

November 22, 2016

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: Roger Schmitz, Chairman; Steve Kenkel, Vice-Chairman; Charles Parkhurst; 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 Kenkel, seconded by Parkhurst, to approve the agenda. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

It was moved by Parkhurst, seconded by Kenkel, to approve the Minutes of November 15, 2016, as presented AYES: Schmitz, Kenkel, Parkhurst NAYES: None

It was moved by Parkhurst, seconded by Kenkel, to approve the Claims of November 22, 2016, as listed in the Claims Register. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

Todd Valline, Shelby County Chamber of Commerce and Industry, updated the Board on ongoing projects.

Now being the time for the auction for the cash rent of the County Farm ground, the Chairman opened the bidding at \$200/acre, with bids increased by \$5 increments. There were four bidders present with the final bid at \$300/acre. It was moved by Kenkel, seconded by Parkhurst, to accept Brandon Weis's high bid of \$300/acre for the 146 acres of farm ground at the County Farm for the 2014 year and order the County Attorney to draw up the agreement to include payment of one fourth of the lime plus fertilizer costs. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

Chairman Schmitz also directed the auction for the Landfill ground. The opening bid was \$190/acre, with bids increased by \$5 increments. There were four bidders present with the final bid from Brandon Weis at \$270/acre. Final action to approve this will be taken at the next meeting of the Landfill Board.

It was moved by Kenkel, seconded by Parkhurst, to authorize the Auditor to reimburse Country Care Center Corporation for the cash rent for one (1) acre of their leased property that was converted to farm ground. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

2016 AMENDMENT TO THE PLAN
FOR SHELBY COUNTY URBAN
RENEWAL AREA AND AMENDING
TIF ORDINANCE

480882-1

Harlan, Iowa

November 22, 2016

The Board of Supervisors of Shelby County, Iowa, met on November 22, 2016, at 9:00 o'clock, a.m., at the Shelby County Courthouse for the purpose of conducting a public hearing on a proposed urban renewal plan amendment. The Chairperson presided and the roll being called the following Supervisors were present and absent:

Present: Roger Schmitz, Steve Kenkel, Charles Parkhurst

Absent: None

It was reported that notice of the intention of the Board to conduct a public hearing on the 2016 Amendment to the urban renewal plan for the Shelby County Urban Renewal Area had been published according to law and as directed by the Board, and that this is the time and place at which the Board shall receive oral or written objections from any resident or property owner of the City. All written objections, statements, and evidence heretofore filed were reported to the Board.

The following named persons presented oral objections, statements, or evidence as summarized below; filed written objections or statements, copies of which are attached hereto; or presented other exhibits, copies of which are attached hereto:

There were no written or oral comments.

There being no further objections, comments, or evidence offered, the Chairperson announced the hearing closed.

Supervisor Parkhurst moved the adoption of a resolution entitled "A Resolution to Approve 2016 Urban Renewal Plan Amendment for the Shelby County Urban Renewal Area", seconded by Supervisor Kenkel. After due consideration, the Chairperson put the question on the motion and the roll being called, the following named Supervisors voted:

Ayes: Schmitz, Kenkel, Parkhurst

Nays: None.

Whereupon, the Chairperson declared the resolution duly adopted and signed approval thereto.

RESOLUTION NO. 2016-18

A resolution to approve 2016 Urban Renewal Plan Amendment for the Shelby County Urban Renewal Area

WHEREAS, the Board of Supervisors of Shelby County, Iowa (the "County") has created the Shelby County Urban Renewal Area (the "Urban Renewal Area") and has approved an urban renewal plan for the Urban Renewal Area; and

WHEREAS, Chapter 403 of the Code of Iowa requires that, before a county adds property or approves any new urban renewal project, a county must amend the existing urban renewal plan to include that property and that new project; and

WHEREAS, an amendment to the urban renewal plan for the Urban Renewal Area has been prepared which describes parcels of property that would be added to the Urban Renewal Area and describes projects that could be eligible to be financed with incremental property tax revenues; and

WHEREAS, notice of a public hearing by the Board of Supervisors on the proposed urban renewal plan amendment for the Urban Renewal Area was heretofore given in strict compliance with the provisions of Chapter 403 of the Code of Iowa, and the Board has conducted said hearing; and

WHEREAS, copies of the urban renewal plan amendment, notice of public hearing and notice of a consultation meeting with respect to the urban renewal plan amendment were sent to appropriate Community School Districts, and the consultation meeting was held; and

WHEREAS, the County Planning and Zoning Commission has reviewed the amendment;

NOW, THEREFORE, It Is Resolved by the Board of Supervisors of Shelby County, Iowa, as follows:

Section 1. It is hereby determined by this Board of Supervisors as follows:

A. The 2016 Amendment to the Urban Renewal Plan for the Shelby County Urban Renewal Area conforms to the general plan of the County;

B. The proposed projects described in the 2016 Amendment to the Urban Renewal Plan for the Shelby County Urban Renewal Area are necessary and appropriate to facilitate the proper growth and development of the County in accordance with sound planning standards and local community objectives.

