

June 15, 2004

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

It was moved by Ferry, seconded by Schmitz, to approve the agenda with the addition of “FEMA Grant - Declaration of an Authorized Representative AND the following items contained in the Consent Agenda:

- A. Minutes of June 1, 2004
- B. Office Reports – None
- C. Committee Reports

AYES: Schmitz, Ferry NAYES: None

This being the day set by law for the Board to canvass of the Primary Election of June 8, 2004, the Board did canvass the returns.

The canvassed returns for United States Senator, United States Representative - District 5, and State Representative – District 57 were certified to the Secretary of State as required by Section 50.30, Code of Iowa.

The canvassed returns for elected offices for Shelby County are certified as follows:

OFFICE	CANDIDATE	TOTAL VOTES FOR CANDIDATE	TOTAL VOTES FOR OFFICE
R- US SENATOR	CHUCK GRASSLEY	923	927
	KAREN GOANS	1	
	RAND PETERSEN	1	
	ANYONE ELSE	1	
	TOM QUINN	1	
R- US REPRESENTATIVE DIST 5	STEVE KING	817	822
	RHONDA BROWN	1	
	ROBERT RAY	1	
	ED LAPKE	1	
	ANYBODY ELSE	2	
R- ST REPRESENTATIVE DIST 57	JACK DRAKE	905	908
	RICHARD FERRY	1	
	MARK KAUFMAN	1	
	KACJEKARD	1	
REP BOARD OF SUPERVISORS (2) (Must receive at least 35% of the total votes divided by 2) (1919/2 x 35% = 336)	JERRY AHRENHOLTZ	344	1919
	* RICHARD FERRY	517	
	* MICHAEL L HANSEN	411	
	ED LAPKE	333	
	GAYLE WHITEY PETERSEN	305	
	BRUCE BRO	1	
	AARON ANDERSON	4	
	LAVON CHRISTENSEN	3	
	DANIEL HELLER	1	
R- COUNTY AUDITOR	* DANIEL J NORTH	569	585
	MARSHA CARTER	13	
	ME	1	
	EUGENE FUHS	1	
	JOHN NORTH	1	
R- COUNTY SHERIFF	GENE CAVENAUGH	18	35
	BRET CARTER	1	
	LEANNE H DAVIS	1	

	AARON ANDERSON	4	
	MARK HERVEY	1	
	MARK KAUFMAN	3	
	RODNEY MCMURPHY	1	
	JOHN KELLY	2	
	JOHN BRUCK	1	
	DOUG DARINGER	1	
	MIKE BUTLER	1	
	BRADLEY MCQUEEN	1	
R- COUNTY ATTORNEY (TO FILL UNEXPIRED TERM)	SANDY ROENFELDT	1	19
	JOE LAUTERBACH	1	
	MARCUS GROSS	9	
	PATRICK DEREN	1	
	TOM ANDERSON	3	
	DANIEL J NORTH	1	
	DAVE LARSON	1	
	CRAIG DARINGER	1	
	ROBERT KOHORST	1	

OFFICE	CANDIDATE	TOTAL VOTES FOR CANDIDATE	TOTAL VOTES FOR OFFICE
D- US SENATOR	ARTHUR SMALL	400	402
	STEVE BARRETT	1	
	CHET CULVER	1	
D- US REPRESENTATIVE DIST 5	GENE BLANSHAN	115	490
	SAL MOHAMED	31	
	E JOYCE SCHULTE	344	
D- ST REPRESENTATIVE DIST 57	PAUL HANSEN	1	9
	DAN HELLER	1	
	JOHN HANSEN	1	
	ROGER SCHMITZ	1	
	ROBERT KOHORST	1	
	DAVE GAUL	1	
	MELVIN CLOTHIER	1	
	RANDY GRAY	1	
	RON ROSMANN	1	
D- BOARD OF SUPERVISORS (2) (Must receive at least 35% of the total votes divided by 2) (1147/2 x 35% = 201)	* AARON ANDERSON	317	1147
	* LAVON CHRISTENSEN	385	
	DANIEL HELLER	311	
	MARK A MCCUTCHEON	132	
	HAROLD BLACKWELL	1	
	M HANSEN	1	
D- COUNTY AUDITOR	* MARSHA J CARTER	576	583
	JOANN CHRISTENSEN	1	
	DANIEL NORTH	5	
	NORTH	1	
D- COUNTY SHERIFF	* GENE CAVENAUGH	604	606
	ANYONE ELSE	1	
	MARK KAUFMAN	1	
D- COUNTY ATTORNEY (TO FILL UNEXPIRED TERM)	* MARCUS GROSS, JR	560	561
	PAT DEREN	1	

