

February 7, 2006

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.

It was moved by Ferry, seconded by Christensen, to approve the agenda AND the following items contained in the Consent Agenda:

- A. Minutes of January 17, 2006
- B. Office Reports – None
- C. Committee Reports

AYES: Schmitz, Ferry, Christensen

NAYES: None

It was moved by Ferry, seconded by Christensen, to approve the Claims of January 31, 2006, as listed in the Claims Register. AYES: Schmitz, Ferry, Christensen

NAYES: None

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

RESOLUTION NO. 2005-7  
ENTRY RECORD OF THE HEARING AND DETERMINATION  
OF THE COUNTY BUDGET FOR FISCAL YEAR 2007

BE IT REMEMBERED, on the 7<sup>th</sup> day of February, 2006, A.D., at the hour of 9:00 A.M. of said day, the Board of Supervisors of Shelby County, Iowa, met for the purpose of the hearing upon the county budget as filed with the Board. There was present a quorum as required by law.

WHEREAS, the Board investigated and found that the notice of time and place of hearing had, according to law, and as directed by the Board, been published in the official county newspapers published in Shelby County and that affidavits of publication, therefore, are on file with the County Auditor.

THEREFORE, on said day, the budget was taken up and considered. Present were representatives from Harlan Newspapers, HMU Cable Station, KNOD Radio Station, other interested parties, and various department heads. Carter reported that she had received one phone call, and she reported to the caller that there would be a tax decrease. There were no other written or oral comments received by the Board of Supervisors. After discussion, the Chairman declared the hearing closed and the County Budget for Fiscal Year 2006 adopted, along with the Shelby County Compensation Board recommendation.

The above and foregoing resolution was adopted by the Board of Supervisors of Shelby County, Iowa, on February 7<sup>th</sup>, 2006, the vote thereon being as follows:

AYES: Schmitz, Ferry, Christensen

NAYES: None

Following is the Shelby County payroll for 2005: Marsha J. Carter, 38007.84; Karen Goans, 30388.81; Rhonda Brown, 29788.81; Gerald Lawson, 46705.60; Sandra Ronfeldt, 23468.61; Gloria Soll, 1295.00; Lucas Wolken, 750.00; 23468.61; Kathaleen Stinn, 36485.28; Sherry Heller, 29182.42; Marie Madsen, 28080.01; Joann Christensen, 29182.42; Sharon Oman, 28080.00; Danny Petersen, 4958.74; Linda Fahn, 36485.28; Linda Stroehrer, 29182.43; Janet Johannsen, 22318.42; Marcus Gross, Jr, 40227.20; Susan Christenen, 27872.00; Durwood Cavanaugh, 48480.65; Glenyce Wendelin, 6744.24; Karla Kramer, 26149.31; Mark Hervey, 46982.78; John Kelly, 41225.37; Robin Ambrose, 39591.32; Kelly Lefeber, 39255.16; Mark Kaufman, 15358.46; Chad Butler, 39068.63; Timothy Pederson, 23963.80; Blair Paulsen, 12919.35; Bradley Butler, 26613.53; Cynthia Murphy, 27694.83; Harold Brensel, 29067.36; Karen Klein, 25469.93; Ruth Mortensen, 29488.59; Juanita Kurth, 28457.13; Jesse Andersen, 2074.80; Charles Parkhurst, 37240.84; Penny Anderson, 24371.74; Gayle Petersen, 917.76; Richard Ferry, 21692.32; Roger Schmitz, 22189.44; LaVon Christensen, 20774.64; Darby Sanders, 22368.64; Kay Hupp, 5051.04; Donald Miller, 10940.56; Nicholas Preston, 32915.52; Christina Groen, 26810.81; Jon Rasmussen, 7896.75; Joseph Stroehrer, 41641.60; Terri Daringer, 29556.80; Roland Wegner, 11260.95; Robert Nielsen, 23483.20; Julie Goeser, 21548.80; Thomas Walker, 7976.80; Joel Sharpling, 6643.00; William Sorensen, 5942.86; Ylonda Maguire, 43360.96; Eve Bleyhl, 14934.40; Jill Schiltz, 32729.61; Jessica Mock, 31836.81; Julene Shelton-Beedle, 26635.89; Veronica Brantz, 4297.16; Christy Casey, 7562.41; Adrienne Ehrens, 7137.28; Rachel Hansen, 446.08; Victoria Waggoner-Mumm, 5408.40; Connie Boysen, 19936.10; Kimarie Maassen, 3269.44;

