

November 6, 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 Ferry, seconded by Petersen, to approve the following items contained in the Consent Agenda:

- A. Minutes of October 16, 2001
- B. Office Reports – None
- C. Committee Reports

AYES: Christensen, Petersen, Ferry NAYES: None

It was moved by Petersen, seconded by Ferry, to approve the claims of October 31, 2001.
AYES: Christensen, Petersen, Ferry NAYES: None

The Clerk reported that a letter had been received signed by the majority of the residents along Ridge Lane, agreeing with the Board's decision of September 18, 2001, to change Ridge Road to Ridge Lane and to change the house numbering to coincide with the 911 addressing system. The letter was placed on file in the office of the Emergency Management Agency.

Chairman Christensen brought up the agenda item "Fire Services Uniform Billing Ordinance". Action on this Ordinance had been delayed at the October 16, 2001, session to give the Township Trustees and the Fire Departments to meet and discuss the proposed Ordinance. The Chairman stated that there had been three public hearings on this issue plus at least one outside meeting. The time for discussion had ended. It was moved by Petersen, seconded by Christensen, to adopt the following Ordinance:

**SHELBY COUNTY ORDINANCE NO. 2001-5
FIRE SERVICE UNIFORM BILLING ORDINANCE**

AN ORDINANCE TO REQUIRE THE UNIFORM BILLING BY ALL FIRE DEPARTMENTS SERVING CITIZENS OF SHELBY COUNTY, PROVIDED THE FIRE DEPARTMENT HAS VOTED TO BILL FOR SERVICES INCURRED DURING A RESPONSE TO FIRES, HAZARDOUS MATERIALS SPILLS, OR OTHER EMERGENCY REQUIRING FIRE DEPARTMENT SERVICES.

Purpose:

The purpose of this ordinance is to allow Fire Departments to bill for services as identified herein. This is necessary due to increasing costs of operation, equipment, hazardous materials responses, and training of personnel.

Guidelines:

This ordinance does not preclude a fire department from not billing for services.

Responses involving more than one department will be billed to the responsible party by the Fire Department in whose jurisdiction the emergency is located. The responsible department will bill according to its status of a billing or non billing department. The responsible department will collect the costs incurred from other departments providing mutual aid and submit them on behalf of all departments to the responsible party.

Each fire department is responsible for submitting statements to the person, or business responsible for, or on whose property the response is made.

Collection of accounts is the sole responsibility of the fire department in whose jurisdiction the emergency response originates.

Rates:

Initial rates will be set by a committee meeting of the majority of Fire Chiefs of the fire departments serving territory within Shelby County at a meeting of the Shelby County Emergency Services Association.

Rates may be changed periodically by the members of the Shelby County Emergency Services Association by a vote of the majority present at a meeting where the question has been previously placed on the agenda and proper notice given, according to the by-laws of the Shelby County Emergency Services Association.

Charges will be incurred under the following categories:

1. Emergency response apparatus actually used in the response
2. Stand by status of support vehicles
3. Manpower needed, and actually used in the response
4. Specialized equipment or services, not locally available

Categories below will be billable only in the event of hazardous materials incidents or those involving more than 4 departments, or if the materials and supplies used are in excess of the normal amounts.

5. The uninsured portion of equipment damaged, contaminated, or destroyed, at replacement cost
6. The replacement cost of disposable supplies, including but not limited to fuel, water, foam, absorbent materials, or any other cost, incurred by the fire department in the response to the incident
7. Responder sustenance, including food, refreshment, lodging for prolonged incidents, or other human service needs incurred by the responding personnel

Calls for investigation of smoke, or where no services are provided are not billable.

Penalty for Response During State Fire Marshall Ordered Burning Ban:

All fees established under this ordinance shall be doubled in the event of fire responses to intentional or controlled burns or other fires, other than accidental, not pre-planned with the Fire Chief of the jurisdiction.

