

JANUARY 2, 2009
MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members, present. Chairman King presiding.

PLEDGE OF ALLEGIANCE

Motion by Houser, second by Leaders, to approve the December 29, 2008 minutes as read. Unanimous vote. Motion carried.

Motion by Knauss, second by Williams, to adjourn Sine Die. Unanimous vote. Motion carried.

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

JANUARY 2, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Pro Tem Williams presiding.

Motion by Houser, second by Grobe, to appoint Marilyn Jo Drake, County Auditor, as Temporary Chairperson for the election of a new Board Chairman and Chairman Pro-Tem for the year 2009. Unanimous vote. Motion carried.

Drake, announced nominations are now in order for the office of Chairman for 2009.

Williams was nominated by Houser.

There being no further nominations, Marilyn Jo Drake, Temporary Chairman, declared it ceased. The Board proceeded to vote as follows:

Grobe voted for Williams.
Houser voted for Williams.
Knauss voted for Williams.
Leaders voted for Williams.
Williams voted for Williams.

Williams was elected Chairman for 2009.

Drake announced nominations are now in order for the office of Chairperson Pro-Tem for 2009.

Houser was nominated by Knauss.

There being no further nominations, Marilyn Jo Drake, Temporary Chairman, declared it ceased. The Board proceeded to vote as follows:

Grobe voted for Houser.
Houser voted for Houser.
Knauss voted for Houser.
Leaders voted for Houser.
Williams voted for Houser.

Houser was elected Chairman Pro Tem for 2009.

Thereupon Marilyn Jo Drake, Temporary Chairman, turned the meeting over to Chairman Williams.

Motion by Grobe, second by Houser, to adopt Robert's Rules of Order as written, rules of parliamentary procedures for transaction of business in meetings, except when it conflicts with the Code of Iowa. Unanimous vote. Motion carried.

Motion by Leaders, second by Grobe, to establish a policy that the Board of Supervisors' regular sessions will be held on the following days: Mondays and Wednesdays. It shall be the prerogative of the Chairman, with Board approval, to cancel or add a meeting day. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve **Board Resolution No. 1-2009** a resolution for payment of county bills. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Leaders, second by Knauss, to approve **Board Resolution No. 2-2009** to authorize the Auditor to destroy county vouchers and canceled county warrants, which have been on file on or before January 1, 1999, per Code of Iowa, Section 331.323(e). Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Knauss, second by Leaders, to approve **Board Resolution No. 3-2009**, a resolution approving deputy appointments for the Auditor's Office, Attorney's Office, Recorder's Office, Treasurer's Office and Sheriff's Department for 2009. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Grobe, second by Houser, to approve Board **Resolution No. 4-2009**, utilities resolution. A resolution ordering that the lengths of the mileage of the several railroad, telegraph, telephone, and express companies in Pottawattamie County, and the taxable value thereof, as fixed by the Department of Revenue, within the several townships, and school districts of Pottawattamie County be fixed according to schedule and the County Auditor is hereby ordered to publish and spread the same upon the taxes levied for said County for the Fiscal Year 2008-2009. RECAPITULATION – Telephone/Telegraph \$46,369,549.00, Railroads \$28,058,537.00, and Pipeline \$39,008,247.00. Total County \$113,436,333.00. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Houser, second by Leaders, to approve **Board Resolution No. 5-2009** to transfer \$3,000 from the Gaming Fund to the Secondary Roads Fund. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Grobe, second by Leaders, to approve the following newspapers as Official Newspapers for Pottawattamie County, Iowa for the 2009 year: The Herald-Oakland, Gazette Reporter-Neola; The Avoca Journal Herald-Avoca; The Daily Nonpareil-Council Bluffs; Botna Valley Reporter-Carson; The Walnut Bureau-Walnut. Pay no more than Iowa Code allows. Unanimous vote. Motion carried.

Motion by Houser, second by Grobe, to sign **Engineers Resolution No. 09-01**, authorizing the County Engineer to close Secondary Roads for construction and/or maintenance. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Knauss, second by Houser, to sign **Engineers Resolution No. 09-02**, authorizing the County Engineer to certify completion papers and make final acceptance of contract work on the Farm to Market and Federal Aid Systems. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Grobe, second by Houser, to sign **Engineers Resolution No. 09-03**, authorizing the County Engineer to issue and sign special permits for the movement of vehicles of excessive size and weight upon Pottawattamie County Secondary Roads. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Knauss, second by Leaders, to approve for Information Technologies the employment of Randy Thompson as Public Safety CAD Tech Support at \$22.39 per hour to be effective 12/16/08. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve stop payment on Warrant Number 94739 and issue new warrant. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve annual membership fee of \$3,000 for Hungry Canyons Alliance from July 1, 2009 to June 30, 2010. Unanimous vote. Motion carried.

