

January 2, 2019

The Shelby County Board of Supervisors met in an organizational session at 4:00 P.M. in the Supervisors Chamber in the Courthouse with the following members present: Steve Kenkel, Charles Parkhurst, Darin Haake, and Mark Maxwell, Clerk.

The Residing Chair Charles Parkhurst asked that any conflict of interest be stated concerning any item on the agenda. None were stated.

It was moved by Kenkel, seconded by Haake, to approve the agenda. Motion carried unanimously.

A motion by Kenkel and a second by Haake was made to accept and abide by the following statement read aloud; " The Board of Supervisors shall meet as required by Chapter 331.213, Code of Iowa, and shall hold their first meeting of each year on the first day in January, which is not a Saturday, Sunday or holiday and shall hold all subsequent meetings of the year as scheduled by the Board. All meetings of the Board shall be scheduled and conducted in compliance with Chapter 21. Regular meetings shall be held on the first and third Tuesdays of each month" A unanimous vote was counted in favor of accepting the statement.

It was moved by Parkhurst, seconded by Haake, to approve Steve Kenkel as Chairman of the Board of Supervisors for the 2019 calendar year. Motion carried unanimously.

It was moved by Haake, seconded by Kenkel, to approve Charles Parkhurst as Vice-Chairman of the Board of Supervisors for the 2019 calendar year. Motion carried unanimously.

It was moved by Parkhurst, seconded by Haake to approve the minutes of December 18, 2018. With the correction of the verbal count of votes by the Auditor from the abstract, the abstract of votes was misread in the meeting and correctly entered in the minutes and on the abstract of votes. Motion carried unanimously.

It was moved by Haake, seconded by Parkhurst, to approve the claims of December 27th, 2017, as listed in the claims register. Motion carried unanimously.

It was moved by Haake, seconded by Parkhurst that all claims filed in the Auditor's office by the Wednesday before the third Tuesday of each month shall be presented to the Board of Supervisors for approval for payment at that meeting. All claims for mileage and travel expenses must be submitted within sixty days of the date incurred. Motion carried unanimously.

It was moved by Haake, seconded by Kenkel, that the County Auditor be authorized without prior approval of the Board to pay the wages of all County employees and to pay any other claims properly authorized by the Department Heads. Motion carried unanimously.

It was then noted by Steve Kenkel that his next Southwest Iowa Committee meeting will be January 7<sup>th</sup>.

Brandon Burmeister, County Engineer, updated the Board on activities of the county road crews and the status of current maintenance and construction projects. Burmeister presented a resolution for Board consideration concerning mailboxes and damage that may be caused by county road maintenance. A motion was made by Parkhurst and a second by Haake to approve the following Resolution.

#### RESOLUTION NO. 2019-6

Regarding the replacement of damaged mailboxes placed along Secondary Roads in Shelby County, Iowa.

WHEREAS, the Shelby County Board of Supervisors recognizes the need for rural residences to place mailboxes adjacent to secondary roads at many locations with the county, and WHEREAS, periodically a mailbox may be damaged during normal roadway maintenance operations such as: blading, mowing, and snow removal, and WHEREAS, the Board has determined it necessary to establish a policy for the repair or replacement of damaged mailboxes:

NOW THEREFORE, be it resolved by the Board of Supervisors of Shelby County, Iowa, that the following policy be adopted regarding the repair and or replacement of mailboxes damaged by Secondary Road maintenance operations. When it has been determined by the County Engineer, or his designee, that damage has occurred from direct contact to a mailbox resulting from Secondary Roads maintenance operations the County Engineer will direct Secondary Road employees to either repair or replace said mailbox in accordance with the severity of the damage. When a mailbox post, that is deemed to be competent prior to damage by the County Engineer or his designee, has been damaged or broken, Shelby County will replace the post with a 4" x 4" wood post. When frost prohibits the installation of a wood post, Shelby County will provide to the owner a temporary mailbox unit. Said temporary unit shall be provided until such time as conditions allow the installation of the wood post. When it has been determined that a mailbox has been damaged by direct contact from Shelby County maintenance vehicles, to the point that it must be replaced, a County will replace the mailbox for a value of up to \$50.00. If the property owner desires to replace the mailbox the County will reimburse the owner for up to a cost of \$50.00 upon submittal of bills and inspection of placement location by County staff.

The resolution was reviewed and a vote was held with Haake, Kenkel and Parkhurst all voted in favor of the Resolution. No nays were cast.

Todd Valline was then invited to visit with the board about upcoming activities including the Chamber of Commerce annual Awards Banquet on February 8<sup>th</sup>. Nominations for awards will soon be accepted.

