

December 21st, 2021

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. at the Courthouse in Harlan Iowa, Iowa to The following members were present Darin Haake, Chairman; Steve Kenkel, Vice-Chairperson; Supervisor Charles Parkhurst and Mark Maxwell, Clerk.

The meeting was called to order and it was asked by the Chairman about any conflicts of interest. None were stated.

A motion was made by Parkhurst and seconded by Kenkel to approve the Agenda as presented and legally posted. A unanimous vote in favor of the agenda was then counted.

Kenkel made a motion to approve the claims as presented for December 16<sup>th</sup>, 2021. Haake seconded the motion. Haake, Kenkel and Parkhurst all voted in favor of approval of the claims.

The minutes of the regular meeting on December 7th were considered for approval. Kenkel made a motion to approve the minutes. Parkhurst seconded the motion. The motion to approve the minutes passed unanimously.

Brent Scheve, representing Shelby County's insurance carrier was present to inform the board of next years Shelby County insurance premium. Many details about the policy were discussed. The workman's compensation should not show much of a change and may decrease. But the amount is not yet known. This is due to claims that were placed during the last four-year time period those claims are just beginning to be used in the calculation of premiums. With continued safety management the County may continue with the lower premiums, expensive claims in coming years would of course alter the trend. The overall property, automobile and liability coverages were discussed with the Supervisors. Kenkel made a motion to permit the chairperson to sign a commitment letter to continue the coverage for one more year membership in the ICAP Pool. Parkhurst seconded the motion. Parkhurst, Haake and Kenkel all voted in favor of the motion.

Todd Valline of the Shelby County Chamber of Commerce updated the supervisors on his organizations current activities.

The Shelby County Bounty for Beavers was extended to add \$2,500.00 to the \$5,000.00 already exhausted from the budgeted amount. Damage from those animals to cropland and erosion structures has increased in the last few years.

Brandon Burmeister, Shelby County Engineer, updated the Supervisors on regular work and current projects being performed by his department. Burmeister then asked the Supervisors to give the approval needed to accept Shelby County project: FM-C083(80) – 55-83; HMA Pavement Widening with HMA Resurfacing; on F-24, from Linden Road E 6.4 Miles to Timber Road, FM Extensions of M-47 in Irwin and Main Ave. in Defiance; plans for letting. Steve Kenkel made a motion to approve the letting, Parkhurst seconded the motion, all three Supervisors voted in favor of the motion.

Chairperson Haake then recessed meeting to enter into a public hearing for the Shelby County Redistricting of voting precincts and Ordinance 1-3-2-C. Having heard no public comment about the proposed changes, Election Commissioner Maxwell explained two current precincts were split in half geographically to comply with the splitting of Shelby County into two Iowa House of Representative districts. Cass/Center/Jackson/Lincoln will be split into two districts; Cass/Lincoln and Center/Jackson. Greeley/ Jefferson/ Douglas/ Polk precinct will be split into Greeley/Jefferson and Douglas/Polk Precincts. No General Election or City/School election polling places will be changed using this arrangement. There will just be more ballots to produce.

Now being the time for the public hearing on the First Reading of Shelby County Ordinance No. 1-3-2-C, An Ordinance to Replace Shelby County Ordinance No. 1-3-2-B An Ordinance to Reprecinct Shelby County and Create Voting Precincts, the Chair did open the hearing. There were no written or oral comments. It was moved by Parkhurst , seconded by Haake, to suspend future readings of the Ordinance. AYES: NAYES: None. It was moved by Parkhurst , seconded by Haake , to close the hearing and approve the following Ordinance:

**SHELBY COUNTY ORDINANCE NO. 1-3-2-C  
AN ORDINANCE TO RE-PRECINCT SHELBY COUNTY AND  
ADJUST VOTING PRECINCT BOUNDARIES**

(REPLACES ORDINANCE NO. 1-3-2-B)

BE IT ENACTED BY THE SHELBY COUNTY BOARD OF SUPERVISORS:

SECTION 1. Purpose. The purpose of this ordinance is to re-precinct Shelby County in this year following the Federal Decennial Census as required Section 49.7, Code of Iowa

SECTION 2. Division into Precincts. The County of Shelby shall be divided into eleven (11) precincts plus the Absentee Precinct. The number of precincts, precinct name, precinct population, and legal descriptions are described in the attached exhibit marked as Exhibit A and, by this reference, made a part hereof.

