

The Shelby County Board of Supervisors met in a regular session at 9:00 A.M. in the Supervisors Chamber in the Courthouse with the following members present: Steve Kenkel, Charles Parkhurst, Darin Haake, and Mark Maxwell, Clerk.

The Chairperson Steve Kenkel asked that any conflict of interest be stated concerning any item on the agenda. None were stated.

It was moved by Parkhurst, seconded by Haake, to approve the agenda with minor changes of order. Motion carried unanimously.

It was moved by Haake, seconded by Parkhurst to approve the minutes of January 11th, 2022. Motion carried unanimously.

It was moved by Parkhurst and seconded by Haake to approve the claims of January 11<sup>th</sup>, 2022. Motion passed.

Rod Baxter representing the Shelby County Compensation Board was present to officially advise the Supervisors of recommending a 16% raise for the Sheriff, this is considering the new Iowa Code mandating the Compensation Board use like salaries in similar positions across Iowa. The balance of elected officials was determined to receive a 5% increase in wages. The Supervisors are limited in these recommendations but may decrease the recommendation for themselves. All elected officials, if the amount is lowered, must be lowered by the same percentage. The exception being the Supervisors themselves, they may set their own salaries not to exceed the Compensation Boards recommendation. Longevity was approved for all elected officials except for part time elected which include the Supervisors and County Attorney.

Chip Schultz from Northland Securities was present to witness Shelby County approving the final resolution for finishing the bond process by Shelby County. Parkhurst made a motion to approve the following resolution and Haake seconded the motion for the following resolution.

#### RESOLUTION NO. 2022-10

Resolution authorizing and approving a certain Loan Agreement, providing for the issuance of \$1,585,000 General Obligation Emergency Communications Equipment Bonds, Series 2022A and providing for the levy of taxes to pay the same. WHEREAS, the Board of Supervisors of Shelby County, Iowa (the "County"), heretofore proposed to enter into a General Obligation Emergency Communications Equipment Loan Agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$1,880,000, pursuant to the provisions of Sections 331.402 and 331.441(2)(b)(17) of the Code of Iowa, for the purpose of paying the cost, to that extent, of acquiring and installing emergency communications equipment and systems, and pursuant to law and duly published notice of the proposed action, has held a hearing thereon on December 21, 2021; and WHEREAS, a Preliminary Official Statement (the "P.O.S.") has been prepared to facilitate the sale of the General Obligation Emergency Communications Equipment Bonds, Series 2022A (the "Bonds") in evidence of the County's obligations under the Loan Agreement, and the County has made provision for the approval of the P.O.S. and has authorized its use by Northland Securities, Inc., (the "Underwriter") as underwriter of the issuance of the Bonds; and WHEREAS, a certain Bond Purchase Agreement (the "Bond Purchase Agreement") has been prepared to set forth the terms of the Loan Agreement and the Bonds and the understanding between the County and the Underwriter with respect to the purchase thereof, and the Board of Supervisors has approved the Bond Purchase Agreement and made provision for its execution and delivery; and WHEREAS, it is now necessary to make final provision for the approval of the Loan Agreement and to authorize the issuance of the Bonds; NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Shelby County, Iowa, as follows:

Section 1. The County shall enter into the Loan Agreement with the Underwriter, in substantially the form as has been placed on file with the Board, providing for a loan to the County in the principal amount of \$1,585,000, for the purpose or purposes set forth in the preamble hereof. The Chairperson and County Auditor are hereby authorized and directed to sign the Loan Agreement on behalf of the County, and the Loan Agreement is hereby approved.

Section 2. The Bonds are hereby authorized to be issued in evidence of the obligation of the County under the Loan Agreement, in the aggregate principal amount of \$1,585,000, to be dated January 27, 2022, in the denomination of \$5,000 each, or any integral multiple thereof, maturing on June 1 in each of the years, in the respective principal amounts and bearing interest at the respective rates, as follows:

<u>Date</u>	<u>Principal</u>	<u>Interest Rate</u>	<u>Date</u>	<u>Principal</u>	<u>Interest Rate</u>
2023	\$305,000	2.00%	2026	\$325,000	2.00%
2024	\$310,000	2.00%	2027	\$330,000	2.00%
2025	\$315,000	2.00%			

UMB Bank, n.a., West Des Moines, Iowa is hereby designated as the Registrar and Paying Agent for the Bonds and may be hereinafter referred to as the "Registrar" or the "Paying Agent." The County shall enter into an agreement (the "Registrar/Paying Agent Agreement") with the Registrar, in substantially the form as has been placed on file with the Board; the Chairperson and County Auditor are hereby authorized and directed to sign the Registrar/Paying Agent Agreement on behalf of the County; and the Registrar/Paying Agent Agreement is hereby approved.

