

March 17, 2026

The Shelby County Board of Supervisors met in regular session at 9:00 A.M. in the Supervisors Chamber in the Courthouse with the following members present: Charles Parkhurst, Mike Kolbe, Bryce Schaben, and Taryn Knapp, Clerk.

Chairman, Charles Parkhurst, asked that any conflict of interest be stated concerning any item on the agenda. None was stated

It was moved by Kolbe, seconded by Schaben, to approve the agenda. Motion carried unanimously.

It was moved by Schaben, seconded by Kolbe to approve the minutes of March 3<sup>rd</sup>, 2026. Motion carried unanimously.

It was moved by Kolbe, seconded by Schaben to approve the recently processed claims. Motion carried unanimously.

Chayce Coenen and Jeff Curtis gave an introduction of Samuels Group and the services they provide. Samuels Group discussed the process from start to finish and proposed the next step of providing an assessment study for Shelby County.

Supervisors then joined in on the Cass County Supervisor's meeting to discuss vacation of a road easement on the county line. Schaben made a motion to approve Resolution No. 2026-13 Herbers Akron Road/100<sup>th</sup> Street Vacation, Kolbe seconded the motion. Motion carried unanimously.

RESOLUTION 2026-13  
VACATE PART OF 100TH STREET EASEMENT

WHEREAS, This road right of way is held by easement and will not change the existing traveled portion of 100th. Street, and:

WHEREAS, a request has been filed with the Shelby County Engineer asking that action be taken to vacate and close a section of Shelby County Secondary Road, described as follows:

That portion of 100th Street, known as Akron Road in Cass County, established on November 9th, 1877 as Road # 10 of 1877 (See Cass County Road Record Book, North Half, Brighton Township, Section 5), commencing (at the termination point of a previous road vacation recorded in Shelby County Supervisor's Meeting Minute Book #9, page 438) 1,258 feet easterly of the SW corner of section 32, Clay Township (T-78N, R-37W), thence running easterly, along the South line of said section 32, a distance of about 3,256 feet to a point which is 750 feet westerly of the SE corner of said section 32 and on the South line of said section 32. Said portion of 100th Street (50 feet wide) is 25 feet wide in Cass County & 25 feet wide in Shelby County and contains about 1.87 acres of road right of way in Shelby County. The total length of 100th Street to be vacated is about 3,256 feet.

WHEREAS, No objections have been received, either in writing or by persons present.

NOW THEREFORE BE IT RESOLVED by the Shelby County Board of Supervisors that the subject section of road be ordered vacated and closed in accordance with Iowa Code Chapter 306.

Chris Fredericksen, Engineer, presented ROW permits from FMCTC. Kolbe made a motion to approve the ROW permits; Schaben seconded the motion. Motion carried unanimously. Fredericksen then gave a brief update on Spring projects.

Tony Buman, Zoning Administrator, presented the following resolutions for approval:

RESOLUTION 2026-14  
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 related 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 ending July 1st 2027, 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.

RESOLUTION 2026-15  
MORATORIUM ON BATTERY STORAGE CONSTRUCTION PERMITS

**WHEREAS**, Shelby County Iowa has no existing ordinance governing the siting, construction, and operation of commercial battery storage projects 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 battery storage projects, 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 battery storage projects, 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 ending July 1st 2027, on the siting, construction, and operation of commercial battery storage projects, for the purpose of drafting and adopting an ordinance regulating commercial battery storage projects.

