

September 8, 2026

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

Chairman read the Public Comment Policy statement.

1. CONSENT AGENDA

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

- A. September 1, 2026, Minutes as read.
- B. Jail – Employment of Clint Martin as Detention Officers.
- C. August 2026 Vendor Publication Report.

UNANIMOUS VOTE. Motion Carried.

2. PUBLIC COMMENTS

The following appeared before the Board:

Alycia Englund

3. SCHEDULED SESSIONS

Introduce New Hires to Board

- Public Health – Brian Burleigh, Community Health and Opioid Strategist
- Attorney – Zachary Joyce, Attorney

Motion by Miller, second by Jorgensen, to open Public Hearing on proposed Second Amended Development Agreement with JJHP, LLC.

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

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

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

Motion by Jones, second by Wichman, to approve Second Amended Development Agreement with JJHP, LLC; and approve and authorize Board to sign Resolution No. 57-2026 entitled: Resolution Approving Second Amended Development Agreement with JJHP, LLC.

RESOLUTION NO. 57-2026

Resolution Approving Second Amended Development Agreement with JJHP, LLC

WHEREAS, Pottawattamie County, Iowa (the “County”), pursuant to and in strict compliance with all laws applicable to the County, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the Legacy Ridge Subdivision Urban Renewal Area (the “Urban Renewal Area”); and

WHEREAS, this Board of Supervisors (the “Board”) of the County has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa, which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the County for the payment of the principal of and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, the County has previously entered into a certain development agreement (the “Original Agreement”) with JJHP, LLC (the “Developer”), dated September 21, 2021, pursuant to which the County agreed to provide economic development incremental property tax payments to the Developer in connection with the construction of certain public infrastructure improvements by the Developer necessary to support housing development in the Urban Renewal Area; and

WHEREAS, the County and the Developer entered into an amended development agreement (the “First Amended Agreement”), dated January 23, 2024, to amend and update the terms of the Original Agreement; and

WHEREAS, the County and the Developer now propose to enter into a second amended development agreement (the “Second Amended Agreement”) to amend the First Amended Agreement to (1) remove provisions related to the LMI Assistance Requirement (as defined in the Second Amended Agreement); (2) increase the maximum amount of economic development incremental property tax payments to be made to the Developer from \$4,000,000 to \$5,000,000; and (3) make certain other related changes; and

WHEREAS, a Second Amended Development Agreement (the “Second Amended Agreement”) has been prepared to set forth the new understanding between the County and the Developer; and

WHEREAS, this Board, pursuant to Section 403.9 of the Code of Iowa, has published notice, has held a public hearing on the Second Amended Agreement on September 8, 2026, and has otherwise complied with statutory requirements for the approval of said Agreement; and

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, tax incentives, 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, tax incentives or other financial assistance, a 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, a Board of Supervisors must consider any or all of a series of factors;

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 hereby reaffirms that:

- (a) The Project will add diversity and generate new opportunities for the Pottawattamie County and Iowa economies;
- (b) The Project will generate public gains and benefits, particularly in the creation of new jobs and housing opportunities, which are warranted in comparison to the amount of the proposed property tax incentives.

Section 2. The Board further finds and reaffirms that a public purpose will reasonably be accomplished by entering into the Second Amended Agreement and providing the Payments to the Developer.

Section 3. The Second Amended Agreement is hereby approved, and the Chairperson and County Auditor are hereby authorized and directed to execute and deliver the Second Amended Agreement on behalf of the County, in substantially the form and content in which the Second Amended Agreement has been presented to this Board of Supervisors. The Director of Planning and Development and the Zoning and Land Use Coordinator are authorized to make such changes, modifications, additions or deletions as they, with the advice of legal counsel, may believe to be necessary, and to take such actions as may be necessary to carry out the provisions of the Second Amended Agreement.

Section 4. All payments by the County under the Second Amended Agreement shall be subject to annual appropriation by the Board, in the manner set out in the Second Amended Agreement. As provided and required by Chapter 403 of the Code of Iowa, the County’s obligations under the Second Amended Agreement shall be payable solely from a subfund (the “JJHP, LLC Subfund”) previously established pursuant to a prior resolution of the Board, into which shall be paid that portion of the income and proceeds of the Urban Renewal Tax Revenue Fund attributable to property taxes derived from the property described as follows:

PARCEL "A" BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 23 AND A PORTION OF THE SOUTHWEST QUARTER OF SECTION 24, ALL IN TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, POTTAWATTAMIE COUNTY, IOWA BEING MORE FULLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 24;

