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Fee Amt: \$0.00 Page 1 of 19
Marshall County Iowa
Kathleen K. Baker Recorder

File **2010-00003968**

No Fee *h*

Prepared by: Karen Squiers, Marshall County Auditor, Courthouse, Marshalltown, Iowa 50158 641/844-2710

~~X~~ Return Document to: Marshall County Board of Supervisors' Office

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C E R T I F I C A T E

MARSHALL COUNTY ORDINANCE # 32

ASSESSMENT OF WIND ENERGY CONVERSION PROPERTY

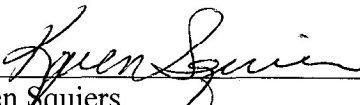
STATE OF IOWA)
) ss:
COUNTY OF MARSHALL)

I, Karen Squiers, County Auditor of said County do hereby certify that as
County Auditor, I have in my possession and under my control, the official proceedings
of the Marshall County Board of Supervisors, and that the paper to which this certificate
is attached is a true and correct extract of records pertaining thereto.

- A. Extract of Board of Supervisors' proceedings, Regular Session, May 11, 2010, First Reading of proposed adoption of Ordinance No. 32 Assessment of Wind Energy Conversion Property, and Set Date for Public Hearing. The second reading of this Ordinance is suspended by majority of the supervisors pursuant to Iowa Code Chapter 331.302(5).
- B. Affidavits of Publication, notice of public hearing, published May 18, 2010, in the Marshalltown Times-Republican Newspaper, Marshalltown, Iowa and May 20, 2010 in the Mid Iowa Enterprise Newspaper, State Center, Iowa.
- C. Extract of Board of Supervisors' proceedings, Regular Session, May 25, 2010, Public Hearing and Third Reading of Proposed Ordinance No. 32 Assessment of Wind Energy Conversion Property and adoption. Ordinance No. 32 will be effective following publication.

- D. Affidavits of Publication, Adoption of Ordinance No. 32 Assessment of Wind Energy Conversion Property, published July 19, 2010, in the Marshalltown Times-Republican Newspaper, Marshalltown, Iowa and July 22, 2010, in the Mid Iowa Enterprise Newspaper, State Center, Iowa.

Dated at Marshalltown, Iowa this 23rd day of July, 2010.



Karen Squiers
Marshall County Auditor

**Marshall County Board of Supervisors
Regular Session May 11, 2010, at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, May 11, 2010, at 9:00 a.m. in meeting room #2, 3rd Floor, northeast corner of the courthouse with all 3 members present.

* * *

**10. Ordinance No. 32 -- Assessment of Wind Energy Conversion Property
First Reading and Set Hearing--**

The Marshall County Board of Supervisors is considering the adoption of proposed Ordinance No. 32 of Marshall County, entitled Assessment of Wind Energy Conversion Property Ordinance; and

Now, Therefore Be It Resolved, by the Marshall County Board of Supervisors, that this be considered the first reading of the proposed Assessment of Wind Energy Conversion Property Ordinance for Marshall County, Iowa and set hearing date.

**Marshall County Ordinance No. 32
Assessment of Wind Energy Conversion Property**

Be it enacted by the Board of Supervisors of Marshall County, Iowa:

Section 1: Purpose

The purpose of this ordinance is to provide for the special valuation of wind energy conversion property pursuant to Iowa Code Chapter 427B.26.

Section 2: Definitions

For use in this ordinance, certain terms and words used herein shall be interpreted or defined as follows:

1. **NET ACQUISITION COST** means the acquired cost of the property including all foundations and installation cost less any excess cost adjustment.
2. **WIND ENERGY CONVERSION PROPERTY** means the entire wind plant including, but not limited to, a wind charger, windmill, wind turbine, tower and electrical equipment, pad mount transformers, power lines and substation.

Section 3: Authority to Establish

The Board of Supervisors is authorized, pursuant to Iowa Code Chapter 427B.26 to provide by ordinance for special valuation of wind energy conversion property as provided in Section 4.

Section 4: Establishment

Pursuant to Iowa Code Chapter 427B.26, a special valuation of wind energy conversion property is allowed in lieu of the valuation assessment provisions in Iowa Code Chapter 442.21(9)(b) and (c), and Iowa Code Chapters 428.24 to 428.29. The special valuation shall only apply to wind energy conversion property first assessed on or after January 1, 1994, and on or after the effective date of this ordinance.

Section 5: Amount of Valuation

Wind energy conversion property first assessed on or after the effective date of the ordinance shall be valued by the county assessor for property tax purposes as follows:

1. For the first assessment year, at zero percent (0%) of the net acquisition cost.
2. For the second through sixth assessment years, at a percent of the net acquisition cost which rate increases by five percent (5%) each assessment year.
3. For the seventh and succeeding assessment years, at thirty percent (30%) of the net acquisition cost.

Section 6: Declaration of Special Valuation

The taxpayer shall file with the county assessor by February 1 of the assessment year in which the wind energy conversion property is first assessed for property tax purposes, a declaration of intent to have the property assessed at the value determined under Section 5 in lieu of the valuation assessment provisions in Iowa Code Chapter 441.21(9) (b) and (c), and Iowa Code Chapters 428.24 to 428.29.

If the taxpayer does not file with the county assessor by February 1 of the assessment year for which the person files a declaration of intent to have the property assessed as provided above, then the declaration of intent shall be considered as a declaration filed for the following year.

Section 7: Reporting Requirements

The following reports shall be filed annually with the county assessor by the taxpayer; in the first year, with the declaration of intent prescribed in Section 6; and by February 1 of each year thereafter:

1. Copy of Asset ledger sheet to IRS;
2. Engineering breakdown of component parts;
3. Tower numbering system;
4. Name of contact person, phone number, FAX number, and mailing address;
5. Report of all leased equipment, the name(s) of the company(s) it is leased from, and the agreement between the lessor and the lessee regarding who is responsible for the property tax on the leased equipment.

Section 8: Repeal of Special Valuation

If in the opinion of the Board of Supervisors continuation of the special valuation provided under Section 4 ceases to be of benefit to the county, the Board of Supervisors may repeal the ordinance.

Property specially valued under section 4, prior to any repeal of this ordinance, shall continue to be valued under Section 4 until the end of the nineteenth (19) assessment year following the assessment year in which the property was first assessed.

Section 9: Repealer

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 10: Severability Clause

If any section, provision, or other part of this ordinance shall be adjudged invalid or unconstitutional, said adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or other part thereof not adjudged invalid or unconstitutional.

Section 11: Penalty

Any person, firm or corporation violating any regulation in or any provision of this ordinance, or of any amendment or supplement thereto, shall be guilty of a simple misdemeanor which is punishable by a fine of not more than One Hundred Dollars (\$100.00) or by imprisonment of not more than thirty (30) days and shall be guilty of a County infraction punishable by a civil penalty of not more than One Hundred Dollars (\$100.00), or if the infraction is a repeat offense, by a civil penalty not to exceed Two Hundred Dollars (\$200.00). Each day that a violation occurs or is permitted by the Defendant to exist, constitutes a separate offense.

Section 12: When Effective

This ordinance shall be in effect upon its final passage, approval and publication as provided by law.

Be It Further Resolved that such a proposed Ordinance shall not be effective until a public hearing is held at 9:00 a.m. on the 25th day of May 2010, with a notice of the public hearing published in the Marshalltown Times-Republican and the Mid Iowa Enterprise, and the Board adopts the third reading of the proposed Ordinance and the Ordinance is published.

