

April 9, 2024

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M. All members present, except Brian Shea. Chairperson Miller presiding.

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. April 2, 2024, Minutes as read.
- B. Renewal of Special Class C Liquor License , granting privileges of Class C Liquor License (LC for Lyle Ditmars d/b/a Ditmars Orchard and Vineyard, Council Bluffs.
- C. March 2024 Vendor Publication Report.
- D. Secondary Roads – Employment of Walker Wilson as an Equipment Operator.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Belt, second by Jorgensen, to open Public Hearing on proposed reallocation of certain unspent proceeds of the General Obligation Capital Loan Notes, Series 2020A.

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

Motion by Belt, second by Jorgensen, to close Public Hearing.

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

Motion by Jorgensen, second by Belt, to approve and authorize Board to sign **Resolution No. 25-2024**, entitled Resolution instituting proceedings to take additional action and approving the reallocation of certain unspent proceeds of the general obligation capitol loan notes, series 2020A, of Pottawattamie County.

RESOLUTION NO. 25-2024

**RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION AND APPROVING THE REALLOCATION
OF CERTAIN UNSPENT PROCEEDS OF THE GENERAL
OBLIGATION CAPITAL LOAN NOTES, SERIES 2020A, OF
POTTAWATTAMIE COUNTY, IOWA**

WHEREAS, pursuant to notice published as required by law, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the reallocation of certain unspent proceeds, in the amount of not to exceed \$232,515.90 (the "Unspent Proceeds") of the General Obligation Capital Loan Notes, Series 2020A, of Pottawattamie County, Iowa, to provide funds to pay costs of the erecting, constructing, equipping and furnishing of a public building including the public health building , and has considered the extent of objections received from residents or property owners as to said proposal and, accordingly the following action is now considered to be in the best interests of the County and residents thereof.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF
POTTAWATTAMIE COUNTY, IOWA:**

Section 1. That this Board does hereby institute proceedings and takes additional action for the reallocation of the Unspent Proceeds of the General Obligation Capital Loan Notes, Series 2020A to pay costs of the erecting, constructing, equipping and furnishing of a public building including the public health building, is in all respects authorized and approved.

Section 2. The Auditor is authorized and directed to take such action as may be necessary to effect and implement the foregoing reallocation of the Unspent Proceeds as described herein, and to cause the records and accounts of the County to reflect the same.

PASSED AND APPROVED this 9th day of April, 2024

ROLL CALL VOTE

	AYE		NAY		ABSTAIN		ABSENT
_____ Susan Miller, Chairman	<input type="radio"/>		<input type="radio"/>		<input type="radio"/>		<input type="radio"/>
_____ Scott Belt	<input type="radio"/>		<input type="radio"/>		<input type="radio"/>		<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>		<input type="radio"/>		<input type="radio"/>		<input type="radio"/>
_____ 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 J. Houser, County Auditor

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

Motion by Wichman, second by Jorgensen, to open Public Hearing on proposed reallocation of certain unspent proceeds of the General Obligation Capital Loan Notes, Series 2021A.

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

Motion by Belt, second by Jorgensen, to close Public Hearing.

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

Motion by Belt, second by Jorgensen, to approve and authorize Board to sign **Resolution No. 26-2024**, entitled Resolution instituting proceedings to take additional action and approving the reallocation of certain unspent proceeds of the general obligation capital loan notes, series 2021A, of Pottawattamie County.

RESOLUTION NO. 26-2024

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION AND APPROVING THE REALLOCATION OF CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2021A, OF POTTAWATTAMIE COUNTY, IOWA

WHEREAS, pursuant to notice published as required by law, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the reallocation of certain unspent proceeds, in the amount of not to exceed \$82,591 (the "Unspent Proceeds") of the General Obligation Capital Loan Notes, Series 2021A, of Pottawattamie County, Iowa, to provide funds to pay costs of the erecting, constructing, equipping and furnishing of a public building including the public health building , and has considered the extent of objections received from residents or property owners as to said proposal and, accordingly the following action is now considered to be in the best interests of the County and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA:

Section 1. That this Board does hereby institute proceedings and takes additional action for the reallocation of the Unspent Proceeds of the General Obligation Capital Loan Notes, Series 2021A to pay costs of the erecting, constructing, equipping, and furnishing of a public building including the public health building, is in all respects authorized and approved.

