

Consent Agenda

May 7, 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 Jorgensen, and second by Shea, to remove item 3. C. from the agenda and to approve:

- A. April 30, 2024, Minutes as read.
- B. Renewal of Class E Liquor License (LE) granting privileges of Class E Liquor License (LE) to Kum & Go LC d/b/a Kum & Go #23, Neola.
- C. April 2024 Vendor Publication Report.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Discussion on disaster recovery response by the department heads and the Tree and Vegetative Debris drop off established in Pottawattamie County location 145th Street & Rosewood Rod located in Crescent. Discussion only. No Action Taken.

Motion by Shea, and second by Belt, to approve and authorize the Board to sign **Resolution No. 39-2024**, Resolution waiving temporary occupancy requirements for recreational vehicles for properties with damage from April 26, 2024, tornadic activity.

RESOLUTION NO. 39-2024

WHEREAS, on April 26th, 2024, several locations in Pottawattamie County, Iowa, experienced extreme events of tornadic activity; and

WHEREAS, as a result of this extreme event, tornado damage occurred in the unincorporated areas of the County; and

WHEREAS, said tornadic activity has damaged several structures in the unincorporated area of the County; and

WHEREAS, Pottawattamie County has enacted a Zoning Ordinance that defines Recreational Vehicle as a vehicular type camping unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. Temporary occupancy shall be considered no more than two (2) weeks when the recreational vehicle is not located in a commercial campground and recreational vehicle park. The basic entities are: travel trailer, camping or tent trailer, truck camper, and motor home or coach. and

WHEREAS, the Board of Supervisors feels it is in the best interest of the County and those property owners affected, that the temporary occupancy requirement be waived by special use permit.

NOW, THEREFORE, BE IT RESOLVED, by the Pottawattamie County, Iowa, Board of Supervisors, that shall be waived in the following situations and subject to the following conditions:

1. The property is located in the tornadic activity damaged areas of the unincorporated area of Pottawattamie County, Iowa.
2. The structural repairs are necessary to repair tornadic activity damage occurring during the April 26th, 2024 tornadic event.
3. That any property owner wanting to use a Recreational Vehicle as temporary housing on their property while repairs and or replacement is happening apply for a special use permit with the Pottawattamie County Planning Department.
4. That the waiving of temporary occupancy does not waive any other requirements of Pottawattamie County, Iowa, Code sections.

Passed and Approved this 7th day of May, 2024.

	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 Wichman, and second by Shea, to approve Hitchcock Nature Center lodge deck improvements not to exceed \$175,000 to be paid out of gaming.
UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Motion by Shea, and second by Jorgensen, to approve funding for up to two County Employees at \$1600 each to attend Leadership Council Buffs program to be paid out of What Should Be Committee.
UNANIMOUS VOTE. Motion Carried.

After discussion, the Board tabled the policy for deputy payouts and vacation accrual.
Discussion only. No action taken.

Motion by Wichman, and second by Shea, for no additional assessment for South Nobles Drainage District at this time.
UNANIMOUS VOTE. Motion Carried.

4. COMMITTEE APPOINTMENTS

Board discussed Committee meetings from the past week.
Proclamation for Correctional Officers for the week of May 5 – 12 and a Proclamation for Nurses Week for the week of May 6 -12 were discussed.
The Board has received an invitation for June 11 for a Ribbon Cutting and Chairperson Miller proposes that we do not have a meeting on Tuesday, June 11th.
Discussion only. No action taken.

5. RECEIVED/FILED

- A. Salary Action(s):
 - 1) Communications – Payroll status change for Hayley Lee.
 - 2) Conservation – Employment of Maelee Rodenburg as an Environmental Education Intern.
 - 3) SWI Juvenile Detention Center – Employment of Martin Gonzalez as a Part-time Youth Correctional Worker.
 - 4) Secondary Roads – Payroll status change for Brian Manhart and Brady Schroder.
 - 5) Sheriff – Payroll status change for Terry Carstens and Ryan Olderog.
- B. Reports:
 - 1) SLFRF Compliance Report-SLT-3833 – P & E Report – Quarter 1 2024.
 - 2) Recorder Fee Book for April 2024.
- C. Out of State Travel Notification(s):
 - 1) Communication – Out of State Travel for Sam Arkfeld, Jill Porter, and Josh Derrington
 - 2) Communication – Out of State Travel for Torie Brummett, Jamie Watts, and Monica Brooks.

6. PUBLIC COMMENTS

No Public Comments.

7. CLOSED SESSION

- A. Closed Session pursuant to Iowa Code 21.5(1)(j), for discussion and/or decision on the purchase or sale of real estate.

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

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

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

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

8. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:42 P. M.

Susan Miller, Chair

ATTEST: _____
Melvyn Houser, County Auditor

APPROVED: May 14, 2024

PUBLISH: X

Scheduled Sessions

**Matt Wyant/Director, Planning
and Development and Pam
Kalstrup/Zoning and Land Use
Coordinator**

Public Hearing and First Consideration of Ordinance No. 2024-03, an ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa by changing the district designation of approximately 2.9922 acres from a Class A-3 (Riverfront and Ag Production) to Class C-2 (General Commercial) District; and setting date for Second Consideration.

RECORDER'S COVER SHEET

Prepared by:

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

Return Document to:

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

Document Title:

Pottawattamie County
Ordinance #2024-03

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

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

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

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

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

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

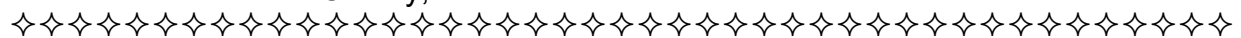
SECTION 3 - REPEAL OF CONFLICTING ORDINANCES: That all ordinance or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

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

PASSED AND APPROVED.

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

Attest: _____
Melvyn Houser, County Auditor
Pottawattamie County, Iowa



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

TO: Board of Supervisors
FROM: Matt Wyant
DATE: May 10, 2024

RE: #ZMA-2024-02

REQUEST: Zoning Map Amendment to reclassify approximately 2.9922 acres from a Class A-3 (Riverfront & Ag Production) to a Class C-2 (General Commercial)

LOCATION: Crescent Township
Old Mormon Bridge Road

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

The subject property is located approximately 1 mile west of the city limits of Council Bluffs on Old Mormon Bridge Road.



PROPERTY OWNER: Charles – Roseanne Newcomb

GENERAL INFORMATION: The applicant has requested that approximately 2.9922 acres, which are currently zoned A-3 (River Front & Agricultural Production) District, be rezoned to C-2 (General Commercial). **The following is the applicants' submittal:**

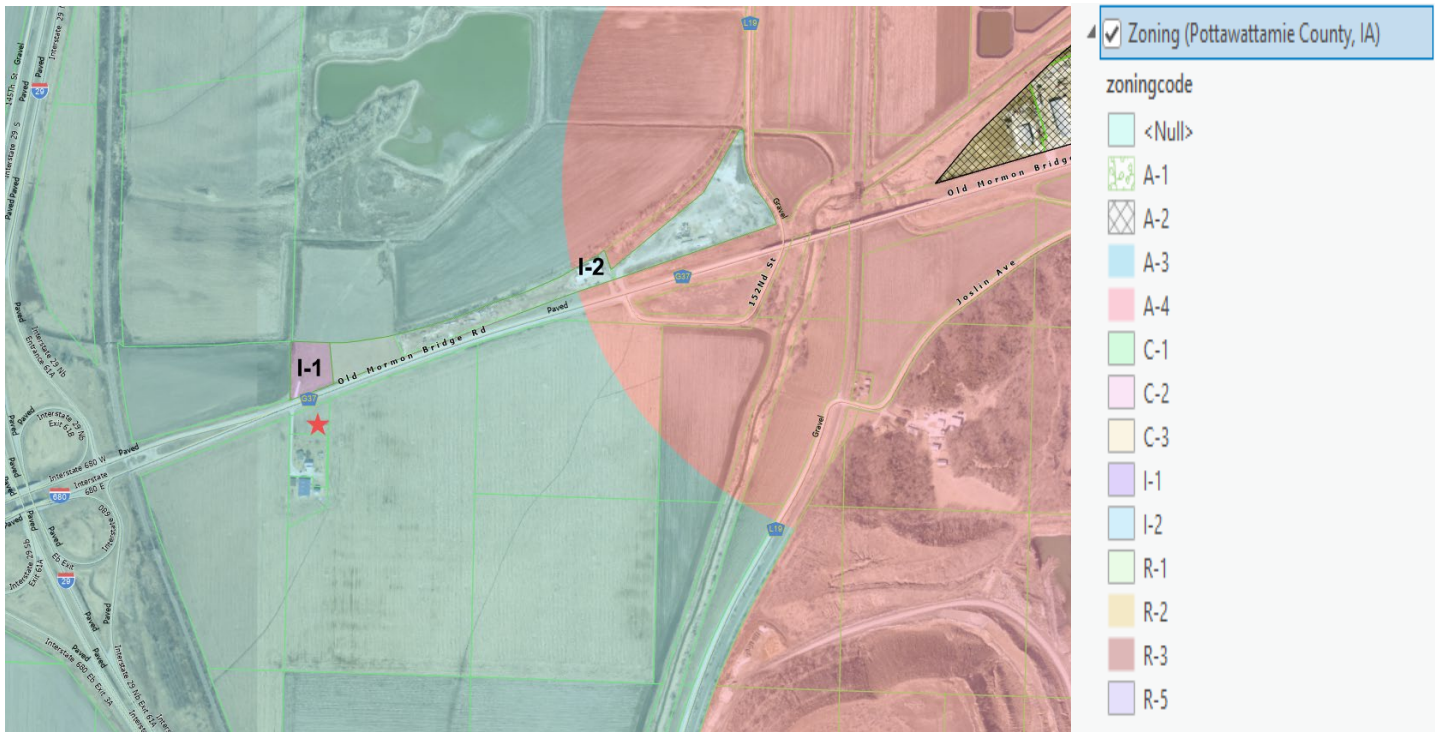
We are asking to rezone parcel #23013 of our property at 15267 Old Mormon Bridge Road, Crescent, Ia. 51526 to Class C-2 District. We would like to have a temporary fireworks tent on the north end of the property. And possible inside only, storage rental in existing building on the south end of the property.

Charles S., Rosanne Newcomb

3-7-24 Rosanne Newcomb

3-7-24 Chuck Newcomb

SITE & AREA REVIEW: The properties in the immediate area are a mixture of agricultural ground, industrial and commercial properties. The I-680 I-29 interchange is in close proximity.

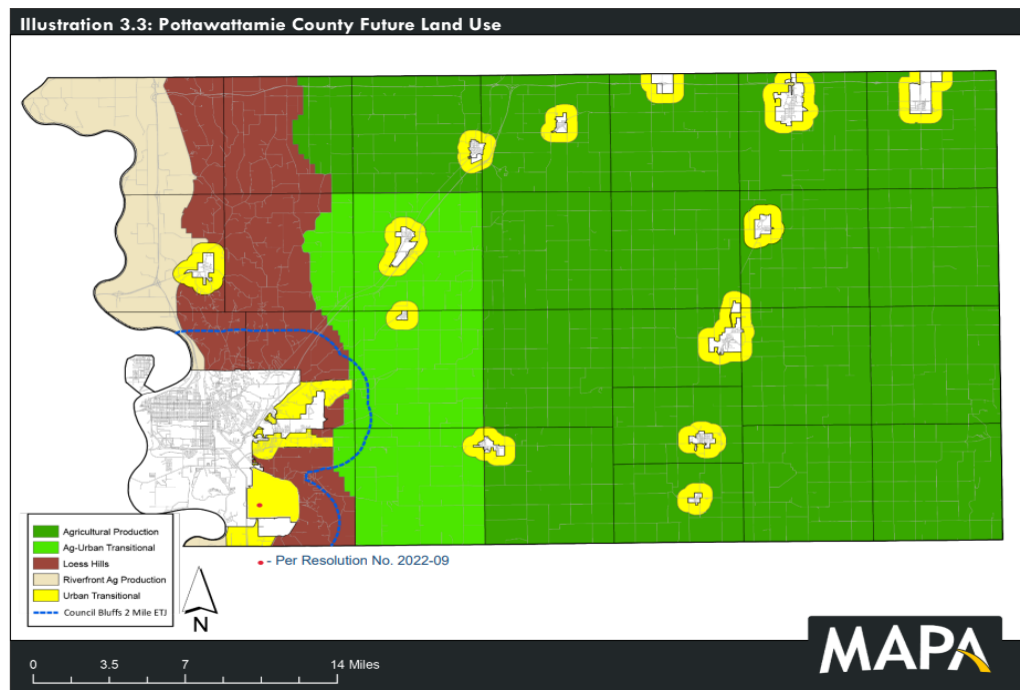


SITE REVIEW:

The parcel is currently ag ground with two outbuildings and a grain bin. The property owners also own the parcel immediately adjacent to subject property. Their home and outbuilding are on that parcel.

LAND USE PLAN:

This proposed Zoning Map Amendment aligns with the Comprehensive and Land Use.



RIVER FRONT AND LOW LYING AGRICULTURAL PRODUCTION AREAS

The first and most restrictive region included in the Future Land Use Plan analysis, is the River Front and Low Lying Agricultural Production Areas. This area extends from the Missouri River east to the western boarder of the Loess Hills region. The River Front region is most notable for its association with the low-lying bottomlands of the Missouri River floodplain. This region contains very fertile soils for the production of row crops and is generally void of non-farm dwellings. The nature of the mostly flat lands has attracted the Interstate 29 and 680 corridors with their associated commercial uses at the interstate interchanges. Generally, given the fact that large portions of this region are included in the floodplain of the Missouri River, very few areas are capable of sustaining development.

FLOOD HAZARD: The Flood Insurance Study prepared by the Federal Emergency Management Agency for the County designates in the Flood Insurance Rate Maps that some of the property is in a Zone AE- Areas of 1% annual chance of flooding and some is in an Area with a .2% annual chance of flooding. The applicants do not intend to construct any new buildings on the property.

COMMISSION

RECOMMENDATION: On April 15, 2024 the Planning Commission conducted their public hearing on this request and made the following recommendation:

Motion: to recommend that the request of Charles and Rosanne Newcomb, as filed under Case #ZMA-2024-02, be **approved by the Board of Supervisors**.

Motion by: Leaders.

Second by: Silkworth.

Vote: Ayes –Larson, Leaders, Silkworth, Schultz. Motion Carried.

CHAPTER 8.050
GENERAL COMMERCIAL DISTRICT

8.050.010 INTENT: The Class C-2 District is intended primarily to provide for those business and commercial establishments serving the general retail shopping needs of those persons living in the unincorporated areas of the *County*. Properties shall be located along or have direct access to hard surfaced streets. (*Ordinance #2015-05/12-18-2015*)

8.050.020 PRINCIPAL USES: The following *principal uses* shall be permitted in a Class C-2 District: (*Ordinance #81-6/10-01-81*)

.01 A

- A. Antique shops. (*Ordinance #81-6/10-01-81*)
- B. Apparel and shoe stores. (*Ordinance #81-6/10-01-81*)
- C. Art galleries. (*Ordinance #81-6/10-01-81*)
- D. Auditoriums, exhibition halls, or other public assembly rooms. (*Ordinance #81-6/10-01-81*)
- E. Automobile and other vehicle parts and supply stores. (*Ordinance #81-6/10-01-81*)
- F. Automobile and other vehicle washing establishments, including the use of mechanical conveyors, blowers and steam cleaning, and including self-service facilities. (*Ordinance #81-6/10-01-81*)
- G. Automobile, boat, farm implement and equipment, motorcycle, *mobile home*, trailer and truck sales, rental and service. (*Ordinance #81-6/10-01-81*)

.02 B

- A. Bakeries and bakery outlets-retail sales only. (*Ordinance #81-6/10-01-81*)
- B. Banks, savings and loan associations, lending agencies, and similar financial institutions including drive-in banks. (*Ordinance #81-6/10-01-81*)
- C. Barber shops and beauty shops. (*Ordinance #81-6/10-01-81*)
- D. Bars, cocktail lounges, nightclubs and *taverns*, provided that the side yard setback and rear yard setback shall be a minimum of fifty (50) feet when such yards abut a Class "R" District or platted residential subdivision. (*Ordinance #2004-14/07-01-04*)
- E. Bicycle shops, sales and repairs. (*Ordinance #81-6/10-01-81*)
- F. Bookstores including newsstands, magazine stores and rental libraries. (*Ordinance #81-6/10-01-81*)

- G. Building supply stores, provided all phases of the business conducted upon the premises be within an enclosed *building*. (Ordinance #81-6/10-01-81)
- H. Business and professional offices. (Ordinance #81-6/10-01-81)
- I. Business, professional, technical and trade schools and colleges. (Ordinance #81-6/10-01-81)

.03 C

- A. Camera and photographic supply store, including photographic development pick-up stores. (Ordinance #81-6/10-01-81)
- B. Candy, nut and confectionery shops, including ice cream or snack bars, but only at retail and only on the premises. (Ordinance #81-6/10-01-81)
- C. Carpenter and cabinet making shops. (Ordinance #81-6/10-01-81)
- D. Carpet and drapery stores. (Ordinance #81-6/10-01-81)
- E. Catering establishments. (Ordinance #81-6/10-01-81)
- F. Clothes cleaning and laundry pick-up stations. (Ordinance #81-6/10-01-81)
- G. Collection offices of public utility. (Ordinance #81-6/10-01-81)
- H. Commercial parking lots and *structures* for passenger vehicles in accordance with the provisions of Chapter 8.080. (Ordinance #81-6/10-01-81)
- I. *Convalescent, nursing and retirement homes*. (Ordinance #81-6/10-01-81)

.04 D

- A. Dairy stores, retail only. (Ordinance #81-6/10-01-81)
- B. *Demolition rubble waste disposal site* for demolition rubble waste generated on the property where it is disposed of.
- C. Department stores. (Ordinance #81-6/10-01-81)
- D. Drug stores and pharmacies. (Ordinance #81-6/10-01-81)
- E. Dry good stores. (Ordinance #81-6/10-01-81)

.05 E

- A. Egg and poultry stores, excluding any slaughtering, eviscerating or plucking. (Ordinance #81-6/10-01-81)
- B. Electrical repair shops. (Ordinance #81-6/10-01-81)

- C. Employment agencies. (*Ordinance #81-6/10-01-81*)
- D. Entertainment and recreational uses, including billiard and pool halls, bowling alleys, ballrooms and dance halls, gymnasiums and other indoor recreational uses and *buildings*, provided that the side yard setback and rear yard setback shall be a minimum of fifty (50) feet when such yards abut a Class "R" District or platted residential subdivision. (*Ordinance #2004-14/07-01-04*)

.06 F

- A. Feed and seed stores, whose products shall be stored and sold in packaged form only. (*Ordinance #81-6/10-01-81*)
- B. Florist stores. (*Ordinance #81-6/10-01-81*)
- C. Frozen food lockers for storage and retail sales only, excluding slaughtering. (*Ordinance #81-6/10-01-81*)
- D. Furniture and appliance stores, including incidental repair and upholstery. (*Ordinance #81-6/10-01-81*)

.07 G

- A. *Garages* for general motor vehicle repair, but not including major body and fender work, and overall painting and upholstering. (*Ordinance #81-6/10-01-81*)
- B. Garden shops and supply stores, and nurseries, provided that all equipment, supplies and merchandise, other than plants, shall be kept within a completely enclosed *building* or under a lathed structure and further provided that fertilizer of any type shall be stored and sold in packaged form only. (*Ordinance #81-6/10-01-81*)
- C. Gift, novelty and souvenir shops. (*Ordinance #81-6/10-01-81*)
- D. Governmental *structures* or uses including fire stations, libraries, police stations, post offices, substations and roadside rest areas; but excluding sanitary landfills or uses similar in their scope of effect. (*Ordinance #81-6/10-01-81*)
- E. Grocery stores, delicatessens and supermarkets, including convenience stores. (*Ordinance #81-6/10-01-81*)