Motion by Knauss, second by Grobe, to approve VisionAir Public Safety Software MOU with the City of Council Bluffs. Roll Call Vote: Ayes-Knauss, Williams, Grobe, Houser; Nays-Leaders. Motion carried.

Motion by Houser, second by Leaders, to approve FY09 MAPA/Pottawattamie County Agreement for Administration of the CITIES Program in an amount not to exceed 10,000. Unanimous vote. Motion carried.

Motion by Knauss, second by Grobe, to approve the following Representative Appointments for 2009.

GROBE

- Buildings and Grounds
- Conservation/REAP
- Construction
- Economic Development
- Human Resources
- Loess Hills Alliance
- Secondary Roads Department
- Soil Conservation
- Transfer Station
- SWIPCo/SWITA
- West Central Development Corp.
- WIDA

HOUSER

- Agriculture Committee
- Auditors Office
- Community Services Department
- Conservation Department
- DECAT Planning Committee
- E911/Communications
- Economic Development
- Human Resources Department
- Hungry Canyons
- Local Emergency Management
- Metropolitan Area Planning Agency
- SWI Juvenile Emerg. Services Bd.
- Secondary Roads Department
- Soil Conservation
- Regional Workforce Investment Board-CEO

WILLIAMS

- Airport Authority
- Board of Health
- Community Services Department
- County Burials
- DECAT/Empowerment Planning Co.
- Department of Human Services
- Economic Development
- Human Resources Department
- Human Services Advisory Council
- Insurance (Health & Liability)
- Recorders Office
- Secondary Roads Department
- Visiting Nurse Associations
- SWI Juvenile Emerg. Services Board

KNAUSS

Animal Control
Assessors Office
Attorneys Office
County Burials
County Property
E911/Communications
Economic Development
Human Resources Department
Local Emergency Management
Secondary Roads Department
Sheriffs Department/Jail
Treasurers Office
Veteran Affairs Department
Fourth Judicial District

LEADERS

Buildings & Grounds
Construction
County Property
Economic Development
Human Resources Department
Information Technology/Telephone System/GIS
Planning & Development/Weed Control
Pottawattamie County Development Corp.
Pottawattamie County Growth Alliance
Recorders Office
Secondary Roads Department
WIDA

Motion by Grobe, second by Houser, to approve the Pottawattamie County Courthouse being closed on the following legal holidays in 2009, as per Code of Iowa, Section 33.1:

NEW YEAR'S DAY	THURSDAY	JANUARY 1, 2009
MARTIN LUTHER KING, JR. DAY	MONDAY	JANUARY 19, 2009
PRESIDENT'S DAY	MONDAY	FEBRUARY 16, 2009
MEMORIAL DAY OBSERVED	MONDAY	MAY 25, 2009
INDEPENDENCE DAY OBSERVED	FRIDAY	JULY 3, 2009
LABOR DAY	MONDAY	SEPTEMBER 7, 2009
VETERANS' DAY	WEDNESDAY	NOVEMBER 11, 2009
THANKSGIVING DAY	THURSDAY	NOVEMBER 26, 2009
LIEU OF LINCOLN'S BIRTHDAY	FRIDAY	NOVEMBER 27, 2009
CHRISTMAS DAY	FRIDAY	DECEMBER 25, 2009

Unanimous vote. Motion carried.

The Board adjourned subject to call at 10:15 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: January 5, 2009

PUBLISH: X

JANUARY 5, 2009**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 A.M., all members, except Knauss, present.

Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Grobe, to approve the January 2, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve Class "B" Native Wine Permit for Savanna Filmore, Council Bluffs. Unanimous vote. Motion carried.

Knauss joined meeting at 10:05 A.M.

Motion by Knauss, second by Leaders, to approve appointment of Robert Jorgensen as Veteran Affairs Interim Commissioner to fill unexpired term of Michael Carter, which expires June 30, 2010. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve **Board Resolution No. 6-2009**, to set public hearing for Wednesday, January 14, 2009 at 10:00 A.M. to consider conveying county owned property for a minimum of \$100 by public bid. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Nays-Houser. Motion carried.

Motion by Knauss, second by Leaders that the Chairman send a letter to the cities of Avoca, Carter Lake and Council Bluffs to begin negotiations on the VisionAir 28E Agreement and that Curtis Edwards II be the primary negotiator for the VisionAir 28E Agreement, and Maggie Popp-Reyes be the primary legal contact , with February 16, 2009 as the deadline to complete the negotiation process. All contract changes need to be made by Maggie Popp-Reyes and the County Attorney's Office. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:25 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Donna West, Financial Officer, Auditor's Office

APPROVED: January 14, 2009

PUBLISH: X

JANUARY 14, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members, present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Grobe, to approve the January 5, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to open bids on project EWP (69-6114-8-23)-08 and set Wednesday, January 21, 2009 at 10:45 A.M. to award bid. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve and authorize Chairman to sign Iowa West Foundation Tourism Grant Application for the Pottawattamie County Tourism Committee for the Pottawattamie County Wayfinding & Marketing Campaign Project. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser; Abstain-Grobe. Motion carried.

