

August 23, 2011

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: James Burmeister, Chairman; Delbert Hull, Vice-Chairman; Roger Schmitz; and Marsha J. Carter, Clerk.

It was moved by Schmitz, seconded by Hull, to approve the agenda. AYES: Burmeister, Hull, Schmitz NAYES: None

It was moved by Hull, seconded by Schmitz, to approve the minutes of August 2, 2011, as presented. AYES: Burmeister, Hull, Schmitz NAYES: None

It was moved by Hull, seconded by Schmitz, to approve the Claims of August 23, 2011, and place the listing on file in the Auditor's Office. AYES: Burmeister, Hull, Schmitz NAYES: None

Supervisor Hull announced that the Environmental Health Office was now issuing Passports. Earlier this year, the Recorder reported to the Board that the office could no longer meet the guidelines to issue passports. The Board asked if there was any other County department that would be willing to step up and assume this responsibility so the County would not lose the approximate \$10,000 annual revenue. Environmental Health applied and was able to meet the guidelines.

Now being the time for the public hearing on the First Reading of Shelby County Ordinance No. 2011-2, Code of Ordinances in Effect for Shelby County, Iowa, the Chairman did open the hearing. There were no oral or written comments. It was moved by Hull, seconded by Schmitz, to close the public hearing, to suspend any future readings, and to approve Shelby County Ordinance No. 2011-2, as set out below.

SHELBY COUNTY ORDINANCE NO. 2011-2
CODE OF ORDINANCES IN EFFECT
FOR SHELBY COUNTY, IOWA

REPEALED - 2006-3
REPEALED - 2001-4
REPEALED - 1996-3
REPEALED - 1991-4
REPEALED - 1986-1

An ordinance readopting the existing county code and amending certain portions therein.

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

SECTION 1. Purpose. Code of Iowa Section 331.302 (9) requires that once every five years a County shall compile its code of ordinances. This ordinance readopts ordinances now in effect and any amendments thereto.

SECTION 2. Readoption and Amendment of Current Code. The Shelby County Code of Ordinances does contain the following ordinances stated by title and subject matter:

TITLE I
ORGANIZATION & STRUCTURE

1994-2	Ordinance Adoption Procedure replacing Ordinance No. 1980-1
2006-3	Code of Ordinances in Effect for Shelby County replacing Ordinance No. 2001-4, 1996-3, 1991-4, and 1986-1

TITLE II
PUBLIC SERVICES

1996-4	Shelby County Alarm Ordinance
2001-5	Fire Services Uniform Billing Ordinance
2004-1	Drug Paraphernalia Ordinance
2005-4	Ordinance to Re-Precinct Shelby County & Adjust Voting Precinct Boundaries replacing Ordinance No. 2001-3, 1991-5
2006-2	Keg Registration Ordinance
2009-1	Hazardous Materials Cost Recovery Ordinance
2010-1	An Ordinance replacing Ordinance No. 1991-6 Shelby County Rural Addressing System

TITLE III
BUSINESS & OCCUPATIONS

2006-7	School Infrastructure Local Option Tax, Repealed Ordinance No. 1998-3
1995-3	An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Business Park Urban Renewal Area of Shelby County
1999-2	Property Tax Exemption for Speculative Shell Buildings
2005-1	An Ordinance to Amend Ordinance No. 1995-3 Providing for the Division of Taxes Levied on Taxable Property in the Business Park Urban Renewal Area of Shelby County
2005-2	Regular Local Option Sales and Services Tax Amending Ordinance No. 1997-7, 1998-2, & 1999-1
2007-1	An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Douglas Township Urban Renewal Area

TITLE IV
STREETS, ROADS, PUBLIC WAYS & TRANSPORTATION

1997-4	Class "A" and "B" Roads
1997-6	Shelby County Winter Road Maintenance repealing Ordinance No. 1984-1
1999-7	Use of Road Right-Of-Way
2005-5	Class "C" Roads, Amended Ordinance No. 1997-5
2011-1	Improper Use of County Roads

TITLE V
PUBLIC ORDER, SAFETY & HEALTH

1987-1	Flood Plain Management Ordinance
1990-1	Ordinance Adopting the Requirements for Inspection and Enforcement of Swimming Pools and Spas
1991-1	Ordinance Regarding the Disposal of Yard Waste in the Unincorporated Areas of Shelby County
1994-1	Environmental Assessment Ordinance repealing Ordinance No. 1991-2
1999-3	Ordinance Adopting the Private Water Well Construction Permit Rules replaces Ordinance No. 1989-1
1999-4	Ordinance Adopting the Nonpublic Water Well Rules replaces Ordinance No. 1989-2
1999-5	Ordinance Adopting the Requirements for Properly Plugging Abandoned Wells replaces Ordinance No. 1989-3
1999-6	Ordinance Adopting the Onsite Wastewater Treatment and Disposal System Permit Rules replaces Ordinance No. 1989-4
2004-3	Radon Control Methods
2005-3	County Lead Ordinance replacing Ordinance No. 1998-1
2006-1	Septic Contractors License with Reference to Shelby County Ordinance No. 1999-6 On-Site Wastewater Treatment & Disposal Systems
2006-5	An Ordinance providing for the quarantine and isolation of persons or animals with communicable diseases in Shelby County, Iowa.

TITLE VI
PROPERTY & LAND USE

- 1983-1 Ordinance to Limit Height of Objects Around an Airport
2001-7 Amendment to Shelby County Zoning Ordinance maps for Ordinance No. 2001-2
2002-1 Amendment to Shelby County Zoning Ordinance maps for Ordinance No. 2001-2
2004-2 Ordinance Regulating the Subdivision of Land amending/repealing Ordinance 1973-1, 1991-3, 1992-2, 1995-2, 1997-1, & 2001-1
2006-6 Shelby County Zoning Regulations amending/repealing Original Ordinance No. 1973-1, 1991-3, 1992-1, 1995-1, 1997-2, & 2001-2
2008-2 Assessment of Wind Energy Conversion Property

TITLE VII
SOCIAL & HUMAN SERVICES

- 2008-1 Ordinance Prescribing the General Relief Program in Shelby County amending/repealing Ordinance No. 2006-4, 2001-6, 1997-3 & 1981-1

SECTION 3. Code of Ordinances. Copies of the code as adopted herein shall be on file and available for public inspection in the office of the Shelby County Auditor.

SECTION 4. When Effective. This ordinance shall be effective after its final passage, approval, and publication as provided by law.

Passed and adopted this 23rd day of August, 2011.

AYES: Burmeister, Hull, Schmitz NAYES: None

Representatives from Farm Service Cooperative appeared before the Board to discuss the construction of their new chemical and equipment storage buildings and office space in Union Township, just outside the city limits of Defiance. Also being erected on this site will be two (2) – 30,000 gallon bullets for NH3 storage, which requires Board approval. Though not required, it was moved by Hull, seconded by Schmitz, to set 9:00 a.m. on August 29, 2011 in the Supervisors Chambers of the Shelby County Courthouse as the time and date of a public hearing to allow public comment on this issue before a decision is rendered. AYES: Burmeister, Hull, Schmitz NAYES: None

Terry Torneten, ISU Regional Extension Educational Director, and Kristen Rutherford, Program Coordinator for the Extension Council, appeared before the Board to update them on their activities and goals. Extension's focus is "Healthy People, Healthy Environment, Health Economy".

Dan Ahart, the County Engineer, was not 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 9:59 a.m.

James Burmeister, 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.