

August 7, 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 AND the following items contained in the Consent Agenda:

- A. Minutes of July 17, 2007
- B. Office Reports – Sheriff’s Quarterly Report
- C. Committee Reports

AYES: Schmitz, Ferry, Christensen                      NAYES: None

It was moved by Christensen, seconded by Ferry, to approve the Claims of July 31, 2007, as listed in the Claims Register. AYES: Schmitz, Ferry, Christensen                      NAYES: None

It was moved by Ferry, seconded by Christensen, to approve the Treasurers Semi-Annual Report. AYES: Schmitz, Ferry, Christensen                      NAYES: None

Jon Burmeister, Public Financial Management, appeared before the Board to present some preliminary bonding options to upgrade a portion of 1400<sup>th</sup> Street and Redwood Road in Douglas Township. The Board had discussed this possibility of upgrading the road last year, but had no available funding source. Legislation passed in 2007 allowing counties to bond for road and bridge repair. If the County would create an Urban Renewal Area including the property on both sides of the road to be upgraded, the property taxes collected on the new construction in the area could be used to pay off the bonds with no increase to the taxpayers in Shelby County. It was moved by Ferry, seconded by Christensen, to authorize Carter to begin the process of creating the Urban Renewal Area in Douglas Township. AYES: Schmitz, Ferry, Christensen                      NAYES: None

It was moved by Ferry, seconded by Christensen, to approve the Addendum to the Contract for Services with Alegent Health/Bergan Mercy Hospital as recommended by the Community Services Director. AYES: Schmitz, Ferry, Christensen                      NAYES: None

It was moved by Ferry, seconded by Christensen, to appoint the following members to the Veterans Affairs Commission: Dean Oldenburg (6-30-2008), Russell Adams (6-30-2009), and Stanley Slaven (6-30-2010). AYES: Schmitz, Ferry, Christensen                      NAYES: None

The Board took this opportunity to thank the Veterans Affairs Commission and Director Bill Sorenson for all their hard work to bring the replica of the Viet Nam Wall to Shelby County to be displayed at the Harlan Community School Football field this weekend.

It was moved by Christensen, seconded by Ferry, to appoint the following members to the Shelby County Compensation Board: Frank Powers for the County Attorney and Bill Campbell for the County Sheriff. AYES: Schmitz, Ferry, Christensen                      NAYES: None

It was moved by Christensen, seconded by Ferry, to authorize the Chairman to sign the five-year lease with Pitney Bowes for the postage metering machine. AYES: Schmitz, Ferry, Christensen                      NAYES: None

Marsha Carter, Auditor and Election Commissioner, updated the Board on the ongoing State and Federal legislative changes dealing with the types of voting equipment that will be certified for use in the 2008 elections.

It was moved by Christensen, seconded by Ferry, to authorize the Chairman to sign the Release of Real Estate Mortgage for Down Payment Assistance Project No. 00-HM-104-025. AYES: Schmitz, Ferry, Christensen                      NAYES: None

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

**RESOLUTION 2007-23  
PAYROLL DIRECT DEPOSIT REQUIREMENT  
FOR NEW HIRES**

WHEREAS, the Iowa General Assembly in 2005 and 2006 made certain changes to the provisions of Iowa Code Chapter 91A, Wage Payment Collection;

WHEREAS, these changes have impacted some of the procedures for payments of employee wages;

WHEREAS, the legislation provides that certain procedures relating to wage payments are optional to the employer; and

WHEREAS, this Board has considered that adoption of such procedures would serve to promote the best interests of both the County and its employees; and

WHEREAS, said changes should be incorporated into the Shelby County Personnel Policy in order to provide proper notice to County employees;

THEREFORE, BE IT RESOLVED:

1. Any employee hired on or after the effective date of this Resolution shall be required, as a condition of employment, to participate in direct electronic deposit of the employee's wages in a financial institution of the employee's choice.
2. Paragraph 1 of this Resolution shall not apply if any of the following circumstances are true:
  - a. The cost to the employee of establishing and maintaining an account for purposes of the direct deposit would effectively reduce the employee's wages to a level below the minimum wage provided for under Iowa Code Section 91D.1, or any amendment of said section enacted subsequent to the effective date of this Resolution.
  - b. The employee would incur fees charged to the employee's account as a result of the direct deposit.
  - c. The provisions of a collective bargaining agreement mutually agreed upon by Shelby County and the employee organization representing the collective bargaining unit in which the employee is included prohibit the County from requiring an employee to sign up for direct deposit as a condition of hire.
3. The County shall not impose upon an employee affected by this Resolution any fee for establishing direct electronic deposit of the employee's wages.

Dated this 7<sup>th</sup> day of August, 2007.

AYES: Schmitz, Ferry, Christensen

NAYES: None

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

**RESOLUTION NO. 2007-24**

A resolution to extend the performance deadline of the Economic Development Set Aside Grant (EDSA) for Shelby County Cookers until June 30 2008, conditionate upon Iowa Department of Economic Development approval.

WHEREAS, the County wishes to encourage economic development in Shelby County through job creation and retention, and;

WHEREAS, Shelby County Cookers has been a positive impact upon the local economy, and;

WHEREAS, Shelby County Cookers has made a good faith effort to reach their employment contract target goal and will be adding the necessary infrastructure to reach their contract goal in the course of one year, and;

WHEREAS, the Iowa Department of Economic Development must concur with the decision of the County Supervisors or they may reject the extension request,

BE IT RESOLVED THAT Shelby County hereby resolves to extend the performance deadline of the Economic Development Set Aside Grant, contract number 04-ED-004, until June 30, 2008, conditionate upon Iowa Department of Economic Development approval of Shelby County Cookers’ extension request.

Passed and approved this 7<sup>th</sup> day of August, 2007.

AYES: Schmitz, Ferry, Christensen                      NAYES: None

Carter updated the Board on moving Community Services to the Annex building into the space currently occupied by the Department of Human Services. DHS will be moving into the office in the basement of the Courthouse currently occupied by Community Services. The move should take place before November 1, 2007.

David Yamada, Shelby County DevelopSource, updated the Board on the economic development projects for Shelby County.

The County Engineer updated the Board on activities of the county road crews and the status of current maintenance and construction projects.

It was moved by Christensen, seconded by Ferry, to rescind the following motion passed at the July 17, 2007 session: “Galen Johannsen appeared before the Board to discuss a possible road closure of one mile of 660<sup>th</sup> St, a dirt road on the north side of Section 30, Monroe Township. It was moved by Schmitz, seconded by Christensen, to authorize the County Engineer to proceed with the paperwork necessary to hold a public hearing on the proposed road closure.”

AYES: Schmitz, Ferry, Christensen                      NAYES: None

It was moved by Ferry, seconded by Christensen, to authorize the County Engineer to inform the Iowa Department of Transportation that due to the actual contractor’s bid exceeding the DOT estimated cost by approximately \$120,000 to add a turning lane on Hwy 59 into Western Venture Business Park, Shelby County will not be going forward with this project and to authorize the County Engineer to take all actions necessary to release all funding tied to this project.        AYES:        Schmitz,    Ferry,        Christensen                      NAYES: None

There being no further business appearing, the Chairman declared the meeting adjourned at 11:25 a.m.

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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.