

July 2nd, 2019

The Board of Supervisors of Shelby County, Iowa, met pursuant to law and rules of said board in regular session at 9:00 a.m. in the Supervisors Chambers of the Shelby County Courthouse with the following members present: Steve Kenkel, Chairman; Charles Parkhurst, Vice-Chairperson; Darin Haake, Supervisor; Mark Maxwell, Clerk.

The Chair asked that any Conflict of Interest be stated concerning any item on the agenda. No conflicts were stated.

A motion was made by Parkhurst and seconded by Haake to approve the agenda with no additions. AYES: Unanimous NAYES: None

A motion was made by Haake with a second by Parkhurst, to approve the minutes of the regular meeting on June 18<sup>th</sup>, 2019. AYES: Unanimous NAYES: None

It was moved by Haake, seconded by Parkhurst, to approve the Claims of June 30<sup>th</sup>, 2019 as listed in the Claims Register. AYES: Unanimous NAYES: None

Supervisor Parkhurst advised the other members that the FEMA application deadline has been extended to July 16<sup>th</sup>.

Auditor Mark Maxwell reported that his office is currently assigning and proofing tax rates for the 122 taxed districts in Shelby County. He mentioned that in a city, the school, the city, community college, Mental Health, EMA and basic County taxes are billed. Outside of city jurisdiction school, community college, mental health, EMA, county, and the extra rural basic levy. The rural basic levy is the lion's share of county funded secondary roads as well as various erosion control projects as directed by the Supervisors and NRCS. The 16 townships also have a levy in the unincorporated areas that pays for fire protection and cemetery upkeep as directed by the township trustees.

As election Commissioner Maxwell mentioned that the Supervisors approved the purchase of election laptops. Repurposing the old laptops as suggested at the last meeting is not an option, State code directs election computers to have the hard drives destroyed in this circumstance. This would render the units practically valueless as well as useless. In talking with Thinkspace, IT Shelby County IT support, they are attempting to install the needed windows 10 system to the 27 units, charging Shelby County for the labor only. If things go as planned the new system will be installed on one laptop then tested with the new software for functionality and security as required by state code. If all goes well the others will be updated as well. One fact that most citizens do not know is that for required security purposes Shelby County laptop computers used for election maintenance are never hooked up to the internet for system updates. The software is updated via an encrypted flash drive designated for that use. The system running our laptops is almost 5 years old and has never been updated. This system will be no longer supported starting next January.

Sheriff Neil Gross gave the Sheriff's Office report. Training for the new deputy has been nearly completed and the officer has been doing unassisted patrols. More drone training has been completed in his department. K-9 units are proving their worth with assists to other departments as well as increased narcotic arrests in Shelby County.

Lonnie Maguire, Shelby County Community Services Director reported that her department has been implementing new state directives enacted by the legislature in their last session.

County Attorney, Marcus Gross, informed the Supervisors of a Supreme Court decision that will require court defendants to be informed of court costs before sentencing, the judge is then to decide what percentage the defendant will have to pay. The next State legislative session will try to correct this ruling with legislative action.

Jason Wickizer, representing Shelby County EMA, reported the sale of outdated equipment, avoiding large disposal fees at the landfill. The new dispatch person has about two thirds of the training behind them and is doing well. New drone training has

uncovered new abilities including possibly being able to assist in bridge inspections in bad conditions.

Tony Buman, Shelby County Assessor, gave his quarterly report including the new imagery available online and that the homestead tax credits are now being filled out online 50% of the time. Buman reported that a countywide average of a 4.4% increase in residence values with Harlan residential having around a 10% increase for the next 2020-2021 tax billing period. Agland and buildings are looking to have about a 25% drop in the 100% assessed value. Buman reminded the Supervisors that the 100% assessed value increases is not used in taxation, the State of Iowa orders what percentage of the full value can be used in real estate taxes.

Terri Daringer, Environmental Health Director, said the Ragbrai will be going through two of the counties that are served by her department and is making the summer busier than normal. Passport applications are up and reminded applicants that there is a 6 to 8 week delay between application and receiving the passport.

Kyle Lindberg, Jail Administrator, informed the board that they are a 14 bed facility averaging 10 beds being used an average stay of 12 days. New job opening procedures enacted by Lindberg created 31 applications and 7 job interviews for the two positions available in his department. Interviews will begin next week.

Geralyn Greer, Shelby County Recorder, reported that new processes mandated by the State are being implemented in her office and the scanning project is progressing. Greer also informed the Supervisors that organ donor designations can now be made on the hunting and fishing licenses in her office.

Todd Valline, representing the Shelby County Chamber of Commerce, was present to inform the Board of recent activities and projects including, an all member meeting to be held July 16<sup>th</sup> at 11:30 at the Therkildsen Center. Also, live webinars are going to be available for viewing for small businesses. More information is available by calling the Chamber office.

