

Consent Agenda

February 20, 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 Shea, and second by Jorgensen, to approve:

- A. February 13, 2024, Minutes as read.
- B. Communications – Employment of Jesus Navarrete as a Telecommunicator.
- C. Renewal of Class B Native Wine Liquor License, granting privileges of Class B Native Wine Liquor License for Olive Branch, Inc. d/b/a Olive Branch, Council Bluffs.
- D. Renewal of Class C Liquor License, granting privileges of Class C Liquor License/Outdoor Service, for BT Links LLC d/b/a Bent Tree Golf Club, Council Bluffs.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Shea, second by Belt, to open Public Hearing to consider disposing of real property by lease pursuant to Iowa Code Section 31.361(2).

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

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

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

Motion by Wichman, second by Jorgensen, to approve disposing of real property by lease pursuant to Iowa Code Section 331.361(2).

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

Motion by Wichman, second by Belt, to approve and authorize Board Chairperson to sign **Resolution No. 16-2024** a Resolution to enter into a Farm Lease with Thomas Mackland for Part of the NE1/4 NW1/4 9-76-44.

RESOLUTION NO. 16-2024

RESOLUTION TO DISPOSE OF REAL PROPERTY BY LEASE PURSUANT TO IOWA CODE §331.361(2)

WHEREAS, following the flooding event of 2019, Pottawattamie County, Iowa, has acquired a parcel of land through the Hazard Mitigation Grant Program, which consisting of 1.01 acres and legally described as follows:

A tract of land lying in the Northeast 1/4 of the Northwest 1/4 of Section 9, Township 76 North, Range 44 West of the Fifth Principal Meridian, Pottawattamie County, Iowa, being more particularly described as follows: Commencing at the Southeast Corner of the Northwest 1/4 of Section 9-76-44 thence North 00°00'00" East along the East line of said Northwest 1/4 a distance of 1737.81 feet to the Point of Beginning; thence continuing North 00°00'00" East a distance of 209.0 feet; thence North 90°00'00" West a distance of 242.0 feet; thence South 00°00'00" West a distance of 209.0 feet; thence South 90°00'00" East a distance of 242.0 feet to Point of Beginning.

WHEREAS, in the acquisition of said Parcel, Pottawattamie County, Iowa, signed a Hazard Mitigation Grant Program Deed Restriction Agreement with the Federal Emergency Management Agency (FEMA) and Iowa Homeland Security and Emergency Management, which requires that the land be maintained as “open space” in perpetuity; and

WHEREAS, Pottawattamie County, Iowa, has explored various options for maintenance of said Parcel as open space, including entering into a long term farm lease (10 years plus) with the adjoining property owner which requires the Tenant maintain responsibility for the clearing the trees and weed vegetation, as well as

the annual maintenance and upkeep of the property as required by the Hazard Mitigation Grant Program Deed Restriction Agreement.

WHEREAS, entering into such a long-term lease is the most cost-effective option for the county to maintain said Parcel as open space.

WHEREAS, Section 331.361(2), Code of Iowa, requires that in disposing of an interest in real property by lease for a term of more than three (3) years

- a. The Board shall set forth its proposal in a resolution and shall publish notice of the time and place of a public hearing on the proposal, in accordance with Section 331.305.
- b. After the public hearing, the Board may make a final determination on the proposal by resolution.

WHEREAS, the proposal for a long term lease of the Parcel has been submitted to Iowa Homeland Security and Emergency Management and has been approved.

WHEREAS, a Notice of Public Hearing on the proposal was published in The Nonpareil, an official County newspaper, on February 15, 2024 and the Board of Supervisors conducted a Public Hearing on the said proposal on February 20, 2024 and after hearing all interested parties, the Board approved the execution of said Lease.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA, that after having examined the Hazard Mitigation Grant Program Deed Restriction Agreement which limits the use the subject property to that of open space and that the subject property is of such a size and location that it is not reasonable to assume that the property, as described above, will have any beneficial use by the County or the taxpayers of Pottawattamie County, Iowa, and that the Chairman is hereby authorized to sign a Farm Lease with Thomas W Mackland, upon approval of said lease by FEMA.

Dated this 20th day of February 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"/>
_____ 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	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion by Shea, second by Jorgensen, to approve Second Consideration of **Ordinance No. 2024-01**, an Ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa by changing the district designation of approximately 35.94 acres from a Class A-3 (Riverfront and AG Production) to Class I-1 (Limited Industrial) District; and to adopt Ordinance No. 2024-01 into law.

**POTTAWATTAMIE COUNTY, IOWA
ORDINANCE NO. 2024-01**

AN ORDINANCE to amend the Official Zoning Map of Pottawattamie County, Iowa, by changing the district designation of approximately 35.94 acres from a Class A-3 (Riverfront & Ag Production) District to a Class I-1 (Limited Industrial) 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 I-1 (Limited Industrial) District of certain real estate, as shown on the attached plat and which is legally described as follows:

LEWIS TWP 17-74-43 NE SW EXC RR

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
_____ Susan Miller, Chairman	<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"/>
_____ Scott Belt	<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:	February 8, 2024
BOARD OF SUPERVISORS PUBLIC HEARING:	February 13, 2024
FIRST CONSIDERATION:	February 13, 2024
SECOND CONSIDERATION:	February 20, 2024
PUBLICATION:	February 29, 2024
RECORD:	March 1, 2024

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

Motion by Shea, second by Belt, to approve Second Consideration of Ordinance No. 2024-02, an Ordinance to amend Pottawattamie County, Iowa Zoning Ordinance, Chapter 8.004.095; and to adopt Ordinance No. 2024-02 into law.

POTTAWATTAMIE COUNTY, IOWA
ORDINANCE NO. 2024-02

AN ORDINANCE to amend Chapter 8, of Pottawattamie County, Iowa Zoning Ordinance:

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

SECTION 1 - REPEAL OF CONFLICTING ORDINANCES: That section 8.004.095.03 is hereby repealed in its entirety. Furthermore all other Ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

SECTION 2 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding thereto the following new Section, to be codified as Section 8.004.095:

.03 The minimum total square footage of the ADU shall be not less than two hundred sixty (260) square feet. The total square footage of the ADU shall be limited as follows:

- A. Double the minimum lot size required by code, up to eight (8) acres, shall not exceed the lesser of eight hundred (800) square feet or fifty (50) percent of the primary structure, excluding garage and carports.
- B. Eight (8) to twelve (12) acres shall not exceed the lesser of one thousand (1,000) square feet or fifty (50) percent of the primary structure, excluding garage and carports.
- C. Twelve (12) acres plus shall not exceed the lesser of twelve hundred (1,200) square feet or fifty (50) percent of the primary structure, excluding garage and carport.

SECTION 3 - 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 4 - REPEAL OF CONFLICTING ORDINANCES: That all ordinance or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5 - 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
_____ Susan Miller, Chairman	<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"/>
_____ Scott Belt	<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"/>
_____ Tim Wichman	<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:	February 8, 2024
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PUBLICATION:	February 29, 2024
RECORD:	March 1, 2024

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

Motion by Wichman, second by Shea , to approve Second Consideration of **Ordinance No. 2023-05** to amend Chapter 8 “Zoning Ordinance” by adding Wind Energy and Solar Systems (Case #ZTA-2023-03); and to set date for Third Consideration for February 27, 2024, at 10 A.M.

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

Oscar Duran/Executive Director, Municipal Housing Agency of Council Buffs appeared before the Board to discuss PILOT and Expanded Housing Opportunities.
Discussion only. No action taken.

Danna Kehm/CEO, Pottawattamie Arts, Culture & Entertainment appeared before the Board to give an update on PACE and programming for the county.
Discussion only. No action taken.

Motion by Belt, second by Shea, to authorize Board Chairperson to sign Service Agreement with Stellar Services, LLC for the Sheriff's Office for a 5-year term.

UNANIMOUS VOTE. Motion Carried.

Reviewed Service Agreement with U.S. Department of Justice United States Marshals Service Prisoner Operations that was signed by the Sheriff's Office for a 3-year agreement.

UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Motion by Shea, second by Jorgensen, to approve job description and pay for Bridge Foreman.

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) Secondary Roads – Payroll status change for Jason Hough.
- 2) Human Resources – Payroll status change for Jana Lemrick.
- 3) Sheriff – Payroll status change for Noah Hahn.
- 4) Sheriff – Payroll status change for Travis Steffens and Brandon Allen.

B. Out of State Travel Notification(s):

- 1) Risk Management – Out of State Travel Notification for Garfield Coleman and Jacob Head.

6. PUBLIC COMMENTS

No Public Comments.

7. CLOSED SESSIONS

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

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

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

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

8. BUDGET STUDY SESSION

9. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:05 P. M

Susan Miller, Chair

ATTEST:

Melvyn Houser, County Auditor

APPROVED: February 27, 2024

PUBLISH: X

Publication Report

Pottawattamie County

For Date Range 01012023-12312023



Employee Name	Salary
ADAIR, REBEKAH	17082.22
ADKINS, HANNAH	41848.43
ADKINS, TANYA	53461.12
ADLAND, TIMOTHY	77119.89
AGUILAR, JACQUELINE	1509.75
AHMANN, QUINTIN	603.35
ALBERS, FREDRICK	80170.76
ALBERS, MEGAN	91229.83
ALIANO, KRISTIN	4298.73
ALLEN, CORY	76420.21
AMBROSE, ROBIN	103360.55
AMDOR, NICHOLAS	92575.68
AMOS, PATRICE	104874.41
ANDREW, CHRISTOPHER	64549.31
APPEGATE, BRODY	68.25
ARKFELD, SAMUEL	107468.47
ARNOLD, KYLE	68556.63
ASHCRAFT, ABBIE	65955.17
AUGUSTYN, JEANETTE	1499.00
AUSDEMORE, DUSTIN	71175.38
AUSDEMORE, HEATHER	81190.24
AUSDEMORE, KEVIN	61257.57
AUSDEMORE, PEGGY	56828.32
AVIS, RYAN	86590.94
AWE, ROBERT	78085.01
AYERS, MAKENZIE	57616.53
AYOTTE, ESTATE OF BRENTON	71674.15
BANISTER, AKEEM	616.61
BARNEY, GABRIEL	42064.68
BATES, WILLIAM	11724.65
BAUER, TRAVIS	51149.98
BAYER, DAVID	132803.63
BAYER, LYNNETTE	14557.02
BECK, VERONICA	2918.36
BECKER, PEGGY	68557.29
BECKMAN, JODIE	53300.72
BEEDE IV, PERRY	51085.24
BEHRENS, KARA	25735.10
BEIERMANN, BEN	5810.00
BELL, PEYTON	2233.50
BELT, SCOTT	51885.10
BENTZINGER, DANIELLE	87747.02
BERNHARDS, TRISHA	97549.42
BICABA, DOFINIZA	120.00
BIEGLER, RACHEL	94326.24
BLACK, CODY	6579.00
BLAIR, RHONDA	56412.33
BLANCHARD, CYNTHIA	32.50
BLUML, SHAWN	67341.20
BOAZ, JACOB	761.00
BOHNENKAMP, CLAYTON	1677.25
BOLAND, QUINN	2139.76
BONER, BARBARA	77278.17
BONNET, MICHAEL	96982.27
BORGAILA, DANIEL	61893.33
BORGAILA, WILLIAM	1296.75
BOSE, MICHELL	64953.03
BOULTON, JASON	150.00
BRACKER, KRISTEN	21424.27
BRADFORD, CHRISTOPHER	73666.50
BRANNAN, ROGER	83545.38

BRANNAN, TANYA	42219.31
BRENSEL, NATHAN	85941.27
BRESSLER, MICKEY	72.00
BRILES, PATRICIA	73591.68
BRISBOIS, LANCE	1752.75
BROCKMAN, DAWN	56412.36
BROOKS, MONICA	58449.49
BROUGHAM, GREG	79061.94
BROWN, ANDREW	148439.38
BROWN, MOLLY	73233.11
BRUCE, DANELLE	93341.67
BRUMMETT, TORIE	83819.47
BRUNOW, JOSEPH	32.50
BRYANT, FIONA	1861.75
BRYSON, TAMMY	51983.72
BURGER, JAMES	119159.68
BURNS, LINDA	46561.88
BUSS, LUKE	2363.50
BUTTERBAUGH, TODD	87274.58
BUTTON, DAVID	75502.65
CAHILL, GERALD	68159.17
CALHOON, RONALD	16146.23
CAMPBELL, TYLER	58583.21
CARLSEN, CRAIG	76902.75
CARRILLO, JOEL	648.00
CARSTENS, TREY	78132.53
CARVER, NATHAN	2034.50
CASTRO-ALBERTO, GABRIEL	35.75
CATLIN, ANDREA	3361.43
CEDER, BAILEY	56204.36
CEDER, DUSTIN	98617.87
CEDER, TREVOR	63003.41
CHAPDELAINE, AMELIA	133.00
CHAPIN, AUDREY	86460.52
CHAPMAN, BRITTANY	2137.50
CHATTIN, AIDEN	162.25
CHENEY, BARBARA	74689.46
CHRISTIANSEN, ANGELA	50727.66
CHRISTIE, CHASITY	95393.43
CIRCO, CHRISTINE	132672.72
CLARK, DESTINY	64434.27
CLARK, ROGER	2426.75
CLAUSSEN, ROGER	21304.75
CLAYTON, DUSTIN	49722.50
CLEAVER, LARRY	80812.29
CLEVELAND, MILES	67591.73
COATS, ELLEN	18957.09
COFFMAN, BRAD	63535.27
COGSWELL, KENNEDY	130.00
COLEMAN, GARFIELD	97818.24
COLLINS, JULISA	9979.97
COLLINS, LUZ	24662.98
CONTRERAS, FABIOLA	41216.54
COOL, JOHN	100675.90
CORUM, MATTHEW	64854.84
COTTEN, ALICIA	68973.75
COTTEN, JAKE	75965.07
COX, MERISSA	72243.13
COZIAHR, ELLIOT	4280.25
CRUISE, TYLER	1065.50
CURRY, TIMOTHY	69475.86
CURTIS, CHRISTOPHER	73751.40
CZAKO, GABOR	962.00
DAHLHEIM, CHERI	84812.65
DALE, DESIREE	54306.96
DARNELL, NOLAN	60686.18
DAU, JOSHUA	82280.45