RESOLUTION 2026-16  
MORATORIUM ON ASSET MINING/DATA CENTER PERMITS

**WHEREAS**, Shelby County Iowa has no existing ordinance governing the siting, construction, and operation of commercial digital asset mining/data centers in unincorporated areas of Shelby County, Iowa, AND

**WHEREAS**, Digital asset mining/data centers have the potential to create an excessive burden on the County's infrastructure as well as nearby property owners; 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 digital asset mining/data centers, AND

**WHEREAS**, the Shelby County Board of Supervisors recognizes that commercial digital asset mining/data centers may affect the character of the surrounding area and the Board desires

that all applications for commercial digital asset mining/ data centers be considered consistently within the purpose and intent of the Shelby County Zoning Ordinance so that the most appropriate uses of land are encouraged throughout unincorporated Shelby County; AND

**WHEREAS**, the Shelby County Board of Supervisors desires to explore the approval requirements for commercial digital asset mining/ data centers to ensure the protection of the public's health, safety, and general welfare; AND

**NOW, THEREFORE, BE IT RESOLVED** that the Shelby County Board of Supervisors hereby establishes a moratorium effective immediately and for a period ending July 1<sup>st</sup>, 2027 on the siting, construction and operation of commercial digital asset mining/ data centers for the purpose of drafting and adopting an ordinance regulating commercial digital asset mining/ data centers.

RESOLUTION 2026-17  
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 related 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 for a period ending July 1<sup>st</sup>, 2027, 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.

Schaben made a motion to approve Resolution No. 2026-14 Moratorium on Solar Energy Construction Permits, Kolbe seconded the motion. Motion carried unanimously.

Kolbe made a motion to approve Resolution No. 2026-15 Moratorium on Battery Storage Construction Permits, Schaben seconded the motion. Motion carried unanimously.

Schaben made a motion to approve Resolution No. 2026-16 Moratorium on Asset Mining/Data Center Permits, Kolbe seconded the motion. Motion carried unanimously.

Kolbe made a motion to approve Resolution No. 2026-17 Moratorium on Wind Energy Construction Permits, Schaben seconded the motion. Motion carried unanimously.

Kolbe made a motion and Schaben seconded the motion to approve the following resolution, motion carried unanimously.

RESOLUTION 2026-18

A RESOLUTION TO REPEAL RESOLUTION 2025-9 TO ELIMINATE THE CO2 PIPELINE LIAISON POSITION

**WHEREAS**, the Shelby County Board of Supervisors created the position of CO2 pipeline liaison on January 21, 2025, to assist the Board with the issues surrounding the proposed CO2 pipeline in Shelby County;

**WHEREAS**, this position is no longer necessary or feasible;

**NOW THEREFORE BE IT RESOLVED** by the Shelby County Board of Supervisors that:

1. The position of CO2 pipeline liaison is hereby eliminated effective April 1, 2026.
2. Resolution 2025-9 is repealed in its entirety.

Schaben made a motion to approve the amended agreement between Shelby County Ambulance Service and Myrtue Memorial Hospital, Kolbe seconded the motion. Motion carried unanimously.

Kolbe made a motion and Schaben seconded the motion to approve EMS and EMA to apply for a Federal Employer Identification Number (FEIN). Motion carried unanimously.

Alex Londo, EMA Coordinator, gave a department update which included a recommendation from the ESA to amend the Fire Billing Ordinance to increase billing amounts.

Tony Buman, Zoning Administrator, informed the Supervisors that the Planning and Zoning Board will be meeting in April to discuss removing the Hazardous Liquid Pipeline section from the Zoning Ordinance. Buman also stated that the Assessor's Office will be mailing Assessment Notices to property owners who had changes to their properties in calendar year 2025.

Supervisor Kolbe attended the Shelby County Emergency Preparedness event as well as the ISAC conference. Supervisor Schaben attended the Conservation Board meeting, SWI Juvenile meeting, as well as ISAC. Supervisor Parkhurst will attend upcoming meetings with West Central, MAPA, and SWIPCO.

Schaben made a motion and Kolbe seconded to approve the liquor license for the Shelby County Golf Course. Motion carried unanimously.

Having no further business, the meeting was adjourned at 10:06 A.M.

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Charles Parkhurst, Chairman

ATTEST:

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Taryn Knapp  
Clerk to the Board of Supervisors