

March 11, 2025

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

Chairman Belt read the Public Comment Policy statement.

1. CONSENT AGENDA

After discussion was held by the Board, a Motion was made by Shea, and seconded by Miller, to remove 3. B. from the agenda and to approve Consent agenda:

- A. March 4, 2025, Minutes as read.
- B. February 2025 Vendor Publication Report.
- C. Renewal of Special Class C Retail Alcohol License, granting privilege of Special Class C Liquor License/Living Quarter, Outdoor Service for the Westfair Association d/b/a Westfair, Council Bluffs.
- D. Public Health – Employment of Akeem Banister as a Preparedness Coordinator.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Introduce New Hires to Board

- Akeem Banister/Preparedness Coordinator, Public Health

Motion by Miller, second by Wichman, to canvass Missouri Valley School District election, and to authorize Auditor to pay election costs.

UNANIMOUS VOTE. Motion Carried.

Motion by Miller, second by Shea, to approve the setting of public hearing on Pottawattamie County’s Proposed Property Tax Levy for Fiscal Year Ending June 30, 2026, for the 1st day of April 2025, at 10:00, A.M.; and approve publication request.

AYES: Belt, Miler, Shea, Jorgensen. NAYS: Wichman. Motion Carried.

Motion by Miller, second by Shea, to approve and authorize Board to sign **Resolution No. 13-2025** entitled: Resolution for Transfer from 1630 Bond Series 2021A Capital Fund to 2230 Bond Series 2021A Debt Fund.

RESOLUTION NO. 13-2025

RESOLUTION FOR TRANSFER FROM 1630 BOND SERIES 2021A CAPITAL FUND TO 2230 BOND SERIES 2021A DEBT FUND.

WHEREAS, it is desired to transfer money from the 1630 Bond Series 2021A Capital Fund to 2230 Bond Series 2021A 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 \$2,382.08, is ordered to be transferred from 1630 Bond Series 2021A Capital Fund to the 2230 Bond Series 2021A Debt Fund;

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

Dated this 11th Day of March, 2025.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____	○	○	○	○
Scott 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"/>
Susan Miller				
_____	<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: _____
 Mary Ann Hanusa, County Auditor

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

Motion by Wichman, second by Miller, to approve and authorize the Board to sign **Resolution No. 12-2025**; entitled: A Resolution in Support of the Proposed Annexation of 473 Acres (M/L) of Land, Legally described as Being Part of Sections 29-74-43 and 32-74-43, Pottawattamie County, Iowa and Part of Sections 5-73-43 and 6-73-43, Mills County, Iowa, as Shown in Exhibits “A” and “B” and presented to the City of Council Bluffs, Iowa, Utilizing the 80/20 Voluntary Annexation Including Land without the Consent of the Land Owners in a Non-Urbanized Area.

RESOLUTION 12-2025

A RESOLUTION IN SUPPORT OF THE PROPOSED ANNEXATION OF 473 ACRES (M/L) OF LAND, LEGALLY DESCRIBED AS BEING PART OF SECTIONS 29-74-43 AND 32-74-43, POTTAWATTAMIE COUNTY, IOWA AND PART OF SECTIONS 5-73-43 AND 6-73-43, MILLS COUNTY, IOWA, AS SHOWN IN EXHIBITS ‘A’ AND ‘B’ AND PRESENTED TO THE CITY OF COUNCIL BLUFFS, IOWA, UTILIZING THE 80/20 VOLUNTARY ANNEXATION INCLUDING LAND WITHOUT THE CONSENT OF THE LAND OWNERS IN A NON-URBANIZED AREA.

- WHEREAS, the City of Council Bluffs, Iowa (“City”) has presented Pottawattamie County (“County”) with an Application for Voluntary Annexation to the City from five property owners wishing to be annexed into the City of Council Bluffs, Iowa; and
- WHEREAS, the Iowa Code §368.7(1)(a) allows for the City to receive up to 20% additional territory without the consent of the property owners to create uniform boundaries; and
- WHEREAS, the City wishes to annex the real estate legally described in Exhibit A and as shown in the map described in Exhibit B and is within two miles of the City corporate limits; and
- WHEREAS, pursuant to Iowa Code §368.71(1)(b)(2), a resolution is required from the Board of Supervisors of the County for which proposed real estate is to be annexed; and
- WHEREAS, the Board of Supervisors support the proposed annexation as outlined in Exhibits A and B to be incorporated into the City of Council Bluffs, Iowa.

BE IT RESOLVED

The Board of Supervisors of Pottawattamie County, Iowa, that the attached Application for Annexation of the real estate described in Exhibit A to the City of Council Bluffs, Iowa, be found to conform to Iowa Code §368.7(1)(a), as voluntary annexation of territory.

BE IT FURTHER RESOLVED

The Board of Supervisors hereby support the attached Application for Annexation to the City of Council Bluffs, Iowa which would incorporate the area legally described in Exhibit A into the City of Council Bluffs, Iowa.

ADOPTED AND APPROVED: March 11, 2025

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Scott 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"/>
Susan Miller				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Brian Shea				

Jeff Jorgensen

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ATTEST: _____

Mary Ann Hanusa, County Auditor

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

Motion by Shea, second by Jorgensen, to approve and authorize Board to sign **Resolution No. 14-2025** entitled: RESOLUTION AUTHORIZING AMENDED FORGIVABLE LOAN AGREEMENT WITH REGIONAL WATER.

