

March 5, 2013

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. None were stated.

It was moved by Parkhurst, seconded by Kenkel, to approve the agenda with the addition of an invoice presented from the Shelby County Chamber and an estimate for counter doors presented by the County Treasurer. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

It was moved by Kenkel, seconded by Parkhurst, to approve the minutes of February 19, 2013, as presented. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

It was moved by Kenkel, seconded by Parkhurst, to approve the Claims of February 28, 2013, and place the listing on file in the Auditor's Office. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

Carter also reported she had received an invoice from the Shelby County Chamber for 20% administrative fee of \$3,271.29 to be paid from the Hotel/Motel Tax Fund, for which Carter as Auditor is now Fiscal Agent. It was moved by Kenkel, seconded by Parkhurst, to reject this claim as recommended by the County Attorney, based on a legal opinion issued by the City Attorney. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

Carolyn Blum, County Treasurer, presented an estimate from Omaha Door to replace the existing sliding wooden counter doors in her office. It was moved by Kenkel, seconded by Parkhurst, to approve the purchase of a Cornell crank-operated, rolling steel counter door at Omaha Door's quoted price of \$4,218, including installation. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

Chris Nelson, Gronewold & Co., appeared before the Board to present the FY2012 County Audit.

Tim Ross appeared before the Board to introduce himself as the new Chief Juvenile Court Officer for the Fourth Judicial District, replacing Keith Pick as of March 29, 2013.

It was moved by Parkhurst, seconded by Kenkel, to authorize the Chairman to sign the contract with Tyler Technologies for \$56,216 for Version X Incode - Iowa Property Tax Management System. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

It was moved Parkhurst, seconded by Kenkel, to authorize Schmitz to sign the Multicounty 28E Agreement Regarding Juvenile Detention Center and Emergency Juvenile Services. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

Discussion was held on the 2007 Urban Renewal County Road Bond that was implemented to upgrade a road in Douglas Township. A Tax Increment Financing District had been created to pay the bond payments each year. The plan had been from the beginning to pay off the 10-year bond in five years, if funds were available. Carter reported there were sufficient funds in reserve in the Tax Increment Financing Fund, in combination with an interfund loan from the General Fund. The early payoff would save the County approximately \$72,000 in interest costs.

It was moved by Parkhurst, seconded by Kenkel, to adopt the following resolution:

RESOLUTION NO. 2013-10
RESOLUTION AUTHORIZING PREPAYMENT
OF GENERAL OBLIGATION BONDS

WHEREAS, the County of Shelby, State of Iowa, previously issued its \$1,065,000 General Obligation Urban Renewal County Road Bonds, Series 2007, dated November 7, 2007; and

WHEREAS, pursuant to the resolutions authorizing the issuance of the 2007 Bonds, the County reserved the right to call certain of such Bonds for early redemption prior to maturity upon the terms set forth in such resolutions;

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

Section 1. The County hereby authorizes the early redemption of the outstanding balance of the 2007 Bonds on June 1, 2013.

Section 2. Bankers Trust Company, Des Moines, Iowa, as Registrar and Paying Agent for the 2007 Bonds, is hereby authorized to take all action necessary to call the outstanding balances of the 2007 Bonds for prepayment on the dates set out in Section 1 of this Resolution, and is further authorized and directed to give notice of such prepayment by sending notice by electronic means or by certified mail to each of the registered owners of such Bonds to be redeemed at the addresses shown on the County's registration books.

Section 3. All resolutions and orders or parts thereof in conflict with the provisions of this resolution, to the extent of such conflict, are hereby repealed.

Section 4. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved March 5, 2013.

AYES: Schmitz, Kenkel, Parkhurst

NAYES: None

It was moved by Kenkel, seconded by Parkhurst to adopt the following resolution.

RESOLUTION NO. 2013-11
PROPOSED DISPOSAL OF COUNTY INTEREST IN REAL ESTATE

WHEREAS, the Board of Supervisors wishes to dispose of County interest in the following described real estate:

Parcel #832103000013 – Part of Lot 3 of Auditor's Subdivision West of Drainage Ditch of the Southwest Quarter of the Northwest Quarter of Section 31, Township 81 North, Range 37 West of the 5th P.M., Shelby County, Iowa, subject to public roads, easements and ordinances of record.

WHEREAS, in response to a solicitation of proposals, the property owner has expressed a desire to purchase the above described real estate which adjoins their land and to combine it with their property as one taxable parcel; and

WHEREAS, all interested parties are charged with the responsibility of determining whether there are any existing liens or assessments attached to the above described real estate which will not be extinguished upon the sale and will continue to attach to the property after such sale; and

WHEREAS, disposal of the County's interest in this real estate would be by Quit Claim Deed according to County Policy; and

WHEREAS, Iowa Code Section 331.361(2) requires a public hearing on disposal of an interest in real estate;

NOW THEREFORE BE IT RESOLVED that a public hearing on this proposed disposal of County interest in real estate is set for March 19, 2013, at 9:00 a.m. in the Supervisors Chambers in the Shelby County Courthouse, and the Shelby County Auditor is directed to publish the notice of hearing.

AYES: Schmitz, Kenkel, Parkhurst

NAYES: None

Currently, there are billboards welcoming travelers to Shelby County as you get off I-80 at Avoca and Shelby. These signs were erected and have been maintained with Hotel/Motel Tax grants. It was moved by Kenkel, seconded by Parkhurst, that Shelby County will assume the expense for the maintenance and lighting of these two signs, effective immediately. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

Carter reported that Randy Ouren had filed a complaint with her regarding locking the Courthouse main floor doors. The County policy is to chain off the steps on the north and south entrances and lock the doors during inclement weather. Ouren felt the doors needed to remain unlocked in case of fire. Carter reported she had spoken to Roger Bissen, Harlan Fire Chief, who had also heard from Ouren. Bissen stated that since there were alternate ways to exit the building, which would be the stairwells on the north and south ends of the building, that slick steps were a hazard that needed to be blocked off for the safety of those entering or exiting the building.

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

He stated that the salvage value of the snow plow that had been wrecked was \$36,343.30.

There being no further business appearing, the Chairman declared the meeting adjourned at 10:25 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.