DELASHMUTT, KENNETH	11134.16
DERRINGTON, JOSHUA	58842.92
DESANTIAGO, TOMAS	76307.82
DEWEY, ANDREW	77909.72
DEYEAGER, BRADY	67198.95
DIAZ-GOMEZ, ANTHONY	39.00
DIBBEN, RYAN	519.25
DICKINSON, JOSHUA	4030.00
DOBSON, MALINA	119159.66
DOBYNS, ANGELA	96291.45
DONOVAN, KODIE	1313.88
DOTY, JAMES	99405.03
DRIVER, RANDALL	1821.13
DUFF, JENNIFER	38573.93
DUITSMAN, NOLAN	32.50
DUITSMAN, TED	1245.00
DYSART, HUNTER	63839.55
EASTON, DANNIELLE	10656.87
EBKE, SARAH	1457.48
ECKER, STEPHEN	75693.63
ECKMANN, MICHAEL	79129.48
EHRENS, JOHN	61042.85
EICHLER, REX	65.00
EISAN, JOEY	1763.00
ELBIN, KYLIE	126.00
ELONICH, CORY	63796.36
ENG, WEI KAY	70041.42
ENGEL, DOUGLAS	61978.86
EPP, GINNY	157.50
EPPLER, PATRICK	119159.58
ERICSON, JACQUELINE	1131.00
ESTRADA, ROBERTO	62478.09
EVANS, NORA	43104.23
EVERETT, KRISTIN	65703.63
FAIRCLOTH, DANIEL	44051.20
FAUBLE, BRENT	82853.40
FEIGENBUTZ, DEVAN	63001.26
FEIGENBUTZ, GARY	65274.39
FENNER, JONATHAN	70629.54
FERGUSON, KURT	94426.45
FIELDS, ADAM	81154.72
FISCHER, DAVID	71578.89
FLEMMING, BRADY	50449.68
FOOTE, CHARLES	7995.00
FORD, STEPHANIE	81480.86
FOREMAN, KAREN	3531.01
FORNEY, PAUL	118639.61
FOX, STEVEN	17280.00
FRAIN, AUSTIN	90200.01
FRAIN, TANNER	91482.66
FRANCO, JEFFREY	91012.42
FREDRICH, ABBY	79935.79
FREEBERG, CHAD	88326.74
FREEMAN, MARC	107268.30
FREEMAN, RICHARD	23408.07
FRIDHOLM, EVELYN	11646.81
FRIIS, TERRY	7085.13
FROHARDT, MATTHEW	102075.63
FUNKHOUSER, JOSHUA	12371.18
GAMMEL, KELLY	78687.95
GARDNER, KRISTINE	65521.52
GARREAN, VALERIE	46394.62
GARRISON, DAULTON	32.50
GATES, MELISSA	86.25
GEHRMANN, ALICIA	70105.21
GENEREUX, ANDREA	3791.75
GERONIMO, JENNIFER	72368.54

GETSFRED, CHRISTOPHER	2620.50
GIFFORD, LEANNE	57825.25
GILLESPIE, THEODORE	76874.46
GILLIAM, GRANT	77531.29
GOLTL, JOSEPH	3992.00
GOOD, PAULA	28921.36
GOODWIN, GRACIE	39.00
GRAEVE, ALEXANDER	68.25
GRAEVE, AMY	4409.50
GRAEVE, CHAD	72501.23
GRAEVE, MARY	1742.50
GRAHAM, MARIA	40514.03
GRAY, ASHLEY	64985.50
GREEN, CASSANDRA	65763.42
GREER, KELLY	88581.04
GRESS, JEFFREY	62642.80
GROBE, LYNN	2352.37
GROBE, THOMAS	63235.96
GROTHER, EMILY	92775.24
GUYER, VINCE	89758.26
HACKETT, KYLE	72837.46
HALLSTROM, JERROLD	11567.67
HAMILTON, BLAINE	97.50
HAMILTON, JAKE	122.50
HAMPTON, CHRISTINE	42.00
HANSEN, STEVEN	42087.69
HAPPE, KEEGAN	547.25
HARDIMAN, JACOB	28.00
HARDIMAN, RANDIE	54833.88
HARDY, ZACHARY	1217.75
HARGREAVES, LAUREN	221.50
HARKER, JEREMY	78791.51
HARKER, JOSHUA	89731.11
HARLEY, GEORGIA	93377.09
HARRIS, TANI	34478.18
HARRISON, THEA	42633.57
HARRYMAN, KENNETH	72693.22
HARVEY, JAMES	98242.97
HASSAY, BOBBI	630.43
HASSAY, KRISTY	54843.14
HATCHER, VIRGINIA	87095.39
HAWKINS, CHERYL	75798.35
HEAD, ALLISON	13628.02
HEAD, JACOB	68138.40
HEALY, TRAVIS	71744.58
HEATH, BENJAMIN	77126.01
HEBING, MARILYN	86460.54
HECKER, RYAN	60753.18
HEDEGAARD, SHAWNA	72178.33
HEMPEL, ERIC	88205.15
HENDERSON, PATRICIA	766.50
HENDERSON, TONI	1449.50
HENNINGSEN, DARYL	64559.29
HENNINGSEN, DONALD	84113.71
HENSLEY, CAROL	39730.57
HENSLEY, LINDA	34343.88
HERMANSON, BECKY	73205.01
HERRING, TAMMY	40827.74
HERRINGTON, LYNN	81190.23
HESS, DOUGLAS	64513.34
HESS, KEVIN	739.75
HESS, MICHAEL	64232.63
HETZEL, MELEIA	613.25
HEYER, CANDY	61112.16
HIATT, RICHARD	94896.05
HILLER, CHAD	72338.72
HILLER, SARAH	15173.15

HILLS, TAYLOR	4199.25
HILTON, BARBARA	11818.75
HILZ, JONATHAN	86089.88
HITCHCOCK, TRAVIS	13553.29
HLADIK, ROBERT	459.00
HOANG, NINA	74027.16
HODGES, KENT	64996.69
HOGG, MAKENNA	1615.27
HOLMAN, SHANNON	90058.21
HOUGH, JASON	65797.85
HOUGH, RONALD	64590.93
HOUSER, MELVYN	95517.90
HOVEY, CAMSLEY	60924.47
HOVEY, MICHAEL	10275.21
HOVEY, SHELLY	74689.52
HUEBNER, BRANDON	3414.99
HUEBNER, GINA	75105.47
HUEBSCHER, JOHN	915.00
HUEGLI, ADDISON	1713.25
HUERTA, JOLENE	55837.69
HUNT, BRYAN	1424.50
HUNT, NATHAN	765.00
HUSZ, RYAN	63913.26
ISAACSON, MONTE	5778.00
JACKSON, CHRISTOPHER	1820.50
JACOBMEIER, JON	141220.03
JACOTT, KYLIE	55583.24
JAFFE, JACK	923.00
JANSEN, TRENTYN	97.50
JEDLICKA, EMMA	1944.25
JENSEN, CRAIG	103657.32
JENSEN, NATHAN	3411.50
JENSEN, SHAWN	91450.65
JENSEN, SUSAN	771.60
JOBE, AMY	68038.38
JOHNSON, ASHLEY	4160.00
JOHNSON, JEANNETTE	61258.77
JOHNSON, JONATHAN	63001.29
JOHNSON-CAMPAGNA, AMY	58478.58
JONES, BRANDON	31815.38
JONES, BRIANNA	35189.71
JONES, EIRESS	632.50
JONES, RILEY	66523.91
JONES, TRICIA	97861.28
JORGENSEN, JEFFREY	49532.73
JUSTESEN, MARY	14146.15
KALLAS, KATHIE	48475.92
KALSTRUP, PAMELA	91640.27
KARNS, TODD	65832.13
KAVA, ANTHONY	122406.54
KAVA, HADLEY	66714.42
KAY, MITCHELL	111586.45
KELSEY, DOUGLAS	79111.93
KENEALY JR, BRADLEY	610.00
KENNEDY, MARILYN	72548.51
KEPHART, CHASITY	61258.86
KEPHART, TRAVIS	74888.34
KEPLER THOMASON, JACE	632.50
KILEY, NOAH	797.50
KIRCHHOFF, ERIKA	26440.50
KIRLIN, JOSHUA	94196.93
KJELDGAARD, MALLORY	992.50
KLAUSNER, MIRANDA	4705.49
KLEIN, ADAM	91494.34
KNIGHT, KALEN	5523.67
KOESTERS, DEVIN	3090.15
KOHL, JOSHUA	63214.27

KONZ, SCOTT	65268.32
KRAMER, MARY	2647.05
KRUEGER, ANDREW	58827.56
KRUSE, DANA	24642.02
KUEHNHOLD, JASON	54864.27
KUNZE, CHAD	71172.49
KYZER, JASON	816.00
LAFAVE, RYAN	56650.77
LAIRMORE, ZACH	60908.18
LAKE, TERI	46622.33
LANGE, CONNER	5201.50
LARSEN, JADA	310.75
LARSEN, VICTORIA	7647.75
LARSON, HOLLIE	6593.25
LARSON, KALLIE	8075.50
LAUGHUNN, COLBY	7868.00
LAUGHUNN, LOGAN	4735.25
LEE, HAYLEY	2256.78
LEICHTNER, EZEKIEL	97.50
LEICK, ANTHONY	95754.73
LELAND, CHRISTIAN	2037.00
LELAND, MADELINE	2177.50
LELAND, MAXIMILLIAN	2089.75
LELAND, RIAH	5000.50
LELAND, STEVEN	11831.00
LEMASTER, JASON	94101.35
LEMBKE, GARRETT	71914.31
LEMRICK, JANA	110535.96
LENIHAN, BECKY	86319.08
LENIHAN, PETER	46118.81
LEWIS, CANDY	47059.50
LINDGREN, CHRISTINA	42894.63
LISTON, REBECCA	78902.63
LITTLE, COREY	85375.69
LIVINGSTON, GRETCHEN	58.50
LIVINGSTON, ISABEL	32.50
LOGHRY, KENNY	76259.66
LOOMIS, BRIAN	86311.20
LORENZ, JAMIE	51983.79
LUCZEK, FELICA	4928.41
LUNA, BADEN	992.50
MAASSEN, KIMARIE	51567.75
MAGNUSON, KRISTINE	56828.32
MAGUIRE, STEVEN	86646.13
MAGUIRE, YLONDA	93757.65
MANHART, BRIAN	68605.72
MANTELL, MICHAEL	78252.06
MANZ, SCOTT	63813.89
MARKEL, RANDALL	11290.09
MARSH, JODY	88900.10
MASS, JAMELYN	74143.34
MATTOX, TARALEE	4253.73
MAYER, RICHARD	8647.99
MCBRIDE, TIMOTHY	8312.28
MCCARTNEY, ANTHONY	114695.49
MCCOID, NICHOLAS	51748.95
MCELROY, JOSEPH	9867.38
MCGEE, ALEXANDER	50271.78
MCGEE, BRITTANY	52963.87
MCGOVERN, CHARLES	1703.90
MCINTIRE, WYLIE	55057.53
MCINTOSH, BRYCE	475.00
MCKINNEY, KAELYN	191.25
MCKRAY, EMILEE	7320.00
MCLEAN, MELISSA	13386.86
MEFFERD, THOMAS	56138.51
MEHAFFY, RAY	64549.34

MELBY, LOGAN	63242.71
MELVILLE, ANNA	97.50
MENEFEE, CHARLES	40.00
MERGEN, TRACE	55.25
MEYER, JACOB	61481.73
MEYERS, JEREMY	58413.78
MILES, MICHELE	70105.22
MILLER, BRIAN	107512.13
MILLER, DEBORAH	70105.22
MILLER, JEFFREY	40752.77
MILLER, JENNA	5592.00
MILLER, SCOTT	752.50
MILLER, SUSAN	49532.73
MILLER, TANNER	72121.34
MINCHEW, JENNIFER	65185.44
MOATS, ANDREW	95517.90
MOHANRAJ, MADHUMITHA	32539.06
MOLGAARD, DANE	16872.67
MORDESON, BRIGID	30924.94
MORITZ, DAVID	41868.76
MORONEY, SCOTT	76931.14
MORSE, JORDAN	56884.03
MURRAY, ROBYN	2824.82
MUSSACK, JAYCE	32.50
NAMUTH, ANDREW	97.50
NEIGHBORS, JASON	61562.89
NELSEN, CHRISTOPHER	79857.35
NELSON, PAUL	20870.82
NELSON, TREVOR	78164.40
NEUMANN, JARON	72334.54
NEWELL, KELLIE	55136.53
NEWTON, SEAN	38242.05
NIELSEN, NOLAN	56100.62
NIXON, MYRA	47867.68
NOECKER, STEVEN	73793.79
NORMAN, ZACHARIE	99324.82
NOSEKABEL, TRACY	70652.34
NOWATZKE, BRITTANY	19788.79
ODONNELL, MATTHEW	95443.48
OHLINGER, JEFFERY	8493.10
OLDEROG, RYAN	106558.92
OLIVER, BRADLY	57134.39
OLSEN, THOMAS	74689.41
ONATE, WILLIAM	4486.25
ORR, CHLOE	150.00
OWENS, MATTHEW	63342.84
OZANNE, SARAH	6802.94
PANE, CODY	7958.54
PARRA, TROY	1986.50
PAULSON, BRANDY	65091.69
PENNEY, RYAN	68458.50
PERDUE, BRADLEY	78955.93
PEREGRINE, DUSTIN	67015.49
PEREZ, LUIS	650.00
PETERSEN, JAMIE	119430.40
PETERSEN, JEREMY	78625.36
PETERSON, JEFFRY	11670.73
PETTIT, SAMUEL	42860.40
PING, ARIC	55036.50
PINGEL, SPENCER	5151.01
PINKERTON, TIFFANI	28769.21
PITT, NOLAN	64038.40
PLOEN, KANDI	78032.27
PLUMB, SCOTT	49616.15
PONCE-DOMINGUEZ, BLANCA	44793.82
POORE, JONATHAN	95043.91
PORTER, JILLIAN	97194.25

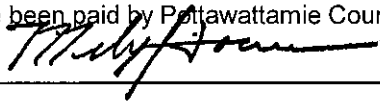
POWDERS, CARRIE	46024.00
PRICE, STEPHANIE	36075.32
PRUSIA, KEELY	1612.50
PRZYBOROWSKI, CATHARINE	57933.63
PULLIAM, KIRK	97.50
PUTERBAUGH, MANDY	35877.02
PUTNAM, KYLE	82096.76
PUTNAM, SCOTT	70902.94
QUINN, ARIEL	4828.90
RAINE, JACOB	4165.88
RAINE, SAMUEL	26803.38
RAMADHIN, VIGYAAN	6960.00
RAMSEY, BRANDON	85869.74
RANTA, JORDAN	59276.42
RASMUSSEN, DONNA	51983.72
RASMUSSEN, JOHN	141508.09
RATHBUN, ANGELA	11687.80
RAU, EMILY	56051.79
RAUCH, JAMES	2044.50
RAYMENT, JESSICA	44065.92
REDDING, RIKAYLA	61763.32
REDINBAUGH, CODY	7095.20
REDMON, DEBRA	86044.61
REECE, CADEN	148.00
REED, DOUGLAS	86928.30
REEVES, MATTHEW	79139.65
REILICH, REBEKKAH	72478.94
REIMER, DYLAN	2772.00
REIMER, JACOB	1482.00
REIMER, JORDYN	2829.25
REINKEN, SANDRA	1368.75
REYNOLDS, JOSHUA	63001.27
RICHEY, KRISTINA	66009.16
RIDDER, ABIGAIL	1650.00
RING, ADAM	88354.41
RISO, ROBIN	55892.34
RITSCHARD, KATHERINE	12017.92
RIVERA, ISRAEL	48588.56
ROACH, CLAIRE	23909.12
ROBERTS, AMBER	87586.47
ROBINSON, ABBY	4664.49
RODARTE, HOPE	55572.33
RODRIGUEZ, RAFAEL	87885.23
RODRIGUEZ, SAUL	2257.50
ROHNSTOCK, COURTNEY	32.50
ROLLINS, MITCHELL	60574.88
ROOKS, FALLON	28.00
ROORDA, HOWARD	4361.75
ROOT, SCOTT	23651.10
ROSENBERG, PAUL	47309.81
ROSKENS, MARY-BETH	86460.60
ROSS, CARTER	6448.00
ROSS, VERONICA	72116.64
ROUSE, ZACHARY	16395.00
ROUSH, GREGORY	65959.14
RUBEK, ANGELA	73815.25
RUBEK, ANTHONY	84339.12
RUBY, STEVEN	58645.45
RUNGE, TODD	56439.04
RUSSMANN, PATRICIA	80451.36
RUTLEDGE, ADAM	73108.31
SALAK, ALEXANDER	2385.26
SAMPSON, DANIEL	57602.26
SAMPSON, KEVIN	68605.73
SANDERS, ELIZABETH	84410.23
SANDS, DAVID	93771.43
SASSE, TANNER	1836.75

