

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 Parkhurst, seconded by Schaben to approve the minutes of March 5th, 2024. Motion carried unanimously.

It was moved by Schaben and seconded by Parkhurst to approve the latest processed claims to be paid. Motion passed.

Jay Ring, Shelby County Weed Commissioner, requested the Supervisors approve the required Weed Notice for publication. Schaben made a motion to accept the report and publication. Parkhurst seconded the motion, the motion passed.

Nick Preston, Shelby County Conservation Director, gave a report noting that the reconstruction of the storage building at Manteno Park is a current project being done by County employees and volunteer help. The stream mitigation credits for sale by his department now have another option to manage the sale of the credits. No action has been taken using that option.

Shelby County Auditor, Mark Maxwell read a statement from his office telling of the budget changes and the hidden costs to Counties, the Department of Management and software services.

Supervisor committee reports included Bryce Schaben who advised the other supervisors that the Southwest Iowa Juvenile Department has increased their 2024 budget by 4.57%, Supervisor Kenkel attended a conference exchanging ideas that involve the newly formed EMS department in Shelby County.

Todd Valline of the Shelby County Chamber of Commerce and Industry gave a report, including events that his organization is planning and involved in around Shelby County. Valline’s organization recognized at the annual banquet last week, the non-profit of the year, Shelby County Fair Board. The new business of the year Scooters Coffee, Business of the year, Dr. Jays Family Eye Care; and volunteer of the Year Leslie Bielenberg. Mr. Valline noted that there are Hotel Motel funds available for any events that may need to be publicized this summer. The deadline for submittals of grants to his office is March 28th.

Secondary Roads Head, Chris Fredericksen, asked the Supervisors to approve changes in the road entrance policy to allow for safe and efficient enlargements of road entrances when approved. Parkhurst made a motion to approve the following resolution.

RESOLUTION 2024-20

ROADWAY ENTRANCE APPLICATION MODIFICATION RESOLUTION

WHEREAS Shelby County sets out the procedure if a land owner wishes to install an entrance from their property to a county roadway. **WHEREAS** the nature of entrance application changes with time and developments in procedures and applications. **WHEREAS**, the Shelby County Engineer has recognized the need to amend and change the wording of the Shelby County Entrance applications. **WHEREAS**, the Shelby County Engineer has duly created procedure to extend existing roadway entrances by amending wording in the roadway entrance application to safely and efficiently modify existing entrances or create new entrances. **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SHELBYCOUNTY** that the Board of Supervisors hereby accepts the changes to the Shelby County Entrance application. Schaben seconded the motion, the motion passed with ayes by Parkhurst, Schaben and Kenkel. No nays were cast. The application reads:

Realizing the above conditions and circumstances, and wanting to be as efficient in the use of road funds as possible, the Board of Supervisors has adopted the following policy:

1. The County Engineer is required to issue a permit for each new or widened access to the Secondary Road System. According to Section 319.14 of the Iowa Code, “A person shall not excavate, fill, or make a physical change within the right-of-way of a public road or highway without permission from the highway having jurisdiction of the public road or highway.”
2. The County Engineer will require a no cost permit for each new or widened entrance to the Secondary Road system. Location of entrance will be at the owner’s request if sight distance of **400’ for rock and earth roadways, 500’ for paved roadways**, and other factors are approved by the Engineer.

3. Slope from the edge of entrance to the ditch flowline will be as follows:

Paved Road/Dry Fill = 8:1; Paved Road (with culvert) = 6:1; Gravel Road = 4:1

4. Approximately midway between the Right-of-Way line and the edge of the road, the elevation of the entrance shall be at least **six (6) inches lower** than that of the edge of the roadway.

5. Shelby County shall designate minimum length, diameter, and type of culvert pipe to achieve efficient and adequate width of entrance. Culverts shall be steel riveted annular culverts, or HDPE dual walled culverts that meet Iowa DOT Specifications for entrance culverts. No new entrance culvert shall be less than 24 inches in diameter or 30 feet in length. Entrance culverts larger than 48" in diameter shall be steel riveted annular culverts.

6. All costs of all new/permitted installations will be borne by the owner. The County will maintain stockpiles of new pipe for purchase. When an entrance culvert has deteriorated, or is no longer functioning as originally designed, the Shelby County Engineer or their representative will investigate to determine if a new culvert is required. Shelby County will provide a replacement entrance culvert at no cost but will not assume maintenance of entrances after installation. The replacement pipe will be of length equal to the existing entrance pipe.