Mary Gertrude Salvo, 530.10; Bryce Schaben, 37333.92; Mark Assman, 12691.25; James Sander, 10078.65; Greg Boysen, 1463.90; Daniel Ahart, 98587.20; Dennis Anastasi, 44456.96; Lyle Behrens, 34315.88; Kenneth Blackwell, 33125.40; Allen Bruck, 33370.41; Thomas Ferry, 32556.45; Robert Kimball, 36226.95; Donald Gessert, 33406.26; Ralph Gessert, 34468.50; Marvin Goans, 50397.11; Richard Hastert, 31407.43; Todd Jacobsen, 27230.24; Franklin Sick, 29747.50; Michael Kienast, 35984.52; Gerald Kohles, 33155.20; Richard Leinen, 3732.72; Richard Musfeldt, 33044.73; James Baughman, 32317.88; Curtis Sonderman, 32852.56; David Sternberg, 33394.32; Charles Trailer, 5904704; Edward Schmitz, 33089.76; Michael Whitaker, 50486.68; Bruce Waddell, 34694.79; Harold Jager, Jr, 12710.78; Ann Wolken, 30368.00; David Gau, 37982.55; Bernard Swenson, 31837.07; Douglass Daringer, 30305.70; Russell Lange, 11539.08; Philip Monahan, 11782.18; Tracy Klein, 27768.52; Randy Armentrout, 11344.50; John Campbell, Jr., 10831.50; Brent Rasmussen, 11811.21

The Board received an activity report from a representative from WESCO, Denison.

Charles Trailer, Zoning Administrator, appeared before the Board to discuss a proposed form for rural property owners to report any new construction. The Board directed Trailer to take the form to the Planning & Zoning Commission for approval and to appear at a future Board meeting for further action.

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

RESOLUTION NO. 2006-8  
ENTERPRISE ZONE  
SHELBY COUNTY – CITY OF TENNANT

RESOLUTION APPROVING THE APPLICATION TO THE IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT REQUESTING CERTIFICATION OF AN ENTERPRISE ZONE IN SHELBY COUNTY PROVIDING FOR THE EXEMPTION FROM TAXATION OF THE ACTUAL VALUE ADDED BY IMPROVEMENTS MADE BY APPROVED BUSINESSES WITHIN THE ZONE

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 2001 Iowa Code Sections 15E.191 through 15E.196 and all subsequent amendments including 2002 Iowa Acts, House File 2378 (the “Act”) is to encourage mutual development objectives between communities and private business and to promote development and investment in economically distressed areas 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 Development Board of Directors; and

WHEREAS, under the Act, one of the benefits provided to eligible businesses locating within a certified Enterprise Zone, as described in Iowa Code Section 15E.196, may at the election of the community be an 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, it is the intention of the County to exempt from local taxation a portion of the assessed real estate value added by the improvements to the property made by an eligible and approved business, beginning the first year the improvements are assessed for taxation in the Enterprise Zone according to the following schedule:

The local tax exemption schedule has not been established by the Board of Supervisors for Shelby County at this time.

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 under Section 15E.194 of the Act, as amended by 2002 Iowa Acts, House File 2378:

- a) The County has an average weekly wage that ranks among the bottom 25 counties in the State.
- b) 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 hereby requests Enterprise Zone certification from the Iowa Department of Economic Development Board of Directors as authorized in Section 15E.194 of the Act for the 11.1 acres described below, which the County certifies, when added to previously certified zones, is less than 1% of the total area of the 3,784,412 acres in Shelby County.

Enterprise Zone #1: Original Town Lots 15-21, Block 10

Enterprise Zone: #2: Original Lots 8-15, Block 9

SECTION 3. The County exempts from taxation a portion of the assessed real estate value, in excess of the previous assessment, added by improvements to the property made by an eligible and approved business beginning the year the improvements are first assessed for taxation within the Enterprise Zone according to the following schedule:

The property tax exemptions have not been established by the Board of Supervisors for Shelby County at this time.

