

August 18, 2015

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

The Chair asked that any Conflict of Interest be stated concerning any item on the agenda. No conflicts were stated.

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

It was moved by Kenkel, seconded by Schmitz, to approve the Minutes of August 4, 2015, as presented. AYES: Parkhurst, Schmitz, Kenkel NAYES: None

Parkhurst reported that the Conservation Department has signed an agreement with the Iowa Department of Natural Resources to share our Naturalist, Christina Roelofs, effective as of July 1, 2015. All expenses for her will be split equally between the County and the IDNR.

Todd Valline, Shelby County Chamber of Commerce and Industry, updated the Board on the status of ongoing projects.

It was moved by Schmitz, seconded by Kenkel, to approve the Claims of August 18, 2015, as listed in the Claims Register. AYES: Parkhurst, Schmitz, Kenkel NAYES: None

Carter presented the Annual Fiscal Year Report on Courthouse Security, which had been filed with the Judicial District Court Administrator and the State Court Administrator as required.

Schmitz reported that the County had received a membership dues request from the Friends of Downtown. It was the consensus of the Board that the County supports the vision of this organization, but the Board's vision should be countywide and, at this time, will only monetarily support the Shelby County Chamber of Commerce and Industry.

It was moved by Kenkel, seconded by Schmitz, to appoint Matt Hudson to the Civil Service Commission to fill the unexpired term of Joe Lauterbach until December 31, 2015. AYES: Parkhurst, Schmitz, Kenkel 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.

After advertising for bids, the County Engineer reported he had received only one bid for the CAT 613 dirt scraper. It was moved by Schmitz, seconded by Kenkel, to accept the bid of Gary Nielsen for the CAT 613 dirt scraper in the amount of \$5,500, which was the minimum bid required. AYES: Parkhurst, Schmitz, Kenkel NAYES: None

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

**RESOLUTION NO. 2015-16
RESOLUTION TO VACATE AND ABANDON
A PORTION OF EXCESS RIGHT OF WAY
IN THE SHELBY COUNTY ROAD SYSTEM**

WHEREAS, a request has been filed with the County Engineer asking that action be taken to vacate and abandon a portion of excess right of way of the Shelby County Secondary Road, described as follows:

Part of the existing Redbud Road right-of-way easement located in part of the Southwest Quarter of the Southeast Quarter of Section 14, Township 79 North, Range 38 West of the 5th Principal Meridian, Shelby County, Iowa described as follows:

Commencing at the Southwest Corner of the Southeast Quarter of said Section 14; thence North 00°49'48" West (Assumed Bearing) along the West line of said Southeast Quarter a distance of 324.32 feet to the point of beginning; thence continuing North 00°49'48" West along said West line a distance of 156.01 feet to a point on a non-tangent curve, said being 33.00 feet normally distant Southeasterly and parallel to the centerline of said Redbud Road; thence Northeasterly 307.25 feet along said non-tangent curve having a 1942.86 foot radius concave to the Northwest with a chord bearing North 05°20'33" East and a chord length of 306.93 feet; thence North 00°49'48" West along a line 33.00 feet normally distant and parallel to the West line of said Southeast Quarter a distance of 193.14 feet; thence South 04°43'18" East a distance of 441.30 feet; thence South 15°46'42" West a distance of 104.80 feet to a point being 33.00 feet normally distant from said West line of the Southeast Quarter; thence South 00°49'48" East along a line 33.00 feet normally distant and parallel to said West line a distance of 134.30 feet; thence North 58°43'04" West a distance of 38.96 feet to the point of beginning. Said parcel contains 0.399 acres of current county road right-of-way, and is subject to any and all easements apparent or of record.

Commencing at the Southeast Corner of the Southwest Quarter of said Section 14; thence North 00°49'48" West (Assumed Bearing) along the East line of said Southwest Quarter a distance of 324.32 feet to the point of beginning; thence continuing North 00°49'48" West along said East line a distance of 156.01 feet to a point on a non-tangent curve, said curve being 33.00 feet Normally distant Southeasterly and parallel to the centerline of said Redbud Road; thence Southwesterly 81.27 feet along said non-tangent curve having a 1942.86 foot radius concave to the Northwest with a chord bearing South 11°04'17" West and a chord length of 81.27 feet; thence South 12°11'38" West along a line 33.00 feet normally distant and parallel to said centerline a distance of 59.13 feet; thence South 58°43'04" East a distance of 35.52 feet to the point of beginning. Said parcel contains 0.052 acres of current county road right-of-way, and is subject to any and all easements apparent or of record.

IT IS THEREFORE ordered that the previously described section of the Shelby County Secondary Road system right of way be abandoned. The abandoned right of way described above shall revert to the adjoining land owner per Iowa Code.

Passed and approved this 18th day of August, 2015.

AYES: Parkhurst, Schmitz, Kenkel

NAYES: None

There being no further business appearing, the Chairman declared the meeting adjourned at 9:37 a.m.

Charles Parkhurst, 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.