

January 2, 2015

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: Steve Kenkel, Charles Parkhurst, Roger Schmitz, and Marsha J. Carter, Clerk.

It was moved by Kenkel, seconded by Schmitz, to approve Charles Parkhurst as Chairman of the Board of Supervisors for the 2015 calendar year. Motion carried unanimously.

It was moved by Kenkel, seconded by Parkhurst, to approve Roger Schmitz as Vice-Chairman of the Board of Supervisors for the 2015 calendar year. 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  
Geraldyn Greer, Shelby County Recorder

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

It was moved by Schmitz, seconded by Kenkel, to approve the agenda. Motion carried unanimously.

It was moved by Kenkel, seconded by Schmitz, to approve the minutes of December 16, 2014. Motion carried unanimously.

It was moved by Schmitz, seconded by Kenkel, to approve the Claims of December 31, 2014, as listed in the Claims Register. Motion carried unanimously.

It was moved by Schmitz, seconded by Kenkel, that the following resolution be adopted:

RESOLUTION NO. 2015-1  
A RESOLUTION APPOINTING DEPUTY COUNTY OFFICIALS  
FOR THE 2015 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  
Fran Andersen  
Jennifer Mumm  
Judson Frisk  
Ashley West

Mark Hervey  
County Sheriff

Deputies: Rodney McMurphy, Chief Deputy  
Kelly Lefeber  
Chad Butler  
Donavon Dontje  
Glenn Birks  
Neil Gross

Nathan Pigsley  
Michael Jurgensen  
Jason Wickizer, Unpaid Reserve Deputy

AYES: Parkhurst, Schmitz, Kenkel    NAYES: None

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. Regular meetings shall be held on the first and third Tuesdays of each month.

It was moved by Kenkel, seconded by Schmitz, that all claims filed in the Auditor's office by the Wednesday before the third Tuesday of each month shall be presented to the Board of Supervisors for approval for payment at that meeting. All claims for mileage and expenses must be submitted within sixty days of the date incurred. Motion carried unanimously.

It was moved by Schmitz, seconded by Kenkel, that the County Auditor be authorized without prior approval of the Board to pay the wages of all County employees and to pay any other claims properly authorized by the Department Heads. Motion carried unanimously.

It was moved by Kenkel, seconded by Schmitz, to appoint Charles Parkhurst as Weed Commissioner for 2015. Motion carried unanimously.

It was moved by Kenkel, seconded by Schmitz, 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 Schmitz, seconded by Kenkel, to approve the appointment of the following persons as members of the Compensation Board for the Condemnation of Private Property for Shelby County for 2015, as required by Chapter 472.4, Code of Iowa:

| FARM OWNER - OPERATORS                | CITY PROPERTY OWNERS               |
|---------------------------------------|------------------------------------|
| Lonnie Benson<br>Irwin, Iowa          | Kayla Jacobs<br>Harlan, Iowa       |
| Jason Monson<br>Irwin, Iowa           | Donald Holdsworth<br>Harlan, Iowa  |
| Doug Robinson<br>Shelby, Iowa         | Paul Leinen<br>Harlan, Iowa        |
| David Boettger<br>Harlan, Iowa        | Michael Cain<br>Harlan, Iowa       |
| Kenneth Schneider<br>Portsmouth, Iowa | ToddLangenfeld<br>Earling, Iowa    |
| Dave Wahling<br>Shelby, Iowa          | Richard Leinen<br>Portsmouth, Iowa |

Charles Wooster, Jr.  
Manilla, Iowa  
REAL ESTATE BROKERS

Delbert Bruck  
Harlan, Iowa  
PERSONS HAVING KNOWLEDGE OF  
PROPERTY VALUES IN SHELBY COUNTY

Kirk Petersen  
Harlan, Iowa

Kevin Campbell  
Harlan, IA

Terry Knapp  
Harlan, Iowa

Norman Mathiasen  
Harlan, Iowa

Rowland Burton  
Irwin, Iowa

**Martin Nelson-replace 2016**  
Elk Horn, 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

The Board was notified that the Danish Villages Voice, which had previously been one of the County's official newspapers, closed as of 12-31-2014. It was moved by Kenkel, seconded by Schmitz, to approve the Harlan Tribune and the Harlan News Advertiser as official newspapers for 2015, as defined in Chapter 618.3 and Chapter 349, Code of Iowa. Motion carried unanimously.

It was moved by Schmitz, seconded by Kenkel, that the following resolution be adopted:

RESOLUTION NO. 2015-2  
RESOLUTION CONCERNING NON-DISCRIMINATION

BE IT RESOLVED, by the Board of Supervisors of Shelby County, Iowa, that no person shall be excluded from the receipt of services or benefits, and Shelby County shall not refuse to hire, accept, register, classify, or refer for employment, or discharge any employee, or otherwise discriminate in employment against any applicant for employment, because of the age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, or disability of such applicant or employee, unless based upon the nature of the occupation.

AYES: Parkhurst, Schmitz, Kenkel    NAYES: None

It was moved by Kenkel, seconded by Schmitz, that the following days shall constitute paid holidays for all eligible employees as stated herein for the 2015 year. Motion carried unanimously.