SECTION 4. The County shall provide a copy of this resolution to the Iowa Department of Economic Development and shall file this resolution with the Shelby County Assessor.

SECTION 5. The following officers of the County are hereby authorized to take such further actions as deemed necessary in order to carry into effect the provisions of this resolution:

Roger Schmitz –Chairman Shelby County Board of Supervisors  
LaVon Christensen – Shelby County Board of Supervisors  
Richard Ferry – Shelby County Board of Supervisors  
Marsha Carter, --Shelby County Auditor

SECTION 6. All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. The provisions of this resolution are hereby declared to be severable and if any section, phrase, or provision shall be for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereof.

SECTION 8. This resolution shall become effective immediately upon its passage and approval.

Passed and approved: February 7, 2006

AYES: Schmitz, Ferry, Christensen

NAYES: None

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

RESOLUTION NO. 2006-9  
ENTERPRISE ZONE  
SHELBY COUNTY – CITY OF SHELBY

RESOLUTION APPROVING THE APPLICATION TO THE IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT REQUESTING CERTIFICATION OF AN ENTERPRISE ZONE IN SHELBY COUNTY PROVIDING FOR THE EXEMPTION FROM TAXATION OF THE ACTUAL VALUE ADDED BY IMPROVEMENTS MADE BY APPROVED BUSINESSES WITHIN THE ZONE

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 2001 Iowa Code Sections 15E.191 through 15E.196 and all subsequent amendments including 2002 Iowa Acts, House File 2378 (the “Act”) is to encourage mutual development objectives between communities and private business and to promote development and investment in economically distressed areas 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 Development Board of Directors; and

WHEREAS, under the Act, one of the benefits provided to eligible businesses locating within a certified Enterprise Zone, as described in Iowa Code Section 15E.196, may at the election of the community be an 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, it is the intention of the County to exempt from local taxation a portion of the assessed real estate value added by the improvements to the property made by an eligible and approved business, beginning the first year the improvements are assessed for taxation in the Enterprise Zone according to the following schedule:

The local tax exemption schedule has not been established by the Board of Supervisors for Shelby County at this time.

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 under Section 15E.194 of the Act, as amended by 2002 Iowa Acts, House File 2378:

- c) The County has an average weekly wage that ranks among the bottom 25 counties in the State.
- d) 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 hereby requests Enterprise Zone certification from the Iowa Department of Economic Development Board of Directors as authorized in Section 15E.194 of the Act for the 11.1 acres described below, which the County certifies, when added to previously certified zones, is less than 1% of the total area of the 3,784,412 acres in Shelby County.

EZ#2 Original Town Part of Outlot 1; Part NE NE N ½ and N 376.19’ of S ½ except # 11 acres

EZ#3 Original Town Out Lot 2

EZ#4 Clime & Davidson Subdivision Part of Lots 1, 2, 5 & 6 and  
Lots 3, 4, 11 – 16; Clime & Davidson Subdivision Part of Lot 10;  
Part of SE SE, T 78 N R 40 W, Section 33

EZ#5 T 78 N R 40 W, Section 33: Part NW SE; Part NW SE 24’ x 660’  
, and 40’ x 380’; Part NW SE

EZ#6 Original Town Lots 13 – 16 of Block 25; Original Town E 150’  
Part of Out Lot 21

EZ#7 T 78 N R 40 W, Section 33: Part NW SW; Part NW SW;  
SW SW; Part N ½ SW; Part NE SW; Part SE SW; SE SW  
Abandoned Railroad Right of Way; Part SE SW

EZ#8 T 78 N R 40 W, Section 32: Part NE SE; SE SE

EZ#9 Auditor's Subdivision NW NW Part of Lots 3 & 6, Original Town  
Part of Out Lots 10 & 14

EZ#10 Original Town Out Lot 5

EZ#11 Original Town Out Lot A, B, & C, and all of Blocks & 3

EZ#12 Original Town W ½ of Lots 1 – 8 Block 1 & Out Lot 3; Original  
Town E ½ Lots 1 – 8 & All Lots 9 – 16 Block 1

EZ#13 Original Town Lots 1, 2, 3, & 4 of Block 8; Original Town Lots 5  
& 6 of block 8