Motion by Brooks, second by Grabenbauer to adopt the first reading of proposed Marshall County Ordinance #32 entitled Assessment of Wind Energy Conversion Property and set the public hearing at 9:00 a.m. on the 25th day of May 2010 and designate the next reading as the third reading. The second reading of this ordinance is suspended by majority of the supervisors pursuant to Iowa Code Chapter 331.302(5).

PASSED AND APPROVED this 11th day of May, 2010.

Roll call vote:	Goecke-Aye	Grabenbauer-Aye	Brooks-Aye
	Chairman	Vice Chairman	Member

/s/ Ronald D. Goecke
Ronald D. Goecke
Board of Supervisors, Chairman

Attest: /s/ Karen Squiers
Karen Squiers
Marshall County Auditor

* * *

21. Adjournment--The next regular meeting is May 25, 2010, at 9:00 a.m. All business to be acted upon at that session should be submitted to the County Auditor's Office or the Board of Supervisors' Office by May 20, 2010, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:51 a.m.

/s/ Ronald D. Goecke
Ronald D. Goecke
Board of Supervisors, Chairman

Attest: /s/ Karen Squiers
Karen Squiers
Marshall County Auditor

Affidavit of Publication

STATE OF IOWA,
Marshall County, ss.

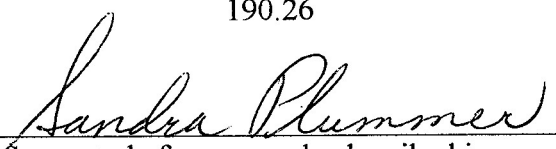
Marshall County Board of Supervisors
Regular Session May 11

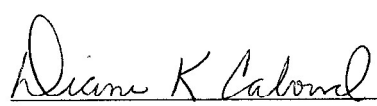
I, Sandra Plummer, being first duly sworn, on oath depose and say that Marshalltown Newspaper, Inc. is a corporation for pecuniary profit organization under the law of the State of Iowa, with its principal place of business in Marshalltown, Iowa; that the "Times-Republican" is a daily newspaper of general circulation printed wholly in the English language and published by said corporation at the city of Marshalltown, in Marshall County, Iowa; that I am the Accounts Receivable Clerk of said corporation and a full time employee of the said newspaper, and have personal knowledge of the facts stated herein; that the Notice hereto attached in the above entitled action was published in the regular daily edition of the said "Times-Republican" once each week for:

One

consecutive weeks on the days and dates as follows, to-wit:
May 18, 2010

Statutory fees for publishing said notice are:
190.26


Sworn to before me and subscribed in my
presence by the said Sandra Plummer this
Nineteenth Day of May, 2010


Diane Caloud, Notary Public
Tama County, Iowa
Commission No. 716222
Commission Expires April 25, 2011

Account No. and Account Name
L15900 Marshall Co. Auditor



Legals PUBLIC NOTICE

Marshall County Board of
Supervisors Regular Session
May 11, 2010, at 9:00 a.m.

The Board met in regular session on Tuesday, May 11, 2010, at 9:00 a.m. in meeting room #2, 3rd Floor, northeast corner of the courthouse with all 3 members present.

1. Motion by Grabenbauer, second by Brooks to approve the agenda as printed. All voted aye.

2. There were no written comments, questions, or objections on file in the County Auditor's Office to the 2009-2010 Budget.

Motion by Brooks, second by Grabenbauer to close the public hearing. All voted aye.

3. Motion by Grabenbauer, second by Brooks, to adopt the Resolution for the Amendment to the 2009-2010 Budget. All voted aye.

4. Motion by Brooks, second by Grabenbauer, to adopt this re-appropriation of funds.

Approved by the Board for the Local Health Board department increase by \$194,290 to \$614,722 to reflect the expenditures to be incurred, for FY 2009-10. All voted aye.

Consent Agenda:

5. Approve Minutes— from Regular Session of April 27, 2010.

6. File District Court Report-4-10

General Supplemental Fund Surcharge-\$931.82

7. Accept Recorder's Quarterly Report-04-10

Records Management Fund

\$1,278.00

E-Commerce Fund \$3,808.00

General Basic Fund \$45,347.99

8. Approve Claims—as audited and authorize the County Auditor to issue payment of same.

Motion by Grabenbauer, second by Brooks, to approve the consent agenda as printed above. All voted aye.

9. Craig Schmidt, Central Region Manager, Pickering Heartland Coop Expansion made a presentation concerning the project improvements and plan.

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First Reading and Set Hearing— The Marshall County Board of Supervisors is considering the adoption of proposed Ordinance No. 32 of Marshall County, entitled Assessment of Wind Energy Conversion Property Ordinance; and

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Details of the Ordinance on file in the Board of Supervisor's Office. All voted aye.

11. Resolution No. 2010-0014-Resolution Authorizing and Approving a Loan Agreement and Providing for the Issuance of \$750,000 General Obligation County

Purpose Bonds, Series 2010A, and the Levy of Taxes to Pay the Same. Motion by Brooks, second by Grabenbauer to approve the resolution found in agenda item #11.

Details of the Resolution on file in the Board of Supervisors Office. All voted aye.

12. Motion by Grabenbauer, second by Brooks to approve the following rates for Marshall County providers, Central Iowa Residential Services, MIW, Inc., and IVCCD Career Development Program for July 1, 2010 through June 30, 2011. All voted aye.

13. Motion by Brooks, second by Grabenbauer to adopt an exemption to personnel policy Section 4.3. Conservation employees shall be able to accrue a maximum of 80 hours of compensatory time off. Compensatory time off will be used before using vacation time and as a general rule, shall be used between October 01 and April 01 of each year and no more than 8 hours to be carried past April 01. This will be included in the Personnel Policy Manual. All voted aye.

14. Motion by Grabenbauer, second by Brooks to set the date and time for a public meeting on Thursday, May 20, 2010, 7:00 p.m. at the Lions Park Community Building in Green Mountain, IA, for the proposed Green Mountain Street Light Project. All voted aye.

15. Motion by Brooks, second by Grabenbauer, to approve this request from Randhawa's Travel Center for a Cigarette Permit effective July 1st, 2010 through June 30, 2011. All voted aye.

16. Motion by Grabenbauer, second by Brooks, to approve this request from the Harvester Convenience Store, L.L.C., d/b/a "Harvester General Store" for a Cigarette Permit effective July 1st, 2010 through June 30, 2011. All voted aye.

17. Motion by Grabenbauer, second by Brooks to accept this

contract with Godberson- Smith Construction Co. of Ida Grove, IA for Project BRS-C064 (106) — 60-64 in the amount of \$1,074,347.78 and authorize the Chairman to sign the contracts and bond after submittal of approved documents. All voted aye.

18. Motion by Brooks, second by Grabenbauer to approve this agreement with Iowa D.O.T. for Traffic Safety Improvement Funding. This project is located on E35 and T29 from the east corporation limits of Marshalltown east to Three Bridges Road and includes: resurfacing of roadway; adding a 3-foot wide paved shoulder; adding shoulder rumble strips at curves; and milling all-weather pavement markings. All voted aye.

19. County Purchase of Liability Insurance Package by Public Bidding. Bobby Shomo, Koehler Insurance and Mark Rhode, Independent Insurance made brief presentations.

Bobby Shomo to prepare specifications/RFP for cost preparation purposes.

20. Public Forum — Deane Adams, County Treasurer, gave a report on auto sales and 4th of July request. Karen Squiers, County Auditor, reported that absentee ballots are available for primary. Bill Martin, asked consideration of changing the time of regularly scheduled Board of Supervisor meetings? To 5:00 p.m.?

