

November 21, 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 November 7 & 14, 2006
- B. Office Reports – Weed Commissioner Report
- C. Committee Reports

AYES: Schmitz, Ferry, Christensen

NAYES: None

It was moved by Christensen, seconded by Ferry, to approve the Claims of November 21, 2006, as listed in the Claims Register. AYES: Schmitz, Ferry, Christensen NAYES: None

Now being the time for the third and final reading of Shelby County Ordinance No. 2006-6, An Ordinance Amending Shelby County Zoning Ordinance, the Chairman did open the public hearing. The Chairman asked for any written or oral comments. Jim Chance was present and requested clarification on some of the changes. Charlie Trailer, Zoning Officer was present to answer any questions. Carter reported that she had received no comments. It was moved by Ferry, seconded by Christensen, to close the public hearing and to approve Shelby County Ordinance No. 2006-6 with an effective date of January 1, 2007. The complete ordinance will be published prior to the effective date.

#### SHELBY COUNTY ORDINANCE NO. 2006-6

#### AN ORDINANCE AMENDING SHELBY COUNTY ZONING ORDINANCE NO. 2001-2

Shelby County Ordinance No. 2006-6 will be amended, as follows:

#### ARTICLE

2.19 third sentence strike “or City Council”

2.24 strike all and add in lieu thereof “MOBILE HOME: Any vehicle which at any time was used or maintained for use as a conveyance upon highways or public streets, or waterways, and duly licensed as such; and so designed and constructed as to permit occupancy thereof as a dwelling unit or sleeping place for one (1) or more persons.

.01 This definition shall refer to and include portable and potentially portable contrivances used or intended to be used generally for living and sleeping quarters and which is capable of being moved by its own power, towed or transported by another vehicle.

.02 This definition shall also include and apply to such vehicles or structures that are located on a permanent or temporary foundation but shall not include manufactured homes converted to real estate as defined herein.”

#### NEW

2.241 MANUFACTURED HOME: A factory built structure built under authority of 42 U.S.C.& 5403, is required by federal law to display a seal from the United States Department of Housing and Urban Development, and was constructed on or after June 15, 1976. If a manufactured home is placed outside a mobile home park, the home must be assessed and taxed as real estate.

.01 MANUFACTURED HOME CONVERTED TO REAL ESTATE: A manufactured home which is located outside a mobile home park shall be converted to real estate by being placed on a permanent foundation and shall be assessed for real estate taxes. Manufactured homes converted to real estate shall not be considered as portable or potentially portable structures, but rather shall be considered single family dwellings for the purpose of this ordinance.

.02 PERMANENT FOUNDATION: A pier footing foundation system designed and constructed to be compatible with the structure and the conditions of the site. Said foundation system shall have visual compatibility with the permanent foundations systems of the surrounding residential structure. A permanent foundation shall not under any circumstances be construed as a conventional mobile home skirting.

2.25 Title Add "Or Trailer Park"

3.3 Strike entire

4.24 second sentence, strike "\$500.00" and add in lieu thereof "5,000.00"

11.06 strike "Churches" and add in lieu thereof "Worship Centers"

12.04 strike "Churches" and add in lieu thereof "Worship Centers"

12.14 first sentence, strike "Mobile home parks" and add in lieu thereof "Mobile home parks or trailer parks"

22.3 after the words "Zoning Certificates", add "Application for Construction Approval"

22.31 third sentence strike "or city"

NEW

#### 22.311 APPLICATION FOR CONSTRUCTION APPROVAL

Any person proposing to construct a structure having a value of more than five thousand dollars (\$5,000) must have an Application of Construction Approval on file in the office of the Zoning Administrator. This applies to all structures, regardless of intended use. Application fee shall be set at fifty dollars (\$50) with forms available in the Administrator's office. Failure to have an Application on file will be considered a violation of this ordinance and subject to provisions stated in Article 22.10

22.321second sentence strike "building permit" and add in lieu thereof "construction approval"

22.10 Add. "Fines can be up to \$750.00 for each infraction or up to \$1000.00 if the infraction is a repeat offense.

These amendments to the current Zoning Ordinance will be effective January 1, 2007.

Passed and approved this 21<sup>st</sup> day of November, 2006.

AYES: Schmitz, Ferry, Christensen NAYES: None.

A discussion was held on the performance of the voting equipment on General Election day. Carter reported that everything went smoothly. 35% of the voters used the new touch screen computerized equipment and more would have, but stated they did not want to stand in line. The precinct election officials in some of the polling places requested the Board consider purchasing more of these units. At a cost of almost \$4000 per unit, the Board decided to continue with the number of units we already have just in case the requirements are changed again, and we have to purchase updated equipment.

A discussion was held on the ownership of the Care Facility and grounds. Should the County sell the facility? Schmitz reported that he has received numerous comments from the public that the facility, surrounding buildings and grounds (not the farm) should be sold, but Country Care Corporation does have an existing lease that would have to accompany the sale. Lonnie Maguire, Community Services Director, stated that the State has been recommending the Counties no longer own these facilities. David Yamada, DevelopSource, stated that it

would be an ideal site for an economic development project. Schmitz stated that he wanted to put the topic on the table for discussion. It will be discussed again at future meetings.

It was moved by Ferry, seconded by Christensen, to set the date for the cash rent of the County Farm land as December 19, 2006, at 9:00 a.m. AYES: Schmitz, Ferry, Christensen NAYES: None

David Yamada, DevelopSource, updated the Board on the various on-going economic development projects.

The County Engineer gave the secondary road project update.

There being no further business appearing, the Chairman declared the meeting adjourned at 10:24 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.