

November 7, 2006

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; Richard Ferry, Vice-Chairman; LaVon Christensen; and Marsha J. Carter, Clerk.

It was moved by Christensen, seconded by Ferry, to approve the agenda AND the following items contained in the Consent Agenda:

- A. Minutes of October 17, 2006
- B. Office Reports - None
- C. Committee Reports

AYES: Schmitz, Ferry, Christensen

NAYES: None

It was moved by Christensen, seconded by Ferry, to approve the Claims of October 31, 2006, as listed in the Claims Register. AYES: Schmitz, Ferry, Christensen NAYES: None

Now being the time for the second reading of Shelby County Ordinance No. 2006-6, An Ordinance Amending Shelby County Zoning Ordinance, the Chairman did open the public hearing. The Chairman asked for any written or oral comments. Jim Chance was present and did speak in opposition to the permit requirement and wanted more clarification. Carter reported that she had received no comments. It was moved by Ferry, seconded by Christensen, to close the public hearing and to set the date and time for the third reading of this Ordinance for November 21 at 9:00 a.m. AYES: Schmitz, Ferry, Christensen NAYES: None.

It was moved by Ferry, seconded by Christensen, to approve the following resolution:

RESOLUTION NO. 2006-32

National Election Worker Appreciation Week

WHEREAS, on November 7, 2006, more than 1,000,000 persons will serve in the process of conducting our federal election; and

WHEREAS, election workers represent every facet of our society and communities and provide a tangible link between the voting public and the election process; and

WHEREAS, election workers provide an invaluable function to our country and are one of this country's most valuable resources; and

WHEREAS, election workers volunteer to serve their fellow citizens with distinction and provide an invaluable service to their communities; and

WHEREAS, election workers span the generation gap from high school students to senior citizens and mirror the amazing diversity of their communities and American society as a whole; and

WHEREAS, election workers are the backbone of American democracy and their dedicated service allows our democracy to flourish; and

WHEREAS, election workers are America's "champions of democracy," it is most appropriate to recognize the contribution that election workers make each time we cast our votes:

NOW, THEREFORE, BE IT RESOLVED that the Shelby County Board of Supervisors, in concert with the states, counties and election jurisdictions of the United States, proclaims the week of November 5-11, 2006 as "National Election Worker Appreciation Week."

BE IT FURTHER RESOLVED that the Shelby County Board of Supervisors extends its appreciation and admiration for the election workers of Shelby County, Iowa and the vital services that they perform in conducting this County's elections.

AYES: Schmitz, Ferry, Christensen

NAYES: None

The Board received word that the Tim Pedersen lawsuit had been settled. He will reimburse the County \$2,494.93 for training and will not be required to reimburse for wages paid during his time at the law enforcement academy.

Craig Olson, representing the Nishna Valley Navigators 4-H Club, appeared before the Board to discuss a possible 4-H project of signing the locations of all the country schoolhouses in Shelby County. The Board did support the project, but at this time there was no request for funds.

It was moved by Ferry, seconded by Christensen, to authorize the Chairman to sign the County Treasurer's 28E Agreement with ICTEA for the Web Payment site. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Christensen, seconded by Ferry, to appoint Jason Wickizer as an unpaid Reserve Deputy Sheriff. This is necessary for him in order to teach the Explorer Scouts. AYES: Schmitz, Ferry, Christensen NAYES: None

Marsha Carter, Auditor & Election Commissioner, presented the Homeland Security required Disaster Plan for Election Day.

It was moved by Christensen, seconded by Ferry, to approve the petition for abatement of real estate taxes from Concerned, Inc., totaling approximately \$4500, for the following properties: 1632 Victoria St., 1109 Farnam Circle, and 1402 - 6th St., Harlan, IA. AYES: Schmitz, Ferry, Christensen NAYES: None

Tony Buman, Assessor, appeared before the Board to discuss the eligibility of the Elm Crest Apartments for Homestead Credit. Buman explained that in order to qualify for Homestead Credit the person living in the apartment must "own" the property. There is no evidence that these apartments are "owned" by the people who live in them. It was moved by Christensen, seconded by Ferry, to disallow the Homestead Credit applications for the Elm Crest Apartments for the taxes due and payable in FY2008. AYES: Schmitz, Ferry, Christensen NAYES: None

Marsha Carter, Auditor, appeared before the Board to address a complaint that had been filed against her to the Iowa Ethics and Campaign Finance Office. The complainant had said that Carter's car had campaign signs in the windows and was parked in the Courthouse parking lot. In case the Board received any questions on this matter, Carter wanted them to know that it was not her car that had the campaign signs in the windows and that she had talked to the owner of the car, and the signs had been removed.

It was moved by Christensen, seconded by Ferry, to approve the Tentative Agreements reached on November 1, 2006, between Secondary Road, Emergency Management Agency, and Sheriff Bargaining Units. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Christensen, seconded by Ferry, to approve the purchase of a used 2004 Caterpillar 950G Wheel Loader from Nebraska Machinery for \$150,000 with trade-in. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Christensen, seconded by Ferry, to proceed with the formalizing of an agreement with the Harlan Fire Department to use the acquired house from the Corley Bridge Project in training activities and to burn as long as there would be no liability to the County. AYES: Schmitz, Ferry, Christensen NAYES: None

The County Engineer gave the secondary road project update.

There being no further business appearing, the Chairman declared the meeting adjourned at 10:15 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.