21. Adjournment — The next regular meeting is May 25, 2010, at 9:00 a.m. All business to be acted upon at that session should be submitted to the County Auditor's Office or the Board of Supervisors' Office by May 20, 2010, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:51 a.m.

Ronald D. Goecke
Board of Supervisors, Chairman
Attest: Karen Squiers
Marshall County Auditor

Marshall County Claims List April, 2010

Allocation	
Marshall Co Coal/Youth	4,000.00
Employee Benefits	
Assurant Emp Benefits	932.33
Isac Group Unemployment	4,865.31
Equipment	
Bankers Leasing Co	1,957.00
Graybar Electric Co Inc	1,231.38
Jamell, Richard P	1,300.00
Tessco	613.54
Fees	
CCDA	25.00
Farmers Savings Bank	231.53
ICIT	875.00
Iowa Co Attys Assoc	755.00
ISACA	175.00
Local Emergency Mgmt	17,500.00
Fuel	
BP	46.97
Casey's	281.23

Mike's Diner	224.80
New Century FS	38,249.54
Phillips 66	181.45
Secondary Rd Dept	7,084.26
Grants	
City/Marshalltown	8,499.01
Community Y	1,633.15
Tama Co Sheriff	6,621.78
Mental Health	
Abbe Center	8,767.24
Broadlawn Medical Ctr	204.35
Butler Co Comm Serv	117.30
Capstone	304.00
Center Associates	9,831.00
Central Iowa Residential	
	1,574.10
Chatham Oaks	1,720.48
Comprehensive Systems	922.30
DAC Inc	136.05
Des Moines Register	135.62
DHS Cashier	217,480.64
Diamond Life	4,911.33
Dowd, Brian J	99.90
E Central Ia Acute Care	129.00
Ellsworth Hospital	5,000.00
Eyerly Ball MHC	220.00
Geffe, Kent	584.00
Genesis Development	15,220.48
Goodwill Industries	153.50
Hillcrest Family Serv	1,226.05
IVCCD	15,249.92
Johnson Co Sheriff	31.50
Kathleen's Care	744.00
Legal Aid Society	20.62
Linn Co Comm Services	68.50
Mallard View	1,155.68
MHC/Tama County	150.44
Mid-Iowa Workshops	25,962.16
New Focus Inc	1,015.91
New Hope Village	496.11
North Ia Vocational Ctr	525.30
Poweshiek Co MHC	149.25
Pride Group	2,107.32
Region Six	306.00
Scenic Acres	160.00
St Lukes Hospital	3,554.60
Treasurer, State/Iowa	36,431.49
Wilson, Patrick	486.00
Parts	
Action Auto Parts	150.00
Ben's Tire	76.00
Carquest Auto Parts	618.43
Central Ia Farm Store	13.13
Central Ia Machine Shop	47.25
Certified Power	187.20
Fastenal Co	450.48
Hawkeye Truck Equip	696.89
Jensen Inc	857.62
Ken Wise Chrysler	208.22
Menards	200.25
Napa Auto Parts	3,545.80
O'Halloran Intl	1,800.36
Plumb Supply	135.70
Pro Supply	128.97
Truck Equipment	83.72
USS Polaris	123.02
Ziegler's Inc	17,871.32
Project Expense	
Calhoun-Burns/Assoc	3,915.40
Clapsaddle-Garber	7,511.87
Gilcrest Jewett Lumber	1,951.64
Hay Construction Inc	8,174.00
Ia Dept/Nat Resources	175.00
Marshall Co Auditor	5,239.55
Nelson Fabrication	719.55
Relief	
Bunn, Sami	250.00
Rent	
Home Rental Ctr/Sales	170.00
Marshall Town Ctr	1,125.00
VA Medical Ctr-Ia City	645.00
FAMI/LLC	5,627.37
Masonic Holding Corp	1,760.00
Repair	

General Parts	1,685.84
Kapaun & Brown	430.00
Marshall Glass	50.00
Overhead Door Corp	1,095.00
Price's Garage Doors	1,394.00
Scooter Tire & Auto	35.00
Ward Enterprises	257.50
Borota Heating/Cooling	285.14
Service	
AAA Septic Service	40.00
Alley Silk Screen	247.00
Anderson Process Serv	120.00
Aramark Uniform Serv	213.23
Bachman, Dennis	440.00
Bill Me Later	139.30
Borsch, Cliff	500.00
Bradbury, Henry	450.00
Central Ia Juv Detention	424.00
Cott Systems Inc	1,156.00
Critical Info Network	2,337.00
Custom Software Dev	4,300.00
Electronic Engineering	57.00
ESRI Inc	10,900.00
Fedex	12.36
Gerke Court Reporting	28.90
Gerke, Tonya R	24.40
Google Inc	925.00
Heart/Iowa Comm	1,972.15
Hogeland Auto Plaza	301.50
Imagetek Inc	6,808.50
Internet Solver	200.00
Ia Dept/Public Safety	1,341.00
Iron Mountain Rec Mgt	95.45
Kirk, Ragan	15.00
Lightedge Solutions	1,189.47
Linn Co Sheriff	31.00
Mail Services Lc	3,163.83
Mainstay Systems Inc	237.00
Malloy Reporting Serv	450.00
Marshall & Swift	96.90
Marshall Co Landfill	15,691.00
Marshall Co Sheriff	905.00
Marshalltown Med/Surgical	
	150.93
McAtee Tire	416.82
Mediacom	99.95
Mid Ia Petroleum Serv	1,194.20
Northland Products Co	103.45
On-Site Info Destruction	40.00
Partner Communications	53.15
Premier Office Equip	1,418.29
Prouty, Judy	640.00
Racom Corp	1,306.20
Schendel Pest Control	90.00
Schumacher Elevator	2,726.62
Scurr, Steve DO	1,000.00
Secretary/State	336.08
Simplexgrinnell	2,222.00
Stone Sanitation	805.00
Times Republican	469.22
U S Cellular	288.62
U S Postal Serv	219.52
Verizon Wireless	451.13
Vern's Implement	275.00
Zimbra	3,300.00
Supplies	
Acorn Naturalist	42.85
Airgas	128.84
Andrews, Lori	36.47
Arnold Motor Supply	287.67
Bob Barker Co	3,262.96
Bob's Farm Ctr	878.00
Business Card	1,778.57
Carpenter Uniform	845.40
Central Ia Distributing	1,697.04
Central Office Supply	1,730.22
Cessford Construction	16,041.76
Charm-Tex Inc	949.40
Consolidated Mgmt	21,116.76
Cooks Direct Inc	813.80
Cross Dillon Tire	4,013.00
Deluxe Bus Checks	30.51
Diamond Vogel	83.95
Earl May	7.99