Section 2. The Auditor is authorized and directed to take such action as may be necessary to effect and implement the foregoing reallocation of the Unspent Proceeds as described herein, and to cause the records and accounts of the County to reflect the same.

PASSED AND APPROVED this 9th day of April, 2024.

ROLL CALL VOTE

	AYE		NAY		ABSTAIN		ABSENT
_____ Susan Miller, Chairman	<input type="radio"/>		<input type="radio"/>		<input type="radio"/>		<input type="radio"/>
_____ Scott Belt	<input type="radio"/>		<input type="radio"/>		<input type="radio"/>		<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>		<input type="radio"/>		<input type="radio"/>		<input type="radio"/>
_____ 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 J. Houser, County Auditor

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

Motion by Belt, second by Wichman, to open Public Hearing on proposed reallocation of certain unspent proceeds of the General Obligation Capital Loan Notes, Series 2022.

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

Motion by Wichman, second by Belt, to close Public Hearing.

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

Motion made by Jorgensen, second by Belt, to approve and authorize Board to sign **Resolution No. 27-2024**, entitled Resolution instituting proceedings to take additional action and approving the reallocation of certain unspent proceeds of the general obligation capital loan notes, series 2022, of Pottawattamie County.

RESOLUTION NO. 27-2024

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION AND APPROVING THE REALLOCATION OF CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2022, OF POTTAWATTAMIE COUNTY, IOWA

WHEREAS, pursuant to notice published as required by law, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the reallocation of certain unspent proceeds, in the amount of not to exceed \$350,094 (the "Unspent Proceeds") of the General Obligation Capital Loan Notes, Series 2022, of Pottawattamie County, Iowa, to provide funds to pay costs of the peace officer communication equipment and other emergency services communication equipment and systems, including 911 consoles (in the amount of \$300,000); and erecting, constructing, equipping and furnishing of a public building including the public health building (in the amount of \$50,094), and has considered the extent of objections received from residents or property owners as to said proposal and, accordingly the following action is now considered to be in the best interests of the County and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA:

Section 1. That this Board does hereby institute proceedings and takes additional action for the reallocation of the Unspent Proceeds of the General Obligation Capital Loan Notes, Series 2022 to pay costs of the peace officer communication equipment and other emergency services communication equipment and systems, including 911 consoles (in the amount of \$300,000); and erecting, constructing, equipping and furnishing of a public building including the public health building (in the amount of \$50,094), is in all respects authorized and approved.

Section 2. The Auditor is authorized and directed to take such action as may be necessary to effect and implement the foregoing reallocation of the Unspent Proceeds as described herein, and to cause the records and accounts of the County to reflect the same.

PASSED AND APPROVED this 9th day of April, 2024.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Susan Miller, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ 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 J. Houser, County Auditor

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

Motion by Belt, second by Wichman, to open public hearing on Pottawattamie County’s amendment to current county budget for fiscal year 2023/24.

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

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

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

Motion by Belt, second by Jorgensen, to approve and authorize Board to sign **Resolution No. 24-2024**, a Resolution to Approve Pottawattamie County’s amendment to current county budget for fiscal year 2023/24. Said Resolution is set out as follows:

RESOLUTION NO. 24-2024

WHEREAS, there were necessary expenses incurred in several county departments, causing the budget of that department to exceed 100% of costs; and

WHEREAS, the Board of Supervisors, Treasurer, Medical Examiner, Conservation, Public Health, Jail, Environmental Health, Human Resources, Planning, and Thriving Families will exceed their Budget due to said necessary expenditures; and

WHEREAS, the Amendment to the Fiscal Year 2023/24 Budget for the Board of Supervisors, Treasurer, Medical Examiner, Conservation, Public Health, Jail, Environmental Health, Human Resources, Planning, and Thriving Families shall be substantially as follows:

DEPT #	Revenue Amount	Expense Amount
Board of Supervisors - 01	\$ -	\$ 400,000
Total		\$ 400,000
Treasurer- 03	\$ 2,300,000	
Total	\$ 2,300,000	
Medical Examiner – 12		\$ 77,568
Total		\$ 77,568
Conservation – 22	\$ 50,000	\$ 110,000
Total		\$ 110,000
Public Health - 23	\$	\$ 15,000

