

December 2, 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 17, 2003
- B. Office Reports – MIS
- C. Budget Review
- D. Committee Reports

AYES: Petersen, Schmitz, Ferry

NAYES: None

It was moved by Schmitz, seconded by Ferry, to approve the claims of November 24, 2003.
AYES: Petersen, Schmitz, Ferry NAYES: None

Tom McMullen, Director of Veteran Affairs, and members of the Veterans Affairs Commission appeared before the Board to discuss the salary of the Director. McMullen is requesting an increase from \$8200/annually to \$16,200/annually due to the increased workload. No decision was made.

Frank Hermsen, New Hope Village, appeared before the Board to update them on the status of the facility.

It was moved by Schmitz, seconded by Ferry, to approve the renewal of the Liquor License for the Flower Barn, Harlan. AYES: Petersen, Schmitz, Ferry NAYES: None

It was moved by Schmitz, seconded by Petersen, to set the date for the receiving of sealed bids for the cash rent of the County Farm land as December 16, 2003, at 9:30 a.m. AYES: Petersen, Schmitz, Ferry NAYES: None

It was moved by Ferry, seconded by Schmitz, to send a letter to the Shelby County DevelopSource Board notifying them that, due to budget constraints and the need to investigate all possible options before investing our limited Economic Development funds, Shelby County will be withdrawing from the 28E Agreement as of June 30, 2003. AYES: Petersen, Schmitz, Ferry NAYES: None

A discussion was held on the current level of funding to the libraries in Shelby County. Currently, Shelby County funds the Harlan Community Library \$49,500; Irwin Community Library \$1,800; and Elk Horn Community Library \$4,500. Counties are only required to fund libraries \$.675 per thousand dollars of rural valuation. With the 25% decrease in agricultural value for 2003, the \$.675 will raise about \$20,000. It was moved by Ferry, seconded by Schmitz, to fund the libraries in Shelby County for FY2005 in the amount required by law. AYES: Schmitz, Ferry NAYES: Petersen

It was moved by Schmitz, seconded by Ferry, to cut the funding for the Fairgrounds for FY2005 from \$24,300 to \$20,000. AYES: Petersen, Schmitz, Ferry NAYES: None

It was moved by Ferry, seconded by Schmitz, to discontinue the current contracts for Law Enforcement that are in place with the cities of Irwin, Defiance, Westphalia, Kirkman, Shelby, Tennant, and Elk Horn and to implement a \$10 per capita charge for each city in Shelby County that does not provide its own law enforcement. The County Attorney and the Shelby County Sheriff are given the authority to proceed with the necessary steps to implement by July 1, 2004. AYES: Petersen, Schmitz, Ferry NAYES: None

A proposal had been received from Owens-King Co. to re-do the conversion of the microfilm images to electronic images for the Shelby County Recorder. The Board authorized the Recorder to meet with the County Attorney and Phil Sickles from Owens-Kings Co. and work out the details of the proposed contract to be brought back to the Board for approval at the next meeting.

It was moved by Schmitz, seconded by Ferry, to authorize the Chairman to sign the Subordination Agreement with H & R Block Mortgage Corporation for Down Payment Assistance Project No. 00-HM-104-004. 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 sites: 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 a point on the North Section line a distance of two thousand nine hundred twenty (2,920) feet East of the NW Corner of said Section 2, being a point on the east bank of the West Nishna Botna River, and continuing easterly on the North Section line terminating at a point 820 feet west of the NE Corner of said Section 2. The Chair opened said hearing. 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 Petersen, 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.

The County Engineer reviewed the Snow Removal Ordinance with the Board.

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

There being no further business appearing, the Chairman declared the meeting adjourned at 10:48 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.