.08 H

- A. Hardware stores. (*Ordinance #81-6/10-01-81*)
- B. Hobby, craft and art supply stores. (*Ordinance #81-6/10-01-81*)
- C. Home furnishings and decorating stores. (*Ordinance #81-6/10-01-81*)
- D. Hospitals, medical and dental clinics and other medical and health facilities. (*Ordinance #81-6/10-01-81*)

- E. *Hotels and motels, but only when serviced with public or common water and sewer facilities. (Ordinance #81-6/10-01-81)*
- .09 I
- A. Ice storage and distribution stations of not more than five (5) ton capacity. *(Ordinance #81-6/10-01-81)*
- .10 J
- A. Jewelry stores, including clock and watch repair. *(Ordinance #81-6/10-01-81)*
- .11 K
- .12 L
- A. Launderettes, coin-operated dry-cleaning establishments, and dry-cleaning or pressing establishments using only non-flammable solvents. *(Ordinance #81-6/10-01-81)*
 - B. Lawn mower repair shops. *(Ordinance #81-6/10-01-81)*
 - C. Leather goods and luggage stores. *(Ordinance #81-6/10-01-81)*
 - D. Liquor stores. *(Ordinance #81-6/10-01-81)*
 - E. Locksmith and key shops. *(Ordinance #81-6/10-01-81)*
- .13 M
- A. Mini-storage warehouses. *(Ordinance #90-8/07-06-90)*
 - B. Mortuaries, funeral homes and funeral chapels. *(Ordinance #81-6/10-01-81)*
 - C. Music stores, including instrument sales and repairs. *(Ordinance #81-6/10-01-81)*
- .14 N
- .15 O
- .16 P
- A. Paint and wallpaper stores. *(Ordinance #81-6/10-01-81)*
 - B. Pet shops, including birds and fish. *(Ordinance #81-6/10-01-81)*
 - C. Plumbing and heating, or electrical contractors and equipment showrooms. *(Ordinance #81-6/10-01-81)*

- D. Printing, lithographic and engraving shops, including blueprint, photostat or other reproduction process shops. (*Ordinance #81-6/10-01-81*)
- .17 Q
- .18 R
- A. Radio and television stores and repair shops. (*Ordinance #81-6/10-01-81*)
 - B. Restaurants, tearooms, cafeterias, cafes, and soda fountains, including outdoor cafes and drive-in eating and dining places, provided that the side yard setback and rear yard setback shall be a minimum of fifty (50) feet when such yards abut a Class "R" District or platted residential subdivision. (*Ordinance #2004-14/07-01-04*)
- .19 S
- A. Scientific, orthopedic and medical instrument and appliance stores. (*Ordinance #81-6/10-01-81*)
 - B. *Service stations*, including dispensing of diesel fuels and complete truck service. (*Ordinance #81-6/10-01-81*)
 - C. Sexually oriented businesses, subject to the terms of Chapter 3.55, Sexually Oriented Businesses Ordinance, Pottawattamie County, Iowa. (*Ordinance #2003-12/10-03-03*)
 - D. Shoe and hat repair shops. (*Ordinance #81-6/10-01-81*)
 - E. Sporting goods stores. (*Ordinance #81-6/10-01-81*)
 - F. Stamp and coin stores. (*Ordinance #81-6/10-01-81*)
 - G. Stationery and office supply stores, including sales and repairs of office and business machines. (*Ordinance #81-6/10-01-81*)
 - H. Studios, including art, dance, massage and physical culture, music and photographic. (*Ordinance #81-6/10-01-81*)
- .20 T
- A. Tack shops. (*Ordinance #81-6/10-01-81*)
 - B. Tailor and dressmaker shops. (*Ordinance #81-6/10-01-81*)
 - C. Taxidermists. (*Ordinance #81-6/10-01-81*)
 - D. Telegraph offices and telephone exchanges. (*Ordinance #81-6/10-01-81*)
 - E. Telephone answering and messenger services. (*Ordinance #81-6/10-01-81*)

- F. Theaters, except open drive-in theaters. (*Ordinance #81-6/10-01-81*)
- G. Tire shops, excluding any recapping or retreading. (*Ordinance #81-6/10-01-81*)
- H. Tobacco and cigar shops. (*Ordinance #81-6/10-01-81*)
- I. Towers with a height not exceeding one hundred fifty (150) feet, subject to the requirements of Section 8.004.220. (*Ordinance #2007-09/10-12-07*)
- J. Toy stores. (*Ordinance #81-6/10-01-81*)
- K. Transformer stations, booster stations, and utility stations; provided there is no yard or garage for service or storage. (*Ordinance #81-6/10-01-81*)
- L. Transportation passenger terminals, including bus stations, railroad passenger stations, or other passenger terminals; provided that buses and other transit vehicles shall not be stored on the site and no repair work or servicing of vehicles shall be conducted on the site. (*Ordinance #81-6/10-01-81*)
- M. Travel bureaus. (*Ordinance #81-6/10-01-81*)

.21 U

- A. Upholstering shops. (*Ordinance #81-6/10-01-81*)

.22 V

- A. Variety stores. (*Ordinance #81-6/10-01-81*)
- B. Veterinary hospitals or clinics; provided all phases of the business conducted upon the premises be within an enclosed *building* where noises and odors are not evident to adjacent properties. (*Ordinance #81-6/10-01-81*)

.23 W

.24 X

.25 Y

.26 Z

8.050.030 **CONDITIONAL USES:** The following *conditional uses* shall be permitted in a Class C-2 District, when authorized in accordance with the requirements of Chapter 8.096: (*Ordinance #81-6/10-01-81*)

- .01 Auction halls, barns, and yards. (*Ordinance #81-6/10-01-81*)

- .02 Body and fender repair shops, including overall painting and upholstery, but not including motor vehicle wrecking or used parts yards or outside storage of component parts. (*Ordinance #81-6/10-01-81*)

- .03 Drive-in theaters. (*Ordinance #81-6/10-01-81*)
- .04 Exterminator sales when located within a completely enclosed *building*. (*Ordinance #81-6/10-01-81*)
- .05 Secondary airports and private light plane landing strips and helipads, when laid out and operated in accordance with all applicable regulations of the Federal Aviation Agency, and when situated on a site containing not less than thirty (30) acres.
- .06 Tire shops, including vulcanizing, retreading and recapping. (*Ordinance #81-6/10-01-81*)
- .07 Transmitting stations and towers with a height exceeding one hundred fifty (150) feet, subject to the requirements of Section 8.004.220. (*Ordinance #2007-09/10-12-07*)
- .08 Outdoor entertainment and recreational uses, but only in conjunction with a principal use of entertainment and recreation as listed in 8.050.020.33. (*Ordinance #2004-15/09-10-04*)
- .09 SOLAR ENERGY SYSTEMS, COMMERCIAL (CSES), subject to the requirements of Section 8.004.210. (*Ordinance #2023-05/03-07-2024*)

8.050.040 ACCESSORY USES: The following *accessory uses* shall be permitted in a Class C-2 District: (*Ordinance #81-6/10-01-81*)

- .01 *Accessory uses and structures* normally incidental and subordinate to one of the permitted *principal* or conditional uses, unless otherwise excluded. (*Ordinance #81-6/10-01-81*)
- .02 Display *signs*, subject to the provisions of Chapter 8.090. (*Ordinance #81-6/10-01-81*)
- .03 Outdoor advertising signs and billboards, subject to the provisions of Chapter 8.090.
- .04 Outdoor storage of material or merchandise incidental to a permitted use, but not to exceed forty (40) percent of the building floor area used for such use. (*Ordinance #2015-05/12-18-2015*)
- .05 Temporary roadside fireworks stands and Christmas tree lots, when approved by the *Development Director* for a specified time period, after which they shall be disassembled and removed at the end of the authorized period each year. (*Ordinance #81-6/10-01-81*)
- .06 SOLAR ENERGY SYSTEMS, NON-COMMERCIAL (SES), subject to the requirements of Section 8.004.210. (*Ordinance #2023-05/03-07-2024*)
- .07 WIND ENERGY SYSTEMS, NON-COMMERCIAL (WES), subject to the requirements of Section 8.004.240. (*Ordinance #2023-05/03-07-2024*)

8.050.050 OFF-STREET PARKING AND LOADING: *Off-street parking and loading spaces* shall be provided in accordance with Chapter 8.080 for permitted *principal and conditional uses* in a Class C-2 District. (Ordinance #81-6/10-01-81)

8.050.060 HEIGHT REQUIREMENT: The maximum height of *buildings and structures* in a Class C-2 District shall be forty (40) feet or three (3) *stories*, whichever is lower. (Ordinance #81-6/10-01-81)

8.050.070 SETBACK REQUIREMENTS: The *setback requirements* for *buildings and structures* in a Class C-2 District shall be as follows: (Ordinance #81-6/10-01-81)

.01 The *front yard setback* shall be a minimum of twenty-five (25) feet. (Ordinance #81-6/10-01-81)

.02 The *side yard setback* shall be a minimum of twenty-five (25) feet when such *yard* abuts a Class "A" or "R" District or platted residential subdivision, except as provided in Subsections 8.050.020.02.D, 8.050.020.05.D and 8.050.020.18.B.

.03 The *rear yard setback* shall be a minimum of twenty-five (25) feet when such *yard* abuts a Class "A" or "R" District or platted residential subdivision, except as provided in Subsections 8.050.020.02.D, 8.050.020.05.D and 8.050.020.18.B.

.04 The minimum *setback* between *buildings* situated on the same site shall be ten (10) feet. (Ordinance #81-6/10-01-81)

8.050.080 LOT SIZE AND COVERAGE REQUIREMENTS: The minimum *lot size* and maximum *lot coverage* for uses in a Class C-2 District shall be as follows, except as provided in Section 8.004.030 for *lots not having common water and/or sewer facilities*: (Ordinance #81-6/10-01-81)

	USE	MINIMUM LOT			MAXIMUM LOT
		AREA	WIDTH	DEPTH	COVERAGE
.01	Any Permitted Use	1.0 Acres	80'	100'	50%

(Ordinance #81-6/10-01-81)

**Matt Wyant/Director, Planning
and Development and Pam
Kalstrup/Zoning and Land Use
Coordinator**

**Public Hearing – Discussion and/or decision to approve
and authorize Board to sign Resolution No. 40-2024
Declare Necessity and establish an Urban Renewal Area,
Pursuant to Section 403-4 of the Code of Iowa and
Approve Urban Renewal Plan and Projects for the 2024
RMP Housing Urban Renewal Area.**

RESOLUTION NO. 40-2024

Resolution to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan and Projects for the 2024 RMP Housing Urban Renewal Area

WHEREAS, as a preliminary step to exercising the authority conferred upon Iowa counties by Chapter 403 of the Code of Iowa (the “Urban Renewal Law”) a county must adopt a resolution finding that one or more slums, blighted or economic development areas exist in the county and that the development of such area or areas is necessary in the interest of the public health, safety or welfare of the residents of the county; and

WHEREAS, it has been proposed by the Board of Supervisors of Pottawattamie County, Iowa (the “County”), that the 2024 RMP Housing Urban Renewal Area (the “Urban Renewal Area”) be established on the property (the “Property”) described in Exhibit A to this Resolution; and

WHEREAS, the proposal demonstrates that sufficient need exists to warrant finding the Urban Renewal Area to be an economic development area; and

WHEREAS, a proposed urban renewal plan (the “Plan”) has been prepared for the governance of projects and initiatives to be undertaken in the Urban Renewal Area and which authorizes a certain initial urban renewal project (the “Project”) to be undertaken therein consisting of providing tax increment financing support to RMP 87 Development, LLC in connection with the construction of public infrastructure necessary to support the development of a residential subdivision; and

WHEREAS, notice of a public hearing by the Board of Supervisors on the question of establishing the Urban Renewal Area and on the Plan and the Projects was heretofore given in strict compliance with the provisions of Chapter 403 of the Code of Iowa, and the Board has conducted said hearing on May 14, 2024; and

WHEREAS, the Planning and Zoning Commission of the County has reviewed and commented on the proposed Plan; and

WHEREAS, copies of the Plan, notice of public hearing and notice of a consultation meeting with respect to the urban renewal plan were mailed to the Treynor Community School District; the consultation meeting was held on April 24, 2024; and responses to any comments or recommendations received following the consultation meeting were made as required by law; and

WHEREAS, a portion of the Property lies within two miles of the incorporated limits of the City of Council Bluffs, Iowa (the “City”), and a joint agreement (the “Joint Agreement”) has been executed by the City to satisfy the consent requirements of Section 403.17 of the Code of Iowa; and

WHEREAS, pursuant to Section 403.17 of the Code of Iowa, the County has received an executed consent agreement from the owner of the “agricultural land” proposed for inclusion in the Urban Renewal Area; and

NOW, THEREFORE, It Is Resolved by the Board of Supervisors of Pottawattamie County, Iowa, as follows:

Section 1. An economic development area as defined in Chapter 403 of the Code of Iowa is found to exist on the Property.

Section 2. The Property is hereby declared to be an urban renewal area, in conformance with the requirements of Chapter 403 of the Code of Iowa, and is hereby designated the 2024 RMP Housing Urban Renewal Area.

Section 3. The development of the Property is necessary in the interest of the public health, safety or welfare of the residents of the County.

Section 4. It is hereby determined by this Board of Supervisors as follows:

A. The proposed Plan and the proposed projects and initiatives described therein conform to the general plan of the County as a whole;

B. Proposed development in the Urban Renewal Area is necessary and appropriate to facilitate the proper growth and development of the County in accordance with sound planning standards and local community objectives.

- C. It is not anticipated that any families will be displaced in connection with the County's undertakings under the Plan. Should such issues arise, then the County will develop a feasible method of relocating any displaced persons into decent, safe and sanitary dwelling accommodations within their means and without undue hardship.

Section 5. The Plan is made a part hereof and is hereby in all respects approved in the form presented to this Board, and the County is hereby authorized to undertake the projects and initiatives described therein.

Section 6. All resolutions or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and Approved this 14th day of May, 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

POTTAWATTAMIE COUNTY, IOWA
URBAN RENEWAL PLAN
2024 RMP HOUSING URBAN RENEWAL AREA

I. INTRODUCTION

Chapter 403 of the Code of Iowa authorizes counties to establish areas within certain boundaries known as “urban renewal areas,” and to exercise special powers within these areas. In order to facilitate the use of urban renewal for economic development, in 1985, the Iowa General Assembly amended Chapter 403 to authorize boards of supervisors to create “economic development” areas. An economic development urban renewal area may be any area of a county which has been designated by the board of supervisors as an area which is appropriate for commercial, industrial and/or residential housing enterprises and in which the county seeks to encourage further development.

As an additional expression of the role for local governments in private economic development, the General Assembly also enacted Chapter 15A of the Code of Iowa, which declares that economic development is a “public purpose” and authorizes local governments to make grants, loans, guarantees, tax incentives and other financial assistance to private enterprise. The statute defines “economic development” as including public investment involving the creation of new jobs and income or the retention of existing jobs and income that would otherwise be lost.

The process by which an economic development urban renewal area may be created begins with a finding by the board of supervisors that such an area needs to be established within the county. An urban renewal plan is then prepared for the area, which must be consistent with the county’s existing comprehensive or general plan. Certain affected taxing entities must be notified and given an opportunity to comment on the plan. The board of supervisors must hold a public hearing on the urban renewal plan, following which, the board of supervisors may approve the plan.

The Board of Supervisors of Pottawattamie County (the “County”) has determined to establish the 2024 RMP Housing Urban Renewal Area (the “Urban Renewal Area”). This document is intended to serve as the Urban Renewal Plan (the “Plan”) for the Urban Renewal Area and will guide the County in promoting economic growth through the encouragement of commercial, industrial, and residential development in such Urban Renewal Area as detailed herein. This document is an Urban Renewal Plan within the meaning of Chapter 403 of the Code of Iowa and sets out proposed projects and activities within the Urban Renewal Area.

II. DESCRIPTION OF URBAN RENEWAL AREA

A description of all property (the "Property") that has been included within the Urban Renewal Area is attached hereto as Exhibit A.

III. URBAN RENEWAL OBJECTIVES

The primary objectives for the development of the Urban Renewal Area are:

1. To contribute to a diversified, well-balanced local economy by creating job opportunities and strengthening the property tax base.
2. To assist in providing land and resources for new and expanded commercial, industrial and residential development in a manner that is efficient from the standpoint of providing municipal services.
3. To stimulate through public action and commitment, private investment in residential, commercial and industrial development, and to encourage job retention, growth and expansion through the use of various federal, state and local incentives, including tax increment financing.
4. To provide municipal infrastructure, services and facilities that enhance possibilities for economic development and community attractiveness to private enterprise.
5. To help finance the cost of streets, water, sanitary sewer, storm sewer, or other public improvements in support of new residential, commercial and industrial development.
6. To provide a more marketable and attractive investment climate.
7. To provide public facilities to enhance County services and enhance the economic attractiveness of the community.
8. To increase the number of housing units in the County that are safe, attractive and comfortable.
9. To provide assistance for housing on a County-wide basis to families whose incomes are no greater than 80% of the median family income in the County.

IV. URBAN RENEWAL PROJECTS AND ACTIVITIES

The following types of activities are examples of the specific actions which may be undertaken by the County within the Urban Renewal Area:

1. Preparation of plans related to the development and implementation of the Urban Renewal Area and specific urban renewal projects.
2. Construction of public improvements and facilities, including streets, public utilities or other facilities in connection with an urban renewal project.

3. Construction of buildings or specific site improvements such as grading and site preparation activities, access roads and parking, railroad spurs, fencing, utility connections, and related activities.

4. Acquisition, preparation and disposition of property for development and/or redevelopment.

5. Making available, as appropriate, financing for development projects, including conventional municipal borrowing and tax increment financing resulting from increased property values in the Urban Renewal Area.

6. Pursuant to state law, provision of direct financial assistance, including grants, loans and tax increment rebate agreements, to private persons engaged in economic development, in such form and subject to such conditions as may be determined by the Board of Supervisors.

V. SPECIFIC URBAN RENEWAL PROJECTS

The County has determined to undertake the following initiative in the Urban Renewal Area as an economic development urban renewal project:

Name of Project: RMP 87 Development, LLC Housing Development Project

Date of Board Approval of Project: May 14, 2024

Description of the Project: RMP 87 Development, LLC (the “Developer”) is undertaking the development of a residential subdivision (the “Housing Project”) situated on the Property (as described in Section II hereof), including the corresponding construction of public infrastructure (the “Infrastructure Project”). The Infrastructure Project will include the construction of street and storm water management improvements, and the necessary grading, site preparation and landscaping associated therewith. The County will use tax increment financing to support the Developer’s construction of the Infrastructure Project on the Property. The addition of new residential housing in the County will enhance the quality of life in the County thereby resulting in economic growth in the County.

The costs incurred by the County in providing tax increment financing assistance to the Developer will include legal and administrative fees (the “Admin Fees”) in an amount not to exceed \$10,000.

Description of Properties to be Acquired in Connection with the Project: It is not anticipated that the County will acquire real property in connection with the Housing Project.

Description of Use of TIF: The County intends to enter into a development agreement (the “Agreement”) with the Developer with respect to the Infrastructure Project and to provide annual appropriation economic development payments (the “Payments”) to the Developer thereunder. The Payments, in an amount not to exceed \$400,000, will be funded with incremental property tax revenues to be derived from the Property. It is anticipated that the County’s total commitment of incremental property tax revenues with respect to the

Infrastructure Project including the Payments (\$400,000), the Admin Fees and the LMI Set Aside (\$184,560) (as described below) will not exceed \$594,560.

LMI Set Aside: Pursuant to the provisions of Section 403.22 of the Code of Iowa, the County will provide low and moderate income family housing assistance in its area of operation in an amount not less than 46.14% of the incremental property tax revenues applied to the Infrastructure Project.