Electric Supply	111.45
Farm Plan/Southard Imp	429.97
Farm Plan/Theisen's	485.90
Fesler's Inc	893.65
Forestry Suppliers	301.88
Grainger	199.08
Hammer Med Supply	6.75
Hy-Vee Inc	110.44
Hy-Vee Pharmacy	854.25
Iowa Dept Trans	3.42
Iowa Lumber	32.05
Iowa Notary Supply	19.90
Iowa Prison Ind	89.50
JC Penney	58.97
Lowe's Home Ctr	976.12
M Gervich/Sons	756.08
Manken, Jeremiah	209.00
Martin Marietta	11,163.66
Miller, Jennifer	66.12
Minute Man Copy Ctr	13.00
Nauman, Ron	486.28
O'Reilly Auto Parts	229.28
Pam Claussen Cleaning	907.56
Petty Cash - Sheriff	134.17
Phoenix Brands	243.75
Postmaster	229.00
Quill Corporation	656.91
Sams Club	56.59
Softchoice Corp	123.81
Spahn & Rose Lumber	82.97
Span Publishing Inc	288.00
Staples Credit Plan	2,005.47
Stegmann, Mike	35.15
Thompson's True Value	55.12
Tri-State Lock	6.00
U S Bank	2,026.54
Walmart	648.35
West Payment Ctr	1,723.30
Training	
Cross Country Education	298.00
DARE Iowa	50.00
Henze, Holly	780.00
IACVA	105.00
IOWA	60.00
Phillips, Joel	88.48
TECO Inc	550.00
NACVSO	600.00
Travel	
Adams, Deane	333.70
Bailey, Jonathan	100.00
Baker, Kathleen	403.73
Chizek, Wayne	120.50
Ewalt, Melanie	60.00
Folk, Evan	80.00
Fouch, Dennis	15.00
Kirk, Karen	43.18
Kruse, Mindy	9.50
Kunc, John	425.00
Marshall, Doug	88.48
Pixler, Diane	22.70
Squiers, Karen	122.81
Vander Ploeg, Joshua	31.90
Weatherman, Marilee	50.00
Williams, Scott	205.25
Utilities	
Alliant Energy	20,209.32
Central Iowa Water	2,237.32
Consumers Energy	887.99
Ferguson Utilities	58.36
Grundy Co R E C	130.66
Marshalltown Water	129.28
PAETEC	1,672.72
Qwest	605.45
Fund Totals:	
DARE	50.00
Gen Basic	176,794.38
Gen Supplemental	36,591.07
Jail Commissary	10,241.51
MH-DD Serv	357,904.00
Rural Serv	16,001.25
Secondary Rds	110,201.56
****	707,783.77

PROOF OF PUBLICATION OF

Marshall County
Board of Supervisors

STATE OF IOWA
MARSHALL COUNTY

Gregory Gilgen being first
duty sworn on his oath de-
poses and states that he is the
publisher of the

MID IOWA ENTERPRISE

a weekly newspaper of gener-
al circulation, published whol-
ly in the English language and
printed and published in

STATE CENTER, IOWA

which is within the County of
Marshall, and State of Iowa;
and printed notice hereto at-
tached is a true copy of the

May 11, 2010

Minutes / Claims

and was published in the regu-
lar edition of said newspaper
once each week on the same
day of the week, one publica-
tion thereof being had on each
of the following dates:

May 20, 2010

[Signature]
Publisher
Fees for publication \$ 202⁸⁴

Marshall County Board of Supervi-
sors
Regular Session May 11, 2010,
at 9:00 a.m.
MINUTES

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Tuesday, May 11, 2010, at 9:00 a.m. in
meeting room #2, 3rd Floor, northeast cor-
ner of the courthouse with all 3 members
present.

1. Motion by Grabenbauer, second by
Brooks to approve the agenda as printed.
All voted aye.

2. There were no written comments,
questions, or objections on file in the
County Auditor's Office to the 2009-2010
Budget Motion by Brooks, second by
Grabenbauer to close the public hearing.
All voted aye.

3. Motion by Grabenbauer, second by
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\$931.82

7. Accept Recorder's Quarterly Report-
04-10 Records Management Fund \$1,278.00
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of Wind Energy Conversion Property and
set the public hearing at 9:00 a.m. on the
25th day of May 2010 and designate the
next reading as the third reading. The sec-
ond reading of this ordinance is suspended
by majority of the supervisors pursuant to
Iowa Code Chapter 331.302(5). Details of
the Ordinance on file in the Board of Super-
visor's Office. All voted aye.

11. Resolution No. 2010-0014-Resolu-
tion Authorizing and Approving a Loan
Agreement and Providing for the Issuance
of \$750,000 General Obligation County
Purpose Bonds, Series 2010A, and the
Levy of Taxes to Pay the Same. Motion by
Brooks, second by Grabenbauer to approve
the resolution found in agenda item #11.
Details of the Resolution on file in the
Board of Supervisors office. All voted aye.

12. Motion by Grabenbauer, second by
Brooks to approve the following rates for
Marshall County providers: Central Iowa
Residential Services, MIW, Inc., and
IVCCD Career Development Program for
July 1, 2010 through June 30, 2011. All
voted aye.

13. Motion by Brooks, second by
Grabenbauer to adopt an exemption to per-
sonnel policy Section 4.3. Conservation
employees shall be able to accrue a maxi-
mum of 80 hours of compensatory time off.
Compensatory time off will be used before
using vacation time and as a general rule,
shall be used between October 01 and April
01 of each year and no more than 8 hours
to be carried past April 01. This will be in-
cluded in the Personnel Policy Manual. All
voted aye.

Sworn to before me and subscribed in my presence by
the said Gregory Gilgen this 20th day of

May 2010

[Signature]

Marshall County, Iowa

PUBLIC NOTICE

THURSDAY, MAY 20, 2010-

MARSHALL COUNTY

14. Motion by Grabenbauer, second by Brooks to set the date and time for a public meeting on Thursday, May 20, 2010, 7:00 p.m. at the Lions Park Community Building in Green Mountain, IA, for the proposed Green Mountain Street Light Project. All voted aye.

15. Motion by Brooks, second by Grabenbauer, to approve this request from Randhawa's Travel Center for a Cigarette Permit effective July 1st, 2010 through June 30, 2011. All voted aye.

16. Motion by Grabenbauer, second by Brooks, to approve this request from the Harvester Convenience Store, L.L.C., d/b/a "Harvester General Store" for a Cigarette Permit effective July 1st, 2010 through June 30, 2011. All voted aye.

17. Motion by Grabenbauer, second by Brooks to accept this contract with Godber-son-Smith Construction Co. of Ida Grove, IA for Project BRS-C064(106)—60-64 in the amount of \$1,074,347.78 and authorize the Chairman to sign the contracts and bond after submittal of approved documents. All voted aye.

18. Motion by Brooks, second by Grabenbauer to approve this agreement with Iowa D.O.T. for Traffic Safety Improvement Funding. This project is located on E35 and T29 from the east corporation limits of Marshalltown east to Three Bridges Road and includes: resurfacing of roadway; adding a 3-foot wide paved shoulder; adding shoulder rumble strips at curves; and milling all-weather pavement markings. All voted aye.

19. County Purchase of Liability Insurance Package by Public Bidding. Bobby Shomo, Koehler Insurance and Mark Rhode, Independent Insurance made brief presentations. Bobby Shomo to prepare specifications/RFP for cost preparation purposes.

20. Public Forum—Deane Adams, County Treasurer, gave a report on auto sales and 4th of July request. Karen Squiers, County Auditor, reported that absentee ballots are available for primary. Bill Martin, asked consideration of changing the time of regularly scheduled Board of Supervisor meetings? To 5:00 p.m.?

21. Adjournment—The next regular meeting is May 25, 2010, at 9:00 a.m. All business to be acted upon at that session should be submitted to the County Auditor's Office or the Board of Supervisors' Office by May 20, 2010, at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:51 a.m.

