

December 28th, 2021

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

After discussion was held by the Board, a Motion was made by Wichman, and second by Shea, to approve:

- A. December 21, 2021, Minutes as read.

UNANIMOUS VOTE Motion Carried.

2. SCHEDULED SESSIONS

Motion by Wichman, second by Shea, to open Public Hearing on first Consideration Ordinance No. 2021-10, an Ordinance to amend Chapter 5.30, Flood Plain Management.

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried.

Motion by Wichman, second by Shea, to close Public Hearing.

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried.

Motion by Wichman, second by Schultz, to approve first consideration of Ordinance No. 2021-10, AN ORDINANCE to amend Chapter 5.30, Flood Plain Management and set date of Second Consideration for January 3, 2022 at 10 AM.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve and authorize Board of Supervisors to sign Resolution No. 123-2021 entitled: RESOLUTION Authorizing tax increment financing extension for the City of Underwood.

RESOLUTION NO. 123-2021

RESOLUTION AUTHORIZING TAX INCREMENT FINANCING EXTENSION FOR THE CITY OF UNDERWOOD

WHEREAS, the City of Underwood, Iowa (the "City") is in the process of establishing the Fieldcrest Phase 4 Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa which includes the real property described on Exhibit A hereto (the "Property"); and

WHEREAS, project development needs with respect to the Property will require that the City use incremental property tax revenues, as provided for in Section 403.19 of the code of Iowa, received with respect to the Property to pay the costs of the construction of public infrastructure improvements thereon necessary for the development of a housing subdivision in the Urban Renewal Area; and

WHEREAS, Section 403.22 of the Code of Iowa prohibits cities from collecting incremental property tax revenues for this type of project for more than eleven years without the express consent of any affected county and school district; and

WHEREAS, the City Council of the City has requested that the Board of Supervisors of Pottawattamie County, Iowa approve this resolution in order to allow the City to use incremental property tax revenues from the Property for five additional fiscal years, as provided by law;

NOW, THEREFORE, it is resolved by the Board of Supervisors of Pottawattamie County, Iowa, as follows:

Section 1. Pursuant to Section 403.22 of the Code of Iowa, this Board of Supervisors hereby approves the use by the City of Underwood, Iowa, of future incremental property tax revenues produced with respect to the Property, for a total period of up to sixteen fiscal years.

Section 2. The County Auditor is hereby directed to forward an executed copy of this Resolution to the City Council of the City of Underwood.

Dated this 28th day of December, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____	○	○	○	○
Scott A. Belt, Chairman				

_____	<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"/>
Lynn Grobe				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Justin Schultz				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Brian Shea				

ATTEST: _____
Melvyn Houser, County Auditor

Roll Call Vote: **AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried**

Motion by Schultz, second by Shea, to approve and authorize Board of Supervisors to sign **Resolution No. 124-2021** entitled: Resolution Declaring Pottawattamie County, Iowa to be a Second Amendment County.

RESOLUTION NO. 124-2021

RESOLUTION DECLARING POTTAWATTAMIE COUNTY, IOWA TO BE A SECOND AMENDMENT COUNTY

WHEREAS, the right of the people to keep and bear arms is guaranteed as an individual right under the Second Amendment of the United States Constitution, “A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.”; and
WHEREAS, the right of the people to keep and bear arms for the defense of life, liberty, and property is regarded as an inalienable right by the people of Pottawattamie County, Iowa; and
WHEREAS, the people of Pottawattamie County, Iowa derive economic benefit from all safe forms of firearms recreation, hunting, and shooting conducted within Pottawattamie County using all types of firearms allowable under the United States Constitution and the laws of the State of Iowa; and
WHEREAS, the Pottawattamie County Board of Supervisors was elected to represent the citizens of Pottawattamie County, and have sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Iowa; and
WHEREAS, Iowa State Senators and State Representatives have also sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Iowa; and
WHEREAS, legislation is currently being considered and expected to be proposed by both the Iowa State Legislature and the Federal Legislature that potentially seeks to infringe on the constitutionally protected right of citizens to keep and bear arms; and
WHEREAS, it is desirable to declare that Pottawattamie County is a Second Amendment County, as Pottawattamie County opposes the enactment of any legislation that would infringe upon the constitutional right of the people of Pottawattamie County to keep and bear arms.
NOW, THEREFORE, BE IT RESOLVED that the Pottawattamie County Board of Supervisors, State of Iowa, hereby declares Pottawattamie County to be a Second Amendment County, and hereby states its opposition to the enactment of any legislation that would infringe upon the constitutional right of the people of Pottawattamie County to keep and bear arms.

Dated this 28th day of December, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Scott A. Belt, Chairman				
_____	<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"/>
Lynn Grobe				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Justin Schultz				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Brian Shea				

ATTEST: _____
Melvyn Houser, County Auditor

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried.

Motion by Wichman, second by Schultz , to approve and authorize Board Chairman to sign, the STBG-SWAP-CO78(205)—FG-78 DOT funding agreement.
UNANIMOUS VOTE. Motion Carried.

Motion by Wichman, second by Shea, to open Public Hearing to approve and authorize plan specifications and form of contract and total estimated costs for the proposed Secondary Roads Operation Center project.

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried.

Motion by Wichman, second by Shea, to close Public Hearing.

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried.

Motion by Shea, second by Schultz, to accept resignation letters of Veteran Affairs Commissioners William Dooley and Ellen Fritz.
UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to appoint Brad Powell and David Hazelwood as full members of the Veteran Affairs Commission to serve the remainder of the vacated terms ending June 30, 2022.
UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Wichman, to approve 28E Agreement between Pottawattamie County, Iowa; West Pottawattamie soil and water conservation district; and East Pottawattamie soil and water conservation district for the funding, of the Full-time Conservation Education Coordinator Position.
UNANIMOUS VOTE. Motion Carried.

3. RECEIVED/FILED

- A. Salary Actions
 - 1) Sheriff – Payroll status change for Jaron Neumann.
 - 2) Communications – Payroll status change for Logan Brown.
- B. Reports
 - 1) Recorder Fee Book for November 2021
 - 2) Sheriff’s Report of Fees Disbursed and Collected for November 2021

4. BUDGET STUDY SESSIONS

The Board held Budget Study Sessions with the following department heads: Nick Jedlicka /Veteran Affair Director, Suzanne Watson / Community Service Director, Andy Brown / Sheriff, Jeff Thuhlen / Chief Deputy Sheriff, Bob Anderson / Communications, Mark Schoemaker / Conservation Director. Discussion only. No action taken.

5. CLOSED SESSION

Motion by Wichman, second by Schultz, to go into Closed Session pursuant Iowa Code 21.5(1)(j) for discussion and/or decision on personnel matters.

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried

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

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried

6. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 2:20 P.M.

Scott A. Belt, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: January 3, 2022
PUBLISH: X