VI. LAND USE PLAN AND PROPOSED DEVELOPMENT

The County's long range development plans for this Urban Renewal Area are matched to its general plan for development in the County and will be tailored to comply with the overall land use needs. All urban renewal activities within the Urban Renewal Area will be consistent with the County's general land use plans.

VII. TAX INCREMENT FINANCING

In order to promote economic growth in the Urban Renewal Area, the County may be requested to acquire land, construct public improvements or provide economic development loans, grants or other tax incentives for the benefit of private and public enterprises in order to enhance the value of property in the Urban Renewal Area. As part of the Urban Renewal Area, the County has adopted an ordinance to create a tax increment district (the "TIF District"), within which the property taxes eventually paid by new private development may be used to pay costs of urban renewal projects for these types of activities, including reimbursing the County or paying debt service on obligations issued by the County. The use of these tax revenues is known as tax increment financing ("TIF").

Depending upon the date upon which the TIF District is legally established and the date on which debt is initially certified within the TIF District, an original taxable valuation is established for the property within the TIF District, which is known as the "base valuation." The "base valuation" is the assessed value of the taxable property in the TIF District as of January 1 of the calendar year preceding the calendar year in which the County first certifies the amount of any debt payable from TIF revenues to be generated within that TIF District. When the value of the property inside the TIF District increases by virtue of new construction or any other reason, the difference between the base valuation and the new property value is the "tax increment" or "incremental value."

Procedurally, after tax increment debt has been incurred for the financing of improvements within the TIF District or for the payment of economic development incentives to private and public entities, property taxes levied by all local jurisdictions (city, county, school, area college) against the incremental value, with the exception of taxes levied to repay current or future debt incurred by local jurisdictions and the school district instructional support and physical plant and equipment levies, are allocated by state law to the County's tax increment fund rather than to each local jurisdiction. These new tax dollars are then used to pay principal of and interest on any tax increment debt incurred or to pay the costs of projects in the Urban Renewal Area.

VIII. RESIDENTIAL DEVELOPMENT

One of the County's objectives in the Urban Renewal Area is to promote new residential development and the corresponding construction of public infrastructure.

When a County utilizes TIF to support the provision of public infrastructure related to residential development, a percentage of the TIF revenues generated by the project (or other funds of the County) must be used to provide assistance to LMI families

Unless a reduction is approved by the Iowa Economic Development Authority, the percent of incremental revenues used to provide LMI assistance must be at least equal to the percentage of LMI families living in the County. That percentage is currently 46.14%. LMI families are those whose incomes do not exceed 80% of the median county income.

The requirement to provide assistance for LMI housing may be met either by ensuring that at least 46.14% of the units constructed in the area are occupied by families whose incomes are at or below 80% of the median county income, or by setting aside an amount equal to 46.14% of the project costs for LMI housing activities elsewhere in the County.

If funds are set aside, as opposed to constructing affordable housing in the Urban Renewal Area, the type of assistance provided anywhere within the County may include but is not necessarily limited to:

1. Owner/renter-occupied housing rehabilitation.
2. Grants, credits or other direct assistance to LMI families.
3. Homeownership assistance.
4. Tenant-based rental assistance.
5. Down-payment assistance.
6. Mortgage interest buy-down assistance.
7. Infrastructure development for LMI housing.

IX. EFFECTIVE PERIOD

This Urban Renewal Plan will become effective upon its adoption by the Board of Supervisors and will remain in effect until it is repealed by the Board of Supervisors. The collection of incremental property taxes in the Urban Renewal Area will continue for the maximum number of years authorized by Chapter 403 of the Code of Iowa unless otherwise determined by action of the Board of Supervisors.

X. PLAN AMENDMENTS

This Urban Renewal Plan may be amended in accordance with the procedures set forth in Chapter 403 of the Code of Iowa to, for example, change the project boundaries, modify urban renewal objectives or activities, or to carry out any other purposes consistent with Chapter 403 of the Code of Iowa.

XI. FINANCIAL INFORMATION

COUNTY DEBT INFORMATION

1. Current constitutional debt limit:	\$ <u>681,392,038</u>
2. Outstanding general obligation debt:	\$ _____
3. Proposed amount of debt to be incurred:	\$ <u>400,000</u> (Project)
	\$ <u>10,000</u> (Admin Fees)
	\$ <u>184,560</u> (LMI Set Aside)
	\$ <u>594,560</u> (Total)

EXHIBIT A
Legal Description
2024 RMP Housing Urban Renewal Area

Parcel 22047, a parcel of land located in part of the Northwest Quarter of the Northeast Quarter and in part of the Northeast Quarter of the Northeast Quarter and in part of the Southeast Quarter of the Northeast Quarter and in part of the Southwest Quarter of the Northeast Quarter, all in Section 30, Township 75 North, Range 42 West of the 5th P.M., Pottawattamie County, Iowa, more particularly described in Plat of Survey filed May 05, 2022 in Book 2022 at Page 06473;

AND

Parcel "F", a parcel of land located in part of the Northwest Quarter of the Northeast Quarter in Section 30, Township 75 North, Range 42 West of the 5th P.M., Pottawattamie County, Iowa, and in part of Lot 36, Cloverleaf Acres, Phase II, Pottawattamie County, Iowa, more particularly described in Plat of Survey filed November 12, 2015 in Book 2015 at Page 14876.



May 7, 2024

VIA EMAIL

Pam Kalstrup
Zoning & Land Use Coordinator
Planning & Development
Pottawattamie County Courthouse
Council Bluffs, IA

Re: 2024 RMP Housing Urban Renewal Area
Our File No. 513630-4

Dear Pam:

Attached please find two sets of proceedings for use by the Board of Supervisors on May 14, 2024.

The first set of proceedings covers the Board's action in holding a public hearing on the designation of the urban renewal area and adopting a resolution to approve the urban renewal plan for that area.

The second set of proceedings covers the adoption of the tax increment ordinance for the urban renewal area. The proceedings provide for final adoption of the ordinance after its second consideration. The waiver of the third consideration requires the affirmative vote of the majority of the Board of Supervisors.

Once the ordinance has been finally adopted, it must be published and a copy must be filed in your office. Please print extra copies of the ordinance for publishing and filing. Certificates are included in the proceedings to attest to each of those acts.

We will appreciate receiving executed copies of these proceedings as soon as they are available. Please contact John Danos or me if you have any questions.

Kind regards,

Amy Bjork

Attachments

cc: Matt Wyant

2024 RMP HOUSING URBAN
RENEWAL AREA DESIGNATION AND
PLAN HEARING

513630-4

Council Bluffs, Iowa

May 14, 2024

The Board of Supervisors of Pottawattamie County, Iowa, met on May 14, 2024, at 10:00 a.m., in the Supervisors’ Hearing Room, Second Floor of the Pottawattamie County Courthouse, Council Bluffs, Iowa, for the purpose of conducting a public hearing on the designation of an urban renewal area and on a proposed urban renewal plan and projects. The Chairperson presided and the roll being called the following Supervisors were present and absent:

Present: _____

Absent: _____.

The Board of Supervisors investigated and found that notice of the intention of the Board to conduct a public hearing on the designation of the 2024 RMP Housing Urban Renewal Area and on an urban renewal plan and projects for the Urban Renewal Area had been published according to law and as directed by the Board and that this is the time and place at which the Board shall receive oral or written objections from any resident or property owner of the County. All written objections, statements, and evidence heretofore filed were reported to the Board, and all oral objections, statements, and all other exhibits presented were considered.

The following named persons presented oral objections, statements, or evidence as summarized below; filed written objections or statements, copies of which are attached hereto; or presented other exhibits, copies of which are attached hereto:

(Here list all persons presenting written or oral statements or evidence and summarize each presentation.)

There being no further objections, comments, or evidence offered, the Chairperson announced the hearing closed.

Supervisor _____ moved the adoption of a resolution entitled “Resolution to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan and Projects for the 2024 RMP Housing Urban Renewal Area,” seconded by Supervisor _____. After due consideration, the Chairperson put the question on the motion and the roll being called, the following named Supervisors voted:

Ayes: _____

Nays: _____.

Whereupon, the Chairperson declared the resolution duly adopted and signed approval thereto.

RESOLUTION NO. _____

Resolution to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan and Projects for the 2024 RMP Housing Urban Renewal Area

WHEREAS, as a preliminary step to exercising the authority conferred upon Iowa counties by Chapter 403 of the Code of Iowa (the “Urban Renewal Law”) a county must adopt a resolution finding that one or more slums, blighted or economic development areas exist in the county and that the development of such area or areas is necessary in the interest of the public health, safety or welfare of the residents of the county; and

WHEREAS, it has been proposed by the Board of Supervisors of Pottawattamie County, Iowa (the “County”), that the 2024 RMP Housing Urban Renewal Area (the “Urban Renewal Area”) be established on the property (the “Property”) described in Exhibit A to this Resolution; and

WHEREAS, the proposal demonstrates that sufficient need exists to warrant finding the Urban Renewal Area to be an economic development area; and

WHEREAS, a proposed urban renewal plan (the “Plan”) has been prepared for the governance of projects and initiatives to be undertaken in the Urban Renewal Area and which authorizes a certain initial urban renewal project (the “Project”) to be undertaken therein consisting of providing tax increment financing support to RMP 87 Development, LLC in connection with the construction of public infrastructure necessary to support the development of a residential subdivision; and

WHEREAS, notice of a public hearing by the Board of Supervisors on the question of establishing the Urban Renewal Area and on the Plan and the Projects was heretofore given in strict compliance with the provisions of Chapter 403 of the Code of Iowa, and the Board has conducted said hearing on May 14, 2024; and

WHEREAS, the Planning and Zoning Commission of the County has reviewed and commented on the proposed Plan; and

WHEREAS, copies of the Plan, notice of public hearing and notice of a consultation meeting with respect to the urban renewal plan were mailed to the Treynor Community School District; the consultation meeting was held on April 24, 2024; and responses to any comments or recommendations received following the consultation meeting were made as required by law; and

WHEREAS, a portion of the Property lies within two miles of the incorporated limits of the City of Council Bluffs, Iowa (the “City”), and a joint agreement (the “Joint Agreement”) has been executed by the City to satisfy the consent requirements of Section 403.17 of the Code of Iowa; and

WHEREAS, pursuant to Section 403.17 of the Code of Iowa, the County has received an executed consent agreement from the owner of the “agricultural land” proposed for inclusion in the Urban Renewal Area; and

NOW, THEREFORE, It Is Resolved by the Board of Supervisors of Pottawattamie County, Iowa, as follows:

Section 1. An economic development area as defined in Chapter 403 of the Code of Iowa is found to exist on the Property.

Section 2. The Property is hereby declared to be an urban renewal area, in conformance with the requirements of Chapter 403 of the Code of Iowa, and is hereby designated the 2024 RMP Housing Urban Renewal Area.

Section 3. The development of the Property is necessary in the interest of the public health, safety or welfare of the residents of the County.

Section 4. It is hereby determined by this Board of Supervisors as follows:

- A. The proposed Plan and the proposed projects and initiatives described therein conform to the general plan of the County as a whole;
- B. Proposed development in the Urban Renewal Area is necessary and appropriate to facilitate the proper growth and development of the County in accordance with sound planning standards and local community objectives.
- C. It is not anticipated that any families will be displaced in connection with the County’s undertakings under the Plan. Should such issues arise, then the County will develop a feasible method of relocating any displaced persons into decent, safe and sanitary dwelling accommodations within their means and without undue hardship.

Section 5. The Plan is made a part hereof and is hereby in all respects approved in the form presented to this Board, and the County is hereby authorized to undertake the projects and initiatives described therein.

Section 6. All resolutions or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved May 14, 2024.

Chairperson, Board of Supervisors

Attest:

County Auditor

(Attach a copy of the urban renewal plan to this resolution)

EXHIBIT A
Legal Description
2024 RMP Housing Urban Renewal Area

Parcel 22047, a parcel of land located in part of the Northwest Quarter of the Northeast Quarter and in part of the Northeast Quarter of the Northeast Quarter and in part of the Southeast Quarter of the Northeast Quarter and in part of the Southwest Quarter of the Northeast Quarter, all in Section 30, Township 75 North, Range 42 West of the 5th P.M., Pottawattamie County, Iowa, more particularly described in Plat of Survey filed May 05, 2022 in Book 2022 at Page 06473;

AND

Parcel "F", a parcel of land located in part of the Northwest Quarter of the Northeast Quarter in Section 30, Township 75 North, Range 42 West of the 5th P.M., Pottawattamie County, Iowa, and in part of Lot 36, Cloverleaf Acres, Phase II, Pottawattamie County, Iowa, more particularly described in Plat of Survey filed November 12, 2015 in Book 2015 at Page 14876.

•••••

Upon motion and vote, the meeting adjourned.

Chairperson, Board of Supervisors

Attest:

County Auditor

STATE OF IOWA

SS:

POTTAWATTAMIE COUNTY

I, the undersigned, County Auditor of Pottawattamie County, Iowa do hereby certify that as such I have in my possession or have access to the complete records of the County and of its officers; and that I have carefully compared the transcript hereto attached with the aforesaid records and that the attached is a true, correct and complete copy of the records relating to the action taken by the Board of Supervisors preliminary to and in connection with designating an urban renewal area and approving the urban renewal plan and project for the 2024 RMP Housing Urban Renewal Area.

WITNESS my hand this ____ day of _____, 2024.

County Auditor

(Please attach to this certificate a copy of the minutes or a resolution of the Planning and Zoning Commission showing the action taken by that Commission with respect to the urban renewal plan.)

MINUTES PROVIDING FOR THE FIRST
CONSIDERATION OF AN ORDINANCE
ESTABLISHING A TAX INCREMENT
FINANCING DISTRICT FOR THE 2024
RMP HOUSING URBAN RENEWAL
AREA

(Initial Consideration)

513630-4

Council Bluffs, Iowa

May 14, 2024

The Board of Supervisors of Pottawattamie County, Iowa, met on May 14, 2024, at 10:00 a.m., in the Supervisors' Hearing Room, Second Floor of the Pottawattamie County Courthouse, Council Bluffs, Iowa.

The Chairperson presided and the roll was called showing Supervisors present and absent, as follows:

Present: _____

Absent: _____.

Supervisor _____ introduced an ordinance entitled "Ordinance No. _____. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2024 RMP Housing Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa."

It was moved by Supervisor _____ and seconded by Supervisor _____ that the aforementioned ordinance be given its first consideration and that it be adopted.

The Chairperson put the question on the motion and the roll being called, the following named Supervisors voted:

Ayes: _____

Nays: _____.

Whereupon, the Chairperson declared the motion duly carried and declared that said ordinance had been given its initial consideration.

•••••

There being no further business to come before the meeting, it was upon motion adjourned.

Chairperson, Board of Supervisors

Attest:

County Auditor

ORDINANCE NO. _____

An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2024 RMP Housing Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

BE IT ENACTED by the Board of Supervisors of Pottawattamie County, Iowa:

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the 2024 RMP Housing Urban Renewal Area, each year by and for the benefit of the state, city, county, school districts or other taxing districts after the effective date of this ordinance in order to create a special fund to pay the principal of and interest on loans, moneys advanced to or indebtedness, including bonds proposed to be issued by Pottawattamie County to finance projects in such area.

Section 2. Definitions. For use within this ordinance the following terms shall have the following meanings:

“County” shall mean Pottawattamie County, Iowa.

“Urban Renewal Area” shall mean the taxable real property situated in 2024 RMP Housing Urban Renewal Area, the boundaries of which are set out below, such property having been identified in the Urban Renewal Plan approved by the Board of Supervisors by resolution adopted on May 14, 2024:

Parcel 22047, a parcel of land located in part of the Northwest Quarter of the Northeast Quarter and in part of the Northeast Quarter of the Northeast Quarter and in part of the Southeast Quarter of the Northeast Quarter and in part of the Southwest Quarter of the Northeast Quarter, all in Section 30, Township 75 North, Range 42 West of the 5th P.M., Pottawattamie County, Iowa, more particularly described in Plat of Survey filed May 05, 2022 in Book 2022 at Page 06473;

AND

Parcel “F”, a parcel of land located in part of the Northwest Quarter of the Northeast Quarter in Section 30, Township 75 North, Range 42 West of the 5th P.M., Pottawattamie County, Iowa, and in part of Lot 36, Cloverleaf Acres, Phase II, Pottawattamie County, Iowa, more particularly described in Plat of Survey filed November 12, 2015 in Book 2015 at Page 14876.

Section 3. Provisions for Division of Taxes Levied on Taxable Property in the Urban Renewal Area. After the effective date of this ordinance, the taxes levied on the taxable property in the Urban Renewal Area each year by and for the benefit of the State of Iowa, the County and any city, school district or other taxing district in which the Urban Renewal Area is located, shall be divided as follows:

(a) that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of

the taxable property in the Urban Renewal Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the County certifies to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the special fund referred to in paragraph (b) below, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. For the purpose of allocating taxes levied by or for any taxing district which did not include the territory in the Urban Renewal Area on the effective date of this ordinance, but to which the territory has been annexed or otherwise included after the effective date, the assessment roll applicable to property in the annexed territory as of January 1 of the calendar year preceding the effective date of the ordinance which amends the plan for the Urban Renewal Area to include the annexed area, shall be used in determining the assessed valuation of the taxable property in the annexed area.

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

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

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

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

Section 5. Saving Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

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

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

Chairperson, Board of Supervisors

Attest:

County Auditor

First Consideration: May 14, 2024

MINUTES PROVIDING FOR FINAL
CONSIDERATION AND ADOPTION OF
AN ORDINANCE ESTABLISHING A
TAX INCREMENT FINANCING
DISTRICT FOR THE 2024 RMP
HOUSING URBAN RENEWAL AREA

(Final Consideration and Adoption)

513630-4

Council Bluffs, Iowa

_____, 2024

The Board of Supervisors of Pottawattamie County, Iowa, met on _____, 2024
at _____ a.m., at the _____, in Council Bluffs, Iowa.

The Chairperson presided and the roll was called showing Supervisors present and
absent, as follows:

Present: _____

Absent: _____.

The Supervisor announced that, on May 14, 2024, the Board had given its initial
consideration and had adopted an ordinance entitled "Ordinance No. _____. An Ordinance
Providing for the Division of Taxes Levied on Taxable Property in the 2024 RMP Housing
Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa."

It was moved by Supervisor _____ and seconded by Supervisor
_____ that the statutory rule requiring said ordinance to be considered and
voted on for passage at two Board meetings prior to the meeting at which it is to be finally
passed be suspended. The Chairperson put the question on the motion and the roll being called,
the following named Supervisors voted:

Ayes: _____

Nays: _____.

Whereupon, the Chairperson declared the motion duly carried.

It was moved by Supervisor _____ and seconded by Supervisor _____ that the aforementioned ordinance be given its final consideration and that it be adopted. The Chairperson put the question on the motion and the roll being called, the following named Supervisors voted:

Ayes: _____

Nays: _____.

Whereupon, the Chairperson declared the motion duly carried and declared that said ordinance had been duly adopted.

• • • • •

There being no further business to come before the meeting, it was upon motion adjourned.

Chairperson, Board of Supervisors

Attest:

County Auditor

STATE OF IOWA

SS:

POTTAWATTAMIE COUNTY

I, the undersigned, County Auditor of Pottawattamie County, Iowa do hereby certify that the attached is a true, correct and complete copy of all the records of the Board of Supervisors of the County relating to the adoption of an ordinance entitled "Ordinance No. _____. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2024 RMP Housing Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa."

WITNESS MY HAND this ___ day of _____, 2024.

County Auditor

STATE OF IOWA

SS:

POTTAWATTAMIE COUNTY

I, the undersigned, County Auditor of Pottawattamie County, in the State of Iowa, do hereby certify that on the ___ day of _____, 2024, a copy of an ordinance of the County was filed in my office, shown to have been adopted by the Board of Supervisors and approved by the Chairperson thereof on _____, 2024, entitled: "Ordinance No. _____. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2024 RMP Housing Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa," and that I have duly placed a copy of the ordinance on file in my records.

