

May 16th, 2023

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

The Chairperson Steve Kenkel asked that any conflict of interest be stated concerning any item on the agenda. None were stated.

It was moved by Parkhurst, seconded by Schaben, to approve the agenda. Motion carried unanimously. It was moved by Schaben, seconded by Parkhurst to approve the minutes of May 2nd, 2023. Motion carried unanimously.

The most recent claims were approved after a motion by Parkhurst and a second by Schaben.

The Supervisors were given a chance to report to the various committees they are members of, including Bryce Schaben reporting that the District 4 court Committee he attends is now just an advisory council not a governing board.

Chad Butler, Shelby County Deputy Sheriff, briefed the Supervisors about recent hires and progress in the assumption of law enforcement duties in the City of Harlan. The process and the new hires have created challenges for the Sheriffs Department , but overall, things are going well.

Alex Londo, Shelby County EMA Director spoke and told the Supervisors that the siren issues have been resolved and it was just a malfunction that allowed the sirens to sound unexpectedly. Other facets and ambitions of the EMA department were presented as well.

Kyle Lindberg representing the Shelby County IT Committee put forth his recommendation to have Austin Staley approved as a full time IT person for Shelby County. Schaben made a motion to approve the hiring, Parkhurst seconded the motion, the motion was approved.

Todd Valine of the Shelby County Chamber of Commerce and Industry noted that the Chamber Board is meeting later this day to look at next year’s budget. Valline also mentioned that new business construction is progressing well in the County.

The Supervisors then recessed the meeting after a motion by Parkhurst and a second by Schaben.

A hearing for public comment was then opened regarding the proposed budget amendment for the current fiscal year. Auditor Maxwell did not have any public comments at his office and no comments were heard from those in attendance. The Supervisors then voted to close the hearing after a motion by Schaben and a second by Parkhurst.

RESOLUTION 2023-28 ENTRY RECORD OF THE FILING AND CONSIDERATION OF THE COUNTY BUDGET AMENDMENT FOR FISCAL YEAR 2023

BE IT REMEMBERED on this 16th day of May 2023, the Board of Supervisors met in scheduled session for the filing and considering of an amendment to the Shelby County Budget for Fiscal Year 2023. THEREUPON, the Board investigated and found that the notice of the time and place of hearing had, according to law, and as directed by the Board, been published and that the affidavit of publication is on file with the County Auditor. THEREUPON, on said day, the hearing was taken up and considered. There were no written or oral comments received. THEREFORE, BE IT RESOLVED, that the Shelby County Budget Service Areas be amended as follows:

NOTICE OF PUBLIC HEARING - AMENDMENT OF CURRENT BUDGET SHELBY COUNTY Fiscal Year July 1, 2022 - June 30, 2023				
The SHELBY COUNTY will conduct a public hearing for the purpose of amending the current budget for fiscal year ending June 30, 2023				
Meeting Date/Time: 5/16/2023 09:00 AM		Contact: Mark Maxwell		Phone: (712) 755-3831 ext: 6
Meeting Location: Shelby County Courthouse 612 Court Street Harlan, Iowa				
There will be no increase in taxes. Any residents or taxpayers will be heard for or against the proposed amendment at the time and place specified above. A detailed statement of: additional receipts, cash balances on hand at the close of the preceding fiscal year, and proposed disbursements, both past and anticipated, will be available at the hearing. Budget amendments are subject to protest. If protest petition requirements are met, the State Appeal Board will hold a local hearing. For more information, consult https://dom.iowa.gov/local-gov-appeals .				
REVENUES & OTHER FINANCING SOURCES		Total Budget as Certified or Last Amended	Current Amendment	Total Budget After Current Amendment
Taxes Levied on Property	1	7,486,014	0	7,486,014
Less: Uncollected Delinquent Taxes - Levy Year	2	0	0	0
Less: Credits to Taxpayers	3	300,000	0	300,000
Net Current Property Tax	4	7,186,014	0	7,186,014
Delinquent Property Tax Revenue	5	100	0	100
Penalties, Interest & Costs on Taxes	6	25,000	0	25,000
Other County Taxes/TIF Tax Revenues	7	792,585	0	792,585
Intergovernmental	8	4,420,155	0	4,420,155

