

April 21, 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 Schaben, seconded by Kolbe, to approve the agenda. Motion carried unanimously.

It was moved by Kolbe, seconded by Schaben to approve the minutes of April 7th, 2026. Motion carried unanimously.

Kolbe made a motion to approve the recently processed claims; Schaben seconded the motion. Motion carried unanimously.

Schaben made a motion to recess the meeting and open the posted hearing for the fiscal year 2027 Shelby County Budget, Schaben seconded the motion. Motion passed unanimously.

There were no comments from the public and no verbal or written comments were submitted to the Auditor's office concerning the fiscal year 2027 budget. Kolbe made a motion to close the budget hearing and reopen the regular meeting, Schaben seconded the motion. Motion carried unanimously.

Kolbe made a motion and Schaben seconded the motion to adopt the following resolution:

RESOLUTION NO. 2026-20
ENTRY RECORD OF THE HEARING AND DETERMINATION
OF THE COUNTY BUDGET FOR FISCAL YEAR 2027

BE IT REMEMBERED, on the 21st day of April, 2026, 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 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 2027 adopted.

The above and foregoing resolution was adopted by the Board of Supervisors of Shelby County, Iowa, on the 21st day of April 2026.

Ayes: Kolbe, Schaben, Parkhurst Nays: None

Schaben made a motion to open the public hearing for the FY26 Budget Amendment #3, Kolbe seconded the motion. Motion carried unanimously.

After no written or oral comments from the public, Schaben made a motion to close the public hearing and resume the regular meeting, Kolbe seconded the motion. Motion carried unanimously.

It was moved by Schaben, seconded by Kolbe to adopt the following resolution:

RESOLUTION 2026-21
 ENTRY RECORD OF THE FILING AND CONSIDERATION OF THE COUNTY BUDGET
 AMENDMENT FOR FISCAL YEAR 2026

BE IT REMEMBERED on this 21st day of April 2026, the Board of Supervisors met in scheduled session for the filing and considering of an amendment to the Shelby County Budget for Fiscal Year 2026.

THEREUPON, the Board investigated and found that the notice of the time and place of hearing had, according to law, and as directed by the Board, been published and that the affidavit of publication is on file with the County Auditor.

THEREUPON, on said day, the hearing was taken up and considered. There were no written or oral comments received.

THEREFORE, BE IT RESOLVED, that the Shelby County Budget Service Areas be amended as follows:

Public Safety & Legal Services from \$6,402,252 to \$6,702,252

The Department Appropriations will be as follows:

100% APPROPRIATIONS	DEPARTMENT TOTAL FOR FISCAL YEAR 2026
BOARD OF SUPERVISORS	\$846,200
TREASURER	\$411,931
COUNTY ATTORNEY	\$261,872
RECORDER	\$239,700
SECONDARY ROADS	\$7,647,598
VETERANS AFFAIRS	\$51,920
CONSERVATION/REAP	\$765,916
MEDICAL EXAMINER	\$30,000
MISC. & JUVENILE COURT	\$137,400
SHERIFF/DRUG FORFEITURE	\$2,677,285
JAIL/COMISSARY/JAIL RM & BRD.	\$896,153
GENERAL ASST./SUBSTANCE ABUSE/DHS	\$36,050
OTHER ENVIRONMENTAL CONTROL	\$28,175
ZONING	\$12,413
ENVIRONMENTAL HEALTH	\$223,326
PUBLIC HEALTH	\$300,000
IT	\$367,898
CENTRAL PURCHASING	\$32,000
AUDITOR	\$193,650
ELECTION	\$215,800
GIS	\$174,975
BUILDING AND GROUNDS	\$449,950
RISK MANAGEMENT	\$475,600
CONTRIBUTIONS TO OTHER GOVMNT. & ORGS.	\$1,340,242
OTHER POLICY AND ADMINISTRATION	\$57,300
TIF	\$250,000
SELF INSURANCE	\$100,000
EMS OPERATIONS	\$1,991,800
	\$20,215,154

The above and foregoing resolution was adopted by the Board of Supervisors of Shelby County, Iowa, on the 21st day of February 2026.