OFFICE	CANDIDATE	TOTAL VOTES FOR CANDIDATE	TOTAL VOTES FOR OFFICE
CASS TOWNSHIP TRUSTEE (2)	* RICH OHLINGER - D	9	18
	ROBERT SCHMITZ - R	1	
	GAYLEN SMITH - R	2	
	KEN SCHNEIDER - R	2	
	JAMES VOGUE - R	2	
	GERALD HUEBERT - R	1	
	ROLAND SMITH - R	1	
CENTER TOWNSHIP TRUSTEE (2)	SCOTT BURCHETT - R	28	103
	* BARRY E DEUEL - R	36	
	* CYNTHIA L NORTH - R	33	
	BARRY DEUEL - D	2	
	DAR LUND - R	4	
CLAY TOWNSHIP TRUSTEE (2)	* GERRY L GREVE - D	4	14
	* DAVID R LANGE - R	10	
DOUGLAS TOWNSHIP TRUSTEE (2)	* ADRIAN NELSON - R	41	50
	RICHARD PETERSEN - D	1	
	KEITH FISCUS - D	2	
	TERRY MCDOWELL - D	1	
	MARK PETERSEN - R	4	
	MIKE RASMUSSEN - R	1	
FAIRVIEW TOWNSHIP TRUSTEE (2)	* EVERETTE H CARROLL - D	9	21
	* JEROME WILLIE MUMM - D	7	
	GREG BOYSEN - R	1	
	RALPH KLINDT - R	1	
	EVERETTE CARROLL - R	1	
	WAYNE NIELSEN - R	2	
GREELEY TOWNSHIP TRUSTEE (2)	* ROGER AHRENHOLTZ - R	17	34
	* ALAN JENSEN - R	15	
	NICK HANSEN - D	1	
	DAVID HELLER - D	1	
GROVE TOWNSHIP TRUSTEE (2)	* CHARLES KLEIN - D	3	7
	* GERALD TREMEL - D	2	
	GERALD TREMEL - R	2	
JACKSON TOWNSHIP TRUSTEE (2)	DAVID CHRISTENSEN - D	4	39
	KELLY DOONAN - D	1	
	JERRY HANSEN - D	5	
	LYNN ANDERSEN - D	1	
	WAYNE PETERSEN - D	1	
	PERRY KELLY - D	1	
	DENNIS THOMSEN - D	1	
	* KELLY DOONAN - R	8	
	* JERRY HANSEN - R	6	
	DAVID CHRISTENSEN - R	5	
	ROBERT PETERSEN - R	1	
	PERRY KELLY, SR - R	1	
	PAUL PETERSEN - R	1	
	ROBERT SCHEEL - R	1	
	DEAN PLAGMAN - D	1	
	CHRIS LARSEN - D	1	
JEFFERSON TOWNSHIP TRUSTEE (2)	* NICK HANSEN - D	2	24
	* JIM CLARK - R	21	