Motion by Leaders, second by Knauss, to open public hearing to consider selling county owned property described as Lewis Township, 17-74-43 PT NE NW commencing 1976.73' E and 315.5' SE NE corner section thence SE509.26' S35.6' NW 525.47' NE58.79' to point of beginning except highway. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Knauss, second by Leaders, to close public hearing. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Leaders, second by Houser, to approve **Board Resolution No. 7-2009**, to sell the following county owned property described as Lewis Township, 17-74-43 PT NE NW commencing 1976.73' E and 315.5' SE NE corner section thence SE509.26' S35.6' NW 525.47' NE58.79' to point of beginning except highway to Ellen and John Hansen in the amount of \$100.00. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Knauss, second by Leaders, to approve **Board Resolution No. 8-2009**, a construction evaluation resolution related to the construction of a confinement feeding operation structure. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Williams. Motion carried.

Motion by Houser, second by Knauss, to approve for publication the Claims Allowed for December 2008. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to authorize Chairman to sign "Certification of Cost Allocation Plan" with Cost Advisory Services, Inc. for indirect cost recoveries. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to authorize Chairman to sign "Notice of Disallowance for Homestead Tax Credit." Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to approve for the Telecommunications Department the employment of Sally Hobus as a Telecommunications Operator at \$15.54 per hour to be effective 1/5/09. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to approve for the Sheriff's Department/Jail the employment of Jake Cotton as a Detention Officer at \$16.87 per hour to be effective January 21, 2009. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports

Pottawattamie County Sheriff's Department report of fees disbursed for December 2008.

The Board adjourned subject to call at 10:55 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: January 21, 2009

PUBLISH: X

JANUARY 21, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members, present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Knauss, to approve the January 14, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to approve "Annual Contract for Services Between Pottawattamie County Board of Health, Pottawattamie County Board of Supervisors and the Visiting Nurse Association of Pottawattamie County" in the amount of \$94,835.16 for 1/1/09 through 12/31/09. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve renewal of county property casualty insurance with ICAP (Iowa Communities Assurance Pool) in the amount of \$347,319.00. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to set aside agenda (due to timeline requirements) as allowed by Code of Iowa, Chapter 21.4(2), to consider ROW Agreements for County Engineer. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Leaders, second by Grobe, to authorize County Engineer to complete ROW Agreement with Council Bluffs Industrial Foundation. Unanimous vote. Motion carried.

Motion by Leaders, second by Grobe, to authorize County Engineer to sign Temporary Easement Agreement with Gable Company regarding ROW for County. Unanimous vote. Motion carried.

Motion by Knauss, second by Grobe, to stop payment on warrant number 96147 and issue new warrant. Unanimous vote. Motion carried.

Motion by Grobe, second by Knauss, to set aside agenda as allowed by Code of Iowa, Chapter 21.4(2), to consider a Resolution transferring funds. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Leaders, second by Knauss, to correct the minutes of December 23, 2008, and include Resolution #53-2008 to transfer \$327,753.00 from the Gaming Fund to the Debt Service Fund, to pay the interest due on the GO Capital Loan Series 2008-Communication Equipment. Roll Call Vote: Ayes-Knauss, Leaders, Williams; Abstain-Grobe; Absent-Houser. Motion carried.

Motion by Grobe, second by Leaders, to authorize first payment of \$15,000 to the City of Oakland for their Veteran Eagle Project. Unanimous vote. Motion carried.

Motion by Leaders, second by Grobe, to appoint the following to the Loess Hills Alliance Board: Mark Shoemaker, Lynn Grobe and Anne McKeown and Chad Kunze and Cindy Thompson as alternates. Unanimous vote. Motion carried.

Motion by Leaders, second by Grobe, to appoint to the Planning and Zoning Commission Tamra Brunow with term to expire 12/31/12, and Larry Plagman, with term to expire 12/31/13. Unanimous vote. Motion carried.

Motion by Grobe, second by Knauss, to appoint to the Zoning Board of Adjustment Jeanette Genereux, with term to expire 12/31/13, and Tim White, with term to expire 12/31/12. Unanimous vote. Motion carried.