THENCE ON THE NORTH LINE OF SAID SOUTHWEST QUARTER, SOUTH 87 DEGREES 34 MINUTES 51 SECONDS EAST, 1372.59 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-

WAY LINE OF PIONEER TRAIL(G66), SAID POINT ALSO BEING ON A NON-TANGENT CURVE CONCAVE NORTHERLY, TO WHICH POINT A RADIAL LINE BEARS SOUTH 09 DEGREES 29 MINUTES 29 SECONDS WEST, 3324.30 FEET;

THENCE ON SAID SOUTHERLY RIGHT-OF-WAY LINE AND EASTERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 06 DEGREES 15 MINUTES 28 SECONDS, 363.07 FEET,

THENCE SOUTH 16 DEGREES 38 MINUTES 25 SECONDS WEST, 1201.92 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWESTERLY HAVING A RADIUS OF 883.09 FEET;

THENCE SOUTHWESTERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 77 DEGREES 31 MINUTES 18 SECONDS, 1194.83 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE FORMER WABASH RAILROAD COMPANY (WABASH TRACE TRAIL, BOOK 91, PAGE 21365, POTTAWATTAMIE COUNTY RECORDER'S OFFICE);

THENCE ON SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES:

- 1. NORTH 85 DEGREES 50 MINUTES 17 SECONDS WEST, 1156.90 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHERLY HAVING A RADIUS OF 1385.15 FEET;
- 2. WESTERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 31 DEGREES 00 MINUTES 03 SECONDS, 749.45 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SOUTHEAST QUARTER (SW1/4SE1/4);

THENCE ON SAID EAST LINE, NORTH 02 DEGREES 15 MINUTES 16 SECONDS EAST, 223.04 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4);

THENCE ON THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4), NORTH 88 DEGREES 44 MINUTES 53 SECONDS WEST, 260.77 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID FORMER WABASH RAILROAD COMPANY, SAID POINT ALSO BEING ON A NON-TANGENT CURVE CONCAVE NORTH EASTERLY, TO WHICH POINT A RADIAL LINE BEARS SOUTH 49 DEGREES 16 MINUTES 09 SECONDS, 1385.15 FEET;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES:

- 1. NORTHERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 51 DEGREES 39 MINUTES 19 SECONDS, 1248.78 FEET;
- 2. NORTH 10 DEGREES 55 MINUTES 28 SECONDS EAST, 181.35 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHEAST QUARTER (SE1/4);

THENCE ALONG SAID NORTH LINE, SOUTH 89 DEGREES 08 MINUTES 38 SECONDS EAST, 1901.57 FEET TO THE POINT OF BEGINNING

SAID PARCEL "A" CONTAINS AN AREA OF 5,735,794 SQUARE FEET (131.676 ACRES), MORE OR LESS.

Section 5. The County hereby pledges to the payment of the Second Amended Agreement the JJHP, LLC Subfund and the taxes referred to in Subsection 2 of Section 403.19 of the Code of Iowa to be paid into such Subfund, provided, however, that no payment will be made under the Second Amended Agreement unless and until monies from the JJHP, LLC Subfund are appropriated for such purpose by the Board.

Section 6. After its adoption, a copy of this resolution shall be filed in the office of the County Auditor of Pottawattamie County to evidence the continuing pledging of the JJHP, LLC Subfund and the portion of taxes to be paid into such Subfund and, pursuant to the direction of Section 403.19 of the Code of Iowa, the County Auditor shall allocate the taxes in accordance therewith and in accordance with the tax allocation ordinance referred to in the preamble hereof.

Section 7. All resolutions or parts thereof in conflict herewith are hereby repealed.

PASSED AND APPROVED September 8th, 2026.

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
Brian Shea, Chairman	☐	☐	☐	☐

Tim Wichman				
Susan Miller				
Jeff Jorgensen				
Keith Jones				

Attest:

Mary Ann Hanusa, County Auditor
Pottawattamie County, Iowa

RECORD: After Passage
Roll Call Vote: AYES: Shea, Wichman, Miller, Jorgensen, Jones. Motion Carried

Motion by Miller, second by Jorgensen, to approve and sign Proclamation National Payroll Week September 7-11, 2026.

