

August 20th, 2024

The Shelby County Board of Supervisors met in 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 eliminating three items at this time not being needed. Motion carried unanimously.

A Secondary Roads report was then given by Shelby County Engineer, Chris Fredericksen. Fredericksen, reporting that the culvert repair on M16 is very near completion and equipment is moving to a new site. The sealcoat on Corely Roads are to be started and finished soon as well as the bridge crew and other project his department is involved in.

A motion was then made by Schaben to approve the minutes of the August 6th Supervisors meeting. Parkhurst seconded the motion, the motion passed.

It was moved by Parkhurst, seconded by Schaben, to approve the latest claims for processing as listed in the claims register. Motion carried unanimously.

Kyle Lindberg, Shelby County Jail Administrator, noted that Amanda Irlmeier was recently promoted to Jail Sergeant. There are currently two open positions in his department, prerequisites are being fulfilled by the remaining qualified applicants. Jail numbers are down this year and mental health challenges have resulted in more repeat prisoners. Lindberg also reported that there is now a peer support system in place for Jail employees, that will be used by his department.

Austin Staley, Shelby County IT Administrator, gave a department report and asked the Supervisors to approve a new IT policy bringing the County to a higher level of security and compliance in the IT department. Parkhurst made a motion to approve the new IT security policy, Schaben seconded the motion, the motion carried unanimously.

Mark Maxwell, Shelby County Election Commissioner, then informed the Supervisors that a purchase of over \$21,063.00 in election IT equipment is planned on being spent by the Election Department from the Capital Fund. IT Director Austin Staley echoed the sentiment that new laptops are needed for the Election Department. Compatible printers are also included in the purchase. Schaben made a motion to allow the purchase, Parkhurst seconded the motion, the motion passed.

The Supervisor committee reports included Bryce Schaben reporting for the Conservation Department that camping revenues are down for the season versus last year.

Shelby County Chamber Director, Todd Valline, reported that the National Night Out event was a huge success with an estimated 400 persons in attendance. The first responders represented were well received by the public. Valline informed that the planned compost facility east of Harlan had a meeting with county officials and neighbors to explain the processes that they will employ. The company hopes to reapply for a zoning permit. Other Chamber events and happenings were also mentioned.

Mark Maxwell, recently appointed Title VI Coordinator, asked the Supervisors to approve the signing of the Assurance document, the document must be signed and filed with the Department of Transportation. Parkhurst made a motion to have the Chairperson sign the document, Schaben seconded the motion, the motion passed.

Rosa Blanda Farm submitted a renewal of an alcohol sales permit, no incidents have been reported to the Auditors office the would warrant denial of the permit in the last 12 months. Parkhurst made a motion to approve the permit, Schaben seconded the motion, the motion passed unanimously.

Schaben then made a motion to approve the following Resolution 2024-30 Parkhurst seconded the motion, the motion passed with ayes by Parkhurst, Schaben and Kenkel, no nays were cast.

RESOLUTION 2024-30 APPROVAL OF WAIVER OF SHELBY COUNTY'S RIGHT TO APPEAL ISSUANCE FINAL CONSTRUCTION PERMIT FOR THE CONSTRUCTION OF CONFINED ANIMAL FEEDING OPERATION BY THE IOWA DEPARTMENT OF NATURAL RESOURCES. BE IT RESOLVED by the Shelby County Board of Supervisors as follows:

Section 1 The Shelby County Board of Supervisors has received notice from the Iowa Department of Natural Resources (DNR) that L & S Livestock has been issued a draft permit for the construction of a confined animal feeding operation building(s) at 2015 Linden Road in unincorporated Shelby County.

Section 2 The Shelby County Board of Supervisors reviewed the construction permit application and the manure management plan and determined that both appeared to be in compliance with the requirements of the Master Matrix, Iowa Code Section 459 and Iowa DNR rules and recommended approval of said application on August 6th, 2024.

Section 3. The Shelby County Board of Supervisors hereby waives its right to appeal the issuance of the final permit within the fourteen (14) day limit from the time of receipt of notice of the issuance of the draft permit.

Section 4. The Shelby County Board of Supervisors encourages the Iowa DNR to issue the Final Permit immediately upon notification of this waiver.

Section 5. The Shelby County Board of Supervisors authorizes the Board Chairman to notify the Iowa DNR of this waiver.

Section 6 This resolution shall take effect immediately.

Parkhurst then made a motion to enter closed session citing Iowa Code Section 21.5(1)(c) regarding the recent denial of Shelby County's request for rehearing in the Summit Pipeline permit case, Schaben seconded the motion. The motion passed.

The Supervisors opened the meeting at 10:42 AM. Schaben made a motion to reopen the closed session, Parkhurst seconded the motion, the motion passed unanimously.

Parkhurst made a motion to direct attorneys at Ahlers and Cooney to seek judicial review of the Iowa Utilities commission ruling of June 25th, 2024, concerning the final decision of the Summit pipeline docket. Schaben seconded the motion, the motion passed with ayes by Schaben, Parkhurst and Kenkel. No nays were cast. The motion passed.

The meeting was then adjourned.

Steve Kenkel, Chairman

ATTEST:

Mark Maxwell
Clerk to the Board of Supervisors