

The Shelby County Board of Supervisors met in a special session at 10:00 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 16th, 2023. Motion carried unanimously.

A motion was made by Parkhurst and seconded by Schaben to close the meeting and open the scheduled hearing. The motion passed.

This is the first of three hearings required in the process to place the county funded EMS on the ballots this fall to replace the private business that now provides the service to Shelby County. The private ambulance service has notified County officials it will be stopping service in the upcoming years.

The public is encouraged to comment with written comment or in person about the intent and EMS resolutions regarding the intentions of the Board of Supervisors.

The Supervisors then received comments from Alex Londo Shelby County EMA Coordinator. Londo mention thanked all of those who were involved in the last year and a half of preparation and planning for the countywide emergency medical services to be put in place by voters. The current private provider is retiring and 24/7 staffed services will be provided countywide if all prerequisite proceedings are accomplished and a vote on a public measure passing with over 60% approval following. Local volunteer EMS services will also be funded by the proposed ballot measure. Londo mentioned many relevant documents are and others will be available on the Shelby County Website.

Tim Plumb of the Irwin Volunteer EMS and EMS Advisory Council said that years ago they had 18 trained volunteers, that number has dropped to 4 in that organization. Working outside of town and training requirements were mention as a few reasons for the drop in volunteers. Plumb mentioned that this is not just a local, but a nationwide problem in rural areas. Plumb said Cooperation with neighboring counties is important and does happen with the rural volunteer organizations.

Larry Madson, a Trustee for Monroe Township, had questions about one county having Countywide EMS and one County not providing the service and how would these situations be solved. Those present said cooperation between volunteer organizations is and has been happening for years, it was implied that the same cooperation would happen with a countywide EMS service.

Having no more apparent comments for the hearing, Schaben made a motion to close the hearing and approve the following Resolution, Parkhurst seconded the motion.

Now being the time to consider Resolution 2023-29 for the first of three required approvals, a vote was held with no Nays being cast and Kenkel, Schaben and Parkhurst all voting in favor of the following resolution.

Resolution No. 2023-29

A RESOLUTION DECLARING EMERGENCY MEDICAL SERVICES (EMS) AN ESSENTIAL SERVICE IN SHELBY COUNTY, IOWA AND SETTING FORTH A FUNDING MECHANISM FOR SUCH SERVICES

WHEREAS the Shelby County Board of Supervisors has the authority under Iowa Code Section 331.301(1) to "...exercise any power and perform any function it deems appropriate to protect and preserve the rights, privileges, and property of the county or of its residents, and to preserve and improve the peace, safety, health, welfare, comfort, and convenience of its residents."

WHEREAS the Shelby County Board of Supervisors recognizes the need for a unified Emergency Medical Services system in Shelby County and the need for the appointment of a Shelby County EMS System Advisory Council to provide guidance, research, and direction of EMS in Shelby County for the Board of Supervisors.

WHEREAS Iowa Code Section 422D.1(1)(a) states that upon adoption of a resolution declaring emergency medical services to be an essential County service...a county board of supervisors may offer for voter approval the authorization to impose any of the following taxes or a combination of the following taxes:

- 1) Local option income surtax not to exceed 1%
- 2) An ad valorem property tax not to exceed seventy-five cents per one thousand dollars of taxable value on all taxable property within the county.

WHEREAS Iowa Code Section 422D.1(2)(a) states that "the resolution declaring emergency medical services to be an essential service shall be considered and voted on for approval at two meetings of the board prior to the meeting at which the resolution is to be finally approved by a majority of the board by a recorded vote, as

defined by section 331.101. Notice of the first meeting of the board at which the resolution is considered and voted on shall be published no less than sixty days prior to the date of the meeting in one or more newspapers that meet the requirements of section 618.14. The board shall not suspend or waive the requirements for that approval of resolution or approval of the imposition of a tax under this chapter.”

WHEREAS Iowa Code Section 422D.1(2)(b) states that the county “shall coordinate efforts with local emergency medical services agencies to establish a county emergency medical services system advisory council to assist in researching and assessing the service needs of the county and guiding the implementation of services in the county within the council structure.”

WHEREAS Iowa Code Section 422D.1(1)(c) states that “[t]he county emergency medical services system advisory council shall recommend to the board of supervisors an amount of funding to be specified on the ballot, and if one or more of the taxes are approved at election, shall annually assess and review the emergency medical services needs of the county, and shall include the results of such a review and assessment in an annual report filed with the board of supervisors.”

WHEREAS Iowa Code Section 422D.1(1)(d) states that “[a] resolution declaring emergency medical services to be an essential service shall be deemed void if the proposition to impose the taxes fails at election, authority to impose the taxes expires, or if discontinuance of the authority to impose the tax is approved at election under subsection 5.”

WHEREAS Iowa Code Section 422D.1(1)(3)(a) states that “the taxes for emergency medical services shall only be imposed after an election at which sixty percent of the voting on the question of imposing the tax or combination of taxes...vote in favor of the question.”

