

October 2, 2001

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, Chairman; Gayle Petersen, Vice-Chairman; Richard Ferry; and Marsha J. Carter, Clerk.

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

- A. Minutes of September 18, 2001
- B. Office Reports – MIS
- C. Committee Reports

AYES: Christensen, Petersen, Ferry NAYES: None

It was moved by Ferry, seconded by Christensen, to approve the claims of September 30, 2001.
AYES: Christensen, Petersen, Ferry NAYES: None

Now being the time for the public hearing for the third and final reading of SHELBY COUNTY ORDINANCE NO. 2001-1, AN ORDINANCE REGULATING THE SUBDIVISION OF LAND, REPLACING ORDINANCE NO. 1997-1; SHELBY COUNTY ORDINANCE NO. 2001-2, AN ORDINANCE REGULATING SHELBY COUNTY ZONING, REPLACING ORDINANCE NO. 1997-2; SHELBY COUNTY ORDINANCE NO. 2001-3, AN ORDINANCE TO RE-PRECINCT SHELBY COUNTY, REPLACING ORDINANCE NO. 1991-5, the Chairman did open the hearing. There were no written or oral comments. It was moved by Ferry, seconded by Christensen, to close the hearing, to adopt SHELBY COUNTY ORDINANCE NO. 2001-1, AN ORDINANCE REGULATING THE SUBDIVISION OF LAND, REPLACING ORDINANCE NO. 1997-1; SHELBY COUNTY ORDINANCE NO. 2001-2, AN ORDINANCE REGULATING SHELBY COUNTY ZONING, REPLACING ORDINANCE NO. 1997-2; SHELBY COUNTY ORDINANCE NO. 2001-3, AN ORDINANCE TO RE-PRECINCT SHELBY COUNTY, REPLACING ORDINANCE NO. 1991-5, and to order the Shelby County Auditor to publish these ordinances in the official county newspapers in their entirety. AYES: Christensen, Petersen, Ferry NAYES: None

The full context of SHELBY COUNTY ORDINANCE NO. 2001-1, AN ORDINANCE REGULATING THE SUBDIVISION OF LAND, REPLACING ORDINANCE NO. 1997-1; and SHELBY COUNTY ORDINANCE NO. 2001-2, AN ORDINANCE REGULATING SHELBY COUNTY ZONING, REPLACING ORDINANCE NO. 1997-2; can be found in Shelby County Ordinance Book No. 1 in the Shelby County Auditor's Office.

SHELBY COUNTY ORDINANCE NO. 2001-3
AN ORDINANCE TO RE-PRECINCT SHELBY COUNTY AND ADJUST VOTING
PRECINCT BOUNDARIES

(REPLACES ORDINANCE NO. 1991-5)

BE IT ENACTED BY THE SHELBY COUNTY BOARD OF SUPERVISORS:

SECTION 1. Purpose. The purpose of this ordinance is to re-precinct Shelby County in this year following the Federal Decennial Census as required by Section 49.7, Code of Iowa.

SECTION 2. Division into Precincts. The County of Shelby is divided into sixteen (16) precincts. The number of precincts, precinct name, precinct population, and legal descriptions are described in the attached exhibit marked as Exhibit A and, by this reference, made a part hereof.

SECTION 3. When Effective. This ordinance shall be in effect after its final passage, approval, and publication as provided by law.

