steve Salasek, Member Carol Hibbs. Salasek moved to approve the agenda, second by Hibbs. Motion carried 3-0.

Hibbs moved to adopt the **Consent Agenda**, second by Salasek. Motion carried 3-0.

Items:

1. Approve Regular Session Minutes, May 24, 2023, and May 2023 claims list
2. 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.
3. File Manure Management Plan
  - a. Blue Valley Pork ID 59449 140<sup>th</sup> St. with changes
  - b. Burt Farm ID 59927 Taylor Ave with no changes
  - c. Hog Heaven Finisher ID 70146 320<sup>th</sup> St with changes
  - d. Pickard Brothers Finisher ID 68561 290<sup>th</sup> St with changes
  - e. Langmaid Farm ID 58012 North 75<sup>th</sup> Ave with changes
  - f. Jared Whitaker ID 70183 180<sup>th</sup> St with no changes
  - g. Justin Whitaker ID 66798 Binford Ave with no changes
4. File Clerk of District Court Report April 2023
5. File Sheriff's Office Quarterly Report January-March 2023

**State of Iowa Tobacco License Renewal, Prime Stop**

Motion by Salasek second by Hibbs to approve State of Iowa Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor, for Prime Stop. Permit effective 7/1/2023-6/30/2024. Motion carried 3-0.

**Band Shell Contract for Bee Ridiculous Day 07-28-2023**

Motion by Hibbs second by Salasek to approve Band Shell for Bee Ridiculous Day 07-28-2023. Motion carried 3-0.

**Breiholz Change Order #9 for \$66,950.16**

Motion by Salasek second by Hibbs to approve Breiholz change order #9 in the amount of \$66,950.16 and authorize chair to sign. Motion carried 3-0.

**Breiholz COR#117, #118, and #120 to sign Official Change Order when ready**

Motion by Hibbs Second by Salasek to approve Breiholz COR #117, #118, and #120 and approve chairman to sign. Motion carried 3-0.

**Marshall County Parking Spaces**

Lucas Baedke, Buildings and Grounds Director, provided information on Marshall County owned parking lots that are signed "Permit only parking between 7AM and 5 PM." There has not been any enforcement in the county owned lots since the 2018 tornado, as staff have been displaced and working at other locations. Now that the courthouse is occupied, staff are needing the spaces in the county lots, displacing other vehicles that have been accustomed to parking in the county lots for nearly five years. Baedke will be updating the signage to add notice that violators will be towed. The board discussed the parking ordinance and procedure for notifying drivers of vehicles parked in signed lots without a permit. Staff are placing notices on vehicles without a permit and tracking repeat violators. The signage will be updated prior to July 1, and after July 1 towing will be an option for the county to remove vehicles parked in signed lots without a permit. No action taken.

**Home Base Iowa, Veterans' Relocation to Marshall County Program**

Jarret Heil, Board Chairman, recommended adopting the Veteran Relocation Reimbursement model of Story County, being \$2,000 per relocated veteran up to \$16,000 for the first year of the program, for the fiscal year ending June 30, 2024, funding from the county's economic development budget line item. Veteran Affairs Director Kevin Huseboe will be accepting and reviewing those relocation requests. John Hall, CEO Marshalltown Area Chamber of Commerce, added the Chamber will be working with businesses for recruiting veterans as well as assisting veterans working to build their own business. A resolution will be presented at the next meeting, so the funding is in place prior to July 1.

**No motion taken to Adopt Resolution 2023-0027 Enacting Stop Approaches on Eastman Avenue.**

WHEREAS, The Board of Supervisors is empowered under authority of Sections 321.236 and 321.255 and 321.345, Code of Iowa to designate any secondary road intersection under their jurisdiction as STOP intersections and to erect STOP signs at one or more entrances to such intersection.

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that the following secondary road approaches be designated as a "STOP APPROACH" and that a STOP sign shall be erected accordingly:

STOPPING SOUTH BOUND TRAFFIC ON EASTMAN AVE AT THE INTERSECTION OF 230 ST AND EASTMAN AVE AT THE S ¼ CORNER OF SECTION 3, T83N, R20W, STATE CENTER TOWNSHIP.

Following discussion from Sheriff Philips and County Engineer Paul Geilenfeldt, the board decided to not take action on Resolution 2023-0027.

Motion by Carol Hibbs, second by Steve Salasek to adopt **RESOLUTION #2023-0028 APPROVING FARM TO MARKET REVIEW BOARD APPLICATION RESOLUTION**

Resolution adopted 3-0.

**Resolution 2023-0028 Approving Farm to Market Review Board Application**

WHEREAS, a county may apply for modifications to its farm to market system to add or subtract mileage from its system, to accept or delete highways gained or lost through jurisdictional transfers, or to change the classification of roads within its system, and

WHEREAS, the Board of Supervisors of Marshall County has consulted with its County Engineer and desires to modify its farm to market road system to provide continuity of intra- county and inter-county routes, to meet the needs of existing or potential traffic, to better meet land use needs, or to provide a more suitable location for a farm to market route, and

WHEREAS, application for modifications to any county's farm to market system must be made to the Farm to Market Review Board per the requirements of Code of Iowa Section 306.6,

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MARSHALL COUNTY that this county is formally requesting that the Farm to Market Review Board approve the following modifications to its farm to market system:

Road segments proposed for addition to the farm to market system:

