

October 1, 2013

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; Steve Kenkel, Vice Chairman; Charles Parkhurst; and Marsha J. Carter, Clerk.

The Chair asked that any Conflict of Interest be stated concerning any item on the agenda. None were stated.

It was moved by Kenkel, seconded by Parkhurst, to approve the agenda. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

It was moved by Parkhurst, seconded by Kenkel, to approve the minutes of September 17, 2013, as presented. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

It was moved by Kenkel, seconded by Parkhurst, to approve the Claims of September 30, 2013, and place the listing on file in the Auditor's Office. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

The Board has set aside time quarterly to meet with the Department Heads to discuss any issues pertaining to their departments. Those in attendance were Mark Hervey, Sheriff; Linda Fahn, Recorder; Carolyn Blum, Treasurer; Nick Preston, Conservation; Marsha Carter, Auditor; Lonnie Maguire, Community Services Director; Dan Ahart, Engineer; Marcus Gross, Attorney; Bob Seivert, EMA. Linda Hinton, ISAC, had asked to meet with the Department Heads. Discussion was held on complaints/concerns and ways to improve the services the Departments receive from ISAC.

Discussion on the Employee Information Handbook was tabled until a future meeting.

Discussion was held on the flags that are displayed on both sides of the street around the Courthouse Square. There are 8 U.S., 8 Iowa, and 4 POW flags flying 24/7. These flags were erected by the Chamber of Commerce years ago and have not been maintained. The County has been receiving complaints about the poor condition of the flags. When asked, the Chamber stated it was no longer their project. The County, the City of Harlan, and Harlan Municipal Utilities want the flags to remain a part of the downtown and are working on a cooperative plan to maintain the flags.

It was moved by Parkhurst, seconded by Kenkel, to approve the Amendment to the Contract with Jennie Edmundson regarding Involuntary Commitments, as recommended by Lonnie Maguire, Community Services Director. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

It was moved by Kenkel, seconded by Parkhurst, to approve the following resolution:

RESOLUTION NO. 2013-22

Resolution Repealing Resolution No. 95-20, 95-21, 2004-11, 2004-16, 2004-36, 2004-37 and 2004-49 Related to the Business Park Urban Renewal Area

WHEREAS, pursuant to the provisions of Chapter 403 of the Code of Iowa, the Board of Supervisors of Shelby County, Iowa (hereinafter referred to as the "County") adopted Resolution No. 95-20 on August 15, 1995; Resolution No. 95-21 on August 22, 1995; Resolution No. 2004-11 on April 6, 2004; Resolution No. 2004-16 on May 18, 2004; Resolution No. 2004-36 on September 21, 2004; Resolution No. 2004-37 on October 19, 2004; Resolution No. 2004-49 on December 7, 2004, for the purpose of establishing the Business Park Urban Renewal Area; and

WHEREAS, it appears that it is no longer necessary to maintain the Business Park Urban Renewal Area;

NOW, THEREFORE, It Is Resolved by the Board of Supervisors of Shelby County, Iowa, as follows:

Section 1. This Board hereby determines that the Business Park Urban Renewal Area should be terminated.

Section 2. Resolution No. 95-20 adopted on August 15, 1995; Resolution No. 95-21 on August 22, 1995; Resolution No. 2004-11 on April 6, 2004; Resolution No. 2004-16 on May 18, 2004; Resolution No. 2004-36 on September 21, 2004; Resolution No. 2004-37 on October 19, 2004; Resolution No. 2004-49 on December 7, 2004 are hereby repealed, and the Business Park Urban Renewal Area is hereby terminated.

Section 3. All resolutions and orders or parts thereof in conflict with the provisions of this resolution, to the extent of such conflict, are hereby repealed.

Section 4. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved the 1st day of October, 2013.

AYES: Schmitz, Kenkel, Parkhurst NAYES: None

Ordinance No. 2013-1, Ordinance Repealing Ordinance No. 2005-1, Amending Ordinance No. 95-3, Related to the Business Park Urban Renewal Area, was introduced. It was moved by Parkhurst, seconded by Kenkel, to suspend future readings of the Ordinance. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

It was moved by Kenkel, seconded by Parkhurst, to adopt the following ordinance:

ORDINANCE NO. 2013-1

Ordinance Repealing Ordinance No. 2005-1, Amending Ordinance No. 95-3, Related to the Business Park Urban Renewal Area

WHEREAS, pursuant to the provisions of Chapter 403 of the Code of Iowa, the Board of Supervisors of Shelby County, Iowa (hereinafter referred to as the "County") adopted Ordinance No. 2005-1, on the 18th day of January, 2005, for the purpose of creating the ability to collect incremental property tax revenue in the Business Park Urban Renewal Area; and

WHEREAS, it appears that it is no longer necessary to continue the ability to collect incremental property tax revenues in the Business Park Urban Renewal Area;

NOW, THEREFORE, It Is Resolved by the Board of Supervisors of Shelby County, Iowa, as follows:

Section 1. This Board hereby determines that the ability to collect incremental property tax revenue in the Business Park Urban Renewal Area should be terminated.

Section 2. Ordinance No. 2005-1, adopted on the 18th day of January, 2005, is hereby repealed, and the County's ability to collect incremental property tax revenue in the Business Park Urban Renewal Area is hereby terminated.

Section 3. All ordinances and orders or parts thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed.

Section 4. This ordinance shall be in full force and effect immediately upon its adoption and approval and publication, as provided by law.

Passed and adopted this 1st day of October, 2013.

AYES: Schmitz, Kenkel, Parkhurst NAYES: None

It was moved by Kenkel, seconded by Parkhurst, to approve the Shelby County Chamber's request to use the Courtyard for Harvestfest on October 26. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

It was moved by Kenkel, seconded by Parkhurst, to appoint Ron Goodside and Ron Rosman as the Supervisors' representatives to the County Compensation Board, term ending June 30, 2017. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

It was moved by Kenkel, seconded by Parkhurst, to appoint Becky Miller as one of the Rural Representatives on the Hotel/Motel Tax Committee to replace Doug Robinson. The Board is still looking for a second representative. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

Dan Ahart, County Engineer, was available to update the Board on activities of the county road crews and the status of current maintenance and construction projects.

The public hearing scheduled for today on the road vacation of a portion of 1800th Street, originally established as road #159 on January 4, 1875 (See Road Book A, page 266), all lying in Sections 1 and 12, T80N, R40W (Washington Township), Shelby County, commencing at the NE corner of said Section 12 and thence running in a Westerly direction 1430 feet was cancelled. The adjacent landowners have reconsidered and do not want the road to be closed, even though the County will be removing the bridge this fall after harvest. It is noted in these minutes that the adjacent landowners waived the County's offer to obliterate the road at the County's expense. The County will not guarantee that option will be available in the future.

There being no further business appearing, the Chairman declared the meeting adjourned at 10:59 p.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.