The County reserves the right to optionally prepay part or all of the principal of the Bond maturing in the year 2027, prior to maturity on June 1, 2026, or on any date thereafter upon terms of par and accrued interest. If less than all of the Bond is to be redeemed, the particular part of the Bond to be redeemed shall be selected by the Registrar by lot. The Bond may be called in part in one or more units of \$5,000.

Accrued interest on the Bonds shall be payable semiannually on the first day of June and December in each year, commencing June 1, 2022. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months. Payment of interest on the Bonds shall be made to the registered owners appearing on the registration books of the County at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid to the registered owners at the addresses shown on such registration books. Principal of the Bonds shall be payable in lawful money of the United States of America to the registered owners or their legal representatives upon presentation and surrender of the Bond or Bonds at the office of the Paying Agent.

The Bonds shall be executed on behalf of the County with the official manual or facsimile signature of the Chairperson and attested with the official manual or facsimile signature of the County Auditor and shall be fully registered Bonds without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Bonds shall cease to be such officer before the delivery of the Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

The Bonds shall not be valid or become obligatory for any purpose until the Certificate of Authentication thereon shall have been signed by the Registrar.

The Bonds shall be fully registered as to principal and interest in the names of the owners on the registration books of the County kept by the Registrar, and after such registration, payment of the principal thereof and interest thereon shall be made only to the registered owners or their legal representatives or assigns. Each Bond shall be transferable only upon the registration books of the County upon presentation to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner. The record and identity of the owners of the Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

Section 3. Notwithstanding anything above to the contrary, the Bonds shall be issued initially as Depository Bonds, with one fully registered Bond for each maturity date, in principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). On original issue, the Bonds shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the "Participants"). In the event that DTC determines not to continue to act as securities depository for the Bonds or the County determines not to continue the book-entry system for recording ownership interests in the Bonds with DTC, the County will discontinue the book-entry system with DTC. If the County does not select another qualified securities depository to replace DTC (or a successor depository) in order to continue a book-entry system, the County will register and deliver replacement Bonds in the form of fully registered certificates, in authorized denominations of \$5,000 or integral multiples of \$5,000, in accordance with instructions from Cede & Co., as nominee for DTC. In the event that the County identifies a qualified securities depository to replace DTC, the County will register and deliver replacement Bonds, fully registered in the name of such depository, or its nominee, in the denominations as set forth above, as reduced from time to time prior to maturity in connection with redemptions or retirements by call or payment, and in such event, such depository will then maintain the book-entry system for recording ownership interests in the Bonds.

Ownership interest in the Bonds may be purchased by or through Participants. Such Participants and the persons for whom they acquire interests in the Bonds as nominees will not receive certificated Bonds, but each such Participant will receive a credit balance in the records of DTC in the amount of such Participant's interest in the Bonds, which will be confirmed in accordance with DTC's standard procedures. Each such person for which a Participant has an interest in the Bonds, as nominee, may desire to make arrangements with such Participant to have all notices of redemption or other communications of the County to DTC, which may affect such person, forwarded in writing by such Participant and to have notification made of all interest payments.

The County will have no responsibility or obligation to such Participants or the persons for whom they act as nominees with respect to payment to or providing of notice for such Participants or the persons for whom they act as nominees.

As used herein, the term "Beneficial Owner" shall hereinafter be deemed to include the person for whom the Participant acquires an interest in the Bonds.

DTC will receive payments from the County, to be remitted by DTC to the Participants for subsequent disbursement to the Beneficial Owners. The ownership interest of each Beneficial Owner in the Bonds will be

recorded on the records of the Participants whose ownership interest will be recorded on a computerized book-entry system kept by DTC.

When reference is made to any action which is required or permitted to be taken by the Beneficial Owners, such reference shall only relate to those permitted to act (by statute, regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices are given, they shall be sent by the County to DTC, and DTC shall forward (or cause to be forwarded) the notices to the Participants so that the Participants can forward the same to the Beneficial Owners.