WITNESS MY HAND this ___ day of _____, 2024.

County Auditor

STATE OF IOWA

SS:

POTTAWATTAMIE COUNTY

I, the undersigned, County Auditor of Pottawattamie County, Iowa do hereby certify that I caused to be published "Ordinance No. _____. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2024 RMP Housing Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa," of which the printed slip attached to the publisher's original affidavit hereto attached is a true and complete copy, on the date and in the newspaper specified in such affidavit, and that such newspaper has a general circulation in the County.

WITNESS MY HAND this __ day of _____, 2024.

County Auditor

(Attach hereto publisher's affidavit of publication with clipping of ordinance as published.)

(PLEASE NOTE: Do not sign and date this certificate until you have checked a copy of the published ordinance and have verified that it was published on the date indicated in the publisher's affidavit.)

Suzanne Watson/Director and
CEO, Community Services and
Maria Sieck/Administrator,
Public Health

**Discussion and/or decision to approve and sign
Proclamation designating the month of May 2024 as
Mental Health Awareness Month.**

2024 - Mental Health Awareness Month Proclamation

WHEREAS, One in five American adults experience a mental health condition each year and Mental Health Awareness month is observed annually in May to increase understanding of mental health and its impact on individuals and communities.

WHEREAS, The Douglas County Health Department, Pottawattamie County Health Department, Sarpy/Cass Health Department, and The Wellbeing Partners formed the Regional Health Council (RHC) and are joined by area hospitals, health centers, and other non-profit agencies to take a regional approach to mental health, as prioritized and identified by the 2021 Community Health Assessment data and feedback from community members.

WHEREAS, The Southwest Iowa Mental Health and Disability Services Region collaborates with these agencies to fulfill its mission “to provide a responsive and welcoming system of support for overall mental wellness.”

WHEREAS, An estimated 44% of residents detained in jails are suffering from a mental illness, often with co-occurring substance use disorders.

WHEREAS, Suicide is the 10th leading cause of death in the United States and the 2nd leading cause of death among young adults, and 90% of people who die by suicide have an underlying mental illness.

WHEREAS, Pottawattamie County, Iowa and all counties serve as a safety net for residents in need.

WHEREAS, The Southwest Iowa Mental Health and Disability Services Region has developed community-based services and supports along with an array of crisis services which help people stay out of jail and the hospital by offering mental health treatment in the community.

WHEREAS, The metro region partners and the local WhatMakeUs campaign to end mental health stigma pledge to increase awareness and understanding of mental health.

WHEREAS, Reducing the stigma of mental health encourages people to ask for support and seek help when needed.

WHEREAS, We acknowledge the need for equitable, appropriate, and accessible mental health resources and pledge to amplify existing resources and increase connections.

WHEREAS, With treatment, those with mental health conditions can recover and lead full and productive lives.

NOW, THEREFORE, LET IT BE PROCLAIMED that The Pottawattamie County Board of Supervisors, does hereby declare May 2024 as Mental Health Awareness Month and encourages all citizens, community agencies, organizations, businesses, and schools within Pottawattamie County to increase awareness and understanding of mental health, the steps that our citizens can take to protect their mental health, and the need for appropriate, accessible services and support for all people with mental health conditions and their family members.

BE IT FURTHER PROCLAIMED the Pottawattamie County Board of Supervisors continues its commitment to partner with community organizations to ensure that all behavioral health and disability services are accessible, valuable and culturally appropriate for all residents of Pottawattamie County, Iowa.

Dated: May 14, 2024

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
<hr/> Susan Miller, Chairperson	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<hr/> Scott Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<hr/> Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<hr/> Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<hr/> Jeff Jorgensen	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

**Matt Wyant/Director, Planning
and Development and Pam
Kalstrup/Zoning and Land Use
Coordinator**

**Discussion and/or decision to approve First
Consideration of Ordinance No. 2024-04 entitled: An
Ordinance Providing for the Division of Taxes Levied on
Taxable Property in the 2024 RMP Housing Urban
Renewal Area, Pursuant to Section 403.19 of the Code of
Iowa (First Consideration), and to set date for Second
Consideration.**

RECORDER'S COVER SHEET

Prepared by:

Pottawattamie County Office of Planning and Development
227 South 6th Street, Suite 157
Council Bluffs, IA 51501
(712) 328-5792

Return Document to:

Pottawattamie County Office of Planning and Development
227 South 6th Street, Suite 157
Council Bluffs, IA 51501
(712) 328-5792

Document Title:

Pottawattamie County
Ordinance #2024-04

**POTTAWATTAMIE COUNTY, IOWA
ORDINANCE NO. 2024-04**

**An Ordinance Providing for the Division of Taxes Levied on Taxable
Property in the 2024 RMP Housing Urban Renewal Area, Pursuant to
Section 403.19 of the Code of Iowa**

BE IT ENACTED by the Board of Supervisors of Pottawattamie County, Iowa:

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the 2024 RMP Housing Urban Renewal Area, each year by and for the benefit of the state, city, county, school districts or other taxing districts after the effective date of this ordinance in order to create a special fund to pay the principal of and interest on loans, moneys advanced to or indebtedness, including bonds proposed to be issued by Pottawattamie County to finance projects in such area.

Section 2. Definitions. For use within this ordinance the following terms shall have the following meanings:

“County” shall mean Pottawattamie County, Iowa.

“Urban Renewal Area” shall mean the taxable real property situated in 2024 RMP Housing Urban Renewal Area, the boundaries of which are set out below, such property having been identified in the Urban Renewal Plan approved by the Board of Supervisors by resolution adopted on May 14, 2024:

Parcel 22047, a parcel of land located in part of the Northwest Quarter of the Northeast Quarter and in part of the Northeast Quarter of the Northeast Quarter and in part of the Southeast Quarter of the Northeast Quarter and in part of the Southwest Quarter of the Northeast Quarter, all in Section 30, Township 75 North, Range 42 West of the 5th P.M., Pottawattamie County, Iowa, more particularly described in Plat of Survey filed May 05, 2022 in Book 2022 at Page 06473;

AND

Parcel “F”, a parcel of land located in part of the Northwest Quarter of the Northeast Quarter in Section 30, Township 75 North, Range 42 West of the 5th P.M., Pottawattamie County, Iowa, and in part of Lot 36, Cloverleaf Acres, Phase II, Pottawattamie County, Iowa, more particularly described in Plat of Survey filed November 12, 2015 in Book 2015 at Page 14876.

Section 3. Provisions for Division of Taxes Levied on Taxable Property in the Urban Renewal Area. After the effective date of this ordinance, the taxes levied on the taxable property in the Urban Renewal Area each year by and for the benefit of the State of Iowa, the County and any city, school district or other taxing district in which the Urban Renewal Area is located, shall be divided as follows:

(a) that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the County certifies to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the special fund referred to in paragraph (b) below, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. For the purpose of allocating taxes levied by or for any taxing district which did not include the territory in the Urban Renewal Area on the effective date of this ordinance, but to which the territory has been annexed or otherwise included after the effective date, the assessment roll applicable to property in the annexed territory as of January 1 of the calendar year preceding the effective date of the ordinance which amends the plan for the Urban Renewal Area to include the annexed area, shall be used in determining the assessed valuation of the taxable property in the annexed area.

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

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

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

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

Section 5. Saving Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

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

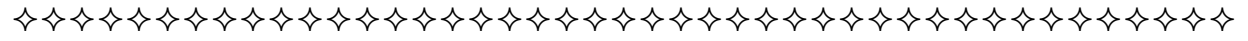
Passed and approved by the Board of Supervisors of Pottawattamie County, Iowa on _____, 2024.

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

Brian Shea

Jeff Jorgensen

Attest: _____
Melvyn Houser, County Auditor
Pottawattamie County, Iowa



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

**Matt Wyant/Director, Planning
and Development and Pam
Kalstrup/Zoning and Land Use
Coordinator**

**Discussion and/or decision to approve and authorize
Boad to sign Resolution No. 41-2024 Setting Date of
Meeting at Which it is Proposed to Approve a
Development Agreement with RMP 87 Development,
LLC, Including Tax Increment Payments.**

RESOLUTION NO. 41-2024

Resolution Setting a Date of Meeting at Which it is Proposed to Approve a Development Agreement with RMP 87 Development, LLC, Including Tax Increment Payments

WHEREAS, Pottawattamie County, Iowa (the “County”), pursuant to and in strict compliance with all laws applicable to the County, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an urban renewal plan for the 2024 RMP Housing Urban Renewal Area (the “Urban Renewal Area”); and

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

WHEREAS, the County proposes to enter into a certain development agreement (the “Development Agreement”) with RMP 87 Development, LLC (the “Developer”) in connection with the construction of public infrastructure necessary to support the development of a residential subdivision in the Urban Renewal Area; and

WHEREAS, the Development Agreement would provide financial incentives to the Developer including certain incremental property tax payments in an amount not to exceed \$400,000 (the “TIF Payments”) under the authority of Section 403.9(1) of the Code of Iowa; and

WHEREAS, it is necessary to set a date for a public hearing on the Development Agreement and the TIF Payments, pursuant to Section 403.9 of the Code of Iowa;

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

Section 1. This Board of Supervisors shall meet on May 28, 2024, at 10:00 a.m., at the Board Room, County Courthouse, 227 S 6th Street, Council Bluffs, Iowa, at which time and place proceedings will be instituted and action taken to approve the Development Agreement and to authorize the TIF Payments.

Section 2. The County Auditor is hereby directed to give notice of the proposed action, the time when and place where said meeting will be held, by publication at least once not less than four (4) days and not more than twenty (20) days before the date of said meeting in a legal newspaper of general circulation in the Pottawattamie County. Said notice shall be in substantially the following form:

NOTICE OF MEETING FOR APPROVAL OF DEVELOPMENT AGREEMENT WITH RMP 87 DEVELOPMENT, LLC AND AUTHORIZATION OF TAX INCREMENT PAYMENTS

The Board of Supervisors Pottawattamie County, Iowa (the “County”), will meet at the Board Room, County Courthouse, 227 S 6th Street, Council Bluffs, Iowa, on May 28, 2024, at 10:00 a.m., at which time and place proceedings will be instituted and action taken to approve a Development Agreement (the “Agreement”) between the County and RMP 87 Development, LLC (the “Developer”), in connection with the construction of public infrastructure necessary to support the development of a residential subdivision in the 2024 RMP Housing Urban Renewal Area. The Agreement will provide for certain financial incentives in the form of incremental property tax payments to the Developer in a total amount not exceeding \$400,000 as authorized by Section 403.9 of the Code of Iowa.

The commitment of the County to make incremental property tax payments to the Developer under the Agreement will not be a general obligation of the County, but will be payable solely and only from incremental property tax revenues generated within the 2024 RMP Housing Urban Renewal Area. Some or all of the payments under the Agreement may be subject to annual appropriation by the Board of Supervisors.

At the meeting, the Board of Supervisors will receive oral or written objections from any resident or property owner of the County. Thereafter, the Board may, at the meeting or at an adjournment thereof, take additional action to approve the Agreement or may abandon the proposal.

This notice is given by order of the Board of Supervisors of Pottawattamie County, Iowa, in accordance with Section 403.9 of the Code of Iowa.

Melvyn Houser
County Auditor

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Section 4. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and Approved this 14th day of May, 2024.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
<hr/> Susan Miller, Chairperson	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<hr/> Scott Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<hr/> Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<hr/> Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<hr/> Jeff Jorgensen	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST:

Melvyn Houser, County Auditor



May 8, 2024

Via Email

Pam Kalstrup
Zoning & Land Use Coordinator
Planning & Development
Pottawattamie County Courthouse
Council Bluffs, IA

Re: RMP 87 Development, LLC (Development Agreement)
Our File No. 513630-4

Dear Pam:

Attached please find proceedings to enable the Board of Supervisors to act on May 14, 2024 to set May 28, 2024 as the date for a public hearing on the proposed Development Agreement with RMP 87 Development, LLC, including the proposal for tax increment payments.

The notice of public hearing on the Agreement must be published once, not less than four (4) and not more than twenty (20) days prior to the Board of Supervisors meeting at which the hearing will be held. The last date on which the notice can effectively be published is May 24, 2024. Please print an extra copy of the notice for delivery to the newspaper. Please insert the time and place of the hearing in both the resolution and the notice and email a copy of the published notice to lemke.susan@dorsey.com.

We will prepare and forward to you in time for the May 28, 2024 meeting the necessary proceedings to approve the Agreement.

We would appreciate receiving one fully executed copy of these proceedings as soon as they are available.

Please contact John Danos or me if you have questions.

Kind regards,

Amy Bjork

Attachments

cc: Matt Wyant

SET DATE FOR HEARING ON
DEVELOPMENT AGREEMENT AND
TAX INCREMENT PAYMENTS

(RMP 87 Development, LLC)

513630-4

Council Bluffs, Iowa

May 14, 2024

The Board of Supervisors of Pottawattamie County, Iowa, met on May 14, 2024, at 10:00 a.m., in the Supervisors' Hearing Room, Second Floor of the Pottawattamie County Courthouse, Council Bluffs, Iowa, pursuant to the rules of the Board.

The Chairperson presided and the roll was called, showing members present and absent as follows:

Present: _____

Absent: _____.

Supervisor _____ introduced the resolution next hereinafter set out and moved its adoption, seconded by Supervisor _____; and after due consideration thereof by the Board of Supervisors, the Chairperson put the question upon the adoption of said resolution, and the roll being called, the following named Supervisors voted:

Ayes: _____

Nays: _____.

Whereupon, the Chairperson declared said resolution duly adopted, as follows:

RESOLUTION NO. _____

Resolution Setting a Date of Meeting at Which it is Proposed to Approve a Development Agreement with RMP 87 Development, LLC, Including Tax Increment Payments

WHEREAS, Pottawattamie County, Iowa (the “County”), pursuant to and in strict compliance with all laws applicable to the County, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an urban renewal plan for the 2024 RMP Housing Urban Renewal Area (the “Urban Renewal Area”); and

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

WHEREAS, the County proposes to enter into a certain development agreement (the “Development Agreement”) with RMP 87 Development, LLC (the “Developer”) in connection with the construction of public infrastructure necessary to support the development of a residential subdivision in the Urban Renewal Area; and

WHEREAS, the Development Agreement would provide financial incentives to the Developer including certain incremental property tax payments in an amount not to exceed \$400,000 (the “TIF Payments”) under the authority of Section 403.9(1) of the Code of Iowa; and

WHEREAS, it is necessary to set a date for a public hearing on the Development Agreement and the TIF Payments, pursuant to Section 403.9 of the Code of Iowa;

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

Section 1. This Board of Supervisors shall meet on May 28, 2024, at _____ a.m., at the _____, Council Bluffs, Iowa, at which time and place proceedings will be instituted and action taken to approve the Development Agreement and to authorize the TIF Payments.

Section 2. The County Auditor is hereby directed to give notice of the proposed action, the time when and place where said meeting will be held, by publication at least once not less than four (4) days and not more than twenty (20) days before the date of said meeting in a legal newspaper of general circulation in the Pottawattamie County. Said notice shall be in substantially the following form:

NOTICE OF MEETING FOR APPROVAL OF DEVELOPMENT
AGREEMENT WITH RMP 87 DEVELOPMENT, LLC AND
AUTHORIZATION OF TAX INCREMENT PAYMENTS

The Board of Supervisors Pottawattamie County, Iowa (the “County”), will meet at the _____, in Council Bluffs, Iowa, on May 28, 2024, at _____ a.m., at which time and place proceedings will be instituted and action taken to approve a Development Agreement (the “Agreement”) between the County and RMP 87 Development, LLC (the “Developer”), in connection with the construction of public infrastructure necessary to support the development of a residential subdivision in the 2024 RMP Housing Urban Renewal Area. The Agreement will provide for certain financial incentives in the form of incremental property tax payments to the Developer in a total amount not exceeding \$400,000 as authorized by Section 403.9 of the Code of Iowa.

The commitment of the County to make incremental property tax payments to the Developer under the Agreement will not be a general obligation of the County, but will be payable solely and only from incremental property tax revenues generated within the 2024 RMP Housing Urban Renewal Area. Some or all of the payments under the Agreement may be subject to annual appropriation by the Board of Supervisors.

At the meeting, the Board of Supervisors will receive oral or written objections from any resident or property owner of the County. Thereafter, the Board may, at the meeting or at an adjournment thereof, take additional action to approve the Agreement or may abandon the proposal.

This notice is given by order of the Board of Supervisors of Pottawattamie County, Iowa, in accordance with Section 403.9 of the Code of Iowa.

Melvyn Houser
County Auditor

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Section 4. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved May 14, 2024.

Chairperson, Board of Supervisors

Attest:

County Auditor

••••

On motion and vote the meeting adjourned.

Chairperson, Board of Supervisors

Attest:

County Auditor

STATE OF IOWA
POTTAWATTAMIE COUNTY SS:

I, the undersigned, County Auditor of Pottawattamie County, Iowa do hereby certify that the foregoing is a true and correct copy of the minutes of the Board of Supervisors of the County relating to the adoption of a resolution to fix a date of meeting at which it is proposed to take action to approve a Development Agreement.

I do further certify that the notice of hearing, to which the printed slip attached to the publisher's original affidavit hereto attached is a true and complete copy, was published on the date and in the newspaper specified in such affidavit, which newspaper has a general circulation in the County.

WITNESS MY HAND this ____ day of _____, 2024.

County Auditor

(Attach here the publisher's original affidavit with clipping of the notice as published.)

(PLEASE NOTE: Do not sign and date this certificate until you have checked a copy of the published notice and have verified that it was published on the date indicated in the publisher's affidavit.)

DEVELOPMENT AGREEMENT

This Agreement is entered into between Pottawattamie County, Iowa (the “County”) and RMP 87 Development, LLC (the “Developer”) as of the ____ day of _____, 2024 (the “Commencement Date”).

WHEREAS, the County has established the 2024 RMP Housing Urban Renewal Area (the “Urban Renewal Area”) and has adopted a tax increment ordinance for the Urban Renewal Area; and

WHEREAS, the Developer owns certain property in the Urban Renewal Area, the legal description of which is set out in Exhibit A hereto (the “Property”), and the Developer has undertaken the development of a residential subdivision (the “Housing Project”) on the Property, including the construction of certain public infrastructure improvements in connection therewith (the “Infrastructure Project”); and

WHEREAS, the Developer has requested that the County provide tax increment financing assistance for the Infrastructure Project; and

WHEREAS, the Iowa Urban Renewal law requires that any project related to housing which receives tax increment financing assistance must also generate funds to be used to provide assistance related to housing for low and moderate income families; and

WHEREAS, Chapter 15A of the Code of Iowa authorizes cities to provide grants, loans, guarantees, tax incentives and other financial assistance to or for the benefit of private persons;

NOW THEREFORE, the parties hereto agree as follows:

A. Developer’s Covenants:

1. Housing Project and Subdivision. The Developer agrees to submit a detailed site plan (the “Site Plan”) for the development of the Housing Project for review and approval by the Board of Supervisors of the County. Upon approval by the Board of Supervisors, the Site Plan shall be attached hereto as Exhibit B. The Developer agrees to construct the Housing Project on the Property in accordance with the Site Plan. Prior to beginning construction of the Housing Project, the Developer will subdivide the Property in accordance with applicable ordinances and regulations. The Developer agrees to cause the completion of at least one (1) of the houses comprising the Housing Project by December 31, 2025.

2. Infrastructure Project Construction and Inspection. The Developer has constructed the Infrastructure Project.

Upon acceptance by the County of the Infrastructure Project in accordance with State of Iowa law and all County regulations, the Developer will deliver to the County either a deed or permanent easement to the improvements and related right-of-way comprising the Infrastructure Project.

The County shall retain all rights to inspect the Infrastructure Project for quality of work and full compliance with all applicable laws, ordinances and regulations. Nothing in this subsection shall be interpreted as limiting the County's rights to not accept the work if the Infrastructure Project has not been completed to the satisfaction of the County.