Section 2. The 2016 Amendment to the Urban Renewal Plan for the Shelby County Urban Renewal Area, attached hereto and made a part hereof, is hereby in all respects approved.

Section 3. All resolutions or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict.

**EXHIBIT A
SHELBY COUNTY, IOWA
SHELBY COUNTY URBAN RENEWAL AREA**

**2016 AMENDMENT
URBAN RENEWAL PLAN**

The Urban Renewal Plan for the Shelby County Urban Renewal Area (the "Urban Renewal Area") is hereby amended in accordance with the provisions of Chapter 403 of the Code of Iowa to give information about certain property that is being added to the Urban Renewal Area and about new urban renewal projects that are proposed to be undertaken in the Urban Renewal Area.

Section II. of the Plan, entitled "Description of Urban Renewal Area," is amended to add the following described properties:

- Scoular Grain Facility, Section 3-78-30, Parcel No.831403403002
- Handlos Hog Confinement, Section 24-79-38, Parcel No. 831024402003
- Brandt Ferry Confinement, Section 19-80-37, Parcel No. 830819201000 and 830819102000

Section IV. of the Plan, entitled "Urban Renewal Projects and Activities," is amended to add the following new paragraph:

The following projects are declared to be new urban renewal projects

Bridge replacements/improvements:

- 2200th Street, Woodland Road, Hazel Road, F-32
- Center 98-24-210 Redwood Road: .3 miles south of intersection of Redwood Road and Highway 59
- Clay 87-08-220 Woodland Road: .4 miles south of intersection of Woodland Road and F-58
- Lincoln 99-04-210 Hazel Road: .25 miles north of intersection of 1200th Street and Hazel Road
- Greeley 18-30-110 2100th Street: .3 miles west of intersection of 2100th Street and Maple Road

Westphalia 09-10-110 1800th Street: .4 miles west of intersection of 1800th Street and Juniper Road
Monroe 88-25-110 300th Street: .9 miles east of intersection of 300th Street and Umbrella Road
Lincoln 99-08-110 1200th Street: .25 miles west of interestion of 1200th Street and Hazel Road
Union 19-19-110 2200th Street: .8 miles west of intersection of 200th Street and M-16

Culvert:

Ferry Wood Box F-32: .2 miles east of intersection of M.47 and F-32

Roadway Improvements:

F-58: Approximately 6.3 miles of County Highway F-58 from intersection of U.S. Highway 59, east to the intersection of County Highway M-47

The following information is provided in accordance with the requirements of Section 403.17 of the Code of Iowa:

Outstanding general obligation debt of the County	\$ -0-
Constitutional debt limit of the County:	\$79,830,000
Proposed amount of debt to be incurred:	\$ 6,000,000

Supervisor Schmitz introduced an ordinance entitled "Ordinance No. 2016-5. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2016 Amendment to the Shelby County Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa."

It was moved by Supervisor Kenkel and seconded by Supervisor Parkhurst that the ordinance be given its first consideration and that it be adopted.

The Chairperson put the question on the motion and the roll being called, the following named Supervisors voted:

Ayes: Schmitz, Kenkel, Parkhurst

Nays: None.

Whereupon, the Chairperson declared the motion duly carried and declared that said ordinance had been given its initial consideration.

It was moved by Supervisor Parkhurst and seconded by Supervisor Kenkel that the statutory rule requiring an ordinance to be considered and voted on for passage at two Board meetings prior to the meeting at which it is to be finally passed be suspended. The Chairperson put the question on the motion and the roll being called, the following named Supervisors voted:

Ayes: Schmitz, Kenkel, Parkhurst

Nays: None.

Whereupon, the Chairperson declared the motion duly carried.

