

The Shelby County Board of Supervisors met in a regular session at 9:00 A.M. at the Shelby County Courthouse with the following members present, Steve Kenkel, Charles Parkhurst, Darin Haake, and Mark Maxwell, Clerk.

The Chairperson, Darin Haake, noted that for historical purposes it should be noted that the current temperature is -21° F.

It was asked that any conflicts of interest be stated concerning any item on the agenda. None were stated.

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

It was moved by Parkhurst, seconded by Kenkel, to approve the claims of February 12th, 2021, as listed in the claims register. Motion carried unanimously.

It was moved by Parkhurst, seconded by Kenkel to approve the minutes of February 2<sup>nd</sup> and February 3<sup>rd</sup>, 2021 . Motion carried unanimously.

Elizabeth Schechinger , Kathy Kramer and Allissa LaCanne of the Harlan, Elk Horn and Irwin Community Libraries were on hand to present their annual reports to the supervisors on the positive impacts local libraries have on communities. All have many programs ongoing and completed since last year at this time. Covid has mandated many changes but has strengthened the core use of each of the libraries. The supervisors thanked the representatives for the work and programs that each of the libraries provide to the Shelby County Community.

Todd Valline of the Shelby County Chamber of Commerce was on hand to inform the Supervisors that the recent cold weather may cause some supply chain issues in the coming weeks as well as businesses coping with added costs associated with the recent cold weather. The Shelby County Chamber of Commerce will announce their annual award recipients this Thursday.

Brandon Burmeister, Shelby County Engineer, presented a safety policy update regarding safety toe shoes and increased reimbursement to employees require to wear safety toed shoes the new updated policy is as follows:

### **SAFETY TOE SHOE POLICY**

- I. The following departments will wear A.N.S.I. and OSHA approved footwear with safety toes and puncture resistant soles.
  - A. Shelby County Secondary Road Crew
  - B. Shelby County Conservation
  - C. Shelby County Buildings & Grounds Department
- II. Shelby County will pay up to \$200.00 of the cost of "safety shoes" for full-time employees. Shelby County will pay up to \$100.00 of the cost of "safety shoes" for part-time employees. Employees will be required to pay out of pocket anything above the allotted cost.
- III. Employees will be required to have pre-authorization from their supervisor before reimbursement for the purchase of "safety shoes" will be approved.
- IV. Each of the employees designated above will be allowed one (1) pair of shoes per year.

#### **7.1 Injury Procedure**

If a physician or emergency medical services is required for an employee, a report will be presented to the Board of Supervisors and to the Shelby County Safety Committee for review of Safety Policy procedures.

Charles Parkhurst made a motion to approve the policy update and directed the Auditors office to update the policy. Steve Kenkel seconded the motion. Kenkel, Haake and Parkhurst all voted in favor of the policy update.

Burmeister then asked for supervisor approval of the annual Bridge Embargo Resolution. Kenkel made a motion to approve the Resolution as follows:

Resolution 2021-10 Bridge Embargo

WHEREAS: The Board of Supervisors is empowered under authority of Sections 321.236 Sub. (8), 321.255 and 321.471 to 321.479 to prohibit the operation of vehicles or impose limitations as to the weight thereof on designated highways or highway structures under their jurisdiction, and WHEREAS: the County Engineer has completed (or has caused to be completed) the Structure Inventory and Appraisal of certain county bridges, in accordance with the National Bridge Inspection Standards and has determined (or it has been determined) that they are inadequate for two-lane legal loads at allowable operating stress. NOW, THEREFORE, BE IT RESOLVED by the Shelby County Board of Supervisors that vehicle and load limits be established and that signs be erected advising of the permissible maximum weights thereof on the bridges listed, as follows:

Structure Number	Feature Crossed	Location	Load Limit (tons) All Vehicles
Cass 90-03-510	No Name Creek	Sec. 3,T. 79, R. 40	21,33,39 One Lane
Cass 90-09-510	Mosquito Creek	Sec. 9,T. 79, R. 40	7,10,13 One Lane
Cass 90-13-110	Keg Creek	Sec. 13,T. 79, R. 40	21,32,37
Cass 90-25-210	Keg Creek	Sec. 25,T. 79, R. 40	27-45-40
Cass 90-29-110	Mosquito Creek	Sec. 29,T. 79, R. 40	10,15,24 One Lane
Cass 90-33-210	No Name Creek	Sec. 33,T. 79, R. 40	33-48-40
Cass 90-35-110	Keg Creek	Sec. 35,T. 79, R. 40	8 One Lane
Cass 90-36-210	No Name Creek	Sec. 36,T. 79, R. 40	27-45-40
Center 98-07-810	No Name Creek	Sec. 7, T. 79, R. 38	27-45-40
Center 98-24-210	Elm Creek	Sec.24, T. 79, R.38	12,18,24 One Lan
Center 98-27-110	No Name Creek	Sec.27, T. 79, R.38	17,25,29
Clay 87-10-120	No Name Creek	Sec. 10, T. 78, R.37	31-48-40
Clay 87-16-110	Elk Horn Creek	Sec 16, T 78, R 37	4 All Vehicles
Clay 87-29-210	Elk Horn Creek	Sec 29, T 78, R 37	19-28-38
Clay 87-35-110	Camp Creek	Sec 35, T 78, R 37	30-48-40
Douglas 08-10-110	West Nishnabotna River	Sec. 10,T. 80, R. 38	8 One Lane
Douglas 08-22-310	West Nishnabotna River	Sec. 22,T. 80, R. 38	9,14,13 One Lane
Fairview 89-05-110	No Name Creek	Sec 5, T 78, R 39	33-48-40
Fairview 89-09-710	No Name Creek	Sec 9, T 78, R 39	30-48-40
Fairview 89-12-520	No Name Creek	Sec 12, T 78, R 39	30-47-40
Greeley 18-19-610	Snake Creek	Sec 19, T 81, R 38	27-41-40
Greeley 18-13-110	No Name Creek	Sec 13, T 81, R 38	33-48-40
Greeley 18-14-210	No Name Creek	Sec 14, T 81, R 38	26-41-40
Greeley 18-17-210	Snake Creek	Sec 17, T 81, R 38	24-42-40
Greeley 18-29-210	Kidds Creek	Sec 29, T 81, R 38	Bridge Closed
Grove 10-09-110	Bee Tree Creek	Sec 9, T 81, R 40	27-45-40
Grove 10-09-910	Mill Creek Tributary	Sec 9, T 81, R 40	27-45-40
Grove 10-36-110	No Name Creek	Sec 36, T 81, R 40	20,31,29 One Lane

Grove 10-36-120	Moser Creek	Sec 36, T 81, R 40	21,30,31 One Lane
Jackson 97-04-210	Elm Creek	Sec 4, T 79, R 37	25-44-40
Jackson 97-08-110	Elm Creek	Sec 8, T 79, R 37	25-43-40
Jackson 97-12-210	Buck Creek	Sec 12, T 79, R 37	35-48-40
Jackson 97-17-210	Elm Creek	Sec 17, T 79, R 37	26-43-40
Jackson 97-22-110	Bonnie Creek	Sec 22, T 79, R 37	28-40-40
Jackson 97-34-110	No Name Creek	Sec 34, T 79, R 37	17-24-29
Jackson 97-35-610	West Nishnabotna River	Sec 35, T 79, R 37	3 Tons All Vehicles, One Lane
Jackson 97-36-210	Indian Creek	Sec 36, T 79, R 37	35-48-40
Jefferson 17-03-510	No Name Creek	Sec 3, T 81, R 37	28-40-40
Jefferson 17-03-520	West Nishnabotna River	Sec 3, T 81, R 37	13-19-28
Jefferson 17-18-110	Elk Creek	Sec 18, T 79, R 37	25-37-37
Jefferson 17-24-110	Long Branch Creek	Sec 24, T 79, R 387	29-45-40
Jefferson 17-31-110	West Nishnabotna River	Sec 31, T 79, R 397	35-45-40
Jefferson 17-34-110	Long Branch	Sec 34, T 79, R 37	29-47-40
Lincoln 99-04-110	Keg Creek	Sec 4, T79, R 39	28-40-40
Lincoln 99-08-110	No Name Creek	Sec 8, T 79, R 39	14, 21, 24 One Lane
Lincoln 99-18-110	Keg Creek	Sec 18, T 79, R 39	28-40-40
Lincoln 99-31-210	No Name Creek	Sec 31, T 79, R 39	28-40-40
Lincoln 99-31-220	No Name Creek	Sec 31, T 79, R 39	28-40-40

