

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.

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 July 18th, 2023. Motion carried unanimously.

The latest claims were then approved unanimously after a motion by Parkhurst and a second by Schaben.

The Meeting was then recessed and a hearing open for a budget amendment to the 2023 Shelby County Budget after a motion by Parkhurst and a second by Schaben. Auditor Mark Maxwell gave the reasons for the amendment, public health grants were amended to allow for receipt and expending of more grant dollars, the environmental health budget was expanded for the same reason. The Harlan 28-E income and expenses were increased to allow for spending the income, opioid grant spending are included, and the final ARPA spending estimates have been made. No dollars that originated as property tax dollars were included in the increased spending in this amendment.

Having no comments from the public previously or at this meeting, Parkhurst made a motion to close the hearing, Schaben seconded the motion. The motion passed. Parkhurst made amotion to approve the following Resolution, Schaben seconded the motion.

RESOLUTION 2023-42 ENTRY RECORD OF THE FILING AND CONSIDERATION OF THE COUNTY BUDGET AMENDMENT FOR FISCAL YEAR 2023

BE IT REMEMBERED on this 1st day of August, 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:

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	8,058,461	0	8,058,461
Less: Credits to Taxpayers	3	349,000	0	349,000
Net Current Property Tax	4	7,709,461	0	7,709,461
Delinquent Property Tax Revenue	5	0	0	0
Penalties, Interest & Costs on Taxes	6	26,000	0	26,000
Other County Taxes/TIF Tax Revenues	7	1,046,340	0	1,046,340
Intergovernmental	8	4,747,269	0	4,747,269
Licenses & Permits	9	22,900	0	22,900
Charges for Service	10	403,380	0	403,380
Use of Money & Property	11	112,833	0	112,833
Miscellaneous	12	298,370	821,588	1,119,958
Subtotal Revenue	13	14,366,553	821,588	15,188,141
General Long-Term Debt Proceeds	14	0	0	0
Operating Transfers In	15	3,801,721	0	3,801,721
Proceeds of Fixed Asset Sales	16	0	0	0
Total Revenues & Other Sources	17	18,168,274	821,588	18,989,862
EXPENDITURES & OTHER FINANCING USES				
Operating:				
Public Safety and Legal Services	18	3,406,539	843,838	4,250,377
Physical Health and Social Services	19	731,211	0	731,211
Mental Health, ID & DD	20	0	0	0
County Environment & Education	21	571,541	0	571,541
Roads & Transportation	22	7,190,944	0	7,190,944
Government Services to Residents	23	513,725	0	513,725
Administration	24	1,891,285	0	1,891,285
Nonprogram Current	25	32,700	0	32,700
Debt Service	26	335,600	0	335,600
Capital Projects	27	807,500	310,000	1,117,500
Subtotal Expenditures	28	15,481,045	1,153,838	16,634,883
Operating Transfers Out	29	3,801,721	0	3,801,721
Refunded Debt/Payments to Escrow	30	0	0	0
Total Expenditures & Other Uses	31	19,282,766	1,153,838	20,436,604

Excess of Revenues & Other Sources over (under) Expenditures & Other Uses	32	-1,114,492	-332,250	-1,446,742
Beginning Fund Balance - July 1, 2023	33	5,473,845	0	5,473,845
Increase (Decrease) in Reserves (GAAP Budgeting)	34	0	0	0
Fund Balance - Unassigned	39	4,359,353	-332,250	4,027,103
Total Ending Fund Balance - June 30, 2024	40	4,359,353	-332,250	4,027,103

A vote was held with Kenkel, Parkhurst and Schaben all voted in favor of the Resolution 2023-42, no nays were cast.

Suzanne Watson of the Southwest Iowa Mental Health was on the agenda to report to the Supervisors. Data was shared with the Supervisors that involved Shelby County’s services provided by her agency. Crisis stabilization services locations and Mobile crisis team access via the 988 lifeline via telephone and chat were discussed. Watson also explained that the Health and Human Services Department is working with Southwest Iowa Mental Health to find and eliminate any duplication of services provided.

The Records quarterly report was submitted to the Supervisors and was approved for the Chairperson to sign the report after a motion by Schaben and a second by Parkhurst. The motion passed

Todd Valline, Shelby County Chamber of Commerce, and Industry, advised that the Chamber has been contacted and all blood drives are in great need of donations and to please give blood as you are able. Three new retail businesses are getting closer to opening in Harlan Valline noted. Iowa Western Community College is holding an event to help the Community College do long range planning for Shelby County.

