

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

It was moved by Knudsen, seconded by Burchett, to amend the agenda to include (1) Interfund Transfer, (2) Water Testing Grant, (3) DevelopSource. AYES: Burchett, Christensen, Knudsen NAYES: None

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

- A. Minutes of December 12, 2000
- B. Office Reports – MIS Report on Policy No. 22 – MIS Department – Request for Services Policies and Procedures
- C. Transfer – Maximum of \$250,000 from GB to GS, as needed to cover health insurance expenditures budgeted from GB, paid from GS
- D. Claims of December 19, 2000
- E. Committee Reports

AYES: Burchett, Christensen, Knudsen NAYES: None

Burchett shared with the Board information he had received regarding the IOWATER Volunteer Monitoring Program. Grant monies are available to do on-going water testing of the County's lakes and rivers. The information was passed on to the Conservation Director and Environmental Health.

Now being the time for the Public Hearing on the grant application to continue the Shelby County Down Payment Assistance Program, the Chairman did open the hearing. Comments received were in favor of the program. It was moved by Knudsen, seconded by Burchett, to close the hearing and to approve the following resolution:

RESOLUTION NO. 2000-31

RESOLUTION AUTHORIZING AND DIRECTING THE CHAIRMAN TO MAKE AN APPLICATION TO THE FY01 HOUSING FUND PROGRAM FOR ASSISTANCE TO CONTINUE THE SHELBY COUNTY DOWN PAYMENT ASSISTANCE PROGRAM

WHEREAS, as a result of needed affordable housing in Shelby County and the ability to create transition within the housing marketplace, and

WHEREAS, to assist the economic development strategies and assure new employers that affordable housing exists in the county to meet the needs of their employees, and

WHEREAS, to provide benefit to low-moderate income first-time homebuyers within the county, the county finds it necessary and appropriate to assist the Shelby County Downpayment Assistance Program and seek funding assistance from the Housing Fund Program to complete this program.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SHELBY COUNTY, IOWA, AS FOLLOWS:

Section 1. The county has determined that it is necessary and appropriate to assist first-time, low moderate income households with downpayment assistance in order to purchase affordable housing in Shelby County. To do this, the county proposes to extend the existing Shelby County Downpayment Assistance Program.

Section 2. The county will make an application to the Iowa Department of Economic Development for a \$157,500 Housing Fund grant and will match this amount with a \$22,500 local share from funds of the county, City of Harlan, and Lenders, Realtors and others. Shelby County specifically commits \$1,000 to each successful program applicant.

Section 3. This project is being completed to assist low moderate income, first-time homebuyers with the purchase of an affordable, decent, safe and sanitary housing unit in Shelby County.

Section 4. The county believes this project is necessary and appropriate and will benefit LMI persons in Shelby County. The Board of Supervisors of Shelby County authorize and direct the

Chairman to make an application to the Housing Fund program for funding assistance to complete this project.

Passed and approved this 19th day of December, 2000.

AYES: Burchett, Christensen, Knudsen NAYES: None

It was moved by Burchett, seconded by Christensen, to approve the Shelby County Employee Handbook as updated by Von Bokern & Associates, effective January 1, 2001. AYES: Burchett, Christensen, Knudsen NAYES: None

It was moved by Knudsen, seconded by Christensen, to approve Policy No. 23 – Shelby County Information Services Security Policy and place on file in the Auditor’s Office. The MIS Director is ordered to report back to this Board when all employees have received a copy. AYES: Burchett, Christensen, Knudsen NAYES: None

At the December 5, 2000, session, the Board approved the bid from GeoComm for the purchase of the Automatic Vehicle Location (AVL) equipment for the Law Enforcement vehicles, contingent on getting bids for radios. At the time, no bids had been received for the Secondary Road radios. GeoComm was ordered to contact several different companies for quotes. It was moved by Christensen, seconded by Burchett, to approve the low bid of the Motorola State Contract and ILLOWA for installation of the equipment, not to exceed \$45,000 including performance bond, for (1) 1 Repeater Station, (2) 6 Control Stations, (3) 35 Mobile Radios, (4) 6 Portable Radios. AYES: Burchett, Christensen, Knudsen NAYES: None

It was moved by Knudsen, seconded by Christensen, to approve the contract, pending review by the County Attorney, in the amount of \$69,525.24 with GeoComm for the following equipment and installation: AVL equipment, including 8 AVL Mobile Units; Motorola Repeater Station; Base station; and 8 Mobile Radios. AYES: Burchett, Christensen, Knudsen NAYES: None

No one appeared to discuss the request for the various to the County Sub-Division Ordinance.