EZ#14 Original Town Lots 1, 2, 3, 4, & 5 of Block 13 and Abandoned Railroad  
Right of Way (200' x 200'); Original Town Lot 6 of Block 13 and  
Part E ½ NW & Part W ½ NE

EZ#15 Original Town E 170' Adjacent to Out Lot 11 Part of Depot Grounds  
Except 30' x 212'

SECTION 3. The County exempts from taxation a portion of the assessed real estate value, in excess of the previous assessment, added by improvements to the property made by an eligible and approved business beginning the year the improvements are first assessed for taxation within the Enterprise Zone according to the following schedule:

The property tax exemptions have not been established by the Board of Supervisors for Shelby County at this time.

SECTION 4. The County shall provide a copy of this resolution to the Iowa Department of Economic Development and shall file this resolution with the Shelby County Assessor.

SECTION 5. The following officers of the County are hereby authorized to take such further actions as deemed necessary in order to carry into effect the provisions of this resolution:

Roger Schmitz –Chairman Shelby County Board of Supervisors

LaVon Christensen – Shelby County Board of Supervisors

Richard Ferry – Shelby County Board of Supervisors

Marsha Carter, --Shelby County Auditor

SECTION 6. All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. The provisions of this resolution are hereby declared to be severable and if any section, phrase, or provision shall be for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereof.

SECTION 8. This resolution shall become effective immediately upon its passage and approval.

Passed and approved: February 7, 2006

AYES: Schmitz, Ferry, Christensen

NAYES: None

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

RESOLUTION NO. 2006-10  
ENTERPRISE ZONE  
SHELBY COUNTY – CITY OF ELK HORN

RESOLUTION APPROVING THE APPLICATION TO THE IOWA DEPARTMENT OF  
ECONOMIC DEVELOPMENT REQUESTING CERTIFICATION OF AN ENTERPRISE ZONE IN  
SHELBY COUNTY PROVIDING FOR THE EXEMPTION FROM TAXATION OF THE ACTUAL  
VALUE ADDED BY IMPROVEMENTS MADE BY APPROVED BUSINESSES WITHIN THE  
ZONE

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 2001 Iowa Code Sections 15E.191 through 15E.196 and all subsequent amendments including 2002 Iowa Acts, House File 2378 (the “Act”) is to encourage mutual development objectives between communities and private business and to promote development and investment in economically distressed areas 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 Development Board of Directors; and

WHEREAS, under the Act, one of the benefits provided to eligible businesses locating within a certified Enterprise Zone, as described in Iowa Code Section 15E.196, may at the election of the community be an 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, it is the intention of the County to exempt from local taxation a portion of the assessed real estate value added by the improvements to the property made by an eligible and approved business, beginning the first year the improvements are assessed for taxation in the Enterprise Zone according to the following schedule:

The local tax exemption schedule has not been established by the Board of Supervisors for Shelby County at this time.

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 under Section 15E.194 of the Act, as amended by 2002 Iowa Acts, House File 2378:

- e) The County has an average weekly wage that ranks among the bottom 25 counties in the State.
- f) 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 hereby requests Enterprise Zone certification from the Iowa Department of Economic Development Board of Directors as authorized in Section 15E.194 of the Act for the 11.1 acres described below, which the County certifies, when added to previously certified zones, is less than 1% of the total area of the 3,784,412 acres in Shelby County.

EZ#2: Part of Government Lot 1 Parcel A; Catalpa Ridge Addition Lot 1; Catalpa Ridge Addition Lot 2 and W 153’ N 170” Lot 3 and Parkview Outlot A W 196’ except S 182’ NE Corner; Cy’s Subdivision Outlot B, Lots 11 & 12.

EZ#3: Part of Government Lot 1 lying W of Highway 173 except Lots 1 & 2, J Petersen’s 1<sup>st</sup> Addition Outlot 2, except # 74.08’; J Petersen’s Subdivision of Outlot 1 Lots 17-25 and alley on N side of Lots; J Petersen’s Subdivision of Outlot 1 alley 31’ x 545’ S. of Lots 17-25; Stillside Addition Part of Lot 2; Stillside Addition Part of Lot 5 except 15’ x 50’ and except the 170’ x 100’ in the SE corner of Lot 5 West of Union St; F Petersen’s Addition W 880.5” of Lot 2 & W 151.7’ of Lot 1; F Petersen’s Addition W 641’ of Lot 5; W 627’ of Lot 4; W 627’ of Lot 3 and Rattenborg’s Subdivision.

