

June 19, 2007

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 Karen Goans, Acting-Clerk.

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

- A. Minutes of June 5, 2007
- 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 June 19, 2007, as listed in the Claims Register. AYES: Schmitz, Ferry, Christensen NAYES: None

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

SHELBY COUNTY RESOLUTION NO. 2007-19

RESOLUTION APPROVING THE APPLICATION TO THE IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT REQUESTING CERTIFICATION OF AN ENTERPRISE ZONE IN SHELBY COUNTY AND 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:

*Local Tax exemption schedules have 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 SAMPLE 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) Shelby County has an average wage that ranks among the bottom 25 counties in the State of Iowa.
- b) Shelby County has percentage of persons 65 years of age or older that ranks among the top 25 counties in the State of Iowa.

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 21.163 acres described below, which the County certifies, when added to previously certified zones, is less than 1% of the total area of the acres in Sample County.

Shelby EZ # 19: A parcel of land in T78N, R40 W, Section 33, Original Town Lots 6-8, Block 9 containing .413 acres.

Shelby EZ #20: A parcel of land in the Cughrans, Davis and McEwens Addition, Block 6 City of Shelby containing 1.3 acres.

Panama EZ # 1: A A parcel of land located in T80N, R40W, Section 23, part of SE,NW Railroad ROW lumber yard within the City of Panama.

Shelby County Harlan EZ # 39: A parcel of land in T78N, R39W, Section 04, part of Government Lot 8,S1/2,~1/2; Part of Government Lot 9, S1/4 within Shelby County.

Total of 21.163 acres

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 Assessor.**

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 Sample 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 Board of Supervisors  
Lavon Christensen-Supervisor  
Richard Ferry- Supervisor  
Karen Goans - Administrative Assistant to 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 this 19<sup>th</sup> day of June, 2007.

AYES: Schmitz, Ferry, Christensen                      NAYES: None

It was moved by Ferry, seconded by Christensen, to authorize the Chairman to sign the contract for services for FY2008 with Myrtue Behavioral Health, as recommended by the Community Services Director.    AYES: Schmitz, Ferry, Christensen                      NAYES: None

It was moved by Christensen, seconded by Ferry, to appoint Geralyn Greer to fill the unexpired term of Clay Pauley on the Magistrate Appointing Commission, term expiring December 31, 2008.    AYES: Schmitz, Ferry, Christensen                      NAYES: None

It was moved by Christensen, seconded by Ferry, to approve the transfer of \$27,000 from General Basic to Capital, as approved in the FY2007 Budget Amendment.    AYES: Schmitz, Ferry, Christensen                      NAYES: None

The FY2007 Jail Inspection Report was presented and placed on file in the Auditor’s Office.

Chairman Schmitz reported that the inspection of the Care Facility completed on June 5 went well, and the facility was as clean as he had seen it for a long time.

David Yamada, Shelby County DevelopSource, updated the Board on the economic development projects and presented the Laborshed Study for Shelby County.

Dan Ahart, County Engineer, updated the Board on the May Flooding Disaster Declaration and is working with FEMA.

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

There being no further business appearing, the Chairman declared the meeting adjourned at 9:50 p.m.

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Roger Schmitz, Chairman

ATTEST:\_\_\_\_\_  
Karen Goans  
Acting-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.