Brandon Burmeister, Shelby County Engineer asked, for approval of two projects including slurry seal on several county roads and Pavement Markings on various county roads. Parkhurst made a motion to approve the projects. Schaben seconded the motion, the motion passed unanimously.

Burmeister also updated the supervisors on the many upcoming and in progress projects his department is involved in at the present time. The F24 project by Irwin information and photographs were presented as well as the county bridge over the stream at the outflow of Prairie Rose Lake.

The supervisors then considered the following resolution:

RESOLUTION 2023-40 RESOLUTION TO DIRECT THE COUNTY COMMISSIONER OF ELECTIONS TO SUBMIT THE QUESTION OF ADOPTING A LEVY AND IMPOSING A VOTER-APPROVED EMERGENCY MEDICAL SERVICES (EMS) AD VALOREM PROPERTY TAX AND LOCAL OPTION INCOME TAX PURSUANT TO IOWA CODE CHAPTER 422D

WHEREAS, Shelby County Board of Supervisors declared Emergency Medical Services (EMS) to be an essential service in Shelby County, pursuant to Resolution #2023-29, adopted on June 13th, 2023, recognizing EMS is essential to preserve the health, safety and welfare of Shelby County citizens; and

WHEREAS, the Board appointed the Shelby County EMS System Advisory Council to provide guidance to the County on how to preserve and improve the local EMS system; and

WHEREAS, the Advisory Council advised the Board of Supervisors of steps to preserve and improve the County EMS system, including a recommendation for additional funding to the system through an ad valorem tax and Local Option Income Tax, pursuant to Iowa Code Chapter 422D; and

NOW, THEREFORE, BE IT RESOLVED, by the Shelby County Board of Supervisors, that the following proposition is approved, and the Board of Supervisors shall file the proposition for the ballot with the Shelby County Commissioner of Elections at least sixty (60) days prior to the election.

SHALL THE FOLLOWING PUBLIC MEASURE BE ADOPTED?
PROPOSITION SC

YES
NO

Shall the Shelby County Board of Supervisors, upon recommendation by the Shelby County EMS Advisory Council, for the purpose of funding Emergency Medical Services in Shelby County including, but not limited to, ambulance service, personnel, and equipment be authorized, for a period of fifteen (15) years, to (1) levy and impose a local option income surtax of One Percent (1.00%) upon the state individual income tax of each individual taxpayer resident in Shelby County on December 31 for each calendar year commencing with the calendar year 2024, and (2) levy and impose an ad valorem tax not exceeding Seventy-Five Cents (\$.75) per One Thousand Dollars (\$1,000.00) of assessed valuation on all taxable property within Shelby County commencing with the levy of property taxes for collection in the fiscal year ending June 30, 2025?

[END BALLOT LANGUAGE]

NOW, LET IT BE FURTHER RESOLVED, that the County Commissioner of Elections shall make publication of the Notice of Election in a legal newspaper in the County once at least sixty (60) days prior to the date of the election, as required by Iowa Code section 422D.1, and shall prepare all ballots and election registers and other supplies necessary for the proper and legal conduct of this election.

Parkhurst made a motion to approve the resolution, Schaben seconded the motion to approve the resolution. A vote was held with Kenkel, Schaben and Parkhurst all voting in favor. No Nays were cast. The resolution passed unanimously.

Tim Whipple, Shelby County legal counsel for current pipeline issues was present. Whipple presented many avenues and paths to getting this matter resolved. Making a path for local control being the goal of this action.

It was then motioned by Parkhurst and seconded by Schaben to enter a closed session citing Iowa Code 21.5 (1C). “to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent and where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in the litigation, and in accordance with the Iowa Code Section 622.10 to discuss attorney/client privileged and attorney work product matters with legal counsel.” A vote was held with, Kenkel, Schaben and Parkhurst all voting to enter closed session, no nays were cast. The session was closed at 10:08 A.M.

At 11:05 A.M. Parkhurst made a motion to leave the closed session and resume the regular session. Schaben seconded the motion; the motion passed unanimously.

Having no further business the meeting was adjourned.

Steve Kenkel, Chairperson

ATTEST:

Mark Maxwell
Clerk to the Board of Supervisors