3. Infrastructure Project Costs Documentation. The Developer agrees to provide documentation (the "Costs Documentation") detailing the costs (the "Infrastructure Costs") incurred in the completion of the Infrastructure Project. Such Infrastructure Costs may include only costs related to the construction of street and storm water drainage improvements (the "Street and Storm Water Drainage Improvements") completed in connection with the construction of the Infrastructure Project. The Infrastructure Costs shall not include such costs as are incurred in the completion of the Housing Project.

The Costs Documentation will be accompanied by invoices, and such other documentation as is reasonably requested by the County, confirming that the Infrastructure Costs detailed in such Costs Documentation were in fact incurred in the installation of the Street and Storm Water Drainage Improvements and that such Infrastructure Costs are of an amount reasonably to have been expected with respect to such installation. The Developer will include a cover page in the form attached hereto as Exhibit C with its submittal of the Costs Documentation.

4. Property Tax Payment Certification. The Developer agrees to certify to the County by no later than October 15 of each year during the Term (as hereinafter defined), commencing October 15, 2026, an amount (each, a "Developer's Estimate") equal to the estimated Incremental Property Tax Revenues (as hereinafter defined) anticipated to be paid in the fiscal year immediately following such certification with respect to the taxable valuation of the Property.

In submitting each such Developer's Estimate, the Developer will complete and submit the worksheet (the "Worksheet") attached hereto as Exhibit D. Each Developer's Estimate shall be divided into two figures: (1) 46.14% shall be designated as the "LMI Amount" (see Section B.5 below); and (2) 53.86% shall be designated as the "Projected Payment Amount." The County reserves the right to review and request revisions to each such Developer's Estimate to ensure the accuracy of the figures submitted.

For purposes of this Agreement, Incremental Property Tax Revenues are calculated by: (1) determining the consolidated property tax levy (county, school, etc.) then in effect with respect to taxation of the Property; (2) subtracting (a) the debt service levies of all taxing jurisdictions, (b) the school district instructional support and physical plant and equipment levies and (c) any other levies which may be exempted from such calculation by action of the Iowa General Assembly; (3) multiplying the resulting modified consolidated levy rate times any incremental growth in the taxable valuation of the Property, as shown on the property tax rolls of Pottawattamie County, above and beyond that the Base Valuation (as hereinafter defined); and (4) deducting any property tax credits which shall be available with respect to the incremental valuation of the Property.

The Developer agrees that the taxable base valuation (the “Base Valuation”) of the Property for purposes of calculating Incremental Property Tax Revenues under Section 403.19 of the Code of Iowa and this Agreement shall be the taxable valuation of the Property shown on the County’s tax rolls as of January 1, 2025.

Upon request, the County staff shall provide reasonable assistance to the Developer in completing the worksheet(s) required under this Section A.4.

5. Events of Default.

a. Events of Default. The following shall be “Events of Default” under this Agreement, and the term “Event of Default” shall mean, whenever it is used in this Agreement (unless otherwise provided), any one or more of the following events:

- i. Failure by the Developer to complete construction of the Housing Project pursuant to the terms and conditions of this Agreement.
- ii. Failure by the Developer to complete construction of the Infrastructure Project in accordance with all State of Iowa and County regulations.
- iii. Failure by the Developer to comply with Sections A.2, A.3 and A.4 of this Agreement.

b. Notice and Remedies. Whenever any Event of Default described in this Agreement occurs, the County shall provide written notice to the Developer describing the cause of the default and the steps that must be taken by the Developer in order to cure the default. The Developer shall have thirty (30) days after receipt of the notice to cure the default or to provide assurances satisfactory to the County that the default will be cured as soon as reasonably possible. If the Developer fails to cure the default or provide assurances, the County shall then have the right to:

- i. Pursue any action available to it, at law or in equity, in order to enforce the terms of this Agreement.
- ii. Withhold the Payments under Section B.2 of this Agreement, such right being additional to the right of annual appropriation as set forth in Section B.3 below.
- iii. Terminate this Agreement.

6. Legal and Administrative Costs. The Developer hereby agrees to pay fifty percent (50%) of the legal fees and administrative costs incurred by the County in connection with the drafting, negotiation and authorization of this Agreement, including the prerequisite amendment to the urban renewal plan, up to an amount not in excess of \$5,000. The Developer agrees to remit payment to the County within 30 days of the submission of reasonable documentation by the County to the Developer evidencing such costs.

B. County's Covenants:

1. Review of Costs Documentation. The County staff will review the Costs Documentation upon receipt from the Developer. If the County determines the costs set forth in the Costs Documentation are costs reasonably incurred in the construction of Street and Storm Water Drainage Improvements, then the County shall record a summary of the date, amount and nature of the costs (the "Accepted Infrastructure Costs") on the Summary of Accepted Infrastructure Costs attached hereto as Exhibit E, and such summary shall be the official record of the Accepted Infrastructure Costs for purposes of tallying the Maximum Payment Total, as defined in Section B.2 of this Agreement.

If the County determines the Infrastructure Costs set forth in the Costs Documentation are not costs reasonably incurred in the construction of the Street and Storm Water Drainage Improvements, the County shall notify the Developer of such determination within fifteen (15) days of such determination in order to allow an opportunity for the Developer to cure the noted deficiencies.

2. Payments. In recognition of the Developer's obligations set out above, the County agrees to make twenty-two (22) semiannual economic development tax increment payments (the "Payments" and, individually, each a "Payment") to the Developer during the Term of this Agreement pursuant to Chapters 15A and 403 of the Code of Iowa, provided however that the aggregate, total amount of the Payments (the "Maximum Payment Total") shall not exceed the lesser of (i) the Accepted Infrastructure Costs, or (ii) \$400,000. All Payments under this Agreement shall be subject to annual appropriation by the Board of Supervisors, as provided hereunder.

The Payments shall not constitute general obligations of the County, but shall be made solely and only from Incremental Property Tax Revenues received by the County from the Pottawattamie County Treasurer attributable to the incremental taxable valuation of the Property.

This Agreement assumes that a portion of the taxable valuation resulting from the Housing Project will go on the property tax rolls as of January 1, 2026. Accordingly, assuming all appropriation determinations are approved affirmatively by the Board of Supervisors under Section B.3 below, Payments will be made on December 1 and June 1 of each fiscal year, beginning December 1, 2027, and continuing through and including June 1, 2038, or until such earlier date upon which total Payments equal to the Maximum Payment Total have been made.

3. Annual Appropriation. The Payments shall be subject to annual appropriation by the Board of Supervisors. Prior to December 1 of each year during the Term (as hereinafter defined), beginning in calendar year 2026, the Board of Supervisors of the County shall consider the question of obligating for appropriation to the funding of the Payments due in the following fiscal year, an amount (the "Appropriated Amount") of Incremental Property Tax Revenues to be collected in the following fiscal year equal to or less than the most recently submitted Developer's Estimate.

In any given fiscal year, if the Board of Supervisors determines to not obligate the then-considered Appropriated Amount, then the County will be under no obligation to fund the

Payments scheduled to become due in the following fiscal year, and the Developer will have no rights whatsoever to compel the County to make such Payments, to seek damages relative thereto or to compel the funding of such Payments in future fiscal years. A determination by the Board of Supervisors to not obligate funds for any particular fiscal year's Payments shall not render this Agreement null and void, and the Developer shall make the next succeeding submission of the Developer's Estimate as called for in Section A.4 above, provided however that no Payment shall be made under this Agreement after June 1, 2038.

4. Payment Amounts. The aggregate Payments to be made in a fiscal year shall not exceed an amount equal to the corresponding Appropriated Amount (for example, for the Payments due on December 1, 2027 and on June 1, 2028, the aggregate maximum amount of such Payments would be determined by the Appropriated Amount determined for certification by December 1, 2026), provided, however, that no Payment shall exceed the amount of Incremental Property Tax Revenues actually received by the County from the Pottawattamie County Treasurer attributable to the taxable incremental valuation of the Property in the six (6) months immediately preceding such Payment's due date minus the then-effective LMI Amount.

5. Low and Moderate Income Set Aside. On each Payment date, the County shall retain from then-accumulated Incremental Property Tax Revenues received with respect to the Property an amount equal to such accumulated Incremental Property Tax Revenues multiplied by the minimum percentage required by Section 403.22 of the Code of Iowa. As of the date of this Agreement, the applicable minimum percentage is 46.14%. At such time that the County has retained Incremental Property Tax Revenues equal to 46.14% of the Maximum Payment Total, the County shall no longer be required to retain the LMI Amount from the Incremental Property Tax Revenues before making the Payments to the Developer.

The funds retained shall be used by the County in the provision of assistance to low and moderate income families, pursuant to Section 403.22 of the Code of Iowa. Pursuant to that certain Joint Agreement between the County and the City of Council Bluffs, Iowa (the "City") dated February 13, 2024, the County has agreed to distribute the LMI Amount to the City to assist the City in paying the costs of undertaking programs to aid low and moderate income families with their housing needs.

6. Certification of Payment Obligation. In any given fiscal year, if the Board of Supervisors determines to obligate the then-considered Appropriated Amount, as set forth in Section B.3 above, then the County Auditor will certify by December 1 of each such year to the Pottawattamie County Auditor (for purposes of Section 403.19 of the Code of Iowa) an amount equal to the most recently obligated Appropriated Amount for the funding of the Payments, plus the corresponding LMI Amount due in the next succeeding fiscal year.

C. Administrative Provisions:

1. Assignment. Neither party shall have the right to cause this Agreement to be amended, assigned, assumed, sold or otherwise transferred without the prior written consent of the other party. However, the County hereby gives its permission that the Developer's rights to receive the Payments hereunder may be assigned by the Developer to a private lender, as security on a credit facility taken in connection with the Housing Project and/or the Infrastructure Project,

without further action on the part of the County. This Agreement is personal to the Developer and shall not run with the Property.

2. **Successors.** This Agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties.

3. **Term.** The term (the "Term") of this Agreement shall commence on the Commencement Date and end on the date on which the last Payment is made by the County to the Developer under Section B.2 above.

4. **Choice of Law.** This Agreement shall be deemed to be a contract made under the laws of the State of Iowa and for all purposes shall be governed by and construed in accordance with laws of the State of Iowa.

The County and the Developer have caused this Agreement to be signed in their names and on their behalf by their duly authorized officers, all as of the day and date written above.

POTTAWATTAMIE COUNTY, IOWA

By: _____
Chairperson

Attest:

County Auditor

RMP 87 DEVELOPMENT, LLC

By: _____
[Name, Title]

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY

Parcel 22047, a parcel of land located in part of the Northwest Quarter of the Northeast Quarter and in part of the Northeast Quarter of the Northeast Quarter and in part of the Southeast Quarter of the Northeast Quarter and in part of the Southwest Quarter of the Northeast Quarter, all in Section 30, Township 75 North, Range 42 West of the 5th P.M., Pottawattamie County, Iowa, more particularly described in Plat of Survey filed May 05, 2022 in Book 2022 at Page 06473;

AND

Parcel "F", a parcel of land located in part of the Northwest Quarter of the Northeast Quarter in Section 30, Township 75 North, Range 42 West of the 5th P.M., Pottawattamie County, Iowa, and in part of Lot 36, Cloverleaf Acres, Phase II, Pottawattamie County, Iowa, more particularly described in Plat of Survey filed November 12, 2015 in Book 2015 at Page 14876.

EXHIBIT B
SITE PLAN FOR HOUSING PROJECT

EXHIBIT C
**FORM OF COVER PAGE FOR INFRASTRUCTURE COSTS
DOCUMENTATION**

Date submitted: _____

Submitted by: _____

Contact information: _____

Index of Invoices/Statements Attached to substantive request:

I, the undersigned hereby certify that the costs shown on the documents referred in the index above are legitimate costs reasonably incurred in the undertaking of the Infrastructure Project.

RMP 87 Development, LLC

By: _____

Title: _____

Reviewed and accepted by Pottawattamie County, Iowa this ____ day of _____, 20__.

By: _____

County Auditor

EXHIBIT D
DEVELOPER'S ESTIMATE WORKSHEET

- (1) Date of Preparation: October _____, 20____.
- (2) Assessed Taxable Valuation of Property as of January 1, 20____:
\$ _____.
- (3) Base Taxable Valuation of Property (January 1, 2025):
\$ _____.
- (4) Incremental Taxable Valuation of Property (2 minus 3):
\$ _____ (the "TIF Value").
- (5) Current County fiscal year consolidated property tax levy rate for purposes of calculating Incremental Property Tax Revenues (the "Adjusted Levy Rate"):
\$ _____ per thousand of value.
- (6) The TIF Value (4) factored by the Adjusted Levy Rate (5).
\$ _____ x \$ _____ /1000=\$ _____ (the "Developer's Estimate")
- (7) Developer's Estimate = \$ _____
x .5386 = \$ _____ (Project Payments Amount)
x .4614 = \$ _____ (Estimated LMI Amount)

EXHIBIT E
SUMMARY OF ACCEPTED INFRASTRUCTURE COSTS

Date of Cost	Amount of Cost	Nature of Cost	Date Accepted by County

**Matt Wyant/Director, Planning
and Development and Pam
Kalstrup/Zoning and Land Use
Coordinator**

**Discussion and/or decision to approve Final Plat of Cedar
Woods Addition, a subdivision situated in Lewis
Township; and to sign Planning and Zoning Resolution
No. 2024-03.**

RECORDER'S COVER SHEET

Prepared by:

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

Return Document to:

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

Document Title:

Pottawattamie County
Planning and Zoning Resolution #2024-03

**PLANNING AND ZONING
RESOLUTION NO. 2024-03**

WHEREAS, this Board had approved the preliminary plat of **Cedar Woods Addition**, a residential subdivision situated in **Lewis Township**, by approval of Planning and Zoning Resolution No. **2024-01**, dated **April 16, 2024**; and

WHEREAS, the final plat and supporting documents required by Chapter 9.10 of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa, has been filed with this Board for its study and consideration under **Case #SUB-2024-01**; and

WHEREAS, this Board has examined the final plat and has found they are in substantial compliance with the approved preliminary plats; and

WHEREAS, after careful study, and due consideration this Board has determined that the final plat and supporting documents conform to the requirements of Chapter 9.10 of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa, and it has deemed it to be in the best interest of Pottawattamie County, Iowa, to approve the final plats.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA: That the final plat of **Cedar Woods Addition**, a residential subdivision in Pottawattamie County, Iowa, be, and the same is hereby approved as the final plat of said subdivision.

And that the Chairperson of the Board of Supervisors is hereby authorized to enter such approval upon said final plat.

PASSED AND APPROVED May 14, 2024

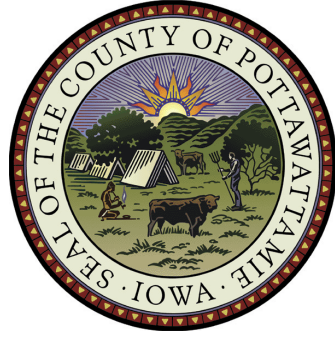
	ROLL		CALL VOTE	
	AYE	NAY	ABSTAIN	ABSENT
_____ Susan Miller, Chairperson	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	A Y E	R O L L N A Y	C A L L A B S T A I N	V O T E A B S E N T
_____ Jeff Jorgensen	<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"/>

Attest: _____
 Melvyn Houser, County Auditor
 Pottawattamie County, Iowa

RECORD: After Passage

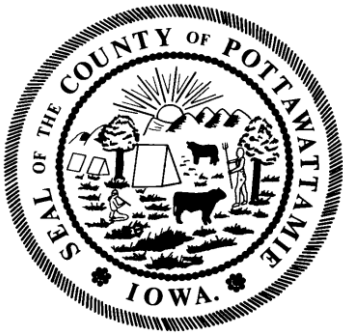
Melvyn Houser
POTTAWATTAMIE COUNTY AUDITOR
AND ELECTION COMMISSIONER



TO WHOM IT MAY CONCERN:

I, Melvyn Houser, County Auditor, Pottawattamie County, Iowa, do hereby certify that the attached is a true and accurate copy of Planning and Zoning Resolution #2024-03, adopted by the Pottawattamie County, Iowa, Board of Supervisors, in their approval of Cedar Woods Addition, on May 14, 2024.

Dated this 14th day of May 2024



Melvyn Houser, County Auditor
Pottawattamie County, Iowa

**FINAL PLAT OF
CEDAR WOODS ADDITION**

A SUBDIVISION OF PART OF LOTS 2 & 4 OF THE AUDITOR'S SUBDIVISION OF THE SW1/4 NE1/4, PART OF LOT 2 OF THE AUDITOR'S SUBDIVISION OF THE NW1/4 SE1/4, AND ALL OF LOT 6 OF CEDAR HILL SUBDIVISION, ALL IN SECTION 15, T74N, R43W OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA

LEGAL DESCRIPTION:

A parcel of land containing part Lots 2 and 4 of the Auditor's Subdivision of the Southwest Quarter of the Northeast Quarter, part of Lot 2 of the Auditor's Subdivision of the Northwest Quarter of the Southeast Quarter, and all of Lot 6 of Cedar Hill Subdivision, all in Section 15, Township 74 North, Range 43 West of the 5th Principal Meridian, Pottawattamie County, Iowa, described as follows:

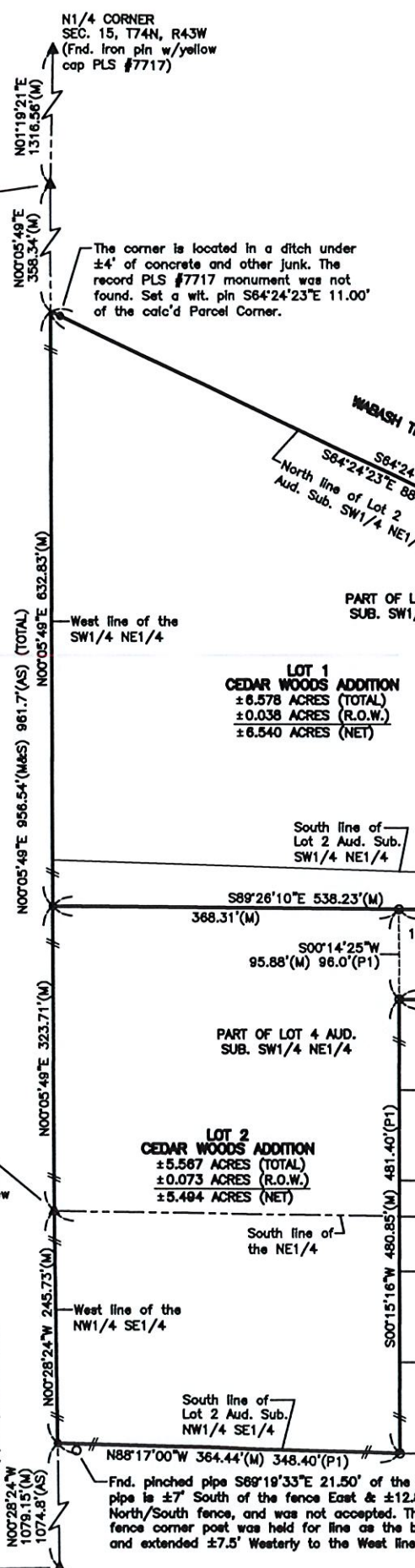
Beginning at the Southwest Corner of the Southwest Quarter of the Northeast Quarter of said Section 15; thence North 00°05'49" East (Assumed Bearing) along a portion of the West line of said Southwest Quarter of the Northeast Quarter a distance of 956.54 feet to the Northwest Corner of said Lot 2 of the Auditor's Subdivision of the Southwest Quarter of the Northeast Quarter; thence South 64°24'23" East along the North line of said Lot 2 a distance of 884.46 feet to the centerline of Bluebird Lane; thence South 26°20'11" West along a portion of said centerline a distance of 49.58 feet to the Northeast Corner of a tract of land described on a deed of record as Inst. No. 2020-04995 at the Pottawattamie County Recorder's Office; thence along the North, West, and South lines of said tract of land the following three (3) courses: 1) thence North 84°21'59" West a distance of 262.77 feet; 2) thence South 00°17'19" West a distance of 325.31 feet; 3) thence South 89°22'43" East a distance of 169.66 feet to the Southeast Corner of said tract of land, also being the Northeast Corner of Lot 6 of Cedar Hill Subdivision; thence Southwesterly 96.28 feet along a 673.35 foot radius curve concave to the East with a chord bearing of South 04°14'20" West and a chord length of 96.20 feet to the Southeast Corner of said Lot 6; thence North 89°23'05" West along the South line of said Lot 6 a distance of 332.88 feet to the Southwest Corner of said Lot 6; thence South 00°15'16" West along a portion of the West line of said Cedar Hill Subdivision a distance of 480.85 feet to the Southwest Corner of said Cedar Hill Subdivision, said Corner being on the South line of said Lot 2 of the Auditor's Subdivision of the Northwest Quarter of the Southeast Quarter; thence North 88°17'00" West along a portion of said South line a distance of 364.44 feet to the Southwest Corner of said Lot 2, said Corner being on the West line of the Northwest Quarter of the Southeast Quarter; thence North 00°28'24" West along said West line a distance of 245.73 feet to the point of beginning. Said parcel contains 12.145 acres, more or less, including 0.111 acre of county road right-of-way along a portion of the East side thereof, and is subject to any and all easements apparent or of record.