SAVAGE, CARIE	60611.35
SCHAA, COOPER	65.00
SCHAEFER, COLTON	32513.52
SCHAEFER, EDWARD	1122.25
SCHAEPPI, DENNIS	2443.50
SCHLEIMER, MICHEAL	92562.04
SCHLINES, CAYSIE	58.50
SCHLINES, TODD	93149.50
SCHNECKLOTH, THOMAS	90925.22
SCHNEPP, MANDI	41848.37
SCHRODER, BRADY	54085.72
SCHROEDER, KYLE	54815.51
SCHULTZ, ALISHA	62974.99
SCHULTZ, JUSTIN	2352.37
SCHULTZ, TERESA	71953.77
SEIBEL, ERIC	74785.53
SEPICH, GORDON	850.00
SERRATO, ELIZABETH	1548.47
SHAFER, HEATHER	58754.40
SHAW, NATALIE	248.50
SHEA, BRIAN	51885.10
SHEA, ERIC	100765.51
SHEA, SHANE	13875.00
SHEA-KAMMERER, STEPHANIE	55362.40
SHOEMAKER, MARK	105707.89
SHUDAK, BENJAMIN	75421.61
SHUTTERS, MICHAEL	9949.55
SIECK, MARIA	97276.11
SKINNER, JOHN	32.50
SLACK, BRANDIE	26940.72
SLACK, JASON	94250.21
SLIGER, CLARENCE	15531.00
SMEAL, KAYLA	86534.13
SMITH, ANDREW	63724.48
SMITH, ANDREW	67966.86
SMITH, CYNTHIA	51983.72
SMITH, HARRISON	1629.00
SMITH, MARK	88640.29
SMITH, MATTHEW	3412.50
SMITH, PENNIE	98150.13
SMITH, SHANE	51085.21
SMITH, STERLING	2983.75
SMITH, THOMAS	79418.87
SMOTHERS, JAMIE	81187.82
SNYDER, KERRIE	119991.63
SONDAG, PATRICK	118639.61
SOUICIE, AARON	93748.00
SOWERS, JEFFREY	65811.80
SPAGNOTTI, WILLIAM	1595.00
STACY, KATHRYN	51970.71
STANG, GIA	3139.00
STANG, TAIVEN	61.75
STANGE, TYLER	56801.90
STARKOVICH, CHARLES	721.25
STARKOVICH, KIMBERLY	65.00
STEPHENS, MAKENZIE	39.00
STEVENS, SHAWN	100536.52
STEWART, JEROME	83933.32
STONE, SAMANTHA	37534.59
STOTTS, BRENDA	51983.71
STROUD, RENE	63753.46
STROVERS, ERIC	120511.65
STUBBS, ROBERT	2256.78
STUDY, JASON	96697.97
SUBBERT-BORGAILA, CHLOIE	520.00
SUMMERS, WARREN	1177.00
SUNDERMANN, JOHN	10714.79

SWOLLEY, LINDA	76414.41
SYLVIS, COLLEEN	52208.96
TAIRA, KONATSU	32.50
TEMEYER, DANIEL	89997.16
THEULEN, JEFFREY	126173.54
THOMAS, CORY	64669.60
THOMAS, CRAIG	99622.30
THOMAS, RYAN	70692.41
THOMAS, TAYLOR	77983.24
THOMPSON, ANGELA	14088.08
THOMPSON, LYNZDE	98167.49
THOMPSON, RYAN	65106.02
THOMSEN, SARA	17955.83
TIMM, CAROL	40584.78
TODD, TIMOTHY	63638.29
TOLL, GERALD	3888.00
TORKELSON, JILL	679.25
TORRES, MARIA	55643.21
TOTUSEK, MALLORY	56015.55
TOWNSEND, COLETON	48.75
TOWNSEND, DANIEL	65757.83
TOWNSEND, HEATHER	92994.55
TRANMER, ANTHONY	73301.19
TRANMER, WHITNEY	75763.98
TREANTOS, KRISTINA	96438.20
TRESCOTT, LARRY	432.00
TRUJILLO, LUIS	66561.66
TURGEON, HARPER	91.00
TURPEN, MARY JO	50215.70
UHLIG, HALLIE	887.25
UNRUH, JOSHUA	69250.75
VALLE-MILAN, NELSON	7315.50
VANARSDALE, SCOTT	1147.75
VANDERVORT, SCOTT	82580.08
VANSOELEN, THOMAS	63289.70
VARGUEZ, MARIAH	32.50
VENNINK, LANE	530.00
VOLKENS, LEE	94743.51
VOSS, LEA	101413.22
WACHTER, MIRANDA	61258.80
WAGNER, BRIAN	55340.26
WAHLING, ROBYN	34586.75
WALKER, ANGELA	68224.67
WALKER, JEFFREY	56515.56
WALKER, JOHN	65350.97
WALLNER, ERIC	101553.68
WALLNER, JENNIFER	47539.46
WALTON, TIMOTHY	32020.95
WARNKE, JANICE	47867.68
WATERKOTTE, RYLAND	65.00
WATSON, SUZANNE	115866.23
WATTS, JAMIE	80561.28
WEATHERILL, DANIEL	76185.87
WEESNER, JOSHUA	13128.76
WELCH, JOSEPH	73271.30
WELTER, SHELLEY	74169.47
WERNEBURG, KAYLA	58203.65
WESSELS, BRETT	97980.95
WHAM, EVAN	1195.75
WHITE, MATTHEW	82747.51
WHITE, ORAL	123427.47
WHITTINGTON, DOUGLAS	74708.21
WICHMAN, TIMOTHY	51885.10
WICKERSHAM, CASON	87.75
WICKERSHAM, KIMBERLY	53312.73
WIEDERHOLT, COY	213.50
WIESE, CARL	22511.67

WIESE, MATTHEW	55923.11
WILBER, JEREMY	68407.66
WILBER, MATTHEW	155113.48
WILCOX, KENNETH	69352.48
WILCOXON, NATHAN	84060.61
WILLIAMS, KATHERINE	52.00
WILSON, BILLY	64138.13
WILSON, CALEB	261.25
WILSON, DIXIE	65969.08
WILSON, JAY	74667.55
WILSON, JOHN	86646.24
WINCHELL, STEPHEN	109649.68
WINDHAM, JESSE	42092.98
WINEY, TAYLOR	57876.20
WIRT, MEGAN	80162.19
WOMACK, RICHARD	1368.25
WOOD, KRISTINE	90992.29
WOODBURY, REX	90550.16
WOODS, KENA	34645.91
WRIGHT, JONI	43967.02
WRIGHT, TYLER	25905.40
WYANT, MATTHEW	124086.38
WYANT, MATTHEW	77070.36
WYANT, MELISSA	48773.91
YANOVICH, MIKAYLA	715.00
YARGES, XAVIER	3047.75
YOST, JEREMY	52384.55
ZARANTONELLO, BRETT	782.50

I, Melvyn J Houser , Auditor of Pottawattamie County, verify wages listed have been paid by Pottawattamie County for 2023 year.



Scheduled Sessions

John Rasmussen/Engineer

**Open Bids for the Dumfries Avenue and 240th Street
Paving project.**

John Rasmussen/Engineer

Discussion and/or decision to establish the Honeysuckle Road Special Assessment District; set the cost share amount; and interest rate for apportionment.

Jessica Tooley/Trustee Clerk, Layton Township

Discussion and/or decision to hold more than 3 meetings for Layton Township.

Cara Morgan/Executive Director, Golden Hills

**Presentation to update on activities and
request funding.**



INVOICE

712 South Hwy. 6
Oakland, Iowa 51560
Phone 712.482.3029 Fax 712.482.5590

DATE: 01/01/24
INVOICE # 1
FOR: *Operational Capacity*

Attention: Pottawattamie County

DESCRIPTION	AMOUNT
Fiscal Year 2024 Operational Capacity	\$15,000.00
TOTAL	\$15,000.00

Make all checks payable to **Golden Hills RC&D**

If you have any questions concerning this invoice, contact Jackie Johnson jackie.johnson@goldenhillsrcd.org

THANK YOU FOR YOUR BUSINESS!

Matt Wyant/Director, Planning and Development

Third Consideration of Ordinance No. 2023-05, an ordinance to amend Chapter 8 “Zoning Ordinance” by adding Wind Energy and Soar Energy Systems (Case #ZTA-2023-03); and to adopt Ordinance 2023-05 into law.

RECORDER'S COVER SHEET

Prepared by:

Pottawattamie County Office of Planning and Development
223 South 6th Street, Suite 4
Council Bluffs, IA 51501-4245
(712) 328-5792

Return Document to:

Pottawattamie County Office of Planning and Development
223 South 6th Street, Suite 4
Council Bluffs, IA 51501-4245
(712) 328-5792

Document Title:

Pottawattamie County
Ordinance #2023-05

POTTAWATTAMIE COUNTY, IOWA
ORDINANCE NO. 2023-05

AN ORDINANCE to amend the following Chapter 8, Pottawattamie County, Iowa Zoning Ordinance:

- General typographical and grammar error corrections.
- Repeal a definition for BOARD: The Board of Adjustment of Pottawattamie County, Iowa and replace with a definition for Adjustment Board: The Board of Adjustment of Pottawattamie County, Iowa.
- Amend by replacing all references to Board with Adjustment Board.
- Amend by replacing all references to Board of Supervisors with County Board.
- Add a definition for CONCENTRATED SOLAR ENERGY SYSTEMS: A solar energy system that generates power by using mirrors or lenses to concentrate a large area of sunlight, or solar thermal energy, unto a small area.
- Add a definition for NON-PARTICIPATING LANDOWNER: Any landowner not under agreement with the owner or operator of a solar energy system or wind energy system.
- Add a definition for PARTICIPATING LANDOWNER: Any landowner under lease, easement or other property agreement(s) with the owner or operator of a solar energy system or wind energy system.
- Add a definition for SOLAR ENERGY SYSTEM, COMMERCIAL (CSES): A solar energy system that generates electricity from solar energy primarily for sale to an electric utility or other third-party commercial or industrial user. CSES shall include but are not limited to solar panels, support structures, inverters/transformers, operations and maintenance buildings, electrical collector systems, energy storage technologies, wiring, communications, roads, substations and other equipment necessary for the generation, storage and delivery of electricity.
- Add a definition for SOLAR ENERGY SYSTEM, NON-COMMERCIAL (SES): A solar energy system that generates electricity from solar energy primarily for use on the same site or the same land use with which the system is associated.
- Repeal a definition for WIND TURBINE GENERATOR, COMMERCIAL AND NON-COMMERCIAL and replace with a definition for WIND TURBINE GENERATOR, COMMERCIAL AND NON-COMMERCIAL (WTG): A system of components including, but not limited to, a foundation, tower, nacelle, generator and blades that together comprise a machine that generates electricity using wind energy.
- Repeal a definition for WIND FARM, COMMERCIAL and replace with a definition for WIND ENERGY SYSTEM, COMMERCIAL (CWES): A wind energy system that generates electricity from wind energy primarily for sale to an electric utility or other third-party commercial or industrial user. CWES shall include but are not limited to WTGs, support structures, inverters/transformers, operations and maintenance buildings, meteorological towers, electrical collector systems, energy storage technologies, wiring, communications, roads, substations and other equipment necessary for the generation, storage and delivery of electricity.
- Repeal a definition for WIND FARM, NON-COMMERCIAL and replace with a definition for WIND ENERGY SYSTEM, NON-COMMERCIAL (WES): A wind

energy system that generates electricity from wind energy primarily for use on the same site or the same land use with which the system is associated.

- Add a definition for WIND TURBINE GENERATOR (WTG): A system of components including, but not limited to, a foundation, tower, nacelle, generator and blades that together comprise a machine that generates electricity using wind energy.
- Repeal Subsection 8.004.210 Reserved and replace with Solar Energy Systems
- Repeal Subsection 8.004.230 Wind Turbine Generator and replace with Wind Energy Systems, Commercial
- Repeal Subsection 8.004.240 Non-Commercial Wind Turbine and replace with Wind Energy Systems, Non-Commercial
- Add Section 8.004.085.18 SOLAR ENERGY SYSTEMS, NON-COMMERCIAL (SES), subject to the provisions of Section 8.040.210.
- Add Section 8.004.085.18 WIND ENERGY SYSTEMS, NON-COMMERCIAL (WES), subject to the provisions of Section 8.040.240, except in the A-4, R-1, R-2 and R-3 Districts.
- Delete Section 8.010.020.08 Wind Farms, both commercial and non-commercial subject to the requirements of 8.004.230 and 8.004.240.
- Add Section 8.010.030.21 Wind Energy Systems, Commercial, subject to the requirements of 8.004.230.
- Add Section 8.010.030.22 Solar Energy Systems, Commercial, subject to the requirements of 8.004.210.
- Delete Section 8.012.020.06 Wind Farms, both commercial and non-commercial subject to the requirements of 8.004.230 and 8.004.240.
- Add Section 8.012.030.11 Solar Energy Systems, Commercial, subject to the requirements of 8.004.210.
- Repeal Section 8.014.030.17 Wind Farms, Non-Commercial and replace with Section 8.014.030.17 Wind Energy Systems, Non-Commercial (WES), subject to the requirements of 8.004.240.
- Repeal Section 8.015.030.12 Wind Farms, Non-Commercial and replace with Section 8.015.030.12 Wind Energy Systems, Non-Commercial (WES), subject to the requirements of 8.004.240.
- Add Section 8.015.030.13 Solar Energy Systems, Commercial subject to the requirements of 8.040.210.
- Repeal Section 8.020.030.11 Wind Farms, Non-Commercial and replace with Section 8.020.030.11 Wind Energy Systems, Non-Commercial (WES), subject to the requirements of 8.004.240.
- Add Section 8.035.030.07 Solar Energy Systems, Non-Commercial subject to the requirements of 8.040.210.
- Add Section 8.035.030.08 Wind Energy Systems, Non-Commercial subject to the requirements of 8.040.240.
- Add Section 8.040.030.06 Solar Energy Systems, Non-Commercial subject to the requirements of 8.040.210.
- Add Section 8.040.030.07 Wind Energy Systems, Non-Commercial subject to the requirements of 8.040.240.
- Add Section 8.045.030.04 Solar Energy Systems, Commercial subject to the requirements of 8.040.210.

