

April 7, 2015

The Board of Supervisors of Shelby County, Iowa, met pursuant to law and rules of said board in regular session at 9:00 a.m. in the Supervisors Chambers of the Shelby County Courthouse with the following members present: Charles Parkhurst, Chairman; Roger Schmitz, Vice Chairman; Steve Kenkel; and Marsha J. Carter, Clerk.

The Chair asked that any Conflict of Interest be stated concerning any item on the agenda. No conflicts were stated.

It was moved by Schmitz, seconded by Kenkel, to approve the agenda. AYES: Parkhurst, Schmitz, Kenkel NAYES: None

It was moved by Schmitz, seconded by Kenkel, to approve the Minutes of March 17 & 30, 2015, as presented. AYES: Parkhurst, Schmitz, Kenkel NAYES: None

It was moved by Kenkel, seconded by Schmitz, to approve the Claims of March 30, 2015, as listed in the Claims Register. AYES: Parkhurst, Schmitz, Kenkel NAYES: None

It was moved by Kenkel, seconded by Schmitz, to approve the Quarterly Reports of the Sheriff and Recorder and place them on file in the Auditor's Office. AYES: Parkhurst, Schmitz, Kenkel NAYES: None

The Board has set aside time quarterly to meet with the Department Heads to discuss any issues pertaining to their departments. Following is the list of those in attendance with abbreviated notes of their comments:

Marsha Carter, Auditor - Working on FY2015 Budget Amendment; Building maintenance update.

Marcus Gross, Attorney - Office update.

Lonnie Maguire, Community Services Director - Mental Health Region continues to improve; implementing a Hot Line for clients, which will be run by Boys Town; Clarinda may be closing.

Mark Hervey, Sheriff - Keeping the County Attorney busy. Mentally ill prisoners continue to be a problem. Clarinda closing only increases that problem. Recently, two jailers were assaulted.

Dan Ahart, Engineer - Spring work.

Brandon Burmeister, Assistant Engineer - Bridge Inspections.

Bryce Schaben, Roadside Manager - Roadside seeding.

Nick Preston, Conservation Director - Getting ready for camping season. Working on Naturalist Sharing Agreement with DNR.

Geralyn Greer, Recorder - Working on her office certification. Busy reorganizing the office.

Terri Daringer, Environmentalist - Still have Well Plugging Grant money left. Since the inception, closed 1600 wells across the county.

Bob Seivert, EMA Coordinator - Transitioning from Code Red, which costs \$10,000 annually, to the Statewide Emergency Notification System, which will be free. Completed by September 2015. Legislation to increase amount of Wireless Surcharge from State to the County, but Governor also wants same money to pay for new State

radio system. National Telecommunicators Week - remember to thank the 911 Dispatchers for the work they do behind the scenes.

Tony Buman, Assessor - 2015 Valuation process. Explained the Productivity Formula for valuing farmland. Just sent out approximately 12,000 assessment rolls addressing the value change for homes and farmland.

Now being the time for the of the First Reading of Shelby County Ordinance No. 2015-1, An Amendment to Shelby County Ordinance No. 2006-6, Shelby County Zoning Regulations and Maps, the Chairman did open the hearing. Discussion was held on the proposed amendments. Tony Buman, Assessor and Zoning Administrator, was in attendance and stated the support and recommendation for approval from the Planning and Zoning Commission. Representatives from Scoular Company spoke in favor of the proposed zoning change to the property in Section 3-78-39 so a grain elevator could be built on the site. There were no other written or oral comments. It was moved by Kenkel, seconded by Schmitz, to suspend future readings of this amendment, to close the hearing, and to adopt the following:

**SHELBY COUNTY ORDINANCE NO. 2015-1
AN AMENDMENT TO SHELBY COUNTY ZONING ORDINANCE
AND MAPS FOR ORDINANCE NO. 2006-6**

An ordinance amending Shelby County Ordinance No. 2006-6, as follows:

1. The following described real estate is described as being zoned "A-1", Agricultural:

SW SE Section 3, Township 78 North, Range 39 West

Whereas, the property described above would be better utilized if it were zoned "I-2", General Industrial, and

2. The following amendment to Section 7.0 Permitted Uses:

7.09 Single-family detached dwellings on lots of ~~ten(10)~~ two (2) acres or more in those areas with soils shown as Class III or less productive in the Shelby County Soil Survey or on sites deemed not farmable for any other reason as determined by the Administrator.

