

January 2, 2007

The Shelby County Board of Supervisors met in an organizational session at 9:00 A.M. in the Supervisors Chambers in the Courthouse with the following members present: Roger Schmitz, Richard D. Ferry, LaVon Christensen, and Marsha J. Carter, Clerk.

It was moved by Christensen, seconded by Ferry, to approve Roger Schmitz as Chairman of the Board of Supervisors for the 2007 calendar year. Motion carried unanimously.

It was moved by Christensen, seconded by Schmitz, to approve Richard Ferry as Vice-Chairman of the Board of Supervisors for the 2007 calendar year. Motion carried unanimously.

It was moved by Christensen, seconded by Ferry, to approve the agenda with the following additions: (1) Health Insurance Change. Motion carried unanimously.

It was moved by Ferry, seconded by Christensen, to approve the minutes of December 12 and 19, 2006. Motion carried unanimously.

It was moved by Christensen, seconded by Ferry, to approve the Claims of December 29, 2006, as listed in the Claims Register. Motion carried unanimously.

The following elected officials of Shelby County qualified for their respective offices by taking the oath and by giving bond according to Chapter 63.1, Code of Iowa:

Roger Schmitz, Shelby County Board of Supervisor
Marcus Gross, Jr, Shelby County Attorney
Carolyn Blum, Shelby County Treasurer
Linda Fahn, Shelby County Recorder

It was moved by Christensen, seconded by Ferry, that the following resolution be adopted:

RESOLUTION NO. 2007-1
A RESOLUTION APPOINTING DEPUTY COUNTY OFFICIALS
FOR THE 2007 CALENDAR YEAR

BE IT RESOLVED, that the following persons shall be appointed deputies for the following offices as recommended by the elected officials according to Chapter 331.903, Code of Iowa:

Marcus Gross, Jr. County Attorney	Assistants:	Susan Larson Christensen Judson Frisk Jennifer Mumm
Linda Fahn County Recorder	Deputy:	Linda Stroehler
Gene Cavanaugh County Sheriff	Deputies:	Mark A. Hervey, Chief Deputy John A. Kelly Kelly Lefeber Chad Butler Blair Paulsen Donavon Dontje

AYES: Schmitz, Ferry, Christensen NAYES: None

Gary Weihs and Brent Gloy, representing the Ag Development Center; David Yamada, Shelby County DevelopmentSource; A. L. Goldberg and Jim Bodensteiner, Iowa DNR – Iowa Energy Office; and Brian Barber, E3 Biofuels Project Development Manager of Mead, NE appeared before the Board to present information regarding the placement of a Self-Sustaining Closed Loop System Anaerobic Digester/Ethanol Plant in Shelby County. This system would recycle livestock manure, food producing waste and other organic waste into marketable products. This group was asking for the Board's support of a Community Digester. No action was taken.

Weihs also presented his concerns about the County adopting the Master Matrix in 2007. (1) Additional paperwork; (2) Forces public debate; (3) Taxes already being paid to the DNR to do the inspection. Why pay for it twice? (4) Time and Expense from potential appeals may discourage developers. (5) Shelby County is seen as a "livestock friendly" county. Master Matrix makes us more difficult to deal with, and finally (6) Weihs would be willing to fill out the Master Matrix questionnaire even if it were not required. No action was taken.

The Board asked Carter if there had been any comments regarding the possible change in the health insurance provider. Carter reported that Janet Johannsen, a clerk in the Recorder's Office, was extremely upset that the Board was forcing this health insurance on the employees. Johannsen had been informed that if she had complaints about this, she should present them to the Board at today's meeting. Carter had also notified all the employees that if there were complaints, they should be brought before the Board. Johannsen was not available and no other employee was in attendance. It was moved by Christensen, seconded by Ferry, to change the County's health insurance coverage from Principal to Wellmark Blue Cross/Blue Shield-ISAC Group, effective January 1, 2007. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Ferry, seconded by Christensen, that Charles Trailer be appointed Enforcement Agent for the new Building Permit requirement. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Christensen, seconded by Ferry, to appoint Bryce Schaben as Weed Commissioner for 2007. Motion carried unanimously.