Motion by Knauss, second by Grobe, to approve for the Sheriff's Department/Jail the employment of Thomas Smith as a Detention Officer at \$16.87 per hour to be effective January 5, 2009. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve for the Sheriff's Department the employment of Brent Pauley as a Detention Officer at \$16.87 per hour to be effective January 10, 2008. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve for the Sheriff's Department the employment of Katie Pattee as Crime Scene Technician \$17.86 per hour to be effective January 5, 2009. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve for the Transfer Station the employment of Craig Turner as Transfer Station Operator 1 at \$12.30 per hour to be effective January 6, 2009. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve for the Sheriff's Department the promotion of Andrew Rutledge from Deputy to Corporal at \$24.00 per hour to be effective January 1, 2009. Unanimous vote. Motion carried.

Motion by Leaders, second by Grobe, to approve payment of carpeting in Treasurers Office in the amount of \$21,204.00, to paid out of Board of Supervisors Gaming budget. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:25 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: January 28, 2009
PUBLISH: X

JANUARY 22, 2009

10:00 A.M. – Harrison County Courthouse

York Road Public Hearing

A joint public hearing between Harrison County Board of Supervisors and the Pottawattamie County Board of Supervisors was held as advertised. Those in attendance included: Larry King, Robert Smith, Gaylord Pitt, Roger Williams, Loren Knauss, Lynn Grobe, Susan Bonham, Tom Stoner, Mary Dargin, Larry Dargin, Jane Barnes, Donald Barnes, and Lynn Dargin.

Harrison County Chairman King opened the public hearing at 10AM to hear comments both for and against the proposed action to change the road classification of a portion of York Road to an Area Service "C" road pursuant to Iowa Code Section 309.57 (1995) as amended by Senate File 451 (2003); and described as: Commencing at a point on the centerline of York Road, 66 feet east of the SW corner of the SE ¼ SW ¼ of Section 33-78-41 and running thence easterly along the centerline of said York Road and terminating at the SW corner of the SE ¼ SE ¼ of Section 33-78-41.

Comments heard in favor of this proposed change came from Donald Barnes, Jane Barnes, Larry Dargin, and Lynn Dargin. Harrison County REC indicated that no lines would be affected and therefore would remain neutral. No comments against the proposed action were received.

At 10:14 AM, Harrison County Supervisor Smith made the motion to close the public hearing, second by Harrison County Supervisor Pitt. Ayes: King, Smith, Pitt, Williams, Knauss, Grobe. Nay: None
Unanimous approval.

Harrison County Supervisors Pitt made the motion to approve reclassifying a portion of York Road as described above to an Area Service "C" road, second by Harrison County Smith. Ayes: King, Smith, Pitt
Nay: None Unanimous approval.

Pottawattamie County Supervisor Grobe made the motion to approve **Resolution #08-14**, second by Pottawattamie County Supervisor Knauss. Ayes: Williams, Grobe, Knauss. Nay: None. Motion carried.

The Boards adjourned subject to call at 10:30 A.M.

Roger R. Williams, Chairman

MINUTES TAKEN BY: SUSAN BONHAM, AUDITOR
HARRISON COUNTY

APPROVED: January 28, 2009

PUBLISH: X

JANUARY 28, 2009**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 A.M., all members, except Grobe, present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Knauss, to approve the January 21, 2009 and January 22, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve Medical Examiner On-Call Investigator Job Description and also approve to hire for this position. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c), for purpose of discussing labor negotiations. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser; Absent-Grobe. Motion carried.

Motion by Leaders, second by Knauss, to go out of Executive Session. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser; Absent-Grobe. Motion carried.

Motion by Houser, second by Knauss, to approve and sign contract with Peterson Contractors, Inc. for Emergency Watershed Protection projects for the amount of \$931,906.45. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve and sign detour agreement with the Iowa Department of Transportation for Hwy 92 to Hwy 6 on L55 (Summer Construction). Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to set aside agenda as allowed by Code of Iowa, Chapter 21.4(2), to consider a contract extension date. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser; Absent-Grobe. Motion carried.

Motion by Houser, second by Knauss to authorize a contract extension period on Project #69-6114-8-23. Date extended to 7/10/09 for County Engineer. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c) for purpose of discussion and/or decision on litigation matters. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser; Absent-Grobe. Motion carried.

Motion by Knauss, second by Leaders, to go out of Executive Session. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser; Absent-Grobe. Motion carried.

Motion by Knauss, second by Houser, to hire Paul Langer as outside counsel for County Attorney at approximately \$20,000. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to hire David Frangiamore, as outside insurance counsel for County Attorney office. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss to authorize the use of funds previously received from Empire Zurich Insurance Company, less any outstanding balances for reimbursement of outside counsel fees, for contribution toward any settlement of related pending litigation. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:20 P.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 9, 2009

PUBLISH: X

FEBRUARY 9, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members, present. Chairman Williams presiding.
PLEDGE OF ALLEGIANCE

Motion by Houser, second by Leaders, to approve January 28, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Knauss, second by Grobe, to approve the Pottawattamie County Response Team proposal. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve **Board Resolution No. 9-2009**, resolution amending the Electronic Transactions Clearinghouse 28E Agreement. Roll Call Vote: Ayes-Grobe, Houser, Knauss, Williams. Absent-Leaders. Motion carried.

