

October 18, 2005

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. Absent:

It was moved by Christensen, seconded by Ferry, to approve the agenda with the following additions: (1) Loan from General Basic to TIF Fund AND the following items contained in the Consent Agenda:

- A. Minutes of October 4, 2005
- B. Office Reports – Sheriff & Recorder Qtrly Reports
- C. Committee Reports

AYES: Schmitz, Ferry, Christensen

NAYES: None

It was moved by Ferry, seconded by Christensen, to approve the Claims of October 18, 2005, as listed in the Claims Register. AYES: Schmitz, Ferry, Christensen

NAYES: None

A representative from Jackson Recovery appeared before the Board to give a report for 2004 on people served.

M. J. Broomfield, SWIPCO, appeared before the Board to discuss the Home Rehabilitation Grant vs Home Ownership Grant. It was moved by Christensen, seconded by Ferry, to authorize Broomfield to proceed with a grant application based on Home Ownership rather than Hosing Rehab with the public hearing being set for November 1, 2005. AYES: Schmitz, Ferry, Christensen

NAYES: None

It was moved by Christensen, seconded by Ferry, to authorize the Chairman to sign the HAVA-County Voting System Allocation Application to receive approximately \$100,000 of Federal HAVA Funds to partially reimburse Shelby County for our new HAVA required voting system, a cost of \$111,880. AYES: Schmitz, Ferry, Christensen

NAYES: None

It was moved by Ferry, seconded by Christensen, to transfer \$20,000 from General Basic to TIF Fund to be paid back within this fiscal year. AYES: Schmitz, Ferry, Christensen

NAYES: None

Tom Ouren, The Agency, and Clarence Hoffman, ICAP, appeared to give the Board an update on our property/casualty/liability insurance.

Ron Kroll, Shelby Mayor; Lori Holste, WIDA Executive Director; and David Yamada, DevelopSource Director, appeared before the Board to update them on the possibility of a new light manufacturing plant coming to the City of Shelby. They informed the Board that the proposed plant site, which lies in Pottawattamie County, has been annexed into the Shelby City Limits. They were here today also to request the Board's approval of an Enterprise Zone.

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

#### SHELBY COUNTY RESOLUTION NO. 2005-22

RESOLUTION APPROVING THE APPLICATION TO THE IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT REQUESTING CERTIFICATION OF AN ENTERPRISE ZONE IN THAT PORTION OF SHELBY, IOWA LOCATED IN POTTAWATTAMIE COUNTY

WHEREAS, Shelby County hereinafter referred to as the "County", State of Iowa is a political subdivision organized and existing under the law and the Constitution of the State of Iowa (the "State"); and

WHEREAS, The purpose of 2005 Iowa Code Sections 15E.191 through 15E.196 (the "Act") is to encourage mutual development objectives between communities and private business and to promote economic investment in enterprise zones within the State; and

WHEREAS, the Act and administrative rules adopted by the Iowa Department of Economic Development require the County to approve, by resolution, the establishment of an enterprise zone and the submission of a request for certification to the Iowa Department of Economic Board; and

WHEREAS, Pottawattamie County, while not eligible to establish an Enterprise Zone, does contain within its boundaries a portion of the City of Shelby, Iowa, whose municipal boundaries extend into the County; and

WHEREAS, the County, by means of Pottawattamie County Resolution number 53-2005 passed and approved on October 24, 2005, has received a request to establish an Enterprise Zone in a portion of the City of Shelby located in Pottawattamie County; and

WHEREAS, contingent upon execution of an agreement between Shelby County and Pottawattamie County as detailed in Iowa Code Chapter 28E, “Joint Exercise of Governmental Powers”; and

WHEREAS, The County, as provided in 2005 Iowa Code Section 15E.192, may establish an Enterprise Zone in that portion of Pottawattamie County located within the boundaries of the City of Shelby, Iowa.

WHEREAS, under the Act, one of the benefits provided to eligible businesses locating within a certified enterprise zone is a County exemption from taxation of all, or a portion, of the actual value added by improvements to real property that is: 1) directly related to new jobs created by the location or expansion of an eligible business in the zone, and 2) used in the operation of an eligible business within the zone; and

WHEREAS, Pottawattamie County, having authority over local taxes, has already stated its schedule of exemptions from local taxation of the assessed real estate value added by improvements to the property, beginning the first year the improvements are assessed for taxation in the enterprise zone in Pottawattamie County Resolution Number 53-2005, passed and approved on October 24, 2005.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SHELBY COUNTY AS FOLLOWS:

**Section 1.** The County certifies that it is an eligible participant under the Act and meets the following distress criteria required by the Act:

- a. SHELBY COUNTY: The County has an average weekly wage that ranks among the bottom 25 counties in the State.
- b. SHELBY COUNTY: The County has percentage of persons 65 years of age or older that ranks among the top 25 counties in the State.

**Section 2.** The County requests enterprise zone certification from the Iowa Department of Economic Development Board as authorized in 2005 Iowa Code Section 15E.192 and Section 15E.194, contingent upon execution of a 28E Agreement between Pottawattamie and Shelby Counties, for the following designated site of 10 acres, which, when added to previously certified Shelby County Enterprise Zones, is less than 1% of the total Shelby County area for the purposes of receiving the benefits under the Act. The legal description of the enterprise zone area to be certified is:

All of the Southeast ¼ of Section 4; Township 77 North, Range 40 West  
(Pleasant Township), Pottawattamie County, Iowa.

A detailed map of the area described above is on file in the Auditor’s Office.

**Section 3.** The County shall provide a copy of this resolution to the Iowa Department of Economic Development and shall also provide a copy of this resolution to the Pottawattamie County Board of Supervisors.

**Section 4.** The following officers of the County are hereby authorized to take such further actions as are deemed necessary in order to carry into effect the provisions of this resolution:

Shelby County Supervisors: Roger Schmitz, Lavon Christensen, and Richard Ferry

**Section 5.** All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

**Section 6.** The provisions of this resolution are hereby declared to be severable and if any section, phrase, or provision shall for any reason be declared to be invalid, such declaration shall not effect the validity of the remainder of the sections, phrases and provisions hereof.

**Section 7.** This resolution shall become effective immediately upon its passage and approval.

Passed and approved this 18<sup>th</sup> day of October, 2005.

AYES: Schmitz, Ferry, Christensen                      NAYES: None

The County Engineer gave the secondary road project update.

Deputy Sheriff Tim Pedersen recently resigned and accepted a position with the Harlan City Police. As of this date, the Board has not heard anything from Pedersen, regarding his \$11,429.19 contract buy-out. It was moved by Christensen, seconded by Ferry, to authorize the County Attorney to draw up a court petition and notify Pedersen that the petition will be filed to collect the \$11,429.19 if he does not respond by the November 1, 2005 meeting. AYES: Schmitz, Ferry, Christensen                      NAYES: None

There being no further business appearing, the Chairman declared the meeting adjourned at 10:43 a.m.

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Roger Schmitz, Chairman

ATTEST:

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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.