Lincoln 99-34-210	Silver Creek	Sec 34, T 79, R 39	26-40-40
Lincoln 99-18-120	Keg Creek	Sec 18, T 79, R 39	24-41-40
Monroe 88-04-210	No Name Creek	Sec 4, T 78, R 38	14-18-18
Monroe 88-17-210	Dutch Branch Creek	Sec 17, T 78, R 38	30-47-40
Monroe 88-26-210	Walnut Creek	Sec 26, T 78, R 38	23-24-28
Monroe 88-35-110	Walnut Creek	Sec 35, T 78, R 38	13-19-29
Polk 07-13-510	E. Branch W. Nishnabotna River	Sec 13, T 80, R 37	8 Tons All Vehicles, One Lane
Polk 07-16-110	Long Branch Creek	Sec 16, T 80, R 37	34-48-40
Polk 07-31-510	No Name Creek	Sec 31, T 80, R 37	25-40-40 One Lane
Shelby 80-06-210	Keg Creek	Sec 6, T 78, R 40	10-14-19
Shelby 80-11-110	Silver Creek	Sec 11, T 78, R 40	32-48-40
Shelby 80-20-210	East Branch Keg Creek	Sec 20, T 78, R 40	35-48-40
Shelby 80-34-110	Little Silver Creek	Sec 34, T 78, R 40	29-47-40
Union 19-10-110	Willow Creek	Sec 10, T 81, R 39	28-40-40
Union 19-12-910	W. Fork W. Nishnabotna River	Sec 12, T 81, R 39	12-18-24 One Lane
Union 19-16-120	Moser Creek	Sec 16, T 81, R 39	28-40-40
Union 19-21-110	Moser Creek	Sec 21, T 81, R 39	28-40-40
Union 19-23-610	No Name Creek	Sec 23, T 81, R 39	26-40-40
Union 19-25-810	Snake Creek	Sec 25, T 81, R 39	28-40-40
Washington 00-13-210	No Name Creek	Sec 13, T 80, R 40	29-47-40
Washington 00-16-610	Pigeon Creek	Sec 16, T 80, R 40	25-40-40
Washington 00-20-120	Pigeon Creek	Sec 20, T 80, R 40	26-40-40
Washington 00-23-320	No Name Creek	Sec 23, T 80, R 40	29-47-40
Washington 00-31-420	Pigeon Creek	Sec 31, T 80, R 40	24-35-40
Washington 00-35-320	Mosquito Creek	Sec 35, T 80, R 40	8-12-19 One Lane
Westphalia 09-05-510	Mosquito Creek	Sec 5, T 80, R 39	32-48-40
Westphalia 09-10-110	Lyons Creek	Sec 10, T 80, R 39	15-23-33 One Lane
Westphalia 09-34-110	Silver Creek	Sec 34, T 80, R 39	29-48-40
Greeley 18-05-220	W. Fork W. Nishnabotna River	Sec 5, T 81, R 38	Bridge Closed
Polk 07-03-110	Long Branch Creek	Sec 2, T 80, R 37	One Lane
Westphalia 09-30-210	No Name Creek	Sec 30, T 80, R 39	One Lane

A second was made by Parkhurst to approve the Resolution. A vote was held with Haake, Kenkel and Parkhurst all voting in favor of the motion to approve.