Motion by Grobe, second by Houser, to authorize Chairman to sign provider agreement with Council Bluffs Community Health Center. Unanimous vote Motion carried.

Motion by Knauss, second by Houser, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c), for purpose of discussing labor negotiations. Roll Call Vote: Ayes-Grobe, Houser, Knauss, Williams. Absent-Leaders. Motion carried.

Motion by Knauss, second by Grobe, to go out of Executive Session. Roll Call Vote: Ayes-Grobe, Houser, Knauss, Williams. Absent-Leaders. Motion carried.

Motion by Knauss, second by Leaders, to approve for publication the payroll amounts for 2008. Unanimous vote. Motion carried.

Motion by Grobe, second by Houser, to approve payment of \$15,000 to City of Crescent for Veterans Monument. Unanimous vote. Motion carried.

Motion by Grobe, second by Leaders, to approve for Telecommunications the employment of Billie Jo Gubbels as a Telecommunications Operator at \$15.54 per hour to be effective January 19, 2009. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve for publication the Semi-Annual report of Judy Ann Miller, Pottawattamie County Treasurer, for period of July 1, 2008 through December 31, 2008. Unanimous vote. Motion carried.

Motion by Houser, second by Grobe, to approve for publication the Claims Allowed for January 2009. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING**Salary Actions**

Pottawattamie County WIC Program – Employment of Kris Wood as WIC Program Coordinator at \$24.16 per hour to be effective March 1, 2009.

The Board adjourned subject to call at 1:15 P.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 11, 2009

PUBLISH: X

FEBRUARY 11, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members, except Leaders, present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Knauss, second by Houser, to approve February 9, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to set public hearing on Pottawattamie County FY 2009-2010 budget for March 16, 2009 at 10:00 A.M. in the Board of Supervisors' Hearing Room. Unanimous vote. Motion carried.

Motion by Grobe, second by Houser, to approve **Board Resolution No. 10-2009**, transferring \$500,000 from the Gaming Fund to the General Supplemental Fund. Roll Call Vote: Ayes-Knauss, Williams, Grobe, Houser; Absent-Leaders. Motion carried.

Motion by Knauss, second by Houser, to approve Library Agreement between Pottawattamie County Board of Supervisors and Board of Library Trustees of Town of Avoca, Town of Carter Lake, City of Council Bluffs, Town of Oakland and Town of Walnut for FY 08-09. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports

Pottawattamie County Sheriff's Department – Report of Fees Disbursed for January 2009.

The Board adjourned subject to call at 11:35 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 17, 2009

PUBLISH: X

February 17, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members except Leaders present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Houser, second by Grobe, to approve February 11, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Knauss, second by Grobe, to approve \$42,000 for the Pottawattamie County Saw Strike Team for assisting in clean up from disasters. Monies to be paid from Gaming Fund. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve request of Carter Lake of \$15,000 for "Eagle" Veterans Monument, remainder to be paid upon completion. Unanimous vote. Motion carried.

Motion by Grobe, second by Houser, to approve Class "C" Beer/Sunday Sales Permit for Kum & Go #23, Neola, Iowa. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve Class "B" Native Wine/Sunday Sales Permit for Olive Branch, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Grobe, second by Knauss, to approve Class "C" Liquor/Sunday Sales Permit for Tammy's Club 92, Carson, Iowa. Unanimous vote. Motion carried.

Motion by Grobe, second by Knauss, to approve Class "C" Liquor/Sunday Sales Permit for Quail Run Country Club, Neola, Iowa. Unanimous vote. Motion carried.

The Board adjourned subject to call at 10:50 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 18, 2009
PUBLISH: X

February 18, 2009**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:45 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Knauss, second by Grobe, to approve February 17, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Grobe, second by Knauss, to approve flood insurance with Smith, Davis & Abel Insurance at a cost of \$44,420.00. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:30 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 20, 2009

PUBLISH: X

February 20, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Grobe, to approve February 18, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve the following Change Orders for the 800 MHz Communications Project: Change Order A1168/Memorial – Additional Charge of \$11,225.00; Change Order A12298/Hancock – Credit of \$9,000.00; Change Order A12298/McClelland – Credit of \$9,000.00; Change Order A179/KHIN – Additional Charge of \$570.00; Change Order B1269/Hancock – Additional Charge of \$5,854.00; Change Order B249/KHIN – Additional Charge of \$6,816.00; Change Order C2179/KHIN – Additional Charge of \$10,480.00. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:35 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 23, 2009

PUBLISH: X

February 23, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Knauss, to approve February 20, 2009 minutes as read. Unanimous vote. Motion carried.

