

July 5, 2006

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 AND the following items contained in the Consent Agenda:

- A. Minutes of June 12 & 20, 2006
- 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 June 30, 2006, as listed in the Claims Register. AYES: Schmitz, Ferry, Christensen NAYES: None

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

RESOLUTION NO. 2006-28
APPROPRIATE FUNDS TO OPERATE COUNTY OFFICES AND DEPARTMENTS
FOR FISCAL YEAR 2007

WHEREAS, in accordance with Section 331.434(6) of the Code of Iowa which requires the Board of Supervisors of Shelby County, Iowa, to appropriate funds to operate all offices and departments of said county for Fiscal Year 2007.

THEREFORE BE IT RESOLVED, that the Board of Supervisors do hereby authorize the appropriations for Fiscal Year 2007 as follows:

SECTION 1: The amounts itemized by department on the following Schedule A are hereby appropriated from the resources of each fund so itemized.

SECTION 2: Subject to the provisions of other county procedures and regulations, and applicable state law, the appropriations authorized under Section 1 shall constitute authorization for the department or officer listed to make expenditures or incur obligations from the itemized fund, effective July 1, 2006.

SECTION 3: In accordance with Section 331.437, Code of Iowa, no department or officer shall expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure of money for any purpose in excess of the amount appropriated pursuant to this resolution.

SECTION 4: If at any time during the budget year the Auditor shall ascertain that the available resources of a fund for that year will be less than said funds total appropriations she shall immediately so inform the Board and recommend appropriate corrective action.

SECTION 5: The Auditor shall establish separate accounts for the appropriations authorized in Section 1, each of which account shall indicate on a report the status of such accounts to the applicable department monthly during the budget year.

SECTION 6: All appropriations authorized pursuant to this resolution lapse at the close of business June 30, 2007.

SCHEDULE A

POLICY AND ADMINISTRATION	\$	1,303,581
IT/GIS		284,722
AUDITOR		200,915
RECORDER		154,267
TREASURER		255,674
ATTORNEY		143,616
COURT RELATED COSTS		101,746

SHERIFF/JAIL	831,747
CONSERVATION/LAND USE	322,224
PUBLIC HEALTH	216,544
SOCIAL SERVICES	82,680
VETERANS	29,345
MH/MR/DD	1,825,208
SECONDARY ROAD	4,809,150
 TOTAL	 \$ 10,561,419

The above and foregoing resolution was adopted by the Board of Supervisors of Shelby County, Iowa, on July 5, 2006, the vote thereon being as follows:

AYES: Schmitz, Ferry, Christensen NAYES: None

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

RESOLUTION NO. 2006-29
AUTHORIZE AUDITOR TO TRANSFER FUNDS

WHEREAS, it is desired to transfer monies from the General Funds and from the Rural Basic Fund, and

WHEREAS, said operating transfers are in accordance with Sections 331.432, Code of Iowa,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Shelby County, Iowa, as follows:

SECTION 1. The Auditor is hereby authorized to transfer funds from the General Basic and Supplemental Funds and from the Rural Basic Funds to the Capital Fund to cover expenditures as set out in the County Budget for Fiscal Year 2007.

SECTION 2. The Auditor is hereby authorized to transfer funds from the Rural Basic Fund to the Flood & Erosion Control Fund to cover expenditures as set out in the County Budget for Fiscal Year 2007.

SECTION 3. The Auditor is hereby authorized to transfer funds from the General Basic Fund to the Conservation Fund and the Conservation Land Acquisition Trust Fund to cover expenditures as set out in the County Budget for Fiscal Year 2007.

SECTION 4. The Auditor is hereby authorized to transfer funds from the General Basic and Rural Basic Funds to the Secondary Road Fund to cover expenditures as set out in the County Budget for Fiscal Year 2007.