EXHIBIT A

<u>SHELBY COUNTY PRECINCTS</u>	<u>POPULATION</u>	<u>DESCRIPTION</u>
1. CASS	516	CASS TOWNSHIP, T79N-R40W of the 5 th P.M., and including the Incorporated City of Portsmouth, Iowa
2. CENTER-LINCOLN	807	CENTER & LINCOLN TOWNSHIPS, T79N-R38W & T79N-R39W of the 5 th P.M., and excepting therefrom the Incorporated City of Harlan, Iowa
3. CLAY	965	CLAY TOWNSHIP, T78N-R37W of the 5 th P.M., and including the Incorporated City of Elk Horn, Iowa
4. DOUGLAS	318	DOUGLAS TOWNSHIP, T80N-R38W of the 5 th P.M., and including the Incorporated City of Kirkman, Iowa
5. FAIRVIEW-MONROE	559	FAIRVIEW & MONROE TOWNSHIPS, T78N-R39W & T78N-R38W of the 5 th P.M.
6. GREELEY-JEFF-POLK	1048	GREELEY, JEFFERSON, & POLK TOWNSHIPS, T81N-R38W & T81N-R37W & T80N-R37W of the 5 th P.M., and including the Incorporated City of Irwin, Iowa
7. GROVE-UNION	911	GROVE & UNION TOWNSHIPS, T81N-R39W & T81N-R40W of the 5 th P.M., and including the Incorporated City of Defiance, and excepting therefrom the Incorporated City of Earling, Iowa
8. HARLAN WARD NO. 1		
9. HARLAN WARD NO. 2		
10. HARLAN WARD NO. 3	5282	Incorporated City of Harlan, Iowa (Redistricting to be done by City Council)
11. HARLAN WARD NO. 4		
12. JACKSON	315	JACKSON TOWNSHIP, T79N-R37W of the 5 th P.M.
13. SHELBY	974	SHELBY TOWNSHIP, T78N-R40W of the 5 th P.M., and including the Incorporated Cities of Shelby and Tennant, Iowa
14. WASHINGTON	493	WASHINGTON TOWNSHIP, T80N-R40W of the 5 th P.M., and including the Incorporated City of Panama, Iowa
15. WESTPHALIA NO. 1	574	Starting at the northwest corner of Westphalia Township, go east to the Earling corporate limit. Follow the corporate limit east, then north, then east, and then south until it intersects the township boundary again. Proceed east along the township boundary until it turns south along Linden Road. Follow the boundary south to 1700 th Street. Go west along 1700 th Street to Hazel Road, and then go north to 1750 th Street. Go west on 1750 th Street to Road M16 and then south back to 1700 th Street. Then west along 1700 th Street to the west boundary of Westphalia Township and go north along the boundary to the point of beginning.
16. WESTPHALIA NO. 2	411	Starting at the southwest corner of Westphalia Township, go north along the township boundary until it reaches 1700 th Street. Follow 1700 th Street east to Road M16, then go north along Road M16 to 1750 th Street. Go east on 1750 th Street to Hazel Road and follow Hazel Road south to 1700 th Street. Follow 1700 th Street east to the east boundary of Westphalia Township. Follow the township boundary south to the southeast corner, and then go west along the township boundary to the point of beginning.
GRAND TOTAL POPULATION FOR SHELBY COUNTY		13,173

Adopted and passed by the Board of
day of October, 2001.

Supervisors of the County of Shelby this 2nd

Now being the time for the public hearing for the second reading of SHELBY COUNTY ORDINANCE NO. 2001-4, AN ORDINANCE REGULATING UNIFORM BILLING FOR FIRE SERVICES; and SHELBY COUNTY ORDINANCE NO. 2001-5, AN ORDINANCE TO RECODIFY SHELBY COUNTY ORDINANCES, the Chairman did open the hearing. There was a written comment from Dick Kluver, Harlan, concerning No. 2001-4. Kluver questioned the methods set out in the ordinance for setting the rates to be charged and collected and suggested that the townships increase taxes collected for fire protection instead of the fire departments collecting a fee for this service. Supervisor Ferry echoed these statements. He also expressed concerns that this policy might cause citizens to delay calling 911 in case of a fire. Kevin Rasmussen, representing the Emergency Services Association, and Bob Seivert, EMA Coordinator, were present to address these issues. It was moved by Petersen, seconded by

Christensen, to close the hearing with the third reading of No. 2001-4 and 2001-5 to be held October 16, 2001. AYES: Christensen, Petersen, Ferry NAYES: None

It was moved by Petersen, seconded by Ferry, to approve the 2001 Re-Precincting Plan for Shelby County, with no changes to the current voting precinct lines. AYES: Christensen, Petersen, Ferry NAYES: None

Josh Barbe, representing SWIPCO, reported on the status of the Hazard Mitigation Plan draft.

It was moved by Petersen, seconded by Christensen, to amend Policy No. 20 – Non-Union Benefit Package to read as follows: “.....When the employee has reached his/her third anniversary, the County will match up to a \$40 per pay period contribution into an approved plan.....” AYES: Christensen, Petersen, Ferry NAYES: None

A representative from Gordon Recovery Center had contacted Charles Parkhurst, Building and Grounds Superintendent. They are interested in having a counselor in Harlan one night per week and are looking for available office space. Jeff Larson, County Attorney, was present and stated that he would contact Gordon’s representative and discuss the various options.

It was moved by Ferry, seconded by Petersen, to transfer \$5000 from the Rural Basic Fund to the Flood & Erosion Control Fund. AYES: Christensen, Petersen, Ferry NAYES: None

The County Engineer was not available for updates.

There being no further business appearing, the Chairman declared the meeting adjourned at 10:24 a.m.

LaVon A. Christensen, 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.