

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, Bryce Schaben, 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 Schaben, to approve the agenda. Motion carried unanimously.

It was moved by Schaben, seconded by Parkhurst to approve the minutes of April 11th, 2023. Motion carried unanimously.

It was moved by Schaben and seconded by Parkhurst to approve the claims of March 14th, 2023. Motion passed.

The Supervisors then had an opportunity on the agenda to report from the various committees that they are on including Bryce Schaben reporting that the boat ramp at Nishna Bend is getting closer to completion.

Chris Fredericksen, Assistant Shelby County Engineer, presented utilities permit application for the Supervisors to consider. Nishnabotna Valley REC has applied for this permit. Parkhurst made a motion to approve the permit application, Schaben seconded the motion. The motion passed unanimously. Fredericksen stated that the recent rain has given the road blading operations better outcomes.

Parkhurst made a motion to recess the regular meeting and open the publicized hearing gathering public information and comments made about the proposed fiscal year 2024 Shelby County budget. Schaben seconded the motion. No comments have been heard from the public at the Auditor’s office, no comments were made from those in attendance at the hearing.

Parkhurst made a motion to close the hearing and enter back into regular session. Schaben seconded the motion, the motion passed.

Consideration was given to the following resolution 2023-22 following a motion by Schaben to approve and a second by Parkhurst to approve the resolution.

**RESOLUTION NO. 2023-22 ENTRY RECORD OF THE HEARING AND DETERMINATION
OF THE COUNTY BUDGET FOR FISCAL YEAR 2024**

BE IT REMEMBERED, on the 18th day of April 2023, A.D., at the hour of 9:00 A.M. of said day, the Board of Supervisors of Shelby County, Iowa, met for 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 any interested parties and various department heads. There were no other written or oral comments. After discussion, the Chairman declared the hearing closed and the County Budget for Fiscal Year 2024 adopted, along with the Shelby County Compensation Board recommendations. The above and foregoing resolution was adopted by the Board of Supervisors of Shelby County, Iowa, the vote thereon being as follows: AYES: Kenkel, Parkhurst, Schaben NAYES: None
The Resolution passed.

The supervisors were then presented with the following Resolution:

**RESOLUTION 2023-23 ENTRY RECORD OF THE FILING AND CONSIDERATION OF THE COUNTY
BUDGET AMENDMENT FOR FISCAL YEAR 2023**

BE IT REMEMBERED on this 18th day of April 2023, the Board of Supervisors of Shelby County, Iowa, met in scheduled session for filing and considering the amendment of the County Budget for Fiscal Year 2023. There was present a quorum as required by law. Entry record for filing of said budget amendment was established and approved for publication. The Board, being fully advised, find that the date of the hearing on said amendment should be fixed, and it does fix, the 16th day of May 2023, A.D., at the hour of 9:00 a.m. as the date and time of hearing to be held in the Supervisor’s Chambers in the Courthouse in Shelby County, Iowa. The proposed service areas amended are as follows: Public Safety and Legal Services \$2,327,830, Physical Health and Social Services \$89,000 Secondary Roads \$593,008 Administration \$162,000 Capital Expenditures \$346,000 Interfund transfers IN/OUT \$1,241,169

Schaben made a motion to approve the resolution 2023-23, Parkhurst seconded the motion. A vote was counted with the following results. AYES; Kenkel, Parkhurst and Schaben. NAYS: None. The resolution passed.

Resolution 2023-24 was presented to amend the 2024 budget, all expenditures are to be reimbursed by the city of Harlan the resolution is worded as follows:

RESOLUTION 2023-24 ENTRY RECORD OF THE FILING AND CONSIDERATION OF THE COUNTY BUDGET AMENDMENT FOR FISCAL YEAR 2024

BE IT REMEMBERED on this 18th day of April 2023, the Board of Supervisors of Shelby County, Iowa, met in scheduled session for filing and considering the amendment of the County Budget for Fiscal Year 2024. There was present a quorum as required by law. Entry record for filing of said budget amendment was established and approved for publication. The Board, being fully advised, find that the date of the hearing on said amendment should be fixed, and it does fix, the 16th day of May 2023, A.D., at the hour of 9:00 a.m. as the date and time of hearing to be held in the Supervisor’s Chambers in the Courthouse in Shelby County, Iowa. The proposed service area amended are as follows: Public Safety and Legal Services \$ 843,838.00

Schaben made a motion to approve resolution 2023-24, Parkhurst seconded the motion. A vote was counted with the following results. AYES; Kenkel, Parkhurst and Schaben. NAYS: None The resolution passed.

The Supervisors were presented with resolution 2023-25 which will place a Shelby County moratorium on wind energy permits as follows: Resolution 2023-25 moratorium on wind energy construction permits. WHEREAS, Shelby County Iowa has no existing ordinance governing the siting, construction, and operation of commercial wind energy systems in unincorporated areas of Shelby County, Iowa, AND WHEREAS, the County has an interest in protecting the County's infrastructure, natural resources and property rights through adequate provisions governing the siting, construction, and operation of commercial wind energy systems, AND WHEREAS, the Board of Supervisors will require substantial time to gather information and coordinate with multiple agencies for the purpose of reviewing, updating or creating ordinances, policies and procedures relative to commercial wind energy systems, AND NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Shelby County Iowa, that Shelby County now imposes a moratorium, effective immediately on April 18th, 2023 and for a period of one-hundred eighty days, on the siting, construction, and operation of commercial wind energy systems, for the purpose of drafting and adopting an ordinance regulating commercial wind energy systems.

Parkhurst made a motion to approve resolution 2023-25, Schaben seconded the motion. A vote was counted with the following results. AYES; Kenkel, Parkhurst and Schaben. NAYS: None The Resolution passed.

The Supervisors were presented with resolution 2023-26 which will place a county moratorium on solar Energy permits as follows: Resolution 2023-26 Moratorium on solar energy construction permits. WHEREAS, Shelby County Iowa has no existing ordinance governing the siting, construction, and operation of commercial solar energy systems in unincorporated areas of Shelby County, Iowa, AND WHEREAS, the County has an interest in protecting the County's infrastructure, natural resources and property rights through adequate provisions governing the siting, construction, and operation of commercial solar energy systems, AND WHEREAS, the Board of Supervisors will require substantial time to gather information and coordinate with multiple agencies for the purpose of reviewing, updating or creating ordinances, policies and procedures relative to commercial solar energy systems, AND NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Shelby County Iowa, that Shelby County now imposes a moratorium, effective immediately and for a period of one-hundred eighty days, on the siting, construction, and operation of commercial solar energy systems, for the purpose of drafting and adopting an ordinance regulating commercial solar energy systems.

Schaben made a motion to approve resolution 2023-26, Parkhurst seconded the motion. A vote was counted with the following results. AYES; Kenkel, Parkhurst and Schaben. NAYS: None. The Resolution passed.

Having no further business the meeting was adjourned.

Steve Kenkel, Chairperson

ATTEST:

Mark Maxwell
Clerk to the Board of Supervisors