

Consent Agenda

March 12, 2024

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M. All members present. Chairperson Miller presiding.

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

After discussion was held by the Board, a Motion was made by Shea, and seconded by Jorgensen, to add a Secondary Employment Policy Study Session to the agenda and to approve Consent Agenda:

- A. March 5, 2024, Minutes as read.
- B. Renewal of Class C Liquor License, granting privileges of Class C Liquor License (LC)/Outdoor Services for B Enterprises L.L.C. d/b/a Quail Run Golf Course, Neola.
- C. Renewal of Class C Liquor License, granting privileges of Class C Liquor License (LC)/Outdoor Services for Grand Mac LLC d/b/a Grand Mac LLC, Council Bluffs.
- D. Renewal of Special Class C Retail Native Wine License, granting privileges of Special Class C Retail Native Wine License/Outdoor Services for Prairie Crossing Vineyard and Winery, LLC d/b/a Prairie Crossing Vineyard and Winery, LLC, Council Bluffs.
- E. Renewal of Special Class C Retail Liquor License, granting privileges of Special Class C Liquor License/Living Quarter, Outdoor Service for The Westfair Association d/b/a Westfair, Council Bluffs.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Shea, second by Belt, to open Public Hearing on discussion regarding Compensation Board's recommendations for elected officials for FY 2024/25.

Roll Call Vote: AYES: Miler, Belt, Wichman, Shea, Jorgensen. Motion Carried.

Motion by Shea, second by Belt, to close public hearing.

Roll Call Vote: AYES: Miller, Belt, Wichman, Shea, Jorgensen. Motion Carried.

Motion by Shea, second by Belt, to approve and authorize Board to amend the **Resolution No. 22-2024** regarding Compensation Board recommendation for elected officials for FY 2024/25 reducing by 1/3 of Compensation Boards recommendation and reducing Supervisors to 1%.

Roll Call Vote: AYES: Shea. NAYS: Miller, Belt, Wichman, Jorgensen. Motion Denied.

Chairperson Miller postponed **Resolution No. 22-2024** until next week's agenda. Further discussion will be held in Budget Study Session.

Motion by Shea, second by Belt, to approve the setting of public hearing on Pottawattamie County's Proposed Property Tax Levy for Fiscal Year Ending June 30, 2025, for the 2nd day of April 2024, at 10:00, A.M.; and approve publication request.

UNANIMOUS VOTE. Motion Carried.

Motion by Wichman, second by Shea, to approve and authorize the Board to sign **Resolution No. 23-2024**; entitled: Resolution Repealing Temporary Moratorium on Wind and Solar Energy Conversion Systems within Pottawattamie County, Iowa.

RESOLUTION NO. 23 - 2024

**RESOLUTION REPEALING TEMPORARY MORATORIUM ON
WIND AND SOLAR ENERGY CONVERSION SYSTEMS WITHIN POTTAWATTAMIE
COUNTY, IOWA**

WHEREAS, pursuant to Resolution No. 71- 2023, the Board of Supervisors of Pottawattamie County, Iowa (the "Board") imposed a temporary moratorium prohibiting the Director of Planning and Development and the Zoning Board of Adjustment from accepting or otherwise acting on any application to develop a wind or solar energy conversion system pending the Board's review and amendment of the Pottawattamie County, Iowa, Zoning Ordinance (the "Ordinance") to regulate wind and solar energy conversion systems; and

WHEREAS, the Board completed its review and adopted amendments to the Ordinance to include provisions regulating wind and solar energy conversion systems.

NOW THEREFORE, BE IT RESOLVED, the Board hereby approves this resolution and repeals the temporary moratorium imposed by Resolution No. 71 - 2023. The Director of Planning and Development and the Zoning Board of Adjustment may now accept or otherwise act on applications to develop wind or solar energy conversion systems.

Dated this 12th day of March, 2024.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Susan Miller, Chairperson				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Scott Belt				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tim Wichman				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Brian Shea				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Jeff Jorgensen				

ATTEST: _____
Melvyn Houser, County Auditor

Roll Call Vote: AYES: Miller, Belt, Wichman, Shea, Jorgensen. Motion Carried.

