

January 3, 2005

The Shelby County Board of Supervisors met in an organizational session at 9:00 A.M. in the Supervisors Chambers in the Courthouse with the following members present: Roger Schmitz, Richard D. Ferry, LaVon Christensen, and Marsha J. Carter, Clerk.

It was moved by Ferry, seconded by Schmitz, to approve Roger Schmitz as Chairman of the Board of Supervisors for the 2005 calendar year. Motion carried unanimously.

It was moved by Schmitz, seconded by Ferry, to approve Richard Ferry as Vice-Chairman of the Board of Supervisors for the 2005 calendar year. Motion carried unanimously.

It was moved by Ferry, seconded by Schmitz, to approve the agenda. Motion carried unanimously.

It was moved by Ferry, seconded by Christensen, to approve the minutes of December 21, 2004. Motion carried unanimously.

The following elected officials of Shelby County qualified for their respective offices by taking the oath and by giving bond according to Chapter 63.1, Code of Iowa:

LaVon Christensen, Shelby County Board of Supervisors
Richard D. Ferry, Shelby County Board of Supervisors
Marsha J. Carter, Shelby County Auditor
Gene Cavanaugh, Shelby County Sheriff
Marcus Gross, Jr., Shelby County Attorney (Unexpired Term of Jeff Larson)

It was moved by Christensen, seconded by Ferry, that the following resolution be adopted:

RESOLUTION NO. 2005-1
A RESOLUTION APPOINTING DEPUTY COUNTY OFFICIALS
FOR THE 2005 CALENDAR YEAR

BE IT RESOLVED, that the following persons shall be appointed deputies for the following offices as recommended by the elected officials according to Chapter 331.903, Code of Iowa:

Marcus Gross, Jr., County Attorney	Susan Larson Christensen, Asst. County Attorney Judson Frisk, Assistant County Attorney
Linda Fahn, County Recorder	Linda Stroeher, Deputy Recorder
Gene Cavanaugh, County Sheriff	Mark A. Hervey, Chief Deputy Sheriff John A. Kelly, Deputy Sheriff Mark E. Kaufman, Deputy Sheriff Robin L. Ambrose, Deputy Sheriff Chad Butler, Deputy Sheriff Kelly Lefeber, Deputy Sheriff Timothy Pedersen, Deputy Sheriff
Kathy Stinn, County Treasurer	Joann L. Christensen, Deputy Treasurer-MV Dept. Sherry Heller, Deputy Treasurer-Tax Department Marie A. Madsen, Assistant Sharon A. Oman, Assistant
Marsha J. Carter, County Auditor	Karen Petersen Goans, Deputy Auditor Rhonda Brown, Deputy Auditor

AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Ferry, seconded by Christensen, to appoint Bryce Schaben as Weed Commissioner for 2005. Motion carried unanimously.

The Board of Supervisors shall meet as required by Chapter 331.213, Code of Iowa, and shall hold their first meeting of each year on the first day in January, which is not a Saturday, Sunday

or holiday and shall hold all subsequent meetings of the year as scheduled by the Board. All meetings of the Board shall be scheduled and conducted in compliance with Chapter 21.

All claims filed by Wednesday, before the third Tuesday of each month in the Auditor's office will be approved for payment by the Board of Supervisors on the third Tuesday of each month.

It was moved by Ferry, seconded by Christensen, to approve the appointment of Scott Markham as County Medical Examiner and to accept the proposal of the physicians of Shelby County that the doctor on call will act in the Medical Examiner’s absence. Motion carried unanimously.

It was moved by Ferry, seconded by Christensen, to approve the appointment of the following persons as members of the Compensation Board for the Condemnation of Private Property for Shelby County for 2005, as required by Chapter 472.4, Code of Iowa:

FARM OWNER - OPERATORS	CITY PROPERTY OWNERS
Walter Staiert Elk Horn, Iowa	Kayla Jacobs Harlan, Iowa
Don Schomers Earling, Iowa	Maurice Knudsen Elk Horn, Iowa
Doug Robinson Shelby, Iowa	Paul Leinen Harlan, Iowa
David Boettger Harlan, Iowa	Michael Cain Harlan, Iowa
Donald Leinen Portsmouth, Iowa	Todd Langenfeld Earling, Iowa
Dave Wahling Shelby, Iowa	Richard Leinen Portsmouth, Iowa
Charles Wooster, Jr. Manilla, Iowa	Donald Holdsworth Irwin, Iowa
REAL ESTATE BROKERS	PERSONS HAVING KNOWLEDGE OF PROPERTY VALUES IN SHELBY COUNTY
Kirk Petersen Harlan, Iowa	Mark Langenfeld Earling, Iowa
Terry Knapp Harlan, Iowa	Norman Mathiasen Harlan, Iowa
Ben Plumb Harlan, Iowa	Lamont Christensen Elk Horn, Iowa
Rowland Burton Irwin, Iowa	Jerry Lapke Harlan, Iowa
Randy Ouren Harlan, Iowa	Tim Meyers Harlan, Iowa
Jan Arkfeld Defiance, Iowa	John Wells Defiance, Iowa
Dave Robinson Shelby, Iowa	Terry Bails Harlan, Iowa

It was moved by Christensen, seconded by Ferry, to approve the Harlan Tribune or the Harlan News Advertiser and the Danish Villages Voice as official newspapers for 2005, as defined in

Chapter 618.3 and Chapter 349, Code of Iowa. The Board set the limit on notices to three columns wide and seven inches long. Anything over that size will not be approved for payment. Motion carried unanimously.

