

June 2, 2009

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

It was moved by Burmeister, seconded by Hull, to approve the agenda with the following additions: Conservation Update and Set Public Hearing for Planning and Zoning Commission AND the following items contained in the Consent Agenda:

- A. Minutes of May 19 & 26, 2009
- B. Office Reports - None
- C. Committee Reports

AYES: Schmitz, Hull, Burmeister

NAYES: None

It was moved by Burmeister, seconded by Hull, to approve the Claims of May 28, 2009, and place the listing on file in the Auditor's Office. AYES: Schmitz, Hull, Burmeister NAYES: None

It was moved by Hull, seconded by Burmeister, to approve and authorize the Chairman to sign the Contracts for Services with Concerned, Country Care Center, and Myrtue Behavioral Health, as recommended by Lonnie Maguire, Community Services Director, with rates remaining the same or lower than last year. AYES: Schmitz, Hull, Burmeister NAYES: None.

Cathy McQueen, Director of Country Care Center, updated the Board on services provided. A discussion was also held on the extension of their current lease.

Now being the time for the public hearing on the proposed sale of County-Owned Land, the Chairman did open the hearing. The Auditor reported that there were no written or oral comments on record. It was moved by Burmeister, seconded by Hull, to close the hearing and adopt the following resolution.

RESOLUTION NO. 2009-16
PUBLIC HEARING ON
PROPOSED DISPOSAL OF COUNTY INTEREST IN REAL ESTATE

WHEREAS, Shelby County received the following proposals to purchase County-owned land legally described as:

- A. DP-GV – Parcel No. 830430202001 – A strip of land described as and bounded by commencing at the Northeast Corner of the NW1/4 of the NW1/4 of Section 30-81-40 in Shelby County, Iowa, thence running South 80 rods, thence West 2 rods, thence North 80 rods, thence East 2 rods to the place of beginning, subject to public roads, easements and ordinances of record. - Anthony J. & Belinda M. Cogdill, Surv - \$1.00.
- B. EK-CL – Parcel No. 831620301003 – A strip of land described as the North 577 feet, East of the Drainage Ditch in the NE1/4 of the SW1/4 of Section 20-78-37 in Shelby County, Iowa. – Raymond Petersen - \$2.00.
- C. EK-CL – Parcel No. 831620301004 – A strip of land described as all that part of the NE1/4 of the SW1/4 of Section 20-78-37 in Shelby County, Iowa, lying East of the Drainage Ditch, except the North 577 feet.– Roger F. & Jacqueline L. Andersen, TIC - \$1.00.
- D. MG-JF – Parcel No. 834100000002 – All of Front Street lying West of East boundary line, extended, of Lot 9 in Block 3; and All of Third Street; and Whitney Street, except the East 333 feet; and Second Street, except the North 759 feet; and the 20 foot North-South alley in Block 9; and the 20 foot East-West alley lying North of Block 7. All as

platted in the Town of Rochdale (n/k/a Botna) in Section 3, Township 81 North, Range 37 West of the 5th P.M., Shelby County, Iowa.– See F.