	GERALD GOETZ - D	1	
LINCOLN TOWNSHIP TRUSTEE (2)	* H DAVID BOETTGER - R	23	45
	* RAYMOND ERRETT - R	21	
	JOHN ROSMAN - D	1	
MONROE TOWNSHIP TRUSTEE (2)	* LARRY MADSON - R	20	42
	* KENNETH PETERS - R	20	
	LEO JACOBSEN - D	1	
	BRYAN GREVE - D	1	
POLK TOWNSHIP TRUSTEE (2)	* EUGENE P JUHL - R	26	29
	HAL YOUNGKIN - R	2	
	MARLIN PETERSEN - R	1	
SHELBY TOWNSHIP TRUSTEE (2)	* FRANKLIN D EVANS - R	15	15
UNION TOWNSHIP TRUSTEE (2)	* JAMES J KOHLES - D	12	31
	* VERNON SCHEURING - D	14	
	JOHN FROMM - D	1	
	WARREN BECKER - R	1	
	GERALD KOHLES - R	1	
	DAN GROTE - R	1	
	ALLAN G KENKEL - R	1	
WASHINGTON TOWNSHIP TRUSTEE (2)	* RALPH SCHWERY - R	6	30
	* PHIL CROGHAN - D	19	
	DAVID KEANE - D	1	
	DAVID KENKEL - D	1	
	RALPH SCHWERY - D	1	
	AL HOFFMAN - R	2	
WESTPHALIA TOWNSHIP TRUSTEE (2)	* GENE BLUM - D	24	25
	JOHN HENSHEID - D	1	

Dan Heller, who was a Democratic candidate for Supervisor, appeared before the Board to request a recount due to the fact that there was only a six vote difference between him and the apparent winner, Aaron Anderson. It was moved by Ferry, seconded by Schmitz, to grant his request and order the Auditor to schedule the recount for the Democratic race for Supervisor. AYES: Schmitz, Ferry
NAYES: None

It was moved by Ferry, seconded by Schmitz, to approve the claims of June 15, 2004. AYES: Schmitz, Ferry
NAYES: None

Now being the time for the public hearing on the 2nd reading of Shelby County Ordinance No. 2004-2, Amendment to Shelby County Subdivision Ordinance, the Chairman did open the hearing. There were no written or oral comments. It was moved by Ferry, seconded by Schmitz, to close the hearing with the third and final reading scheduled for July 6. AYES: Schmitz, Ferry
NAYES: None

It was moved by Schmitz, seconded by Ferry, to authorize the Chairman to sign a contract with TPA, Ltd, Bettendorf, IA, a third party administrator, for partial self-funding for the County health insurance program. AYES: Schmitz, Ferry
NAYES: None

More discussion was held on the elimination of the postage machine. Since the cost would be prohibitive to buy out the lease, the machine will be moved out of the MIS Department into another secure location and will be available for the departments to use. The issue will be readdressed when the lease is completed in 2008.

Representatives of Country Care Corporation appeared before the Board to request that the building located on the County Farm property that the Board had advertised for sale not be sold.

The Shelby County Zoning Administrator, Charlie Trailer, presented plats of two rural subdivisions as approved by the Shelby County Planning and Zoning Commission at its meeting Monday, June 14, 2004. "Cyclone Ridge Subdivision" is located in Section 14 Lincoln Township proposed by Gerald

Reinig. “Schomers Subdivision” is located in Section 31 Douglas Township and proposed by Don Schomers. After discussion, it was moved by Ferry, seconded by Schmitz, to give tentative approval to each plat and direct Trailer to submit both to the City of Harlan for consideration as per the Shelby County Subdivision Ordinance with final approval contingent upon approval by the City. AYES: Schmitz, Ferry NAYES: None

It was moved by Ferry, seconded by Schmitz, to authorize the Chairman to sign the Business Associate Agreement With Heartland Technology Solutions as required by HIPAA. AYES: Schmitz, Ferry NAYES: None

Bob Seivert, Emergency Management Agency Coordinator, informed the Board that on May 19, 2004, he had received word that Shelby County was given a Federal Disaster Declaration due to heavy spring rains.

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

Now being the time for the opening of the bids for FY2004 Road Oiling Program, the Engineer proceeded to open the bids. Only one bid was received. It was moved by Ferry, seconded by Schmitz, to accept the bid of StaBilt Construction, Harlan, for a total program cost of \$150,400. AYES: Schmitz, Ferry NAYES: None

Now being the time for the opening of the bids for FY2004 Fuel, the Engineer proceeded to open the bids. Agriland FS & Farm Service Coop submitted bids. It was moved by Schmitz, seconded by Ferry, to authorize the Engineer to review the bids and accept the apparent low bid with formal action to be taken at the next meeting. AYES: Schmitz, Ferry NAYES: None

There being no further business appearing, the Chairman declared the meeting adjourned at 10:15 a.m.

Roger Schmitz, 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.