7. Culvert pipes shall be approved by County Engineer or their representative. The new culvert pipe shall meet County and Iowa Department of Transportation standards for entrance pipe.

8. Shelby County maintenance personnel are allowed to maintain access to prevent water from damaging the roadway surface.

9. Unauthorized installation of entrances within the public right-of-way will be subject to removal without notice.

10. The priority of equipment used in entrance placement is cleaning out the ends of drainage structures, replacing damaged or separated culverts, washouts, and bridges. Therefore, entrance work is a low priority scheduling item. The owner may have the required entrance maintenance done by others, with all work subject to approval by Shelby County personnel.

11. Extension of existing entrances will only be allowed when the ends of the existing culvert are suitable for attachment as well as the original pipe being structurally sound. Also, entrances shall meet the criteria of this policy following modifications.

12. The owner of each entrance shall be responsible for surfacing the entrance at their cost, as the county will only provide surfacing to house drives when grading, paving, or repairing.

13. All necessary and proper barricades, flares, etc., as per the Manual on Uniform Traffic Control Devices, shall be furnished and maintained by the applicant. Maximum safety precautions shall be maintained to protect workers, property owners, and the traveling public from accidents due to the operations of the applicant.

14. Shelby County shall be indemnified and saved harmless of any damages resulting from the applicant's operations.

15. The installer shall submit to the Shelby County Engineer a certificate of liability and property insurance, with the minimum coverage as follows: General Liability Insurance - Bodily Injury and Property Damage Combined \$500,000 Each Occurrence / \$1,000,000 Aggregate

Automobile Liability - &500,000 Combined Single Limits

Excess Liability - Each Occurrence / \$1,000,000 Aggregate

Workers Comp. & Employers Liability: Part A - Statutory. Part B - \$500,000/\$500,000/\$500,000

16. It is the present policy of Shelby County to maintain those driveways specified by the School Superintendents as school bus turnarounds. This may include granular surfacing from should of the roadway to the right-of-way line.

The yearly required five year plan for Secondary Roads was then presented to the Supervisors for consideration. After an explanation by Chris Frederickson, Schaben made a motion to approve the plan as presented, Parkhurst seconded the motion, the motion passed with no nays being cast.

Fredericksen then asked for Supervisor approval of the budget he is required to submit to the Department of Transportation. Parkhurst made a motion to approve the submittal, Schaben seconded the motion, the motion passed unanimously.

The Safety Director Position in Shelby County has been instrumental in keeping work injuries down, for the last few years. And in turn this has kept Workmen's Compensation costs down, the costs are less than half of what they were 6 years ago. The County Engineer agrees that safety is very important and is willing to use secondary road funds to pay the compensation. Parkhurst made a motion to increase the yearly pay of the position to \$7,000.00 to reward the performance and cost savings the County has enjoyed. The Safety Director will still receive the \$500.00 a year bonus for getting the insurance modification rating under 1, this is the benchmark used by the insurance company for the future years workman's compensation insurance rates. Shelby County has been under 1 for the last four years, greatly reducing the cost. Schaben seconded the motion, the motion passed.

The Supervisors considered the appointment of Deputy Sheriff for Michael Brooks. Schaben motioned to approve the nomination, Parkhurst seconded the nomination, the motion passed.

The yearly liquor license for Shelby County Golf was then approved after a motion by Parkhurst and a second by Schaben.

Supervisor Bryce Schaben suggested increasing the budget for the soon ending Beaver Bounty as weather has prolonged the trapping season and the allotted funds are soon to run out. Parkhurst made a motion to increase the allotted funds by 2,000.00 or 80 more animals. This may encourage more trapping as only \$150.00 is left for funding the program. Schaben seconded the motion, the motion passed.

A letter of fiscal sponsorship was presented to the supervisors for consideration. Van Wall Equipment will lease a tractor for \$1.00 for use at the Shelby County Speedway this summer for grooming the track. The Shelby County Fair Board needs a government agency to declare fiscal sponsorship for the lease to be completed. Schaben made a motion to allow the Auditor to sign the lease, Parkhurst seconded the motion, the motion passed.

The meeting then adjourned.

Steve Kenkel, Chairperson

ATTEST:

Mark Maxwell

Clerk to the Board of Supervisors