Now being time to open the public hearing for the loan from General Basic Fund to the Tax Increment Revenue Fund not to exceed \$200,000.00. The Chairman recessed the regular meeting to open the hearing for public comment. No Comments were made. And no public comments had been received before this hearing. A motion was made by Parkhurst and seconded by Haake to close the hearing and recommend approval of Resolution number 2019-23, authorizing a loan to the Tax Increment Revenue Fund commonly known as the TIF fund.

#### RESOLUTION NO. 2019-23

##### Authorizing Loan to Tax Increment Revenue Fund

WHEREAS, the Board of Supervisors of Shelby County, Iowa (the "County"), has established the Shelby County Urban Renewal Area (the "Urban Renewal Area") and has established the Shelby County Urban Renewal Area Tax Increment Revenue Fund (the "Tax Increment Fund") in connection therewith; and WHEREAS, the County proposes to undertake certain urban renewal projects (the "Projects") in the Urban Renewal Area, consisting of using incremental property tax revenues to pay the costs, to that extent, of the construction of improvements to roads, bridges and culverts; and WHEREAS, it has been proposed that the County approve an internal advance of funds in the amount of \$113,865 (the "Advance") for the purpose of paying the costs of the Projects, including legal and administrative fees, and in order to make the Advance eligible to be repaid from future incremental property tax revenues to be derived from the Urban Renewal Area; and WHEREAS, pursuant to Section 331.479 of the Code of Iowa, notice of the date of the meeting of the Board of Supervisors at which it is proposed to take action to approve the Advance has been published, and a hearing has been held; NOW, THEREFORE, It Is Resolved by the Board of Supervisors of Shelby County, Iowa, as follows:

Section 1. It is hereby directed that \$113,865 be advanced to the Tax Increment Revenue Fund from the General Basic Fund, in order to pay certain costs incurred by the County

related to the Projects. This advance shall be treated as a loan (the "Loan") to the Tax Increment Revenue Fund and shall be repaid to the General Basic Fund out of incremental tax revenues received with respect to the Urban Renewal Area. Payments on the Loan are subject to the Board's determination that there are incremental tax revenues available for such purpose which have been allocated to or accrued in the Tax Increment Revenue Fund. Once appropriated, payments may be made on the Loan on June 1 of each year to the extent there are incremental tax revenues available for such purpose which have been allocated to or accrued in the Tax Increment Revenue Fund. The right is hereby reserved to issue additional obligations, or to enter into additional loans, payable from the Tax Increment Revenue Fund, which may either rank on a parity with the Loan or may have a priority over the Loan with respect to the revenues in the Tax Increment Revenue Fund. Section 2. The Tax Increment Revenue Fund is hereby pledged to the repayment of the Loan, and a copy of this Resolution shall be filed in the office of the County Auditor to evidence this pledge. Pursuant to Section 403.19 of the Code of Iowa, the original amount of the Loan shall be certified to the County Auditor as an obligation that is eligible to be repaid from future incremental property tax revenues by December 1, 2019, and, no later than December 1 of each succeeding year, any remaining outstanding balance of the Loan, shall be certified to the County Auditor in the same manner. Section 3. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

The Chairperson put the question on the motion, and the roll being called, the following Supervisors voted the following Ayes: Kenkel, Haake and Parkhurst. Nays: None The Chairperson declared the resolution duly adopted and signed approval thereto.

The Supervisors then considered the hiring of RSM, a special audit service to inspect documents and follow up the special audit conducted by the State Auditors office as well as general clarification. The results will be used to determine county policies going forward. A motion was made by Parkhurst and a second by Haake to approve the services. Kenkel, Haake, and Parkhurst all voted in favor of using the services provided by RSM.

Portions of the county handbook have been updated and have been presented to the Shelby County Supervisors. It was moved by Haake, seconded by Parkhurst, to make the following amendments to the Shelby County Employee Information Handbook. AYES: Haake, Kenkel, Parkhurst NAYES: None:

Section 3.2

Employees who are classified as exempt employees under the Fair Labor Standards Act are not eligible for overtime payments. However, exempt employees that are called back to work outside of their normal workday or are scheduled to work outside of their normal workday and have worked forty (40) hours in a seven (7) day period, may be eligible to accrue additional leave at the rate of one (1) hour of leave for each one (1) hour worked in excess of forty (40) hours. This leave shall have no cash value and may only be accrued to a maximum of 120 hours.