EZ#4: Cy’s Subdivision Lots 2-8; Catalpa Ridge Addition Part of Lot 6; Catalpa Ridge Addition Parcel A&D, Lot 6 & E 25’ of S 127.5’; Catalpa Ridge Addition Part of Lots 7, 8, 9; Catalpa Ridge Addition E 873.7’ of Lot 10.

EZ#5: Part of Government Lot 13 Parcel A; Part of Government Lot 14 Parcel E; Part of Government Lot 15 Parcel A of N 15 acres; Part of Government Lot 15; Part of Government Lot 15 beginning 241’ N of SE corner N 590’, W 230’, S 590’, E 230’ except Lot 2; Part of

Government Lot 15 Lot 2; Part of Government Lot 15 120' x 178'; and Part of Government Lot 15 121' x 218' (40' Road).

EZ#6: Auditor's Subdivision of Government Lot 18 Lot 2 except Lot 1 of Lot 2; Auditor's Subdivision Government Lot 18 Lot 3; Auditor's Subdivision Government Lot 18 Part of Lot 4; Part of Lot 6 and Part Railroad.

EZ#7: Auditor's Subdivision Government Lot 11, part of Lot 26.

SECTION 3. The County exempts from taxation a portion of the assessed real estate value, in excess of the previous assessment, added by improvements to the property made by an eligible and approved business beginning the year the improvements are first assessed for taxation within the Enterprise Zone according to the following schedule:

The property tax exemptions have not been established by the Board of Supervisors for Shelby County at this time.

SECTION 4. The County shall provide a copy of this resolution to the Iowa Department of Economic Development and shall file this resolution with the Shelby County Assessor.

SECTION 5. The following officers of the County are hereby authorized to take such further actions as deemed necessary in order to carry into effect the provisions of this resolution:

Roger Schmitz –Chairman Shelby Board of Supervisors  
LaVon Christensen – Shelby County Board of Supervisors  
Richard Ferry – Shelby County Board of Supervisors  
Marsha Carter, --Shelby County Auditor

SECTION 6. All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. The provisions of this resolution are hereby declared to be severable and if any section, phrase, or provision shall be 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 8. This resolution shall become effective immediately upon its passage and approval.

Passed and approved: February 7, 2006

AYES: Schmitz, Ferry, Christensen

NAYES: None

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

RESOLUTION NO. 2006-11  
ENTERPRISE ZONE  
SHELBY COUNTY – CITY OF HARLAN – AMENDED

RESOLUTION APPROVING THE APPLICATION TO THE IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT REQUESTING CERTIFICATION OF AN ENTERPRISE ZONE IN SHELBY COUNTY PROVIDING FOR THE EXEMPTION FROM TAXATION OF THE ACTUAL VALUE ADDED BY IMPROVEMENTS MADE BY APPROVED BUSINESSES WITHIN THE ZONE

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 2001 Iowa Code Sections 15E.191 through 15E.196 and all subsequent amendments including 2002 Iowa Acts, House File 2378 (the “Act”) is to encourage mutual development objectives between communities and private business and to promote development and investment in economically distressed areas 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 Development Board of Directors; and

WHEREAS, under the Act, one of the benefits provided to eligible businesses locating within a certified Enterprise Zone, as described in Iowa Code Section 15E.196, may at the election of the community be an 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, it is the intention of the County to exempt from local taxation a portion of the assessed real estate value added by the improvements to the property made by an eligible and approved business, beginning the first year the improvements are assessed for taxation in the Enterprise Zone according to the following schedule:

The local tax exemption schedule has not been established by the Board of Supervisors for Shelby County at this time.

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 under Section 15E.194 of the Act, as amended by 2002 Iowa Acts, House File 2378:

- g) The County has an average weekly wage that ranks among the bottom 25 counties in the State.
- h) 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 hereby requests Enterprise Zone certification from the Iowa Department of Economic Development Board of Directors as authorized in Section 15E.194 of the Act for the 11.1 acres described below, which the County certifies, when added to previously certified zones, is less than 1% of the total area of the 3,784,412 acres in Shelby County.