Licenses & Permits	9	24,300	0	24,300
Charges for Service	10	318,672	0	318,672
Use of Money & Property	11	236,516	0	236,516
Miscellaneous	12	408,110	0	408,110
Subtotal Revenue	13	13,411,452	0	13,411,452
Other Financing Sources:				
General Long-Term Debt Proceeds	14	0	0	0
Operating Transfers In	15	4,549,901	1,241,169	5,791,070
Proceeds of Fixed Asset Sales	16	0	0	0
Total Revenues & Other Sources	17	17,961,353	1,241,169	19,202,522
EXPENDITURES & OTHER FINANCING USES				
Operating:				
Public Safety and Legal Services	18	5,428,978	2,327,830	7,756,808
Physical Health and Social Services	19	701,408	89,000	790,408
Mental Health, ID & DD	20	10,000	0	10,000
County Environment & Education	21	1,086,470	0	1,086,470
Roads & Transportation	22	6,614,577	593,008	7,207,585
Government Services to Residents	23	499,536	0	499,536
Administration	24	2,058,107	162,000	2,220,107
Nonprogram Current	25	2,128,402	0	2,128,402
Debt Service	26	736,700	346,000	1,082,700
Capital Projects	27	1,112,018	74,000	1,186,018
Subtotal Expenditures	28	20,376,196	3,591,838	23,968,034
Other Financing Uses:				
Operating Transfers Out	29	4,549,901	1,241,169	5,791,070
Refunded Debt/Payments to Escrow	30	0	0	0
Total Expenditures & Other Uses	31	24,926,097	4,833,007	29,759,104
Excess of Revenues & Other Sources over (under) Expenditures & Other Uses	32	-6,964,744	-3,591,838	-10,556,582
Beginning Fund Balance - July 1, 2022	33	5,589,437	0	5,589,437
Increase (Decrease) in Reserves (GAAP Budgeting)	34	0	0	0
Fund Balance - Nonspendable	35	0	0	0
Fund Balance - Restricted	36	0	0	0
Fund Balance - Committed	37	0	0	0
Fund Balance - Assigned	38	0	0	0
Fund Balance - Unassigned	39	-1,375,307	-3,591,838	-4,967,145
Total Ending Fund Balance - June 30, 2023	40	-1,375,307	-3,591,838	-4,967,145
Explanation of Changes: SPENDING TO COUNTY ACCOUNT FROM EMA (\$1,700,00), RURAL BASIC TO GENERAL BASIC TO AID RURAL PATROLS (\$210,000), BOND DEBT PAYMENTS MOVED TO DEBT SERVICE (\$346,000), ARPA SPENDING (\$229,000), INCREASED PROPERTY INSURANCE COSTS, (\$7000), \$36,000 IS THE TOTAL PROPERTY TAX UNDERBUDGETTED INSURANCE, RETIREMENTS, INFLATION.				

Supervisor Schaben made a motion to approve the Resolution 2023-28 and Consideration of adoption. Supervisor Parkhurst seconded the motion to approve Resolution 2023-28. A vote was tallied with Kenkel, Schaben and Parkhurst all voting in favor of the resolution. No Nays were cast.

Brandon Burmeister presented the Utility Permits 2023-05-04 for Nishnabotna Valley REC. This permit was jointly approved by the Board of Supervisors after a motion by Parkhurst and a second by Schaben.

Resolution 2023-33 is a resolution to set a public hearing date and time to vacate Right of Way interests in and close a portion of the Shelby County Road, Yellowwood Road. The section of road #551 north of the area known as Fiscus to the structure (bridge) owned by Audubon County. A publication of hearing will be published by the Secondary Roads Department. Copies of the resolution are available in the Auditors office and the Engineers office.

The Supervisors then considered temporary storage of items for the Harlan Community School District and for the Harlan Community Library. As the items stored are small and/or the storage for most items are temporary it was motioned by Schaben to allow the Chairperson to sign a lease agreement in the amount of \$1 a year for the temporary use of a room at the Shelby County Annex by the Harlan Schools and the storage of a piece of equipment that is infrequently used and owned by the Harlan Library. Parkhurst seconded the motion, the motion was approved.

The Board of Supervisors then discussed the disposal of County property in the City Limits of Earling. Maintaining the property and assuming risk to the county and costs for upkeep throughout the year have been determined to be mitigated. It was suggested that the hearing be held June 20th at the hour of 9:00 AM to seek public comment on the sale of this county owned real estate. Sealed bids will be open that day following the hearing. A minimum bid of \$8,700.00 needs to be placed to be accepted by the Supervisors. All bids must be received in the Auditors office at the Courthouse by 4:30 PM June 19th. No drop box bids will be accepted.

Parkhurst made a motion to pass the following resolution needed to set the publication and hearing date.

PROPOSED DISPOSAL OF COUNTY INTEREST IN REAL ESTATE AND
HEARING PUBLICATION 2022-30

WHEREAS, the Board of Supervisors wishes to dispose of County interest in the following described real estate: Legal Description for one Parcel numbered 832311000010. Beginning at a point on the section line 33 feet south of the NW Corner of Section 5, Township 80, Range 39, and running on bearing N-79° E a distance of 365.8 feet, thence on a bearing S 11° E a distance of 366.0 feet, thence on bearing N 56° -09' W. a distance of 517.46 feet to the point of beginning, except Lots 1-4 of Fred Koester's First Addition to Earling, Iowa

WHEREAS, disposal of the County's interest in this real estate would be by Quit Claim Deed according to County Policy; and WHEREAS, Iowa Code Section 331.361(2) requires a public hearing on disposal of an interest in real estate; NOW THEREFORE BE IT RESOLVED that a public hearing on this proposed disposal of County interest in real estate is set for June 20th, 2023, at the hour of 9:00 AM in the Supervisors Chambers in the Shelby County Courthouse, and the Shelby County Auditor is directed to publish the notice of hearing. This notice being approved by the Board of Supervisors with the addition that immediately after the public hearing and with no objections the property will disposed of by opening of sealed bid auction at the same meeting. All bids must be delivered to the Auditors office during office hours, no drop box bids will be accepted. All Bids of \$8,700.00 and higher will be considered.

The motion passed unanimously.

Supervisor Schaben motion to accept the following resolution and a second was made by Parkhurst;

RESOLUTION NO. 2023-31 A RESOLUTION APPOINTING DEPUTY COUNTY OFFICIALS
FOR THE 2023 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. Neil Gross Sheriff, Deputies: Noah Schilling and Wyatt Oviatt. The following vote was counted. Ayes: Kenkel, Parkhurst, Schaben Nays: None

A Courthouse building and grounds use permit was then discussed for the June 2023 and June 2024 Relay for life events. Motion was passed unanimously after the initial motion by Parkhurst and second by Schaben

Having no further business the meeting was adjourned.

Steve Kenkel, Chairperson

ATTEST:

Mark Maxwell
Clerk to the Board of Supervisors