At the December 5, 2000, session, the Board had requested an opinion from the County Attorney concerning the Recorder’s appointment of Julianne Ferry, wife of Supervisor-Elect Richard Ferry, to serve as her representative on the County Compensation Board. The County Attorney reported in writing to the Board that there was an Iowa Attorney General’s Opinion dated November 30, 1987, that noted, “...the responsibilities of the compensation board are such that if a spouse of a county officer serves on the county compensation board the factors creating a conflict of interest are likely present. The compensation board member’s task of reviewing and recommending salaries of county officers may involve the board member’s own pecuniary interests if a board members is also the spouse of a county officer.” The Attorney General’s office concluded that, “...the spouse or a relative of an elected official whose salary is reviewed by the county compensation board may have a pecuniary interest or the potential to be influenced. If so, a conflict of interest exists and these individuals should not be selected to serve on the county compensation board.” This opinion was placed on file in the Auditor’s Office.

In response to this opinion, Linda Jacobsen, Recorder, reported that she had appointed Richard Kluver to replace Julianne Ferry as her representative on the County Compensation Board.

The Project Manual for Natural Pork Production II, LLC, to be located in the SW ¼, Section 24, Center Township was received and placed on file in the Auditor’s Office.

Larry Flanagan, DevelopSource, appeared before the Board to discuss an economic development project. After much discussion, it was decided that any new proposals of this kind should be brought to the Board after January 1, due to the fact that there will be two new Board members as January 1, 2001.

This being the time and date advertised for a public hearing on the proposed road vacation,

SECTION 1 FAIRVIEW TOWNSHIP (1500 Block of 630th Street)

A section of a 66 foot wide highway, the centerline of which is described as follows: Commencing at a point 355.0 feet easterly along the center section line of the W1/4 Corner Section 1, T78N, R-39W and thence continuing easterly along the center section line a distance of 4917.21 feet, terminating at a point 33 feet westerly of the E1/4 Corner of said Section 1-T78N, R-39W.

the Chair opened said hearing and read opening remarks.

The County Engineer gave a presentation on the proposed vacation and abandonment of a stream crossing. The Auditor reported having received one written comment from Dalton Jensen and the Chair read same. The floor was opened to receive comments. Speaking in favor of the vacation was Dalton Jensen; he voiced some concerns as to mechanics of the vacation but was in favor over all. It is agreed by County to strip, salvage and respread topsoil, to construct a crossing in the old right of way, pay crop damage if applicable, repair terraces if impacted and to remove and salvage existing fence along Jensen property. Also speaking in favor were Duane Larsen and Todd Larsen. Speaking in opposition were John Lee and Jeff Lee. They voiced concern about the travel distances increasing and the safety issue of the intersection of Oak R Road and F-58.

There being no other comments, the public hearing was closed by the Chairman at 9:54 a.m.

The Board reviewed the comments made and it was moved by Knudsen, seconded by Christensen, to authorized the County Engineer to make the necessary arrangements to remove the old roadway and drainage structures and to complete all survey work involved. Final action on the vacation will take place upon the report by the Engineer that all above has been completed. AYES: Burchett, Christensen, Knudsen NAYES: None

It was moved by Christensen, second by Knudsen to direct the County Engineer to investigate the safety issues at the intersection of Oak Road and F-58. AYES: Burchett, Christensen, Knudsen NAYES: None

It was moved by Burchett, seconded by Christensen, to approve the purchase of three (3) Caterpillar 140H motor graders from Ziegler, Inc. of Sioux City, Iowa, at the agreed price of \$334,843. This price includes the trade-in of three (3) 140G motor graders. The County Engineer is authorized to sign all purchase documentation. AYES: Burchett, Christensen, Knudsen NAYES: None

It was moved by Burchett, seconded by Knudsen, to authorize the County Engineer to enter into a municipal lease purchase agreement with Midstates Bank of Harlan, Iowa to finance the balance owed on a D-4 Dozer. The balance of \$59,589.93 is to be amortized over a three year period. AYES: Burchett, Christensen, Knudsen NAYES: None

The County Engineer updated the Board on ongoing Secondary Road projects.

There being no further business appearing, the Chairman declared the meeting adjourned at 10:35 a.m.

Allen W. Burchett, 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.