It was moved by Supervisor Kenkel and seconded by Supervisor Parkhurst that the ordinance entitled "Ordinance No. 2016-5. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2016 Amendment to the Shelby County Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa," now be put upon its

final consideration and adoption. The Chairperson put the question on the final consideration and adoption of the ordinance and the roll being called, the following named Supervisors voted:

Ayes: Schmitz, Kenkel, Parkhurst

Nays: None.

Whereupon, the Chairperson declared the motion duly carried and the ordinance duly adopted, as follows:

ORDINANCE NO. 2016-5

AN ORDINANCE PROVIDING FOR THE DIVISION OF TAXES LEVIED ON TAXABLE PROPERTY IN THE 2016 AMENDMENT TO THE SHELBY COUNTY URBAN RENEWAL AREA, PURSUANT TO SECTION 403.19 OF THE CODE OF IOWA

BE IT ENACTED by the Board of Supervisors of Shelby County, Iowa:

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the 2016 Amendment to the Shelby County Urban Renewal Area, each year by and for the benefit of the state, county, school districts or other taxing districts after the effective date of this ordinance in order to create a special fund to pay the principal of and interest on loans, moneys advanced to or indebtedness, including bonds proposed to be issued by Shelby County to finance projects in the Shelby County Urban Renewal Area.

Section 2. Definitions. For use within this ordinance the following terms shall have the following meanings:

“County” shall mean Shelby County, Iowa.

“Urban Renewal Area” shall mean the Shelby County Urban Renewal Area

“Urban Renewal Area Amendment” shall mean the taxable property included in the 2016 Amendment to the Shelby County Urban Renewal Area, the description of which taxable property is set out below, approved by the Board of Supervisors by resolution adopted on November 22, 2016:

- Scoular Grain Facility, Section 3-78-30, Parcel No.831403403002
- Handlos Hog Confinement, Section 24-79-38, Parcel No. 831024402003
- Brandt Ferry Confinement, Section 19-80-37, Parcel No. 830819201000 and 830819102000

Section 3. Provisions for Division of Taxes Levied on Taxable Property in the Urban Renewal Area Amendment. After the effective date of this ordinance, the taxes levied on the taxable property in the Urban Renewal Area Amendment each year by and for the benefit of the State of Iowa, the County and any school district or other taxing district in which the Urban Renewal Area Amendment is located, shall be divided as follows:

(a) that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Area Amendment, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which there is certified to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the special fund referred to in paragraph (b) below, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. For the purpose of allocating taxes levied by or for any taxing district which did not include the territory in the Urban Renewal Area Amendment on

the effective date of this ordinance, but to which the territory has been annexed or otherwise included after the effective date, the assessment roll applicable to property in the annexed territory as of January 1 of the calendar year preceding the effective date of the ordinance which amends the plan for the Urban Renewal Area Amendment to include the annexed area, shall be used in determining the assessed valuation of the taxable property in the annexed area.

(b) that portion of the taxes each year in excess of such amounts shall be allocated to and when collected be paid into a special fund of the County to pay the principal of and interest on loans, moneys advanced to or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under the authority of Section 403.9(1), of the Code of Iowa, incurred by the County to finance or refinance, in whole or in part, projects in the Urban Renewal Area, and to provide assistance for low and moderate-income family housing as provided in Section 403.22, except that taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2 of the Code of Iowa, to the extent authorized in Section 403.19(2) of the Code of Iowa, taxes for the instructional support program levy of a school district imposed pursuant to Section 257.19 of the Code of Iowa, to the extent authorized in Section 403.19(2) of the Code of Iowa, and taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the taxing district without limitation by the provisions of this ordinance. Unless and until the total assessed valuation of the taxable property in the Urban Renewal Area Amendment exceeds the total assessed value of the taxable property in such area as shown by the assessment roll referred to in subsection (a) of this section, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area Amendment shall be paid into the funds for the respective taxing districts as taxes by or for said taxing districts in the same manner as all other property taxes. When such loans, advances, indebtedness, and bonds, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in the Urban Renewal Area Amendment shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

(c) the portion of taxes mentioned in subsection (b) of this section and the special fund into which that portion shall be paid may be irrevocably pledged by the County for the payment of the principal and interest on loans, advances, bonds issued under the authority of Section 403.9(1) of the Code of Iowa, or indebtedness incurred by the County to finance or refinance in whole or in part projects in the Urban Renewal Area.

(d) as used in this section, the word "taxes" includes, but is not limited to, all levies on an ad valorem basis upon land or real property.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Saving Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed by the Board of Supervisors of Shelby County, Iowa, the 22nd day of November, 2016.