- Add Section 8.045.040.07 Solar Energy Systems, Non-Commercial subject to the requirements of 8.040.210.
- Add Section 8.045.040.08 Wind Energy Systems, Non-Commercial subject to the requirements of 8.040.240.
- Add Section 8.050.030.09 Solar Energy Systems, Commercial subject to the requirements of 8.040.210.
- Add Section 8.050.040.06 Solar Energy Systems, Non-Commercial subject to the requirements of 8.040.210.
- Add Section 8.050.040.07 Wind Energy Systems, Non-Commercial subject to the requirements of 8.040.240.
- Add Section 8.051.030.06 Solar Energy Systems, Commercial subject to the requirements of 8.040.210.
- Add Section 8.051.040.04 Solar Energy Systems, Non-Commercial subject to the requirements of 8.040.210.
- Add Section 8.051.040.05 Wind Energy Systems, Non-Commercial subject to the requirements of 8.040.240.
- Add Section 8.055.030.08 Solar Energy Systems, Commercial subject to the requirements of 8.040.210.
- Add Section 8.055.040.04 Solar Energy Systems, Non-Commercial subject to the requirements of 8.040.210.
- Add Section 8.055.040.05 Wind Energy Systems, Non-Commercial subject to the requirements of 8.040.240.
- Add Section 8.060.030.19 S D. Solar Energy Systems, Commercial subject to the requirements of 8.040.210.
- Add Section 8.060.040.04 Solar Energy Systems, Non-Commercial subject to the requirements of 8.040.210.
- Add Section 8.050.040.05 Wind Energy Systems, Non-Commercial subject to the requirements of 8.040.240.

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

SECTION 1 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding thereto the following new definitions, to be codified as Section 8.002.040 C.075, definition of Concentrated Solar Energy Systems:

8.002.040 C

.075 CONCENTRATED SOLAR ENERGY SYSTEMS: A solar energy system that generates power by using mirrors or lenses to concentrate a large area of sunlight, or solar thermal energy, unto a small area.

SECTION 2 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding thereto the following new definitions, to be codified as Section 8.002.150 N.040, definition of Non-Participating Landowner:

8.002.150 N

.040 NON-PARTICIPATING LANDOWNER: Any landowner not under agreement with the owner or operator of a solar energy system or wind energy system.

SECTION 3 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding thereto the following new definitions, to be codified as Section 8.002.170 P.011, definition of Participating Landowner:

8.002.170 P

.011 PARTICIPATING LANDOWNER: Any landowner under lease, easement or other property agreement(s) with the owner or operator of a solar energy system or wind energy system.

SECTION 4 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding thereto the following new definitions, to be codified as Section 8.002.200 S.061, definition of Solar Energy System, Commercial:

8.002.200 S

.061 SOLAR ENERGY SYSTEM, COMMERCIAL (CSES): A solar energy system that generates electricity from solar energy primarily for sale to an electric utility or other third-party commercial or industrial user. CSES shall include but are not limited to solar panels, support structures, inverters/transformers, operations and maintenance buildings, electrical collector systems, energy storage technologies, wiring, communications, roads, substations and other equipment necessary for the generation, storage and delivery of electricity.

SECTION 5 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding thereto the following new definitions, to be codified as Section 8.002.200 S.062, definition of Solar Energy System, Non-Commercial:

8.002.200 S

.062 SOLAR ENERGY SYSTEM, NON-COMMERCIAL (SES): A solar energy system that generates electricity from solar energy primarily for use on the same site or the same land use with which the system is associated.

SECTION 6 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by repealing a definition for Wind Turbine Generator, Commercial and Non-Commercial and replacing it thereto with the following new definitions, to be codified as Section 8.002.240 W.030, definition of Wind Energy System, Commercial:

8.002.240 W

.030 WIND TURBINE GENERATOR, COMMERCIAL AND NON-COMMERCIAL(WTG): A system of components including, but not limited to, a foundation, tower, nacelle, generator and blades that together comprise a machine that generates electricity using wind

energy and connects to the electrical transmission or local distribution grid.

- .01 Blade. An element of a WTG which acts as a part of an airfoil assembly, thereby extracting through rotation, kinetic energy directly from the wind.
- .02 Tower. The support structure, above grade, that supports the nacelle and rotor assembly.
- .03 Foundation. The Tower support structure, above and/or below grade that supports the entire weight of the Wind Turbine Generator.
- .04 Total Height. The height from grade to the highest vertical point of the swept arc. In the case of a WTG with a vertical axis rotor, the height of the blades from grade to the highest vertical point of the WTG.
- .05 Substation. An electrical construction designed to collect and modify electrical energy produced by the WTG.

SECTION 7 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by repealing a definition for Wind Farm, Commercial and replacing it thereto with the following new definitions, to be codified as Section 8.002.240 W.010, definition of Wind Energy System, Commercial:

8.002.240 W

.010 WIND ENERGY SYSTEM, COMMERCIAL (CWES): A wind energy system that generates electricity from wind energy primarily for sale to an electric utility or other third-party commercial or industrial user. CWES shall include but are not limited to wind turbine generators, support structures, inverters/transformers, operations and maintenance buildings, meteorological towers, electrical collector systems, energy storage technologies, wiring, communications, roads, substations and other equipment necessary for the generation, storage and delivery of electricity.

SECTION 8 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by repealing a definition for Wind Farm, Non Commercial and replacing it thereto with the following new definitions, to be codified as Section 8.002.240 W.020, definition of Wind Energy System, Non-Commercial:

8.002.240 W

.020 WIND ENERGY SYSTEM, NON-COMMERCIAL (WES): A wind energy system that generates electricity from wind energy primarily for use on the same site or the same land use with which the system is associated.

SECTION 9a – REPEAL OF CONFLICTING ORDINANCES: That Section 8.004.210 is hereby repealed in its entirety. Furthermore, all other ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

SECTION 9b - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding thereto the following new Section, to be codified as Section 8.004.210, as follows:

8.004.210 SOLAR ENERGY SYSTEMS

- .01 PURPOSE: The purpose of this ordinance is to facilitate the construction, installation, and operation of solar energy systems in Pottawattamie County in a manner that promotes economic development, protects property values, and ensures the protection of health, safety, and welfare while also avoiding adverse impacts to important areas such as agricultural lands, conservation lands, and other sensitive lands.
- .02 CONSTRUCTION; CONFLICT: This ordinance does not repeal, abrogate, annul, impair or interfere with any existing ordinance. If this section 8.004.210 conflicts with any other provision of the Pottawattamie County, Iowa, Zoning Ordinance, this section 8.004.210 shall control.
- .03 SOLAR ENERGY SYSTEMS, COMMERCIAL (CSES):
 - A. PURPOSE: This section provides uniform and comprehensive standards for the installation and use of CSES. CSES shall include but are not limited to solar panels, support structures, inverters/transformers, operations and maintenance buildings, electrical collector systems, energy storage technologies, wiring, communications, roads, substations and other equipment necessary for the generation, storage and delivery of electricity. The intent of this section is to protect the public health, safety, and community welfare while allowing development of utility-scale solar energy resources for utility, commercial and industrial purposes.
 - B. CONDITIONAL USE: CSES shall require a conditional use permit within the A-2, A-3, R-1, C-1, C-2, C-3, I-1 and I-2 zoning districts. This use is prohibited in all other zoning districts in the County. Concentrated solar energy systems are prohibited in the County. Where CSES are part of a unified plan or aggregated project, the applicant may submit a single conditional use permit application and may sign the application in lieu of individual property owner(s). The applicant shall provide reasonable documentation evidencing the property owner(s) authorize the applicant to construct and operate a CSES on the property or to seek a conditional use permit for such purpose.
 - C. SPECIAL REQUIREMENTS: CSES are subject to the following requirements:
 - 1. HEIGHT: A solar panel shall be no less than two (2) feet off the ground. A solar panel shall not exceed twenty (20) feet in height above grade at maximum tilt of the solar panel.

2. SETBACKS: CSES shall be setback from lot lines as set forth in underlying zoning district. Solar panels within a CSES shall not be located less than three hundred (300) feet from the closest exterior wall of any non-participating dwelling. There shall be no setback to any participating dwelling. There shall be no side or rear yard setback for any lot line where the CSES is located on abutting participating parcels.
3. SUBMITTAL REQUIREMENTS: The applicant shall submit all materials contained in this section at the time of the application for a conditional use permit.
4. PERMITTING PROCESS: The applicant shall go through the following process for conditional use permit approval:
 - a. Applicant shall meet with the Development Director and submit all required documents.
 - b. Development Director will submit all documents to the Pottawattamie County Department Approval Committee. Said Committee shall consist of the County Board and the Development Director along with the department head or the designated employee from the following departments: Conservation, County Engineer/Secondary Roads, and Sheriff. All identified departments must approve with signature that all requirements pertaining to that department are met prior to submission to the Adjustment Board.
 - c. The conditional use permit application shall be presented to the Adjustment Board for a public hearing and decision on the conditional use permit.
 - d. County Board shall consider a decommissioning plan, decommissioning agreement (including financial security), Public Roads Damage Avoidance and Mitigation Plan and related agreement. The CSES may not proceed to construction until the County Board has approved these plans and the Chairperson and the applicant have executed these agreements.
 - e. The use(s) outlined in the application shall be established in accordance with the draft plans considered by the approving authority within five (5) years of approval. "Commencing Construction" is determined by disturbance of soil at project site that is not part of a primary farming operation. Any portion of the development plan not completed within five (5) years of approval by the approving authority shall not be installed until the development has been reauthorized by the approving authority. Reauthorization shall be subject to the regulations in effect at the time reauthorization is requested.
5. SECURITY; FENCING: Absent contrary direction from the Iowa Utilities Board, the CSES shall be fenced with a minimum eight-foot (8') tall security fence,. "Warning/No Trespassing" signs, as well as contact information for emergency purposes, shall be posted within sight of all points of fence line or no greater than one hundred fifty feet (150') apart. At the discretion of the approving authority, critical electrical and communications equipment may be fenced

with the chain-link fence topped with barbed wire when such measures are deemed necessary to ensure public safety.

6. AGRICULTURAL IMPACT MITIGATION PLAN: The applicant shall submit a plan with the conditional use permit application detailing the mitigation strategy to support agricultural use of the land. The plan will be reviewed by the Development Director and shall include, but is not limited to:
 - a. Results of a soil analysis conducted and assessed by a qualified professional to determine topsoil depths, as well as identify any limitations for construction and mitigation that may require special consideration.
 - b. General list of project components and construction timeline.
 - c. Describe best practices and methods to be used during each stage of construction for protecting and preserving topsoil. Practices and methods should address, at minimum, avoidance of removal of topsoil. However, if removal of topsoil is necessary, applicant should plan for segregation, stockpiling, replacement during backfill and respreading, grading minimization, compaction prevention and decompaction of otherwise undisturbed topsoil impact by heavy equipment or storage of materials and wet weather conditions.
 - d. Describe environmental monitoring that will be used during construction to ensure adherence to the best practices contained in the plan. The monitoring should be done by an environmental professional at the expense of the developer. The monitoring results should be submitted to the County through the Planning Department every thirty (30) days during construction.
 - e. Describe the general procedures to be used for identification, avoidance and repair of any underground drainage tile lines located within the project site before, during and after construction.
7. SOIL EROSION AND SEDIMENT CONTROL: The applicant shall conduct all roadwork and other site development work in compliance with Chapter 10.15 of the Pottawattamie County, Iowa, Code (Grading and Excavation), and a national pollutant discharge elimination system (NPDES) permit as required by the Iowa Department of Natural Resources and comply with requirements as detailed by local jurisdictional authorities during the plan submittal. If subject to NPDES requirements, the applicant must submit the permit to the Development Director for review and comment along with an erosion and sediment control plan before the commencement of construction. The plan must include both general "best management practices" for temporary erosion and sediment control (both during and after construction) and permanent drainage and erosion control measures to prevent both damage to local roads/adjacent areas and sediment laden run-off into waterways.
8. VEGETATION MITIGATION PLAN:

- a. A Vegetation Mitigation Plan must be provided to the Planning and Development Department with the conditional use permit application. The Vegetation Mitigation Plan will be reviewed by the Development Director.
 - b. Ground under and around the CSES shall be planted with a perennial vegetative ground cover as identified in the Vegetation Mitigation Plan. The ground cover plan shall be developed in accordance with the following standards:
 - i. Avoid removal of topsoil to maximum extent possible during development and decommissioning unless part of a remediation effort.
 - ii. The vegetation shall be planted and maintained, per the Vegetation Mitigation Plan, for the full operational life of the CSES to prevent erosion, manage runoff and build soil. The Vegetation Mitigation Plan must include management methods and schedules for how the vegetation will be managed on an annual basis, with the particular attention given to the establishment period of approximately three (3) years. The Vegetation Mitigation Plan must include provisions for replacement of any required vegetation cover that fails to establish or dies during the life of the project.
 - iii. Plant materials for the ground cover area must not have been treated with systemic insecticides, particularly neonicotinoids.
 - iv. The application and Vegetation Mitigation Plan shall include the proposed seed mix specifications and growth guidelines to follow.
 - v. Seeding zones and their selected seed mixes should be clearly mapped on a site plan.
 - vi. Seed and/or planting mixes and maintenance practices should be consistent with recommendations made by qualified natural resource professionals, such as those from a state department of natural resources, county soil and water conservation services, or natural resource conservation service.
 - vii. Reporting to the County through the Planning Department on ground cover management and maintenance activities shall be on an annual basis for a minimum of five (5) years after which point reduced frequency can be requested and approved at the discretion of the Development Director.
 - viii. At the discretion of the Development Director, other practices, such as small-scale farming, beekeeping operations or grazing, may be allowed in the ground cover area as part of the conditional use permit.
9. **LANDSCAPING BUFFER:** To mitigate potential negative effects and reduce the visual impact of the CSES, a landscaping buffer shall be installed and maintained during the life of the CSES. Determination of screening requirements will be made by the

approving authority as part of the review of the conditional use permit and will be based on adjacent or nearby surrounding land uses and topography. Where the approving authority finds that a landscaping buffer is appropriate, landscaping shall be installed within a planting area around the portions of the site specified by the approving authority in accordance with the standards as of this subsection. All applications for which this subsection applies shall submit a plan for review and approval. The landscaping buffer shall use trees, shrubs, grasses and forbs that are native to Iowa or where appropriate may include naturalized and non-invasive species or a combination thereof to provide a vegetation screen in all required areas.

10. LIGHTING: If lighting is provided for the CSES, lighting shall be shielded and downcast such that the light does not project directly onto the adjacent parcels.
11. SOUND: Sound levels caused by the CSES measured at the closest exterior wall of any non-participating residence shall not exceed forty (40) decibels (A-weighted).
12. GLARE; AVIATION PROTECTION. The CSES shall be designed and located to minimize glare towards any buildings on adjacent properties. Applicant must complete and provide with the application the results of a Solar Glare Hazard Analysis Tool or most recent version adopted by the Federal Aviation Administration (FAA). Applicant must provide evidence of notice and no response and/or non-objection from FAA and Offutt Air Force Base that the CSES will not affect commercial or military flights.
13. UTILITY CONNECTIONS: Applicant shall make reasonable efforts to place all collection lines within the CSES underground, depending on appropriate soil conditions, shape and topography of the site, distance to the connection, or other conditions or requirements. High-voltage lines between the CSES and substations may be above ground.
14. OUTDOOR STORAGE: Only the outdoor storage of materials, vehicles, and equipment that directly support the operation and maintenance of the CSES shall be allowed.
15. ENDANGERED SPECIES AND WETLANDS: Applicant shall consult with the Iowa Department of Natural Resources.
16. WEED CONTROL: Applicant must present an acceptable weed/grass control plan for property outside of the fenced area for the entire CSES. The CSES operator must maintain the fence and adhere to a weed control plan. The plan must be approved by the Development Director and Conservation Department.
17. WASTE: All solid wastes, whether generated from supplies, equipment parts, packaging, operation, grazed animals, farming operation or maintenance of the CSES, shall be removed from the site and disposed of in an appropriate manner. All hazardous waste shall be removed from the site immediately and disposed of in a manner consistent with all local, state and federal requirements.

