

November 17, 2003

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

It was moved by Schmitz, seconded by Ferry, to approve the agenda with the following addition: Appoint Harrison County Attorney as Assistant County Attorney AND the following items contained in the Consent Agenda:

- A. Minutes of November 4 and 10, 2003
- B. Office Reports – None
- C. Budget Review
- D. Committee Reports

AYES: Petersen, Schmitz, Ferry NAYES: None

It was moved by Ferry, seconded by Petersen, to approve the claims of October 31 and November 18, 2003. AYES: Petersen, Schmitz, Ferry NAYES: None

Now being the time for the public hearing on the Housing Fund Grant Application, the Chairman did open the hearing. M. J. Broomfield, SWIPCO, reviewed the grant application. The Auditor reported that she had received no written or oral comments. It was moved by Ferry, seconded by Schmitz, to close the hearing and approve the following resolution:

RESOLUTION NO. 2003-30
RESOLUTION AUTHORIZING AND DIRECTING THE CHAIR TO MAKE AN
APPLICATION TO THE FY2004 IOWA HOUSING FUND PROGRAM FOR ASSISTANCE
TO COMPLETE THE HOUSING REHABILITATION PROGRAM

WHEREAS; Shelby County has found a need for housing rehabilitation in the county; and

WHEREAS; Shelby County proposes to create a housing rehabilitation program. This program expects to rehabilitate twelve (12) single-family, owner-occupied, low-moderate income housing units.

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY SUPERVISORS OF THE COUNTY OF SHELBY, as follows:

SECTION 1: Shelby County Supervisors authorize and direct the Chair to make an application to the FY2004 Iowa Housing Fund for \$300,000. The County and the City of Harlan will contribute \$30,000 for local match to complete the Housing rehabilitation Program as follows:

Rehabilitation (12 units):	
Program Funds	\$292,500
Local Contribution	\$ 30,000
Grant Administration	\$ 7,500

SECTION 2: These programs will be available throughout Shelby County.

Adopted this 17th day of November, 2003.

AYES: Petersen, Schmitz, Ferry NAYES: None

It was moved by Schmitz, seconded by Ferry, to authorize the Chairman to sign the Subordination Agreement with Midstates Bank, Harlan, for Down Payment Assistance Project No. 00-HM-104-028. AYES: Petersen, Schmitz, Ferry NAYES: None

It was moved by Schmitz, seconded by Petersen, to approve the following appointments to the Shelby County Compensation Board: Roger Claypool to represent the Auditor and Bill Campbell to represent the Sheriff. AYES: Petersen, Schmitz, Ferry NAYES: None

It was moved by Ferry, seconded by Schmitz, to appoint Joe Lauterbach to the Shelby County Civil Service Commission to replace Marcus Gross, who accepted the appointment as County Attorney. AYES: Petersen, Schmitz, Ferry NAYES: None

It was moved by Schmitz, seconded by Petersen, to appoint Judson Frisk, Harrison County Attorney, as Assistant Shelby County Attorney at no cost to Shelby County. AYES: Petersen, Schmitz, Ferry NAYES: None

A discussion was held on the Law Enforcement Contracts with the cities in Shelby County. The Board will discuss this issue again at the next meeting.

It was moved by Schmitz, seconded by Petersen, to transfer \$250,000 from General Basic to General Supplemental and \$2525.40 from the Insurance Reimbursement Fund to Secondary Road. AYES: Petersen, Schmitz, Ferry NAYES: None

A discussion was held on the funding of the Emergency Services Association. It was moved by Ferry, seconded by Petersen, to authorize the Chairman to sign a letter to the ES Association, notifying them that Shelby County will deny any funding requests for FY2005, with the note that when the Townships are funding the Fire and Rescue Services at their maximum levy of \$.60750 and the Townships are still not able to fund essential services, another proposal can be made at that time. AYES: Petersen, Schmitz, Ferry NAYES: None

This being the time and date advertised for a public hearing on the proposed road vacation on the following site: A portion of road along the north line, Section 2, T-81N, R-37W, Jefferson Township, 1700 Block Apple Rd., Shelby County (also described as south line, Section 35, T-82N, R-37W, Iowa Township, east of 380th Street on 'Y' Street, Crawford County) as follows: A section of a highway, part of Road #668 as established December 12, 1891, the centerline of which is described as follows: Commencing at the NW corner Section 2, T-81N, R-37W, and terminating at a point easterly along the north line of said Section 2, a distance of two thousand nine hundred twenty (2,920) feet being a point on the east bank of the West Nishnabotna River. The Chair opened said hearing at 9:30 a.m. and read opening remarks. The County Engineer gave a presentation on the proposed vacation and abandonment. The Auditor reported having received no written or oral comments. The floor was opened to receive comments. No one appeared speaking in favor or opposed to the action. There being no other comments, it was moved by Ferry, seconded by Schmitz, to vacate and abandon the above described right of way, abandon all stream crossings therein, and to revert the land to adjacent landowners as per Iowa Code and to close the public hearing. AYES: Petersen, Schmitz, Ferry NAYES: None The hearing was closed by the Chairman. Final action on this vacation will take place upon a report by the Engineer that all work has been completed and section lines established.

It was moved by Schmitz, seconded by Ferry, to set the date for the hearing on the vacation of additional road on the north line Section 2, Jefferson Township, as December 2, 2003, at 9:30 a.m. AYES: Petersen, Schmitz, Ferry NAYES: None

It was moved by Schmitz, seconded by Ferry, to approve the contract for snow removal with Hopp Construction, Harlan, at a cost of \$74/Hour. AYES: Petersen, Schmitz, Ferry 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 10:55 a.m.

Gayle Petersen, 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.