Beneficial Owners will receive written confirmations of their purchases from the Participants acting on behalf of the Beneficial Owners detailing the terms of the Bonds acquired. Transfers of ownership interests in the Bonds will be accomplished by book entries made by DTC and the Participants who act on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interest in the Bonds, except as specifically provided herein. Interest and principal will be paid when due by the County to DTC, then paid by DTC to the Participants and thereafter paid by the Participants to the Beneficial Owners.

Section 4. The Bonds shall be in substantially the following form:  
(Form of Bond)

UNITED STATES OF AMERICA  
STATE OF IOWA  
SHELBY COUNTY

GENERAL OBLIGATION EMERGENCY COMMUNICATIONS EQUIPMENT BOND,  
SERIES 2022A

No. _____			\$ _____
RATE	MATURITY DATE	BOND DATE	CUSIP
_____ %	June 1, 20__	January 27, 2022	821591 ____

Shelby County (the “County”), Iowa, for value received, promises to pay on the maturity date of this Bond to

Cede & Co.  
New York, NY

or registered assigns, the principal sum of 1,585 thousand dollars in lawful money of the United States of America upon presentation and surrender of this Bond at the office of UMB BANK, N.A., West Des Moines, Iowa, (hereinafter referred to as the “Registrar” or the “Paying Agent”), with interest on said sum, until paid, at the rate per annum specified above from the date of this Bond, or from the most recent interest payment date on which interest has been paid, on June 1 and December 1 of each year, commencing June 1, 2022, except as the provisions hereinafter set forth with respect to redemption prior to maturity may be or become applicable hereto. Interest on this Bond is payable to the registered owner appearing on the registration books of the County at the close of business on the fifteenth day of the month next preceding the interest payment date, and shall be paid to the registered owner at the address shown on such registration books. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Registrar.

This Bond is one of a series of General Obligation Emergency Communications Equipment Bonds, Series 2022A (the “Bonds”) issued by the County, pursuant to a resolution adopted on January 18, 2022 (the “Resolution”), to evidence its obligation under a certain loan agreement, dated as of January 27, 2022 (the “Loan Agreement”), entered into by the County for the purpose of paying the costs, to that extent, of acquiring and installing emergency communications equipment and systems.

The Bonds are issued pursuant to and in strict compliance with the provisions of Chapters 76 and 331 of the Code of Iowa, 2021, and all other laws amendatory thereof and supplemental thereto, and in conformity with the Resolution authorizing and approving the Loan Agreement and providing for the issuance and securing the payment of the Bonds, and reference is hereby made to the Resolution and the Loan Agreement for a more complete statement as to the source of payment of the Bonds and the rights of the owners of the Bonds.

The County reserves the right to optionally prepay part or all of the principal of the Bond maturing in the year 2027, prior to maturity on June 1, 2026, or on any date thereafter upon terms of par and accrued interest. If less than all of the Bond is to be redeemed, the particular part of the Bond to be redeemed shall be selected by the Registrar by lot. The Bond may be called in part in one or more units of \$5,000. If less than the entire principal amount of any Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any

authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be sent by electronic means or by registered mail to the registered owners thereof at the addresses shown on the County's registration books not less than 30 days prior to such redemption date. Any notice of redemption may contain a statement that the redemption is conditioned upon the receipt by the Paying Agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the Bonds so called for redemption, and that if funds are not available, such redemption shall be cancelled by written notice to the owners of the Bonds called for redemption in the same manner as the original redemption notice was sent. All of such Bonds as to which the County reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

This Bond is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the County in the office of the Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Bond to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The County, the Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and the County, the Registrar and the Paying Agent shall not be affected by any notice to the contrary. And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa, to exist, to be had, to be done or to be performed precedent to and in the issue of this Bond were and have been properly existent, had, done and performed in regular and due form and time; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the County for the payment of the principal of and interest on this Bond as the same will respectively become due; and that the total indebtedness of the County, including this Bond, does not exceed any constitutional or statutory limitations.

A vote was held with Haake, Parkhurst and Kenkel all voting in favor of the resolution 2022-10. No Nays were cast. The motion passed.

ARPA applications were then accepted by the Supervisors, after a motion by Parkhurst and a second by Haake the Shelby County Conservation application in the amount of \$46,290.00 for new camping pads was approved. After a motion by Haake and a second by Parkhurst Shelby County Courthouse \$155,233.00 sewer and restroom upgrades airduct cleaning and Supervisors room remodel was unanimously approved. After a motion by Parkhurst and a second by Haake Shelby County Recorder and Auditor records digitization and online viewing \$148,945.00 was approved. The Shelby County Fair Board was reconsidered and approved after a motion by Parkhurst and a second by Haake for \$70,500.00 for new restrooms and ½ the cost of a new well for non-potable water. Motion passed. The Country Care Center application was approved in the amount of \$113,650.00 for room upgrade for heat units was accepted and approved after a motion by Haake and a second by Parkhurst. Consideration of the Shelby County trails organization was put on hold until after the second half of the funds are received as well as the second application for playground equipment at Nishna Bend.