18. MAINTENANCE, REPAIR OR REPLACEMENT OF A FACILITY: Maintenance shall include, but not limited to, painting, structural repairs, and integrity of security measures. Any retrofit, replacement or refurbishment of equipment shall adhere to all applicable local, state and federal requirements.
 19. CLEANING CHEMICALS AND SOLVENTS: During operation of the CSES, all chemicals or solvents used to clean photovoltaic panels shall be low in volatile organic compounds and the operator shall use recyclable or biodegradable products to the extent possible. Any on-site storage of chemicals or solvents shall be referenced on the site plan.
 20. STORM WATER MANAGEMENT. Prior to receiving a building permit, for the purposes of pollutant removal, storm water and runoff management, flood reduction and associated impacts, the applicant shall provide a detailed storm water management plan in compliance with Chapter 10.15 of the Pottawattamie County, Iowa, Code (Grading and Excavation).
 21. ADMINISTRATION AND ENFORCEMENT: Development Director and any necessary personnel may enter any property for which a conditional use permit or building permit has been issued under this ordinance to conduct an inspection to determine whether the conditions stated in the permit have been met as specified by statute, ordinance, and code. Failure to provide access shall be deemed a violation of this ordinance.
- D. SAFETY: All CSES shall provide the following at all locked entrances:
1. A visible "High Voltage" warning sign.
 2. Name(s) and phone number(s) for the electric utility provider(s).
 3. Name(s) and phone number(s) for the site operator(s).
 4. The facility's 911 address and GPS coordinates.
 5. The site operator will coordinate with the local fire department and Emergency Management to provide training on an annual basis for the first five (5) years the CSES is complete and in operation. Said training will commence within six (6) months prior to the completion of the CSES. After that, offered on an annual basis for the life of the project. All emergency responding agencies will sign off that said training was completed or offered.
- E. REPOWERING: At the discretion of the Development Director, proposals to replace more than twenty-five percent (25%) of the panels in a CSES within a twelve (12) month period may be required to submit a plan for review and approval with all associated costs assigned to the applicant and/or the property owner(s).
- F. ROADS: The applicant, owners and their contractors shall avoid damaging public roads to the greatest practicable extent and shall be responsible for repair of damage to public roads. A Public Roads Damage Avoidance and Mitigation Plan shall be in accordance with the following standards and approved by the County Board before the applicant commences construction:
1. IDENTIFICATION OF POTENTIAL ROADS USAGE: The applicant shall identify, in consultation with the County Engineer, all state and local public roads to be used within the County to transport

equipment, parts and material for construction, operation or maintenance of the CSES and related components.

2. **DOCUMENTATION OF ROAD CONDITIONS:** Prior to construction, decommissioning or implementation of a repowering plan, the County Engineer or a third-party consultant selected by the County Engineer shall document the current conditions of the roads identified for use with physical and video documentation. The County Engineer or a third-party consultant selected by the County Engineer shall document road conditions again thirty (30) days after the CSES construction, decommissioning or implementation of a repowering plan is complete, or as weather permits. The requirements of this Subsection shall be at the sole cost of the applicant or owner of the CSES.
 3. **ROAD PREPARATION AND DAMAGE:** The applicant or owner of the CSES shall promptly cause the completion of any necessary road preparation, maintenance or repair associated with CSES construction, operation, maintenance, decommissioning or implantation of a repowering plan, as identified by the County Engineer or a third-party consultant selected by the County Engineer. All road preparation, maintenance and repair shall be at the sole cost of the applicant or owner of the CSES and to reasonable satisfaction of the County Engineer based on the applicable standards and codes.
 4. **FINANCIAL SURETY:** Applicant shall demonstrate appropriate financial assurance to ensure road preparation, maintenance and repair. At the direction of the County Board, the applicant or the owner of the CSES may also be required to provide a financial surety instrument or bond at the time of permitting consideration.
- G. **DECOMMISSIONING AND RECLAMATION PLAN:** The applicant shall submit a decommissioning and reclamation plan to the Development Director with the conditional use permit application. The Development Director shall review the plan for completeness and refer it to the Adjustment Board for review in conjunction with the conditional use permit and the County Board for final consideration and approval prior to the applicant commencing construction. The plan shall include:
1. A description of the life of the CSES; the anticipated manner which the project will be decommissioned, including plans to recycle components; the anticipated site restoration actions; the estimated decommissioning costs in current dollars; and the method for ensuring that funds will be available for decommissioning and restoration.
 2. Estimates for the total cost for decommissioning at the current value at site as determined by a licensed engineer. Decommissioning cost estimates shall take salvage and resale value into account.

3. A description of the means to remove the CSES and restore the land to its previous use upon the end of its life, as stated in the conditional use permit or this ordinance.
4. Provisions to remove structures, debris and associated equipment on the surface and to a level of not less than six (6) feet below the surface, and the timeline/sequence in which removal is expected to occur.
5. Provisions to restore the soil, vegetation, and disturbed earth, which shall be graded and reseeded and/or the property may be returned to agricultural use. Avoidance of topsoil is preferred. The plan shall include environmental monitoring at the cost of the developer to be used in returning the project area back to agricultural use. Environmental monitoring shall include best practices to address at minimum invasive species prevention, erosion, sediment control and debris removal.
6. A provision that the terms of the decommissioning plan shall be binding upon the owner or operator of the CSES and any of their successors, assigns or heirs, and that the landowner has granted permission for access and easements of the property for decommissioning.
7. FINANCIAL SURETY: No later than the tenth (10th) year following the date the applicant or CSES owner completes construction, as evidenced by a certificate of completion, the applicant of CSES owner shall provide a financial surety instrument to cover the cost of decommissioning in accordance with the following:
 - a. Decommissioning funds or financial surety shall be in an amount equal to the net cost for decommissioning the site, plus a ten percent (10%) contingency.
 - b. The financial surety shall be maintained in the form of cash, certificate of deposit, performance bond, escrow account, surety bond, letter of credit, corporate guarantee or other form of financial assurance acceptable to the County Board. Any document evidencing the maintenance of the financial surety shall include provisions for releasing the funds to the County in the event decommissioning is not completed in a timely manner.
 - c. Financial surety shall be maintained for the remaining life of the CSES.
 - d. Every five (5) years, the CSES owner or operator shall retain an independent licensed engineer to re-estimate the total cost of decommissioning and attest that the value of the financial surety instrument is appropriate. This report shall be filed with the Planning and Development department and the Auditor. The decommissioning surety shall match the re-estimated cost of decommissioning plus a ten percent (10%) contingency. Within ninety (90) days of filing the re-estimation report with the County through the Planning Department, the CSES owner or operator shall cause the fund balance of the financial surety instrument to be adjusted, if applicable.

- e. **RELEASE OF FINANCIAL SURETY:** Financial surety shall only be released by the County Board by the recommendation from the Development Director, after inspection and confirmation that all conditions of the decommissioning plan have been met.

- H. **INDEMNIFICATION AND LIABILITY:** The applicant, owner and/or operator of the CSES shall defend, indemnify, and hold harmless the County and its officials from and against any and all claims, demands, losses, suits, causes of action, damages, injuries, costs, expenses, and liabilities whatsoever, including attorneys' fees, without limitation, arising out of acts or omissions of the applicant, owner, and/or operator associated with the construction and/or operations of the CSES.

- I. **CESSATION OF OPERATIONS:** Any CSES that has not been in operation and producing electricity for at least one hundred and eighty (180) consecutive days, unless caused by a natural catastrophic event, shall be decommissioned. The Development Director shall notify the owner to decommission and remove the CSES. Within two hundred and seventy (270) days thereafter, the owner shall either submit evidence showing that the CSES has been operating and producing electricity or that it has been fully decommissioned in compliance with this Ordinance. If the owner fails to or refuses to remove the CSES, the violation shall be referred to the County Attorney. In the case of a natural catastrophic event, a detailed restoration plan to return to operational status must be provided to the Development Director.

- J. **VIOLATIONS & PENALTIES:** Violations and penalties of this section are set forth in Chapter 1.75 of the Pottawattamie County, Iowa, Code (Violations and Penalties).

- K. **RELATED RULES AND REGULATIONS:** Each CSES shall comply with all applicable local, state and federal requirements.

- L. **SEVERABILITY:** The provisions of this ordinance are severable, and the invalidity of any section, subdivision, paragraph, or other part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

- M. **CONDITIONAL USE PERMIT FEE(S) FOR CSES:** The conditional use permit application fee(s) will be approved and adopted by resolution of the County Board and shall be set forth in Chapter 1.50 of the Pottawattamie County, Iowa, Code (Schedule of Fees).

- .04 **SOLAR ENERGY SYSTEMS, NON COMMERCIAL (SES):**
 - A. **PURPOSE:** This section provides uniform and comprehensive standards for the installation and the use of SES for on-site home, farm and small commercial use that are used primarily to reduce on-site consumption of utility power. The intent of this section is to protect the public health, safety and community welfare without unduly restricting the development of SES.

- B. ACCESSORY USE: SES shall be considered an accessory use to a permitted principal or conditional use in any zoning district.
- C. SPECIAL REQUIREMENTS: SES shall be subject to the requirements included in this section:
 - 1. GROUND MOUNTED SES HEIGHT: Shall not be greater than fifteen (15) feet at maximum tilt of the solar panel(s).
 - 2. STRUCTURE MOUNTED SES HEIGHT: Shall not be greater than the allowable height of any structure within the zoning district in which the SES is to be installed.
 - 3. SETBACKS: The ground mounted SES shall maintain perimeter setbacks including side and rear yard setbacks of ten (10) feet measured at full horizontal tilt and ten (10) feet from any other building or structure on the same lot. No solar panels within the SES may be located in the required front yard setback unless at least fifty (50) feet back from the edge of the county road right-of-way or at least eighty (80) feet back from the edge of state or federal road right-of-way.
 - 4. BUILDING CODES: All county, state and federal construction codes shall be followed.
 - 5. USE: SES shall provide electricity for on-site use by the owner. This does not prohibit an owner from making excess power available for net metering.
- D. BUILDING PERMIT: Before a building permit is issued, the following shall be submitted to the Development Director for review:
 - 1. Site Plan Showing:
 - a. Address, email address, and phone number of the property owner;
 - b. Parcel lines;
 - c. All existing structures with heights clearly marked;
 - d. Sanitary infrastructure (i.e., septic field);
 - e. Setback measurements;
 - f. Easements present on the property, including those for utilities;
 - g. Septic field tile location;
 - h. Floodplain location, if applicable;
 - i. Topography lines (2-foot contours);
 - j. Location of all solar panels and associated equipment; and
 - k. Location of the electrical disconnect for the SES.
 - 2. Evidence that the local electric utility has been informed of the customer's intent to install a customer-owned SES.
 - 3. Evidence that the site plan has been submitted to the local fire protection district.
 - 4. Evidence that all contact information for site has been provided to Emergency Management.
 - 5. After a review and acceptance of site plan and required information, a building permit authorizing construction shall be issued.

SECTION 10a – REPEAL OF CONFLICTING ORDINANCES: That Section 8.004.230 is hereby repealed in its entirety. Furthermore, all other ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

SECTION 10b - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding thereto the following new Section, to be codified as Section 8.004.230, as follows:

8.004.230 WIND ENERGY SYSTEMS, COMMERCIAL (CWES)

- .01 **PURPOSE:** This ordinance provides uniform and comprehensive standards for the installation and use of CWES. CWES shall include but are not limited to WTGs, support structures, inverters/transformers, operations and maintenance buildings, meteorological towers, electrical collector systems, energy storage technologies, wiring, communications, roads, substations and other equipment necessary for the generation, storage and delivery of electricity. The intent of these regulations is to protect the public health, safety, and community welfare while allowing development of utility-scale wind energy resources for utility, commercial and industrial purposes.
- .02 **CONSTRUCTION; CONFLICT:** This section does not repeal, abrogate, annul, impair or interfere with any existing ordinance. If this section 8.004.230 conflicts with any other provision of the Pottawattamie County, Iowa, Zoning Ordinance, this section 8.004.230 shall control.
- .03 **CONDITIONAL USE:** CWES shall require a conditional use permit within the A-2 zoning districts. This use is prohibited in all other zoning districts in the County. Where CWES are part of a unified plan or aggregated project, the applicant may submit a single conditional use permit application and may sign the application in lieu of individual property owner(s). The applicant shall provide reasonable documentation evidencing the property owner(s) authorize the applicant to construct and operate a CWES on the property or to seek a conditional use permit for such purpose.
- .04 **HEIGHT:** The total height of a WTF in a CWES shall not exceed four hundred twelve feet (412').
- .05 **SETBACKS:** Setbacks for CWES shall be as follows:
 - A. **LOT LINES; PUBLIC RIGHT-OF-WAYS:** WTGs in a CWES shall not be located less than one thousand five hundred feet (1,500') to any lot line or public right-of-way as measured from the center of the WTG base; provided, however, there shall be no side or rear yard setback for any lot line where the CWES is located on abutting participating parcels.
 - B. **DWELLINGS:** WTGs in a CWES shall not be located less than one-half (1/2) mile to the closest exterior wall of any non-participating dwelling as measured from the center of the WTG

base. CWES may be setback less than one-half (1/2) mile from any participating dwelling or any dwelling for which the property owner signs a waiver agreeing to reduce the setback distance; provided, however, in no event shall a CWES be located less than one and one-tenth (1.1) times the total height to any dwelling.

- C. INCORPORATED MUNICIPALITIES: WTGs in a CWES shall not be located less than three (3) miles to the corporate limits of any incorporated municipality as measured from the center of the WTG base.
- D. COUNCIL BLUFFS MUNICIPAL AIRPORT: WTGs in a CWES shall not be located less than three (3) miles to any lot line of the Council Bluffs Municipal Airport as measured from the center of the WTG base.
- E. PARKS AND HABITAT AREAS: WTGs in a CWES shall not be located less than three (3) miles to any lot line of a designated Pottawattamie County Conservation park or habitat area as measured from the center of the WTG base.

.06 SPECIAL REQUIREMENTS: CWES are subject to the following requirements:

- A. SUBMITTAL REQUIREMENTS: The applicant shall submit all materials contained in this section at the time of the application for a conditional use permit.
- B. PERMITTING PROCESS: The applicant shall go through the following process for conditional use permit approval:
 - 1. Applicant shall meet with the Development Director and submit all required documents.
 - 2. Development Director will submit all documents to the Pottawattamie County Department Approval Committee. Said Committee shall consist of the County Board and the Development Director along with the department head or the designated employee from the following departments: Conservation, County Engineer/Secondary Roads, and Sheriff's Department. All identified departments must approve with signature that all requirements pertaining to that department are met prior to submission to the Adjustment Board.
 - 3. The conditional use permit application will be presented to the Adjustment Board for a public hearing and decision on the conditional use permit.