7.091 Single-family detached dwellings on lots of two (2) acres or more when the site is a former acreage site. Characteristics of a former acreage site typically include existing fence or tree lines, possibly some remaining out buildings, and no cropland would be taken out of production.

~~7.15 Single family detached dwellings of lots of two acres or more that are for estate purposes or involve a residential structure created at least two (2) years prior to the request.~~

~~7.15 a. Single family homes on lots of more than 20,000 square feet where the dwellings are connected to an approved community or rural water system and are in those areas with soils shown as Class III or less productive in the Shelby County Soil Survey or on sites deemed not farmable for any other reason as determined by the Administrator.~~

Whereas, said amendments to Shelby County Zoning Ordinance would be in the best interest of the county.

Be it enacted by the Shelby County Board of Supervisors of Shelby County, Iowa, that said Shelby County Ordinance No. 2006-6 be amended as set out above.

Adopted this 7th day of April, 2015.

AYES: Parkhurst, Schmitz, Kenkel NAYES: None

Carter stated she was in receipt of the check from the ISAC Unemployment Program in the amount of \$57,520.38. The letter accompanying the check stated that this amount was Shelby County's share of the liquidation of excess reserves from the Program. It was moved by Schmitz, seconded by Kenkel, to earmark this money to be used for Building and Grounds Capital Improvements/Security. AYES: Parkhurst, Schmitz, Kenkel NAYES: None

It was moved by Kenkel, seconded by Schmitz, to authorize Carter to transfer \$183,584.57 from the TIF Fund to General Basic to repay the loan for the early payoff of a bond approved June 4, 2013. AYES: Parkhurst, Schmitz, Kenkel NAYES: None

It was moved by Schmitz, seconded by Kenkel, to approve the following resolution:

RESOLUTION NO. 2015-11
WEED DESTRUCTION PROGRAM

BE IT RESOLVED, that pursuant to the provisions of Chapter 317, Code of Iowa, it is ordered:

That each owner and each person in possession or control of any lands in Shelby County, shall cut, burn or otherwise destroy all noxious weeds thereon, as defined in the chapter, at such time in each year and in such manner as shall prevent such weeds from blooming or coming to maturity, and shall keep said lands free from such growth as shall render the streets or highways adjoining said lands unsafe for public travel. Noxious weeds shall be cut or otherwise destroyed as published in the official newspapers of Shelby County.

That, if owners or persons in possession or control of any lands in Shelby County fail to comply with the foregoing orders, the weed commissioner shall cause this to be done and the expenses of said work including cost of serving notice and other costs, if any, to be assessed against real estate.

THEREUPON, the Board instructed the County Auditor to place said notice in the official newspapers of Shelby County.

The above and foregoing resolution was adopted by the Board of Supervisors of Shelby County, Iowa, on April 7, 2015, the vote thereon being as follows:

AYES: Parkhurst, Schmitz, Kenkel NAYES: None

It was moved by Kenkel, seconded by Schmitz, to authorize the Chairman to sign the Service Agreement for Medicolegal Death Investigation Training Grant for \$2,110 to reimburse the costs for training for Russell Marquardt, PA-C, as requested by the hospital. AYES: Parkhurst, Schmitz, Kenkel NAYES: None

Bryce Schaben, Safety Coordinator, presented amendments to the Safety Policies. It was moved by Schmitz, seconded by Kenkel, to approve some minor wording amendments to existing policies, the Chain Saw Operation Policy, and the Accident and Incident Response and Reporting Policy and place on file in the Auditor's Office. AYES: Parkhurst, Schmitz, Kenkel NAYES: None

It was moved by Kenkel, seconded by Schmitz, to approve the Application for Use of the Courtyard for Relay For Life on June 5, 2015, with the stipulation that the required Certificate of Insurance is on file in the Auditor's Office prior to that date. AYES: Parkhurst, Schmitz, Kenkel NAYES: None

Dan Ahart, County Engineer, was available to update the Board on activities of the county road crews and the status of current maintenance and construction projects.

It was moved by Kenkel, seconded by Schmitz, to approve the FY2016 DOT Five-Year Construction program and Budget, as submitted by the County Engineer. AYES: Parkhurst, Schmitz, Kenkel NAYES: None

The Chairman recessed the meeting at 10:54 a.m.

The Chairman reconvened the meeting at 1:00 p.m to meet with Mike Galloway, the County's Personnel Consultant, to review numerous County policies.

There being no further business appearing, the Chairman declared the meeting adjourned at 3:53 p.m.

Charles Parkhurst, Chairman

ATTEST:

Marsha J. Carter
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.