

September 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 Ferry, seconded by Christensen, to approve the agenda with the following addition: Set Date for the First Reading of Shelby County Ordinance No. 2006-5 AND the following items contained in the Consent Agenda:

- A. Minutes of August 15, 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 August 31, 2006, as listed in the Claims Register. AYES: Schmitz, Ferry, Christensen

NAYES: None

It was moved by Christensen, seconded by Ferry, to set the date for the First Reading of Shelby County Ordinance No. 2006-5, An Ordinance an ordinance providing for the quarantine and isolation of persons or animals with communicable diseases in Shelby county, Iowa, as September 19, 2006 at 9:00 a.m.

AYES: Schmitz, Ferry, Christensen

NAYES: None

It was moved by Ferry, seconded by Christensen, to authorize the Gardening Angels Garden Club to apply for various grants to refurbish Morgan Hall at the Shelby County Fairgrounds. AYES: Schmitz, Ferry, Christensen

NAYES: None

The Chairman had requested the presence of William Miller at this meeting to discuss the numerous letters he has sent to the Board and to the Auditor and to answer any question he might still have regarding livestock confinements and the Master Matrix. Miller was unable to attend the meeting. However, numerous representatives from Natural Milk Production were present at the meeting to answer any questions the Board might still have and to present more information regarding the Master Matrix.

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

RESOLUTION NO. 2006-31
SCHOOL INFRASTRUCTURE LOCAL OPTION TAX ELECTION

WHEREAS, the Harlan Community Schools has filed a motion with the County Auditor to put the School Infrastructure Local Option Sales and Services Tax question on the ballot at the General Election,

WHEREAS, the Harlan Community School District comprises more than 50% of Shelby County's population,

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

WHEREAS, the School Infrastructure Local Option Sales and Services Tax will be effective January 1, 2009, if approved by all the voters in Shelby County, and will be repealed December 31, 2018, and

WHEREAS, the School Infrastructure Local Option Sales and Services Tax will be used for school infrastructure purposes as set out in each school's Revenue Purpose Statement, if filed, or for debt reduction,

THEREFORE, the School Infrastructure Local Option Sales and Services Tax question shall be put on the ballot for the November 7, 2006, General Election.

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

AYES: Schmitz, Ferry, Christensen

NAYES: None

It was moved by Ferry, seconded by Christensen, to authorize the Auditor to contact Bob Josten, an attorney from Des Moines, to begin the process of creating an Urban Renewal Area in Douglas Township as a possible resource for infrastructure upgrade. AYES: Schmitz, Ferry, Christensen
NAYES: None

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

RESOLUTION NO. 2006-31
CITY/COUNTY AGREEMENT REGARDING HARLAN URBAN RENEWAL AREA

WHEREAS, the City of Harlan, Iowa has begun the process to amend the Harlan Urban Renewal Area pursuant to Chapter 403 of the Code of Iowa; and

WHEREAS, the property which is proposed to be included in the Harlan Urban Renewal Area is located outside the city limits and described as Shelby County Parcel No. 831007203005; and

WHEREAS, in accordance with paragraph 4 of Section 403.17 of the Code of Iowa, a city may exercise urban renewal powers with respect to property which is located outside but within two (2) miles of the boundary of a city only if the city obtains the consent of the county within which such property is located; and

WHEREAS, the City Council of the City of Harlan has requested that the Shelby County Board of Supervisors adopt a resolution giving its consent that the City may exercise urban renewal powers with respect to the property located outside the corporate limits;

NOW THEREFORE, it is hereby resolved by the Board of Supervisors of Shelby County, Iowa, as follows:

Section 1. The Board of Supervisors of Shelby County hereby gives its consent that the City of Harlan may exercise urban renewal powers pursuant to Chapter 403 of the Code of Iowa with respect to the property located outside the corporate limits.

Section 2. This Resolution shall be deemed to meet the statutory requirements of paragraph 4 of Section 403.17 of the Code of Iowa and shall be effective immediately following its approval and execution.

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

AYES: Schmitz, Ferry, Christensen

NAYES: None

It was moved by Christensen, seconded by Ferry, to abate the following 2005 current real estate taxes on property that reverted to the County at Tax Sale: (1) HL-FV 831404404001 - \$22.00; (2) HL-FV 831409101004 - \$182.00; (3) HL-CN 831008402000 - \$68.00. AYES: Schmitz, Ferry, Christensen
NAYES: None

It was moved by Ferry, seconded by Schmitz, to abate the 2005 current real estate taxes on the following mobile home on leased land: DP-GV 830416301900 - \$268.00. AYES: Schmitz, Ferry, Christensen
NAYES: None

It was moved by Christensen, seconded by Ferry, to amend the following resolution, which was approved in the July 5, 2006 minutes:

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	\$	1,561,831
IT/GIS		284,281
AUDITOR		209,718
RECORDER		148,329
TREASURER		264,229
ATTORNEY		149,523
COURT RELATED COSTS		104,426
SHERIFF/JAIL		865,430
CONSERVATION/LAND USE		188,150
PUBLIC HEALTH		241,215
SOCIAL SERVICES		120,876
VETERANS		29,870
MH/MR/DD		1,963,496
SECONDARY ROAD		4,833,450
TOTAL		\$ 10,964,824

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

AYES: Schmitz, Ferry, Christensen NAYES: None

Marsha Carter, Auditor, reported that the County had received an additional \$2,272.50 from the Federal Help America Vote Act funds allocated to the State of Iowa, based on \$252.50 per precinct, to be used towards the purchase of voting equipment.

Carter also reported that the estimates received for the FY2007 Local Option Sales Tax were \$352,000.

David Yamada, Shelby County DevelopSource appeared before the Board to update them on economic development issues.

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

There being no further business appearing, the Chairman declared the meeting adjourned at 10:30 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.