Enterprise Zone #13 Replat 1 of Lot 6 Harlan Plaza Lots 2-11

Enterprise Zone: #14: Country Club Estates Replat III, Lots 20-25

SECTION 3. The County exempts from taxation a portion of the assessed real estate value, in excess of the previous assessment, added by improvements to the property made by an eligible and approved business beginning the year the improvements are first assessed for taxation within the Enterprise Zone according to the following schedule:

The property tax exemptions have not been established by the Board of Supervisors for Shelby County at this time.

SECTION 4. The County shall provide a copy of this resolution to the Iowa Department of Economic Development and shall file this resolution with the Shelby County Assessor.

SECTION 5. The following officers of the County are hereby authorized to take such further actions as deemed necessary in order to carry into effect the provisions of this resolution:

Roger Schmitz –Chairman Shelby County Board of Supervisors  
LaVon Christensen – Shelby County Board of Supervisors  
Richard Ferry – Shelby County Board of Supervisors  
Marsha Carter, --Shelby County Auditor

SECTION 6. All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. The provisions of this resolution are hereby declared to be severable and if any section, phrase, or provision shall be for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereof.

SECTION 8. This resolution shall become effective immediately upon its passage and approval.



Passed and approved: February 7, 2006

AYES: Schmitz, Ferry, Christensen

NAYES: None

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

RESOLUTION NO. 2006-12  
ENTERPRISE ZONE  
SHELBY COUNTY – CITY OF HARLAN

RESOLUTION APPROVING THE APPLICATION TO THE IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT REQUESTING CERTIFICATION OF AN ENTERPRISE ZONE IN SHELBY COUNTY PROVIDING FOR THE EXEMPTION FROM TAXATION OF THE ACTUAL VALUE ADDED BY IMPROVEMENTS MADE BY APPROVED BUSINESSES WITHIN THE ZONE

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 2001 Iowa Code Sections 15E.191 through 15E.196 and all subsequent amendments including 2002 Iowa Acts, House File 2378 (the “Act”) is to encourage mutual development objectives between communities and private business and to promote development and investment in economically distressed areas 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 Development Board of Directors; and

WHEREAS, under the Act, one of the benefits provided to eligible businesses locating within a certified Enterprise Zone, as described in Iowa Code Section 15E.196, may at the election of the community be an 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, it is the intention of the County to exempt from local taxation a portion of the assessed real estate value added by the improvements to the property made by an eligible and approved business, beginning the first year the improvements are assessed for taxation in the Enterprise Zone according to the following schedule:

The local tax exemption schedule has not been established by the Board of Supervisors for Shelby County at this time.

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 under Section 15E.194 of the Act, as amended by 2002 Iowa Acts, House File 2378:

- i) The County has an average weekly wage that ranks among the bottom 25 counties in the State.
- j) 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 hereby requests Enterprise Zone certification from the Iowa Department of Economic Development Board of Directors as authorized in Section 15E.194 of the Act for the 11.1 acres described below, which the County certifies, when added to previously certified zones, is less than 1% of the total area of the 3,784,412 acres in Shelby County.

Harlan E.Z. #15: T79N R39W, Section 12: Part NW SW, NE SW; Part SE SW, NW SE; Part SW SE; Part NE SE; Part SE SE; Part SW SW except Parcel A E of Hwy 59.

Harlan E.Z. #16: T79N R39W. Section 12: Part NW SW except parcel A; Part SW SW except Parcel A; Part SW SW parcel A except Lot 1; Part SW SW Lot 1 of Parcel A

Harlan E.Z. #17: T79N R39W, Section 13; Part NW SW; Part SW SW

Harlan E.Z. #18: T79N R39W, Section 24: Part NW NW; Part E ½ NE NW W of Hwy R.O.W.; E ½ SW NW; Part E ½ SE NW W of Hwy R.O.W.; E ½ NW SW; Part E ½ NE SW W of Hwy R.O.W.; E ½ SW SW; Part E ½ SE SW

Harlan E.Z. #19: T79N R38W, Section 18, Part NW SE; Replat Auditor's Subdivision SW SW Part of Lots 1 & 3; Replat ASD SW SE Part of Lot 4

