

January 2, 2008

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 Ferry, seconded by Christensen, to approve Roger Schmitz as Chairman of the Board of Supervisors for the 2008 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 2008 calendar year. Motion carried unanimously.

It was moved by Christensen, seconded by Ferry, to approve the agenda with the following additions: (1) Hungry Canyon Alliance membership dues. Motion carried unanimously.

It was moved by Ferry, seconded by Christensen, to approve the minutes of December 18, 2007, with a correction to the date of the road closing public hearing. It should be February 5 instead of February 6 as stated. Motion carried unanimously.

It was moved by Ferry, seconded by Christensen, to approve the Claims of December 31, 2007, as listed in the Claims Register. Motion carried unanimously.

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

RESOLUTION NO. 2008-1
A RESOLUTION APPOINTING DEPUTY COUNTY OFFICIALS
FOR THE 2008 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: Todd Argotsinger
Judson Frisk
Jennifer Mumm

Gene Cavanaugh
County Sheriff

Deputies: Mark A. Hervey, Chief Deputy
John A. Kelly
Kelly Lefeber
Chad Butler
Blair Paulsen
Donavon Dontje
Jeffrey Trailer

AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Christensen, seconded by Ferry, to appoint Bryce Schaben as Weed Commissioner for 2008. 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 Ferry, seconded by Christensen, 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 Ferry, seconded by Christensen, to approve the appointment of the following persons as members of the Compensation Board for the Condemnation of Private Property for Shelby County for 2008, as required by Chapter 472.4, Code of Iowa:

FARM OWNER - OPERATORS	CITY PROPERTY OWNERS
Walter Staiert Elk Horn, Iowa	Kayla Jacobs Harlan, Iowa
Don Schomers Earling, Iowa	Maurice Knudsen Elk Horn, Iowa
Doug Robinson Shelby, Iowa	Paul Leinen Harlan, Iowa
David Boettger Harlan, Iowa	Michael Cain Harlan, Iowa
Ken Schneider Portsmouth, Iowa	Todd Langenfeld Earling, Iowa
Dave Wahling Shelby, Iowa	Richard Leinen Portsmouth, Iowa
Charles Wooster, Jr. Manilla, Iowa	Donald Holdsworth Irwin, Iowa
REAL ESTATE BROKERS	PERSONS HAVING KNOWLEDGE OF PROPERTY VALUES IN SHELBY COUNTY
Kirk Petersen Harlan, Iowa	Mark Langenfeld Earling, Iowa
Terry Knapp Harlan, Iowa	Norman Mathiasen Harlan, Iowa
Ben Plumb Harlan, Iowa	Lamont Christensen Elk Horn, Iowa
Rowland Burton Irwin, Iowa	Jerry Lapke Harlan, Iowa
Randy Ouren Harlan, Iowa	Tim Meyers Harlan, Iowa
Jan Arkfeld Defiance, Iowa	John Wells Defiance, Iowa

Dave Robinson
Shelby, 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 2008, 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 Christensen, seconded by Ferry, 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 Ferry, seconded by Christensen, that the following resolution be adopted:

RESOLUTION NO. 2008-2
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 2008 year. Motion carried unanimously.

New Year's Day - January 1
Presidents' Day - February 18
Memorial Day - May 26
Independence Day - July 4
Labor Day - September 1
Veterans' Day - November 11
Thanksgiving Day - November 27
Friday after Thanksgiving - November 28
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 Christensen, seconded by Ferry, that The Agency, Harlan, IA, be the broker for bonding for Shelby County for 2008. 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 – Terry Cox
Rural District Zoning Board of Adjustment – Milton Barry
Solid Waste Agency Board - Schmitz
West Central Development Board – Ferry
Shelby County DevelopSource – Schmitz
Enterprise Zone Commission - Schmitz
WESCO - Ferry
Board of Health – Ferry
R C & D Board – Barry Deuel
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. 2008-3
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. Any business receiving economic development funding from Shelby County will be required to abide by the policies set by Shelby County, including but not limited to, Resolution 2007-32, A Resolution Concerning the Use of the E-Verify Website.