Ronald D. Goecke
Board of Supervisors, Chairman

Attest:
Karen Squiers
Marshall County Auditor

Marshall County Claims List April, 2010

Allocation	
Marshall Co Coal/Youth	4,000.00
Employee Benefits	
Assurant Emp Benefits	932.33
Isac Group Unemployment	4,865.31
Equipment	
Bankers Leasing Co	1,957.00
Graybar Electric Co Inc	1,231.38
Jamell, Richard P	1,300.00
Tessco	613.54
Fees	
CCDA	25.00
Farmers Savings Bank	231.53
ICIT	875.00
Iowa Co Attys Assoc	755.00
ISACA	175.00
Local Emergency Mgmt	17,500.00
Fuel	
BP	46.97
Casey's	281.23
Mike's Diner	224.80
New Century FS	38,249.54
Phillips 66	181.45
Secondary Rd Dept	7,084.26
Grants	
City/Marshalltown	8,499.01
Community Y	1,633.15
Tama Co Sheriff	6,621.78
Mental Health	
Abbe Center	8,767.24
Broadlawn Medical Ctr	204.35
Butler Co Comm Serv	117.30
Capstone	304.00
Center Associates	9,831.00
Central Iowa Residential	1,574.10
Chatham Oaks	1,720.48
Comprehensive Systems	922.30
DAC Inc	136.05
Des Moines Register	135.62
DHS Cashier	217,480.64
Diamond Life	4,911.33
Dowd, Brian J	99.90
E Central Ia Acute Care	129.00
Ellsworth Hospital	5,000.00
Eyerly Ball MHC	220.00
Geffe, Kent	584.00
Genesis Development	15,220.48
Goodwill Industries	153.50
Hillcrest Family Serv	1,226.05
IVCCD	15,249.92
Johnson Co Sheriff	31.50
Kathleen's Care	744.00
Legal Aid Society	20.62
Linn Co Comm Services	68.50
Mallard View	1,155.68
MHC/Tama County	150.44
Mid-Iowa Workshops	25,962.16
New Focus Inc	1,015.91
New Hope Village	
496.11	
North Ia Vocational Ctr	525.30
Poweshiek Co MHC	149.25
Pride Group	2,107.32
Region Six	
306.00	
Scenic Acres	160.00
St Lukes Hospital	3,554.60
Treasurer, State/Iowa	36,431.49
Wilson, Patrick	486.00

Parts

Action Auto Parts	150.00
Ben's Tire	76.00
Carquest Auto Parts	618.43
Central Ia Farm Store	13.13
Central Ia Machine Shop	47.25
Certified Power	187.20
Fastenal Co	450.48
Hawkeye Truck Equip	696.89
Jensen Inc	857.62
Ken Wise Chrysler	208.22
Menards	200.25
Napa Auto Parts	3,545.80
O'Halloran Intl	1,800.36
Plumb Supply	135.70
Pro Supply	128.97
Truck Equipment	83.72
USS Polaris	123.02
Ziegler's Inc	17,871.32
Project Expense	
Calhoun-Burns/Assoc	3,915.40
Clapsaddle-Garber	7,511.87
Gilcrest Jewett Lumber	1,951.64
Hay Construction Inc	8,174.00
Ia Dept/Nat Resources	175.00
Marshall Co Auditor	5,239.55
Nelson Fabrication	719.55
Relief	
Bunn, Sami	250.00
Rent	
Home Rental Ctr/Sales	170.00
Marshall Town Ctr	1,125.00
VA Medical Ctr-Ia City	645.00
FAMI/LLC	5,627.37
Masonic Holding Corp	1,760.00
Repair	
General Parts	1,685.84
Kapaun & Brown	430.00
Marshall Glass	50.00
Overhead Door Corp	1,095.00
Price's Garage Doors	1,394.00
Scooter Tire & Auto	35.00
Ward Enterprises	257.50
Borota Heating/Cooling	285.14
Service	
AAA Septic Service	40.00
Alley Silk Screen	247.00
Anderson Process Serv	120.00
Aramark Uniform Serv	213.23
Bachman, Dennis	440.00
Bill Me Later	139.30
Borsch, Cliff	500.00
Bradbury, Henry	450.00
Central Ia Juv Detention	424.00
Cott Systems Inc	1,156.00
Critical Info Network	2,337.00
Custom Software Dev	4,300.00
Electronic Engineering	57.00
ESRI Inc	
10,900.00	
Fedex	12.36
Gerke Court Reporting	28.90
Gerke, Tonya R	24.40
Google Inc	925.00
Hearth/Iowa Comm	1,972.15
Hogeland Auto Plaza	301.50
Imagetek Inc	6,808.50
Internet Solver	200.00
Ia Dept/Public Safety	1,341.00
Iron Mountain Rec Mgt	95.45
Kirk, Ragan	15.00

Lightedge Solutions	1,189.47
Linn Co Sheriff	31.00
Mail Services Lc	3,163.83
Mainstay Systems Inc	237.00
Malloy Reporting Serv	450.00
Marshall & Swift	96.90
Marshall Co Landfill	15,691.00
Marshall Co Sheriff	905.00
Marshalltown Med/Surgical	150.93
McAtee Tire	416.82
Mediacom	99.95
Mid Ia Petroleum Serv	1,194.20
Northland Products Co	103.45
On-Site Info Destruction	40.00
Partner Communications	53.15
Premier Office Equip	1,418.29
Prouty, Judy	640.00
Racom Corp	1,306.20
Schendel Pest Control	90.00
Schumacher Elevator	2,726.62
Scurr, Steve DO	1,000.00
Secretary/State	336.08
Simplexgrinnell	2,222.00
Stone Sanitation	805.00
Times Republican	469.22
U S Cellular	288.62
U S Postal Serv	219.52
Verizon Wireless	451.13
Vern's Implement	275.00
Zimbra	3,300.00
Supplies	
Acorn Naturalist	42.85
Airgas	128.84
Andrews, Lori	36.47
Arnold Motor Supply	287.67
Bob Barker Co	3,262.96
Bob's Farm Ctr	878.00
Business Card	1,778.57
Carpenter Uniform	845.40
Central Ia Distributing	1,697.04
Central Office Supply	1,730.22
Cessford Construction	16,041.76
Charm-Tex Inc	949.40
Consolidated Mgmt	
21,116.76	
Cooks Direct Inc	813.80
Cross Dillon Tire	4,013.00
Deluxe Bus Checks	30.51
Diamond Vogel	83.95
Earl May	7.99
Electric Supply	
111.45	
Farm Plan/Southard Imp	429.97
Farm Plan/Theisen's	485.90
Fessler's Inc	893.65
Forestry Suppliers	301.88
Grainger	199.08
Hammer Med Supply	6.75
Hy-Vee Inc	
110.44	
Hy-Vee Pharmacy	854.25
Iowa Dept Trans	3.42
Iowa Lumber	32.05
Iowa Notary Supply	19.90
Iowa Prison Ind	89.50
JC Penney	58.97
Lowe's Home Ctr	976.12
M Gervich/Sons	756.08
Manken, Jeremiah	209.00
Martin Marietta	
11,163.66	
Miller, Jennifer	66.12