Harlan E.Z. #20 T79N R39W Section 24, Part S Abandoned R.O.W. SW SE East of Hwy R.O.W.; SE SE

Harlan E.Z. #21: T79N R38W, Section 19; Lytle's Addition Part of Lot 3, Part of S ½ SW NW; Part S ½ SE NW; SW SW; SE SW; Part of Lot 8 Auditor's Subdivision NW NE, E of River, SW NE; NW SE Part W 20 acres NE SE except Part of Lot 1; Part SW SE except Part of Parcel A; Part W 20 acres SE SE except Part of parcel A; Part SW SE, Part of parcel A; Part of W 20 acres SE SE Part of Parcel A

SECTION 3. The County exempts from taxation a portion of the assessed real estate value, in excess of the previous assessment, added by improvements to the property made by an eligible and approved business beginning the year the improvements are first assessed for taxation within the Enterprise Zone according to the following schedule:

The property tax exemptions have not been established by the Board of Supervisors for Shelby County at this time.

SECTION 4. The County shall provide a copy of this resolution to the Iowa Department of Economic Development and shall file this resolution with the Shelby County Assessor.

SECTION 5. The following officers of the County are hereby authorized to take such further actions as deemed necessary in order to carry into effect the provisions of this resolution:

Roger Schmitz –Chairman Shelby County Board of Supervisors  
LaVon Christensen – Shelby County Board of Supervisors  
Richard Ferry – Shelby County Board of Supervisors  
Marsha Carter, --Shelby County Auditor

SECTION 6. All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. The provisions of this resolution are hereby declared to be severable and if any section, phrase, or provision shall be for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereof.

SECTION 8. This resolution shall become effective immediately upon its passage and approval.

Passed and approved: February 7, 2006

AYES: Schmitz, Ferry, Christensen

NAYES: None

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

RESOLUTION NO. 2006-13  
ENTERPRISE ZONE  
SHELBY COUNTY

RESOLUTION APPROVING THE APPLICATION TO THE IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT REQUESTING CERTIFICATION OF AN ENTERPRISE ZONE IN SHELBY COUNTY PROVIDING FOR THE EXEMPTION FROM TAXATION OF THE ACTUAL

VALUE ADDED BY IMPROVEMENTS MADE BY APPROVED BUSINESSES WITHIN THE ZONE

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 2001 Iowa Code Sections 15E.191 through 15E.196 and all subsequent amendments including 2002 Iowa Acts, House File 2378 (the “Act”) is to encourage mutual development objectives between communities and private business and to promote development and investment in economically distressed areas 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 Development Board of Directors; and

WHEREAS, under the Act, one of the benefits provided to eligible businesses locating within a certified Enterprise Zone, as described in Iowa Code Section 15E.196, may at the election of the community be an 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, it is the intention of the County to exempt from local taxation a portion of the assessed real estate value added by the improvements to the property made by an eligible and approved business, beginning the first year the improvements are assessed for taxation in the Enterprise Zone according to the following schedule:

The local tax exemption schedule has not been established by the Board of Supervisors for Shelby County at this time.

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 under Section 15E.194 of the Act, as amended by 2002 Iowa Acts, House File 2378:

- k) The County has an average weekly wage that ranks among the bottom 25 counties in the State.
- l) 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 hereby requests Enterprise Zone certification from the Iowa Department of Economic Development Board of Directors as authorized in Section 15E.194 of the Act for the 11.1 acres described below, which the County certifies, when added to previously certified zones, is less than 1% of the total area of the 3,784,412 acres in Shelby County.

EZ#22	T79N R39W Section 25; Part of NW NE (East of Highway 59)
EZ#23	T79N R39W Section 25; Part of NW NE (West of Highway 59), Part SW NE
EZ#24	T79N R39W Section 25; NE SW; Part of SE SW
EZ#25	T79N R39W Section 25; Part NW SE; Part SW SE
EZ#26	T79N R39W Section 36; Part NW NE; Part SW NE
EZ#27	T79N R39W Section 36; Part NE SW; Part SE SW
EZ#28	T79N R39W Section 04; Part W ½ of Government Lot 5; Part of Government Lot 8 N ½, W ½

