

July 5, 2011

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: James Burmeister, Chairman; Delbert Hull, Vice-Chairman; Roger Schmitz; and Rhonda Mock, Acting-Clerk.

It was moved by Hull, seconded by Schmitz, to approve the agenda. AYES: Burmeister, Hull, Schmitz NAYES: None

It was moved by Schmitz, seconded by Hull, to approve the minutes of June 21, 2011, as presented. AYES: Burmeister, Hull, Schmitz NAYES: None

It was moved by Hull, seconded by Schmitz, to approve the Claims of June 29, 2011, and place the listing on file in the Auditor's Office. AYES: Burmeister, Hull, Schmitz NAYES: None

Now being the time for the public hearing on the First Reading of Shelby County Ordinance No. 2011-1, Improper Use of County Roads, the Chairman did open the hearing. There were no oral or written comments. It was moved by Schmitz, seconded by Hull, to close the public hearing, to suspend any future readings, and to approve Shelby County Ordinance No. 2011-1 as set out below.

SHELBY COUNTY ORDINANCE NO. 2011-1 IMPROPER USE OF COUNTY ROADS

SECTION 1: Purpose. The purpose of this ordinance is to establish a policy, procedure, and penalty for the improper use of County roads.

SECTION 2: Authority. The Board is empowered under the authority of Section 331.362 of the 2011 Code of Iowa to regulate the use of County roads.

SECTION 3: Improper Use of Roads. Any person who willfully and maliciously injures, mars, or damages any County road shall, for every offense, be guilty of a simple misdemeanor punishable by up to 30 days in the Shelby County Jail or a fine of up to \$500.00 or both and shall be liable for reasonable restitution.

SECTION 4: Effective Date. This ordinance shall be effective immediately upon approval by the Board of Supervisors after such notice and public hearing as required by law.

SECTION 5: Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6: Severability Clause. If any section, provision, or part of this ordinance shall be adjudged, invalid, or unconstitutional, such adjudication shall not affect the validity of the ordinances as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

Passed and adopted this 5th day of July, 2011, by the Shelby County Board of Supervisors.

AYES: Burmeister, Hull, Schmitz NAYES: None

It was moved by Hull, seconded by Schmitz, to approve the following resolution:

RESOLUTION NO. 2011-23 SUPPORTING THE PROLIANT FACILITY EXPANSION

WHEREAS, AMPC Land Company dba Proliant, Inc. is a successful producer of meat ingredients, and;

WHEREAS, AMPC Land Company dba Proliant, Inc. is expending approximately \$12.2 million in capital construction for an additional processing facility and purchase of machinery and equipment, and;

WHEREAS, the Shelby County Board of Supervisors passed a Resolution Providing for Partial Property Tax Exemption for Improved Property and;

WHEREAS, this partial exemption is available over a five-year period for the actual value added to industrial real estate of the new construction of industrial real property;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Shelby County, Iowa makes the following statements:

1. The Shelby County Board of Supervisors wholly supports this project.
2. The Shelby County Board of Supervisors agrees to provide the partial property tax exemption once AMPC Land Company dba Proliant, Inc. applies and qualifies for said exemption.

Passed and adopted this 5th day of July, 2011.

AYES: Burmeister, Hull, Schmitz NAYES: None

It was moved by Hull, seconded by Schmitz, to authorize the Chairman to sign the Fiscal Agent Agreement with the Harrison, Monona, Shelby Early Childhood Development Board. AYES: Burmeister, Hull, Schmitz NAYES: None

Dan Ahart, the County Engineer, was available to update the Board on activities of the county road crews and the status of current maintenance and construction projects.

It was moved by Schmitz, seconded by Hull, to approve the plans for Project L-306170-73-83 (Andersen Bridge). AYES: Burmeister, Hull, Schmitz NAYES: None

There being no further business appearing, the Chairman declared the meeting adjourned at 9:33 a.m.

James Burmeister, Chairman

ATTEST: _____

Rhonda Mock
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.