SECTION 3. When Effective. This ordinance shall be in effect after its final passage, approval, and publication as provided by law.

Adopted and passed by the Board of Supervisors of the County of Shelby this 21<sup>st</sup> day of December, 2021

**SHELBY COUNTY ORDINANCE NO. 1-3-2-C AN ORDINANCE TO RE-PRECINCT SHELBY COUNTY AND  
ADJUST VOTING PRECINCT BOUNDARIES**

(REPLACES ORDINANCE NO. 1-3-2-B)

BE IT ENACTED BY THE SHELBY COUNTY BOARD OF SUPERVISORS:

SECTION 1. Purpose. The purpose of this ordinance is to re-precinct Shelby County in this year following the Federal Decennial Census as required Section 49.7, Code of Iowa

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**Exhibit A**

**Shelby County Proposed Precinct Legal Descriptions:**

- **Grove-Union-Washington-Westphalia**  
GROVE, UNION, WASHINGTON & WESTPHALIA TOWNSHIPS,  
T81N-R40W & T81N-R39W & T80N-R40W & T80N-R39W of the 5<sup>th</sup> P.M.,  
including the Incorporated Cities of Defiance, Earling, Panama, and Westphalia, Iowa
- **Greeley-Jefferson**  
GREELEY & JEFFERSON TOWNSHIPS,  
T81N-R38W & T81N-R37W of the 5<sup>th</sup> P.M.,  
Including the Incorporated City of Irwin, Iowa
- **Douglas - Polk**  
DOUGLAS & POLK TOWNSHIPS,  
T80N-R38W & T80N-R37W of the 5<sup>th</sup> P.M.,  
including the Incorporated City of Kirkman, Iowa
- **Center-Jackson**  
CENTER & JACKSON TOWNSHIPS,  
T79N-R38W & T79N-R37W of the 5<sup>th</sup> P.M.,

- except therefrom the Incorporated City of Harlan, Iowa  
Harlan Wards 1, 2, 3 and 4 will remain unchanged.
- **Cass - Lincoln**  
CASS & LINCOLN TOWNSHIPS,  
T79N-R40W & T79N-R39W of the 5<sup>th</sup> P.M.,  
including the Incorporated City of Portsmouth, Iowa,  
and except therefrom the Incorporated City of Harlan, Iowa
- **Fairview- Shelby**  
FAIRVIEW & SHELBY TOWNSHIPS,  
T78N-R39W & T78N-R40W of the 5<sup>th</sup> P.M.,  
including the Incorporated Cities of Tennant, Iowa,  
and that portion of the Incorporated City of Shelby that lies within Shelby County, Iowa
- **Monroe - Clay**  
CLAY & MONROE TOWNSHIPS,  
T78N-R37W & T78N-R38W of the 5<sup>th</sup> P.M.,  
and including the Incorporated City of Elk Horn, Iowa

A vote was held to approve the Ordinance numbered 1-3-2-C. Haake, Parkhurst and Kenkel all voted in favor of suspending future readings and approving the ordinance as presented. No Nays were cast.

This being the time and place specified for taking action on the proposal to enter into a General Obligation Emergency Communications Loan Agreement in a principal amount not to exceed \$1,880,000.00 the County Auditor announced that no written objections had been placed on file. Whereupon, the Chairperson called for any written or oral objections, and there being none, the Chairperson closed the public hearing.

After due consideration and discussion, Supervisor Parkhurst introduced the following resolution and moved its adoption, seconded by Supervisor Kenkel.

#### RESOLUTION NO. 2022-41

Resolution taking additional action on proposal to enter into a General Obligation Emergency Communications Equipment Loan Agreement and authorizing the use of a preliminary official statement for the sale of bonds

WHEREAS, the Board of Supervisors of Shelby County, Iowa (the "County"), heretofore proposed to enter into a General Obligation Emergency Communications Equipment Loan Agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$1,880,000, pursuant to the provisions of Sections 331.402 and 331.441(2)(b)(17) of the Code of Iowa for the purpose of paying the cost, to that extent, of acquiring and installing emergency communications equipment and systems, and pursuant to law and duly published notice of the proposed action, has held a hearing thereon on December 21, 2021; and

