

September 15th, 2020

The Board of Supervisors of Shelby County, Iowa, met pursuant to law and rules of said board in regular session at 8:00 a.m. in the supervisors Board room in the Shelby county Courthouse. The following members were present Charles Parkhurst, Chairman; Darin Haake, Vice-Chairperson; Supervisor Steve Kenkel and Mark Maxwell, Clerk.

The chairman immediately opened the meeting with Supervisor Kenkel making a motion to close the session. Supervisor Haake then seconded the motion. A vote was held with Haake, Kenkel and Parkhurst all voting in favor of closing the session. The board then entered a closed session pursuant to Iowa Code Section 21.5(1)(c) to discuss strategy with counsel in matters that are presently in litigation where disclosure would likely prejudice or disadvantage the governmental body, as read by the Chairperson. A motion was made by Haake and seconded by Kenkel to enter a closed session at 8:01 A.M.

At 8:33 A.M. the Board came out of closed session after a motion by Kenkel and seconded by Haake to exit the closed session. A vote was held with Kenkel, Haake and Parkhurst all voting to exit closed session.

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

A motion was made by Haake and seconded by Kenkel to approve the agenda with no additions. AYES: Unanimous NAYES: None

The claims from September 15th were approved after a motion by Haake and a second by Kenkel. The motion carried unanimously.

A motion was made by Kenkel with a second by Haake, to approve the minutes of the September 1st and September 9th Supervisors meetings. AYES: Unanimous NAYES: None

Tony Buman, Shelby County Assessor, was present to request approval of tax abatements to make clerical adjustments in the taxing of properties the total amount to be abated being \$144.00 Kenkel made a motion to abate the taxes with Haake seconding the motion. A unanimous vote was counted in favor of the abatements.

The Supervisors then discussed a Beaver Bounty in Shelby county and whether it will be in place again this year, upon their approval, there is \$5,000.00 being budgeted towards the annual program. Claim forms are available in the Auditors office, and all claims must be submitted through the Conservation Department. Haake made a motion to approve the bounty program and Kenkel seconded the motion. Discussion included Brandon Burmeister, Shelby County Engineer stating that the Beaver problems have been lessened with the bounty. A vote was held and all three Supervisors voted to have the program this trapping season.

Todd Valline of the Shelby County Chamber of Commerce was present to let the Supervisors know grants available to non-profits from Iowa Economic Development of up to \$25,000.00 are available, and it appears that the Shelby County Chamber of Commerce and Industry has been approved. Distribution of the grant funds and how that will happen are still being discussed.

Brandon Burmeister, Shelby County Engineer, was on hand to discuss projects being of interest to the Supervisors. As well as seeking the approval of the following additional County policy below.

A POLICY CONCERNING THE REMOVAL AND DISPOSAL OF SOIL
FROM SHELBY COUNTY ROADSIDE DITCHES

STATEMENT OF POLICY It shall be the policy of Shelby County to remove soil and other material from the ditches along the secondary road system as required to maintain adequate drainage and to make available for deposit on the lands adjoining those ditches such soil as is not needed by the County in the performance of its maintenance obligations. IMPLEMENTATION OF POLICY Soil in the County roadside ditches shall be removed and disposed of according to the following criteria:

1. The Engineer or designated representative shall be the determining agent as to which ditches are to be cleaned and to what extent.
2. The Road Superintendent, Road Foreman, or Operator will notify One-Call at least two working days in advance of excavation and will confirm markings for underground utilities prior to starting work.
3. The County shall have first priority for the use of said soil in its maintenance of the secondary road system; including but not limited to: road grade building, bridge construction and maintenance, driveway re construction, and other construction and County related needs. Requests for excavated material by all others will only be considered after County needs are met.
4. The Owner or tenant of land adjoining a roadside ditch shall have second option for use of said soil. The secondary road department will attempt to contact the owner or tenant of land adjoining said road. The material will be deposited at a location easily accessible to the secondary road department equipment; with priority being given to casting into fields adjacent to ditches. Responsibility for placing the material in its final location and any finish grading necessary will be to the property owner. Property owners are encouraged to use the material in areas that promote conservation of soil. The County is not responsible for the presence of objectionable content (i.e. rocks, debris, metal, glass, or other foreign material) in the excavated material.
5. The County may enter and operate its equipment on private land for the purposes of maintaining roadside ditches provided permission is granted by the owner and tenant and, in conjunction with No. 4 above, may deposit said soil directly on that land.
6. The County may load said soil into private vehicles for disposal provided a written release (for County liability covering equipment and materials loaded) is provided and they do not interfere with loading operations involving County vehicles.

