

June 19, 2012

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; James Burmeister, Vice-Chairman; Delbert Hull; 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 Burmeister, seconded by Hull, to approve the agenda. AYES: Schmitz, Burmeister, Hull NAYES: None

It was moved by Hull, seconded by Burmeister, to approve the minutes of June 5, 12, and 15, 2012, as presented. AYES: Schmitz, Burmeister, Hull NAYES: None

It was moved by Burmeister, seconded by Hull, to approve the Claims of June 19, 2012, and place the listing on file in the Auditor's Office. AYES: Schmitz, Burmeister, Hull NAYES: None

It was moved by Hull, seconded by Schmitz, that all claims for mileage be submitted monthly. AYES: Schmitz, Burmeister, Hull NAYES: None

It was moved by Hull, seconded by Burmeister, to approve the FY2013 Contracts for Services with Concerned Inc and Country Care Center Corporation with no change to the rates, as recommended by Lonnie Maguire, Community Services Director. AYES: Schmitz, Burmeister, Hull NAYES: None

It was moved by Hull, seconded by Burmeister, to approve the FY2013 Contract for Services with Myrtue Behavioral Health with a decrease in the block grant from \$30,000 to \$20,000 and the fees for service as set out in the contract, as recommended by Lonnie Maguire, Community Services Director. AYES: Schmitz, Burmeister, Hull NAYES: None

It was moved by Hull, seconded by Burmeister, to approve the following resolution:

RESOLUTION NO. 2012-13
A RESOLUTION OF THE BOARD OF SUPERVISORS OF SHELBY COUNTY
APPROVING PARTICIPATION IN PLANNING

WHEREAS, The Iowa Legislature has passed and the Iowa Governor has signed SF2315 An Act relating to Redesign of Publicly Funded Mental Health and Disability Services; and

WHEREAS, SF2315 expresses the intent of the legislature that Mental Health and Disability Services shall be provided by counties operating together as Regions; and

WHEREAS, the Shelby County Board of Supervisors finds it in the public's best interest to make informed decisions on entering into a Region based on sound planning; and

WHEREAS, the Counties in Southwest Iowa have begun planning for the Development and Delivery of Mental Health and Disability Services through a Regional Structure:

BE IT RESOLVED that Shelby County commits to participate in the planning and development of this MH/DS Region in Southwest Iowa including the counties who have agreed to participate.

BE IT FURTHER RESOLVED that Shelby County hereby authorizes the county CPC to attend and participate in all planning meetings throughout the planning process.

BE IT FURTHER RESOLVED that Shelby County understands that this is for planning purposes and the decision to join a region would be made when a final 28E agreement has been received.

PASSED AND ADOPTED this 9th day of June 2012.

AYES: Schmitz, Burmeister, Hull NAYES: None

It was moved by Burmeister, seconded by Hull, to approve the following resolution:

RESOLUTION NO. 2012-14
A RESOLUTION OF THE SHELBY COUNTY BOARD OF SUPERVISORS PETITIONING
THE IOWA ECONOMIC DEVELOPMENT AUTHORITY FOR EXTENSION OF
SHELBY COUNTY ENTERPRIZE ZONE
IDENTIFICATION NUMBERS 329, 330, 331, 332, 333, 348, 349, 350, and 351

WHEREAS, Shelby County, Iowa, is an eligible “Enterprise Zone” county pursuant to 2007 Iowa Code Sections 15E.191 – 15E.196, and;

WHEREAS, Shelby County has successfully implemented tenets of the Iowa Enterprise Zone program, and;

WHEREAS, the Iowa Enterprise Zone program has proven of great benefit to businesses, individuals and citizens of Shelby County, Iowa, and;

WHEREAS, there has arisen a legitimate developmental need to extend the expiration deadline for specific Enterprise Zones in Shelby County, as certified by the Iowa Economic Development Authority;

WHEREAS, Iowa statutes confer responsibility for Enterprise Zone administration upon the Iowa Economic Development Authority;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Shelby County, Iowa, request the following actions of the Iowa Economic Development Authority:

1. That the expiration date of the following Enterprise Zones be extended correlative with the letter and intent 2007 Iowa Code Section 15E.192 subsection 2.