Ayes: Kolbe, Schaben, Parkhurst Nays: None

Engineer, Chris Fredericksen, presented a ROW permit for approval. Schaben made a motion to approve the IDOT ROW permit for FMCTC; Kolbe seconded the motion. Motion carried unanimously.

The Engineer then gave a department update which included thanking the Sheriff's Deputies who provided traffic control for a maintainer that broke down on HWY 44 Monday afternoon.

Recorder, GERALYN GREER, presented her quarterly report. Recorder's office staff are working diligently to update historical records on the Iowa Land Records site from 1988 forward. Greer also stated there are new hard card images available for hunting and fishing licenses.

Treasurer, Carolyn Blum, gave a brief department update stating MV has seen an increase in revenue for the month of March. Blum presented an abatement for taxes on a mobile home abandoned in the mobile home park which was recently removed. Schaben made a motion to abate all outstanding taxes for a mobile home with the VIN #M602045, Kolbe seconded the motion. Motion carried unanimously.

Nick Preston provided a Conservation department update. County parks are now open for the season, and the beaver bounty has concluded with a total of 217 tails turn in. Preston said all spots for summer kids' programs have been filled.

Kenny Hansen, EMS Director, informed the Supervisors of a proposed transport agreement between Audubon Hospital and Shelby County Ambulance Service. Audubon County Memorial Hospital has provided a letter of intent to move forward with finalizing the agreement and asked for the Shelby County Supervisors support of the agreement. Parkhurst, Kolbe, and Schaben were all in mutual agreement to support the transport agreement with Audubon Memorial Hospital.

Schaben made a motion to approve amending the 2026 Shelby County Handbook Ambulance Addendum sleep period provision from designating a time to referring to the department policy for the sleep period times; Parkhurst seconded the motion. Motion carried unanimously.

Supervisors gave a brief update on meetings they attended.

City of Harlan did not submit their application before the meeting, this agenda item was tabled.

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

RESOLUTION NO. 2026-22
RESOLUTION FIXING THE DATE FOR A PUBLIC HEARING
ON THE PROPOSITION TO REPEAL ORDINANCE NO. 2022-4
(AN ORDINANCE TO AMEND VARIOUS SECTIONS OF THE
SHELBY COUNTY ZONING ORDINANCE NO. 2006-6 FOR THE
PURPOSE OF REGULATING AND RESTRICTING THE USE OF
LAND FOR THE TRANSPORT OF HAZARDOUS LIQUID
THROUGH A HAZARDOUS LIQUID PIPELINE), AND
PROVIDING FOR THE PUBLICATION OF NOTICE THEREOF.

WHEREAS, on November 1, 2022, the Shelby County Board of Supervisors ("County")

enacted Shelby County Ordinance No. 2022-4, An Ordinance Amending Various Sections of the Shelby County Zoning Ordinance 2006-6 for the Purpose of Regulating and Restricting the Use of Land for the Transport of Hazardous Liquid through a Hazardous Liquid Pipeline; and

WHEREAS, the lawfulness and enforceability of the County's Ordinance No. 2022-4 was challenged in a civil lawsuit filed in the U.S. District Court for the Southern District of Iowa; and

WHEREAS, the U.S. District Court found various provisions of the ordinance regulating the use of the County's land for hazardous liquid pipelines to be preempted by either federal law, state law, or both; and

WHEREAS, the County sought further review of the District Court's decisions before the United States Court of Appeals for the 8th Circuit; and

WHEREAS, a three-judge panel of the Eighth Circuit Court of Appeals upheld the District Court's finding of federal preemption, but for different reasoning; and