It was moved by Parkhurst, seconded by Kenkel, to approve the FY2016 Annual Urban Renewal Report to be filed with the Department of Management and the Shelby County Tax Increment Financing (TIF) Indebtedness Certificate to be filed with the County Auditor. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

Jen Foltz, representing the Fourth Judicial District, and Jill McAleer, WISH, appeared before the Board to request \$400 to help fund the 10th Annual National Crime Victim's Rights Week Gala to be held in Council Bluffs on April 11, 2017. The Board will address this request along with all other funding requests when they begin work on the FY2018 Budget in January.

It was moved by Parkhurst, seconded by Kenkel, to approve the following Budget Reduction Plan. AYES: Schmitz, Kenkel, Parkhurst NAYES: None:

SHELBY COUNTY BOARD OF SUPERVISORS
THREE YEAR BUDGET REDUCTION PLAN

Reason for Budget Reduction:

- Ag economy struggling
- Continued decrease in County population
- Fewer taxpayers paying more – County Government must shrink too
- Ag land valuation set for decline in next couple of years
- Need to be proactive instead of reactive
- Need to do a better job pooling resources

Reductions or increased revenues:

- All departments must reduce their operating budget by 10% over a 3 year period.
- All departments will be assigned a targeted dollar amount (savings target) equal to 10% of their FY2017 Budget.
- Departments may offset reductions with increased revenue that replaces property tax asking.
- Dept Example – (\$10,000 savings target):
 - FY2017 Base Year – Set 10% minimum reduction (savings target)
 - FY2018 1st Year (\$1000 savings)
 - FY2019 2nd Year (\$4,000 savings)
 - FY2020 3rd Year (\$5,000 savings)
 - Must meet 10% minimum savings target by 1-1-2020
- If a department exceeds the 10% minimum reduction, a running credit will carry forward into the next budget reduction cycle. (Fairness among departments.)
- Plan allows all Department Heads to manage and plan as situations present themselves.
- Plan encourages departments to work on sharing agreements and efficiencies
 - Think outside the box
- FY2018 Budget Year
 - Items allowed to increase due to reasons beyond our control
 - Wage & benefit increase due to collective bargaining agreements
 - Insurance due to premium increases
 - Utilities due to _____ rate increases
- Non-Departmental budgets reduced 3.33% each year
- Contracted agreements honored until renewal time
- Building & Road Infrastructure repairs & material – exempt from reduction
- All other line items frozen, unless reduced by Dept Head

Any Department Head providing documentation they have significantly reduced their budget in one of the previous three years will be considered for a pro-rated credit for their previous efforts.

COUNTY GOAL: Grow Efficiencies NOT Government

Since there will be a new auditor on January 1, the Board had requested that Carter draw up a list of her duties as required by the Code of Iowa, plus those responsibilities she has taken on voluntarily over the years. Also noted on the list are those duties for which she receives a stipend. Kenkel volunteered to discuss the list with the new auditor. The Board needs to know if they will have to find someone else to take on those extra duties. The most important of those being Budget Director. Chairman Schmitz asked that the new auditor be present at the December 13 meeting to discuss this matter. Following is the list of Carter's responsibilities. (Those job duties in italics are completed by staff. Carter performs all the other duties listed herself.)

ELECTIONS -

- Setting up election in the State system
- Set up & ordering ballots & necessary supplies
- Set up & testing of all voting equipment
- *Hiring & training 60+ election workers*
- Certify results to State
- *Voter Registration*

CLERK TO BOARD -

- Attend all meetings & prepare minutes
- Publish all minutes & public notices
- All correspondence & agendas
- File Manure Management Plans
- Publish required notices for Master Matrix

FINANCE -

- Audit all claims
- Prepare budgets for Auditor, Election, IT, GIS, B&G, Risk Management, Funding to other Agencies, Courts
- Review Dept budgets monthly
- Run monthly, annual, and fiscal year reports
- Prepare the Annual Financial Report - both Cash & Accrual
- *Payroll and all WH and insurance reports*
- Central purchasing of all office supplies & equipment
- Keep track of all depts Capital Projects Accounts
- Make sure Local Option Taxes are spent according to law

PERSONNEL -

- *Deferred Comp*
- *Health insurance*
- Personnel policies
- Job descriptions
- *Bureau of Census & Dept of Labor Reports*

COUNTY BUDGETS - (\$3250 as Budget Director)

- Give Dept Heads necessary info to prepare their fiscal year budgets on worksheets I provide
- Consolidate all Dept budgets into Countywide budget
- Prepare all State required budget forms for certification to State

OTHER GOVT AGENCIES -

- All other governmental agencies are required to certify their budgets here - schools, cities, hospital, townships, assessor, ag extension
- I review & certify to State
- All other govt agencies certify their bond payments to the Auditor

INSURANCE/BONDS -

- All policies are filed here. Auditor responsible that all policies/bonds are current and as required by law.

