

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: LaVon A. Christensen, Vice-Chairman; Merlyn Knudsen; and Marsha J. Carter, Clerk. Absent: Allen W. Burchett, Chairman.

It was moved by Knudsen, seconded by Christensen, to approve the following items contained in the Consent Agenda:

- A. Minutes of August 1, 2000
- B. Claims of August 15, 2000
- C. Office Reports – None
- D. Committee Reports

AYES: Christensen, Knudsen NAYES: None

Representatives of the Insurance Committee appeared before the Board to discuss the addition of the Flex Spending Plan to the employee benefits package. It was moved by Knudsen, seconded by Christensen, to approve AFLAC as the administrator for Shelby County's Flexible Spending Program, with a medical cap of \$1500. Start-up cost of \$450 plus \$5 per month per employee. AYES: Christensen, Knudsen NAYES: None

Pat Hall, SWIPCO, appeared before the Board to discuss the Shelby County Down Payment Assistance Program. It was moved by Knudsen, seconded by Christensen, to approve Case #00-HM-104-011, to deny Case #00-HM-104-012, to create a program policy that owners of "personal property trailers" do not disqualify as first-time home buyers, to approve Case #00-HM-104-013, to approve Case #00-HM-104-014, to approve Case #00-HM-104-015, and to approve the request for a partial Release of Mortgage on Case #99-HM-132-024 dealing with a 4' strip of land across the back side of the lot. AYES: Christensen, Knudsen NAYES: None

It was moved by Knudsen, seconded by Christensen, to authorize Roadside Management to use the \$13,147 collected from the sale of seed to purchase equipment for the department. AYES: Christensen, Knudsen NAYES: None

A discussion was held on the disposal of the microfilming equipment. The Recorder will check with all other County departments to see if anyone else has any need for the equipment. If not, the equipment will be offered for sale.

A discussion was held on the approximate \$9500 balance in the Records Management Fund that is collected in fees by the County Recorder to be used to archive county public records instead of using tax money. The Auditor had requested that the Board use this money to pay for microfilming of old election records and the scanning of old Supervisors Minutes to make them available on the County web site. These two projects would not qualify for funding from the Anticipatory Warrant set aside for GIS projects. The Recorder disagreed and stated that since the money is collected by the Recorder's Office that it should be used at the discretion of the Recorder. The Board concurred. The funding for the two projects will be taken out of the County General Fund tax collections.

Terry Cox, representing the Harlan Airport Commission, appeared before the Board to discuss a grant for improvements to the runway and connecting taxiway, total project cost of \$489,000, of which \$391,200 is a grant from the Iowa Department of Transportation. The Airport Commission is requesting that the City of Harlan and the County share equally in the remaining \$97,800. It was moved by Knudsen to support the project up to an amount not to exceed \$50,000, based on the results of the bids for the project. The motion died for lack of second.

It was moved by Knudsen, seconded by Christensen, to approve the following resolution:

RESOLUTION NO. 2000-27
AUTHORIZE AUDITOR TO TRANSFER FUNDS

WHEREAS, it is desired to transfer monies from the General Basic Fund and from the Rural Basic Fund, and

WHEREAS, said operating transfers are in accordance with Sections 331.427 and 331.428, Code of Iowa,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Shelby County, Iowa, as follows:

SECTION 1. The Auditor is hereby authorized to transfer funds from the General Basic Fund to the General Supplemental Fund for general county services for Fiscal Year 2001 an amount not to exceed \$300,000, or a proportionate share of the taxes collected.

SECTION 2. The Auditor is hereby authorized to transfer funds from the Rural Basic Fund to the Rural Supplemental Fund for rural county services for Fiscal Year 2001 an amount not to exceed \$50,000, or a proportionate share of the taxes collected.

The above and foregoing resolution was adopted by the Board of Supervisors of Shelby County, Iowa, on August 15, 2000, the vote thereon being as follows:

AYES: Knudsen, Christensen NAYES: None

It was moved by Knudsen, seconded by Christensen, to forgive the August 1, 2000, loan from General Basic to General Supplemental and treat it as a regular transfer of funds. AYES: Christensen, Knudsen NAYES: None

This being the time and place as advertised for the public hearing on the vacating and abandonment of following portions of the Shelby County Secondary Road System:

ITEM #1: SECTION 11/14 GREELEY TOWNSHIP (1700 Block of 2300th Street)

A section of a 66 foot wide highway part of road #255 as established October 15, 1877, the centerline of which is described as follows: Beginning the NW Corner of Section 14 T-81N, R-38W (Greeley Township) and running easterly to and terminating at the NE Corner of said Section 14.

ITEM #2A: SECTION 25/36 DOUGLAS TOWNSHIP (1800 Block of 1400th Street)

A section of a 66 foot wide highway part of road #117 as established August 4, 1873, the centerline of which is described as follows: Beginning the NW Corner of Section 36 T-80N, R-38W (Douglas Township) and running easterly to and terminating at the NE Corner of said Section 36.