Minute Man Copy Ctr	13.00
Nauman, Ron	486.28
O'Reilly Auto Parts	229.28
Pam Claussen Cleaning	907.56
Petty Cash - Sheriff	134.17
Phoenix Brands	243.75
Postmaster	229.00
Quill Corporation	656.91
Sams Club	56.59
Softchoice Corp	123.81
Spahn & Rose Lumber	82.97
Span Publishing Inc	288.00
Staples Credit Plan	2,005.47
Stegmann, Mike	35.15
Thompson's True Value	55.12
Tri-State Lock	6.00
U S Bank	
2,026.54	
Walmart	
648.35	
West Payment Ctr	1,723.30
Training	
Cross Country Education	298.00
DARE Iowa	50.00
Henze, Holly	780.00
IACCVa	105.00
IOVA	60.00
Phillips, Joel	88.48
TECO Inc	550.00
NACVSO	600.00
Travel	
Adams, Deane	333.70
Bailey, Jonathan	100.00
Baker, Kathleen	403.73
Chizek, Wayne	120.50
Ewalt, Melanie	60.00
Folk, Evan	80.00
Fouch, Dennis	15.00
Kirk, Karen	43.18
Kruse, Mindy	9.50
Kunc, John	425.00
Marshall, Doug	88.48
Pixler, Diane	22.70
Squiers, Karen	122.81
Vander Ploeg, Joshua	31.90
Weatherman, Marilee	50.00
Williams, Scott	205.25
Utilities	
Alliant Energy	20,209.32
Central Iowa Water	2,237.32
Consumers Energy	887.99
Ferguson Utilities	58.36
Grundy Co R E C	130.66
Marshalltown Water	129.28
PAETEC	1,672.72
Qwest	605.45

Fund Totals:

DARE	50.00
Gen Basic	176,794.38
Gen Supplemental	36,591.07
Jail Commissary	10,241.51
MH-DD Serv	
357,904.00	
Rural Serv	
16,001.25	
Secondary Rds	
110,201.56	

707,783.77

**Marshall County Board of Supervisors
Regular Session May 25, 2010, at 9:00 a.m.**

MINUTES

The Board met in regular session on Tuesday, May 25, 2010, at 9:00 a.m. in meeting room #2, 3rd Floor, northeast corner of the courthouse with 3 members present.

* * *

**14. Ordinance No. 32 -- Assessment of Wind Energy Conversion Property
Third and Final Reading and Adoption --**

The Marshall County Board of Supervisors is considering the adoption of proposed Ordinance No. 32 of Marshall County, entitled Assessment of Wind Energy Conversion Property Ordinance; and

Whereas the second reading of this ordinance was suspended by majority of the supervisors pursuant to Iowa Code Chapter 331.302(5) at the May 11, 2010 Board of Supervisors meeting; and

Now, Therefore Be It Resolved, by the Marshall County Board of Supervisors, that this be considered the third and final reading and adoption of the proposed Assessment of Wind Energy Conversion Property Ordinance for Marshall County, Iowa.

**Marshall County Ordinance No. 32
Assessment of Wind Energy Conversion Property**

Be it enacted by the Board of Supervisors of Marshall County, Iowa:

Section 1: Purpose

The purpose of this ordinance is to provide for the special valuation of wind energy conversion property pursuant to Iowa Code Chapter 427B.26.

Section 2: Definitions

For use in this ordinance, certain terms and words used herein shall be interpreted or defined as follows:

1. **NET ACQUISITION COST** means the acquired cost of the property including all foundations and installation cost less any excess cost adjustment.
2. **WIND ENERGY CONVERSION PROPERTY** means the entire wind plant including, but not limited to, a wind charger, windmill, wind turbine, tower and electrical equipment, pad mount transformers, power lines and substation.

Section 3: Authority to Establish

The Board of Supervisors is authorized, pursuant to Iowa Code Chapter 427B.26 to provide by ordinance for special valuation of wind energy conversion property as provided in Section 4.

Section 4: Establishment

Pursuant to Iowa Code Chapter 427B.26, a special valuation of wind energy conversion property is allowed in lieu of the valuation assessment provisions in Iowa Code Chapter ~~442.21(9)(b) and (c)~~ **441.21(8) (a)(b)(c)**, and Iowa Code Chapters 428.24 to 428.29. The special valuation shall only apply to wind energy conversion property first assessed on or after January 1, 1994, and on or after the effective date of this ordinance.

Section 5: Amount of Valuation

Wind energy conversion property first assessed on or after the effective date of the ordinance shall be valued by the county assessor for property tax purposes as follows:

1. For the first assessment year, at zero percent (0%) of the net acquisition cost.
2. For the second through sixth assessment years, at a percent of the net acquisition cost which rate increases by five percent (5%) each assessment year.
3. For the seventh and succeeding assessment years, at thirty percent (30%) of the net acquisition cost.

Section 6: Declaration of Special Valuation

The taxpayer shall file with the county assessor by February 1 of the assessment year in which the wind energy conversion property is first assessed for property tax purposes, a declaration of intent to have the property assessed at the value determined under Section 5 in lieu of the valuation assessment provisions in Iowa Code Chapter ~~441.21(9)(b) and (c)~~, and Iowa Code Chapters 428.24 to 428.29.

If the taxpayer does not file with the county assessor by February 1 of the assessment year for which the person files a declaration of intent to have the property assessed as provided above, then the declaration of intent shall be considered as a declaration filed for the following year.

Section 7: Reporting Requirements

The following reports shall be filed annually with the county assessor by the taxpayer; in the first year, with the declaration of intent prescribed in Section 6; and by February 1 of each year thereafter:

1. Copy of Asset ledger sheet to IRS;
2. Engineering breakdown of component parts;
3. Tower numbering system;
4. Name of contact person, phone number, FAX number, and mailing address;
5. Report of all leased equipment, the name(s) of the company(s) it is leased from, and the agreement between the lessor and the lessee regarding who is responsible for the property tax on the leased equipment.

Section 8: Repeal of Special Valuation

If in the opinion of the Board of Supervisors continuation of the special valuation provided under Section 4 ceases to be of benefit to the county, the Board of Supervisors may repeal the ordinance.

Property specially valued under section 4, prior to any repeal of this ordinance, shall continue to be valued under Section 4 until the end of the nineteenth (19) assessment year following the assessment year in which the property was first assessed.

Section 9: Repealer

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 10: Severability Clause

If any section, provision, or other part of this ordinance shall be adjudged invalid or unconstitutional, said adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or other part thereof not adjudged invalid or unconstitutional.

Section 11: Penalty

Any person, firm or corporation violating any regulation in or any provision of this ordinance, or of any amendment or supplement thereto, shall be guilty of a simple misdemeanor which is punishable by a fine of not more than One Hundred Dollars (\$100.00) or by imprisonment of not more than thirty (30) days and shall be guilty of a County infraction punishable by a civil penalty of not more than One Hundred Dollars (\$100.00), or if the infraction is a repeat offense, by a civil penalty not to exceed Two Hundred Dollars (\$200.00). Each day that a violation occurs or is permitted by the Defendant to exist, constitutes a separate offense.

Section 12: When Effective

This ordinance shall be in effect upon its final passage, approval and publication as provided by law.

Be It Further Resolved that such a proposed Ordinance shall not be effective until a public hearing is held at 9:00 a.m. on the 25th day of May 2010, with a notice of the public hearing published in the Marshalltown Times-Republican and the Mid Iowa Enterprise, and the Board adopts the third reading of the proposed Ordinance and the Ordinance is published.

Motion by Brooks, second by Grabenbauer to amend proposed Ordinance #32 to replace code # 442.21(9)(b) and (c) under Section 4-Establishment with new code #441.21(8) (a)(b)(c). See changes above.

Roll call vote:	Grabenbauer-Aye	Brooks-Aye	Goecke-Aye
	Vice Chairman	Member	Chairman

Motion by Brooks, second by Grabenbauer that this constitutes the third and final reading and adoption of proposed Marshall County Ordinance #32 entitled Assessment of Wind Energy Conversion Property, **as amended**. This Ordinance will be effective after publication.

Roll call vote:	Grabenbauer-Aye	Brooks-Aye	Goecke-Aye
	Vice Chairman	Member	Chairman

PASSED AND APPROVED this 25th day of May, 2010.

