

May 16, 2023

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

After discussion was held by the Board, a motion was made by Miller, and second by Jorgensen, to approve:

- A. May 9, 2023, Minutes as read.
- B. Jail – Employment of Colton Schaefer as a Detention Officer.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Belt, second by Miller, to open Public Hearing on Ordinance No. 2023-03, and Ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa

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

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

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

Motion by Belt, second by Jorgensen, to approve First Consideration of Ordinance No. 2023-03, and Ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa and to set the date for Second Consideration for May 23, 2023, at 10:00 A.M.

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

Motion by Belt, second by Miller, to open bid for Project L-2023(RC78)-73-78.

UNANIMOUS VOTE. Motion Carried.

Motion by Miller, second by Jorgensen, to approve final voucher for final payment to Gus Construction, Inc for project BRS-SWAP-C078(199) – FF – 78.

UNANIMOUS VOTE. Motion Carried.

Motion by Miller, second by Jorgensen, to approve and authorize Chairman to sign a three-year (2023-2025) contract to Provide Professional Consulting Services to Pottawattamie County by Cost Advisory Services, Inc.

UNANIMOUS VOTE. Motion Carried.

Motion by Belt, second by Wichman, to approve changing of the Pottawattamie County Veteran Affairs to Pottawattamie County Veterans Service Office.

UNANIMOUS VOTE. Motion Carried.

Motion by Wichman, second by Belt, to approve and authorize Board to sign **Resolution No. 37-2023**; entitled AUTHORIZATION AND SUPPORT FOR THE 712 INITIATIVE TO TRANSFER REAL ESTATE TO HABITAT FOR HUMANITY CB.

RESOLUTION NO. 37-2023

WHEREAS, on November 13, 2002, pursuant to Resolution No. 41-2002, the Pottawattamie County Board of Supervisors transferred the following property to the Pottawattamie County Development Corporation:

West ½ of Lot 12, Block 11, Bayliss First Addition and Lots 1 and 5, Auditor’s Subdivision of Lot 11, Block 11, Bayliss First Addition and Lots 1, 2 and 3, Block 2, Bayliss Second Addition to the City of Council Bluffs, Pottawattamie County, Iowa.

WHEREAS, pursuant to Resolution No. 41-2002, the purpose of that transfer was “for the development of housing to serve the developmentally disabled ...”

WHEREAS, Pottawattamie County transferred the above-described property to the Pottawattamie County Development Corporation by virtue of a Quitclaim Deed filed in the office of the Pottawattamie County Recorder on December 2, 2002, at Book 103, Page 41174.

WHEREAS, the Pottawattamie County Development Corporation is now doing business as the 712 Initiative.

WHEREAS, the 712 Initiative desires authority to transfer the above-described property to Habitat for Humanity CB for development of affordable housing.

WHEREAS, Pottawattamie County is presently in great need of additional affordable housing.

NOW THEREFORE BE IT RESOLVED:

That the Board of Supervisors does hereby authorize and support the unrestricted sale of the above-described real property by the Pottawattamie County Development Corporation (doing business as the 712 Initiative) to Habitat for Humanity CB.

BE IT FURTHER RESOLVED:

That the Board of Supervisors does hereby release the Pottawattamie County Development Corporation (doing business as the 712 Initiative) from any restriction set forth in Resolution 41-2002.

Dated this 16th Day of May, 2023.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Brian Shea, Chairman	<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"/>
_____ Susan Miller	<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: Shea, Belt, Wichman, Jorgensen. ABSTAIN: Miller. Motion Carried.

Motion by Miller, second by Jorgensen, to approve and authorize Board to sign **Resolution No. 32-2023**; entitled RESOLUTION AUTHORIZING THE USE OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDS UNDER THE REVENUE REPLACEMENT EXEMPTION PROVIDED FOR U.S. TREASURY’S FINAL RULE.

RESOLUTION NO. 32-2023

RESOLUTION AUTHORIZING THE USE OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDS UNDER THE REVENUE REPLACEMENT EXEMPTION PROVIDED FOR U.S. TREASURY’S FINAL RULE

WHEREAS, the U.S. Treasury's Final Rule allows for up to \$10,000,000 in Revenue Replacement through a standard allowance, which may be allocated toward various government services;

WHEREAS, Pottawattamie County has chosen to utilize the standard allowance for a diverse range of government services;

WHEREAS, certain expenses have already been incurred and reported to the U.S. Treasury, while others are acknowledged within the 2022-2023 Capital Plan and will be reported as projects upon commencement of expenditures;

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors hereby authorizes the following expenditures under the ARPA standard allowance for Revenue Replacement:

1. \$1,991,045.22 for the expansion of Hitchcock Park;
2. \$1,500,000.00 as matching funds with the Iowa West Foundation for the Rural Pottawattamie County Infrastructure Collaborative (RPCIC), which has identified various **projects for small**

- 3. towns throughout Pottawattamie County;
- 4. \$1,625,000.00, with \$125,000.00 allocated to each of the 13 small towns within Pottawattamie County;
- 5. \$1,300,000.00 for the continued development of a bike trail connecting Council Bluffs and Neola;
- 6. \$3,300,000.00 for the design, right-of-way, and improvement of 240th Street, and Dumfries Avenue, from Aspen Road to Pioneer Trail. Also referred to as projects: (L-2022-(Dumfries)--73-78) and project L-2022-(240)--73-78.

