

August 1, 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 with the following addendum: (1) Addendum to Alarm Monitoring Agreement AND the following items contained in the Consent Agenda:

- A. Minutes of July 18, 2006
- B. Office Reports – None
- C. Committee Reports

AYES: Schmitz, Ferry, Christensen

NAYES: None

It was moved by Christensen, seconded by Ferry, to approve the Claims of July 31, 2006, as listed in the Claims Register. AYES: Schmitz, Ferry, Christensen

NAYES: None

It was moved by Ferry, seconded by Christensen, to approve the following Addendum to our Alarm Monitoring Agreement with the 911 Center: “Upon receipt of a fire alarm from the Shelby County Courthouse on the Ademco alarm receiver, the on-duty dispatcher will call the Auditor’s Office at 755-3831 to verify the validity of the alarm before dispatching the Harlan Fire Department. If the personnel in the Auditor’s Office are not able to verify a “false” alarm, the Fire Department will be sent immediately. If the dispatcher cannot make contact with the Auditor’s Office, or if a busy signal is received, the Fire Department will be sent immediately.” AYES: Schmitz, Ferry, Christensen

NAYES: None

It was moved by Ferry, seconded by Christensen, to authorize the Chairman to sign the Contract for Services with Myrtue Medical Center Behavioral Health, as recommended by the Community Services Director. AYES: Schmitz, Ferry, Christensen

NAYES: None

It was moved by Christensen, seconded by Ferry, to set the date for the public hearing for the first reading of Shelby County Ordinance No. 2006-4, AN ORDINANCE PRESCRIBING THE GENERAL RELIEF PROGRAM IN SHELBY COUNTY, IOWA, as August 15, 2006, at 9 a.m. AYES: Schmitz, Ferry, Christensen

NAYES: None

It was moved by Christensen, seconded by Ferry, to authorize the Chairman to sign the Supplemental Allocation Agreement for voting equipment to receive an additional \$2,272.50 from Federal HAVA Funds designated by the State. AYES: Schmitz, Ferry, Christensen

NAYES: None

Marsha Carter, Commissioner of Elections, informed the Board the even though using the handicapped accessible voting equipment is not required by Federal law, the State Attorney General has recommended that the equipment be used for all elections. She explained to the Board that this could have a fiscal impact on the small towns, because they have to reimburse the County for the costs of the City Elections.

The Chairman reported that he had received letters from William M. Miller and Lou Totilas, regarding the construction of the hog confinement near Jacksonville and the County’s decision not to use the Master Matrix. Also, the letters accused the Auditor of “breaking Administrative Law” by not publishing notice upon receipt of the construction permit. Marsha Carter, Auditor, informed the Board that she would be responding to both of these letters and sending copies of the Proof of Publication from the Harlan Newspaper stating that the Public Notice had been published in the Harlan Newspaper on September 2, 2005, allowing for public comment. She also stated that she had been in contact with the Sara Smith of the Iowa Department of Natural Resources, who had directed her on the exact procedures that needed to be followed to be in compliance with the law and to fax any comments from the public directly to the DNR. None were filed.

Kevin Rasmussen, Kirkman, had requested a compromise settlement for unpaid taxes on a mobile home for the last three years of \$360.00 plus interest and costs for a total of \$554.01, which the County Treasurer had turned over to Small Claims Court for collection. Kathy Stinn, County Treasurer, reported that, over the last three years, she had been in contact with Rasmussen at least 15 times regarding these unpaid taxes. No action was taken to forgive these taxes.

Dan Robinson, Barry Deuel, Ed Lapke, and Amy McCallum, members of the Shelby County Roads Task Force, appeared before the Board to give their recommendation. The Chairman asked Marsha Carter, Budget Director, to first explain possible funding options since the Task Force had stated that residents would be willing to pay higher taxes. Carter presented information showing that by raising our levies to the maximums allowed by law and by shifting allowable expenses from Secondary Road to the General Fund the County could raise an additional \$800,000 for roads/bridges. This would increase the levies for residents living within the city limits by \$1.08/\$1,000 of value and for residents outside the city limits by \$2.03/\$1,000 of value. An increase of this extreme would wipe out all the tax savings for agricultural and residential property for the last three years and increase taxes on commercial property by 16%. No one in the room was in favor of this.

SHELBY COUNTY ROADS TASK FORCE RECOMMENDATIONS

1. Roads should be hard surfaced 1 to 2 miles out from all towns in Shelby County. Gravel roads with high traffic counts should be considered for seal coat. 10 miles of seal coated road per year to be completed as approve and designated by the county supervisors.

Board/Engineer response:

Nearly all the towns have met the criteria of hard surfacing 1 to 2 miles out. There are possibly 10 miles that could be hard surfaced @ \$7500 per mile for oil = \$75,000 or @ \$50,000 per mile for seal coat = \$500,000. Funding? This needs to be discussed at budget time.

The Task Force had no recommendation on the definition of “high traffic count”.

Seal coating 10 miles of road per year would cost more than budgeted for road maintenance. What about the existing roads?

2. Making available a 50% cost share plan between the county and taxpayers interested in some form of dust reduction (with an alternative other than oil). Cost share would be limited to 500 feet in front of a rural residence eligible for the dust reduction program. (Anything beyond 500 feet would be the responsibility of the taxpayer requesting dust reduction.)

Board/Engineer response:

Everyone agreed this would be a very workable policy. The Engineer will write this policy and bring it to the Board for approval. This would be for dust control alternatives other than oil with a maximum of 400 feet instead of 500 feet. A filing deadline for these requests will be set. It will be on a first come/first serve basis. Question: How much to budget each year for this project? There will be no cost share for oil.

3. Privately oiled roads should not be torn up without a confirmed contact (ex. Certified mail) with the current residents. To be followed up with a personal contact with the residents.

Board/Engineer response:

A policy is already in place for notifying residents when private oil needs to be replaced, but the Engineer will amend the policy by adding that the notice will be sent by Certified mail and bring it to the Board for approval.

4. All hard surfaced roads should have a destination to another existing hard surfaced road. Hard surfaced roads should not end at a graveled road. Except at county lines or during construction phase.

Board/Engineer response:

This item conflicts with #1. The County currently has hard surfaced roads with “destinations” of parks, churches and cemeteries. Would those be eliminated?

5. In the future the trustees and/or appointed persons by trustees would like to be involved when deciding new/future seal coat roads.

It was moved by Ferry, seconded by Christensen, to continue the Shelby County Roads Task Force to work with the County Engineer at budget time to prioritize road and bridge projects for Board consideration. AYES: Schmitz, Ferry, Christensen NAYES: None

The County Engineer gave the secondary road project update.

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.