NOW, THEREFORE, BE IT RESOLVED by the Shelby County Board of Supervisors that:

- 1) This resolution will be considered and voted on for approval at two meetings by the board prior to the third and final meeting at which the resolution is to be finally approved by the majority of the board and notice of the first meeting of the board at which the resolution was considered and voted on was published not less than sixty days prior to the date of the meeting in one or more newspapers that meet the requirements of section 618.14.
- 2) Emergency Medical Services is an essential service in Shelby County, Iowa and that the Shelby County Board of Supervisors will exercise the necessary power and functions appropriate to preserve the health, safety, and welfare of Shelby County residents and provide for an effective and efficient Shelby County Emergency Medical Services system that allows for quality care for persons living, working, and traveling in Shelby County.
- 3) The Shelby County Board of Supervisors has coordinated efforts with the local emergency medical services agencies to establish a Shelby County EMS System Advisory Council whose purpose is to assess and review the emergency medical services needs of the county and provide guidance, research, and direction of a county wide EMS system. This council shall recommend to the Shelby County Board of Supervisors an amount of funding to be specified each year by November 30. If the taxes are approved at election, the council shall annually assess and review the emergency medical services needs of the county and shall include the results of such review and assessment in an annual report filed with the Shelby County Board of Supervisors.
- 4) There shall be placed on the ballot to be voted on at the general election to be held on November 7, 2023, a proposal to fund Shelby County Emergency Medical Services by the imposition of the following taxes or combination thereof:
 - a) A local option surtax not to exceed one percent (1%);
 - b) An Ad Valorem property tax not to exceed seventy-five cents (\$.75) per one thousand dollars (\$1000.00) of taxable value on all taxable property within the County.

The Supervisors then discussed the Shelby County Fair Boards request of consideration to enter into a lease agreement for the purpose of having a tractor available at the Shelby County Fairgrounds this coming summer. The Shelby County Fair Board will receive a substantial discount if the Supervisors approve this lease agreement and contribute \$1.00 towards the lease. The Shelby County Fair Board will pay the insurance costs and liability and any other costs associated with this agreement. The tractor will be stored at the fairgrounds and available for use during the races at the Shelby County Speedway. Schaben made a motion to approve the contribution towards the lease and authorize the Shelby County Auditor to sign and documents needed to complete the transaction. Parkhurst seconded the motion, the motion passed.

Resolution 2023-31 was then discussed for an amendment to the 2023 budget. Auditor Maxwell explained that the Medical Examiner Department is required to pay for State Medical Examiner Autopsies for Shelby County residents and the amount this year has went more than \$12,000 over the largest amount ever spent for autopsies in a years’ time in Shelby County. If an autopsy is ordered for a case that involves an out of county, Iowa resident, that home county is charged back for the Shelby County expenses. The expenses have outpaced receipts received by other Counties by under \$1,000.00, none the less the extra expenditures must be amended. Last years it was \$17,000 spent, the year before \$12,000.00 spent. This year to date expenditures \$36,000.00 with \$12,000.00 occurring in May alone.

A payment in July of 2022 that was accrued to fiscal year 2022 was one factor that put the Risk Management Department over budget by about \$6,700. Property Insurance premiums paid in the same department in December of 2022 had over normal increases that used up reserve spending in that department also. That department is less than \$12,000 over budget in spending including the accrued payment in July. Auditor Maxwell is awaiting an answer from the Counties Auditing firm to see if this amendment would be needed if it happens again. A few departments have had excess revenues over budgeted amounts those have been included in the proposed amendment. The IT department had spent more than budgeted in Capital and the recent hiring of an IT Director has made it necessary to amend the IT budget. The needed Capital will come from Capital reserves in the IT budget.

**RESOLUTION 2023-32 ENTRY RECORD OF THE FILING AND CONSIDERATION OF THE COUNTY
BUDGET AMENDMENT FOR FISCAL YEAR 2023**

BE IT REMEMBERED on this 23nd day of May 2023, the Board of Supervisors of Shelby County, Iowa, met in special session for filing and considering the amendment of the County Budget for Fiscal Year 2023. There was present a quorum as required by law. Entry record for filing of said budget amendment was established and approved for publication. The Board, being fully advised, find that the date of the hearing on said amendment should be fixed, and it does fix, the 20th day of June 2023, A.D., at the hour of 9:00 a.m. as the date and time of hearing to be held in the Supervisor’s Chambers in the Courthouse in Shelby County, Iowa. The proposed expenditure service areas amended are as follows: Physical health and Legal Services \$7,000, Administration \$25,000. Revenues Local option Sales tax \$6,000, Rents, \$20,000 and Miscellaneous Receipts \$23,000.00

Schaben made a motion to approve resolution 2023-32, Parkhurst seconded the motion. A vote was counted with the following results. AYES; Kenkel, Parkhurst and Schaben. NAYS: None. The resolution passed.

Having no further business the meeting was adjourned.

ATTEST:

Mark Maxwell
Clerk to the Board of Supervisors

Steve Kenkel, Chairperson