

January 3, 2017

The Shelby County Board of Supervisors met in an organizational session at 9:00 A.M. in the Supervisors Chamber in the Courthouse with the following members present: Steve Kenkel, Charles Parkhurst, Roger Schmitz, and Mark Maxwell, Clerk.

The following elected officials of Shelby County qualified for their respective offices by taking the oath and by giving bond according to Chapter 63.1, Code of Iowa:

Steve Kenkel, Shelby County Board of Supervisor
Charles Parkhurst, Shelby County Board of Supervisor
Mark Maxwell, Shelby County Auditor
Neil Gross, Shelby County Sheriff

It was moved by Parkhurst, seconded by Schmitz, to approve Steve Kenkel as Chairman of the Board of Supervisors for the 2017 calendar year. Motion carried unanimously.

It was moved by Schmitz, seconded by Kenkel, to approve Charles Parkhurst as Vice-Chairman of the Board of Supervisors for the 2017 calendar year. Motion carried unanimously.

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 Schmitz, to approve the agenda. Motion carried unanimously.

It was moved by Parkhurst, seconded by Schmitz to approve the minutes of December 20, 2016. Motion carried unanimously.

It was moved by Parkhurst, seconded by Schmitz, to approve the Claims of December 30, 2016, as listed in the Claims Register. Motion carried unanimously.

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

RESOLUTION NO. 2017-1
A RESOLUTION APPOINTING DEPUTY COUNTY OFFICIALS
FOR THE 2017 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
Ashley West

Neil Gross
Sheriff

Deputies: Cody Eckles, Chief Deputy County
Kelly Lefeber
Chad Butler
Donavon Dontje
Glenn Birks
Nathan Pigsley
Michael Jurgensen
Braden Quist
Jason Wickizer, Unpaid Reserve Deputy

AYES: Kenkel, Parkhurst, Schmitz NAYES: None

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.

It was moved by Parkhurst, seconded by Schmitz, 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 expenses must be submitted within sixty days of the date incurred. Motion carried unanimously.

It was moved by Parkhurst, seconded by Schmitz, 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 moved by Schmitz, seconded by Parkhurst, to appoint Bryce Schaben as Weed Commissioner for 2017. Motion carried unanimously.

It was moved by Schmitz and seconded by Parkhurst, to reappoint Raymond Petersen to the Shelby County Conservation board term ending December 31, 2021. Motion carried unanimously.

It was moved by Parkhurst and seconded by Schmitz, 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 Schmitz, seconded by Parkhurst, to approve the appointment of the following persons as members of the Compensation Board for the Condemnation of Private Property for Shelby County for 2017, as required by Chapter 472.4, Code of Iowa: Motion carried unanimously for the following names

FARM OWNER - OPERATORS

CITY PROPERTY OWNERS

Lonnie Benson
Irwin, Iowa

Kayla Jacobs
Harlan, Iowa

Jason Monson
Irwin, Iowa

Donald Holdsworth
Harlan, Iowa

Doug Robinson
Shelby, Iowa

Paul Leinen
Harlan, Iowa

David Boettger
Harlan, Iowa

Michael Cain
Harlan, Iowa

Kenneth Schneider
Portsmouth, Iowa

Todd Langenfeld
Earling, Iowa

Dave Wahling
Shelby, Iowa

Richard Leinen
Portsmouth, Iowa

Charles Wooster, Jr.
Manilla, Iowa

Delbert Bruck
Harlan, Iowa

REAL ESTATE BROKERS

PERSONS HAVING KNOWLEDGE OF
PROPERTY VALUES IN SHELBY COUNTY

Kirk Petersen
Harlan, Iowa

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 Parkhurst, seconded Schmitz, to approve the Harlan Tribune and the Harlan News Advertiser as official newspapers for 2017, as defined in Chapter 618.3 and Chapter 349, Code of Iowa. Motion carried unanimously.

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

RESOLUTION NO. 2017-2
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, Schmitz NAYES: None

It was moved by Parkhurst, seconded by Schmitz, that the following days shall constitute paid holidays for all eligible employees as stated herein for the 2017 year. Motion carried unanimously.

New Year's Day - Monday, January 2
Presidents' Day - Monday, February 20
Memorial Day - Monday, May 29
Independence Day - Tuesday, July 4
Labor Day - Monday, September 4
Veterans' Day - Friday, November 10
Thanksgiving Day - Thursday, November 23
Friday after Thanksgiving - Friday, November 24
Christmas - Monday, December 25

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 Schmitz, seconded by Parkhurst, that The Agency, Harlan, IA, be the broker for bonding for Shelby County for 2017. Motion carried unanimously.

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

SCHMITZ

Fourth Judicial District Department of Correctional Services Board of Directors
Juvenile Emergency Service Committee
Solid Waste Agency Board
Emergency Management Agency Commission
E911 Joint Service Board – Non-Voting Member
Workforce Development – Region 13
Hotel/Motel Tax Committee
Building & Grounds and I.T. Oversight

PARKHURST

Harrison/Monona/Shelby Empowerment Area
Southwest Iowa Planning 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
Conservation Board
Safety/Wellness Committee

KENKEL

Citizens Advisory Board for Cherokee MHI
County's Official Voting Delegate-Southwest Iowa Regional Committee for MH/DD
Redesign
Shelby-Harrison-Monona Planning Council & 28E Mental Health Coordinator Board
Environmental Board of Health
Shelby County Chamber of Commerce and Industry

OTHER COMMITTEE MEMBERSHIP

E911 Joint Service Board – Bob Seivert, 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
Historic Preservation Committee – Jeff Buman and Gerald Huebert, terms ending 12-31-2018
Planning and Zoning Board – Marsha Carter and Karen Goans, term ending 12-31-2020
Board of Adjustment – Bill Ahrenholtz, term ending 12-31-2021
2017 – SWIPCO – appoint Mike Kolbe as County Representative and Terry Arentson as At Large Representative

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

RESOLUTION 2017-3
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 is 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, Schmitz NAYES: None

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

RESOLUTION 2017-4
MASTER MATRIX
CONSTRUCTION EVALUATION RESOLUTION

WHEREAS, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a “construction evaluation resolution” relating to the construction of a confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR’s decision regarding a specific application; and

WHEREAS, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2017 and January 31, 2018 and submit an adopted recommendation regarding that application to the DNR; and

WHEREAS, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board’s recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SHELBY COUNTY that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

AYES: Kenkel, Parkhurst, Schmitz NAYES: None

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

RESOLUTION 2017-5
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 2017.

Adopted this 3rd day of January, 2017.

AYES: Kenkel, Parkhurst, Schmitz NAYES: None

The Board had received the FY2017 Health Insurance rates from the Iowa State Association of Counties. Rates will be:

- Plan 10 Rate increase of 9.86%
- PLAN 12C (HSA) Rate increase of 10.26%

It was moved by Schmitz, seconded by Parkhurst, to once again offer a \$100 incentive payment to the employees on the County's health insurance plan if 100% of them get a minimum of three points out the possible five points during the 2017 Wellness Programs. Motion carried.

Todd Valine, representing the Shelby County Chamber/ Industry updated the board of ongoing activities.

Dan Ahart, County Engineer, updated 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 9:46 A.M.

Steve Kenkel, Chairman

ATTEST:

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.