- |       |   |
|-------|---|
| EZ#29 | T78N R39W Section 04; Part of Government Lot 13 W ½<br>except Parcel A; Part of Government Lot 16 W ½ except Parcel A   |
| EZ#30 | T79N R39W Section 36 SW SE; Part Government Lot 1<br>Part E ¾; Part E ½ of Government Lot 5; Part E ½ of Government Lot 8;<br>Part Government Lot 13 E ½; Part Government Lot 16 E ½;<br>T78N R38W Section 04, Part NW SE; Part SW SE |
| EZ#31 | T79N R39W Section 36; Part NW SE; NE SE; Part SE SE except<br>S 33'; T79N R38W Section 31 FR NW SW  |

SECTION 3. The County exempts from taxation a portion of the assessed real estate value, in excess of the previous assessment, added by improvements to the property made by an eligible and approved business beginning the year the improvements are first assessed for taxation within the Enterprise Zone according to the following schedule:

The property tax exemptions have not been established by the Board of Supervisors for Shelby County at this time.

SECTION 4. The County shall provide a copy of this resolution to the Iowa Department of Economic Development and shall file this resolution with the Shelby County Assessor.

SECTION 5. The following officers of the County are hereby authorized to take such further actions as deemed necessary in order to carry into effect the provisions of this resolution:

Roger Schmitz –Chairman Shelby County Board of Supervisors  
 LaVon Christensen – Shelby County Board of Supervisors  
 Richard Ferry – Shelby County Board of Supervisors  
 Marsha Carter, --Shelby County Auditor

SECTION 6. All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. The provisions of this resolution are hereby declared to be severable and if any section, phrase, or provision shall be for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases, and provisions hereof.

SECTION 8. This resolution shall become effective immediately upon its passage and approval.

Passed and approved: February 7, 2006

AYES: Schmitz, Ferry, Christensen	NAYES: None
-----------------------------------	-------------

It was moved by Christensen, seconded by Ferry, to appoint Dave Miller to replace Mike Hansen on the Enterprise Zone Commission. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Ferry, seconded by Christensen, to authorize the Chairman to sign the Subordination Agreement between Shelby County DevelopSource, Western Ventures, Shelby County, and United Bank of Iowa, concerning their loan to Shelby County Cookers. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Christensen, seconded by Ferry, to authorize the Chairman to sign the EDSA & PFSA Grantee Semi-Annual Progress Report of Shelby County Cookers. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Christensen, seconded by Ferry, to approve the Contract for GIS Services with the Shelby County Conference Board/Assessor for FY2007. AYES: Schmitz, Ferry, Christensen NAYES: None

Marsha Carter, Auditor, reported that she had applied for and had received Polling Place Accessibility Grant Funds in the amount of \$7,550.11 towards an \$11,000 project to make all Shelby County polling places handicapped accessible.

The Board received a letter from the Shelby County Library Association that the funding for FY2007 would be divided as follows: Harlan Community Library, 78% - \$27,323; Elk Horn Library, 16% - \$5,677.00; Irwin Library, 6% - \$2,000.00.

It was moved by Ferry, seconded by Christensen, to authorize the Chairman to sign the contract with TPA, Ltd, to administer the Partial Self-Funding Health Insurance Plan with an increase for FY2007 from \$6.75/employee to \$7.25/employee. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Christensen, seconded by Ferry, to set the public hearing date for the following road vacations as March 7, 2006, at 9:30 a.m.: 2100 block of 700<sup>th</sup> St – Section 1, Monroe Township and 600 block of Hazel Rd – Section 1, Clay Township. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Christensen, seconded by Ferry, to set the letting date for Project No. RC-CO83(50)—9A-83 – Turning Lane as March 7, 2006, at 9:00 a.m. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Ferry, seconded by Christensen, to approve Sundquist Engineering to do the FY2006 bridge inspections at a cost of \$100/structure, approximately 112 bridges. AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Christensen, seconded by Ferry, to approve the purchase of a single axle cab and chassis truck from Cornhusker International at their quoted price of \$53,596.27. AYES: Schmitz, Ferry, Christensen NAYES: None  
The County Engineer gave the secondary road project update.

There being no further business appearing, the Chairman declared the meeting adjourned at 10:27 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.