/s/ Ronald D. Goecke
Ronald D. Goecke
Board of Supervisors, Chairman

Attest: /s/ Karen Squiers
Karen Squiers
Marshall County Auditor

* * *

22. Adjournment--The next regular meeting is June 8, 2010, at 9:00 a.m. All business to be acted upon at that session should be submitted to the County Auditor's Office or the Board of Supervisors' Office by June 2, 2010(**PLEASE NOTE DATE CHANGE**), at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:36 a.m.

/s/ Ronald D. Goecke
Ronald D. Goecke
Board of Supervisors, Chairman

Attest: /s/ Karen Squiers
Karen Squiers
Marshall County Auditor

Affidavit of Publication

STATE OF IOWA,
Marshall County, ss.

Marshall County Auditor
Regular session of the Marshall County Board of
Supervisors May 25

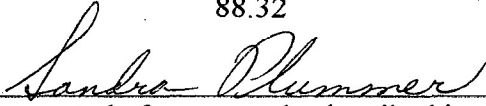
I, Sandra Plummer, being first duly sworn, on oath depose and say that Marshalltown Newspaper, Inc. is a corporation for pecuniary profit organization under the law of the State of Iowa, with its principal place of business in Marshalltown, Iowa; that the "Times-Republican" is a daily newspaper of general circulation printed wholly in the English language and published by said corporation at the city of Marshalltown, in Marshall County, Iowa; that I am the Accounts Receivable Clerk of said corporation and a full time employee of the said newspaper, and have personal knowledge of the facts stated herein; that the Notice hereto attached in the above entitled action was published in the regular daily edition of the said "Times-Republican" once each week for:

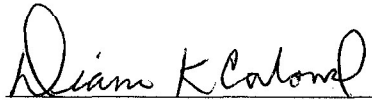
One

consecutive weeks on the days and dates as follows, to-wit:
July 19, 2010

Statutory fees for publishing said notice are:

88.32


Sworn to before me and subscribed in my
presence by the said Sandra Plummer this
Twentieth Day of July, 2010


Diane Caloud, Notary Public
Tama County, Iowa
Commission No. 716222
Commission Expires April 25, 2011

Account No. and Account Name
L15900 Marshall County Auditors



PUBLIC NOTICE

Marshall County Board of
Supervisors Regular Session
May 25, 2010, at 9:00 a.m.
MINUTES

The Board met in regular session on Tuesday, May 25, 2010, at 9:00 a.m. in meeting room #2, 3rd Floor, northeast corner of the courthouse with 3 members present.

1. Motion by Brooks, second by Grabenbauer to approve the agenda as printed. All voted aye.

2. There was no written comment(s), question(s) or objection(s) on file before the hearing, and no individual(s) voiced comments, questions or objections at the hearing for the Appelgate G & L, non-permitted Hog Confinement Construction Expansion.

This expansion is located in Marshall County Iowa, Marietta Township, in the NW 1/4 SE 1/4 of Section 19, T-84N, R-18W. Motion by Grabenbauer, second by Brooks to close the public hearing. All voted aye.

Consent Agenda:
3. Approve Minutes—from Regular Session of May 11, 2010.

4. Accept Independent Auditor's Report-Quakerdale White's Iowa Institute: Years ending December 31, 2009 and 2008.

5. Approve Personnel Actions:

a) Hire, Austin Ewalt, Auditor/Election Office, Equipment Delivery, temporary, at \$10.00/hr., effective June 2-June 9, 2010.

b) Hire, Judy Wasco, Auditor/Election Office, Election Clerk, part time as needed, at \$10.00/hr., effective May 25, 2010-December 30, 2010.

c) Hire, Richard Monroe, Secondary Road Department, summer mowing, temporary part time as needed, \$17.78/hr., effective June 1, 2010.

6. Manure Management Update-MTM Farms, LLC, id no. 61010, update report received

and placed on file with no changes made to the MMP.

7. File District Court Report-4-10 General Supplemental Fund 10% Surcharge - \$931.82

8. Approve Claims—as audited and authorize the County Auditor to issue payment of same.

Motion by Brooks, second by Grabenbauer, to approve the consent agenda as printed above. All voted aye.

9. Motion by Grabenbauer, second by Brooks, to approve the subdivision variance to

Article III, Section 3 of the Platting and Subdivision Ordinance and allow a plat of survey to be filed in lieu of a subdivision. The property involved is:

Section 28 Township 85 Range 17, SE SE of the 5th P.M., parcel pin # 04-28-400-004 within Marshall County, Iowa. All voted aye.

10. Motion by Brooks, second by Grabenbauer to adopt this Resolution to establish County Attorney Collection Incentive Fund. All voted aye.

11. Motion by Grabenbauer, second by Brooks to approve the use of County property for a patriot rally on Monday, June 14, 2010 (Flag Day) afternoon/evening. All voted aye.

12. Motion by Brooks, second by Grabenbauer, to approve the use of County property and the Mobile Band Shell by the Hispanic Heritage Festival Committee on Saturday, June 5th at 12:00 p.m. All voted aye.

13. Ordinance No. 32 Assessment of Wind Energy Conversion Property, Public Hearing. There were no written comments, questions, or objections on file in the County Auditor's office. Of the 5 individuals attending the hearing, no individual(s) presented oral comments, questions or objections. Motion by Grabenbauer, second by Brooks to close the public hearing. All voted aye.

14. Ordinance No. 32 — Assessment of Wind Energy Conversion Property Third and Final Reading and Adoption — The Marshall County Board of Supervisors is considering the adoption of proposed Ordinance No. 32 of Marshall County, entitled Assessment of Wind Energy Conversion Property Ordinance; and Whereas the second reading of this ordinance was suspended by majority of the supervisors pursuant to Iowa Code Chapter 331.302(5) at the May 11, 2010 Board of Supervisors meeting; and

Now, Therefore Be It Resolved, by the Marshall County Board of Supervisors, that this be considered the third and final reading and adoption of the proposed Assessment of Wind Energy Conversion Property Ordinance for Marshall County, Iowa.

Motion by Brooks, second by

Grabenbauer that this constitutes the third and final reading and adoption of proposed Marshall County Ordinance #32 entitled Assessment of Wind Energy Conversion Property, as amended by replacing code #442.21(9)(b) and (c) under Section 4-Establishment with new code #441.21(8) (a)(b)(c). This Ordinance will be effective after publication. Full details of the ordinance on file in the Board of Supervisors office. All voted aye.

15. Motion by Grabenbauer, second by Brooks to approve hiring Cessford Construction Co. of LeGrand to perform surface patching on West Main St. from the city limits of Marshalltown, west to Knapp Ave. Estimated cost is \$60,498.67. All voted aye.

16. Motion by Brooks, second by Grabenbauer, to accept the Certificate of Completion on Project HDP-C064(98) - 6B-64, with Peterson Contractors Inc. of Reinbeck, IA consisting of grading 1.15 miles of Highland Acres Rd from 233rd St. to 450' North of Lincoln Way, in Section 4 T-83N, R-18W Timber Creek Township, Marshall County, Iowa. Final Cost: \$971,265.62. All voted aye.

17. Motion by Grabenbauer, second by Brooks, to approve the Extension Agreement between Marshall County and the City of Albion for law enforcement protection within the corporate limits of the City of Albion. The agreement is extended through June 30, 2011. All voted aye.

18. Letter of Support to Iowa Congressional Delegation- Retroactively extending the biodiesel tax incentive.

19. Discussion - Item-Tax Abatement District-Urban Revitalization Plan-Pickering Heartland Coop - 1.5 million expansion. Tax abatement plan is for their area only, a three year abatement.