The above and foregoing resolution was adopted by the Board of Supervisors of Shelby County, Iowa, on July 5, 2006, the vote thereon being as follows:

AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Ferry, seconded by Christensen, to approve the following transfers to be made as of June 30, 2006, since the County Treasurer had not yet closed out the year: (1) TIF to General Basic - \$26,250 – Repayment of Loan; (2) General Basic to Mental Health - \$3,680.00 – Reimbursement for General Assistance Payroll; (3) General Basic–GIS to Capital - \$3,000.00 – Remaining FY2006 Budget; (4) Capital-Conservation to General Basic - \$6,368.00 – Correction; (5) Capital-B&G to General Basic - \$20,000 – Courthouse Air Conditioning Repair; (6) Capital-Environmental to General Basic - \$2,700.00 – Correction; (7) Capital-Roadside Management to Rural Basic - \$5,000.00 – Correction. AYES: Schmitz, Ferry, Christensen NAYES: None

Representatives of the Friends of Washington Township #7 appeared before the Board to report that they had raised in excess of \$4,000 to be used to refurbish the old country school. As agreed, Chairman Schmitz presented them with a check for \$2,500, which the Board had agreed to match up to that amount in donations toward the project.

Kathy Stinn, County Treasurer, appeared before the Board to discuss the 25 cent raise that she had given her employees, effective June 2, 2006. According to Iowa Code Section 331.904, this raise should have

been approved by the Board. The Board once again told Stinn that it would set a dangerous precedent to allow this raise. They felt that other departments would expect the same. The Board also stated that this request should have come at budget time. Stinn responded that she had requested an additional 10 cent raise at budget time, but the Board denied it. Since there had been no prior approval for this raise, the raise will be deducted from the Treasurer's Office employees, and any additional amount that had been received due to this raise will have to be paid back to the County.

It was moved by Christensen, seconded by Ferry, to approve the Liquor License of the Corley Community Club. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Ferry, seconded by Christensen, to authorize the Chairman to sign the Release of Mortgages for the Down Payment Assistance Projects No. 00-HM-104-026 and 00-HM-104-028. AYES: Schmitz, Ferry, Christensen NAYES: None

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

RESOLUTION NO. 2006-30
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. MG-JF – Parcel No. 834100000000
- B. HL-HL – Parcel No. 83-W085113 (Mobile Home)
- C. HL-HL – Parcel No. 83-W080605 (Mobile Home)

Passed and approved this 5th day of July, 2006.

AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Christensen, seconded by Ferry, to set the first reading of Shelby County Ordinance No. 2006-3, Code of Ordinances in Effect for Shelby County, Iowa, as July 18, 2006, at 9:00 a.m. AYES: Schmitz, Ferry, Christensen NAYES: None

Carter presented information on the Health Insurance Buyout Program, where employees can opt out of the County's health insurance program and receive either cash or annuity in the amount of one half of the amount the County saves. For FY2006, this program saved the County more than \$77,000.

Chairman Schmitz had on file a report from Chief Deputy Mark Hervey that the Jail's revenues had increased by over \$30,000 due to the collection of a per diem for prisoners and the Work Release Program.

Marcus Gross, County Attorney, reported to the Board that even though the Keg Registration Ordinance went into effect July 1, 2006, due to a delay in getting the seals to be used on the kegs, the retailers had been notified that July 12 would be the effective date.

The County Engineer gave the secondary road project update.

A discussion was held on the Roads Task Force Meeting that had been held June 21. As of this Board meeting, the Task Force has made no progress towards a plan for road surfacing. Critical comments were made, however, about the County Engineer and the alleged mismanagement of the County Road System. The County Engineer and management staff of the Road Department appeared before the Board to address and rebuff this criticism made by Supervisor Ferry and other attendees at that meeting as quoted in the June 23, 2006 issue of the Harlan Newspaper. A heated discussion also took place between Chairman Schmitz, Supervisor Christensen, and Supervisor Ferry, regarding comments made by Ferry at this meeting about the lack of cooperation by Schmitz and Christensen.

The Board traveled to Country Care Center outside of Harlan to do a surprise inspection of the buildings and grounds, which are still owned by the County.

There being no further business appearing, the Chairman declared the meeting adjourned at 11:45 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.