Projects unable to fulfill the obligation deadline of December 31, 2024, or the deadline for expenditure of funds by December 31, 2026, as stipulated in the U.S. Treasury's Final Rule may be removed and replaced at the discretion of the Board of Supervisors through subsequent resolutions.

Dated this 16th Day of May, 2023.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Brian Shea, Chairman	<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"/>
_____ Susan Miller	<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: Shea, Belt, Wichman, Miller, Jorgensen. Motion Carried.

3. OTHER BUSINESS

Motion by Belt, second by Miller, to approve and authorize Board to sign **Resolution No. 33-2023** entitled: RESOLUTION FOR TRANSFER FROM LOST SECONDARY ROADS FUND TO BOND SERIES 2020B DEBT FUND.

RESOLUTION NO. 33-2023

RESOLUTION FOR TRANSFER FROM LOST SECONDARY ROADS FUND TO BOND SERIES 2020B DEBT FUND.

WHEREAS, it is desired to transfer money from the LOST Secondary Roads Fund to Bond Series 2020B Debt 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 \$198,300 is ordered to be transferred from LOST Secondary Roads Fund to Bond Series 2020B Debt Fund, and

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

Dated this 16th Day of May, 2023.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
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_____	○	○	○	○
Brian Shea, Chairman				
_____	○	○	○	○
Scott Belt				
_____	○	○	○	○
Tim Wichman				
_____	○	○	○	○
Susan Miller				
_____	○	○	○	○
Jeff Jorgensen				

ATTEST: _____
 Melvyn Houser, County Auditor

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

Motion by Jorgensen, second by Belt, to approve and authorize Board to sign **Resolution No. 35-2023** entitled: RESOLUTION FOR TRANSFER FROM LOST SECONDARY ROADS FUND TO BOND SERIES 2021C DEBT FUND.

RESOLUTION NO. 35-2023

RESOLUTION FOR TRANSFER FROM LOST SECONDARY ROADS FUND TO BOND SERIES 2021C DEBT FUND.

WHEREAS, it is desired to transfer money from the LOST Secondary Roads Fund to Bond Series 2021C Debt 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 \$341,300 is ordered to be transferred from LOST Secondary Roads Fund to Bond Series 2021C Debt Fund, and

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

Dated this 16th Day of May, 2023.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____	○	○	○	○
Brian Shea, Chairman				
_____	○	○	○	○
Scott Belt				
_____	○	○	○	○
Tim Wichman				
_____	○	○	○	○
Susan Miller				
_____	○	○	○	○
Jeff Jorgensen				

ATTEST: _____
 Melvyn Houser, County Auditor

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

Motion by Belt, second by Jorgensen, to approve and authorize Board to sign **Resolution No. 34-2023** entitled: RESOLUTION FOR TRANSFER FROM GENERAL FUND TO BOND SERIES 2021B UR BOND FUND.

RESOLUTION NO. 34-2023

RESOLUTION FOR TRANSFER FROM GENERAL FUND TO BOND SERIES 2021B UR BOND FUND.

WHEREAS, it is desired to transfer money from the General Fund to Bond Series 2021B UR Bond 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 \$9,600 is ordered to be transferred from General Fund to Bond Series 2021B UR Bond Fund, and

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

Dated this 16th Day of May, 2023.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Brian Shea, Chairman	<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"/>
_____ Susan Miller	<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: Shea, Belt, Wichman, Miller, Jorgensen. Motion Carried.

Motion by Jorgensen, second by Miller, to approve and authorize Board to sign **Resolution No. 36-2023** entitled: RESOLUTION FOR TRANSFER FROM GENERAL FUND TO BOND SERIES 2022 BOND FUND.

RESOLUTION NO. 36-2023

RESOLUTION FOR TRANSFER FROM GENERAL FUND TO BOND SERIES 2022 BOND FUND.

WHEREAS, it is desired to transfer money from the General Fund to Bond Series 2022 Bond 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 \$25,386 is ordered to be transferred from General Fund to Bond Series 2022 Bond Fund, and

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

Dated this 16th Day of May, 2023.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Brian Shea, Chairman	<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"/>
_____ Susan Miller	<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: Shea, Belt, Wichman, Miller, Jorgensen. Motion Carried.**

Motion by Belt, second by Wichman, to approve pay for Recorder Clerk II position.
UNANIMOUS VOTE. Motion Carried.

4. COMMITTEE APPOINTMENTS

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

5. RECEIVED/FILED

A. Salary Action(s):

- 1) Public Health – Payroll status change for Madhumitha Mohanraj.
- 2) Sheriff – Payroll status change for Aaron Soucie.

B. Out of State Travel Notification(s):

- 1) Jail – Out of State Travel for Todd Schlines and Shawn Jensen.
- 2) Board of Health – Out of State Travel Notification for Amber Strohhahn.
- 3) Public Health – Out of State Travel Notification for Maria Torres, Madhumitha Mohanraj, and Maria Sieck.

C. Report(s):

- 1) Sheriff’s Report of Fees Disbursed and Collected for April 2023.

6. PUBLIC COMMENTS

No Public Comments.

7. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 10:53 A. M

Brian Shea, Chairman

ATTEST: _____
Melvyn Houser, County Auditor

APPROVED: May 23, 2023
PUBLISH: X