

May 21, 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 Wichman, and second by Shea, to approve:

- A. May 14, 2024, Minutes as read.
- B. Renewal 5-day Class C Retail Liquor License/Outdoor Service for Michael Mott d/b/a Bus Events, LLC, Council Bluffs to be used during Wabash Open 3.
- C. Renewal of Class C Liquor License (LC), granting privileges of Class C Liquor License (LC)/Outdoor Service for Genevieve Stueve d/b/a Aeroplane Inn, Honey Creek.
- D. Renewal of Iowa Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for Kum & Go LC d/b/a Kum & Go #23, Neola.
- E. Renewal of Iowa Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for Donald Rief d/b/a DeSoto Bend Mini Mart, Missouri Valley.
- F. Renewal of Iowa Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for Taylor Oil Company d/b/a Taylor Quik Pik, Council Bluffs.
- G. Renewal of Iowa Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for Casey’s Marketing Company d/b/a Casey’s #3205, Council Bluffs.
- H. Renewal of Iowa Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for Casey’s Marketing Company d/b/a Casey’s #3204, Minden.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Shea, second by Belt, to extend Proclamation of Disaster Emergency from April 26 tornados for an additional 30 days to expire on June 26, 2024.

UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Jorgensen, to approve and authorize Board to sign Proclamation designating the week of May 19 – 25, 2024 as Visitors Bureau Week.

2024 National Travel and Tourism Week Proclamation

WHEREAS the travel industry is essential to the success of every industry and will continue to be a critical part of Pottawattamie County’s economy, development, and workforce being at the crossroads of Interstates 80 and 29.

WHEREAS travel is an economic powerhouse for every state and destination across the country, with an economic output of \$2.8 trillion, supporting 15 million American jobs, and generating \$89 billion in state and local tax revenue in 2023 according to the US Travel Association.

WHEREAS Pottawattamie County realized \$329.62 million in direct spending by travelers in 2022 according to Tourism Economics – the fifth highest of Iowa’s 99 counties and part of the state’s \$6.9 billion in direct traveler spending that in turn supported small businesses which account for more than 60 percent of leisure and hospitality employment.

WHEREAS travel is an essential industry, and we must continue to communicate that growing travel leads to economic growth, benefits both small and large businesses, produces local sales tax revenue, and fosters mutual understanding by connecting the nation.

Therefore, the Pottawattamie County Board of Supervisors, do hereby proclaim May 19-25, 2024, as National Travel and Tourism Week in Pottawattamie County, and urge county citizens to join me in recognizing the essential role this industry plays. Simply put – Travel means business.

Dated: May 21, 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"/>

_____	<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.**

Paula Hazlewood/CEO, and Shalimar Mazetis/Manager, Rural Development, Advance Southwest Iowa Corporation appeared before the Board to provide an update on Advance Southwest Iowa Corporation. Discussion only. No action taken.

Motion by Shea, second by Jorgensen, to approve Second Consideration of **Ordinance No. 2024-03**; an ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa by changing the district designation of approximately 2.9922 acres from a Class A-3 (Riverfront and Ag Production) to Class C-2 (General Commercial) District.

**POTTAWATTAMIE COUNTY, IOWA
 ORDINANCE NO. 2024-03**

AN ORDINANCE to amend the Official Zoning Map of Pottawattamie County, Iowa, by changing the district designation of approximately 2.9922 acres from a Class A-3 (Riverfront & Ag Production) District to a Class C-2 (General Commercial) District.

**BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY,
 IOWA**

SECTION 1 - AMENDMENTS: That the Official Zoning Map, as adopted by reference in Section 8.003.020 of the Pottawattamie County, Iowa, Zoning Ordinance, be and the same is hereby amended by changing the district designation from its present designation of a Class A-3 (Riverfront & Ag Production) District to a Class C-2 (General Commercial) District of certain real estate, as shown on the attached plat and which is legally described as follows:

CRESCENT TWP 27-76-44 PT G/L 3 SE NW & NE SW COMM 39.23'N & 511.40'NE & 22'SE
 & 909.90'NE & 70.22'S OF W1/4 COR OF SECT 27 TH S125.29' E269.91' S370.96' NW96.21'
 N63.72' W173.59' S366.13' NE319.17' N765.12' SW308.73' TO POB (PARCEL 23013)

SECTION 2 - SEVERABILITY: That should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not effect that validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 3 - REPEAL OF CONFLICTING ORDINANCES: That all ordinance or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4 - EFFECTIVE DATE: This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED AND APPROVED.