Total		\$ 15,000
Jail - 29	\$ 500,000	\$ 333,000
Total	\$ 500,000	\$ 333,000
Environmental Health – 38		\$ 40,600
Total		\$ 40,600
Human Resources – 50		\$ 28,147
Total		\$ 28,147
Planning – 53	\$ 79,952	\$ 93,750
Total	\$ 79,952	\$ 93,750
Thriving Families – 57	\$ 95,517	\$ 95,517
Total	\$ 95,517	\$ 95,517
	\$ 3,025,469	\$ 1,193,582

WHEREAS, the Board of Supervisors desires to allow those expenditures, and no tax increase will occur due to these expenditures; and

WHEREAS, the public had due notice of the Budget Amendment Hearing held on April 9, 2024, and at the hearing, due time was allowed for objections to any and all portions of the amended budget.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Pottawattamie County, hereby amends the Fiscal Year 2023/24 budget.

Dated this 9th day of April, 2024.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Susan Miller, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ 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 J. Houser, County Auditor

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

Motion by Wichman, second by Belt, to approve and authorize Board to sign **Resolution No. 29-2024**, a Resolution to appropriate funds from Amendment to Budget for FY 2023/24. Said Resolution is set out as follows:

RESOLUTION NO. 29-2024

RESOLUTION FOR APPROPRIATION

WHEREAS, it is desired to appropriate funds from budget amendment as follow; 01 Board of Supervisors; 12 Medical Examiner; 22 Conservation; 23 Physical Health & Education; 29 Corrections-Jail; 38 Environmental Health; 50 Human Resources; 53 Planning and Development; 57 Thriving Families as shown in the FY 2023/24 Pottawattamie County Budget Appropriations, which is attached hereto, marked as “Attachment A”; and

WHEREAS, said appropriation is in accordance with Section 331.434(6), Code of Iowa.

NOW THEREFORE BE IT RESOLVED, by the Board of Supervisors of Pottawattamie County, Iowa, that the Auditor is directed to correct his/her books accordingly, and to notify the Treasurer of the appropriations as set out in "Attachment A", attached hereto.

Dated this 9th Day of April, 2024.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Susan Miller, Chair	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. 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, Jorgensen. Motion Carried.**

Attachment A

FY 2023/2024 Budget Appropriations							
DEPT #	DEPARTMENT NAME	CERTIFIED BUDGET 04/18/23	ORIGINAL	AMENDMENT 10/24/2023	AMENDMENT 4/9/2024	Original Budget	DEPT #
						With Amendments	
01	Board of Supervisors	28,514,132	28,514,132	(1,925,000)	400,000	26,989,132	01
02	Auditor	1,679,783	1,679,783			1,679,783	02
03	Treasurer	1,879,927	1,879,927			1,879,927	03
04	Attorney	3,768,268	3,768,268	100,000		3,868,268	04
05	Sheriff	9,863,059	9,863,059	50,000		9,913,059	05
06	Debt Service/Supervisors	3,542,825	3,542,825			3,542,825	06
07	Recorder	912,225	912,225			912,225	07
12	Medical Examiner	455,515	455,515		77,568	533,083	12
20	Secondary Roads	20,352,047	20,352,047			20,352,047	20
21	Veterans Service Office	506,424	506,424	5,000		511,424	21
22	Conservation	3,780,130	3,780,130	92,634	110,000	3,982,764	22
23	Physical Health & Education	1,748,097	1,748,097		15,000	1,763,097	23
24	General Assistance	230,744	230,744			230,744	24
25	DHS	332,300	332,300			332,300	25
27	Animal Control	187,813	187,813			187,813	27
29	Corrections-Jail	15,793,126	15,793,126	25,000	333,000	16,151,126	29
37	Communications-911	3,955,289	3,955,289			3,955,289	37
38	Environmental Health	715,194	715,194		40,600	755,794	38
40	Unemployment--HR	40,000	40,000			40,000	40
48	WIC	755,752	755,752			755,752	48
50	Human Resources	627,016	627,016		28,147	655,163	50