WHEREAS, a Preliminary Official Statement (the "P.O.S.") has been prepared to facilitate the sale of the General Obligation Emergency Communications Equipment, Series 2022A (the "Bonds") in evidence of the County's obligations under the Loan Agreement, and it is now necessary to make provision for the approval of the P.O.S. and to authorize its use by Northland Securities, Inc., (the "Underwriter") as underwriter of the issuance of the Bonds; NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Shelby County, as follows: Section 1. The Board of Supervisors hereby determines to enter into the Loan Agreement in the future and orders that the Bonds be issued at such time, in evidence thereof. The Board of Supervisors further declares that this resolution constitutes the "additional action" required by Section 384.24A of the Code of Iowa. Section 2. The County Auditor is hereby authorized to take such action as shall be deemed necessary and appropriate, with the assistance of the Underwriter, to prepare the P.O.S. describing the Bonds and providing for the terms and conditions of their sale, and all action heretofore taken in this regard is hereby ratified and approved.

Section 3. The use by the Underwriter of the P.O.S. relating to the Bonds in substantially the form as has been presented to and considered by the Board of Supervisors is hereby approved, and the Underwriter is hereby authorized to prepare and use a final Official Statement for the Bonds substantially in the form of the P.O.S. but with such changes therein as are required to conform the same to the terms of the Bonds and the resolution, when adopted, providing for the sale and issuance of the Bonds, and the County Auditor is hereby authorized and directed to execute a final Official Statement for the Bonds, if requested. The P.O.S. as of its date is deemed final by the County within the meaning of Rule 15(c)(2)-12 of the Securities and Exchange Commission. Section 4. Further action with respect to the Loan Agreement and the Bonds is hereby adjourned to the meeting of the Board of Supervisors scheduled for January 11, 2022. Section 5. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict. Section 6. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

The Chairperson put the question upon the adoption of said resolution, and the roll being called, the following Supervisors voted: Kenkel Aye, Haake Aye, Parkhurst Aye, no Nays were cast. Whereupon, the Chairperson declared the resolution duly adopted, as hereinafter set out.

The Chairperson then brought forth on the agenda consideration for those employees who successfully completed their end of year evaluations. Kenkel made a motion to approve the planned 1% raise for those successfully completing the evaluations on time. Parkhurst seconded the motion with the motion passing unanimously.

Rod Baxter representing the Compensation Board was present to give the Compensation Boards recommendation to Shelby County. The recommendation was for 28% increase for the Sheriffs wages and 5% for all other elected officials. State mandates were enacted requiring comparisons be made and recommended to Supervisors for budget purposes. The Supervisors asked the Compensation Board to reconvene and reconsider making the increases in two or three year steps, not all at once. The Auditor will contact the Compensation Board president with the request.

The office space lease was approved for rental to Heartland Family Services beginning January 1<sup>st</sup>, details of the two year lease will be drawn up by Shelby County Attorney Marcus Gross. The approval was after a motion by Kenkel and a second by Parkhurst.

Carolyn Blum was on hand to present the quarterly Treasurers report for the Supervisors. Updates on changes were discussed, the changes being passed down from the State of Iowa.

Tony Buman then presented his Zoning Department budget for fiscal year 2023 totaling \$11,208. Kenkel made a motion of approval, Parkhurst seconded, motion passed.

Taryn Knapp presented her IT Department budget to the Supervisors totaling \$278,936.00. Parkhurst made a motion to approve the budget Kenkel seconded the motion. The motion was approved.

Alex Londo presented a request to the Board of Supervisors for County funding in fiscal year 2023. The amount was 3% higher than fiscal year 2022, the fy23 amount being \$791,256.00.

Brandon Burmeister presented his Secondary Roads budget with \$6,914,577.38 in expenses. Kenkel made a motion to approve the expenditures, Parkhurst seconded the motion. The motion passed unanimously.

The County Attorney budget was presented in the amount of \$220,479.00. Kenkel motioned to approve, Parkhurst seconded the motion. The motion passed.

Contributions to other Governments and Organizations budget was approved at \$1,110,156.00. Risk Management was included in the motion to approve by Parhurst at \$263,545.00. Kenkel seconded the motion, the motion was approved.

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Darin Haake, Chairman

ATTEST:

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Mark L. Maxwell, Clerk to the Board of Supervisors