

April 23, 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 second by Jorgensen, to approve:

- A. April 16, 2024, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Belt, second by Shea, to open Public Hearing on discussion regarding Pottawattamie County’s Budget for FY 24/25.

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

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

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

Motion by Wichman, second by Belt, to approve and authorize Board to sign Resolution No. 30-2024, a Resolution to approve Pottawattamie County’s budget for fiscal year 2024/25. Said Resolution is set out as follows:

RESOLUTION NO. 30-2024

WHEREAS, the Board of Supervisors of Pottawattamie County, after due consideration of estimated income and expenses for Fiscal Year 2024-2025, duly published such estimates for the county budget; and

WHEREAS, the budget correctly states estimated tax dollars against all parcels of property lying within Pottawattamie County, and the income and expense breakdown for each of the ten (10) budgeting areas; and

WHEREAS, a hearing was held on Tuesday, April 23, 2024, at 10:00 AM, in the Board of Supervisors’ Hearing Room, Second Floor, Courthouse, 227 South 6<sup>th</sup> Street, Council Bluffs, Iowa; and

WHEREAS, the public had due notice of the hearing, and at the hearing due time was allowed for objections to any and all portions of the budget.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Pottawattamie County, after hearing no objections, on a motion by Supervisor Wichman, and a second by Supervisor Belt, the Fiscal Year 2024-2025 budget was adopted.

Chairperson Miller called for a roll call vote, the results being: Miller-AYE; Belt-AYE; Wichman-AYE; Shea-AYE; and Jorgensen-AYE. Motion carried.

Dated this 23rd day of April, 2024.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ 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"/>

_____	<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 Shea, second by Belt, to approve and authorize Board to sign **Resolution No. 31-2024** entitled: Resolution for Transfer from Rural Services Fund to Secondary Roads Fund.

**RESOLUTION NO. 31-2024**

**RESOLUTION FOR TRANSFER FROM RURAL SERVICES FUND TO SECONDARY ROADS FUND**

**WHEREAS**, it is desired to transfer money from the Rural Services Fund to Secondary Roads Fund; and

**WHEREAS**, said transfers are in accordance with Section 331.432, Code of Iowa.

**NOW THEREFORE BE IT RESOLVED**, that the Pottawattamie County Board of Supervisors authorizes the following transfers:

**SECTION 1:** The sum of \$2,750,000 is ordered to be transferred from Rural Services Fund to the Secondary Roads Fund;

**SECTION 2:** The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of these operating transfers.

**Dated this 23rd Day of April, 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.**

Tom Kallman/Manager, Regional Water appeared before the Board to give an update on the two Regional Water Projects (Pioneer and Minden) in the County.  
 Discussion only. No action taken.

Matt Wyant/Director, Planning and Development appeared before the Board to discuss consultation session with Treynor School for the Urban Renewal Plan that will be held on April 24<sup>th</sup> at 1 P.M. in the Planning Department.  
 Discussion only. No action taken.

Matt Wyant/Director, Planning and Development appeared before the Board to give an update on the Public Health building.  
 Discussion only. No action taken.

Motion by Belt, second by Shea, to approve and authorize Chairperson to sign Iowa Department of Transportation Agreement for Lewis Township Volunteer Fire Department Traffic Safety Improvement Program Grant.

UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Belt, to approve and authorize Board to sign **Resolution No. 36-2024**; regarding Charles Avenue Road Right of way between 2<sup>nd</sup> Street and Bentley Lane (also known as Main Street) located in the town of Bentley, Iowa.

**RESOLUTION NO. 36-2024**

**WHEREAS**, Resolution 48-2023 was passed June 20<sup>th</sup>, 2023 to vacate a Road Right of way; and

**WHEREAS**, title to the vacated right of way was not transferred to the owners of the real estate abutting said right of way; and

**WHEREAS**, it is in the best interest of Pottawattamie County to transfer the vacated right of way as described below; and

**WHEREAS**, there is an additional alley which was not vacated in Resolution 48-2023 which is described below; and

**WHEREAS**, budget and liability constraints dictate the secondary road system be reduced; and

**WHEREAS**, it is in the best interest of Pottawattamie County to vacate the alley as described below.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County in session this 23<sup>rd</sup> day of April, 2024, that the following described alley be vacated and transferred as follows:

The north/south alley between Charles Avenue and G30, in Block 12 in Original Town Plat of the unincorporated Town of Bentley per town plat filed for record in Section 13, Township 76, Range 43 West of the 5<sup>th</sup> P.M., Pottawattamie County, Iowa.

Title of the above-described vacated alley shall be transferred to each property owner of real estate abutting the vacated alley, the West ½ to lots 7-18, and the East ½ to lots 6 and 19, as well as that portion of the vacated alley lying between lots 1-6 and 19-21, all in Block 12, in the Town of Bentley, Iowa.

Note: Utilities are granted a permanent and perpetual easement for the continuance of maintaining existing facilities for such construction, reconstruction, replacement, and repair thereof as may be deemed necessary by the utilities in the future (Iowa Code 306.22, 479.17, 479.24)

**NOW, THEREFORE BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County in session this 23<sup>rd</sup> day of April, 2024, that the following described vacated right of way be transferred as follows:

Title of the vacated Central Avenue Road Right of way between 2<sup>nd</sup> Street and Charles Avenue shall be transferred to each property owner of the real estate abutting the vacated road right of way, the Northerly ½ to lots 21-44 of Block 3 in the town of Bentley, Iowa. The Southerly ½ to lots 1-14 of Block 5 in the town of Bentley, Iowa.

Title of the vacated Charles Avenue Road Right of way between 2<sup>nd</sup> Street and Bentley Lane (also known as Main Street) shall be transferred to each property owner of the real estate abutting the vacated road right of way, the North ½ to Lots 20 and 21 of Block 3 and Lots 11-15 of Block 5 in the town of Bentley, Iowa. The South ½ to Lots 1 and 12 in Block 11, and Lots 1-7 in Block 12, along with all prior vacated alleys and roadways adjacent thereto, all in the town of Bentley, Iowa.

Title of the vacated 20-foot alley in Block 5, shall be transferred to the owners of the real estate abutting the vacated alley. The Northerly ½ to Lots 4-11, Block 5 in the town of Bentley, Iowa, and the Southerly ½ to Lot 15, Block 5 in the town of Bentley, Iowa.

**Dated this 23rd day of April, 2024.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____ 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	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Melvyn Houser, County Auditor

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

**3. COMMITTEE APPOINTMENTS**

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

**4. RECEIVED/FILED**

- A. Out of State Travel Notification(s):
  - 1) Communications – Out of State Travel for Sam Arkfeld, David Sands, and Eric Wallner.
  - 2) Medical Examiner – Out of State Travel for Kalen Knight and Karen Foreman.
- B. Salary Action(s):
  - 1) Recorder – Payroll status change for Brandie Slack.
  - 2) Secondary Roads – Payroll status change for Jonathon Johnson.
  - 3) Conservation – Payroll status change for Hollie Larson.
  - 4) WIC – Payroll status change for Luz Collins.

**5. PUBLIC COMMENTS**

No Public Comments.

**6. CLOSED SESSION**

Motion by Wichman, second by Shea, to go into Closed Session pursuant Iowa Code 21.5(1)(j) for discussion and/or decision on the purchase or sale of particular real estate.

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

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

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

**7. ADJOURN**

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:47 A.M.

\_\_\_\_\_  
Susan Miller, Chair

ATTEST: \_\_\_\_\_  
Melvyn Houser, County Auditor

APPROVED: April 30, 2024  
PUBLISH: X