51	Building and Grounds	1,483,210	1,483,210			1,483,210	51
52	Information Services	2,435,941	2,435,941	50,000		2,485,941	52
53	Planning & Development	736,477	736,477		93,750	830,227	53
54	GIS	420,349	420,349			420,349	54
57	Thriving Families	476,483	476,483		95,517	572,000	57
58	CD Treatment Services	4,000	4,000			4,000	58
60	Mental Health	2,129,342	2,129,342			2,129,342	60
99	Non Departmental	24,224,811	24,224,811	610,453		24,835,264	99
	TOTAL	131,550,279	131,550,279	-991,913	1,193,582	131,751,948	

Motion made by Belt, second by Jorgensen, to approve and authorize Board to sign Proclamation designating the week of April 7 – 13, 2024 as National Library Week.

**National Library Week
2024 Proclamation**

WHEREAS, libraries provide the opportunity for everyone to pursue their passions and engage in lifelong learning, allowing them to live their best life;

WHEREAS, libraries have long served as trusted institutions for all members of the community regardless of race, ethnicity, creed, ability, sexual orientation, gender identity, or socio-economic status;

WHEREAS, libraries strive to develop and maintain programs and collections that are as diverse as the populations they serve and ensure equity of access for all;

WHEREAS, libraries adapt to the ever-changing needs of their communities, continually expanding their collections, services, and partnerships;

WHEREAS, libraries play a critical role in the economic vitality of communities by providing internet and technology access, literacy skills, and support for job seekers, small businesses, and entrepreneurs;

WHEREAS, libraries are accessible and inclusive places that promote a sense of local connection, advancing understanding, civic engagement, and shared community goals;

WHEREAS, libraries are cornerstones of democracy, promoting the free exchange of information and ideas for all;

WHEREAS, libraries, librarians, and library workers are joining library supporters and advocates across the nation to celebrate National Library Week;

NOW, THEREFORE, be it resolved that the Pottawattamie County Board of Supervisors proclaim National Library Week, April 7-13 2024. During this week, we encourage all residents to visit their library to explore the wealth of resources available.

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, Jorgensen. Motion Carried.**

Motion by Belt, second by Jorgensen, to approve funding request from Avoca Main Street for the amount of \$3,000.

UNANIMOUS VOTE. Motion Carried.

Mark Hughes, Jim Hughes, and Sandi Winton, Jim Hughes Real Estate appeared before the Board to give an update on the water, sewer, roads project on 240th, Aspen, Pioneer Trail, and Dumfries regarding their subdivision Pioneer Meadows.

Discussion only. No Action Taken.

Motion by Belt, second by Jorgensen, to approve project funding agreement 4-23-HPB-S-010 for the 210th Street Bridge over Pigeon Creek.

UNANIMOUS VOTE. Motion Carried.

Motion by Wichman, second by Belt, to approve the Iowa Department of Transportation Secondary Roads Budget and County Five Year Program.

UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Motion by Belt, second by Jorgensen, to approve the following applications made to the Assessor's Office: Homestead (approximately 344 recommend allowed, 6 recommend disallowed), Military (25 recommend allowed, 1 recommend disallowed), Disabled Veteran Homestead (13 recommend allowed, 0 recommend disallowed), Family Farm (5 recommend allowed, 0 recommend disallowed).

UNANIMOUS VOTE. Motion Carried.

Motion by Wichman, second by Belt, to approve and authorize Board to sign General Drivers and Helpers Local No. 554 Affiliate of the International Brotherhood of Teamsters (Detention Officer) Union Contract, effective July 1, 2024, through June 30, 2025.

UNANIMOUS VOTE. Motion Carried.

Motion by Wichman, second by Belt, to approve rebranding the job description to ensure consistency.

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) Conservation – Payroll status change for John Huebscher.
- 2) Attorney – Payroll status change for Emily Grothe.

B. Report(s):

- 1) Recorder Fee Book for March 2024.

6. PUBLIC COMMENTS

The following individuals appeared before the Board.

Frances Mierzwa
Shauna Anderson
Doug Irwin

7. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 10:50 A.M.

Susan Miller, Chair

ATTEST:

Melvyn Houser, County Auditor

APPROVED: April 16, 2024

PUBLISH: X