Attachment O

Mills County Board of Supervisors

Lonnie Mayberry • Jack Sayers • Richard Crouch

RESOLUTION 25-07

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

WHEREAS, the City of Council Bluffs, Iowa ("City") has presented Mills County ("County") with an Application for Voluntary Annexation to the City from five property owners wishing to be annexed into the City of Council Bluffs, Iowa; and

WHEREAS, the Iowa Code §368.7(1)(a) allows for the City to receive up to 20% additional territory without the consent of the property owners to create uniform boundaries; and

WHEREAS, the City wishes to annex the real estate legally described in Exhibit A and as shown in the map described in Exhibit B and is within two miles of the City corporate limits; and

WHEREAS, pursuant to Iowa Code §368.71(1)(b)(2), a resolution is required from the Board of Supervisors of the County for which proposed real estate is to be annexed; and

WHEREAS, the Board of Supervisors believe that the City's proposed annexation plan will cause various public safety concerns, specifically in-terms of traffic in the area; and

WHEREAS, the Board of Supervisors believe that the City is creating an undue financial burden on the County by not offering to help provide maintenance and repairs with the roadways in the area, specifically on Bunge Avenue; and

WHEREAS, the Board of Supervisors shared their concerns at the consultation meeting in accordance with Iowa Code §368.7(b)(1), along with formal comments in accordance with Iowa Code §368.7(2), along with multiple meetings with representatives from the City, and do not feel that the concerns of the people of Mills County have been adequately addressed; and

WHEREAS, the Board of Supervisors are against the proposed annexation plan as outlined in Exhibits A and B to be incorporated into the City of Council Bluffs, Iowa.

BE IT RESOLVED

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

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BE IT FURTHER RESOLVED

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

ADOPTED AND APPROVED This 18th Day of March, 2025.

absent
Lonnie Mayberry, Chair

Jack Sayers
Jack Sayers, Vice Chair

Richard Crouch
Richard Crouch

Attest:
Amber Farnan, Mills County Auditor