RESOLUTION NO. 14-2025

Resolution Authorizing Amended Forgivable Loan Agreement with Regional Water

WHEREAS, Chapter 15A of the Code of Iowa (“Chapter 15A”) declares that economic development is a public purpose for which a county may provide grants, loans, guarantees and other financial assistance to or for the benefit of private persons; and

WHEREAS, Chapter 15A requires that before public funds are used for grants, loans or other financial assistance, the board of supervisors must determine that a public purpose will reasonably be accomplished by the spending or use of those funds; and

WHEREAS, Chapter 15A requires that, in determining whether funds should be spent, the board of supervisors must consider any or all of a series of factors; and

WHEREAS, Regional Water has proposed to undertake certain improvements and extensions (the “Water Improvement Project”) to its water system in order to serve certain property (the “Development Property”) situated in Pottawattamie County, Iowa (the “County”); and

WHEREAS, the Water Improvement Project is necessary to provide water service to the Development Property and to promote the development of residential housing thereon (the “Housing Development Project”); and

WHEREAS, Regional Water has requested that the County provide financial assistance in the form of a forgivable loan (the “Forgivable Loan”) in order to pay for a portion of the costs of the Water Improvement Project; and

WHEREAS, the County and Regional Water have entered into a certain forgivable loan agreement (the “Original Forgivable Loan Agreement”) in connection with the Water Improvement Project and the Forgivable Loan; and

WHEREAS, an amended forgivable loan agreement (the “Amended Forgivable Loan Agreement”) was entered into in order to amend the Original Forgivable Loan Agreement; and

WHEREAS, it is now necessary to amend the Amended Forgivable Loan Agreement in order to extend the completion date of the Water Improvement Project and to extend the maturity date of the Forgivable Loan; and

WHEREAS, an amended forgivable loan agreement (the “Second Amended Forgivable Loan Agreement”) has been prepared to set forth the new understanding between the County and Regional water; and

WHEREAS, it is now necessary to take action for the approval of the Second Amended Forgivable Loan Agreement and to make provision for the execution and delivery thereof;

NOW, THEREFORE, IT IS RESOLVED by the Board of Supervisors of Pottawattamie County, Iowa, as follows:

Section 1. Pursuant to the factors listed in Chapter 15A, the Board of Supervisors hereby finds and reaffirms that:

a) The Housing Development Project, including the Water Improvement Project, will add diversity and generate new opportunities for the Pottawattamie County and Iowa economies; and

b) The Housing Development Project, including the Water Improvement Project, will generate public gains and benefits, particularly in the creation of new jobs, income and housing opportunities in the County, which are warranted in comparison to the amount of the proposed Forgivable Loan.

Section 2. The Board of Supervisors further finds and reaffirms that a public purpose will reasonably be accomplished by making the Forgivable Loan in connection with the Water Improvement Project.

Section 3. The Second Amended Forgivable Loan Agreement is hereby approved, and the Chairperson of the Board of Supervisors and the County Auditor are hereby authorized and directed to execute and deliver the Amended Forgivable Loan Agreement on behalf of the County, in substantially the form and content in which the Amended Forgivable Loan Agreement has been presented to this Board of Supervisors. Such officers, and their designees, are also authorized to make such changes, modifications, additions or deletions as they, with the advice of bond counsel, may believe to be necessary, and to take such actions as may be necessary to carry out the provisions of the Amended Forgivable Loan Agreement.

Section 4. All resolutions or parts thereof in conflict herewith, are hereby repealed, to the extent of such conflict.

Passed and Approved this March 11, 2025.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Scott Belt, Chairman				
_____	<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"/>
Tim Wichman				
_____	<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"/>
Brian Shea				

ATTEST: _____
 Mary Ann Hanusa, County Auditor

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

3. OTHER BUSINESS

Motion by Shea, second by Jorgensen, to approve the renewal of County Employee’s Health Insurance for FY 25/26 with IGHCP, EBS, and MetLife.
 UNANIMOUS VOTE. Motion Carried.

Motion by Wichman, second by Shea, to approve the following applications made to the Assessor’s Office: Homestead (approximately 260 recommend allowed, 0 recommend disallowed), Military (12 recommend allowed, 0 recommend disallowed), Disabled Veteran Homestead (17 recommend allowed, 2 recommend disallowed), Family Farm (11 recommend allowed, 0 recommend disallowed).
 UNANIMOUS VOTE. Motion Carried.

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

Board discussed updates to the Compensation and Condemnation Commission and will provide updates next week.
 Discussion only. No Action Taken.

4. COMMITTEE APPOINTMENTS

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

5. RECEIVED/FILED

- A. Salary Action(s):
 - 1) Secondary Roads – Payroll status change for Cody Redinbaugh and Todd Runge.
 - 2) Conservation – Payroll status change for Aric Ping.

- 3)
 B. Report(s):
 1) Recorder Fee Book for February 2025.
 C. Out of State Travel Notification(s):
 1) Communications - Out of State Travel for three employees in the Communications Department.
 2) Sheriff – Out of State Travel for James Harvey.

6. PUBLIC COMMENTS

The following individuals appeared before the Board:
 Frances Mierzwa

7. CLOSED SESSION

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

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

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

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

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

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

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

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

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

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

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

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

8. STUDY SESSION

Danelle Bruce/Supervisor, Community Services, appeared before the Board to give an update on SWI Mental Health Region.

Discussion only. No Action Taken.

Kristen Bracker/Attorney appeared before the Board to review the process for ICAP claims.

Discussion only. No Action Taken.

10. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 3:08 P. M

 Scott Belt, Chairman

ATTEST:

 Mary Ann Hanusa, Auditor

APPROVED: March 18, 2025

PUBLISH: X