

May 18th, 2021

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 Shelby County Courthouse with the following members present Darin Haake, Chairperson; Steve Kenkel, Vice-Chairperson; and Supervisor Charles Parkhurst and Mark Maxwell, Clerk.

The Chair asked that any conflict of interest be stated concerning any item on the agenda. No conflicts were stated.

A motion was made by Parkhurst and seconded by Kenkel to approve the agenda with a small change in the order of business and no additions. AYES: Unanimous NAYES: None

It was moved by Kenkel, seconded by Parkhurst, to approve the claims of May 4th, 2021 as listed in the claims register. AYES: Unanimous NAYES: None

A motion was made by Kenkel with a second by Parkhurst to approve the minutes of May 4<sup>th</sup> meeting. AYES: Unanimous NAYES: None

The County Covid mask mandate was then lifted unless any department head continues to ask for the wearing of masks. Parkhurst made a motion to remove the County mask mandate, Kenkel seconded the motion. All three supervisors voted in favor of the motion.

The meeting was then recessed with a motion by Kenkel and a second by Parkhurst, followed by a unanimous vote to recess for a public hearing for possible comments from the public regarding the Master Matrix application. Comments were heard from adjacent property owners about the site of the proposed facility. The Supervisors stated that current law makes exact site selection a priority for State approval of the facility. Cooperation was agreed upon by landowners.

The Supervisors then closed the hearing with a motion by Kenkel and a second by Parkhurst. A unanimous vote was counted in favor of closing the hearing.

The Supervisors then submitted a Master Matrix Scoring and Recommendation to the Iowa Department of Natural Resources. The recommendation was approved unanimously after a motion by Kenkel and a second by Parkhurst to approve the recommendation.

Mark Maxwell, Shelby County Auditor, then asked the Supervisors to consider setting a hearing date for the annual internal loan not to exceed \$200,000 from the General Basic fund to the TIF fund. This procedure funds needed projects by secondary roads in fiscal year 2022. This procedure though not mandatory, is performed annually to keep all funds current in their payments and receipts.

**RESOLUTION NO. 2021-21  
RESOLUTION SETTING DATE FOR A PUBLIC HEARING ON A PROPOSAL TO INCUR  
NONCURRENT DEBT**

WHEREAS, the Board of Supervisors of Shelby County, Iowa (the "County"), has established the Shelby County Urban Renewal Area (the "Urban Renewal Area") and has established the Shelby County Urban Renewal Area Tax Increment Revenue Fund (the "Tax Increment Fund") in connection therewith; and WHEREAS, the County proposes to undertake certain urban renewal projects (the "Projects") in the Urban Renewal Area, consisting of using incremental property tax revenues to pay the costs, to that extent, of the construction of improvements to roads, bridges and culverts; and WHEREAS, it has been proposed that the County facilitate an internal advance of funds NEEDED THAT WILL BRING THE TOTAL TO \$200,000 IN THE TIF FUND. (the "Advance") for the purpose of paying the costs of the Projects, including legal and administrative fees, and the County desires to make the Advance eligible to be repaid from

future incremental property tax revenues to be derived from the Urban Renewal Area; and WHEREAS, pursuant to Section 331.479 of the Code of Iowa, it is now necessary to fix a date of meeting of the Board of Supervisors at which it is proposed to take action to approve the Advance and to give notice thereof as required by such law; NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Shelby County, Iowa, as follows:

This Board will meet at the Board of Supervisors room, Courthouse, Harlan, Iowa, on June 15th, 2021, at 9:00 o'clock a.m., at which time and place a hearing will be held and proceedings will be instituted, and action taken to approve the Advance. The County Auditor is hereby authorized to publish notice of said hearing, the same being in the form attached to this resolution, which publication shall be made in a legal newspaper of general circulation in Shelby County, which publication shall be not less than four (4) and not more than twenty (20) days before the date set for the hearing. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

After an explanation from the Auditor Parkhurst made a motion to pass the resolution. Kenkel seconded the motion. A vote was held with Haake, Kenkel and Parkhurst all voting in favor of the motion. No Nays were cast.

Nick Preston, Shelby County Conservation Director, was present to discuss with the Supervisors many of his department's activities. Focus at present in the Conservation Department is preparing for Memorial Day weekend. The flood mitigation project in Earling is progressing and getting closer to completion.

Terri Daringer was on hand to update the Board on her Environmental Health Department's recent activities that includes a busy spring season of well plugging activity and grants to plug the abandoned wells.

Alex Londo, EMA Coordinator reported about his findings concerning the American Rescue Plan act (ARPA). The Supervisors instructed the Auditor to give copies of ARPA literature to Department heads for input on qualifying needs they may have.

Todd Valline, Shelby County Chamber of Commerce and Industry noted the business plan competition is now taking place and two ribbon cutting ceremonies are to take place soon. Valline also noted the Chamber Golf Outing is Friday June 18<sup>th</sup>.

Brandon Burmeister, Shelby County Engineer, was present to ask the Supervisors to consider a resolution extending the lower speed limit in Westphalia to the east end of City Limits. Made a motion to approve the Resolution as presented. After Burmeister's recommendation a motion was made by Kenkel and seconded by Parkhurst to pass the following resolution:

#### Shelby County Resolution No. 2021-22

WHEREAS: The Board of Supervisors of Shelby County is empowered under the authority of sections 321.255 and 321.285 of the Code of Iowa, to determine upon the basis of an engineering and traffic investigation conducted by the County Engineer that the speed limit of any secondary road is greater than is reasonable and proper under the conditions existing, and may determine and declare a reasonable and proper speed limit, and WHEREAS: Such investigation has been requested and completed and the County Engineer has reached an opinion concerning the reasonable and proper speed for the road listed herein, NOW, THEREFORE BE IT RESOLVED, by the Shelby County Board of Supervisors that the following speed limit be established and appropriate signs erected at the locations described as follows: Beginning at the East City Limits of the city of Westphalia, Iowa and proceeding West on County Route F-32 to the West City Limits of the city of Westphalia, Iowa; a speed limit of 35 miles per hour is established. Speed limit shall be effective when appropriate signs giving notice of the speed limits are erected.

Parkhurst, Kenkel and Haake all voted in favor of the resolution, no nays were cast.

Burmeister also updated the Supervisors on current activities and projects in his department

Mark Maxwell , Auditor, discussed with the Supervisors of the pending receipt of American Rescue Plan (ARPA) funds and that the Supervisors must ensure that the money will be spent within the guidelines set with the dispersal of these funds. Maxwell explained that a new fund was created along with accounts. This will separate these dollars for any public scrutiny or auditing purposes. Maxwell continued discussion of the north side of the Courthouse and redesigning the entrances that may include new steps and an accessible entrance on the north side of the Courthouse.

**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.**

---

Darin Haake, Chairperson

ATTEST:

---

Mark L. Maxwell  
Clerk to the Board of Supervisors