The Board of Supervisors shall meet as required by Chapter 331.213, Code of Iowa, and shall hold their first meeting of each year on the first day in January, which is not a Saturday, Sunday or holiday and shall hold all subsequent meetings of the year as scheduled by the Board. All meetings of the Board shall be scheduled and conducted in compliance with Chapter 21.

All claims filed by Wednesday, before the third Tuesday of each month in the Auditor's office will be approved for payment by the Board of Supervisors on the third Tuesday of each month.

It was moved by Christensen, seconded by Ferry, to approve the appointment of Scott Markham as County Medical Examiner and to accept the proposal of the physicians of Shelby County that the doctor on call will act in the Medical Examiner's absence. Motion carried unanimously.

It was moved by Christensen, seconded by Ferry, to approve the appointment of the following persons as members of the Compensation Board for the Condemnation of Private Property for Shelby County for 2006, as required by Chapter 472.4, Code of Iowa:

FARM OWNER - OPERATORS

Walter Staiert
Elk Horn, Iowa

Don Schomers
Earling, Iowa

Doug Robinson
Shelby, Iowa

David Boettger
Harlan, Iowa

Ken Schneider
Portsmouth, Iowa

Dave Wahling
Shelby, Iowa

Charles Wooster, Jr.
Manilla, Iowa

CITY PROPERTY OWNERS

Kayla Jacobs
Harlan, Iowa

Maurice Knudsen
Elk Horn, Iowa

Paul Leinen
Harlan, Iowa

Michael Cain
Harlan, Iowa

Todd Langenfeld
Earling, Iowa

Richard Leinen
Portsmouth, Iowa

Donald Holdsworth
Irwin, Iowa

REAL ESTATE BROKERS

Kirk Petersen
Harlan, Iowa

Terry Knapp
Harlan, Iowa

Ben Plumb
Harlan, Iowa

Rowland Burton
Irwin, Iowa

Randy Ouren
Harlan, Iowa

Jan Arkfeld
Defiance, Iowa

Dave Robinson
Shelby, Iowa

PERSONS HAVING KNOWLEDGE OF
PROPERTY VALUES IN SHELBY COUNTY

Mark Langenfeld
Earling, Iowa

Norman Mathiasen
Harlan, Iowa

Lamont Christensen
Elk Horn, Iowa

Jerry Lapke
Harlan, Iowa

Tim Meyers
Harlan, Iowa

John Wells
Defiance, Iowa

Terry Bails
Harlan, Iowa

It was moved by Christensen, seconded by Ferry, to approve the Harlan Tribune or the Harlan News Advertiser and the Danish Villages Voice as official newspapers for 2007, as defined in Chapter 618.3 and Chapter 349, Code of Iowa. The Board set the limit on notices to three columns wide and seven inches long. Anything over that size will not be approved for payment. Motion carried unanimously.

It was moved by Ferry, seconded by Christensen, that the County Auditor be authorized to draw warrants for salaries of county officers, their deputies and clerks; courthouse custodians; and all secondary road employees. The auditor is also authorized to pay the telephone, utilities, freight, United Parcel, deferred compensation claims and the expenses of transporting person(s) to state institutions. The Board authorized the County Auditor to issue warrants for County Conservation Commission, County Assessor, Shelby County Solid Waste Agency, Shelby County Veteran Affairs Commission, Shelby County Board of Health, Shelby County Community Services, and Shelby County Emergency Management Agency. Motion carried unanimously.

It was moved by Christensen, seconded by Ferry, that the following resolution be adopted:

RESOLUTION NO. 2007-2
RESOLUTION CONCERNING NON-DISCRIMINATION IN EMPLOYMENT

WHEREAS, Shelby County has in the past tried to conform to all federal rules and regulations pertaining to equal employment opportunities, and

WHEREAS, the County of Shelby wishes to continue to comply with all federal rules and regulations for equal employment opportunities,

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Shelby County, Iowa, that Shelby County will make every effort possible to comply with all federal laws and regulations in existence and future laws which may come about pertaining to equal employment opportunities.

AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Christensen, seconded by Ferry, that the following days shall constitute paid holidays for all eligible employees as stated herein for the 2007 year. Motion carried unanimously.