Resolution 2021-11 was also presented to the Supervisors giving authority to embargoing roads in Shelby County if the need arises. The resolution was given a motion of approval by Parkhurst and Kenkel seconded the motion to approve the following resolution:

RESOLUTION 2021-11

**WHEREAS:** The Board of Supervisors of Shelby County, Iowa, consisting of the following members: Darin Haake, Chairman; Steve Kenkel, Vice-Chairman; and Charles Parkhurst Steven Kenkel, member; met to consider placing load limits on selected "Load Sensitive" road surfaces in the Shelby County Secondary RoadSystem, to prevent frost break up, excessive load break up, etc. **WHEREAS:** This authority is granted under Iowa Code Sections 321.236(8), 321.255, and 321.471 to 321.473 to prohibit the operations of vehicles upon Secondary Roads or impose restrictions as to weight of vehicles to be operated upon said secondary roads, except farm tractors as defined in Section 321.1, Subsection 7, for a total period not to exceed ninety days in any one calendar year, whenever any saidhighway by reason of deterioration, rain, snow or other climactic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weights thereof reduced. **WHEREAS:** The Board states that all granular surfaced roads be embargoed and allowing onlytrucks and other vehicles with a gross weight of less than ten (10) tons to travel these roads. **THEREFORE:** The Shelby County Board of Supervisors resolves to hereby order the County Engineer to enact load limits of ten (10) tons, at his discretion, on all granular surfaced roadways within Shelby County. These limits shall become effective upon agreement to enact embargos by Chairman of the Board of Supervisors and the County Engineer and shall remain in effect until this resolution is redacted by the Shelby County Engineer. **BE IT FURTHER RESOLVED** that the Board of Supervisors, may, at their discretion, authorize permits of exemption for loads not already exempted by the previous paragraph of this resolution. Any such permit must be specific to the exempted vehicle and its load, and must bear an original signature, in red, of the board member authorizing the exemption. Neither the county engineer nor his staff is authorized to approve additional exemptions.

A vote was held to approve Resolution 2021-11. Parkhurst, Kenkel and Haake all voted in favor of the passage of the resolution. No nays were cast.

Auditor Maxwell then advised the Board that every five years Counties are required to reorganize or codify county ordinances. SWIPCO has the abilities to perform those duties for Shelby County and has submitted an estimated cost that will not exceed \$3,000.00 to update Shelby County Ordinances. An authorization page must be signed by the supervisors. Kenkel made a motion to sign the agreement Parkhurst seconded the motion. Haake, Kenkel and Parkhurst all voted in favor of signing the agreement.

The Community Foundations of Southwest Iowa is not able to access all the grant request information needed for the Harlan Animal Rescue Organization. The foundation contacted the Shelby County Auditor’s office to assist in the application. No authorizations or notifications were given to the Board of Supervisors concerning this matter. Auditor Maxwell contacted the Community Foundations of Southwest Iowa for clarification about this situation. The Foundation said the information available to the foundation for completing the application is incomplete. The Southwest Iowa Community Foundation agent told Auditor Maxwell that, at this time, the only way the grant would have a chance for approval is to have Shelby County sponsor the grant. No representative of the Harlan Animal Rescue was present to advise the Supervisors. Kenkel made a motion to allow the fiscal sponsorship required to obtain the grant. Parkhurst seconded the motion. All three supervisors voted in favor of allowing fiscal sponsorship of this grant application.

The Supervisors made time on the agenda to report on any committee happening that they currently are assigned to. Parkhurst reported that a new job posting is being allowed for an additional employee at EMA. Kenkel, Parkhurst and Haake all expressed concerns that the position was deemed unneeded and eliminated in the past and that there were no mentions of adding an additional employee when the budgeting process was started. County property taxpayer funding of EMA has been set at \$767,267.00 for fiscal year 2022, being 17% of the 2022 general fund property taxes.

Having no further business the meeting adjourned at 9:43 AM.

\_\_\_\_\_  
Darin Haake, Chairperson

ATTEST:

\_\_\_\_\_  
Mark Maxwell  
Clerk to the Board of Supervisors