

July 20, 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; Gayle Petersen, and Marsha J. Carter, Clerk.

It was moved by Ferry, seconded by Petersen, to approve the agenda with the addition of (1) Down Payment Assistance Program Mortgage Releases and (2) Set date for Public Hearing on Radon Ordinance AND the following items contained in the Consent Agenda:

- A. Minutes of July 6, 2004
- B. Office Reports – Sheriff & Recorder
- C. Committee Reports

AYES: Schmitz, Ferry, Petersen

NAYES: None

It was moved by Petersen, seconded by Ferry, to approve the Claims of July 20, 2004, as listed in the Claims Register. AYES: Schmitz, Ferry, Petersen

NAYES: None

Mike Hansen, former MIS Director, appeared before the Board to discuss payment for his unused sick leave. His contract was not renewed, and his last day was June 30, 2004. Hansen was requesting the following benefit as stated in the Employee Handbook, “When a full-time employee exercises his/her option to take full retirement, the employee will receive a payment equal to 50% of the number of days of sick leave that has been accumulated, multiplied by the current hourly rate of pay.” This benefit would total approximately \$7,500. Marcus Gross, County Attorney, was consulted for his opinion and agreed with the Board that Hansen did not fall under the “retirement” definition. After much discussion on the definition of retirement, Hansen requested that an exception be made in his case because of his 28 years of service to the County. The Chairman called for a motion. The issue died for lack of motion.

It was moved by Petersen, seconded by Ferry, to approve the following resolution:

RESOLUTION NO. 2004-24
RESOLUTION ADOPTING REVISIONS TO
THE HAZARD MITIGATION PLAN FOR SHELBY COUNTY

WHEREAS, Shelby County has completed revisions to the county Hazard Mitigation Plan; and,

WHEREAS, review of the Hazard Mitigation Plan was open to the public; and,

WHEREAS, Shelby County has reviewed the recommendations of the Hazard Mitigation Plan and is in agreement with the priorities contained herein.

NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors of Shelby County hereby adopts changes to the Hazard Mitigation Plan for Shelby County, as the guiding document for hazard mitigation in the county.

Passed and approved this 20th day of July, 2004.

AYES: Schmitz, Ferry, Petersen

NAYES: None

It was moved by Ferry, seconded by Petersen, to approve the liquor license of the Corley Community Club. AYES: Schmitz, Ferry, Petersen

NAYES: None

It was moved by Petersen, seconded by Ferry, to authorize the Treasurer to suspend the real estate taxes on Parcel No. 832600005031 and 832110000040, as recommended by the Department of Human Services. AYES: Schmitz, Ferry, Petersen

NAYES: None

It was moved by Petersen, seconded by Ferry, to authorize the Chairman to sign the Mortgage Releases for Down Payment Assistance Program Project No. 99-HM-132-021 and 99-HM-132-027. AYES: Schmitz, Ferry, Petersen

NAYES: None

It was moved by Ferry, seconded by Petersen, to set August 3, 2004, at 10:30 a.m. as the date and time for the public hearing on Shelby County Ordinance No. 2004-3, RADON CONTROL METHODS. AYES: Schmitz, Ferry, Petersen

NAYES: None

It was moved by Ferry, seconded by Petersen, to approve the following resolution:

RESOLUTION NO. 2004-25
TRANSFER OF CERTIFICATE OF PURCHASE

IT IS HEREBY RESOLVED by the Shelby County Board of Supervisors to order the Shelby County Treasurer to transfer the Certificates of Purchase to the Shelby County Board of Supervisors for the property described as follows:

- A. IR-IR – Parcel No. 832103000013
- B. HL-HL – Parcel No. 02590194I (Mobile Home)
- C. HL-HL – Parcel No. XGC10231833 (Mobile Home)

Passed and approved this 20th day of July, 2004.

