

November 17, 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 Petersen, seconded by Ferry, to approve the agenda AND the following items contained in the Consent Agenda:

- A. Minutes of November 2 and 9, 2004
- B. Office Reports – IT
- C. Committee Reports

AYES: Schmitz, Ferry, Petersen NAYES: None

It was moved by Ferry, seconded by Petersen, to approve the Claims of November 17, 2004, as listed in the Claims Register. AYES: Schmitz, Ferry, Petersen NAYES: None

The Chair announced that this was the time and place specified for taking action on the proposal to submit an application to the FY 2005 Iowa Housing Fund. Shelby County has found a need for housing rehabilitation within the county, in particular for low to moderate income residents. Shelby County is applying for a \$330,989 grant from the Iowa Housing Fund through the Iowa Department of Economic Development and will provide project grants of up to \$24,999 for rehabilitation of 11 owner-occupied, single-family, low-moderate income housing units. This application will be made on or before December 1, 2004. 100% of these funds will benefit low-moderate income residents. This project will be available throughout Shelby County. No person will be displaced as a result of funded activities. The County Auditor announced that there were no written or oral comments received prior to the meeting. M. J. Broomfield, SWIPCO, was in attendance and stated that she had not received any comments. Whereupon the Chair called for any written or oral comments.

After due consideration, it was moved by Ferry, seconded by Petersen, to approve the following resolution:

RESOLUTION 2004-45
RESOLUTION AUTHORIZING AND DIRECTING THE CHAIR TO MAKE AN APPLICATION TO
THE FY2005 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 eleven (11) 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 FY2005 Iowa Housing Fund for \$339,989.

SECTION 2: Shelby County will contribute \$15,000 for local match. The City of Harlan also will contribute \$15,000 for local match to complete the Housing Rehabilitation Program as follows:

Rehabilitation (11 units):	
Program Funds	\$339,989
Local Contribution	\$30,000
Total Project	\$369,989

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

Passed and approved this 17th day of November, 2004.

AYES: Schmitz, Ferry, Petersen NAYES: None

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

RESOLUTION 2004-46
RESOLUTION AUTHORIZING PARTICIPATION IN THE
SOUTHWEST IOWA PLANNING COUNCIL
DOWN PAYMENT ASSISTANCE PROGRAM

WHEREAS; Shelby County agrees there is a need to improve housing options in Shelby County and Southwest Iowa; and,

WHEREAS; Shelby County agrees that improved housing has a direct effect on stimulating economic growth and vitality in our county and the region; and,

WHEREAS; Shelby County supports Southwest Iowa Planning Council efforts to create a down payment assistance program to help low-to-moderate income, first-time homebuyers achieve homeownership.

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

The County agrees to provide 5% match for projects completed in the County, for a contribution of \$3,000 - \$4,000.

Passed and approved this 17th day of November, 2004.

AYES: Schmitz, Ferry, Petersen NAYES: None

Dawn Cundiff, Director of the Shelby County Chamber, and Marty Burchett, a member of the Tourism Committee, appeared at the Board’s request to present a financial report which shows how the Hotel/Motel Tax collections are being spent to promote tourism in Shelby County. Cundiff reported that they are receiving approximately \$12,000/year.

It was moved by Ferry, seconded by Petersen, to approve the updated version of the Employee Information Handbook. AYES: Schmitz, Ferry, Petersen NAYES: None

John Wells, Mayor of the City of Defiance, appeared before the Board to request funding for the Defiance Walking Park Project. The total cost of the project is \$107,484. They have already raised \$56,000 from fund raisers and private donations and a \$7500 RACI Grant. The project was a finalist for a \$50,000 IDED Community Attraction and Tourism (CAT) Program Grant, but the committee sent them back to ask for County support before the Walking Park would be considered for the Grant. It was moved by Petersen, seconded by Ferry, to commit \$2500 towards the Defiance Walking Park Project, with a note that they would commit more funds if they were able, but did not want Defiance to lose the CAT Grant just because there was no County support. AYES: Schmitz, Ferry, Petersen
NAYES: None

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

RESOLUTION NO. 2004-47
LOCAL OPTION SALES AND SERVICES TAX

WHEREAS, the City of Harlan has filed a motion with the County Auditor to put the Local Option Sales and Service Tax question on the ballot for the General Election,

WHEREAS, the Board of Supervisors also wishes to present the question of imposition of a Local Option Sales and Services Tax, and

WHEREAS, the Iowa Department of Revenue has estimated that the Local Option Sales and Services Tax would bring in approximately an additional \$300,000 in revenue for the County,

WHEREAS, the City of Harlan and the rural area of Shelby County comprise more than 50% of the population of Shelby County.

THEREFORE, the Local Option Sales and Services Tax question shall be put on the ballot for a Special Election to be held March 8, 2005, in the Cities of Harlan and Panama and the rural area of Shelby County, these being the only areas in Shelby County where the Local Option Sales and Services Tax is not already in effect.

WHEREAS, the Board of Supervisors has set the Local Option Sales and Services Tax at a rate of One Percent (1%), and

WHEREAS, the Local Option Sales and Services Tax will be effective July 1, 2005, with no sunset clause, if approved, and

WHEREAS, it is the Board of Supervisors who determines the uses of the revenue for the unincorporated areas of Shelby County, and

BE IT HEREBY RESOLVED by the Shelby County Board of Supervisors that the revenues of the Local Option Sales and Services Tax for the Unincorporated Area of Shelby County will be as follows:

- 33% for General Fund property tax relief
- 33% for Rural Fund property tax relief
- 34% for Secondary Road Infrastructure

All without a sunset clause.

Passed and approved this 17th day of November, 2004.

AYES: Schmitz, Ferry, Petersen NAYES: None

Now being the time for the consultation meeting with any affected taxing entities regarding the following:

URBAN RENEWAL PLAN BUSINESS PARK
URBAN RENEWAL DISTRICT
SHELBY COUNTY, IOWA
AMENDMENT

TERMINATION OF URBAN RENEWAL PLAN

The date of termination of the Business Park Urban Renewal Plan is amended to June 30, 2020.

All other portions of the Urban Renewal Plan will remain as stated.

The Chairman asked for comments from the floor. Marsha Carter, Auditor, informed them that all the required notices had been sent out. She also reported that she had received no written or oral comments. The Public Hearing on this matter has been set for December 7, 2004, at 9 a.m.

Marsha Carter, Auditor, informed the Board that the Insurance Reimbursement Fund was depleted. These funds were the result of a court settlement that the County had received several years ago from WellMark. These funds had been used to fund the insurance reimbursements required by the Union contracts for the health insurance. Carter requested that this fund remain active for all the departments on the General Fund payroll and not governed by a separate board. Any department that is governed by a separate board and/or has its own operating funds will be required to pay the insurance reimbursements out of their operating budgets. It was moved by Petersen, seconded by Ferry, to transfer \$20,000 from the General Basic Fund to the Insurance Reimbursement Fund to keep this fund active. AYES: Schmitz, Ferry, Petersen NAYES: None

The County Engineer was not available to give a secondary road project update.

There being no further business appearing, the Chairman declared the meeting adjourned at 10:20 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.