It was moved by Ferry, seconded by Christensen, that the County Auditor be authorized to draw warrants for salaries of county officers, their deputies and clerks; courthouse custodians; and all secondary road employees. The auditor is also authorized to pay the telephone, utilities, freight, United Parcel, deferred compensation claims and the expenses of transporting person(s) to state institutions. The Board authorized the County Auditor to issue warrants for County Conservation Commission, County Assessor, Shelby County Solid Waste Agency, Shelby County Veteran Affairs Commission, Shelby County Board of Health, Shelby County Community Services, and Shelby County Emergency Management Agency. Motion carried unanimously.

It was moved by Christensen, seconded by Ferry, that the following resolution be adopted:

RESOLUTION NO. 2005-2
RESOLUTION CONCERNING NON-DISCRIMINATION IN EMPLOYMENT

WHEREAS, Shelby County has in the past tried to conform to all federal rules and regulations pertaining to equal employment opportunities, and

WHEREAS, the County of Shelby wishes to continue to comply with all federal rules and regulations for equal employment opportunities,

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Shelby County, Iowa, that Shelby County will make every effort possible to comply with all federal laws and regulations in existence and future laws which may come about pertaining to equal employment opportunities.

AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Christensen, seconded by Ferry, that the following days shall constitute paid holidays for all eligible employees as stated herein for the 2005 year. Motion carried unanimously.

December 31, New Year's Day	November 11, Veterans Day
February 21, President's Day	November 24, Thanksgiving Day
May 30, Memorial Day	November 25, Friday after Thanksgiving Day
July 4, Independence Day	December 26, Christmas Day
September 5, Labor Day	

The Board also established the following policy: If a holiday falls on Saturday, the preceding Friday will be a paid holiday; when a holiday falls on Sunday, the following Monday will be a paid holiday. This policy is in effect for all holidays mentioned except Christmas Eve afternoon.

It was moved by Christensen, seconded by Ferry, that the following resolution be adopted:

RESOLUTION NO. 2005-3
RESOLUTION FOR COUNTY ENGINEER TO EXECUTE CERTIFICATION OF
COMPLETED WORK

BE IT RESOLVED, by the Board of Supervisors of Shelby County, Iowa, that Daniel Ahart, the County Engineer of Shelby County, Iowa, be and is hereby designated, authorized and empowered on behalf of the Board of Supervisors of said County to execute the certification of completion of work and final acceptance thereof in accordance with plans and specifications therefore in connection with all Farm to Market construction projects in this county.

AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Ferry, seconded by Christensen, that The Agency, Harlan, IA, be the broker for bonding for Shelby County for 2005. Motion carried unanimously.

APPOINTMENTS AND RE-APPOINTMENTS:

The following appointment and re-appointments were made by the Chairman:

Harrison/Monona/Shelby Empowerment Area – Marsha J. Carter
Shelby-Harrison-Monona Planning Council &
28E Mental Health Coordinator Board - Ferry
Fourth Judicial District Department of
Correctional Services Board of Directors – Schmitz
Juvenile Emergency Service Committee - Schmitz
Emergency Management Agency Commission – Christensen
E911 Joint Service Board – Christensen
Southwest Iowa Planning Council to the Midlands &
Southwest Iowa Transit Authority Commission – Christensen
Planning & Zoning Commission – Ray Errett & Marvin Kenkel
Rural District Zoning Board of Adjustment – Doris Peterson
Solid Waste Agency Board - Schmitz
Shelby County Ambulance Commission – Schmitz
West Central Development Board – Ferry
Shelby County DevelopSource – Schmitz
Enterprise Zone Commission - Schmitz
WESCO - Ferry
Board of Health – Ferry
R C & D Board - Christensen
Hungry Canyons Alliance - Christensen
Workforce Development – Region 13 - Schmitz
Metropolitan Area Planning Association - Christensen
Loess Hills Development & Conservation Authority – John Wendt & Jerry Henscheid

It was moved by Ferry, seconded by Christensen, to authorize the Chairman or the Vice-Chairman to sign any documents related to farms belonging to the County and documents relating to any farm programs the County will be eligible for in the future. Motion carried unanimously.

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

RESOLUTION NO. 2005-4 ECONOMIC DEVELOPMENT PUBLIC PURPOSE STATEMENT

BE IT RESOLVED by the Shelby County Board of Supervisors that the funding of Shelby County DevelopSource and Shelby County Area Wide Chamber and any other economic development project deemed appropriate by the Board is an economic development project as defined in Iowa Code Section 15A.1 and that this expenditure would further a public purpose, that public purpose to be an expansion or retention of jobs in Shelby County with a target of adding 250 jobs over the next fiscal year.

AYES: Schmitz, Ferry, Christensen NAYES: None

OTHER BUSINESS: Pam Borkowski appeared before the Board to request lighting at the intersection of Hwy 59 and F32.

There being no further business appearing, the Chairman declared the meeting adjourned at 9:39 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.