Penalty for Noncompliance:

Reserved

Hazardous Materials Specific Section:

Reserved

Effective Date

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

Adopted and passed by the Board of Supervisors of the County of Shelby this 6th day of November, 2001.

AYES: Christensen, Petersen NAYES: Ferry

Now being the time for the public hearing on SHELBY COUNTY ORDINANCE NO. 2001-6, AN ORDINANCE AMENDING THE GENERAL RELIEF PROGRAM IN SHELBY COUNTY, IOWA, the Chairman did open the hearing. The Clerk reported there were no written comments. No oral comments were heard. It was moved by Petersen, seconded by Ferry, to

close the hearing with the next public hearing to be held on November 20 at 9:30 a.m. AYES: Christensen, Petersen, Ferry NAYES: None

Representatives of the Harlan Office of the Iowa Department of Human Services appeared before the Board to discuss the State's proposal to make the Harlan Office a part-time office due to the State budget shortfall. This would probably mean that the Harlan Office in the County Annex would be closed, and DHS personnel would be available by appointment only. The representatives asked for the Board's support to keep the Harlan Office open. Other representatives of DHS will meet with the Board on November 13.

Charles Trailer, Zoning Officer, appeared before the Board to discuss the recommendation by the Planning and Zoning Commission to approve the request of Agriland FS in Corley to change their zoning district from A-1 Agricultural to I-1 Light Industrial and to amend the County Zoning Ordinance maps to show the change. It was moved by Ferry, seconded by Petersen, to set the date for the public hearing to amend the Shelby County Zoning Ordinance maps as November 20, 2001, at 9:30 a.m. AYES: Christensen, Petersen, Ferry NAYES: None

Larry Flanagan, Shelby County DevelopSource, appeared before the Board to support Shelby County's continued membership in Southwest Iowa Coalition, which is a regional development organization. Flanagan stated that SWICO is the best advocate rural Iowa has and recommended that the Board approve the dues, which had increased for FY2002 from \$250/Yr to \$500/Yr for the County. It was moved by Christensen, seconded by Petersen, to approve the membership dues to SWICO with Shelby County paying 50% and DevelopSource paying 50% of the County's membership. AYES: Christensen, Petersen, Ferry NAYES: None

It was moved by Ferry, seconded by Christensen, to appoint Terry Cox, Mike Hansen, Alan Mores, and Ralph Wingert to the Shelby County Enterprise Zone Commission as recommended by the remaining Enterprise Zone Commission members. AYES: Christensen, Petersen, Ferry NAYES: None

It was moved by Ferry, seconded by Petersen, to authorize the Chairman to sign the Weed Commissioner Report as submitted by Bryce Schaben, Weed Commissioner, as forward to the Iowa Department of Agriculture and Land Stewardship in Des Moines. AYES: Christensen, Petersen, Ferry NAYES: None

The discussion on the HAZMAT procedures will be rescheduled.

It was moved by Ferry, seconded by Christensen, to appoint Ron Chamberlain to the Shelby County Historic Preservation Committee, term expiring 12-31-2001. AYES: Christensen, Petersen, Ferry NAYES: None

Now being the time set to open the bids on county-owned computer equipment that has been replaced with leased equipment, the Chairman did open the bids. Only one bid was received for each piece. It was moved by Ferry, seconded by Petersen, to approve the following bids: (1) Pentium II – 200 MHz, \$25.00 to Jane Schwartzenbach; (2), (3), and (4) Pentium II – 400 MHz, \$175.00 each to Bill Early; (5) Pentium Pro – 200 MHz, \$100.00 to Doug Zumwalt; (6) Pentium II – 400 MHz, \$100.00 to Heath Schechinger; (7) Pentium II – 200 MHz, \$25.00 to Darby Sanders. AYES: Christensen, Petersen, Ferry NAYES: None

The County Engineer was updated the Board on on-going Secondary Road projects.

There being no further business appearing, the Chairman declared the meeting adjourned at 10:53 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.