10:00 Zoning Hearing:

CASE #ZMA-2009-01: The request of Dale J. and Joy C. Ausdemore for a zoning map amendment to reclassify approximately 12.97 acres from a Class C-2/A-4 (General Commercial/Loess Hills) District to a Class A-4 (Loess Hills) District, located in Garner Township, 21264 Homestead Avenue, legally described as 10-75-43, PT SW NW & PT NW SW COMM 797.90'N 1040.72'E W1/4 COR TH SELY321.70' S 1577.93'C/L CO RD SWLY221.87'NWLY1239.1'N102.60'NELY481.55'TO POB (PARCEL D).

Motion by Leaders, second by Knauss, to open public hearing on Case #ZMA-2009-01. Roll Call Vote: Ayes-Grobe, Houser, Knauss, Leaders, Williams. Motion carried.

Motion by Knauss, second by Houser, to close public hearing on Case #ZMA-2009-01. Roll Call Vote: Ayes-Grobe, Houser, Knauss, Leaders, Williams. Motion carried.

Motion by Leaders, second by Grobe, to approve first consideration of an ordinance to reclassify approximately 12.97 acres from a Class C-2/A-4 (General Commercial/Loess Hills) District to a Class A-4 (Loess Hills) District in Garner Township, as filed under Case #ZMA-2009-01 and to set second consideration for Wednesday, February 25, 2009 at 10:00 A.M. Roll Call Vote: Ayes-Grobe, Houser, Knauss, Leaders, Williams. Motion carried.

Motion by Grobe, second by Houser, to approve Engineer's Resolution No. 09-04 to vacate excess Right of Way (ROW) in Section 6 of Minden Township. Unanimous vote. Motion carried.

Motion by Houser, second by Grobe, to approve agreement RRP-RR04 (141)-8A-00 to upgrade the railroad crossing on Joslin Avenue. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to approve agreement RRP-RR03(141)-8A-00 to upgrade the railroad crossing on Desota Avenue. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve for the Auditor's Office the employment of Marilyn Kennedy as a part-time Account Clerk at \$16.59 per hour to be effective February 2, 2009. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve for the Attorney's Office the employment of Jeffrey Thenlen as Attorney I at \$25.93 per hour to be effective February 9, 2009. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve appointment of Lynn Grobe to the Southwest Iowa Juvenile Emergency Board to replace Roger Williams. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to authorize Lt. John Reynolds, Project Manager 800 MHz Communication Project to sign change orders and other documents as needed for the 800 MHz Communication Project, to be effective as of March 2008. Unanimous vote. Motion carried.

Motion by Grobe, second by Houser, to approve Board Resolution No. 11-2009, transferring \$2,466,004.26 from the General Basic Fund to the County Owned Land Fund. Roll Call Vote: Ayes-Grobe, Houser, Knauss, Leaders, Williams. Motion carried.

The Board adjourned subject to call at 12:00 P.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 25, 2009

PUBLISH: X

February 25, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members except Knauss and Leaders present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Houser, to approve February 23, 2009 minutes as read. Unanimous vote. Motion carried.

10:00 Second Consideration:

CASE #ZMA-2009-01: The request of Dale J. and Joy C. Ausdemore for a zoning map amendment to reclassify approximately 12.97 acres from a Class C-2/A-4 (General Commercial/Loess Hills) District to a Class A-4 (Loess Hills) District, located in Garner Township, 21264 Homestead Avenue, legally described as 10-75-43, PT SW NW & PT NW SW COMM 797.90'N 1040.72'E W1/4 COR TH SELY321.70' S 1577.93'C/L CO RD SWLY221.87'NWLY1239.1'N102.60'NELY481.55'TO POB (PARCEL

Motion by Houser, second by Grobe, to approve second consideration of an ordinance to reclassify approximately 12.97 acres from a Class C-2/A-4 (general Commercial/Loess Hills) District to a Class A-4 (Loess Hills) District in Garner Township, as filed under Case #ZMA-2009-01 and to adopt **Ordinance #2009-01**. Ayes-Houser, Williams, Grobe. Absent-Knauss, Leaders. Motion carried.

Motion by Houser, second by Grobe, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c) for purpose of discussion and/or decision on pending litigation. Roll Call Vote: Ayes - Grobe, Houser, Williams. Motion carried.

Motion by Houser, second by Grobe, to go out of Executive Session. Roll Call vote: Ayes – Grobe, Houser, Williams. Motion carried.