NW CORNER SW1/4 NE1/4 SEC. 15, T74N, R43W (Fnd. iron pin w/aluminum cap PLS #7717 set using old plan data from Project No. FM-78(41)-55-78 during a survey of record as Inst. No. 2012-15459. Also fnd. a 5/8" dia. rebar set by PLS #9780 for a survey of record in Bk. 102 on Pg. 10311 S75°52'24"E 28.27' of the PLS #7717 monument, but it was not used.)

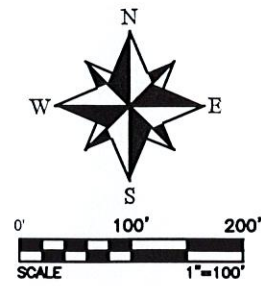
This survey was done using a Leica GS16 GPS Rover connected to the LIDAR RTN Network and a Leica TS16 Robotic Total Station. Zone 6 of the Iowa Regional Coordinate System was used.

SW CORNER SW1/4 NE1/4 SEC. 15, T74N, R43W (Fnd. iron pin w/yellow cap PLS #14415)

SW CORNER NW1/4 SE1/4 SEC. 15, T74N, R43W (Fnd. iron pin w/yellow cap PLS #5414. Also fnd. a 5/8" dia. rebar N03°31'24"W 0.88' of the PLS #5414 monument, but it was not used.)



BLUEBIRD AVENUE FULL & CURVE (NON-TANGENT)
 ARC LENGTH: 308.95'(M) 308.78'(P2)
 RADIUS: 673.35'(M & P2)
 Δ: 26°17'20"(M) 26°16'26"(P2)
 CHORD BEARING: S13°17'13"W
 CHORD LENGTH: 306.25'(M) 306.08'(P2)



- LEGEND**
- ▲ SECTION OR SUBDIVISIONAL CORNER MONUMENT (MATERIAL AS NOTED)
 - SET 5/8" DIA. BY 24" LONG REBAR W/ORANGE CAP PLS #17048
 - FND. PINCHED TOP PIPE
 - ◇ FND. T-BAR
 - (M) MEASURED DISTANCE OR ANGLE
 - (S) RECORD SURVEY DISTANCE (INST. NO. 2012-15459)
 - (P1) PLAT DISTANCE OR ANGLE (CEDAR HILL SUBDIVISION)
 - (P2) PLAT DISTANCE OR ANGLE (ROLLING HILLS ESTATES)
 - (D1) DEED DISTANCE (INST. NO. 2019-12937)
 - (D2) DEED DISTANCE (INST. NO. 2020-04995)
 - (AS) AUDITOR'S SUBDIVISION DISTANCE

DEDICATION:

I, RONNIE G. KOPASKA, BEING THE OWNER OF THE LAND DESCRIBED HEREON AND SHOWN ON THIS PLAT, HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO LOTS TO BE NUMBERED AS SHOWN, SAID SUBDIVISION TO BE KNOWN AS CEDAR WOODS ADDITION LOT 1 AND LOT 2, AND I DO HEREBY RATIFY AND APPROVE OF THE DIVISION OF THE PROPERTY AS SHOWN ON THIS PLAT.

Ronnie G. Kopaska
 Ronnie G. Kopaska Date 5/1/24

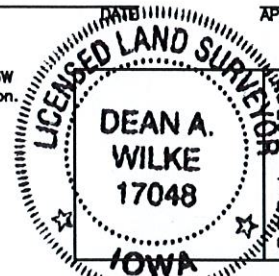
ACKNOWLEDGEMENT OF NOTARY:

STATE OF IOWA)
 COUNTY OF POTTAWATTAMIE) SS
 ON THIS 1 DAY OF May OF 2024, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, APPEARED RONNIE G. KOPASKA, AND HE ACKNOWLEDGED THE EXECUTION OF THE FOREGOING DEDICATION TO BE HIS VOLUNTARY ACT AND DEED.

Dean A. Wilke
 NOTARY PUBLIC DATE 5/1/2024
 MY COMMISSION EXPIRES ON 11/5/2025

POTTAWATTAMIE COUNTY BOARD OF SUPERVISORS
 APPROVED BY CHAIRMAN _____ DATE _____
 POTTAWATTAMIE COUNTY AUDITOR
 APPROVED BY AUDITOR _____ DATE _____

POTTAWATTAMIE COUNTY PLANNING DEPARTMENT
 APPROVED BY DIRECTOR *MSB* DATE 5-1-24
 POTTAWATTAMIE COUNTY ENGINEER
 APPROVED BY ENGINEER _____ DATE _____



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.
Dean A. Wilke
 Dean A. Wilke Date 4/8/24
 License number 17048
 My license renewal date is December 31, 2025
 Pages or sheets covered by this seal: This document only.

CERTIFICATION BY COUNTY TREASURER:

STATE OF IOWA)
 COUNTY OF POTTAWATTAMIE) SS
 I, Lea Voss, Treasurer of Pottawattamie County, Iowa, do hereby certify that the property included in the current legal description above is free from certified taxes and certified special assessments.
Lea Voss
 LEA VOSS DATE 5/1/24
 TREASURER, POTTAWATTAMIE COUNTY, IOWA

Final Plat of Cedar Woods Addition of part of Lots 2 & 4 of the Aud. Sub. of the SW1/4 NE1/4, part of Lot 2 of the Aud. Sub. of the NW1/4 SE1/4, and all of Lot 6 of Cedar Hill Subdivision, all in Section 15, T74N, R43W of the 5th P.M., Pottawattamie County, Iowa

SCALE: 1" = 100'	DATE: 4/8/2024
Ronnie G. Kopaska 13802 Bluebird Lane Council Bluffs, IA 51503	
WILKE LAND SURVEYING INC. - DEAN A. WILKE 401 1800TH ST. PANAMA, IOWA 51562 - PHONE (712)579-0551	
PAGE 1 OF 1 JOB #2023149	

**Matt Wyant/Director, Planning
and Development and Pam
Kalstrup/Zoning and Land Use
Coordinator**

**Discussion and/or decision to approve Final Plat of
Leinen Subdivision, a subdivision situated in Lewis
Township; and to sign Planning and Zoning Resolution
No. 2024-04.**

RECORDER'S COVER SHEET

Prepared by:

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

Return Document to:

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

Document Title:

Pottawattamie County
Planning and Zoning Resolution #2024-04

**PLANNING AND ZONING
RESOLUTION NO. 2024-04**

WHEREAS, this Board had approved the preliminary plat of **Leinen Subdivision**, a residential subdivision situated in **Lewis Township**, by approval of Planning and Zoning Resolution No. **2024-02**, dated **April 16, 2024**; and

WHEREAS, the final plat and supporting documents required by Chapter 9.10 of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa, has been filed with this Board for its study and consideration under **Case #SUB-2024-02**; and

WHEREAS, this Board has examined the final plat and has found they are in substantial compliance with the approved preliminary plats; and

WHEREAS, after careful study, and due consideration this Board has determined that the final plat and supporting documents conform to the requirements of Chapter 9.10 of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa, and it has deemed it to be in the best interest of Pottawattamie County, Iowa, to approve the final plats.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA: That the final plat of **Leinen Subdivision**, a residential subdivision in Pottawattamie County, Iowa, be, and the same is hereby approved as the final plat of said subdivision.

And that the Chairperson of the Board of Supervisors is hereby authorized to enter such approval upon said final plat.

PASSED AND APPROVED May 14, 2024

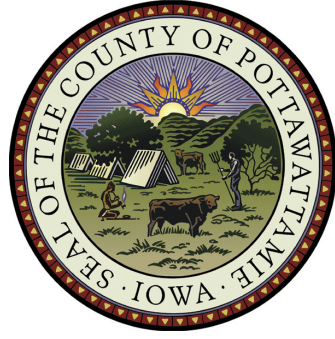
	ROLL		CALL VOTE	
	AYE	NAY	ABSTAIN	ABSENT
_____ Susan Miller, Chairperson	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	AYE	ROLL NAY	CALL ABSTAIN	VOTE ABSENT
_____ Jeff Jorgensen	<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"/>

Attest: _____
Melvyn Houser, County Auditor
Pottawattamie County, Iowa

RECORD: After Passage

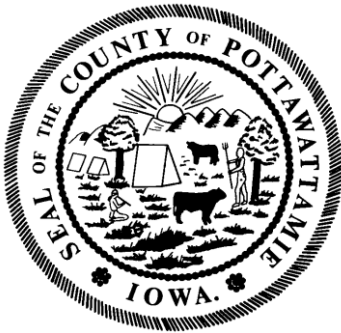
Melvyn Houser
POTTAWATTAMIE COUNTY AUDITOR
AND ELECTION COMMISSIONER



TO WHOM IT MAY CONCERN:

I, Melvyn Houser, County Auditor, Pottawattamie County, Iowa, do hereby certify that the attached is a true and accurate copy of Planning and Zoning Resolution #2024-04, adopted by the Pottawattamie County, Iowa, Board of Supervisors, in their approval of Leinen Subdivision, on May 14, 2024.

Dated this 14th day of May 2024



Melvyn Houser, County Auditor
Pottawattamie County, Iowa

INDEX LEGEND
 COUNTY: POTTAWATTAMIE
 SECTION: 3 TOWNSHIP: 74 NORTH RANGE: 43 WEST
 ALIQUOT PART: SW 1/4 NE 1/4 SW 1/4
 PROPRIETOR: JONAH M. LEINEN & AMANDA D. LEINEN
 REQUESTED BY: JONAH M. LEINEN
 TAX ADDRESS: 15380 214TH STREET, COUNCIL BLUFFS, IOWA 51503
 LAND SURVEYOR: CARL H. ROGERS, JR.
 LAND SURVEYING COMPANY: ROGERS SURVEYING

**FINAL PLAT OF
 LEINEN SUBDIVISION**

BEING THE SOUTHWEST QUARTER OF THE
 NORTHEAST QUARTER OF THE SOUTHWEST
 QUARTER OF SECTION 3, TOWNSHIP 74 NORTH,
 RANGE 43 WEST OF THE FIFTH PRINCIPAL MERIDIAN,
 POTTAWATTAMIE COUNTY, IOWA.

SCALE: 1" = 100'

NOTE: THIS DOCUMENT HAS BEEN REDUCED.

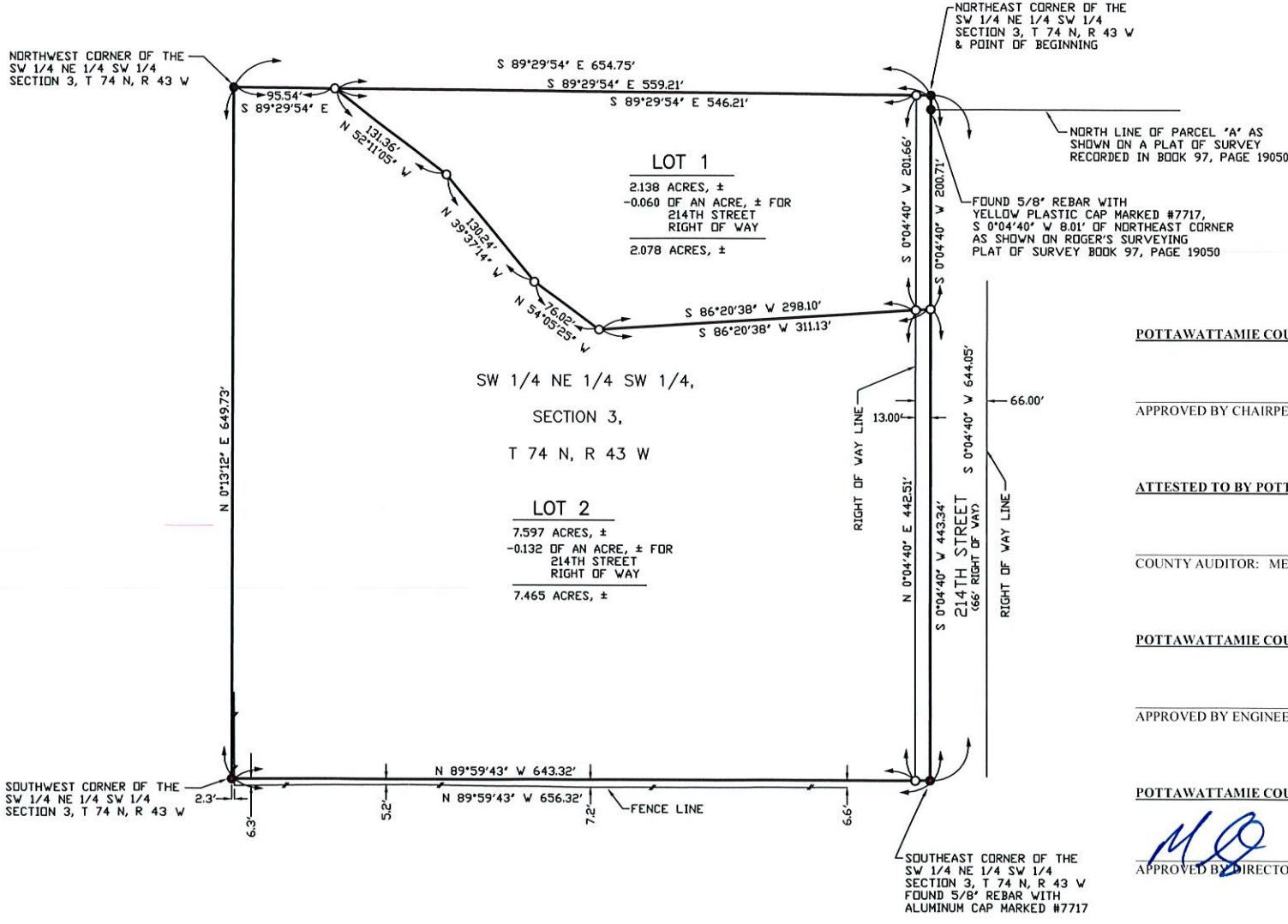
LEGEND:

- - SET 5/8" REBAR WITH ALUMINUM CAP MARKED #7717, UNLESS OTHERWISE MARKED ON DRAWING
- - FOUND 1" PINCH TOP PIN, UNLESS OTHERWISE MARKED ON DRAWING

NOTE: DOCUMENTS USED FOR THIS FINAL PLAT ALL RECORDED IN THE OFFICE OF THE POTTAWATTAMIE COUNTY RECORDER.

JIM FEEKINS SUBDIVISION
 ROGERS SURVEYING
 (1) BOOK 84, PAGE 2512
 (2) BOOK 97, PAGE 19050

KENNY'S SURVEYING
 (1) BOOK 90, PAGE 10778



LEGAL DESCRIPTION:

AS SHOWN ON A COURT OFFICER DEED RECORDED IN BOOK 2020, PAGE 20121 IN THE OFFICE OF THE POTTAWATTAMIE COUNTY RECORDER:

THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POTTAWATTAMIE COUNTY, IOWA.

SAID COURT OFFICER DEED IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND POINT OF BEGINNING; THENCE SOUTH 0°04'40" WEST, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, A DISTANCE OF 644.05 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE NORTH 89°59'43" WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, A DISTANCE OF 656.32 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE NORTH 0°13'12" EAST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, A DISTANCE OF 649.73 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH 89°29'54" EAST, ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, A DISTANCE OF 654.75 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 9.735 ACRES, MORE OR LESS. SAID PARCEL IS SUBJECT TO AN EASEMENT FOR 214TH STREET RIGHT OF WAY. SAID EASEMENT CONTAINS 0.192 OF AN ACRE, MORE OR LESS.

POTTAWATTAMIE COUNTY BOARD OF SUPERVISORS

APPROVED BY CHAIRPERSON: SUSAN MILLER _____ DATE _____

ATTESTED TO BY POTTAWATTAMIE COUNTY AUDITOR

COUNTY AUDITOR: MELVYN HOUSER _____ DATE _____

POTTAWATTAMIE COUNTY ENGINEER

APPROVED BY ENGINEER : JOHN RASMUSSEN _____ DATE _____

POTTAWATTAMIE COUNTY PLANNING DIRECTOR

APPROVED BY DIRECTOR : MATT WYANT _____ DATE 5-1-24

CERTIFICATION OF TREASURER OF POTTAWATTAMIE COUNTY, IOWA

I, LEA A. VOSS, TREASURER OF POTTAWATTAMIE COUNTY, IOWA, DO HEREBY CERTIFY THAT THE PROPERTY INCLUDED IN THE LEGAL DESCRIPTION AND EMBRACED WITHIN THIS PLAT IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.

LEA A. VOSS _____ DATE 5/1/24

PROPRIETOR'S DEDICATION AND STATEMENT

JONAH M. LEINEN AND AMANDA D. LEINEN, BEING THE OWNERS AND PROPRIETOR OF THE LAND DESCRIBED IN THE LEGAL DESCRIPTION AND EMBRACED WITHIN THIS PLAT HAS CAUSED THE SAME TO BE SUBDIVIDED INTO LOT 1 AND LOT 2 AND TO BE KNOWN AS LEINEN SUBDIVISION, AND I HEREBY RATIFY AND APPROVE OF MY PROPERTY AS SHOWN ON THIS PLAT.

NOTE: THERE WILL BE NO PRIVATE RESTRICTIONS AND/OR COVENANTS FOR THIS SUBDIVISION.

IN WITNESS WHEREOF I DO HERETO SET MY HAND THIS 25 DAY OF April, 2024.

JONAH M. LEINEN
 AMANDA D. LEINEN

STATE OF IOWA)
) S.S. KELSEY DRAGON
 COUNTY OF POTTAWATTAMIE) My Commission Expires
 SEPTEMBER 21, 2026

ON THIS 25 DAY OF April, 2024, BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF IOWA, PERSONALLY APPEARED JONAH M. LEINEN AND AMANDA D. LEINEN, TO ME PERSONALLY KNOWN, WHOM BEING BY ME DULY SWORN, DID ACKNOWLEDGE THE EXECUTION OF THIS INSTRUMENT TO BE THEIR VOLUNTARY ACT AND DEED.