Section 3.3

Full-Time/Part-Time Employees  
Non-Union Merit Wage Schedule

<u>Base Wage</u>	<u>Set by Board</u>
Starting wage \$12.00/hour	
After 6 months	+ 1.00
After 1 year	+ 1.00
After 2 years	+ .50
After 3 years	+ .50
After 5 years	+ .50

Full-Time Employees  
Non-Union Longevity

After 5 years	+ .35
After 10 years	+ .45
After 15 years	+ .55
After 20 years	+ .65

- This chart is applicable to employees scheduled to work an annual average of 20 or more hours per week.
- The hourly rate shall be adjusted by the percentage increase approved by the Board of Supervisors each July 1<sup>st</sup>
- Part-time employees will receive the starting wage and merit increases listed above plus an additional \$4.00 per hour incentive payment in lieu of benefits.
- Part-time employees are not entitled to longevity and will not accrue vacation or sick leave hours.
- Part-time employees will not be eligible for any cost-of-living increases until after completion of the 6<sup>th</sup> year. After that, any additional percentage increase approved by the Board will be figured on the current base wage.
- If an employee's status changes from Part-time to Full-time, the employee will no longer be entitled to the \$4.00 per hour incentive payment in lieu of benefits. Since the employee is now eligible for benefits, all benefits will be calculated based on initial date of employment.
- The merit wage schedule does not eliminate the requirement for Board approval for all wage increases.
- All increases shall be submitted to the Board on the Payroll Change Notice forms supplied by the County Auditor/Payroll Department.
- The Board will not approve any non-union increases until the County Auditor/Payroll Department has verified that the increase coincides with Board guidelines.
- Merit wage increases are not automatic. The Board will not approve any increase unless the employee has received a satisfactory performance evaluation.
- Employees will not be eligible for any additional Board approved wage increase until after completion of the probationary period as set out in the Employee Handbook.

Secondary Road and Roadside Seasonal Employees  
Non-Union Merit Wage Schedule

<u>Base Wage</u>	<u>Set by Board</u>
Starting wage per hour	\$18.00
Start of 1 year	+ 1.00
Start of 2nd year	+ 1.00

- Seasonal employees will receive the starting wage and merit increases listed above per hour incentive payment in lieu of benefits.
- Seasonal employees are not entitled to longevity, holiday pay and will not accrue vacation or sick leave hours.
- The merit wage increases are not automatic. The Board will not approve any increase unless the employee has received a satisfactory performance evaluation.
- Seasonal Bridge Crew employees are required to have a Class A CDL. All other seasonal employees will be required to have a Class B CDL.
- Seasonal Roadside employees are required to have and keep current on their spray certifications.
- Base pay will be adjusted as approved by the Board.
- Seasonal employee is one that works during the construction season related to highway maintenance activities. The start and stop dates of working are contingent on weather conditions.

**Section 5.1**

**Benefit In Lieu of Health Insurance Coverage**

An Employee who is eligible for the health insurance benefit provided by Shelby County, may voluntarily elect to decline coverage under the County health insurance plan if the employee has coverage under another health insurance plan. If the Employee chooses to forego health insurance coverage under the County plan, he/she shall receive a monthly payment in an amount, determined annually by the Board of Supervisors. The employee will be required to complete an application and be approved by the Board of Supervisors to receive this benefit. If both spouses work for the County, the employees will be allowed to elect either a family plan or single coverage. If single coverage is selected, the employees will not be eligible for the incentive program.

**Conflict of interest notification:**

The County has adopted by Resolution 2019-22 a Conflict of Interest Policy that shall be provided to all employees that provides additional explanation and expectations regarding actual and apparent conflicts of interest.

The above mentioned updates to the employee handbook had been reviewed by the Supervisors, Parkhurst made a motion to approve the new changes in the handbook. Haake seconded the motion to approve. A vote was held with Haake, Parkhurst and Kenkel all voting in favor of the changes and additions to the handbook.

Brandon Burmeister, Shelby County Engineer presented slides accentuating the material costs and labor costs to implement the new standards for bridge signage pertaining to weight restrictions. The material costs for Shelby County are estimated to be almost \$20,000.00. There will also be labor to install and employ a structural engineer to assign bridge load ratings. The new legislation increases the higher weight limits if the vehicle is outfitted with the proper number of axels. Little consideration was given to bridge capacity.

An order by the State Medical examiner and request by Dr. Scott Markham was considered by the three Supervisors. The request was to approve the appointment of the following:

- Robert Adam Bendorf, DO, as a County Deputy Medical Examiner
- Patrick Pucelik, ARNP, as a County Medical Examiner Investigator
- Nella Seivert, Critical Care Paramedic, as a County Medical Investigator
- Andrea Syrstad, Paramedic Specialist, as a County Medical Examiner Investigator

A motion by Parkhurst and a second by Haake was made to approve the appointments. A vote was held and Kenkel, Parkhurst and Haake all voted in favor of all of the appointments.

Having no further business to discuss the Supervisors adjourned at 9:55 A.M .

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Steve Kenkel, Chairman

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Mark L. Maxwell, Clerk to the Board of Supervisors