A motion was made by Haake and a second by Kenkel as heard and a vote was held with Haake, Parkhurst and Kenkel all voting in favor of approving the policy. Maintenance on county roads was made difficult with the rain on top of the ultra-dry road surfaces. Soft spots became apparent with the recent rains. Burmeister also reminded Shelby county residents to use the official detours for construction projects. His office is also working on a federal bridge grant process that will require much work by his office but the return in grant dollars if approve will result in savings for county taxpayers for projects in the future.

Time was then allotted for any supervisor committee reports, they included, Steve Kenkel, Southwest Iowa Mental Health representative for Shelby County, announced that 1.7 million dollars has been made available to providers and school districts for help in coping with pandemic related mental health issues. Darin Haake reported that Iowa Workforce Development is asking local businesspersons to be local representation on the Board.

Auditor Maxwell then notified the Board of his intentions to publish notification of the Shelby County Solid Waste owned farm ground and the Shelby County owned farm property on November 17th. The auction and meeting will be held at the C.G. Therkildsen Center to permit for social distancing.

Auditor Maxwell then presented the supervisors with a fiscal sponsor agreement for

grants applied for from the Community Foundations of Southwest Iowa. The grants in this agreement include the Shelby County Conservation Board for kayak launch port/ dock, Shelby County EMA to outfit a vehicle to be a mobile command unit in case of a major emergency and the Corley Community Club for new heating and AC/ units. The Corley Community Club was included because the project lies within an unincorporated area of the County. Supervisor Kenkel made a motion to approve the agreement. Supervisor Haake seconded the motion. Haake, Kenkel and Parkhurst all voted in favor of the fiscal sponsorship.

It was moved by Parkhurst, seconded by Haake, to designate the Auditor’s Office to compile the results of the IKM-Manning Special School Bond Election held on September 8th, Carroll and Crawford Counties will hold their own Canvasses and report back to Shelby County. The Supervisors will hold the final Canvass next week, compiling results from Carroll and Audubon counties. AYES: Parkhurst, Haake, Kenkel NAYES: None

Maxwell explained that tabulation from Audubon County are comingled with the results from Shelby County as Shelby County was designated to hold the election for Audubon County. This procedure was allowed because in this instance Audubon County has less than 125 voters in the IKM-Manning school district. This allows them to have the control County hold the election for them. Next week the final canvass will be Tuesday September 22nd in the Supervisors Board room at 8:00 AM after results from Crawford and Carroll Counties are received.

This being the day set by law for the board to canvass the returns of the Shelby County results. The initial abstract was presented as follows:

We, the undersigned Members of the Board of Supervisors and ex-officio County Board of Canvassers for this County, do hereby certify the following to be a true and correct abstract of the votes cast in this County at the IKM-Manning Public Measure Election held on the 8th day of September, 2020, as shown by the tally lists returned from the election precincts. For the public measure GENERAL OBLIGATION BOND APPROVAL “Shall the Board of Directors of the IKM-Manning Community School District in the Counties of Audubon, Carroll, Crawford, and Shelby, State of Iowa, be authorized to contract indebtedness and issue General Obligation Bonds in an amount not to exceed \$19,200,000 to provide funds to renovate, remodel, repair, improve, furnish and equip, including HVAC/ ventilation, safety and security improvements, and to construct, build, furnish and equip an addition to the Manning school building, and to improve the site?”

Shelby and Audubon Counties

For the question, there were:

One hundred fourteen (114) votes

Shelby and Audubon counties

Against the question there were:

Three hundred sixty-seven (367) votes

Total:

Four hundred eighty-one (481) votes

Having no further business the meeting was adjourned at 9:33 AM

Charles Parkhurst, Chairman
ATTEST:

Mark L. Maxwell
Clerk to the Board of Supervisors