4. County Board shall consider a decommissioning plan, decommissioning agreement (including financial security), Public Roads Damage Avoidance and Mitigation Plan and related agreement. The CWES may not proceed to construction until the County Board has approved these plans and the Chairperson and the applicant have executed these agreements.
5. The use(s) outlined in the application shall be established in accordance with the draft plans considered by the approving authority within five (5) years of approval. "Commencing Construction" is determined by disturbance of soil at project site that is not part of a primary farming operation. Any portion of the development plan not completed within five (5) years of approval by the approving authority shall not be installed until the development has been reauthorized by the approving authority. Reauthorization shall be subject to the regulations in effect at the time reauthorization is requested.

C. SECURITY; FENCING: CWES shall be equipped with anti-climbing devices or be of a mono-tower type with locking doors. Tower climbing apparatus shall be at least ten (10) feet above ground level. At the discretion of the approving authority, critical electrical and communications equipment may be fenced with the chain-link fence topped with barbed wire when such measures are deemed necessary to ensure public safety.

D. AGRICULTURAL IMPACT MITIGATION PLAN: The applicant shall submit a plan with the conditional use permit application detailing the mitigation strategy to support agricultural use of the land. The plan will be reviewed by the Development Director and shall include, but is not limited to:

1. Results of a soil analysis conducted and assessed by a qualified professional to determine topsoil depths, as well as identify any limitations for construction and mitigation that may require special consideration.
2. General list of project components and construction timeline.
3. Describe best practices and methods to be used during each stage of construction for protecting and preserving topsoil. Practices and methods should address, at minimum, avoidance of removal of topsoil. However, if removal of topsoil is necessary, applicant should plan for segregation, stockpiling, replacement during backfill and resspreading, grading minimization, compaction prevention and decompaction of otherwise undisturbed topsoil impact by heavy equipment or storage of materials and wet weather conditions.

4. Describe environmental monitoring that will be used during construction to ensure adherence to the best practices contained in the plan. The monitoring should be done by an environmental professional at the expense of the developer. The monitoring results should be submitted to the County through the Planning Department every thirty (30) days during construction.
 5. Describe the general procedures to be used for identification, avoidance and repair of any underground drainage tile lines located within the project site before, during and after construction.
- E. SOIL EROSION AND SEDIMENT CONTROL: The applicant shall conduct all roadwork and other site development work in compliance with Chapter 10.15 of the Pottawattamie County, Iowa, Code (Grading and Excavation), and a national pollutant discharge elimination system (NPDES) permit as required by the Iowa Department of Natural Resources and comply with requirements as detailed by local jurisdictional authorities during the plan submittal. If subject to NPDES requirements, the applicant must submit the permit to the Development Director for review and comment along with an erosion and sediment control plan before the commencement of construction. The plan must include both general "best management practices" for temporary erosion and sediment control (both during and after construction) and permanent drainage and erosion control measures to prevent both damage to local roads/adjacent areas and sediment laden run-off into waterways.
- F. LIGHTING: Lighting shall be shielded such that the light does not project directly onto the adjacent parcels to the extent the FAA allows. If permitted by the FAA, all CWES shall utilize an aircraft detection lighting system (ADLS).
- G. DESIGN: CWES color and finish shall be white, gray or another non-obtrusive, non-reflective finish. There shall be no advertising, logo, or other symbols painted on the WTG other than those required by the FAA or other governing body. Each WTG shall have a name plate which is clearly legible from the public right-of-way and contains contact information of the operator of the CWES.
- H. SOUND: Sound levels caused by the CWES measured at least 25 feet from the closet exterior wall of any non-participating dwelling shall not exceed forty (40) decibels (A-weighted Leq, one hour). Each application shall include a professional third-party pre-construction sound study which includes all property within at least one (1) mile of each WTG and must be able to demonstrate compliance with the noise standards in this section.

- I. SHADOW FLICKER: For any WTG which is within half mile of any non-participating dwelling, applicant shall provide shadow flicker modeling data showing the expected effect of shadow flicker on non-participating properties. Shadow flicker shall not fall upon any non-participating dwelling, or other building which is by humans, for more than a total of 30 hours per any calendar year.

- J. UTILITY CONNECTIONS: Applicant shall make reasonable efforts to place all collection lines within the CWES underground, depending on appropriate soil conditions, shape and topography of the site, distance to the connection, or other conditions or requirements. High-voltage lines between the CWES and substations may be above ground.

- K. OUTDOOR STORAGE: Only the outdoor storage of materials, vehicles, and equipment that directly support the operation and maintenance of the CWES shall be allowed.

- L. ENDANGERED SPECIES AND WETLANDS: Applicant shall consult with the Iowa Department of Natural Resources.

- M. WEED CONTROL: Applicant must present an acceptable weed/grass control plan for property outside of the fenced area for the entire CWES. The CWES operator must maintain the fence and adhere to a weed control plan. The plan must be approved by the Development Director, and Conservation Department.

- N. WASTE: All solid wastes, whether generated from supplies, equipment parts, packaging, operation, grazed animals, farming operation or maintenance of the CWES, shall be removed from the site and disposed of in an appropriate manner. All hazardous waste shall be removed from the site immediately and disposed of in a manner consistent with all local, state and federal requirements.

- O. MAINTENANCE, REPAIR OR REPLACEMENT OF A FACILITY: Maintenance shall include, but not limited to, painting, structural repairs, and integrity of security measures. Any retrofit, replacement or refurbishment of equipment shall adhere to all applicable local, state and federal requirements.

- P. STORM WATER MANAGEMENT. Prior to receiving a building permit, for the purposes of pollutant removal, storm water and runoff management, flood reduction and associated impacts, the applicant shall provide a detailed storm

water management plan in compliance with Chapter 10.15 of the Pottawattamie County, Iowa, Code (Grading and Excavation).

Q. AVIATION PROTECTION. Wind turbine generators shall meet all FAA requirements, including but not limited to, lighting and radar interference issues. Applicant must provide evidence of notice and no response and/or non-objection from FAA and Offutt Air Force Base that the CWES will not affect commercial or military flights.

R. ADMINISTRATION AND ENFORCEMENT: Development Director and any necessary personnel may enter any property for which a conditional use permit or building permit has been issued under this ordinance to conduct an inspection to determine whether the conditions stated in the permit have been met as specified by statute, ordinance, and code. Failure to provide access shall be deemed a violation of this ordinance.

.07 SAFETY: All CWES shall provide the following at all locked entrances:

A. A visible "High Voltage" warning sign.

B. Name(s) and phone number(s) for the electric utility provider(s).

C. Name(s) and phone number(s) for the site operator(s).

D. The facility's 911 address and GPS coordinates.

E. The site operator will coordinate with the local fire department and Emergency Management to provide training on an annual basis for the first five (5) years the CWES is complete and in operation. Said training will commence within six (6) months prior to the completion of the CWES. After that, offered on an annual basis for the life of the project. All emergency responding agencies will sign off that said training was completed or offered.

.08 REPOWERING: At the discretion of the Development Director, proposals to replace more than twenty-five percent (25%) of the WTGs in a CWES within a twelve (12) month period may be required to submit a plan for review and approval with all associated costs assigned to the applicant and/or the property owner(s). Replacement for this purpose shall mean installing new blades of the same size, generator and nacelle. Any one of those items individually shall not constitute replacement in this context.

.09 ROADS: The applicant, owners and their contractors shall avoid damaging public roads to the greatest practicable extent and shall be responsible for repair of damage to public roads. A Public Roads Damage Avoidance and

Mitigation Plan shall be in accordance with the following standards and approved by the County Board before the applicant commences construction:

- A. IDENTIFICATION OF POTENTIAL ROADS USAGE: The applicant shall identify, in consultation with the County Engineer, all state and local public roads to be used within the County to transport equipment, parts and material for construction, operation or maintenance of the CWES and related components.
 - B. DOCUMENTATION OF ROAD CONDITIONS: Prior to construction, decommissioning or implementation of a repowering plan, the County Engineer or a third-party consultant selected by the County Engineer shall document the current conditions of the roads identified for use with physical and video documentation. The County Engineer or a third-party consultant selected by the County Engineer shall document road conditions again thirty (30) days after the CWES construction, decommissioning or implementation of a repowering plan is complete, or as weather permits. The requirements of this Subsection shall be at the sole cost of the applicant or owner of the CWES.
 - C. ROAD PREPARATION AND DAMAGE: The applicant or owner of the CWES shall promptly cause the completion of any necessary road preparation, maintenance or repair associated with CWES construction, operation, maintenance, decommissioning or implantation of a repowering plan, as identified by the County Engineer or a third-party consultant selected by the County Engineer. All road preparation, maintenance and repair shall be at the sole cost of the applicant or owner of the CWES and to reasonable satisfaction of the County Engineer based on the applicable standards and codes.
 - D. FINANCIAL SURETY: Applicant shall demonstrate appropriate financial assurance to ensure road preparation, maintenance and repair. At the direction of the County Board, the applicant or the owner of the CWES may also be required to provide a financial surety instrument or bond at the time of permitting consideration.
- .10 DECOMMISSIONING AND RECLAMATION PLAN: The applicant shall submit a decommissioning and reclamation plan to the Development Director with the conditional use permit application. The Development Director shall review the plan for completeness and refer it to the Adjustment Board for review in conjunction with the conditional use permit and the County Board for final consideration and approval prior to the applicant commencing construction. The plan shall include:
- A. A description of the life of the CWES; the anticipated manner which the project will be decommissioned, including plans to recycle components; the anticipated site restoration actions; the estimated decommissioning costs in current dollars; and the method for ensuring that funds will be available for decommissioning and restoration.

- B. Estimates for the total cost for decommissioning at the current value at site as determined by a licensed engineer. Decommissioning cost estimates shall take salvage and resale value into account.
- C. A description of the means to remove the CWES and restore the land to its previous use upon the end of its life, as stated in the conditional use permit or this ordinance.
- D. Provisions to remove structures, debris and associated equipment on the surface and to a level of not less than six (6) feet below the surface, and the timeline/sequence in which removal is expected to occur.
- E. Provisions to restore the soil, vegetation, and disturbed earth, which shall be graded and reseeded and/or the property may be returned to agricultural use. Avoidance of topsoil is preferred. The plan shall include environmental monitoring at the cost of the developer to be used in returning the project area back to agricultural use. Environmental monitoring shall include best practices to address at minimum invasive species prevention, erosion, sediment control and debris removal.
- F. A provision that the terms of the decommissioning plan shall be binding upon the owner or operator of the CWES and any of their successors, assigns or heirs, and that the landowner has granted permission for access and easements of the property for decommissioning.
- G. FINANCIAL SURETY: No later than the tenth (10th) year following the date the applicant or CWES owner completes construction, as evidenced by a certificate of completion, the applicant or CWES owner shall provide a financial surety instrument to cover the cost of decommissioning in accordance with the following:
 - 1. Decommissioning funds or financial surety shall be in an amount equal to the net cost for decommissioning the site, plus a ten percent (10%) contingency.
 - 2. The financial surety shall be maintained in the form of cash, certificate of deposit, performance bond, escrow account, surety bond, letter of credit, corporate guarantee or other form of financial assurance acceptable to the County Board. Any document evidencing the maintenance of the financial surety shall include provisions for releasing the funds to the County in the event decommissioning is not completed in a timely manner.
 - 3. Financial surety shall be maintained for the remaining life of the CWES.
 - 4. Every five (5) years, the CWES owner or operator shall retain an independent licensed engineer to re-estimate the total cost of decommissioning and attest that the value of the financial surety instrument is appropriate. This report shall be filed with the Planning and Development department and the Auditor. The decommissioning surety

shall match the re-estimated cost of decommissioning plus a ten percent (10%) contingency. Within ninety (90) days of filing the re-estimation report with the County through the Planning Department, the CWES owner or operator shall cause the fund balance of the financial surety instrument to be adjusted, if applicable.

5. **RELEASE OF FINANCIAL SURETY:** Financial surety shall only be released by the County Board by the recommendation from the Development Director, after inspection and confirmation that all conditions of the decommissioning plan have been met.
- .11 **INDEMNIFICATION AND LIABILITY:** The applicant, owner and/or operator of the CWES shall defend, indemnify, and hold harmless the County and its officials from and against any and all claims, demands, losses, suits, causes of action, damages, injuries, costs, expenses, and liabilities whatsoever, including attorneys' fees, without limitation, arising out of acts or omissions of the applicant, owner, and/or operator associated with the construction and/or operations of the CWES.
- .12 **CESSATION OF OPERATIONS:** Any CWES that has not been in operation and producing electricity for at least one hundred and eighty (180) consecutive days, unless caused by a natural catastrophic event, shall be decommissioned. The Development Director shall notify the owner to decommission and remove the CWES. Within two hundred and seventy (270) days thereafter, the owner shall either submit evidence showing that the CWES has been operating and producing electricity or that it has been fully decommissioned in compliance with this Ordinance. If the owner fails to or refuses to remove the CWES, the violation shall be referred to the County Attorney. In the case of a natural catastrophic event, a detailed restoration plan to return to operational status must be provided to the Development Director.
- .13 **VIOLATIONS & PENALTIES:** Violations and penalties of this Section are set forth in Chapter 1.75 of the Pottawattamie County, Iowa, Code (Violations and Penalties).
- .14 **RELATED RULES AND REGULATIONS:** Each CWES shall comply with all applicable local, state and federal requirements.
- .15 **SEVERABILITY:** The provisions of this ordinance are severable, and the invalidity of any section, subdivision, paragraph, or other part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.
- .16 **CONDITIONAL USE PERMIT FEE(S) FOR CWES:** The conditional use permit application fee(s) will be approved and adopted by resolution of the County Board and shall be set forth in Chapter 1.50 of the Pottawattamie County, Iowa, Code (Schedule of Fees).

SECTION 11a – REPEAL OF CONFLICTING ORDINANCES: That Section 8.004.240 is hereby repealed in its entirety. Furthermore, all other ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

SECTION 11b - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding thereto the following new Section, to be codified as Section 8.004.240, as follows:

8.004.240 WIND ENERGY SYSTEMS, NON-COMMERCIAL (WES)

- .01 **PURPOSE:** This section provides uniform and comprehensive standards for the installation and the use of WES for on-site home, farm and small commercial use that are used primarily to reduce on-site consumption of utility power. The intent of this section is to protect the public health, safety and community welfare without unduly restricting the development of WES.
- .02 **CONSTRUCTION; CONFLICT:** This section does not repeal, abrogate, annul, impair or interfere with any existing ordinance. If this section 8.004.240 conflicts with any other provision of the Pottawattamie County, Iowa, Zoning Ordinance, this section 8.004.240 shall control.
- .03 **ACCESSORY USE:** WES shall be considered an accessory use to a permitted principal or conditional use in any zoning district.
- .04 **SETBACKS:** WES shall not be located closer than a distance equal to one and one-tenth (1.1) times the total height to a dwelling, a property line, or a utility easement. Such distance shall be defined relative to the nearest surface of the WES as measured at grade.
- .05 **SPECIAL REQUIREMENTS:** WES shall be subject to the requirements included in this section:
 - A. **MINIMUM LOT SIZE:** WES shall not be placed on a parcel of land or lot which is less than one (1) acre in size.
 - B. **NO INTERFERENCE:**
 - 1. WES shall not cause interference to the radio and television reception on adjoining property and in the event of any such interference the WES owner shall remedy such interference.
 - 2. WES shall not cause interference with emergency communication transmissions of the County. Applicant shall request documentation from the County Sheriff to verify the same and submit said documentation with any building permit application. Any cost associated therewith shall be at the applicant's expense.
- .06 **BUILDING CODES:** All county, state and federal construction codes shall be followed.