AYES: Schmitz, Ferry, Petersen NAYES: None

A discussion was held on the remaining FY2004 Budgeted Department funds in the Auditor and Treasurer Departments. Marsha J. Carter, Auditor, requested that the \$8,336 left in the Auditor and Election Budgets be transferred into the Capital Fund for the future purchase of voting equipment. Kathy Stinn, Treasurer, requested that the \$5,758 left in the Treasurer Budget be transferred into the Capital Fund for the future purchase of office equipment for her office and the IT Department purchase of software. It was moved by Petersen, seconded by Ferry, to transfer \$14,094 from the General Fund to the Capital Fund for the future stated purposes. AYES: Schmitz, Ferry, Petersen NAYES: None

It was moved by Petersen, seconded by Ferry, to borrow \$50,000 from the Secondary Road Fund and deposit it in the Capital Fund to pay the expenses on the Western Ventures Sewer Project until the bonds are sold for the entire project. AYES: Schmitz, Ferry, Petersen NAYES: None

It was moved by Ferry, seconded by Petersen, to correct the minutes of December 23, 2003, as follows: “It was moved by Schmitz, seconded by Ferry, to increase the rent for the space at the Annex occupied by Juvenile Court Services by \$150 per month from \$980 to ~~\$1030~~ \$1130, effective July 1, 2004, and to authorize the County Attorney to draw up a three-year lease to be signed by the four participating counties: Shelby, Harrison, Audubon, and Cass. AYES: Petersen, Schmitz, Ferry NAYES: None” and to authorize the Chairman to sign the lease for the space in the Annex as a participating member county. AYES: Schmitz, Ferry, Petersen NAYES: None

It was moved by Ferry, seconded by Petersen, to authorize the Chairman to sign the Administrative Contract for the EDSA Project – Shelby County Cookers with SWIPCO. AYES: Schmitz, Ferry, Petersen NAYES: None

It was moved by Petersen, seconded by Ferry, to approve Policy No. 13 – Computer Hardware & Software, as amended. AYES: Schmitz, Ferry, Petersen NAYES: None

It was moved by Ferry, seconded by Petersen, to repeal Policy No. 15 – Internet & Email Acceptable Use Policy. It has been combined with Policy No. 23. AYES: Schmitz, Ferry, Petersen NAYES: None

It was moved by Petersen, seconded by Ferry, to approve Policy No. 23 – Shelby County Information Technology Department Security Policy, as amended. AYES: Schmitz, Ferry, Petersen NAYES: None

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

It was moved by Ferry, seconded by Petersen, to approve the agreement with PSI for geotechnical services on the Irwin north bridge, Project No. BRS-CO83(32)—60-83. AYES: Schmitz, Ferry, Petersen NAYES: None

It was moved by Petersen, seconded by Ferry, to approve the following resolution:

SHELBY COUNTY RESOLUTION NO. 2004-26
RESOLUTION FOR ESTABLISHING SPEED LIMIT
IN THE CITY OF EARLING

WHEREAS, the Board of Supervisors is empowered under authority of the Iowa Code Sections 321.255 and 321.285 of the Code of Iowa, to determine upon the basis of an engineering and traffic investigation, that the speed limit of any secondary road is greater than is reasonable and proper under the conditions existing, and may determine and declare a reasonable and proper speed limit, and

WHEREAS, such an investigation has been requested and has been completed by the Shelby County Engineer.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SHELBY COUNTY that the speed limit be established and appropriate signs be erected at the location described as follows:

Road M-16 within the corporate limits of the City of Earling –
45 miles per hour beginning at the North corporate limit running south a distance

35 miles per hour beginning at a point 1650 feet south of the North corporate limit
running south to the intersection with Iowa Highway 37,
approximately 990 feet.

Resolution adopted this 20th day of July, 2004

AYES: Schmitz, Ferry, Petersen NAYES: None

There being no further business appearing, the Chairman declared the meeting adjourned at 10:25 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.