REAL ESTATE -

- *All real estate documents filed in the Recorder's Office are forwarded to the Auditor's Office for transfer. Legal description and chain of title are researched for accuracy.*
- *The Auditor is responsible for keeping the ownership records for all county properties.*
- *The Auditor makes final decision if discrepancy/disagreement. Can call for a survey and/or subdivision.*

VALUATIONS -

- *Auditor responsible for computing the taxable values for each property*
- *Applying all credits/exemptions - Military, Homestead, Family Farm, Ag Land*
- *Computing Gas/Electric Utilities when certified from State*
- *Consolidating all values & certifying those values to State & all govt entities - schools, cities, etc - to be used in their budget process*

TIF -

- *Setting up Tax Increment Financing/Urban Renewal Districts for taxation as directed by the Board*
- *Urban Renewal Reporting and Debt Certification*

PROPERTY TAXES -

- *After all budgets are certified and valuations are set, the Auditor calculates the tax rates so the taxes collected will meet the budget requirements for all govt entities.*
- *Calculates the taxes for each property and then turns that file over to the Treasurer for collection.*

CUSTODIAN OF COURTHOUSE - Under direct supervision of the Board

- Budget
- Complaint Dept
- Supervise custodian & hire PT when she is on vacation/sick
- 911 calls after hours
- Order all supplies
- Oversee Christmas light project
- Plumbing, tuckpointing, painting, electrical, Courtyard, etc for Courthouse, Annex, Law Enforcement/911 Center
- Safety and security issues
- Office space and storage of records
- Disaster Recovery

LICENSING -

- *Beer & Liquor & Cigarette*
- *Fireworks*

HOTEL/MOTEL -

- **(Voluntary) - Meets quarterly/Time = 4 hours per meeting**
- County agreed to be Fiscal Agent as part of our contribution to the Committee since the City of Harlan collects about 4X what the County contributes.
- Post agendas, attend all meetings, prepare Minutes, track all grants, and file financial reports at quarterly meetings.

I.T. - (Voluntary - \$1000)

- Budget
- Manage I.T. maintenance contract
- Manage day to day operations
- Contact/complaint person
- Make purchasing/project decisions

G.I.S - (Voluntary - \$1000)

- Budget
- Manage day to day operations
- Contact/complaint person
- Make purchasing/project decisions
- Bill HMU, City of Harlan, and Assessor for their share of the GIS Contract

EMERGENCY MANAGEMENT COMMISSION -

- **(Voluntary) - Meets twice a year**
- Attend all meetings, prepare Minutes
- Prepare annual Budget & certify to State

E911 JOINT SERVICES BOARD -

- **(Voluntary) - Meets once a year**
- Attend all meetings, prepare Minutes
- Prepare annual Budget & certify to State

EMERGENCY MANAGEMENT EXECUTIVE COMMITTEE -

- **(Voluntary) - Meets** **monthly**
- Attend all meetings, prepare Minutes
- Financial Review/Reporting

TOWNSHIP TRUSTEES - (Voluntary)

- I post their budgets for them in the CH hallway and set up an annual meeting every year for all townships so they meet their State requirement for budgeting.
- I also help them with their budget forms and annual reports if they ask.

OTHER -

- Postage meter - I oversee it, fill it when necessary and keep track of postage used by dept & order supplies & take complaints when it is not working (Voluntary)
- *Mail - Mail is delivered to the Auditor's Office and it is sorted by Dept to save Box Rent (Voluntary)*
- *Fiscal Agent for Empowerment (Voluntary)*
- Bill all govt agencies for election costs other than Primary & General
- Bill towns for Law Enforcement Contracts
- Bill other counties for Substance Abuse expenses
- *HIPAA*
- *County Inventory*
- Schedule annual Compensation Board Meeting - Prepare agendas & minutes
- Flags around the Square - Both sides of the street

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.

There being no further business appearing, the Chairman declared the meeting adjourned at 10:18 a.m.

Roger Schmitz, 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.