Time was reserved for budget discussion instruction for the new software is taking place but the budgeting numbers for fiscal year 2023 have not yet been transferred to the new software. The word given to Auditor Maxwell is that it will be transferred by the end of the current week. Maxwell cautioned that delays may happen along the way and that as Budget Director he has many challenges in learning new software and a compressed timeline for completing the 2023 budget by March 31<sup>st</sup>.

Carolyn Blum, Shelby County Treasurer, then presented her semi-annual report after an explanation. Parkhurst made a motion to accept the report, Kenkel seconded the motion to approve the report. Kenkel, Haake and Parkhurst all voted in favor of accepting the report.

Supervisor Haake then made a motion to approve the following Resolution 2022-9:

**CONSTRUCTION EVALUATION RESOLUTION (MASTER MATRIX)**

**WHEREAS**, Iowa Code section 459.304(3) sets out the procedure if a board of supervisors wishes to adopt a “construction evaluation resolution” relating to the construction of a confinement feeding operation structure; and **WHEREAS**, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and **WHEREAS**, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation

may contest the DNR’s decision regarding a specific application; and **WHEREAS**, by adopting a construction evaluation resolution the board of supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the board of supervisors between February 1, 2021 and January 31, 2022and submit an adopted recommendation regarding that application to the DNR; and **WHEREAS**, the board of supervisors must conduct an evaluation of every construction permit application using the master matrix created in Iowa Code section 459.305, but the board’s recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix; **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SHELBY COUNTY** that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code section 459.304(3).

Todd Valline then discussed current events and topics surrounding his organization. Strengthening day care opportunities is a top priority. Valline officially requested the same funding as they did last year from Shelby County. The Supervisors will approve the amount when it is included in the final draft of the budget.

Brandon Burmeister, Shelby County Engineer presented the fuel bids for Shelby County Farm Service Cooperative received the approval of the Supervisors in the amount of \$594,853.50 Parkhurst made a motion to accept the bid, Haake seconded the motion. The motion passed

The following Resolution 2022-7 was approved after a motion by Haake and a second by Parkhurst.

BRIDGE EMBARGO

WHEREAS: The Board of Supervisors is empowered under authority of Sections 321.236 Sub. (8), 321.255 and 321.471 to 321.479 to prohibit the operation of vehicles or impose limitations as to the weight thereof on designated highways or highway structures under their jurisdiction, and

WHEREAS: the County Engineer has completed (or has caused to be completed) the Structure Inventory and Appraisal of certain county bridges, in accordance with the National Bridge Inspection Standards and has determined (or it has been determined) that they are inadequate for two-lane legal loads at allowable operating stress.

NOW, THEREFORE, BE IT RESOLVED by the Shelby County Board of Supervisors that vehicle and load limits be established and that signs be erected advising of the permissible maximum weights thereof on the bridges listed, as follows:

Structure Number	Feature Crossed	Location	Load Limit (tons) All Vehicles
Cass 90-09-510	Mosquito Creek	Sec. 9,T. 79, R. 40	7,10,13 One Lane
Cass 90-13-110	Keg Creek	Sec. 13,T. 79, R. 40	21,32,37
Cass 90-25-210	Keg Creek	Sec. 25,T. 79, R. 40	27-45-40
Cass 90-29-110	Mosquito Creek	Sec. 29,T. 79, R. 40	10,15,24 One Lane
Cass 90-33-210	No Name Creek	Sec. 33,T. 79, R. 40	33-48-40
Cass 90-35-110	Keg Creek	Sec. 35,T. 79, R. 40	8 One Lane
Cass 90-36-210	No Name Creek	Sec. 36,T. 79, R. 40	27-45-40
Center 98-24-210	Elm Creek	Sec. 24, T. 79, R. 38	12,18,24 One Lane
Center 98-27-110	No Name Creek	Sec. 27, T. 79, R. 38	17,25,29
Clay 87-10-120	No Name Creek	Sec. 10, T. 78, R. 37	31-48-40
Clay 87-16-110	Elk Horn Creek	Sec 16, T 78, R 37	4 All Vehicles
Clay 87-29-210	Elk Horn Creek	Sec 29, T 78, R 37	19-28-38
Clay 87-35-110	Camp Creek	Sec 35, T 78, R 37	30-48-40
Douglas 08-10-110	West Nishnabotna River	Sec. 10,T. 80, R. 38	8 One Lane
Douglas 08-22-310	West Nishnabotna River	Sec. 22,T. 80, R. 38	9,14,13 One Lane
Fairview 89-05-110	No Name Creek	Sec 5, T 78, R 39	33-48-40
Fairview 89-09-710	No Name Creek	Sec 9, T 78, R 39	30-48-40
Fairview 89-12-520	No Name Creek	Sec 12, T 78, R 39	30-47-40
Greeley 18-19-610	Snake Creek	Sec 19, T 81, R 38	27-41-40
Greeley 18-13-110	No Name Creek	Sec 13, T 81, R 38	33-48-40
Greeley 18-14-210	No Name Creek	Sec 14, T 81, R 38	26-41-40
Greeley 18-17-210	Snake Creek	Sec 17, T 81, R 38	24-42-40
Grove 10-09-910	Mill Creek Tributary	Sec 9, T 81, R 40	27-45-40

Grove 10-36-110	No Name Creek	Sec 36, T 81, R 40	20,31,29 One Lane
Grove 10-36-120	Moser Creek	Sec 36, T 81, R 40	21,30,31 One Lane
Jackson 97-04-210	Elm Creek	Sec 4, T 79, R 37	25-44-40
Jackson 97-08-110	Elm Creek	Sec 8, T 79, R 37	25-43-40
Jackson 97-12-210	Buck Creek	Sec 12, T 79, R 37	35-48-40
Jackson 97-17-210	Elm Creek	Sec 17, T 79, R 37	26-43-40
Jackson 97-22-110	Bonnie Creek	Sec 22, T 79, R 37	28-40-40
Jackson 97-34-110	No Name Creek	Sec 34, T 79, R 37	17-24-29
Jackson 97-35-610	West Nishnabotna River	Sec 35, T 79, R 37	3 Tons All Vehicles, One Lane
Jackson 97-36-210	Indian Creek	Sec 36, T 79, R 37	35-48-40
Jefferson 17-03-510	No Name Creek	Sec 3, T 81, R 37	28-40-40
Jefferson 17-03-520	West Nishnabotna River	Sec 3, T 81, R 37	13-19-28
Jefferson 17-18-110	Elk Creek	Sec 18, T 79, R 37	25-37-37
Jefferson 17-24-110	Long Branch Creek	Sec 24, T 79, R 387	29-45-40
Jefferson 17-31-110	West Nishnabotna River	Sec 31, T 79, R 397	35-45-40
Jefferson 17-34-110	Long Branch	Sec 34, T 79, R 37	29-47-40
Lincoln 99-04-110	Keg Creek	Sec 4, T 79, R 39	28-40-40
Lincoln 99-08-110	No Name Creek	Sec 8, T 79, R 39	13, 18, 26 One Lane
Lincoln 99-18-110	Keg Creek	Sec 18, T 79, R 39	28-40-40
Lincoln 99-31-210	No Name Creek	Sec 31, T 79, R 39	28-40-40
Lincoln 99-31-220	No Name Creek	Sec 31, T 79, R 39	28-40-40
Lincoln 99-34-210	Silver Creek	Sec 34, T 79, R 39	26-40-40
Lincoln 99-18-120	Keg Creek	Sec 18, T 79, R 39	24-41-40
Monroe 88-04-210	No Name Creek	Sec 4, T 78, R 38	14-18-18
Monroe 88-17-210	Dutch Branch Creek	Sec 17, T 78, R 38	30-47-40
Polk 07-13-510	E. Branch W. Nishnabotna River	Sec 13, T 80, R 37	8 Tons All Vehicles, One Lane
Polk 07-16-110	Long Branch Creek	Sec 16, T 80, R 37	34-48-40
Polk 07-31-510	No Name Creek	Sec 31, T 80, R 37	25-40-40 One Lane
Shelby 80-06-210	Keg Creek	Sec 6, T 78, R 40	10-14-19
Shelby 80-11-110	Silver Creek	Sec 11, T 78, R 40	32-48-40
Shelby 80-20-210	East Branch Keg Creek	Sec 20, T 78, R 40	35-48-40
Shelby 80-34-110	Little Silver Creek	Sec 34, T 78, R 40	29-47-40
Union 19-10-110	Willow Creek	Sec 10, T 81, R 39	28-40-40
Union 19-12-910	W. Fork W. Nishnabotna River	Sec 12, T 81, R 39	12-18-24 One Lane
Union 19-16-120	Moser Creek	Sec 16, T 81, R 39	28-40-40
Union 19-21-110	Moser Creek	Sec 21, T 81, R 39	28-40-40
Union 19-23-610	No Name Creek	Sec 23, T 81, R 39	26-40-40
Washington 00-13-210	No Name Creek	Sec 13, T 80, R 40	29-47-40
Washington 00-16-610	Pigeon Creek	Sec 16, T 80, R 40	25-40-40
Washington 00-20-120	Pigeon Creek	Sec 20, T 80, R 40	26-40-40
Washington 00-23-320	No Name Creek	Sec 23, T 80, R 40	29-47-40
Washington 00-31-420	Pigeon Creek	Sec 31, T 80, R 40	24-35-40
Washington 00-35-320	Mosquito Creek	Sec 35, T 80, R 40	8-12-19 One Lane
Westphalia 09-05-510	Mosquito Creek	Sec 5, T 80, R 39	32-48-40
Westphalia 09-10-110	Lyons Creek	Sec 10, T 80, R 39	15-23-33 One Lane
Westphalia 09-34-110	Silver Creek	Sec 34, T 80, R 39	29-48-40
Greeley 18-05-220	W. Fork W. Nishnabotna River	Sec 5, T 81, R 38	Bridge Closed

