

April 5, 2005

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; LaVon Christensen; and Marsha J. Carter, Clerk.

It was moved by Christensen, seconded by Ferry, to approve the agenda with the following additions: (1) Public Hearing for Ordinance No. 2005-2 – Local Option Sales Tax and (2) Set Public Hearing date for 2005-3 – County Lead Ordinance and (3) Appoint Historical Preservation Committee member AND the following items contained in the Consent Agenda:

- A. Minutes of March 15, 2005
- B. Office Reports – None
- C. Committee Reports

AYES: Schmitz, Ferry, Christensen

NAYES: None

It was moved by Ferry, seconded by Christensen, to approve the Claims of March 30, 2005, as listed in the Claims Register. AYES: Schmitz, Ferry, Christensen NAYES: None

The Audubon County Supervisors and a member of the Audubon County Auditor's Office appeared before the Board to discuss Shelby County Geographic Information System and how it is used by the different County departments. Jerry Lawson, GIS Coordinator, took them on a tour of the different offices currently using the system.

It was moved by Christensen, seconded by Ferry, to authorize Marsha J. Carter, Auditor, to enter into an agreement with ProMap, Ames, to acquire new aerial photos of the City of Harlan and the surrounding newly developed areas, price not to exceed \$20,000. AYES: Schmitz, Ferry, Christensen NAYES: None

Lonnie Maguire, Community Services Director, appeared before the Board to present the following: Case Management Policies and Procedures - no change since last year; Cases Management forms - no change since last year; Case Management Organizational Plan – received and filed; Case Management Performance Plan FY04 – received and filed; Confidentiality Training – reviewed; Roles and Responsibilities of Board – reviewed; Case Management Survey – reviewed; Case Management By-Laws – reviewed. It was moved by Ferry, seconded by Christensen, to approve the FY04 Annual Report For Targeted Case Management. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Christensen, seconded by Ferry, to approve the FY04 Shelby/Harrison/Monona County Management Plan. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Ferry, seconded by Christensen, to appoint the Community Services Director as the CPC/Case Management Supervisor for FY06. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Ferry, seconded by Christensen, to approve the Community Mental Health Center Affiliation Request with Prairie Rose Mental Health Center, Harlan. AYES: Schmitz, Ferry, Christensen NAYES: None

Marsha Carter, Auditor, and Lonnie Maguire, Community Services Director, informed the Board that our IT Security policy was required to be updated by April 21, 2005, to include all the security requirements of HIPAA. They had worked with Doug Zumwalt of Heartland Technology Solutions to make the necessary changes to our existing policy. It was moved by Ferry, seconded by Christensen, to approve Policy No. 23, Information Technology (IT) Department Security Policy, as amended to include the new Health Insurance Portability and Accountability Act (HIPAA) Requirements. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Christensen, seconded by Ferry, to appoint Marsha J. Carter, Auditor, as the HIPAA Security Officer, as required by HIPAA. AYES: Schmitz, Ferry, Christensen NAYES: None

Now being the time for the First Reading of Shelby County Ordinance No. 2005-2, LOCAL OPTION SALES AND SERVICES TAX, the Chairman did open the hearing. There were no oral or written comments. It was moved by Ferry, seconded by Christensen, to suspend future readings of this Ordinance. AYES: Schmitz, Ferry, Christensen NAYES: None. It was moved by Christensen,

seconded by Ferry, to close the hearing and to approve Shelby County Ordinance No. 2005-2. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Ferry, seconded by Christensen, to set April 19, 2005 at 9 a.m. as the date and time for the first reading of Shelby County Ordinance No. 2005-3, COUNTY LEAD ORDINANCE. AYES: Schmitz, Ferry, Christensen NAYES: None

A discussion was held on the possibility of combining voting precincts as a way to save money on the upcoming purchase of new voting equipment required by the Federal Help American Vote Act (HAVA). The combining of precincts will also save money on the future costs of ballot printing and programming. It was moved by Christensen, seconded by Ferry, to set April 19, 2005 at 9 a.m. as the date and time for the first reading of Shelby County Ordinance No. 2005-4, AN ORDINANCE TO RE-PRECINCT SHELBY COUNTY AND ADJUST VOTING PRECINCT BOUNDARIES (Replaces Ordinance No. 2001-3, which replaced Ordinance No. 1991-5). AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Christensen, seconded by Ferry, to appoint Kathleen Cue to replace Mary Finken on the Historic Preservation Committee. AYES: Schmitz, Ferry, Christensen NAYES: None

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

RESOLUTION NO. 2005-12  
WEED DESTRUCTION PROGRAM

BE IT RESOLVED, that pursuant to the provisions of Chapter 317, Code of Iowa, it is ordered:

That each owner and each person in possession or control of any lands in Shelby County, shall cut, burn or otherwise destroy all noxious weeds thereon, as defined in the chapter, at such time in each year and in such manner as shall prevent such weeds from blooming or coming to maturity, and shall keep said lands free from such growth as shall render the streets or highways adjoining said lands unsafe for public travel. Noxious weeds shall be cut or otherwise destroyed as published in the official newspapers of Shelby County.

That, if owners or persons in possession or control of any lands in Shelby County fail to comply with the foregoing orders, the weed commissioner shall cause this to be done and the expenses of said work including cost of serving notice and other costs, if any, to be assessed against real estate.

THEREUPON, the Board instructed the County Auditor to place said notice in the official newspapers of Shelby County.

The above and foregoing resolution was adopted by the Board of Supervisors of Shelby County, Iowa, on April 5, 2005, the vote thereon being as follows:

AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Ferry, seconded by Christensen, to authorize the Chairman to sign the Migration System Agreement Between Tyler Technologies, Inc., INCODE Division, Lubbock, Texas and Shelby County for the County Real Estate Software Package. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Ferry, seconded by Christensen, to approve HBRR Agreement #405-HBRS-006 with Iowa Department of Transportation, Corley Bridge Project. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Ferry, seconded by Christensen, to approve the purchase of a tool bed for the Secondary Roads Maintenance Truck from Steffen, Sioux City, IA, at a cost of \$9,946.00. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Ferry, seconded by Schmitz, to approve and sign the plans for Projects LS-M-11-2 & LS-M-11-3, Culverts in Section 6, Grove Township, and to set the letting date as April 26, 2005 at 8:15 a.m. AYES: Schmitz, Ferry, Christensen NAYES: None

The Assistant to the County Engineer gave a secondary road project update.

There being no further business appearing, the Chairman declared the meeting adjourned at 11:03 a.m.

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Roger Schmitz, Chairman

ATTEST:

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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.