AYES: Schmitz, Ferry, Christensen NAYES: None

Mark Woodring, Mytue Memorial Hospital Administrator, appeared before the Board to request funding for the new Wellness Center to be constructed and to present information on a possible grant for the project. It was moved by Christensen, seconded by Ferry, to approve the County as the funding source for the Vision Iowa Grant application for \$1-1.5 million. Motion carried unanimously. After discussion, it was moved by Ferry, seconded by Christensen, to fund the Wellness Center in the amount of \$50,000 - \$10,000/year for five years beginning in FY2009. Motion carried unanimously.

Representatives of the Shelby County Library Association appeared before the Board to request funding for FY2009. It was moved by Christensen, seconded by Ferry, to approve \$38,500 funding for FY2009, an increase of \$2,500. Motion carried unanimously.

Bob Seivert, EMA Coordinator, and other members of the Emergency Management Executive Committee, presented the FY2009 Emergency Management Budget, along with the County funding request for FY2009. It was moved by Christensen, seconded by Ferry, to approve the funding request of \$550,000 for FY2009. The approximate \$40,000 increase due to the addition of another employee, approved by this Board earlier this year. Motion carried unanimously.

Dean Larson, Pictometry, presented information to the Board on new aerial photography and mapping software for the County. The contract cost would be \$61,448 and could be paid over two years. Jerry Lawson, GIS Coordinator, explained that the majority of the County's aerial photography was done in 1997 and is in need of updating. The GIS Budget sets aside money every year and currently has \$20,000 set aside to update the photography. Bob Seivert, EMA Coordinator, explained that a Wireless Surcharge Fund Grant for approximately \$18,000 was available for just this type of project because of the importance of an accurate aerial photo to Law Enforcement and the 911 Center. He also offered \$12,283 from the E911 Fund reserves and \$10,000 from the EMA Fund. Joe Stroeher, Environmental Specialist, offered \$5,000 for FY2008 and \$5,000 for FY2009 from his budget because of the necessity of current aerial photography to find dump sites and old wells. Charlie Trailer, Zoning Administrator, requested that the Board set aside the construction permit fees now being collected—approximately \$3,000 for this year alone—and use the permit fee collections towards this project and future aerial photography updates because of the importance of current aerial photos when dealing with zoning issues. David Yamada, Shelby County DevelopSource, also spoke of the importance of current photos when dealing with economic development projects. Tony Buman, Assessor, will also be requesting participation from his Conference Board when he meets with them this month because of the necessity of current photos for assessment purposes. Marsha Carter, Auditor, stated that her staff uses the aerial photos daily when updating the County's real estate records with land transfers and divisions of property. It was moved by Christensen, seconded by Ferry, to approve the funding sources for the Pictometry contract as set out above and to authorize Seivert to run this through the E911 Fund to make it an eligible project for the Wireless Surcharge Fund Grant. Motion carried unanimously.

Carolyn Blum, County Treasurer, appeared before the Board to review the County's Depository Resolution. Since it had just been updated in July, she recommended no changes be made.

Blum also reviewed the Investment Policy with the Board, as required by the Policy. It was moved by Christensen, seconded by Ferry, to approve the Investment Policy as presented by Blum with no changes from 2007. Motion carried unanimously.

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

The Assistant to the County Engineer gave the secondary road project update.

It was moved by Christensen, seconded by Ferry, to approve the annual membership fee of \$3000 for the Hungry Canyon Alliance, to be paid by Secondary Road funds. Motion carried unanimously.

It was moved by Ferry, seconded by Christensen, to set the public hearing date for a road vacation on 900th Street, Section 23/26, Center Township, as February 5, 2008, at 9:30 a.m. Motion carried unanimously.

There being no further business appearing, the Chairman declared the meeting adjourned at 11:45 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.