- .07 USE: WES shall provide electricity for on-site use by the owner. This does not prohibit an owner from making excess power available for net metering.
- .08 BUILDING PERMIT: Before a building permit is issued, the following shall be submitted to the Development Director for review Reference.
 - A. Site Plan Showing:
 - 1. Address, email address, and phone number of the property owner;
 - 3. Parcel lines;
 - 4. All existing structures with heights clearly marked;
 - 5. Sanitary infrastructure (i.e., septic field);
 - 6. Setback measurements;
 - 7. Easements present on the property, including those for utilities;
 - 8. Septic field tile location;
 - 9. Floodplain location, if applicable;
 - 10. Topography lines (2-foot contours);
 - 11. Location of all WTGs and associated equipment; and
 - 12. Location of the electrical disconnect for the WES.
 - B. Evidence that the local electric utility has been informed of the customer's intent to install a customer-owned WES.
 - C. Evidence that the site plan has been submitted to the local fire protection district.
 - D. Evidence that all contact information for site has been provided to Emergency Management.
 - E. After a review and acceptance of site plan and required information, a building permit authorizing construction shall be issued.

SECTION 12 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by deleting Wind Farms, both commercial and non commercial, subject to the requirements of 8.004.230 and 8.004.240 Principal Use in the A-2 (Agricultural Production) District:

8.010.020 PRINCIPAL USES: The following *principal uses* shall be permitted in a Class A-2 District:

- .08 Wind Farms, both commercial and non-commercial, subject to the requirements of 8.004.230 and 8.004.240

SECTION 13 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding Wind Energy Systems, Commercial, subject to the requirements of 8.004.230 and Solar Energy Systems, Commercial, subject to the

requirements of 8.004.210 as Conditional Uses in the A-2 (Agricultural Production) District:

8.010.030 CONDITIONAL USES: The following conditional uses shall be permitted in a Class A-2 District, when authorized in accordance with the requirements of Chapter 8.096:

.21 Wind Energy Systems, Commercial, subject to the requirements of 8.004.230.

.22 Solar Energy Systems, Commercial, subject to the requirements of 8.004.210.

SECTION 14 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by deleting Wind Farms, both commercial and non commercial, subject to the requirements of 8.004.230 and 8.004.240 Principal Use in the A-3 (Riverfront and Agricultural Production) District:

8.012.020 PRINCIPAL USES: The following *principal uses* shall be permitted in a Class A-3 District:

.06 Wind Farms, both commercial and non-commercial, subject to the requirements of 8.004.230 and 8.004.240

SECTION 15 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding Wind Energy Systems, Commercial, subject to the requirements of 8.004.230 and Solar Energy Systems, Commercial, subject to the requirements of 8.004.210 as Conditional Uses in the A-3 (Riverfront and Agricultural Production) District:

8.012.030 CONDITIONAL USES: The following conditional uses shall be permitted in a Class A-3 District, when authorized in accordance with the requirements of Chapter 8.096:

.11 Solar Energy Systems, Commercial, subject to the requirements of 8.004.210.

SECTION 16 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by repealing Wind Farms, Non-commercial, subject to the requirements of 8.004.240 as Conditional Uses in the A-4 (Loess Hills) District and replacing it with Wind Energy Systems, Non-Commercial subject to the requirements of 8.004.230 as Conditional Uses in the A-4 (Loess Hills) District:

8.014.030 CONDITIONAL USES: The following conditional uses shall be permitted in a Class A-4 District, when authorized in accordance with the requirements of Chapter 8.096:

.17 Wind Energy Systems, Non-Commercial, subject to the requirements of 8.004.230.

SECTION 17 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by repealing Wind Farms, Non-commercial, subject to the requirements of 8.004.240 as Conditional Uses in the R-1 (Agricultural-Urban Transitional) District and replacing it with Wind Energy Systems, Non-Commercial subject to the requirements of 8.004.230 as Conditional Uses in the R-1 (Agricultural-Urban Transitional) District:

8.015.030 **CONDITIONAL USES:** The following conditional uses shall be permitted in a Class R-1 District, when authorized in accordance with the requirements of Chapter 8.096:

.12 Wind Energy Systems, Non-Commercial, subject to the requirements of 8.004.230.

SECTION 18 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding Solar Energy Systems, Commercial, subject to the requirements of 8.004.210 as Conditional Uses in the R-1 (Agricultural-Urban Transitional) District:

8.015.030 **CONDITIONAL USES:** The following conditional uses shall be permitted in a Class R-1 District, when authorized in accordance with the requirements of Chapter 8.096:

.13 Solar Energy Systems, Commercial, subject to the requirements of 8.004.210.

SECTION 19 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by repealing Wind Farms, Non-commercial, subject to the requirements of 8.004.240 as Conditional Uses in the R-2 (Urban Transitional) District and replacing it with Wind Energy Systems, Non-Commercial subject to the requirements of 8.004.230 as Conditional Uses in the R-2 (Urban Transitional) District:

8.020.030 **CONDITIONAL USES:** The following conditional uses shall be permitted in a Class R-2 District, when authorized in accordance with the requirements of Chapter 8.096:

.11 Wind Energy Systems, Non-Commercial, subject to the requirements of 8.004.230.

SECTION 20 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding Solar Energy Systems, Non-Commercial, subject to the requirements of 8.004.210 and Wind Energy Systems, Non-Commercial, subject to the requirements of 8.004.230 as Accessory Uses in the R-5 (Planned Residential) District:

8.035.030 **ACCESSORY USES:** The following accessory uses shall be permitted in a Class R-5 District:

.07 Solar Energy Systems, Non-Commercial, subject to the requirements of 8.004.210.

- .08 Wind Energy Systems, Non-Commercial, subject to the requirements of 8.004.240.

SECTION 21 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding Solar Energy Systems, Non-Commercial, subject to the requirements of 8.004.210 and Wind Energy Systems, Non-Commercial, subject to the requirements of 8.004.230 as Accessory Uses in the R-6 (Mobile Home Park Residential) District:

8.040.030 ACCESSORY USES: The following accessory uses shall be permitted in a Class R-6 District:

- .06 Solar Energy Systems, Non-Commercial, subject to the requirements of 8.004.210.
- .07 Wind Energy Systems, Non-Commercial, subject to the requirements of 8.004.240.

SECTION 22 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding Solar Energy Systems, Commercial, subject to the requirements of 8.004.210 as Conditional Uses in the C-1 (Highway Commercial) District:

8.045.030 CONDITIONAL USES: The following conditional uses shall be permitted in a C-1 District, when authorized in accordance with the requirements of Chapter 8.096:

- .06 Solar Energy Systems, Commercial, subject to the requirements of 8.004.210.

SECTION 23 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding Solar Energy Systems, Non-Commercial, subject to the requirements of 8.004.210 and Wind Energy Systems, Non-Commercial, subject to the requirements of 8.004.230 as Accessory Uses in the C-1 (Highway Commercial) District:

8.045.040 ACCESSORY USES: The following accessory uses shall be permitted in a Class C-1 District:

- .06 Solar Energy Systems, Non-Commercial, subject to the requirements of 8.004.210.
- .07 Wind Energy Systems, Non-Commercial, subject to the requirements of 8.004.240.

SECTION 24 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding Solar Energy Systems, Commercial, subject to

the requirements of 8.004.210 as Conditional Uses in the C-2 (General Commercial) District:

8.050.030 **CONDITIONAL USES:** The following conditional uses shall be permitted in a C-2 District, when authorized in accordance with the requirements of Chapter 8.096:

.06 Solar Energy Systems, Commercial, subject to the requirements of 8.004.210.

SECTION 25 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding Solar Energy Systems, Non-Commercial, subject to the requirements of 8.004.210 and Wind Energy Systems, Non-Commercial, subject to the requirements of 8.004.230 as Accessory Uses in the C-2 (General Commercial) District:

8.050.040 **ACCESSORY USES:** The following accessory uses shall be permitted in a Class C-2 District:

.06 Solar Energy Systems, Non-Commercial, subject to the requirements of 8.004.210.

.07 Wind Energy Systems, Non-Commercial, subject to the requirements of 8.004.240.

SECTION 26 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding Solar Energy Systems, Commercial, subject to the requirements of 8.004.210 as Conditional Uses in the C-3 (Commercial Recreational) District:

8.051.030 **CONDITIONAL USES:** The following conditional uses shall be permitted in a C-3 District, when authorized in accordance with the requirements of Chapter 8.096:

.08 Solar Energy Systems, Commercial, subject to the requirements of 8.004.210.

SECTION 27 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding Solar Energy Systems, Non-Commercial, subject to the requirements of 8.004.210 and Wind Energy Systems, Non-Commercial, subject to the requirements of 8.004.230 as Accessory Uses in the C-3 (Commercial Recreational) District:

8.051.040 **ACCESSORY USES:** The following accessory uses shall be permitted in a Class C-2 District:

.04 Solar Energy Systems, Non-Commercial, subject to the requirements of 8.004.210.

- .05 Wind Energy Systems, Non-Commercial, subject to the requirements of 8.004.240.

SECTION 28 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding Solar Energy Systems, Commercial, subject to the requirements of 8.004.210 as Conditional Uses in the I-1 (Limited Industrial) District:

8.055.030 CONDITIONAL USES: The following conditional uses shall be permitted in I-1 District, when authorized in accordance with the requirements of Chapter 8.096:

- .08 Solar Energy Systems, Commercial, subject to the requirements of 8.004.210.

SECTION 29 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding Solar Energy Systems, Non-Commercial, subject to the requirements of 8.004.210 and Wind Energy Systems, Non-Commercial, subject to the requirements of 8.004.230 as Accessory Uses in the I-1 (Limited Industrial) District:

8.055.040 ACCESSORY USES: The following accessory uses shall be permitted in a Class I-1 District:

- .04 Solar Energy Systems, Non-Commercial, subject to the requirements of 8.004.210.
- .05 Wind Energy Systems, Non-Commercial, subject to the requirements of 8.004.240.

SECTION 30 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding Solar Energy Systems, Commercial, subject to the requirements of 8.004.210 as Conditional Uses in the I-2 (General Industrial) District:

8.060.030 CONDITIONAL USES: The following conditional uses shall be permitted in a I-2 District, when authorized in accordance with the requirements of Chapter 8.096:

- .19 S
 - D. Solar Energy Systems, Commercial, subject to the requirements of 8.004.210.

SECTION 31 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding Solar Energy Systems, Non-Commercial, subject to the requirements of 8.004.210 and Wind Energy Systems, Non-Commercial, subject to the requirements of 8.004.230 as Accessory Uses in the I-2 (General Industrial) District:

8.060.040 ACCESSORY USES: The following accessory uses shall be permitted in a Class I-2 District:

- .04 Solar Energy Systems, Non-Commercial, subject to the requirements of 8.004.210.
- .05 Wind Energy Systems, Non-Commercial, subject to the requirements of 8.004.240.

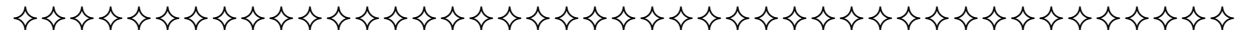
SECTION 32 - SEVERABILITY: That should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not effect that validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 33 - EFFECTIVE DATE: This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED AND APPROVED February 27, 2024.

	AYE	ROLL NAY	CALL ABSTAIN	VOTE ABSENT
_____ Susan Miller, Chairman	<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"/>
_____ Jeff Jorgensen	<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"/>
_____ Scott Belt	<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:	October 26, 2023
PUBLIC HEARING:	October 31, 2023
FIRST CONSIDERATION:	October 31, 2023
SECOND CONSIDERATION:	February 20, 2024
THIRD CONSIDERATION:	February 27, 2024
PUBLICATION:	March 7, 2024
RECORD:	March 8, 2024

Other Business

Lea Voss/Treasurer

**Discussion and/or decision to approve tax suspension
pursuant to Iowa Code Section 427.9, for property
located at 742 W Washington Ave, Council Bluffs, Iowa.**

Iowa Department of Health and Human Services
Important Notice to Property Owners and Renters

Your property taxes may be suspended or reduced, under Iowa law. You may be eligible if you are elderly or disabled.

What is Tax Suspension?

Tax suspension means that you will not have to pay your property taxes until the property is sold or transferred to another person.

Can My Property Taxes Be Suspended?

Your property taxes may be suspended if:

- You get either Supplemental Security Income (SSI) or State Supplementary Assistance (SSA), or
- You live in a nursing home and the Department of Health and Human Services is paying for all or part of the cost for your care.

You will not have to pay a penalty while your taxes are suspended. The suspended taxes will need to be paid when the property is sold or transferred. If you want to, you can still pay your taxes while they are suspended.

The County Board of Supervisors runs the tax suspension program. You must give the County Board of Supervisors proof that you qualify for property tax suspension. You do this in the county where your property is located.

You will get a Notice of Decision that tells you if you are eligible for tax suspension. This notice will be proof that you qualify. This notice will say:

“You get SSI, State Supplementary Assistance or you live in a facility in which the Department of Health and Human Services is paying some or all of the cost. You may not have to pay property taxes at this time. Take this notice to your County Board of Supervisors to discuss having your property taxes delayed.”

Take your notice to the County Board of Supervisors for the county where your property is located. You can find the address and phone number for the County Board of Supervisors in the government section of your phone book.

What is a Tax Credit?

A tax credit lowers or gets rid of the amount of tax to be paid when property is sold or transferred.

Can I Get a Tax Credit?

You may be able to get an extra tax credit of up to \$1,000. You must own your homestead property and be responsible for the taxes due on the property.

The amount of the tax credit is based on your income. You may be able to get the extra tax credit if your household's income is **less than \$25,328.00** and you:

- Were 65 years of age or older as of December 31 of last year, or
- Were totally disabled as of December 31 of last year.

NOTE: A claim for tax credit may be filed on behalf of an eligible deceased person by the deceased person's spouse, attorney, guardian, or administrator.

To get a tax credit, you must file with your county treasurer.

Can I Get Both?

Yes, it is better for you to file for both a tax suspension and a tax credit.

What if I Am Renting My Home?

If you rent your home, and your home is subject to taxes, you may get up to \$1,000 of the total rent you pay each year back. If you live in a nursing home, you are considered to be a renter for this purpose.

You may be eligible for the rent reimbursement if your household's income is **less than \$25,328.00** and you:

- Were 65 years of age or older as of December 31 of last year, or
- Were totally disabled as of December 31 of last year.