The Board adjourned subject to call at 12:10 P.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: March 2, 2009

PUBLISH: X

March 2, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Houser, to approve February 25, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Leaders, second by Grobe, to approve Engineer’s Resolution # 09-05 to set public hearing for Level C Road on county line for Wednesday, March 18, 2009 at 10:00 A.M. in the Board of Supervisors Office, Pottawattamie County Courthouse. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Leaders, second by Knauss, to approve **Board Resolution No.12-2009**, transferring \$93,173.29 from the Restoration Initiative Hitchcock Fund to the Gaming Fund. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Houser, second by Knauss, to approve Class “C” Native Wine/Sunday Sales Permit for Prairie Crossing Vineyard and Winery, Treynor, Iowa. Unanimous vote. Motion carried.

Motion by Knauss, second by Grobe, to authorize Chairman to sign “Notice of Disallowances for Homestead Tax Credits and Military Service Tax Exemptions.” Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve for the Sheriff’s Department/Jail the employment of Jennifer Delong as a Medical Nurse at \$22.96 per hour to be effective February 25, 2009. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to suspend real estate taxes for 3101 Chippewa Lane, Council Bluffs, Iowa. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:05 P.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: March 9, 2009

PUBLISH: X

March 9, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members except Houser present. Houser absent on county business. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Knauss, to approve March 2, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve Engineer's Resolution #09-06 to embargo seal coat roads. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Grobe, second by Leaders, to approve project plans for HC-2005(4) for two pipe replacements on 290th Street in Section 35-T76N-R42W. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Knauss second by Leaders, to approve project plans for HC-2009(CE35) to construct grade control structures in Section 35-T75N-R42W and Section 33-T75N-R38W. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Leaders, second Knauss, to approve project plans for L Northli - - 73-78, Northline Drive pavement and storm sewers. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Knauss, second by Grobe, to approve project plans for LFM-T/M-7x-78 for countywide painted pavement markings. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Knauss, second by Leaders, to approve for the Human Resources Department the employment of Brad Dumke as Safety Coordinator at \$24.07 per hour, to be effective February 17, 2009. Unanimous vote. Motion carried.

Motion by Grobe, second by Knauss, to approve for publication the Claims Allowed for February 2009. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:00 P.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: March 16, 2009

PUBLISH: X

March 16, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.
PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Grobe, to approve March 9, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to open public hearing on Pottawattamie County Budget for Fiscal Year 2009-2010. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser, Grobe. Motion carried.

Motion by Grobe, second by Houser, to close public hearing. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser, Grobe. Motion carried.

Motion by Leaders, second by Houser, to approve **Board Resolution No. 13-2009**, approving the Fiscal Year 2009-2010 budget with the Compensation Board's recommendations being rolled back to 60% of their recommendation. Salaries for elected officials for 2009-2010 are as follows: County Attorney-\$105,498 (3%); County Auditor-\$64,948 (3%); County Recorder-\$64,948 (3%); County Treasurer-\$64,948 (3%); County Sheriff-\$97,237 (3.6%) and County Supervisors-\$37,886 (3%). Roll Call Vote: Ayes-Grobe, Houser, Knauss, Leaders, Williams. Motion carried.

Motion by Knauss, second by Leaders, to approve for the County Attorney's Office the employment of special prosecutor and outside counsel regarding criminal case and employment matters. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to ask Emergency Management Agency to lower staff raises from 7% to 3% in the Budget for 2010. Roll Call Vote: Ayes-Knauss, Leaders; Nays-Houser, Williams, Grobe. Motion failed.

Motion by Knauss, second by Houser, to approve Pottawattamie County's 2009 Hazard Mitigation Grant Program (HMGP) Planning Application, and Jake Hansen, MAPA, as authorized representative. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5© for purpose of discussion of labor negotiations. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser, Grobe. Motion carried.

Motion by Knauss, second by Leaders, to go out of Executive Session. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser, Grobe. Motion carried.

Motion by Knauss, second by Houser, to approve the Procurement Policy for Pottawattamie County per State Auditor's Office recommendation. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve renewal of health insurance rates for FY 2009-2010 (total premium rate for single \$501.53, total premium rate for family \$1,115.69). Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to approve Class "C" Liquor/Sunday Sales Permit for I-80 Lounge, Underwood, Iowa. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve Class "C" Liquor/Sunday Sales Permit for Aeroplane Inn, Honey Creek, Iowa. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Pottawattamie County Sheriff's Office Report of Fees Disbursed for February 2009.

The Board adjourned subject to call at 12:15 P.M.

Roger R. Williams, Chairman

ATTEST: _____

Marilyn Jo Drake, County Auditor

APPROVED: March 18, 2009

PUBLISH: X

March 18, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members except Knauss and Houser present. Houser absent on county business. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Grobe, to approve March 16, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Leaders, second by Grobe, to open Public Hearing to consider request for level C road. Roll Call Vote: Ayes-Leaders, Grobe, Williams; Absent-Knauss, Houser. Motion carried.