PROCLAMATION
NATIONAL PAYROLL WEEK
SEPTEMBER 7–11, 2026

WHEREAS, payroll professionals play a vital role in ensuring employees are paid accurately and on time while maintaining compliance with federal, state, and local laws and regulations; and

WHEREAS, Pottawattamie County payroll professionals contribute significantly to the financial well-being of employees and their families by ensuring the accurate and timely payment of wages, benefits, taxes, and other deductions for over 500 employees; and

WHEREAS, payroll professionals serve as an important connection between employees and employers and work diligently behind the scenes to support the effective operation of organizations and public services; and

WHEREAS, National Payroll Week recognizes the dedication, knowledge, professionalism, and commitment of payroll professionals and celebrates the important role they play in our workforce and communities; and

WHEREAS, the 2026 National Payroll Week theme, “Every Paycheck Creates Possibility,” recognizes that each paycheck helps employees meet their daily needs, plan for the future, and pursue personal and financial goals;

NOW, THEREFORE, BE IT PROCLAIMED, that the Pottawattamie County Board of Supervisors hereby recognizes September 7–11, 2026, as National Payroll Week in Pottawattamie County and extends its appreciation to the payroll professionals who work diligently to ensure County employees are paid accurately, timely, and in accordance with applicable laws and policies.

Dated this 8th day of September, 2026.

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
Brian Shea, Chairman				
Tim Wichman				
Susan Miller				
Jeff Jorgensen				

Keith Jones

Attest:

Mary Ann Hanusa, County Auditor
Pottawattamie County, Iowa

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

Motion by Miller, second by Jones, to approve roof replacement proposal from West Central Roofing for the Recycling Center’s Northern Building in the amount of \$45,100.00.
UNANIMOUS VOTE. Motion Carried.

Motion by Wichman, second by Jorgensen, to appoint Angela Lippert to the Zoning Board of Adjustment for a term ending on December 31, 2027.
UNANIMOUS VOTE. Motion Carried.

Motion by Jones, second by Jorgensen, to appoint Tom Holm to the Board of Appeals for a term ending on December 31, 2030.
UNANIMOUS VOTE. Motion Carried

Motion by Jones, second by Jorgensen, to approve one-time funding for Secondary Roads improvement previously discussed, in the amount of \$927,000 from Fund 01 (General Basic). These projects include 240th St. from Hwy 92 to Pioneer Trail, 245th St. adjacent Hackberry Road, 400th St, and Juniper Road from Weston Ave to L34.
UNANIMOUS VOTE. Motion Carried.

Motion by Jones, second by Wichman, to approve seal coating of Snowhill Lane and appropriate \$150,000 from gaming funds.
UNANIMOUS VOTE. Motion Carried.

Motion by Miller, second by Jorgensen, to approve the reinstatement of the Compensation Board with the Elected Officials appointing a representative to the Compensation Board by the Elected Officials.
Roll Call Vote: AYES: Miller, Jorgensen. NAYS: Wichman, Jones, Shea. Motion Denied.

Motion by Miller, second by Jorgensen, to appoint John Dalton to fill the appointment vacancy on the Civil Service Commission.
UNANIMOUS VOTE. Motion Carried.

4. OTHER BUSINESS

Jasmine Elmore/Director, Human Resources appeared before the Board to discuss the WIQ Spark contract for the Employee Wellness provider.
Discussion only. No Action Taken.

5. COMMITTEE APPOINTMENTS

- A. Update from Board members on Committee meetings from the past week.

6. RECEIVED/FILED

- A. Report(s):
 - 1) Recorder Fee Book for August 2026.

7. STUDY SESSION

Andy Wicks/Engineer appeared before the Board for a discussion for seal-coat apportionment of Lime Kiln Road per Road Improvement Policy.
Discussion only. No Action Taken.

Kate Gerber/Director, Public Relations appeared before the Board to discuss the State of the County, Council Bluffs Chamber forum to be held on September 14, 2026.
Discussion only. No Action Taken.

8. CLOSED SESSION

Motion by Miller, second by Jones, to go into Closed Session pursuant to Iowa Code 21.5(1)(i) for discussion and/or decision on personnel matters.
Roll Call Vote: AYES: Shea, Wichman, Miller, Jorgensen, Jones. Motion Carried.

Motion by Jorgensen, second by Miller, to go out of Closed Session.
Roll Call Vote: AYES: Shea, Wichman, Miller, Jorgensen, Jones. Motion Carried.

Motion by Miller, second by Jorgensen, to acknowledge official coaching as discussed in Closed Session.
Roll Call Vote: AYES: Shea, Wichman, Miller, Jorgensen, Jones. Motion Carried.

9. ADJOURN

Motion by Jorgensen, second by Miller, to adjourn meeting.
UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 2:28 P.M.

Brian Shea, Chairman

ATTEST: _____
Mary Ann Hanusa, County Auditor
APPROVED: September 15, 2026
PUBLISH: X