It was moved by Parkhurst, seconded by Haake, that the following resolution be adopted:

RESOLUTION NO. 2019-1  
A RESOLUTION APPOINTING DEPUTY COUNTY OFFICIALS  
FOR THE 2018 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:

Marcus Gross, Jr. County Attorney, Assistants: Todd Argotsinger, Jennifer Mumm, unpaid assistant Blake Miller and Ashley West

Neil Gross Sheriff, Deputies: Cody Eckles, Kelly Lefeber, Chad Butler, Donavon Dontje, Glenn Birks, Nathan Pigsley, Braden Quist, Jacob Hoss, Collin Weaver, Derrick Yamada, William McDaniel and Jason Wickizer, Unpaid Reserve Deputy.

The following vote was counted. Ayes: Kenkel, Parkhurst, Haake Nays: None

It was moved by Haake, seconded by Parkhurst, to appoint Bryce Schaben as Weed Commissioner for 2018. Motion carried unanimously.

It was moved by Haake, seconded by Kenkel, that the following days shall constitute paid holidays for all eligible employees as stated herein for the 2019 year. Motion carried unanimously.

New Year's Day - Monday, January 1  
Presidents' Day - Monday, February 18  
Memorial Day - Monday, May 27  
Independence Day - Thursday, July 4  
Labor Day - Monday, September 2

Veterans' Day - Monday, November 11  
Thanksgiving Day - Thursday, November 28  
Friday after Thanksgiving - Friday, November 29  
Christmas - Wednesday, December 25 (off Tuesday, afternoon December 24)

The Board also established the following policy: If a holiday falls on Saturday, the preceding Friday will be a paid holiday; when a holiday falls on Sunday, the following Monday will be a paid holiday. This policy is in effect for all holidays mentioned except Christmas Eve afternoon.

It was moved by Parkhurst and seconded by Haake, to approve the appointment of Scott Markham as County Medical Examiner and to accept the proposal of the physicians of Shelby County that the doctor on call will act in the Medical Examiner's absence. Motion carried unanimously.

It was moved by Parkhurst and seconded by Haake, to appoint Kristen Bieret to the Shelby County Conservation Board term ending December 31, 2023. Motion carried unanimously. The current board member could not be reappointed as he and the Board of Supervisors wished. Iowa code 69.16A states that appointed boards must be appointed attempting to keep a gender balance. In this case there were two individuals willing to be placed on the board, satisfying the code requirement.

It was moved by Parkhurst, seconded by Haake, to approve the appointment of the following persons as members of the Compensation Board for the Condemnation of Private Property for Shelby County for 2019, as required by Chapter 472.4, Code of Iowa: Motion carried unanimously for the following names

FARM OWNER - OPERATORS

Lonnie Benson  
Irwin, Iowa

Jason Monson  
Irwin, Iowa

Doug Robinson  
Shelby, Iowa

David Boettger  
Harlan, Iowa

Kenneth Schneider  
Portsmouth, Iowa

Dave Wahling  
Shelby, Iowa

Charles Wooster, Jr.  
Manilla, Iowa

REAL ESTATE BROKERS

Kirk Petersen  
Harlan, Iowa

CITY PROPERTY OWNERS

Kayla Jacobs  
Harlan, Iowa

Donald Holdsworth  
Harlan, Iowa

Paul Leinen  
Harlan, Iowa

Michael Cain  
Harlan, Iowa

Todd Langenfeld  
Earling, Iowa

Richard Leinen  
Portsmouth, Iowa

Delbert Bruck  
Harlan, Iowa

PERSONS HAVING KNOWLEDGE OF  
PROPERTY VALUES IN SHELBY COUNTY

Kevin Campbell  
Harlan, IA

Terry Knapp  
Harlan, Iowa

Norman Mathiasen  
Harlan, Iowa

Rowland Burton  
Irwin, Iowa

Terry Bails  
Harlan, Iowa

Randy Ouren  
Harlan, Iowa

Tim Meyers  
Harlan, Iowa

Jan Arkfeld  
Defiance, Iowa

Dave Robinson  
Shelby, Iowa

It was moved by Haake, seconded Parkhurst, to approve the Harlan Tribune and the Harlan News Advertiser as official newspapers for 2019, as defined in Chapter 618.3 and Chapter 349, Code of Iowa. Motion carried unanimously.