ITEM #2B: SECTION 30/31 POLK TOWNSHIP (1900 Block of 1400th Street)

A section of a 66 foot wide highway, road #757 as established May 19, 1906, the centerline of which is described as follows: Beginning the SW Corner of Section 30 T-80N, R-37W (Polk Township) and running easterly to and terminating at the S1/4 Corner of said Section 30.

ITEM #3: SECTION 6 MONROE TOWNSHIP (600 Block of Peach Rd.)

A section of a highway part of road #137 as established June 1, 1874, the centerline of which is described as follows: Beginning the NE Corner of Government Lot 2, Section 6 T-78N, R-38W (Monroe Township) and running southerly to and terminating at the SE Corner of Government Lot 17, of said Section 6.

ITEM #4: SECTION 14/15 LINCOLN TOWNSHIP (1000 Block of Juniper Rd.)

A section of a highway part of road #119 as established August 4, 1873, the centerline of which is described as follows: Beginning the NE Corner of Section 15 T-79N, R-39W (Lincoln Township) and running southerly to and terminating at the E1/4 Corner of said Section 15.

The hearing was opened by Vice Chair Lavon Christensen at 9:30 A. M. The Chair read an opening statement and the Board heard comments as follows:

Item #1. The County Engineer reported that no written comments have been received in regard to this Item. The landowner requests that the road be vacated no farther east than ¾ mile and establish a 'level C' road for the west ¼ mile. No utilities responded to the notice.

Item #2A. A written response was received from Emmert Andersen and read before the Board. Landowners spoke in favor of the action with the stipulation that the banks are pushed in and a stream crossing be placed upstream after standing crops are removed.

Item #2B. A written response was received from Emmert Andersen and read before the Board. Requested by landowner to modify description to leave open the east 650 feet of the proposed vacation. REC has easement for underground utilities and would require that easement to remain in place.

Item #3. Two written responses were received one in favor of the proposed action from Kenneth Larsen and opposed from Ronnie Lee and both were read before the Board. Landowners speaking of the north portion of the proposed action were Jack Carmichael, Richard Andersen, and Eugene Barry. Concerns of pushing in banks and establishing waterways were reviewed.

Richard Lee spoke of concerns with waterway thru field and culvert pipe at property line would remedy that.

Speaking in opposition was Richard Lee and Kim Christensen. The concern was for the condition of the existing bridge and loosing the only way out for crops should the bridge becoming unusable. It was suggested that a low water crossing be put in replacing the structure prior to any vacation action.

Item #4. Speaking in the affirmative of the action was Gordon Paulk. Opposed were Robert Christensen, Clifford Berendt and Gerald Reinig and REC and Farmers Mutual Telephone. REC has a major line thru this section, as does Farmers Mutual Telephone. Those in opposition stated safety of farm implements on dirt roads as opposed to paved highways and areas close to city limits for development.

There being no other comments the Chair closed the hearing at 11:12 AM.

Being back in regular session, the Board took under consideration the following actions:

In regard to Item #1, it was moved by Knudsen, seconded by Christensen to vacate the following described road and abandon the right of way and all stream crossings within that section of road: A section of a 66 foot wide highway part of road #255 as established October 15, 1877, the centerline of which is described as follows: Beginning the NW Corner of Section 14 T-81N, R-38W (Greeley Township) and running easterly to and terminating at the NE Corner of said Section 14. Motion carried.

In regard to Item #2A, it was moved by Knudsen, seconded by Christensen to vacate the following described road and abandon the right of way and all stream crossings within that section of road: A section of a 66 foot wide highway part of road #117 as established August 4, 1873, the centerline of which is described as follows: Beginning the NW Corner of Section 36 T-80N, R-38W (Douglas Township) and running easterly to and terminating at the NE Corner of said Section 36. Motion carried.

In regard to Item #2B, it was moved by Knudsen, seconded by Christensen to vacate the following described road, a modification of the published description, and abandon the right of way and all stream crossings within that section of road: A section of a 66-foot wide highway, road #757 as established May 19, 1906, the centerline of which is described as follows: Beginning the SW Corner of Section 30 T-80N, R-37W (Polk Township) and running easterly to and terminating at a point 650 feet west of the S1/4 Corner of said Section 30. Motion carried.

In regard to Item #3, it was moved by Knudsen, seconded by Christensen to table any action on the proposed vacation pending an investigation into the feasibility of construction of a stream crossing. Motion carried

In regard to Item #4, there was no motion to take action therefore the proposed vacation was dropped.

Final action on Items 1, 2A and 2B are pending a report by the engineer that all restoration has been completed and section lines reestablished.

It was moved by Knudsen, seconded by Christensen, to approve the bridge soil borings as recommended by the County Engineer. AYES: Christensen, Knudsen NAYES: None

There being no further business appearing, the Vice-Chairman declared the meeting adjourned at 12:10 p.m.

LaVon A. Christensen, Vice-Chairman

ATTEST:

Marsha J. Carter
Clerk to the Board of Supervisors

NOTE: These minutes are as recorded by the Clerk to the Board of Supervisors and are subject to Board approval at the next regular meeting.