New Year's Day - January 1
Presidents' Day - February 19
Memorial Day - May 28
Independence Day - July 4
Labor Day - September 3
Veterans' Day - November 12
Thanksgiving Day - November 22
Friday after Thanksgiving - November 23
Afternoon of Day Before Christmas - December 24
Christmas Day - December 25

The Board also established the following policy: If a holiday falls on Saturday, the preceding Friday will be a paid holiday; when a holiday falls on Sunday, the following Monday will be a paid holiday. This policy is in effect for all holidays mentioned except Christmas Eve afternoon.

It was moved by Ferry, seconded by Christensen, that the following resolution be adopted:

DO WE NEED THIS FOR 2008??

RESOLUTION NO. 2007-3

RESOLUTION FOR COUNTY ENGINEER TO EXECUTE CERTIFICATION OF
COMPLETED WORK

BE IT RESOLVED, by the Board of Supervisors of Shelby County, Iowa, that Daniel Ahart, the County Engineer of Shelby County, Iowa, be and is hereby designated, authorized and empowered on behalf of the Board of Supervisors of said County to execute the certification of completion of work and final acceptance thereof in accordance with plans and specifications therefore in connection with all Farm to Market construction projects in this county.

AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Christensen, seconded by Ferry, that The Agency, Harlan, IA, be the broker for bonding for Shelby County for 2007. Motion carried unanimously.

It was moved by Ferry, seconded by Christensen, that the following appointments be approved. Motion carried unanimously:

Harrison/Monona/Shelby Empowerment Area – Marsha J. Carter
Shelby-Harrison-Monona Planning Council &
28E Mental Health Coordinator Board - Ferry
Fourth Judicial District Department of
Correctional Services Board of Directors – Schmitz
Juvenile Emergency Service Committee - Schmitz
Emergency Management Agency Commission – Christensen
E911 Joint Service Board – Christensen
Southwest Iowa Planning Council to the Midlands &
Southwest Iowa Transit Authority Commission – Christensen
Planning & Zoning Commission – John Noon & Tony Buman
Rural District Zoning Board of Adjustment – Bill Ahrenholtz
Solid Waste Agency Board - Schmitz
Shelby County Ambulance Commission – Schmitz
West Central Development Board – Ferry
Shelby County DevelopSource – Schmitz
Enterprise Zone Commission - Schmitz
WESCO - Ferry
Board of Health – Ferry
R C & D Board - Christensen
Hungry Canyons Alliance - Christensen
Workforce Development – Region 13 - Schmitz
Metropolitan Area Planning Association - Christensen
Loess Hills Development & Conservation Authority – John Wendt & Jerry Henscheid
Conservation Board - Ferry
Hotel/Motel Tax – Tourism Committee – Marsha J. Carter
Shelby County Roads Task Force – Representative appointed by each Township

It was moved by Christensen, seconded by Ferry, to authorize the Chairman or the Vice-Chairman to sign any documents related to farms belonging to the County and documents relating to any farm programs the County will be eligible for in the future. Motion carried unanimously.

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

RESOLUTION NO. 2007-4
ECONOMIC DEVELOPMENT
PUBLIC PURPOSE STATEMENT

BE IT RESOLVED by the Shelby County Board of Supervisors that the funding of Shelby County DevelopSource and Shelby County Area Wide Chamber and any other economic development project deemed appropriate by the Board is an economic development project as defined in Iowa Code Section 15A.1 and that this expenditure would further a public purpose, that public purpose to be an expansion or retention of jobs in Shelby County.

AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Ferry, seconded by Christensen, to forward to the Budget Director the approved version of the FY2008 Proposed Budget for the Treasurer. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Ferry, seconded by Christensen, to forward to the Budget Director the approved version of the FY2008 Proposed Budget for the IT Department. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Christensen, seconded by Ferry, to authorize the Dan Ahart, County Engineer, to sign the agreement with the Harlan Fire Department to use the house from the Corley Bridge Project, located at 1248 Street F58, as a training facility. Motion carried.

The County Engineer gave the secondary road project update.

There being no further business appearing, the Chairman declared the meeting adjourned at 11:18 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.