

January 16, 2007

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 addition of the Assistant County Attorney Appointment AND the following items contained in the Consent Agenda:

- A. Minutes of December 29, 2006 & January 2, 2007
- B. Office Reports - Sheriff & Recorder
- C. Committee Reports

AYES: Schmitz, Ferry, Christensen

NAYES: None

It was moved by Ferry, seconded by Christensen, to approve the Claims of January 16, 2007, as listed in the Claims Register. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Christensen, seconded by Ferry, to approve the appointment of Daniel Feistner as Assistant County Attorney. AYES: Schmitz, Ferry, Christensen NAYES: None

The Resolution to pass the Master Matrix was presented. Carter reported that a petition with 96 signatures of residents in favor of the Board adopting the Master Matrix had been filed. Numerous county residents were present—both for and against. The following letter from Weihs Enterprises was placed on file:

“January 15, 2007

Dear Shelby County Supervisors,

During the past few months we have openly communicated and presented our vision of value-added agricultural development for Shelby County. On January 2, 2007 representatives of our company, the Iowa Department of Natural Resources and E3 Biofuels (E3) presented a comprehensive plan for co-locating dairy cows, a methane digester and an ethanol plant. One of the reasons for considering Shelby County is the county leadership that has led to a reputation for being a livestock-friendly county.

As you now consider whether or not to adopt the Master Matrix, we request that you consider the impact such a decision will have on the dairy-digester-ethanol project. By not adopting the Master Matrix Shelby County will continue to be a county well-suited for this project and will keep the interest E3 has in Shelby County. At the present time Shelby County is the first choice location for E3. Adoption of the Master Matrix at this particular time will potentially cause the project to relocate. If this happens, Shelby County will lose out on the environmental benefits of the digester, the positive economic development, and the tax base this project will bring.

If the Master Matrix is not adopted at this time:

- Digester-Ethanol - We can “keep the window open” on the dairy-digester-ethanol project. We pledge to do all we can to make a positive outcome and we promise to keep you informed along the way.
- No new Pork Facilities - We also promise that no new or expanded hog buildings will be built by Natural Pork Production, or any other company owned or controlled by Weihs Enterprises, in Shelby County for a year beginning February 1, 2007. (This will correspond to the Master Matrix year.)

- Master Matrix Support – If we have not been successful in gaining the firm commitment for the digester-ethanol project during the next year we will not only not oppose the Master Matrix adoption one year from now we will support it.

We certainly hope that this approach provides a compromise you will support.

Sincerely,

Gary Weihs”

It was moved by Christensen to adopt the Master Matrix Resolution. Died for lack of second.

It was moved by Ferry, seconded by Schmitz, to not adopt the Master Matrix for 2007, to place the Weihs letter on file, and to review the Master Matrix again in January of 2008. AYES: Schmitz, Ferry NAYES: Christensen

Mark Grennan, Grennan & Associates, Omaha, NE, presented information regarding our annual property/casualty insurance renewal. As our consultant, he felt that we had the proper insurance coverage and The Agency’s pricing was within market limits.

Paul Schmidt, representing the Garden Angels, appeared before the Board to present their grant application for funds to remodel Morgan Hall at the Fairgrounds. It was moved by Ferry, seconded by Christensen, to authorize the Chairman to sign the grant application to Endowment Funds of Southwest Iowa for \$15,000.00, with Carter noted as the fiscal agent. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Ferry, seconded by Christensen, to appoint Raymond Petersen, Elk Horn, to the Conservation Board, term expiring 12-31-2011. AYES: Schmitz, Ferry, Christensen NAYES: None

Carolyn Blum, Country Treasurer, appeared before the Board to update them on her plans to have her employees cross trained and her plans to rearrange her current office space to make the office operate more efficiently. It was moved Ferry, seconded by Christensen, to approve the expenses for the necessary updates to the office layout. AYES: Schmitz, Ferry, Christensen NAYES: None

Blum also asked for approval for a salary increase for one of her employees that had been recommended by the previous Treasurer. It was moved by Ferry, seconded by Christensen, to approve an increase for Debra McLaughlin from \$9.00 to \$10.00/Hour, effective January 24, 2007. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Christensen, seconded by Ferry to approve the Liquor License for the Club House (Golf Course), located at 1243 - 1600th St, Harlan. AYES: Schmitz, Ferry, Christensen NAYES: None

Blum also requested that the Resolution Naming Depositories be updated. Prior to January 1, 2007, some county funds had been deposited in financial institutions that had not been approved by the Board. It was moved by Christensen, seconded by Ferry, to approve the following resolution, as recommended by the County Treasurer:

RESOLUTION NO. 2007-5
SHELBY COUNTY DEPOSITORIES

BE IT RESOLVED, that the Shelby County Board of Supervisors of Shelby County, Iowa, approves the following list of financial institutions to be depositories of Shelby County funds in conformance with all applicable provisions of Iowa Code Chapters 452 and 453 (1983), as amended by 1984 Iowa Acts, S.F. 2220. The Shelby County Treasurer, Sheriff and Recorder are hereby authorized to deposit Shelby County funds in amounts not to exceed the maximum approved for each respective financial institution as set out below:

Shelby County State Bank	Harlan, IA	\$15,000,000
Midstates Bank	Harlan, IA	6,000,000
Farmers Trust & Savings Bank	Earling, IA	1,000,000
Defiance State Bank	Defiance, IA	1,000,000
Bank of the West	Harlan, IA	1,000,000
United Bank of Iowa	Harlan, IA	1,000,000
Town & Country Credit Union	Harlan, IA	1,000,000
SHERIFF-Midstates Bank	Harlan, IA	200,000
RECORDER-Midstates Bank	Harlan, IA	100,000

Passed this 16th day of January, 2007.

AYES: Schmitz, Ferry, Christensen NAYES: None

A discussion was held on the Proposed FY2008 Budget. Marsha Carter, Budget Director, presented numerous options for the Board to consider. After due consideration, Option 5 was chosen. It was moved by Christensen, seconded by Ferry, to adopt the following resolution:

RESOLUTION NO. 2007-6
ENTRY RECORD OF THE FILING AND CONSIDERATION OF
THE COUNTY BUDGET ESTIMATE
FOR FISCAL YEAR 2008

BE IT RESOLVED on this 16th day of January, 2007, the Board of Supervisors of Shelby County, Iowa, met in scheduled session for filing and considering the estimate of the County Budget for FY2008. There was present a quorum as required by law.

Entry record for filing of said budget estimate was established and approved for publication. The Board, being fully advised, find that the date of the hearing on said estimate should be fixed, and it does fix, the 6th day of February, 2007, at the hour of 9:00 A.M. as the date and time of hearing to be held at the Supervisor's Chambers in the Courthouse in Shelby County, Iowa.

The above and foregoing resolution was adopted by the Board of Supervisors of Shelby County, Iowa, on January 16, 2007, the vote thereon being as follows:

AYES: Schmitz, Ferry, Christensen NAYES: None

The County Engineer gave the secondary road project update.

It was moved by Christensen, seconded by Ferry, to approve the plans for the Corley Bridge, Project No. BRS-CO83(38)–60-83, with Calhoun Burns estimate of \$1,280,000, 80% paid by Bridge Replacement Funds and 20% from Farm to Market Funds. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Ferry, seconded by Christensen, to approve the 2007 Bridge Inspection Agreement with Sundquist Engineering, Denison for an estimated 114 bridges, one half of the county, at \$100 each. AYES: Schmitz, Ferry, Christensen NAYES: None

There being no further business appearing, the Chairman declared the meeting adjourned at 11:56 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.