Polk 07-03-110	Long Branch Creek	Sec 2, T 80, R 37	One Lane
Westphalia 09-30-210	No Name Creek	Sec 30, T 80, R 39	One Lane

The Resolution 2022-7 passed with ayes by Kenkel, Haake and Parkhurst

Burmeister then asked and recommended approval of Resolution 2022-8

**RESOLUTION 2022-8 Road Embargo Resolution**

**WHEREAS:** The Board of Supervisors of Shelby County, Iowa, consisting of the following members: Steven Kenkel, Chairman; Charles Parkhurst, Vice-Chairman; and Darin Haake, member; met to consider placing load limits on selected “Load Sensitive” road surfaces in the Shelby County Secondary Road System, to prevent frost break up, excessive load break up, etc.

**And**  
**WHEREAS:** This authority is granted under Iowa Code Sections 321.236(8), 321.255, and 321.471 to 321.473 to prohibit the operations of vehicles upon Secondary Roads or impose restrictions as to weight of vehicles to be operated upon said secondary roads, except farm tractors as defined in Section 321.1, Subsection 7, for a total period not to exceed ninety days in any one calendar year, whenever any said highway by reason of deterioration, rain, snow or other climactic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weights thereof reduced.

**And**  
**WHEREAS:** The Board states that all granular surfaced roads be embargoed and allowing only trucks and other vehicles with a gross weight of less than ten (10) tons to travel these roads.

**THEREFORE:** The Shelby County Board of Supervisors resolves to hereby order the County Engineer to enact load limits of ten (10) tons, at his discretion, on all granular surfaced roadways within Shelby County. These limits shall become effective upon agreement to enact embargos by Chairman of Board of Supervisors and County Engineer and shall remain in effect until this resolution is redacted by the Shelby County Engineer.

**BE IT FURTHER RESOLVED** that the Board of Supervisors, may, at their discretion, authorize permits of exemption for loads not already exempted by the previous paragraph of this resolution. Any such permit must be specific to the exempted vehicle and its load, and must bear an original signature, in red, of the board member authorizing the exemption. Neither the county engineer nor his staff is authorized to approve additional exemptions.

Haake made a motion to approve Resolution 2022-8, Parkhurst seconded the motion. A vote was counted with Haake, Kenkel and Parkhurst all voting to approve the motion. No nays were cast.

Chairperson Kenkel then introduced a letter to the Iowa Utilities Board, the letter would be filed and object to the methods of acquiring land needed for the proposed pipeline. Haake made a motion to approve the filing of the letter and Parkhurst seconded the motion, the motion passed unanimously.

There being no further business appearing, the Chairman declared the meeting adjourned at 9:54 A.M.

\_\_\_\_\_  
Steve Kenkel, Chairperson

ATTEST:

\_\_\_\_\_  
Mark Maxwell  
Clerk to the Board of Supervisors