<i>EZ Name & Number</i>	<i>Total Acres</i>	<i>Date Certified</i>
Defiance, EZ-1	6.88	9-19-2002
Earling, EZ-1	16.65	9-19-2002
Earling, EZ-2	16.63	11-21-2002
Earling, EZ-3	22.29	11-21-2002
Harlan, EZ-2	56.86	9-19-2002
Harlan, EZ-3	32.63	9-19-2002
Harlan, EZ-4	39.23	11-21-2002
Harlan, EZ-5	6.52	11-21-2002
Shelby, EZ-1	36.36	9-19-2002

2. That the Board of Directors of the Iowa Economic Development Authority considers this petition at its next regularly scheduled meeting.

PASSED AND ADOPTED THIS 19TH DAY OF JUNE 2012.

AYES: Schmitz, Burmeister, Hull

NAYES: None

It was moved by Burmeister, seconded by Hull, to approve the following resolution:

RESOLUTION NO. 2012-15
A RESOLUTION OF THE SHELBY COUNTY BOARD OF SUPERVISORS SUPPORTING
THE PROLIANT MEAT INGREDIENTS FACILITY EXPANSION

WHEREAS, Proliant Meat Ingredients is a successful producer of functional stocks and broths, and;

WHEREAS, Proliant Meat Ingredients is expending approximately \$12.024 million in capital construction for an expanded processing facility and purchase of machinery and equipment, and;

WHEREAS, the Shelby County Board of Supervisors passed a Resolution Providing for Partial Property Tax Exemption for Improved Property and;

WHEREAS, this partial exemption is available over a five-year period for the actual value added to industrial real estate of the new construction of industrial real property;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Shelby County, Iowa makes the following statements:

3. The Shelby County Board of Supervisors wholly supports this project.
4. The Shelby County Board of Supervisors agrees to provide the partial property tax exemption once Proliant Meat Ingredients qualifies and applies for said exemption.

PASSED AND ADOPTED THIS 19TH DAY OF JUNE 2012.

AYES: Schmitz, Burmeister, Hull NAYES: None

It was moved by Burmeister, seconded by Hull, to authorize the Chairman to sign the Fiscal Agent Agreement with the Harrison, Monona, and Shelby Early Childhood Board. AYES: Schmitz, Burmeister, Hull NAYES: None

It was moved by Hull, seconded by Burmeister, to authorize the Chairman to sign the Employment Contract with Nick Preston, Conservation Director. AYES: Schmitz, Burmeister, Hull NAYES: None

It was moved by Hull, seconded by Burmeister, to approve a wage increase of \$1250 for FY2013 and \$1500 for FY2014 for all non-union employees to help offset the requirement for all employees to pay 5% of the dependent portion of the health insurance premium for FY2013 and 10% for FY2014. AYES: Schmitz, Burmeister, Hull NAYES: None

It was moved by Burmeister, seconded by Hull, to allow non-union employees to carryover one half (1/2) of their annual paid vacation hours at the end of their employment year. This is not accumulative from year. AYES: Schmitz, Burmeister, Hull NAYES: None

It was moved by Hull, seconded by Burmeister, to adopt the following resolution:

RESOLUTION NO. 2012-16
APPROPRIATE FUNDS TO OPERATE COUNTY OFFICES AND DEPARTMENTS
FOR FISCAL YEAR 2013

WHEREAS, in accordance with Section 331.434(6) of the Code of Iowa which requires the Board of Supervisors of Shelby County, Iowa, to appropriate funds to operate all offices and departments of said county for Fiscal Year 2013.

THEREFORE BE IT RESOLVED, that the Board of Supervisors do hereby authorize the appropriations for Fiscal Year 2013 as follows:

SECTION 1: The amounts itemized by department on the following Schedule A are hereby appropriated from the resources of each fund so itemized.

SECTION 2: Subject to the provisions of other county procedures and regulations, and applicable state law, the appropriations authorized under Section 1 shall constitute authorization for the department or officer listed to make expenditures or incur obligations from the itemized fund, effective July 1, 2012.