WHEREAS, the County has subsequently exhausted all appellate options; and

WHEREAS, the County recognizes the Eighth Circuit Panel's decision is final regarding the question of the validity and legality of Ordinance No. 2022-4, and, as a result and in the interests of good governance and lawful order, now wishes to repeal Ordinance No. 2022-4; and

WHEREAS, on April 7, 2026, the Planning and Zoning Commission met and held a public hearing on the proposal to repeal Ordinance No. 2022-4; and

WHEREAS, on the Planning and Zoning Commission has reviewed and recommended approval of the proposed repeal of Ordinance No. 2022-4; and

WHEREAS, Iowa Code chapter 335 requires notice of the time and place of a public hearing on the proposal to repeal the County's Ordinance No. 2022-4, a zoning ordinance, to be published as provided in section 331.305.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SHELBY COUNTY, STATE OF IOWA:

1. That this Board shall meet in the Board of Supervisors Room, Shelby County Courthouse, 612 Court Street, Harlan, Iowa, at 9:00 A.M., on May 5, 2026, for the purpose of hearing public comment on and for considering and voting on the passage of the proposed amendment.
2. That the Auditor is hereby directed to cause at least one publication to be made of a notice of the meetings, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County. The publication to be not less than four clear days nor more than twenty days before the date of the public meeting on the proposed amendment.
3. That the notice of the proposed action shall be in substantially the following form:
(To be published on or before: May 1, 2026)

NOTICE OF A PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF SHELBY COUNTY, STATE OF IOWA, ON THE PROPOSITION TO REPEAL ORDINANCE NO. 2022-4 (AN ORDINANCE TO AMEND VARIOUS SECTIONS OF THE SHELBY COUNTY ZONING ORDINANCE NO. 2006-6 FOR THE PURPOSE OF REGULATING AND RESTRICTING THE USE OF LAND FOR THE TRANSPORT OF HAZARDOUS LIQUID THROUGH A HAZARDOUS LIQUID PIPELINE), FOLLOWING A FINAL COURT ORDER FINDING THE ORDINANCE TO BE PREEMPTED BY FEDERAL LAW

PUBLIC NOTICE is hereby given that the Board of Supervisors of Shelby County, State of Iowa, will meet in the Supervisors Room, Shelby County Courthouse, 612 Court Street, Harlan, Iowa, at 9:00 A.M., on the date May 5, 2026, for the purpose of hearing public comment on and for considering and voting on the passage of a proposed ordinance repealing Shelby County Ordinance No. 2022-4, An Ordinance to Amend Various Sections of the Shelby County Zoning Ordinance No. 2006-6 for the Purpose of Regulating and Restricting the Use of Land for the Transport of Hazardous Liquid Through a Hazardous Liquid Pipeline, following a final court ruling finding the ordinance to be preempted by federal law.

At the above meeting the Board shall receive oral or written comments or objections from any resident or property owner of the County to the above action. After all comments and objections have been received and considered, the Board will at the meeting or at any adjournment thereof, consider and vote on the passage of the proposed repeal.

This notice is given by order of the Board of Supervisors of Shelby County, State of Iowa, as provided by chapters 335 and 331 of the Code of Iowa.

Dated this 21st day of April, 2026.

County Auditor, Shelby County, State of Iowa

(End of Notice)

PASSED AND APPROVED this 21st day of April, 2026.

Kolbe made a motion to direct the Budget Director to advertise for a public hearing on the proposed FY26 Budget Amendment #4 to be held at 9:05 a.m. on May 19th, 2026 in the Supervisors Chambers at 612 Court Street, Harlan, Iowa; Schaben seconded the motion. Motion carried unanimously.

After discussion Schaben made a motion to appoint Taryn Knapp as ADA Coordinator for Shelby County, Kolbe seconded the motion. Motion carried unanimously.

Having no further business, the meeting was adjourned at 9:38 A.M.

Charles Parkhurst, Chairman

ATTEST:

Taryn Knapp
Clerk to the Board of Supervisors