- E. MG-JF – Parcel No. 834100004052 – The East 200 feet of the East-West alley lying South of Lots 5 thru 12 in Block 4, as platted in the Town of Rochdale (n/k/a Botna) in Section 3, Township 81 North, Range 37 West of the 5th P.M., Shelby County, Iowa. – See F.
- F. MG-JF – Parcel No. 834100003012 – The South 20 feet of Main Street, lying North of Lots 1 thru 4 in Block 3, as platted in the Town of Rochdale (n/k/a Botna) in Section 3, Township 81 North, Range 37 West of the 5th P.M., Shelby County, Iowa. – Bid received on Parcels D, E & F – Wayne & Arlene Justice, Surv - \$100.00.
- G. MG-JF – Parcel No. 834100002012 – All of Front Street, lying East of the East boundary line, extended, of Lot 9 in Block 3; and EXCEPTING the East 333 feet of the North 40 feet of Main Street. All as platted in the Town of Rochdale (n/k/a Botna) in Section 3, Township 81 North, Range 37 West of the 5th P.M., Shelby County, Iowa. – Wilma Walters - \$20.00.
- H. MG-JF – Parcel No. 834100001013 – The 20 foot East-West alley, lying South of Block 5 as platted in the Town of Rochdale (n/k/a Botna) in Section 3, Township 81 North, Range 37 West of the 5th P.M., Shelby County, Iowa.– Pamela S. Schumacher - \$25.00.
- I. MG-JF – Parcel No. 834100004012 – The North Half of the East-West Alley, except the East 200 feet, lying South of Lots 1 thru 4 in Block 4 as platted in the Town of Rochdale (n/k/a Botna) in Section 3, Township 81 North, Range 37 West of the 5th P.M., Shelby County, Iowa.– Dan Alan Clark - \$45.00.
- J. MG-JF – Parcel No. 834100006011 – The South Half of the East-West Alley, lying North of Block 6 as platted in the Town of Rochdale (n/k/a Botna) in Section 3, Township 81 North, Range 37 West of the 5th P.M., Shelby County, Iowa. – Tracy L. Krueger - \$55.00.
- K. MG-JF – Parcel No. 834100003052 – The South 40 feet of Main Street, lying North of Lots 5 thru 8 in Block 3; and the North 20 feet of the South 40 feet of Main Street, lying North of Lots 1 thru 4 in Block 3. All as platted in the Town of Rochdale (n/k/a Botna) in Section 3, Township 81 North, Range 37 West of the 5th P.M., Shelby County, Iowa.– Murrell D. Vanderman & Elsi I. Moore - \$25.00.

NOW THERE FORE, BE IT RESOLVED by the Board of Supervisors of Shelby County, Iowa, that the proposals to purchase as set out above are accepted.

BE IT FURTHER RESOLVED that the Chair of the Shelby County Board of Supervisors is hereby appointed to execute and acknowledge the Quit Claim Deeds conveying the County's interest in each parcel as set out above.

BE IT FURTHER RESOLVED that the Shelby County Auditor is requested, pursuant to Chapter 569.8, Code of Iowa, to strike from the taxing books of the County all taxes previously levied or set on the above listed property.

Passed and approved this 2nd day of June, 2009.

AYES: Schmitz, Hull, Burmeister NAYES: None

Nick Preston, Conservation Director, updated the Board on Conservation projects.

It was moved by Hull, seconded by Burmeister, to set June 16, 2009, at 9:00 a.m as the date and time for a public hearing on a Conditional Use Request from the Planning and Zoning Commission. AYES: Schmitz, Hull, Burmeister NAYES: None

David Yamada, Shelby County DevelopSource, updated the Board on the economic development projects for Shelby County.

Charles Parkhurst, Building & Grounds Superintendent, updated the Board on his progress of completing various maintenance projects noted during the inspection in March.

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

The Board Proceeded to review bids received by the Iowa Department of Transportation at the letting May 19, 2009 for three Emergency Repair projects. Bids were received as follows:

Project ER-C083(40) – 58-83

Clark Construction Co. \$121,866.00
Herberger Construction Co., Inc. \$146,009.45
K & L Landscape & Construction, Inc. \$150,240.75
Nelson & Rock Contracting, Inc. \$163,847.00
Peterson Contractors, Inc. \$171,717.00

Project ER-C083(44) – 58-83

Clark Construction Co. \$60,653.70
K & L Landscape & Construction, Inc. \$63,032.50
Peterson Contractors, Inc. \$81,160.50
Nelson & Rock Contracting, Inc. \$88,442.00

Project ER-C083(45) – 58-83

Gus Construction Co., Inc. \$133,280.00
Nelson & Rock Contracting, Inc. \$168,849.00
K & L Landscape & Construction, Inc. \$185,586.50

It was moved by Burmeister, seconded by Hull, to award the contract for Project ER-C083(40)–58-83 to Clark Construction Co. at their low bid of \$121,866.00; to award the contract for Project ER-C083(44)–58-83 to Clark Construction Co. at their low bid of \$60,653.70; to award the contract for Project ER-C083(45)–58-83 to Gus Construction Co., Inc at their low bid of \$131,280.00 and authorize the Chairman to sign all necessary contract documents and authorize the Auditor to issue warrants for payments as recommended by the County Engineer. Motion carried.

There being no further business appearing, the Chairman declared the meeting adjourned at 11:50 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.