

May 21, 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. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

It was moved by Kenkel, seconded by Parkhurst, to approve the minutes of May 7, 2013, as presented. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

It was moved by Parkhurst, seconded by Kenkel, to approve the Claims of May 21, 2013, and place the listing on file in the Auditor's Office. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

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

RESOLUTION NO. 2013-16
ENTRY RECORD OF THE HEARING AND DETERMINATION OF
THE AMENDMENT TO THE COUNTY BUDGET FOR FISCAL YEAR 2013

BE IT REMEMBERED on this 21st day of May, 2013, the Board of Supervisors met in scheduled session for the filing and considering of an amendment to the Shelby County Budget for Fiscal Year 2013.

THEREUPON, the Board investigated and found that the notice of the time and place of hearing had, according to law, and as directed by the Board, been published and that the affidavit of publication is on file with the County Auditor.

THEREUPON, on said day, the hearing was taken up and considered. There were no written or oral comments.

THEREFORE, BE IT RESOLVED, that the Shelby County Budget Service Areas be amended as follows:

Public Safety & Legal Services from \$2,063,351 to \$2,098,351
Physical Health & social Services from \$574,042 to \$642,042
County Environment & Education from \$397,122 to \$432,917
Roads & Transportation from \$4,201,650 to \$4,401,650
Government Services to Residents from \$426,378 to \$440,378
Administration from \$1,112,457 to \$1,197,457
NonProgram Current from \$31,000 to \$42,000
Debt Service from \$132,709 to \$737,709
Capital Projects from \$590,610 to \$834,610

The Department Appropriations will be as follows:

POLICY AND ADMINISTRATION	2,505,313
IT/GIS	375,308
AUDITOR	309,835
RECORDER	190,674
TREASURER	265,572
ATTORNEY	162,782
COURT RELATED COSTS	156,000
SHERIFF/JAIL	1,334,572

CONSERVATION/LAND USE	300,616
PUBLIC HEALTH	361,937
SOCIAL SERVICES	67,650
VETERANS	45,205
MH/MR/DD	2,603,280
SECONDARY ROAD	4,751,650

TOTAL \$ 13,430,394

The above and foregoing resolution was adopted by the Board of Supervisors of Shelby County, Iowa, on May 21, 2013, the vote thereon being as follows:

AYES: Schmitz, Kenkel, Parkhurst NAYES: None

Chairman Schmitz noted that the next item on the agenda was the Master Matrix for the Hog Confinement Construction Permit Application from Jon Arkfeld and Robert Arkfeld, dba Arkfeld Pork. Those present in the Chambers for this discussion were Rob and Karen Arkfeld, Bob and Bev Arkfeld, Alan Kenkel, Brent and Carol Spies, David and Delores Zeman, Jon and Jami Arkfeld, Seth Wengert-Consultant for Arkfelds, Dan Ahart-County Engineer, and Tony Buman-Assessor.

Parkhurst reported that he had attended the on-site inspection on May 14, 2013, performed by Dan Olsen, IDNR. Olsen had stated that the site met all their requirements.

Using the County's GIS mapping system and aerial photography, Ahart and Buman reported that they had reviewed and verified the measurements set out in the Master Matrix to the best of their knowledge and expertise. They noted they did find one discrepancy, which would possibly lower the overall score by 5 points, but the total points were still above the number required to pass the Matrix.

Any written documentation was required to be filed in the Auditor's Office by 4:00 p.m. on May 20, 2013, according to the publication. Marsha Carter, Auditor, presented the following documents that were timely filed: a petition protesting the construction with 10 signatures; letters of support from Tim and Ann Graeve, Warren and Connie Becker, and Kenneth and Dorothy Arkfeld; a letter neither for or against from Jared Anastasi.

Chairman Schmitz then opened the floor for comment:

Carol Spies - All the letters of support are from people living south of the proposed site. She lives north of the site and is concerned about the air quality. They have had well issues in the past and are concerned about the water usage of a facility of this size. Lack of water could affect their livelihood.

David Zeman - He would have no problem with a smaller unit. He is also concerned about the water with this many hogs. He wants to be a good neighbor, but is worried about his well. Will this confinement devalue their property? Why are they locating it here when they own property elsewhere? Why not build two smaller ones?

Allan Kenkel - His concern was the dust from the road with the increased traffic.

Jon Arkfeld in response - He realizes now that he should have talked to the neighbors earlier and apologizes for that. He explained the number of hogs he will be finishing will use less water than the existing livestock confinements in their area. He will be spreading the manure using an umbilical cord system so there will be no manure hauled on the roads. This is also the reason for the choice of this site because of its centralized location to the fields where the manure will be spread. He also responded

to Zeman's question if Arkfelds will be responsible if the wells go dry by saying that they are not the only ones using water out of this particular "vein" of water running through their neighborhood so how can they be held responsible?

Chairman Schmitz asked if there were any more comments. Kenkel stated that since he was new to this position he had called the IDNR to ask about our role as a County Supervisor. The answer was to approve/disapprove the Master Matrix. Schmitz reiterated that the Board has completed their job. The Master Matrix has been completed and verified. Even if the Board says "No", the IDNR makes the final decision. There being no more comments, it was moved by Kenkel, seconded by Parkhurst, to approve the Master Matrix for Arkfeld Pork since they have met the state-required point calculation, and request that the Iowa Department of Natural Resources take into consideration all the comments for and against this project when making their decision to approve or disapprove this construction permit application. AYES: Schmitz, Kenkel, Parkhurst NAYES: None. A video tape of this meeting, along with all documentation filed, will be forwarded to the IDNR for their records.

A discussion was held on possibly contracting with a Human Resource Consultant to help with labor negotiations, implementing Performance Evaluations, and updating job descriptions. Kenkel commented he was surprised that formal evaluations were not being done consistently throughout the county departments. He feels they improve employee performance and provide accountability. It was moved by Parkhurst, seconded by Kenkel, to explore the possibility of hiring someone to help the County through this process. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

Carter reported that ISAC had sent the final premium amounts for the FY2014 health insurance. The County did meet the 5% participation requirement in the Wellness Program to receive a 5% discount. A single policy will be \$597, and a family policy will be \$1,337. Currently, any employee who has the family coverage pays 5% of the dependent portion. As of July 1, that contribution will increase to 10%.

Carter also reported that she had received the bill from IMWCA for the Workers Compensation Insurance premium for FY2014. The final bill was \$174,807. The original estimate was in excess of \$250,000. Our mod factor went down from 1.54 to 1.16.

It was moved by Parkhurst, seconded by Kenkel, to authorize the Chairman to sign the Certification of Cost Allocation Report from Cost Advisory Services. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

It was moved by Kenkel, seconded by Parkhurst, to authorize the Chairman to sign the Rural Transit System Joint Participation Agreement with SWITA. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

Carter reported that the permit for the Welcome to Shelby County sign had been transferred by the IDOT from the Shelby County Chamber to Shelby County. The IDOT had informed her that the sign can be painted but structural changes can be made to the sign without the IDOT's permission.

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

Ahart reported that Jerry Holloway, Assistant County Engineer, had resigned and would be leaving in June.

It was moved by Kenkel, seconded by Parkhurst, to approve the Addendum to the FY2013 Iowa Department of Transportation Budget, as recommended by the County Engineer. AYES: Schmitz, Kenkel, Parkhurst NAYES: None

There being no further business appearing, the Chairman declared the meeting adjourned at 10:11 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.