Motion by Belt, second by Shea, to approve and authorize the Chairperson to sign the Contract and Bond with Peterson Contractors Inc. in the amount of \$ 2,236,617.94 for the Dumfries and 240th Street Paving. UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Jorgensen, to approve and authorize Board Chairperson to sign agreement with vendor SpyGlass for audit of county Voice/Data/Internet contracts. UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Kristen Bracker/Attorney, Lea Voss/Treasurer and Dick Wade/Attorney, City of Council Bluffs appeared before the Board to discuss Parcel No. 744402429008. Motion Postponed. No Action Taken

Motion by Wichman, second by Shea, to authorize the Chair to sign the forgiveness portion of the small-town forgivable note for Underwood. UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Jorgensen, to approve the renewal of County Employee’s Health Insurance for FY 24/25 with an increase of 3.66% with no changes to vision and dental. UNANIMOUS VOTE. Motion Carried.

4. COMMITTEE APPOINTMENTS

Board discussed Committee meetings from the past week. Discussion only. No action taken.

5. RECEIVED/FILED

- A. Report(s):
 - 1) Recorder Fee Book for February 2024.
 - 2) Sheriff Report of Fees Disbursed and Collected for January 2024.
- B. Salary Action(s):
 - 1) Mental Health – Payroll status change for Shelly Hovey.
 - 2) Sheriff – Payroll status change for Jeremy Petersen and Lucas Budrow.
 - 3) Communications – Payroll status change for Jesus Navarrete.
- C. Out of State Travel Notification(s):

1) Sheriff – Out of State Travel Notifications for Jim Doty and Anthony Kava.

6. PUBLIC COMMENTS

No Public Comments.

7. CLOSED SESSION

Motion by Wichman, second by Jorgensen, to go into Closed Session pursuant to Iowa Code 20.17.(3) for discussion and/or decision on labor negotiations/collective bargaining matters.

Roll Call Vote: **AYES: Miller, Belt, Wichman, Shea, Jorgensen. Motion Carried.**

Motion by Shea, second by Jorgensen, to go out of Closed Session.

Roll Call Vote: **AYES: Miller, Belt, Wichman, Shea, Jorgensen. Motion Carried.**

8. SECONDARY EMPLOYMENT POLICY STUDY SESSION. Discussion only.

9. BUDGET STUDY SESSION

10. ADJOURN

Motion by Shea, second by Belt, to adjourn meeting.

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:00 P. M

Susan Miller, Chair

ATTEST: _____
Melvyn Houser, County Auditor

APPROVED: March 19, 2024

PUBLISH: X

Scheduled Sessions

Mark Shoemaker/Director,
Conservation and Eric
Hough/President,
Conservation Board

Conservation Update.

**Discussion and/or decision to approve and sign
Resolution No. 22-2024, regarding Compensation
Boards recommendation for elected officials for FY
2024/25.**

RESOLUTION NO. 22-2024

WHEREAS the Pottawattamie County Compensation Board meets annually to recommend a compensation schedule for elected officials for the fiscal year immediately following, in accordance with Iowa Code Chapters 331.905 and 331.907; and

WHEREAS, the Pottawattamie County Compensation Board met on the 7th day of December 2023, and recommended a 12% increase for the County Sheriff and County Attorney, and a 10% increase for all other County elected officials, for the fiscal year beginning July 1, 2024.

THEREFORE, BE IT RESOLVED that the Pottawattamie County Board of Supervisors hereby reduces the Compensation Board’s recommended increases by half of the original recommendations, resulting in a 6% salary increase for the County Sheriff and County Attorney, and a 5% salary increase for Pottawattamie County elected officials including the Auditor, Recorder and Treasurer for the fiscal year beginning July 1, 2024. The Supervisors will have no increase in salary for the fiscal year beginning July 1, 2024. Said increases shall be as follows:

Elected Official	Approved Salary for FY 2024/2025
Attorney	\$ 167,811.00
Auditor	\$ 102,362.00
Recorder	\$ 102,362.00
Sheriff	\$ 160,590.00
Supervisors	\$ 52,955.00
Treasurer	\$ 102,362.00

Dated this 19th day of March 2024

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Susan Miller, Chair	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Jeff Jorgensen	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

John Rasmussen/Engineer

Discussion and/or decision to approve and sign joint project agreement with Harrison County for L34 resurfacing project FM-C043(97)- - 55-43.