Kelsey Dragon
 NOTARY PUBLIC IN AND FOR SAID STATE

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

CARL H. ROGERS, JR. APRIL 24, 2024 DATE

LICENSE NUMBER: 7717
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2024.
 NUMBER OF SHEETS COVERED BY THIS SEAL: SHEET 1 OF 1

ROGERS SURVEYING 1688 ROLLING HILLS LOOP COUNCIL BLUFFS, IOWA		TITLE: FINAL PLAT OF LEINEN SUBDIVISION	
SCALE: 1" = 100'	PHONE: (402) 689-1549	DRAWN BY: S.R.R.	CLIENT: JONAH M. LEINEN 15380 214TH STREET COUNCIL BLUFFS, IOWA 51503
DATE: 4-24-2024	REVISED		SHEET 1 OF 1

**Matt Wyant/Director, Planning
and Development and Pam
Kalstrup/Zoning and Land Use
Coordinator**

**Discussion and/or decision to approve Final Plat of RMP
87 Development LLC, a subdivision situated in Hardin
Township; and to sign Planning and Zoning Resolution
No. 2024-05.**

RECORDER'S COVER SHEET

Prepared by:

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

Return Document to:

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

Document Title:

Pottawattamie County
Planning and Zoning Resolution #2024-05

**PLANNING AND ZONING
RESOLUTION NO. 2024-05**

WHEREAS, this Board had approved the preliminary plat of **RMP 87 Development LLC**, a residential subdivision situated in **Hardin Township**, by approval of Planning and Zoning Resolution No. **2022-03**, dated **December 20, 2022**; and

WHEREAS, the final plat and supporting documents required by Chapter 9.10 of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa, has been filed with this Board for its study and consideration under **Case #SUB-2022-03**; and

WHEREAS, this Board has examined the final plat and has found they are in substantial compliance with the approved preliminary plats; and

WHEREAS, after careful study, and due consideration this Board has determined that the final plat and supporting documents conform to the requirements of Chapter 9.10 of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa, and it has deemed it to be in the best interest of Pottawattamie County, Iowa, to approve the final plats.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA: That the final plat of **RMP 87 Development LLC**, a residential subdivision in Pottawattamie County, Iowa, be, and the same is hereby approved as the final plat of said subdivision.

And that the Chairperson of the Board of Supervisors is hereby authorized to enter such approval upon said final plat.

PASSED AND APPROVED May 14, 2024

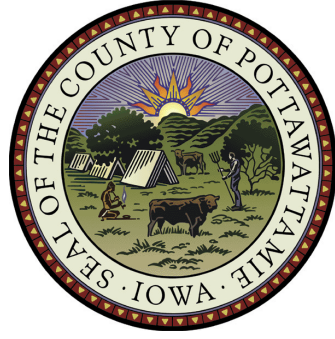
	ROLL		CALL VOTE	
	AYE	NAY	ABSTAIN	ABSENT
_____ Susan Miller, Chairperson	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	A Y E	R O L L N A Y	C A L L A B S T A I N	V O T E A B S E N T
_____ Jeff Jorgensen	<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"/>

Attest: _____
 Melvyn Houser, County Auditor
 Pottawattamie County, Iowa

RECORD: After Passage

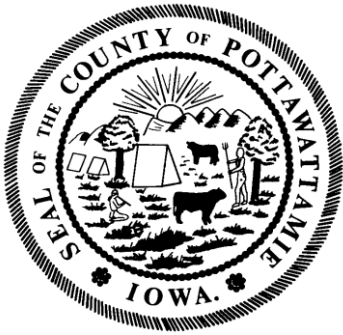
Melvyn Houser
POTTAWATTAMIE COUNTY AUDITOR
AND ELECTION COMMISSIONER



TO WHOM IT MAY CONCERN:

I, Melvyn Houser, County Auditor, Pottawattamie County, Iowa, do hereby certify that the attached is a true and accurate copy of Planning and Zoning Resolution #2024-05, adopted by the Pottawattamie County, Iowa, Board of Supervisors, in their approval of RMP 87 Development LLC, on May 14, 2024.

Dated this 14th day of May 2024



Melvyn Houser, County Auditor
Pottawattamie County, Iowa

RECORDER'S INDEX
LOT: 36
SUBDIVISION: CLOVERLEAF ACRES, PHASE II
PARCEL: 22047 AND "F"
ALIQUOT PART: N1/2 NE 1/4, S1/2 NE 1/4
SECTION: 30 TOWNSHIP: 75N RANGE: 42W
COUNTY: POTTAWATTAMIE
PROPRIETOR: RMP 87 DEVELOPMENT, LLC
REQUESTED BY: WAYNE A. PETERSON
DATE OF FIELD SURVEY: JUNE 28, 2022

FINAL PLAT OF RMP 87 DEVELOPMENT

BEING A REPLAT OF A PORTION OF LOT 36, CLOVERLEAF ACRES, PHASE II, ALL OF PARCEL "F" (BOOK 2015, PAGE 14876) IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW 1/4 NE 1/4), AND ALL OF PARCEL 22047 (BOOK 2022, PAGE 06473) IN THE NORTHEAST QUARTER (NE 1/4) ALL BEING IN SECTION 30, TOWNSHIP 75 NORTH, RANGE 42 WEST OF THE 5TH PRINCIPAL MERIDIAN, POTTAWATTAMIE COUNTY, IOWA.

PREPARED BY: DAVID E. FORSYTHE, HGM ASSOCIATES INC., 640 FIFTH AVENUE, COUNCIL BLUFFS, IOWA 51501 (712) 323-0530

LEGAL DESCRIPTION

BEING A REPLAT OF A PORTION OF LOT 36, CLOVERLEAF ACRES, PHASE II, ALL OF PARCEL "F" (BOOK 2015, PAGE 14876) IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW 1/4 NE 1/4), AND ALL OF PARCEL 22047 (BOOK 2022, PAGE 06473) IN THE NORTHEAST QUARTER (NE 1/4) ALL BEING IN SECTION 30, TOWNSHIP 75 NORTH, RANGE 42 WEST OF THE 5TH PRINCIPAL MERIDIAN, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL "F", SAID POINT BEING ON THE NORTH LINE OF SAID SECTION 30;

THENCE ON SAID NORTH LINE, SOUTH 89 DEGREES 13 MINUTES 57 SECONDS EAST, 713.58 FEET TO THE NORTHWEST CORNER OF PARCEL 22044 (BOOK 2022, PAGE 06433) IN SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE 1/4 NE 1/4);

THENCE ON THE BOUNDARY OF SAID PARCEL 22044 THE FOLLOWING TWO (2) COURSES:

- 1) SOUTH 01 DEGREE 29 MINUTES 23 SECONDS WEST, 306.88 FEET;
- 2) SOUTH 88 DEGREES 30 MINUTES 35 SECONDS EAST, 205.62 FEET TO A NORTHEASTERLY CORNER OF SAID PARCEL 22047;

THENCE ON THE BOUNDARY OF SAID PARCEL 22047 THE FOLLOWING THREE (3) COURSES:

- 1) SOUTH 01 DEGREE 29 MINUTES 51 SECONDS WEST, 1,403.74 FEET;
- 2) NORTH 88 DEGREES 47 MINUTES 10 SECONDS WEST, 657.76 FEET;
- 3) NORTH 01 DEGREE 31 MINUTES 22 SECONDS EAST, 1,334.14 FEET TO A POINT ON THE SOUTH LINE OF SAID PARCEL "F";

THENCE ON THE BOUNDARY OF SAID PARCEL "F" THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 88 DEGREES 27 MINUTES 39 SECONDS WEST, 262.18 FEET;
- 2) NORTH 01 DEGREE 31 MINUTES 18 SECONDS EAST, 370.43 FEET TO THE POINT OF BEGINNING

SAID PARCEL CONTAINS AN AREA OF 26.60 ACRES (INCLUDING 2.48 ACRE FOR STONERIDGE COURT AND McPHERSON AVENUE RIGHT-OF-WAY), MORE OR LESS. SUBJECT TO EASEMENTS OF RECORD.

POTTAWATTAMIE COUNTY BOARD OF SUPERVISORS

APPROVED BY CHAIRPERSON _____ DATE _____

ATTESTED TO BY COUNTY AUDITOR

COUNTY AUDITOR _____ DATE _____

POTTAWATTAMIE COUNTY ENGINEER

APPROVED BY ENGINEER _____ DATE _____

POTTAWATTAMIE COUNTY PLANNING AND DEVELOPMENT

APPROVED BY DIRECTOR _____ DATE 05-01-2024

CERTIFICATE OF TREASURER OF POTTAWATTAMIE COUNTY, IOWA

I, THE TREASURER OF POTTAWATTAMIE COUNTY, IOWA, HEREBY CERTIFY THAT THE PROPERTY INCLUDED IN RMP 87 DEVELOPMENT IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.

Lea A Voss 5/1/24
TREASURER OF POTTAWATTAMIE COUNTY, IOWA: LEA A. VOSS DATE

OWNERS/DEVELOPERS:
RMP 87 DEVELOPMENT LLC
1120 9TH AVENUE
COUNCIL BLUFFS, IA 51501

DEDICATION:

KNOW ALL PERSONS BY THESE PRESENTS THAT RMP 87 DEVELOPMENT LLC, BEING THE SOLE OWNER OF THE PROPERTY DESCRIBED WITHIN THE LEGAL DESCRIPTION AND EMBRACED WITHIN THIS PLAT, HAS CAUSED SAID PROPERTY TO BE SUBDIVIDED AS LOTS 1 THROUGH 12, INCLUSIVE AND PUBLIC STREET RIGHT-OF-WAY FOR STONERIDGE COURT SAID PROPERTY TO BE KNOWN AS RMP 87 DEVELOPMENT. SAID RMP 87 DEVELOPMENT, LLC DOES HEREBY DEDICATE TO THE PUBLIC THE RIGHT-OF-WAY FOR STONERIDGE COURT AND McPHERSON AVENUE (2.48 ACRES, MORE OR LESS) AS SHOWN IN THE DRAWING.

RMP 87 DEVELOPMENT, LLC DOES HEREBY DEDICATE A 10 FEET WIDE PERMANENT EASEMENT ON EACH SIDE LOT LINE FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES.

RMP 87 DEVELOPMENT, LLC DOES HEREBY DEDICATE TO THE PUBLIC A PERMANENT STORM SEWER EASEMENT AS SHOWN IN DETAIL A AND DETAIL B ON SHEET 3 OF 3 FOR THE MAINTENANCE OF THE EXISTING STORM SEWER.

RMP 87 DEVELOPMENT, LLC DOES HEREBY DEDICATE TO THE PROPERTY OWNERS WITHIN THE SUBDIVISION AND THE DEVELOPER A PERMANENT STORM WATER EASEMENT ACROSS LOT 9 AND LOT 10 AS SHOWN IN DETAIL C ON SHEET 3 OF 3 FOR THE MAINTENANCE OF THE EXISTING DRAINAGE WAY.

RMP 87 DEVELOPMENT, LLC DOES HEREBY DEDICATE TO THE PROPERTY OWNERS WITHIN THE SUBDIVISION AND THE DEVELOPER A PERMANENT STORM WATER AND DETENTION POND EASEMENT ACROSS LOT 1 AND LOT 2 AS SHOWN IN DETAIL D ON SHEET 3 OF 3 FOR THE MAINTENANCE OF THE EXISTING DRAINAGE WAY AND DETENTION POND.

WE HEREBY CERTIFY THAT WE WILL MEET ALL EQUAL OPPORTUNITY AND FAIR MARKETING OBJECTIVES CONSISTENT WITH FEDERAL, STATE AND LOCAL GUIDELINES. WE HEREBY CERTIFY THAT THE FOLLOWING DOCUMENTS WILL BE RECORDED WITH THE POTTAWATTAMIE COUNTY RECORDER CONTEMPORANEOUSLY WITH THE FILING OF THE FINAL PLAT,

- A. ALL PRIVATE RESTRICTIONS AND/OR COVENANTS, IF ANY, WHICH WILL BE A PART OF THE SUBJECT DEVELOPMENT.

IN WITNESS THEREOF, I DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF RMP 87 DEVELOPMENT, LLC'S PROPERTY AS CONTAINED HEREIN ON THIS

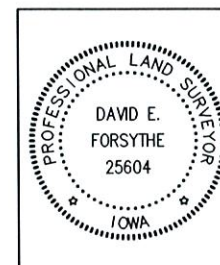
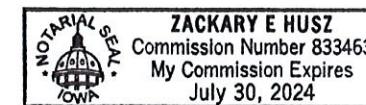
12th DAY OF April, 2024.

BY: Wayne A. Peterson
WAYNE A. PETERSON, MANAGING MEMBER

STATE OF IOWA)
COUNTY OF POTTAWATTAMIE) SS.

ON THIS 12th DAY OF Apr. 1, 2024, BEFORE ME A NOTARY PUBLIC IN AND FOR THE STATE OF IOWA, PERSONALLY APPEARED WAYNE A. PETERSON, TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN, DID SAY HE IS A MANAGING MEMBER OF RMP 87 DEVELOPMENT, LLC, THAT NO SEAL HAS BEEN PROCURED BY SAID LIMITED LIABILITY COMPANY, AND THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF SAID LIMITED LIABILITY COMPANY BY AUTHORITY OF ITS MEMBERS AND THE SAID WAYNE A. PETERSON ACKNOWLEDGED THE EXECUTION OF THE INSTRUMENT TO BE THE VOLUNTARY ACT AND DEED OF SAID LIMITED LIABILITY COMPANY BY IT VOLUNTARILY EXECUTED.

Zackary E Husz
NOTARY PUBLIC IN AND FOR SAID STATE
MY COMMISSION EXPIRES 7-30-2024



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

David E. Forsythe APRIL 11, 2024
DATE

DAVID E. FORSYTHE
LICENSE NUMBER 25604
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2024.

PAGES OR SHEETS COVERED BY THIS SEAL:
SHEET 1 OF 3, 2 OF 3 AND 3 OF 3

This drawing is being made available by HGM Associates Inc. for use on this project in accordance with the professional seal of HGM Associates Inc. HGM Associates Inc. assumes no liability for any use of this drawing or any part thereof other than that intended in the terms of the above agreement.



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RMP 87 DEVELOPMENT - LLC SUBDIVISION
WAYNE PETERSON
RMP DEVELOPMENT
FINAL PLAT

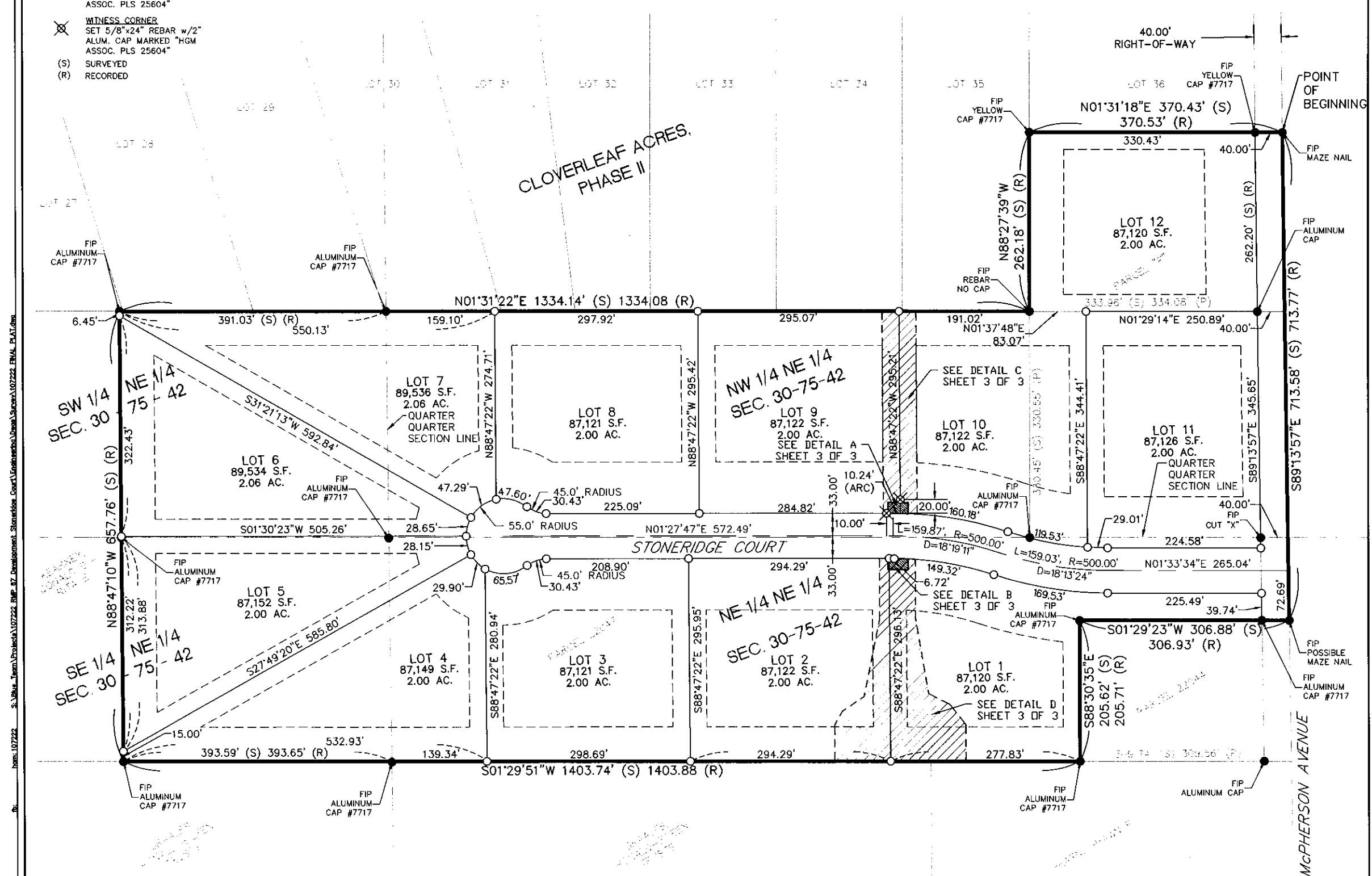
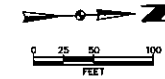
project no. 107222
sheet 1 OF 3

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FINAL PLAT OF RMP 87 DEVELOPMENT

LEGEND

- FOUND PROPERTY CORNER AS NOTED IN THE DRAWING.
- "R-1" SETBACK LINES
- SET 5/8"x24" REBAR w/2" ALUM. CAP MARKED "HGM ASSOC. PLS 25604"
- ⊗ WITNESS CORNER SET 5/8"x24" REBAR w/2" ALUM. CAP MARKED "HGM ASSOC. PLS 25604"
- (S) SURVEYED
- (R) RECORDED



The drawing is being made in accordance with the provisions of the laws of the State of Missouri. The engineer has no responsibility for the accuracy of any data or information furnished by others. The drawing is not to be used for any purpose other than that for which it is prepared.

hgm
ASSOCIATES INC.
ENGINEERING ARCHITECTURE SURVEYING
council bluffs iowa

DATE	BY	REVISION

project **RMP 87 DEVELOPMENT - LLC SUBDIVISION**
client **WAYNE PETERSON RMP DEVELOPMENT**
sheet **FINAL PLAT**

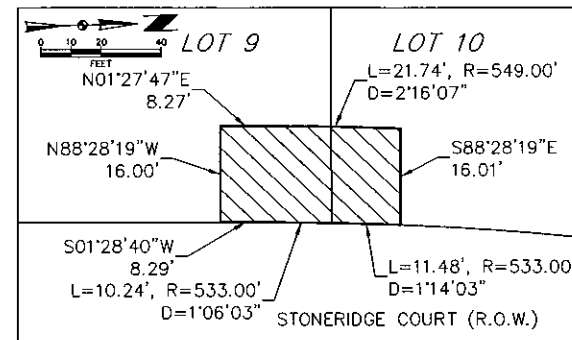
project no. **107222**
sheet **2 OF 3**

S:\Value_Items\Projects\107222_RMP_87_Development_Stoneridge_Court\Drawings\Drawings\107222_FINAL_PLAT.dwg

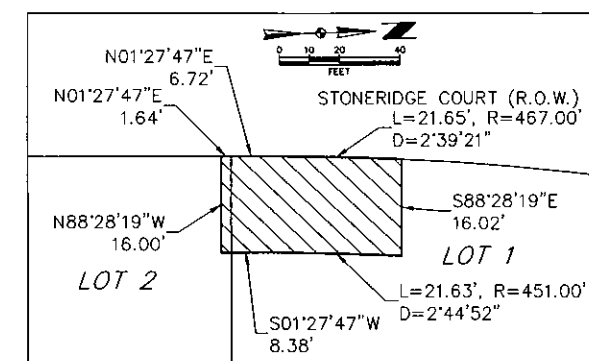
FINAL PLAT OF RMP 87 DEVELOPMENT

This drawing is being filed for use as the official record of the plat. The surveyor warrants the accuracy of the measurements and the correctness of the computations. The surveyor does not warrant the accuracy of the measurements or the correctness of the computations for any use of the drawing or any part thereof, other than the use intended by the owner of the land shown on the drawing.