New Year's Day – Thursday, January 1  
Presidents' Day – Monday, February 16  
Memorial Day – Monday, May 25  
Independence Day – Friday, July 3  
Labor Day – Monday, September 7  
Veterans' Day – Wednesday, November 11  
Thanksgiving Day – Thursday, November 26  
Friday after Thanksgiving – Friday, November 27

Christmas Eve Afternoon (1/2 day) – Thursday, December 24  
Christmas – Friday, 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 Schmitz, seconded by Kenkel, that The Agency, Harlan, IA, be the broker for bonding for Shelby County for 2015. Motion carried unanimously.

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

SCHMITZ

Fourth Judicial District Department of Correctional Services Board of Directors  
Juvenile Emergency Service Committee  
Solid Waste Agency Board  
Shelby County Chamber of Commerce and Industry  
Enterprise Zone Commission  
Workforce Development – Region 13  
Hotel/Motel Tax Committee  
Building & Grounds and I.T. Oversight

PARKHURST

Harrison/Monona/Shelby Empowerment Area  
Southwest Iowa Planning Council to the Midlands &  
Southwest Iowa Transit Authority Commission  
WESCO  
West Central Development Board  
Hungry Canyons Alliance  
Metropolitan Area Planning Association  
Loess Hills Development & Conservation Authority  
Conservation Board  
Safety/Wellness Committee

KENKEL

Citizens Advisory Board for Cherokee MHI  
County's Official Voting Delegate-Southwest Iowa Regional Committee for MH/DD  
Redesign  
Shelby-Harrison-Monona Planning Council & 28E Mental Health Coordinator Board  
Board of Health  
Emergency Management Agency Commission  
E911 Joint Service Board – Non-Voting Member

OTHER COMMITTEE MEMBERSHIP

E911 Joint Service Board – Bob Seivert, Voting Member  
Hotel/Motel Tax Committee-Fiscal Agent – Shelby County Auditor  
Shelby County Roads Task Force – Representative appointed by each Township

It was moved by Schmitz, seconded by Kenkel, to authorize any member of the Board 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 Schmitz, seconded by Kenkel, to approve the following resolution:

RESOLUTION NO. 2015-3  
ECONOMIC DEVELOPMENT  
PUBLIC PURPOSE STATEMENT

BE IT RESOLVED by the Shelby County Board of Supervisors that the funding of Shelby County Chamber of Commerce and Industry 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: Parkhurst, Schmitz, Kenkel    NAYES: None

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

RESOLUTION NO. 2015-4  
MASTER MATRIX  
CONSTRUCTION EVALUATION RESOLUTION

WHEREAS, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a “construction evaluation resolution” relating to the construction of a confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR’s decision regarding a specific application; and

WHEREAS, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2015 and January 31, 2016 and submit an adopted recommendation regarding that application to the DNR; and

WHEREAS, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board’s recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SHELBY COUNTY that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

AYES: Parkhurst, Schmitz, Kenkel    NAYES: None

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

RESOLUTION 2015-5  
RESOLUTION AUTHORIZING A PARTNERSHIP WITH  
SOUTHWEST IOWA HOUSING TRUST FUND, INC.

WHEREAS; The Shelby County Board of Supervisors has found a need for homeownership assistance and housing repairs for lower income individuals and families; and,

WHEREAS; Southwest Iowa Housing Trust Fund, Inc. proposes to provide funding to assist income eligible individuals and families purchase their first-home and repair owner-occupied homes.

NOW THEREFORE, BE IT RESOLVED BY THE SHELBY COUNTY BOARD OF SUPERVISORS, as follows:

SECTION 1: The Shelby County Board of Supervisors is interested in participating in the Southwest Iowa Housing Trust Fund, Inc. housing programs.

SECTION 2: The Shelby County Board of Supervisors will contribute \$1,000.00 per unit assisted in Shelby County lying outside the city limits of Harlan, not to exceed \$10,000.00, in calendar year 2015.

Adopted this 2nd day of January, 2015.

AYES: Parkhurst, Schmitz, Kenkel    NAYES: None

It was moved by Schmitz, seconded by Kenkel, to approve the FY2016 funding for the Emergency Management Agency in an amount not to exceed \$790,000, as submitted by Bob Seivert, EMA Coordinator. Motion carried unanimously.

It was moved by Kenkel, seconded by Schmitz, to abate the mobile home taxes in the City of Harlan on the following: MY0154267ABF - \$116.00 - Moved out of county; 6834 - \$84.00 - Junked; 14691 - \$63.00 - Junked. Motion carried unanimously.

Carter updated the Board on the status of the FY2015 Budget. She hopes to have options for the Board within the next two weeks.

Brandon Burmeister, Assistant County Engineer, updated the Board on activities of the county road crews and the status of current maintenance and construction projects.

There being no further business appearing, the Chairman declared the meeting adjourned at 9:41 a.m.

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Charles Parkhurst, Chairman

ATTEST:

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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.