It was moved by Parkhurst, seconded by Haake, that the following resolution be adopted:

RESOLUTION NO. 2019-2  
RESOLUTION CONCERNING NON-DISCRIMINATION

BE IT RESOLVED, by the Board of Supervisors of Shelby County, Iowa, that no person shall be excluded from the receipt of services or benefits, and Shelby County shall not refuse to hire, accept, register, classify, or refer for employment, or discharge any employee, or otherwise discriminate in employment against any applicant for employment, because of the age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, or disability of such applicant or employee, unless based upon the nature of the occupation. Ayes: Kenkel, Parkhurst, Haake Nays: None

It was moved by Haake, seconded by Parkhurst, that The Agency, Harlan, IA, be the broker for bonding for Shelby County for 2019. Motion carried unanimously.

It was moved by Haake, seconded by Parkhurst, that the following appointments be approved. Motion carried unanimously:

Haake

Fourth Judicial District Department of Correctional Services Board of Directors  
Juvenile Emergency Service Committee  
Solid Waste Agency Board  
Workforce Development - Region 13  
Hotel/Motel Tax Committee  
Building & Grounds  
Conservation Board

PARKHURST

E911 Joint Service Board - Non-Voting Member  
Emergency Management Agency Commission  
Harrison/Monona/Shelby Empowerment Area  
Southwest Iowa Policy Council to the Midlands  
Southwest Iowa Transit Authority Commission  
West Central Development Board  
Hungry Canyons Alliance  
Metropolitan Area Planning Association  
Loess Hills Development & Conservation Authority  
Safety/Wellness Committee  
Golden Hills Resources  
Nishnabotna Waterway Coalition.

KENKEL

Citizens Advisory Board for Cherokee MHI

County's Official Voting Delegate-Southwest Iowa Regional Committee for MH/DD  
Shelby-Harrison-Monona Planning Council & 28E Mental Health Coordinator Board  
Public Health Board  
Environmental Board of Health  
Shelby County Chamber of Commerce and Industry  
I.T. Committee Member

OTHER COMMITTEE MEMBERSHIP

E911 Joint Service Board – Alex Londo, Voting Member  
Hotel/Motel Tax Committee-Fiscal Agent – Shelby County Auditor  
Commission of Veterans Affairs – Stanley Slaven, term ending 6-30-2019  
County Board of Local Health – Dr. Phillip Markham, term ending 12-31-2019  
Planning and Zoning Board – Roger Schmitz and Karen Goans, term ending 12-31-2020  
2018 – SWIPCO – appoint Todd Valline as County Representative and Terry Arentson as  
At Large Representative

It was moved by Haake, seconded by Parkhurst, to authorize any member of the Board to sign any documents related to farms belonging to the County and documents relating to any farm programs the County will be eligible for in the future. Motion carried unanimously.

It was moved by Parkhurst, seconded by Haake, to approve the following resolution:

RESOLUTION 2019-3  
ECONOMIC DEVELOPMENT PUBLIC PURPOSE STATEMENT

BE IT RESOLVED by the Shelby County Board of Supervisors that the funding of Shelby County Chamber of Commerce and Industry and any other economic development project deemed appropriate by the Board as an economic development project as defined in Iowa Code Section 15A.1 and that this expenditure would further a public purpose, that public purpose to be an expansion or retention of jobs in Shelby County. Any business receiving economic development funding from Shelby County will be required to abide by the policies set by Shelby County, including but not limited to, Resolution 2007-32, A resolution concerning the use of the E-Verify Website.

AYES: Kenkel, Parkhurst, Haake NAYES: None

It was moved by Haake, seconded by Parkhurst, to approve the following resolution:

RESOLUTION 2019-4  
RESOLUTION AUTHORIZING A PARTNERSHIP WITH  
SOUTHWEST IOWA HOUSING TRUST FUND, INC.

WHEREAS; The Shelby County Board of Supervisors has found a need for homeownership assistance and housing repairs for lower income individuals and families; and,

WHEREAS; Southwest Iowa Housing Trust Fund, Inc. proposes to provide funding to assist income eligible individuals and families purchase their first-home and repair owner-occupied homes.

NOW THEREFORE, BE IT RESOLVED BY THE SHELBY COUNTY BOARD OF SUPERVISORS, as follows:

SECTION 1: The Shelby County Board of Supervisors is interested in participating in the Southwest Iowa Housing Trust Fund, Inc. housing programs.

SECTION 2: The Shelby County Board of Supervisors will contribute \$1,000.00 per unit assisted in Shelby County lying outside the city limits of Harlan, not to exceed \$5,000.00, in calendar year 2019. Adopted this 2nd day of January, 2019.