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Miller, Chairperson				
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Belt				
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tim Wichman				
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Shea				

taxing district into which all other property taxes are paid. For the purpose of allocating taxes levied by or for any taxing district which did not include the territory in the Urban Renewal Area on the effective date of this ordinance, but to which the territory has been annexed or otherwise included after the effective date, the assessment roll applicable to property in the annexed territory as of January 1 of the calendar year preceding the effective date of the ordinance which amends the plan for the Urban Renewal Area to include the annexed area, shall be used in determining the assessed valuation of the taxable property in the annexed area.

(b) that portion of the taxes each year in excess of such amounts shall be allocated to and when collected be paid into a special fund of the County to pay the principal of and interest on loans, moneys advanced to or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under the authority of Section 403.9(1), of the Code of Iowa, incurred by the County to finance or refinance, in whole or in part, projects in the Urban Renewal Area, and to provide assistance for low and moderate-income family housing as provided in Section 403.22, except that taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2 of the Code of Iowa, taxes for the instructional support levy of a school district imposed pursuant to Section 257.19 of the Code of Iowa and taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the taxing district without limitation by the provisions of this ordinance. Unless and until the total assessed valuation of the taxable property in the Urban Renewal Area exceeds the total assessed value of the taxable property in such area as shown by the assessment roll referred to in subsection (a) of this section, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for said taxing districts in the same manner as all other property taxes. When such loans, advances, indebtedness, and bonds, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

(c) the portion of taxes mentioned in subsection (b) of this section and the special fund into which that portion shall be paid may be irrevocably pledged by the County for the payment of the principal and interest on loans, advances, bonds issued under the authority of Section 403.9(1) of the Code of Iowa, or indebtedness incurred by the County to finance or refinance in whole or in part projects in the Urban Renewal Area.

(d) as used in this section, the word "taxes" includes, but is not limited to, all levies on an ad valorem basis upon land or real property.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Saving 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 ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed and approved by the Board of Supervisors of Pottawattamie County, Iowa on May 21, 2024.

	ROLL	CALL	VOTE	
	AYE	NAY	ABSTAIN	ABSENT
_____ Susan Miller, Chairperson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Scott A. Belt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Tim Wichman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Brian Shea	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Jeff Jorgensen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attest: _____
Melvyn Houser, County Auditor

Pottawattamie County, Iowa



NOTICE OF PUBLIC HEARING PUBLISHED: May 9, 2024
 BOARD OF SUPERVISORS PUBLIC HEARING: May 14, 2024
 FIRST CONSIDERATION: May 14, 2024
 SECOND CONSIDERATION: May 21, 2024
 PUBLICATION: May 30, 2024
 RECORD: May 31, 2024

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

Motion by Shea, second by Belt, to approve Application for Use of Pottawattamie County Grounds for Jimmy’s Hot Dogs to be out front of the Courthouse on Tuesdays for a 60-day review.
UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Jorgensen, to approve Application for Use of Pottawattamie County Grounds for J’s Coffee & Donuts to be out front of the Courthouse on Mondays for a 60-day review with approval from Court Security.
UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Motion by Shea, and second by Jorgensen, to approve Staff On-Call pay for Information Technology employees from \$30 to \$40 per night.
UNANIMOUS VOTE. Motion Carried.

Motion by Wichman, and second by Belt, to approve and authorize the Board Chairman to sign the Lockton Consulting Agreement for June 1, 2024 – May 31, 2025.
UNANIMOUS VOTE. Motion Carried.

4. COMMITTEE APPOINTMENTS

Board discussed Committee meetings from the past week.

5. RECEIVED/FILED

- A. Out of State Travel Notification(s):
 - 1) Sheriff – Out of State Travel Notification for Aaron Soucie and Brandon Ramsey.
- B. Salary Action(s):
 - 1) Conservation – Employment of Katherine Halverson as a Natural Areas Management Intern.

6. PUBLIC COMMENTS

No Public Comments.

7. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:08 P. M

Susan Miller, Chair

ATTEST: _____
Melvyn Houser, County Auditor

APPROVED: May 28, 2024
PUBLISH: X