20. Motion by Brooks, seconded by Grabenbauer to complete the application for Marshall County Life and AD&D Insurance Plan. All voted aye.

21. Public Forum - There were no comments from the public.

22. Adjournment - The next regular meeting is June 8, 2010, at 9:00 a.m. All business to be acted upon at that session should be submitted to the County Auditor's Office or the Board of Supervisors' Office by June 2, 2010 (PLEASE NOTE DATE CHANGE), at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:36 a.m.

Ronald D. Goecke
Board of Supervisors, Chairman
Attest: Karen Squiers
Marshall County Auditor

PROOF OF PUBLICATION OF

Marshall County

STATE OF IOWA
MARSHALL COUNTY

Gregory Gilgen being first
duty sworn on his oath de-
poses and states that he is the
publisher of the

MID IOWA ENTERPRISE
a weekly newspaper of gener-
al circulation, published whol-
ly in the English language and
printed and published in

STATE CENTER, IOWA
which is within the County of
Marshall, and State of Iowa;
and printed notice hereto at-
tached is a true copy of the

May 25, 2010

minutes

and was published in the regu-
lar edition of said newspaper
once each week on the same
day of the week, one publica-
tion thereof being had on each
of the following dates:

July 22, 2010

Publisher

Fees for publication \$ 71²³

MARSHALL COUNTY

**Marshall County Board of Supervisors
Regular Session May 25, 2010, at 9:00 a.m.
MINUTES**

The Board met in regular session on Tuesday, May 25, 2010, at 9:00 a.m. in meeting room #2, 3rd Floor, northeast corner of the courthouse with 3 members present.

1. Motion by Brooks, second by Grabenbauer to approve the agenda as printed. All voted aye.

2. There was no written comment(s), question(s) or objection(s) on file before the hearing, and no individual(s) voiced comments, questions or objections at the hearing for the Appelgate G & L, non-permitted Hog Confinement Construction Expansion. This expansion is located in Marshall County Iowa, Marietta Township, in the NW 1/4 SE 1/4 of Section 19, T-84N, R-18W. Motion by Grabenbauer, second by Brooks to close the public hearing. All voted aye.

Consent Agenda:

3. Approve Minutes—from Regular Session of May 11, 2010.

4. Accept Independent Auditor's Report-Quakerdale White's Iowa Institute. Years ending December 31, 2009 and 2008.

5. Approve Personnel Actions:

a) Hire, Austin Ewalt, Auditor/Election Office, Equipment Delivery, temporary, at \$10.00/hr., effective June 2-June 9, 2010.

b) Hire, Judy Wasco, Auditor/Election Office, Election Clerk, part time as needed, at \$10.00/hr., effective May 25, 2010-December 30, 2010.

c) Hire, Richard Monroe, Secondary Road Department, summer mowing, temporary part time as needed, \$17.78/hr., effective June 1, 2010.

6. Manure Management Update-MTM Farms, LLC, id no. 61010, update report received and placed on file with no changes made to the MMP.

7. File District Court Report 4-10 General Supplemental Fund 10% Surcharge - \$931.82

8. Approve Claims—as audited and authorize the County Auditor to issue payment of same.

Motion by Brooks, second by Grabenbauer, to approve the consent agenda as printed above. All voted aye.

9. Motion by Grabenbauer, second by Brooks, to approve the subdivision variance to Article III, Section 3 of the Platting and Subdivision Ordinance and allow a plat of survey to be filed in lieu of a subdivision. The property involved is: Section 28 Township 85 Range 17; SE SE of the 5th P.M., parcel pin # 04-28-400-004 within Marshall County, Iowa. All voted aye.

10. Motion by Brooks, second by Grabenbauer to adopt this Resolution to establish County Attorney Collection Incentive Fund. All voted aye.

11. Motion by Grabenbauer, second by Brooks to approve the use of County property for a patriot rally on Monday, June 14, 2010 (Flag Day) afternoon/evening. All voted aye.

12. Motion by Brooks, second by Grabenbauer, to approve the use of County property and the Mobile Band Shell by the Hispanic Heritage Festival Committee on Saturday, June 5th at 12:00 p.m. All voted aye.

13. Ordinance No. 32 Assessment of Wind Energy Conversion Property, Public Hearing- There were no written comments, questions, or objections on file in the County Auditor's office. Of the 5 individuals attending the hearing, no individual(s) presented oral comments, questions or objections. Motion by Grabenbauer, second by Brooks to close the public hearing. All voted aye.

14. Ordinance No. 32 -- Assessment of Wind Energy Conversion Property Third and Final Reading and Adoption --

The Marshall County Board of Supervisors is considering the adoption of proposed Ordinance No. 32 of Marshall County, entitled Assessment of Wind Energy Conversion Property Ordinance; and

Whereas the second reading of this ordinance was suspended by majority of the supervisors pursuant to Iowa Code Chapter 331.302(5) at the May 11, 2010 Board of Supervisors meeting; and

Now, Therefore Be It Resolved, by the Marshall County Board of Supervisors, that this be considered the third and final reading and adoption of the proposed Assessment of Wind Energy Conversion Property Ordinance for Marshall County, Iowa.

Motion by Brooks, second by Grabenbauer that this constitutes the third and final reading and adoption of proposed Marshall County Ordinance #32 entitled Assessment of Wind Energy Conversion Property, as amended by replacing code # 442.21(9)(b) and (c) under Section 4-Establishment with new code #441.21(8) (a)(b)(c). This Ordinance will be effective after publication. Full details of the ordinance on file in the Board of Supervisors office. All voted aye.

15. Motion by Grabenbauer, second by Brooks to approve hiring Cessford Construction Co. of LeGrand to perform surface patching on West Main St. from the city limits of Marshalltown, west to Knapp Ave. Estimated cost is \$60,498.67. All voted aye.

16. Motion by Brooks, second by Grabenbauer, to accept the Certificate of Completion on Project HDP-C064(98)—6B-64, with Peterson Contractors Inc. of Reinbeck, IA consisting of grading 1.15 miles of Highland Acres Rd from 233rd St. to 450' North of Lincoln Way, in Section 4 T-83N, R-18W Timber Creek Township, Marshall County, Iowa. Final Cost: \$971,265.62. All voted aye.

17. Motion by Grabenbauer, second by Brooks, to approve the Extension Agreement between Marshall County and the City of Albion for law enforcement protection within the corporate limits of the City of Albion. The agreement is extended through June 30, 2011. All voted aye.

Sworn to before me and subscribed in my presence by
the said Gregory Gilgen this 22nd day of

July 2010

Jamie Burdorf

Marshall County, Iowa



**Cont. from
previous
columns at left...**

18. Letter of Support to Iowa Congressional Delegation-Retroactively extending the biodiesel tax incentive.

19. Discussion Item-Tax Abatement District-Urban Revitalization Plan-Pickering Heartland Coop—1.5 million expansion. Tax abatement plan is for their area only, a three year abatement.

20. Motion by Brooks, seconded by Grabenbauer to complete the application for Marshall County Life and AD&D Insurance Plan. All voted aye.

21. Public Forum—There were no comments from the public.

22. Adjournment—The next regular meeting is June 8, 2010, at 9:00 a.m. All business to be acted upon at that session should be submitted to the County Auditor's Office or the Board of Supervisors' Office by June 2, 2010(PLEASE NOTE DATE CHANGE), at 1:00 p.m. There being no further business to come before the Board, the meeting was adjourned at 9:36 a.m.

Ronald D. Goecke
Board of Supervisors, Chairman
Attest:

Karen Squiers
Marshall County Auditor