SECTION 3: In accordance with Section 331.437, Code of Iowa, no department or officer shall expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure of money for any purpose in excess of the amount appropriated pursuant to this resolution.

SECTION 4: If at any time during the budget year the Auditor shall ascertain that the available resources of a fund for that year will be less than said funds total appropriations she shall immediately so inform the Board and recommend appropriate corrective action.

SECTION 5: The Auditor shall establish separate accounts for the appropriations authorized in Section 1, each of which account shall indicate on a report the status of such accounts to the applicable department monthly during the budget year.

SECTION 6: All appropriations authorized pursuant to this resolution lapse at the close of business June 30, 2013.

SCHEDULE A

POLICY AND ADMINISTRATION	1,804,490
IT/GIS	353,195
AUDITOR	243,281
RECORDER	176,451
TREASURER	266,958
ATTORNEY	163,283
COURT RELATED COSTS	78,000
SHERIFF/JAIL	1,319,572
CONSERVATION/LAND USE	258,397
PUBLIC HEALTH	351,937
SOCIAL SERVICES	67,650
VETERANS	44,455
MH/MR/DD	2,603,280
SECONDARY ROAD	4,401,650

TOTAL \$ 12,132,599

The above and foregoing resolution was adopted by the Board of Supervisors of Shelby County, Iowa, on June 19, 2012, the vote thereon being as follows:

AYES: Schmitz, Burmeister, Hull NAYES: None

It was moved by Hull, seconded by Burmeister, to adopt the following resolution:

RESOLUTION NO. 2012-17 AUTHORIZE AUDITOR TO TRANSFER FUNDS

WHEREAS, it is desired to transfer monies from the General Funds and from the Rural Basic Fund, and

WHEREAS, said operating transfers are in accordance with Sections 331.432, Code of Iowa,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Shelby County, Iowa, as follows:

SECTION 1. The Auditor is hereby authorized to transfer funds from the General Basic and Supplemental Funds and from the Rural Basic Funds to the Capital Fund to cover expenditures as set out in the County Budget for Fiscal Year 2013.

SECTION 2. The Auditor is hereby authorized to transfer funds from the General Basic Fund to the General Supplemental Fund to cover expenditures as set out in the County Budget for Fiscal Year 2013.

SECTION 3. The Auditor is hereby authorized to transfer funds from the Rural Basic Fund to the Rural Supplemental Fund to cover expenditures as set out in the County Budget for Fiscal Year 2013.

SECTION 4. The Auditor is hereby authorized to transfer funds from the Rural Basic Fund to the Flood & Erosion Control Fund to cover expenditures as set out in the County Budget for Fiscal Year 2013.

SECTION 5. The Auditor is hereby authorized to transfer funds from the General Basic and Rural Basic Funds to the Secondary Road Fund to cover expenditures as set out in the County Budget for Fiscal Year 2013.

SECTION 6. The Auditor is hereby authorized to transfer funds from the General Basic Fund to the Conservation Fund to cover expenditures as set out in the County Budget for Fiscal Year 2013.

The above and foregoing resolution was adopted by the Board of Supervisors of Shelby County, Iowa, on June 19, 2012, the vote thereon being as follows:

AYES: Schmitz, Burmeister, Hull NAYES: None

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

This being the time and place as advertised for the opening of bids for Shelby County Project L-306720-73-83, the Board proceeded to open and read the bids as follows: Murphy Heavy Contracting, Anita IA \$90,180.00; Graves Construction, Spencer, IA \$83,923.00; A.M. Cohron & Son, Atlantic, IA \$98,235.18; Dixon Construction, Correctionville, IA \$84,364.00; Cunningham-Reis, Van Meter, IA \$83,590.00; Herberger Construction, Indianola, IA \$102,349.00. It was moved by Burmeister, seconded by Hull, to accept the bid of Cunningham-Reis Co. of Van Meter, IA for \$83,590.00 and authorize the Chairman to sign all contract documents and authorize the Auditor to issue warrants for progress payments as recommended by the County Engineer. AYES: Schmitz, Burmeister, Hull NAYES: None

There being no further business appearing, the Chairman declared the meeting adjourned at 10:29 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.