1. Binford Avenue from Iowa Highway 30 to 245<sup>th</sup> Street located on the west side of Section 17, T-83N, R-20W, State Center Township
2. 245<sup>th</sup> Street from Binford Avenue to Canfield Avenue located within Section 17, T-83N, R-20W, State Center Township
3. Canfield Avenue from 245<sup>th</sup> Street to Iowa Highway 30 located on the east side of Section 17, T-83N, R-20W, State Center Township

Total mileage added to the Farm to Market System: 1.964 miles

Road segments proposed for deletion from the farm to market system:

1. Underwood Ave from Shady Oaks Road to Iowa Highway 30 on the east side of Section 7, T-83N, R-17W, Le Grand Township

Total mileage deleted to the Farm to Market System: 0.491 miles

Road segments proposed for deletion from the farm to market extension system:

1. Iowa Avenue East from Iowa Highway 14 to the corporate limits of Marshalltown located on the north side of Sections 13 and 14, T-83N, R-18W, Timber Creek Township and on the north side of Section 18, T-83N, R-17W, Le Grand Township
2. Governor Road from East Olive Street to Iowa Avenue East within Sections 1 and 12, T-83N, R-18W, Timber Creek Township
3. South 18<sup>th</sup> Avenue from East Main Street to Iowa Highway 30 on the east side of Section 30, T-84N, R-18W, Taylor Township and on the east side of Sections 1, 12 and 13, T-83N, R-18W, Timber Creek Township

Total milage deleted to the Farm to Market System: 6.467 miles

The Board of Supervisors Approves the Farm to Market Board Application Resolution Review effective June 7th, 2023. This Resolution shall be in effect after approval and signature of the Board Chairman as required by law.

Dated at Marshalltown, Iowa this 7th day of June 2023

  
Jarret P. Heil  
Board of Supervisors, Chair

Attest:   
Nan Benson  
Marshall County Auditor / Recorder

**No motion taken to Adopt Resolution 2023-0029 Speed Limit Eastman Ave north of State Center**

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 the speed limit be established, and appropriate signs erected at the location described as follows:

Eastman Ave from the intersection with 230<sup>th</sup> St (a.k.a. 7<sup>th</sup> St NW in the City of State Center), North 1000 feet, in Section 3, T-83N, R-20W, State Center Township. The established speed limit shall be 35 MPH.

**Motion by Steve Salasek, second by Carol Hibbs to adopt RESOLUTION #2023-0030 APPROVING COUNTY OFFICIAL BOND APPROVAL PURSUANT TO IOWA CODE CHAPTER 64**

Resolution adopted 3-0.

**Resolution 2023-0030 Approving County Official Bond Approval Pursuant to Iowa Code Chapter 64**

WHEREAS, Iowa Code Sections 64.2, 64.8, and 64.10 require public officers, including county attorneys, recorders, auditors, sheriffs, assessors, and treasurers to obtain a bond; and

WHEREAS, Iowa Code Section 64.8 requires county attorneys, recorders, auditors, sheriffs, and assessors to obtain a bond in a penal sum of not less than twenty thousand dollars (\$20,000); and

WHEREAS, Iowa Code Section 64.10 requires treasurers to obtain a bond in a penal sum of not less than fifty thousand dollars (\$50,000); and

WHEREAS, Iowa Code Section 64.19 requires that the bond purchased for the county attorney, recorder, auditor, sheriff, assessor, and treasurer must be approved by the Board of Supervisors; and

WHEREAS, Iowa Code Section 64.11 requires that the reasonable cost of said bond be paid by the county where the bond is filed; and

WHEREAS, Iowa Code Section 331.324(6) allows that a blanket surety bond insuring the fidelity of county officers and employees who are accountable for county funds or property subject to the minimum surety bond requirements of Iowa Code Chapter 64; and

WHEREAS, Iowa Code Section 64.5 states that all bonds required by law shall be construed as impliedly containing the conditions required by statute, anything in the terms of said bonds to the contrary notwithstanding; and

WHEREAS, the Marshall County Board of Supervisors have obtained a blanket bond in the amount of twenty thousand dollars (\$20,000), meeting the requirements of Iowa Code Chapter 64 and Iowa Code Section 331.324(6), a copy of which is attached hereto as Exhibit A.

NOW, THEREFORE BE IT RESOLVED by the Marshall County Board of Supervisors that the surety bond, as set forth above and a copy of which is attached hereto as Exhibit A is hereby approved pursuant to Iowa Code Section 64.19.

The Board of Supervisors Approves the County official bond approval pursuant to Iowa Code Chapter 64 effective June 7th, 2023. This Resolution shall be in effect after approval and signature of the Board Chairman as required by law.

Dated at Marshalltown, Iowa this 7th day of June 2023

  
Jarret P. Heil  
Board of Supervisors, Chair

Attest:


  
Nan Benson  
Marshall County Auditor / Recorder

Tabled Item: Animal Rescue League Contract with Marshall County.

Motion by Salasek second by Hibbs to remove item from table for discussion. Motion carried 3-0. The Board of Supervisors discussed changes to the ARL contract, including: No after hours except emergencies, reimbursement rate for next year, pick up of deceased pets, clarification on who is bringing animals in and what jurisdiction is responsible for payment and mileage matching the federal rate.

**Public Forum:** No remarks

**Adjournment.** The next regular session is Wednesday, June 21, 2023, 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 Wednesday, June 14, 2023, at 12:00 p.m. There being no further business to come before the Board, the meeting is adjourned at 10:31 a.m.

  
Jarret P. Heil  
Board of Supervisors, Chairman

Attest:   
Nan Benson, Auditor and Recorder