JOINT PROJECT AGREEMENT FOR CONSTRUCTION OF HMA RESURFACING FROM POTTAWATTAMIE COUNTY TO HARRISON COUNTY

This agreement made and entered into by and between Harrison County, Iowa and Pottawattamie County, Iowa in accordance with the provisions of Section 309.68 of the Code of Iowa. The purpose of this agreement shall be to define the duties and responsibilities of Harrison and Pottawattamie Counties with regard to construction of a Farm-to-Market funded HMA Resurfacing project located on L-34 (Overton Ave.) from approximately 1478' N. of centerline of I-880 in Pottawattamie County north 7 miles to Harris Grove Creek near 286th Street in Harrison County. (Harrison County Project Number: **FM-C043(97)--55-43**)

It is hereby agreed as follows:

1. The construction project shall be included in each County's Five-Year Secondary Road Construction Program for fiscal year 2024 and / or 2025.
2. Harrison County shall be responsible for performing project design and administration and inspection of the project without reimbursement.
3. The actual final construction costs shall be split between Harrison and Pottawattamie Counties as follows:
 - A. Harrison County will use Farm to Market Funds for contractor payments for the initial cost of All Divisions.
 - B. Pottawattamie County will use a Farm to Market Funds transfer to reimburse Harrison County's Farm to Market account for the cost of Division I and 50% of the cost of Division II according to contact unit price, after project completion.
4. If the project is not awarded for construction by June 30, 2026, this agreement is void. Construction is planned for the Fiscal Year 2024 or Fiscal Year 2025 construction season and is currently in the March 19, 2024 IDOT letting in Ames. Prior to the letting of this project, this agreement may be terminated by either party upon written notification and settlement of all unpaid costs.
5. The County Engineer of each county shall be the administrator of finances for his respective county and shall be responsible for consultation with the respective Board of Supervisors in matters relating to this agreement and shall administer this agreement after such consultation in accordance with the provisions set forth herein.

**JOINT PROJECT AGREEMENT FOR CONSTRUCTION OF HMA
RESURFACING FROM POTTAWATTAMIE COUNTY TO
HARRISON COUNTY**

In witness thereof, the parties hereto have set their hands for the purpose herein expressed.
POTTAWATTAMIE COUNTY BOARD OF SUPERVISORS:

Approved this _____ day of _____, 2024

Chairperson

Pottawattamie County Engineer

Member

ATTEST:

Member

Pottawattamie County Auditor

Member

Member

HARRISON COUNTY BOARD OF SUPERVISORS:

Approved this 7th day of March, 2024



Chairperson



Harrison County Engineer



Member

ATTEST:



Member



Harrison County Auditor

**Becky Lenihan/Tax and Finance Officer,
Auditor's Office.**

**Discussion and/or decision on amendment
for FY 2023/24 budget and setting date for
public hearing on said amendment.**

**Becky Lenihan/Tax and Finance Officer,
Auditor's Office.**

Discussion and/or decision on Resolution fixing date for a meeting on the proposal to reallocate certain unspent proceeds of the General Obligation Capital Loan Notes, Series 2020A, of Pottawattamie County, Iowa and providing for publication of notice thereof.

**Becky Lenihan/Tax and Finance Officer,
Auditor's Office.**

Discussion and/or decision on Resolution fixing date for a meeting on the proposal to reallocate certain unspent proceeds of the General Obligation Capital Loan Notes, Series 2021A, of Pottawattamie County, Iowa and providing for publication of notice thereof.

**Becky Lenihan/Tax and Finance Officer,
Auditor's Office.**

Discussion and/or decision on Resolution fixing date for a meeting on the proposal to reallocate certain unspent proceeds of the General Obligation Capital Loan Notes, Series 2022, of Pottawattamie County, Iowa and providing for publication of notice thereof.

Committee Appointments

Update from Board members on Committee meetings from the past week.

Received/Filed

Public Comments

Study Session

BUDGET STUDY SESSIONS