AYES: Kenkel, Parkhurst, Haake NAYES: None

Haake made a motion to approve and a second was made by Parkhurst to approve the following resolution:

RESOLUTION 2019-5  
SHELBY COUNTY DEPOSITORIES

BE IT RESOLVED, that that Shelby County Board of Supervisors of Shelby County, Iowa, approves the following list of financial institutions to be depositories of Shelby County funds in conformance with all applicable provisions of Iowa Code Chapters 452 and 453 (1983), as amended by 1984 Iowa Acts, S.F. 2220. The Shelby County Treasurer, Sheriff and Recorder are hereby authorized to deposit Shelby County funds in amounts not to exceed the maximum approved for each respective financial institution as set out below:

Shelby County State Bank	Harlan, IA	\$15,000,000
Midstates Bank	Harlan, IA	\$6,000,000
Farmers Trust & Savings Bank	Earling, IA	\$6,000,000
Defiance State Bank	Defiance, IA	\$6,000,000
Bank of the West	Harlan, IA	\$6,000,000
United Bank of Iowa	Harlan, IA	\$6,000,000
Town & Country Credit Union	Harlan, IA	\$6,000,000
SHERIFF-Shelby County State Bank	Harlan, IA	\$ 200,000
RECORDER-Midstates Bank	Harlan, IA	\$ 100,000

Passed this 2<sup>nd</sup> day of January, 2019, with the following votes:

AYES: Kenkel, Parkhurst, Haake NAYES: None

The Board had received the FY2019 Health Insurance rates from the Iowa State Association of Counties. Employee Rates will be:

- Plan 10                      Rate increase of 4.17%
- PLAN 12C (HSA)      Rate increase of 4.5%

Employee Insurance contributions change July 1, 2019 will be considered at a later meeting. The current employee contributions for FY19 are:

Single                      5% of total premium  
Dependent                11% of total premium

No action was taken.

The board then tabled discussion or making a motion on the current salary/stipend positions; the positions include: Wellness coordinator, Safety Coordinator, Budget Director, Zoning Commissioner, IT Coordinator and GIS coordinator. A budgeting decision will be made at a future meeting after more individual research can be made by board members.

It was moved by Parkhurst, seconded by Haake, to once again offer a \$100 incentive payment to the employees on the County's health insurance plan if 100% of employees participate in the 2019 Wellness Programs. Motion carried unanimously.

The board then was presented by Budget Director Mark Maxwell starting work on department budgets that are pass thru departments or fixed or required spending.

The 2020 Election Budget was presented by Shelby County Election Commissioner Mark Maxwell. The expected expenditures dropped over \$12,000 even though FY20 precinct computer expenditures of \$20,000.00 are expected.

The Department of Human Services budget as prepared by Maxwell has planned expenditures of \$5,620.

The Juvenile Court Department budget was presented with planned spending of \$12,812 in FY20.

The Medical Examiner Department was also given to the board for consideration with planned spending of \$18,000 next fiscal year.

The Public Health Department, which consists entirely of pass through grants was presented to the Board with income and revenue expected at \$65,000.

The Other Policy and Administration Department receives Local option sale taxes for two separate funds, Rural basic and General Basic, as well as other miscellaneous incomes. The expenditures are yearly audit fees and memberships to State County organizations. Other environmental Control Department funds the beaver bounty program and erosion control structures. The planned funding for FY20 is \$23,800. Up from \$9,300 in FY19. This includes \$15,000 in planned expenditures for large limestone erosion control stones for the repair of dams and other erosion control structures.

The GIS budget prepared by GIS director Maxwell was presented with a final planned expenditure of \$145,272. This is an increase of \$1,664 due to a \$ 3,000.00 increase in cost by current staff augmentation and services provided by the Schneider Corporation.

The Miscellaneous Court department budget prepared by budget director Maxwell was explained by Maxwell as an educated guess as dictated by need for shelter care and juvenile detention services. This Department has planned spending of \$122,795 for FY20.

After review of each of the Departments presented, each has little County control of their spending. The Miscellaneous Court, GIS, Other Environmental Control, Public Health, Medical Examiner, Juvenile Court, Department of Human Services and Election budgets were all approved with a motion by Parkhurst and second by Haake. A unanimous vote was counted in favor of approving those budgets.

The Board instructed Maxwell to create the needed software adjustments to record and budget a line item for payment to County businesses that created new jobs and have kept the fulltime positions the required amount of time, for payment per County policy. The Board of Supervisors budget will be considered.

The budget workshops were then scheduled for January 9<sup>th</sup> at 9 AM and January 15<sup>th</sup> after the conclusion of regular business.

There being no further business appearing, the Chairman declared the meeting adjourned at 5:04 PM

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Charlie Parkhurst, Chairman

ATTEST:

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Mark Maxwell  
Clerk to the Board of Supervisors

NOTE: These minutes are as recorded by the Clerk to the Board of Supervisors and are subject to Board approval at the next regular meeting.