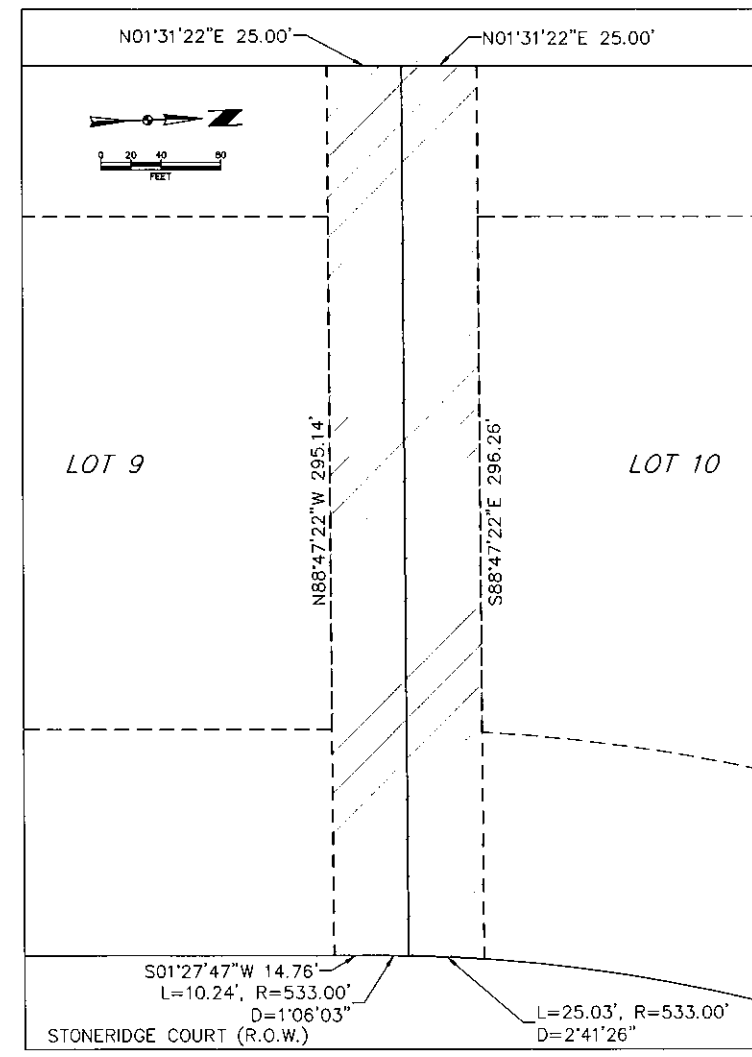
hgm
ASSOCIATES INC.
ENGINEERING ARCHITECTURE SURVEYING
council bluffs iowa



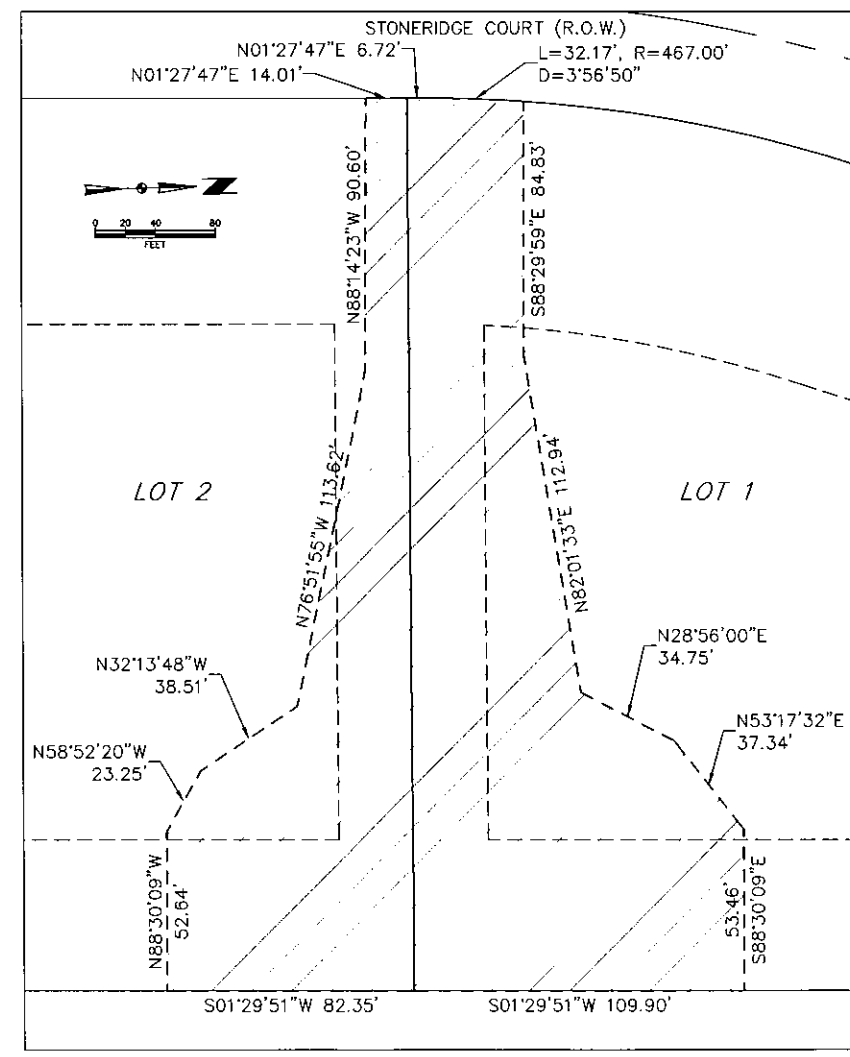
DETAIL A
STORM SEWER EASEMENT



DETAIL B
STORM SEWER EASEMENT



DETAIL C
STORM WATER EASEMENT



DETAIL D
STORM WATER AND DETENTION POND EASEMENT

revision	date

project: **RMP 87 DEVELOPMENT - LLC SUBDIVISION**
client: **WAYNE PETERSON RMP DEVELOPMENT**
sheet: **FINAL PLAT**

project no. 107222
sheet 3 OF 3

D:\Biva_Team\Projects\107222_RMP_87_Development\Stoneridge_Court\Enables\06\Draws\107222_FINAL_PLAT.dwg

Discussion and/or decision on disaster recovery response.

Stacey Kinney/Executive
Director, WIDA

Update on WIDA.

WIDA Growth and Future Development

Tuesday, May 14 – 10 AM

Pottawattamie County Board of Supervisors



WE HELP YOU GROW YOUR BUSINESS
PROMOTE | ADVERTISE | SUPPORT | NETWORK | ADVOCATE

LET US TELL YOUR STORY. JOIN AS A MEMBER TODAY!
STRONG BUSINESS = STRONG COMMUNITY

WIDA
WESTERN IOWA
DEVELOPMENT ASSOCIATION

A woman in a blue apron is smiling and looking at a tablet device. In the background, a sign on a door reads "NOW we are OPEN" and "support local".

The role of Western Iowa Development Association is to facilitate economic opportunity, business success, community engagement, prosperity, and quality of life for rural western Iowa. Our primary functions are to provide services that are effective to both its business members and the communities as a whole and to act as a voice for the business and professional community!

MISSION STATEMENT



What is a rural 501(c)6 and what does it mean for WIDA

- A 501 C (6) organization is tax speak for a business association such as a chamber of commerce. Although they're organized to promote business, they don't generate a profit and don't pay shares or dividends. That qualifies them as non-profit organizations, exempt from paying income tax.
- A chamber of commerce is an organization of business owners and entrepreneurs who promote the interests of their local business community. Chambers of commerce provide access to valuable resources, and relationships that help businesses save money and market their products. That is WIDA for Pottawattamie County.



• GOALS AND OBJECTIVES

- Create and maintain an active website featuring all participating WIDA cities with a focus on promotion of rural county events, business owners and products.
- Market and promote the benefits of small-town business, living, and tourism.
- Create social media presence promoting Pottawattamie County through beautiful photography, Facebook, Instagram, Newsletter (both electronic and printed).
- Extend community outreach as a central hub for communication of information regarding events, new business promotion, tourism, and opportunities throughout Pottawattamie County.





- Build relationships with businesses, nonprofits, and city officials.
- Strive to be the expert on rural Pottawattamie County.
- Be the collaborative agency for all groups that work in and around the rural areas of the County.
- Market what we already know to be the best place to live and raise a family.



WIDA City Memberships

		2023 Dues	2024 Dues	
City of Avoca	\$ 4,250.00	7/26/2023		
City of Carson	\$ 2,000.00	1/4/2023	2/20/2024	\$ 2,000.00
City of Crescent				
City of Hancock	\$ 500.00	1/4/2023	2/26/2024	\$ 500.00
City of Honey Creek				
City of Macedonia	\$ 750.00	1/4/2023	2/6/2024	\$ 750.00
City of McClelland	\$ 500.00	2/3/2023	2/22/2024	\$ 500.00
City of Minden	\$ 1,500.00	12/27/2022		
City of Oakland	\$ 4,000.00	12/27/2022	2/20/2024	\$ 4,000.00
City of Shelby	\$ 2,000.00	12/15/2022	2/16/2024	\$ 2,000.00
City of Treynor	\$ 2,750.00	12/15/2022	1/8/2024	\$ 2,827.50
City of Underwood				
City of Walnut	\$ 2,000.00	2/27/2023		
Total for Cities	\$ 20,250.00			\$ 12,577.50
Pottawattamie County			1/22/2024	\$ 50,000.00
Total - City and County combined				\$ 62,577.50

WIDA PURPOSE







A chance to be heard in the rural areas when needed the most!

A COMPARITIVE LOOK AT THE SOCIAL MEDIA NUMBERS OVER THE PAST TWO YEARS

2023 organic reach showed 76,500 views which was 43.3% higher than 2022.

November of 2023, there were 613 PAGE VIEWS up 682.5% from 2022.

2023 membership is 23

2023 also shows more than 779 INSTAGRAM followers as of December 31st. That is more than 90% higher than 2022.



Who Are The Current Cities in WIDA?

A voice for all of rural
Pottawattamie County to tell
their story and when events
will affect them the most!



WIDA Community Sponsors

Fiscal Year '23

**WE
ARE
IOWA**

City of Avoca
City of Carson
City of Hancock
City of Macedonia
City of McClelland
City of Minden
City of Oakland
City of Shelby
City of Treynor
City of Walnut



MEMBERSHIP DRIVEN Community Grown

WIDA continues its efforts to engage members and the community through its website, social media platforms, electronic newsletters (print as requested), and also email communication. These outlets allow us to remain on the cutting edge of digital communications as well as provide traditional forms of communication while serving as a voice for our rural businesses and communities.

Our Vision & Mission

The role of Western Iowa Development Association is to facilitate economic opportunity, business success, community engagement, prosperity and quality of life for rural western Iowa. Our primary functions are to provide services that are effective to both its business members and the communities as a whole and to act as a voice for the business and professional community.

2023

**A YEAR
IN REVIEW**
WESTERN IOWA
DEVELOPMENT
ASSOCIATION



LIVE · WORK · EXPLORE · THRIVE

Concentrating on the rural in rural Pottawattamie County!

A voice for all of rural Pottawattamie County to tell their story and when events will affect them the most!

Positive Impact

Introduced Stacie Kinney on board as Executive Director, enriching the leadership board with her extensive experience and innovative vision.

- Incorporated authentic storytelling photography featuring its members, creating compelling visual narratives that resonate with audiences and showcase our rural communities.
- Introduced exclusive social media branding content opportunities to enhance online presence, engage followers, and amplify our message across digital platforms.

Welcomed 9 new business members.

Celebrated 14 community ribbon cutting events.

Promoted 120+ community events and small businesses in 6 months.



'23 Social Reach In Numbers

f FACEBOOK
Organic Reach: 76.5K (+43.3%)
Page Visits: 16.6K (+682.5%)
New Followers: 613 (+5.5%)
Page Likes: 2K (+58.3%)

ig INSTAGRAM
Total Posts: 42
Instagram Followers: 779 (+90%)

MEMBERSHIP
Total Members: 23

WIDA WEBSITE
Page Views:
April-December 13,468

Main Focus

Economic Vitality
Community Advancement
Business Support & Advocacy
County Enhancement
Increasing Quality of Life
Travel and Tourism
Communication

Let's Connect

Stacie Kinney
Executive Director
712-406-6234
westerniowadevelopment@outlook.com



Our Generous Supporters

Fiscal Year '23

A bit of Iowa
Avoca Main Street
B Restored
Bertelson Beef
Bev's Porch
Community Foundation for Western Iowa
Crockery and More
Frosting Inc.
Iowa State University Extension and Outreach
Iowa Western Community College
Marne Elk Horn
Menard Distribution Center
Pottawattamie County Trails Association
Pottawattamie Countywide Tourism Committee
PowerTech
Prairie Crossing Vineyard and Winery
The Finish Line Car Wash
The Occasional Collective
The Unique Boutique Iowa
Treynor Java Supply
Walnut Community Center
Zimmerman Sales and Service

Thank You.

*Generous Funding from Pottawattamie County Board of Supervisors.

widaiowa.org





Rural Passport Program



It's Easy! Pick-up a Passport from any participating business and embark on your journey of discovery through local shops, restaurants, service providers, and experiences.

- Avoca
- Carson
- Crescent
- Emerson
- Griswold
- Hancock
- Macedonia
- Malvern
- McClelland



TRAILBAZER SPONSORS

- Minden
- Mineola
- Neola
- Oakland
- Silver City
- Shelby
- Treyvor
- Underwood
- Walnut

Explore, Collect, Connect
Embark on Your Rural Passport Adventure

June 12th – September 2nd, 2021
westerniowapassort@gmail.com





Coming Soon!



- * TASTING ROOM
- * EVENT VENUE
- * 2 AIRBNB/VRBO
- * 2 RENTAL APARTMENTS





THANK YOU
FOR YOUR
TIME.

ANY
QUESTIONS?



TUE	WED	THU	FRI	SAT
	1	2	3	4
	8	9	10	11
	15	16	17	18
	22	23	24	25
	29	30	31	

Other Business

**Mark Shoemaker/Director,
Conservation and Jeff
Franco/Chief Deputy,
Conservation, and Mitch
Kay/Chief Financial Officer,**

**Discussion and/or decision to authorize the Chairperson
to sign a Repayment agreement between the Board of
Supervisors and Conservation.**

**AGREEMENT BETWEEN THE POTTAWATTAMIE COUNTY BOARD OF SUPERVISORS AND THE
CONSERVATION DEPARTMENT AND CONSERVATION BOARD FOR THE REPAYMENT OF CAPITAL
IMPROVEMENT LOAN FOR MT. CRESCENT**

This Agreement, made and entered into on this 1st day of June 2024, by and between the Pottawattamie County Board of Supervisors (hereinafter referred to as "the Board of Supervisors" or "County"), and the Conservation Department and Conservation Board of Pottawattamie County (collectively referred to as "the Conservation Entities"), witnessed:

WHEREAS, the Board of Supervisors has lent a sum of Two Million Dollars (\$2,000,000.00) to the Conservation Entities for essential capital improvements at Mt. Crescent aimed at enhancing efficiency, extending the skiing season, and mitigating safety risks; and

WHEREAS, these capital improvements are crucial for the welfare of the staff and patrons of Mt. Crescent, as well as for the economic viability and sustainability of the facility;

WHEREAS, the funds were provided via the County's enterprise fund, Fund 8000 – Crescent Ridge Ski Hill, which operates Mt. Crescent, with the understanding that the County retains ownership of both the park and the funds, while the Conservation Entities are responsible for their management; and

NOW, THEREFORE, in consideration of the following premises and the mutual covenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. Repayment of Loan:

The Conservation Entities acknowledge the receipt of Two Million Dollars (\$2,000,000.00) in 2023 from the Board of Supervisors for capital improvements at Mt. Crescent.

It is acknowledged that Three Hundred Fifty-Two Thousand Five Hundred Seventy-Four and 29/100 Dollars (\$352,574.29) was repaid to the County's general fund for the fiscal year 2022/2023, before Mt. Crescent's management directed through Fund 8000 as an enterprise fund for the fiscal year 2023/2024.

The County will make a final payment to Midwest Mechanical in the amount of One Hundred Twenty-Seven Thousand Eight Hundred Five Dollars (\$127,805.00), from County Fund 19 - the Property Acquisition, Improvement, and Maintenance Fund, to be added to the outstanding loan amount, resulting in a new repayment balance of One Million Seven Hundred Seventy-Five Thousand Two Hundred Thirty 71/100 Dollars (\$1,775,230.71).

\$2,000,000.00 - Loan Amount
- \$352,574.29 - Repayment to General Fund
+ \$127,805.00 - Outstanding payment due to Midwest Mechanical
\$1,775,230.71 – Repayment amount

2. Payment Schedule:

Payments to the County are to be made annually on June 1st, commencing on June 1st, 2025.

The first payment, due on June 1, 2025, will be Twenty-Five Thousand Two Hundred Thirty and 71/100 Dollars (\$25,230.71), leaving a balance of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00).

Starting June 1, 2026, the average annual payment is expected to be Two Hundred Fifty Thousand Dollars (\$250,000.00) to County Fund 19 - the Property Acquisition, Improvement, and Maintenance Fund with the aim of full repayment by June 1, 2032. Annual payments may vary based on profitability, subject to agreement by all parties.

3. Financial Provisions for Mt. Crescent:

Following the June 1st payments, the Payment Schedule will ensure that enterprise Fund 8000 for Mt. Crescent does not fall below Two Hundred Thousand Dollars (\$200,000.00). This fund balance supports employee wages, benefits, and essential maintenance until the next revenue cycle begins in October. The minimum balance of \$200,000 may be adjusted to accommodate future staffing increases or other anticipated financial needs, with adjustments made in cooperation with all involved parties.

It is expected that any changes to this Agreement will be made in consultation with all parties and then formalized in writing. This collaborative approach aims to set clear expectations for both the Board of Supervisors and the Conservation Entities throughout the repayment process.

4. Costs and Funding:

Nearly all costs preceding and including the \$2,000,000 improvements were paid either by federal funding through the American Rescue Plan Act or thru Gaming funds, reflecting the Board of Supervisors' use of resources that mitigated the property tax burden on citizens.

The enterprise fund for Mt. Crescent is intended to be self-sustaining, funded by facility patrons, in alignment with the Board of Supervisors' commitment to providing outdoor recreation opportunities without additional property tax levies.

Insurance for Mt. Crescent will be covered by the County to take advantage of discounted rates through asset bundling, benefiting all involved parties.

IN WITNESS WHEREOF, the parties have executed this Amended Agreement as of the date first above written.

POTTAWATTAMIE COUNTY BOARD OF SUPERVISORS

By: _____

Name:

Title: Chairperson

CONSERVATION DEPARTMENT

By: _____

Name:

Title:

CONSERVATION BOARD

By: _____

Name:

Title:

**Jana Lemrick/Director, Human
Resources and Matt
Wyant/Director, Planning and
Development**

**Discussion and/or decision on approval of modification
to Environmental Health Intern position.**

Committee Appointments

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

Received/Filed

Public Comments

Closed Session

Other Business