NOTE: A claim for rent reimbursement may be filed on behalf of an eligible deceased person by the deceased person's spouse, attorney, guardian, or administrator. An online application for rent reimbursement is available on the Department's website at [Rent Reimbursement | Iowa Health and Human Services](#).

Tracy
Nosekabel/Environmental
Health Coordinator, Planning
and Development

**Discussion and/or decision to approve appointment of
Tracy Nosekabel as County Weed Commissioner.**



2024 COUNTY WEED COMMISSIONER CERTIFICATION FORM

For the County of: _____

Weed Commissioner's Contact Information:

Name	Year Appointed
Mailing Address	Telephone
City, Zip Code	Alternate Telephone
Email Address	Pesticide Certificate #

Signed: _____ Date: _____
Chair/President, County Board of Supervisors

PLEASE RETURN THIS FORM TO:

IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
State Weed Commissioner
2230 South Ankeny Boulevard
Ankeny, IA 50023-9093

317.3 Weed commissioner -- standards for noxious weed control.

The board of supervisors of each county may annually appoint a county weed commissioner who may be a person otherwise employed by the county and who passes minimum standards established by the department of agriculture and land stewardship for noxious weed identification and the recognized methods for noxious weed control and elimination. The county weed commissioner's appointment shall be effective as of March 1 and shall continue for a term at the discretion of the board of supervisors unless the commissioner is removed from office as provided for by law. The county weed commissioner may, with the approval of the board of supervisors, require that commercial applicators and their appropriate employees pass the same standards for noxious weed identification as established by the department of agriculture and land stewardship. The name and address of the person appointed as county weed commissioner shall be certified to the county auditor and to the secretary of agriculture within ten days of the appointment. The board of supervisors shall fix the compensation of the county weed commissioner and deputies. In addition to compensation, the commissioner and deputies shall be paid their necessary travel expenses. At the discretion of the board of supervisors, the weed commissioner shall attend a seminar or school conducted or approved by the department of agriculture and land stewardship relating to the identification, control, and elimination of noxious weeds.

The board of supervisors shall prescribe the time of year the weed commissioner shall perform the powers and duties of county weed commissioner under this chapter which may be during that time of year when noxious weeds can effectively be killed. Compensation shall be for the period of actual work only although a weed commissioner assigned other duties not related to weed eradication may receive an annual salary. The board of supervisors shall likewise determine whether employment shall be by hour, day or month and the rate of pay for the employment time.

Tracy
Nosekabel/Environmental
Health Coordinator, Planning
and Development

**Discussion and/or decision to approve and sign
Resolution No. 18-2024 entitled: RESOLUTION FOR THE
DESTRUCITON OF NOXIOUS WEEDS.**

RESOLUTION NO. 18-2024

RESOLUTION FOR THE DESTRUCTION OF NOXIOUS WEEDS

NOTICE TO ALL PROPERTY OWNERS AND THOSE IN CONTROL THEREOF: You are hereby notified that the Board of Supervisors of Pottawattamie County, Iowa, did on the 27th day of February, 2024, pass the following resolution:

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA, that pursuant to the provisions of Chapter 317.14, Code of Iowa, it is hereby ordered:

- 1. That each person in possession or control of all noxious weeds thereon as defined in this Chapter, at such times each year and in such a manner as shall prevent said weeds from blooming or coming to maturity, and shall keep lands free from such growth of any other weeds, as shall render the streets and highways adjoining said land unsafe for public travel. Noxious weeds shall be controlled, cut or otherwise destroyed between April 1 and November 15, 2024, as is necessary to prevent seed production.

PRIMARY NOXIOUS WEEDS:

- (1) Quack grass,
(2) Perennial sow thistle,
(3) Canada thistle,
(4) Bull thistle,
(5) European morning glory or field bindweed,
(6) Horse nettle,
(7) Leafy spurge,
(8) Perennial pepper-grass,
(9) Russian knapweed,
(10) Buckthorn,
(11) All species of thistles belonging in the genera of Cirsium and Carduus.
(12) Palmer amaranth,

SECONDARY NOXIOUS WEEDS:

- (1) Butterprint annual,
(2) Cocklebur annual,
(3) Wild mustard annual,
(4) Wild carrot biennial,
(5) Buckhorn,
(6) Sheep sorrel,
(7) Sour dock perennial,
(8) Smooth dock,
(9) Poison hemlock,
(10) Multiflora rose,
(11) Wild Sunflower
(12) Puncture vine,
(13) Teasel biennial,
(14) Shattercane

- 2. That each owner and each person in possession or control of any land in Pottawattamie County, Iowa, infested with any Primary and Secondary Noxious Weed, and all other species of thistles belonging to the genera of Cirsium and Carduus, shall adopt or enter into a program of weed destruction, and treatment of control, described by the Weed Commissioner, which in five years may be expected to destroy and will immediately keep under control such infestation of said noxious weeds.
3. That all weeds other than noxious weeds on all county trunk and local county roads between the fence line thereof, shall be destroyed and controlled by the adjoining property owner, to prevent seed production.
4. That if the owners or persons in possession or control of any land in Pottawattamie County fails to comply with the foregoing order, the Weed Commissioner shall cause this to be done and the expense of said work, including cost of serving notice and other costs, if any, to be assessed against the land and their owners thereof.
5. That the County Auditor be and is hereby directed to cause notice of this making and entering of the foregoing order shall be given by one publication in each of the official newspapers of the County.

DATED THIS 27th DAY OF February 2024.

ROLL CALL VOTE

AYE NAY ABSTAIN ABSENT

Table with 5 columns: Name, AYE, NAY, ABSTAIN, ABSENT. Rows include Susan Miller, Chairperson; Scott Belt; Tim Wichman; Brian Shea; Jeff Jorgensen.

ATTEST: Melvyn J. Houser, County Auditor

Becky Lenihan/Finance & Tax
Officer

**Discussion and/or decision to approve and authorize
Board to sign: Resolution No. 19-2024 entitled:
Resolution for Transfer from 2220 Bond Series 2020A
Debt Fund to 1620 Bond Series 2020A Capital Fund.**

RESOLUTION NO. 19-2024

RESOLUTION FOR TRANSFER FROM 2220 BOND SERIES 2020A DEBT FUND TO 1620 BOND SERIES 2020A CAPITAL FUND

WHEREAS, it is desired to transfer money from the 2220 Bond Series 2020A Debt Fund to 1620 Bond Series 2020A Capital 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 \$232,515.90 is ordered to be transferred from 2220 Bond Series 2020A Debt Fund to the 1620 Bond Series 2020A Capital Fund;

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

Dated this 27th Day of February, 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"/>
_____ 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	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

Becky Lenihan/Finance & Tax
Officer

**Discussion and/or decision to approve and authorize
Board to sign: Resolution No. 20-2024 entitled:
Resolution for Transfer from General Fund to Ski Hill
Enterprise Fund.**

RESOLUTION NO. 20-2024

RESOLUTION FOR TRANSFER FROM GENERAL FUND TO SKI HILL ENTERPRISE FUND

WHEREAS, it is desired to transfer money from the General Fund to Ski Hill Enterprise 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 \$352,574.29 is ordered to be transferred from General Fund to the Ski Hill Enterprise Fund;

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

Dated this 27th Day of February, 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"/>
_____ 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	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

**Jana Lemrick/Director, Human
Resources; Jim Garbina and
Kim Gidley/FNIC Group**

**Discussion and update on FY 24/25 employee health
insurance.**

Committee Appointments

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

Received/Filed

**POTTAWATTAMIE COUNTY
OUT-OF-STATE TRAVEL NOTIFICATION FORM**

This form is used to notify the Board of Supervisors of out-of-state travel and to provide an estimate of travel expenses. It must be submitted to the Board of Supervisor's office no later than one (1) week prior to the out-of-state travel.

TRAVEL INFORMATION

Name of Employee Traveling: _____

Department: _____

Destination: _____

Date of Travel: FROM: _____ TO: _____

Name of Elected Official/Department Head Authorizing Travel: _____

PURPOSE OF TRIP

1. Conference Travel

- Giving a presentation
- Serving as panel member, chair
- Serving as an Office or Board Member
- Continuing Education
- Other please explain _____
- _____

2 Non-Conference Travel

State Purpose: _____

Conference Name (Please give complete name) _____

<u>Expense</u>			<u>Cost Estimate</u>
Transportation	Mileage	Airfare	
Lodging			
Meals: Breakfast	Included	Not Included	
Lunch	Included	Not Included	
Dinner	Included	Not Included	
Conf./Seminar Fee			
Other:		Airport -> Hotel Transport	
Total Estimated Cost			

Meals may be included in conference fees or provided by the hotel. Indicate whether meal is included or not. If meal is not included, please refer to the U.S. General Services Administration website for allowable meal per diem at www.gsa.gov Select travel, select a state, select calculate per diem allowances for a trip, select your travel dates, select destination county, select breakdown, the total M&IE rate is listed (middle row), scroll up to the top of the page and select M&IE for breakdown by meal (breakfast, lunch, dinner), find the corresponding number on the far left for your total and the breakdown is provided.

Appendix A

**POTTAWATTAMIE COUNTY
OUT-OF-STATE TRAVEL NOTIFICATION FORM**

This form is used to notify the Board of Supervisors of out-of-state travel and to provide an estimate of travel expenses. It must be submitted to the Board of Supervisor's office no later than one (1) week prior to the out-of-state travel. Completed form must accompany any claims sent for payment or reimbursement.

TRAVEL INFORMATION

Name of Employee Traveling: Melvyn Housen

Department: Aud. Tor

Destination: Washington D.C.

Date of Travel: FROM: 2/9/2024 TO: 2/14/2024

Name of Elected Official/Department Head Authorizing Travel: Melvyn Housen

PURPOSE OF TRIP

1. Conference Travel

- Giving a presentation
- Serving as panel member, chair
- Serving as an Office or Board Member
- Continuing Education
- Other please explain Several
Comm. Fees

2 Non-Conference Travel

State Purpose: _____

Conference Name (Please give complete name) MPCo Leg. Conf.

Expense					Cost Estimate
Transportation	Mileage	<input type="checkbox"/>	Airfare	<input type="checkbox"/>	0
Lodging					190.00
Meals: Breakfast	Included	<input type="checkbox"/>	Not Included	<input checked="" type="checkbox"/>	30.00
Lunch	Included	<input type="checkbox"/>	Not Included	<input checked="" type="checkbox"/>	20.00
Dinner	Included	<input checked="" type="checkbox"/>	Not Included	<input checked="" type="checkbox"/>	25.00
Conf./Seminar Fee					0
Other:					177.5
Total Estimated Cost					\$ 0.00

Meals may be included in conference fees or provided by the hotel. Indicate whether meal is included or not. If meal is not included, please refer to the U.S. General Services Administration website for allowable meal per diem www.gsa.gov Select travel, select a state, select calculate per diem allowances for a trip, select your travel dates, select destination county, select breakdown, the total M&IE rate is listed (middle row), scroll up to the top of the page and select M&IE for breakdown by meal (breakfast, lunch, dinner), find the corresponding number on the far left for your total and the breakdown is provided.

Appendix A
POTTAWATTAMIE COUNTY
OUT-OF-STATE TRAVEL NOTIFICATION FORM

This form is used to notify the Board of Supervisors of out-of-state travel and to provide an estimate of travel expenses. It must be submitted to the Board of Supervisor's office no later than one (1) week prior to the out-of-state travel. Completed form must accompany any claims sent for payment or reimbursement.

TRAVEL INFORMATION

Name of Employee Traveling: Sam Pettit

Department: Pottawattamie County Veteran Service Office

Destination: Denver Colorado

Date of Travel: FROM: Sunday 5/12/24 TO: Friday 5/17/24

Name of Elected Official/Department Head Authorizing Travel: Peggy Becker

PURPOSE OF TRIP

1. Conference Travel

- Giving a presentation
-
- Serving as panel member, chair
- Serving as an Office or Board Member
- Continuing Education
- Other please explain _____

2 Non-Conference Travel

State Purpose: _____

Conference Name (Please give complete name) _____

<u>Expense</u>			<u>Cost Estimate</u>
Transportation	Mileage <input type="checkbox"/>	Airfare <input checked="" type="checkbox"/>	\$ 265.96
Lodging			\$1,170.41
Meals: Breakfast	Included <input type="checkbox"/>	Not Included <input checked="" type="checkbox"/> (5)	\$281.67
Lunch	Included <input type="checkbox"/>	Not Included <input checked="" type="checkbox"/> (5)	\$281.67
Dinner	Included <input type="checkbox"/>	Not Included <input checked="" type="checkbox"/> (6)	\$338.00
Conf./Seminar Fee			\$400.00
Other:			
Total Estimated Cost			\$ 0.00 \$2,737.71

Meals may be included in conference fees or provided by the hotel. Indicate whether meal is included or not. If meal is not included, please refer to the U.S. General Services Administration website for allowable meal per diem at www.gsa.gov Select travel, select a state, select calculate per diem allowances for a trip, select your travel dates, select destination county, select breakdown, the total M&IE rate is listed (middle row), scroll up to the top of the page and select M&IE for breakdown by meal (breakfast, lunch, dinner), find the corresponding number on the far left for your total and the breakdown is provided.

Appendix A

**POTTAWATTAMIE COUNTY
OUT-OF-STATE TRAVEL NOTIFICATION FORM**

This form is used to notify the Board of Supervisors of out-of-state travel and to provide an estimate of travel expenses. It must be submitted to the Board of Supervisor's office no later than one (1) week prior to the out-of-state travel. Completed form must accompany any claims sent for payment or reimbursement.

TRAVEL INFORMATION

Name of Employee Traveling: Paul Rosenberg

Department: Pottawattamie County Veteran Service Office

Destination: Denver Colorado

Date of Travel: FROM: Sunday 5/12/24 TO: Friday 5/17/24

Name of Elected Official/Department Head Authorizing Travel: Peggy Becker

PURPOSE OF TRIP

1. Conference Travel

- Giving a presentation
- Serving as panel member, chair
- Serving as an Office or Board Member
- Continuing Education
- Other please explain _____

2 Non-Conference Travel

State Purpose: _____

Conference Name (Please give complete name) _____

Expense			Cost Estimate
Transportation	Mileage <input type="checkbox"/>	Airfare <input checked="" type="checkbox"/>	\$ 265.96
Lodging			\$1,170.41
Meals: Breakfast	Included <input type="checkbox"/>	Not Included <input checked="" type="checkbox"/> (5)	\$281.67
Lunch	Included <input type="checkbox"/>	Not Included <input checked="" type="checkbox"/> (5)	\$281.67
Dinner	Included <input type="checkbox"/>	Not Included <input checked="" type="checkbox"/> (6)	\$338.00
Conf./Seminar Fee			\$400.00
Other: Car Rental			\$550.00
Total Estimated Cost			\$ 3,287.71

Meals may be included in conference fees or provided by the hotel. Indicate whether meal is included or not. If meal is not included, please refer to the U.S. General Services Administration website for allowable meal per diem at www.gsa.gov Select travel, select a state, select calculate per diem allowances for a trip, select your travel dates, select destination county, select breakdown, the total M&IE rate is listed (middle row), scroll up to the top of the page and select M&IE for breakdown by meal (breakfast, lunch, dinner), find the corresponding number on the far left for your total and the breakdown is provided.

Public Comments

Closed Session

BUDGET STUDY SESSIONS