Motion by Grobe, second by Leaders, to close public hearing. Roll Call Vote: Ayes-Leaders, Grobe, Williams; Absent-Knauss, Houser. Motion carried.

Motion by Leaders, second by Grobe, to approve Engineer’s Resolution No. 09-07 establishing Applewood Road from 350th Street to 370th Street as a Level C Road. Roll Call Vote: Ayes-Leaders, Grobe, Williams; Absent-Knauss, Houser. Motion carried.

Motion by Richard Crouse, second by Joe Blankenship, to approve Mill’s County Engineer’s Resolution No. 09-13 establishing Applewood Road from 350th Street to 370th Street as a Level C Road. Roll Call Vote: Ayes-Crouse, Blankenship; Absent-Ron Kohn.

Motion by Leaders, second by Grobe, to approve for the Information Technologies Department Senior Programmer Analyst job description and salary increase retroactive from January 1, 2009. Unanimous vote. Motion carried.

Motion by Grobe, second by Leaders, to approve commercial services agreement between Pottawattamie County and Cox Business for Cox Optical Internet 4MB Service at a monthly cost of \$990.00. Unanimous vote. Motion carried.

Motion by Leaders, second by Grobe, to approve **Board Resolution No. 14-2009**, Resolution for the Destruction of Noxious Weeds. Ayes-Williams, Grobe, Leaders; Absent-Knauss, Houser. Motion carried.

Motion by Grobe, second by Leaders, to approve and sign 28E Agreement for Eblen/Jonk project. Unanimous vote. Motion carried.

Motion by Grobe, second by Leaders, to approve for Secondary Roads the employment of Dan Wilson as Truck Driver I/Bridge Crew at \$15.40 per hour to be effective March 10, 2009. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Recorder’s Office monthly report for February 2009.

The Board adjourned subject to call at 11:20 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Donna West, Financial Officer, Auditor’s Office

APPROVED: March 23, 2009

PUBLISH: X

March 23, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members except Knauss and Houser present. Houser absent on county business. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Leaders, to approve March 18, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Leaders, second by Grobe, to authorize Chairman to sign Hazard Mitigation Grant Application. Unanimous vote. Motion carried.

Motion by Leaders, second by Grobe, to approve **Board Resolution No. 15-2009**, a Local Match Resolution For The Hazard Mitigation Grant Program in an amount available up to \$2,647.00 of local monies to be used to meet the minimum 15% match requirement for this mitigation grant application. Roll Call Vote: Ayes-Leaders, Williams, Grobe; Absent-Knauss, Houser. Motion carried.

Motion by Leaders, second by Grobe, to authorize Chairman to sign "Notice of Disallowance for Homestead Tax Credits and Military Service Tax Exemption." Unanimous vote. Motion carried.

The Board adjourned subject to call at 10:25 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: March 25, 2009

PUBLISH: X

March 25, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members except Houser present. Houser absent on county business. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Grobe, to approve March 23, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve submission of EDA Short Term Planning Grant Application (Gateway Commerce Portal Feasibility Study) and authorize Chairman to sign necessary documents. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to take all road bids under advisement and set bid award for April 1, 2009 at 10:00 A.M. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to contribute \$3,375.00 to the City of Avoca to purchase a generator which will be hooked up to the courthouse in Avoca. Unanimous vote. Motion carried.

Motion by Knauss, second by Grobe, to stop payment on warrant number 97944 and issue new warrant. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve employment of Abby Robinson and Troy Briggs as On-Call Medicolegal Death Investigators at \$18.00 per hour and \$85.00 on scene to be effective 3/30/09. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:10 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: March 30, 2009

PUBLISH: X

March 30, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members except Knauss and Leaders present. Leaders absent on county business. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Houser, to approve March 25, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Grobe, second by Houser, to approve “Tornado Evacuation Plan and Drill” for Wednesday, April 8, 2009. Unanimous vote. Motion carried.

Motion by Houser, second by Grobe, to open Public Hearing for the MHDD Strategic Plan. Roll Call Vote: Ayes-Houser, Williams, Grobe; Absent-Knauss, Leaders. Motion carried.

Motion by Houser, second by Grobe to close the Public Hearing. Roll Call Vote: Ayes-Houser, Williams, Grobe; Absent-Knauss, Leaders. Motion carried.

Motion by Grobe, second by Houser, to approve the Community Services MHDD Strategic Plan to be effective July 1, 2009– June 30, 2012. Unanimous vote. Motion carried.

Motion by Houser, second by Grobe to approve fee schedule for funeral homes for autopsy transports to the State Medical Examiner’s office in Ankeny. Cost to transport will be \$450.00, \$300.00 to return to Pottawattamie County area. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:40 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Donna West, Financial Officer, Auditor’s Office

APPROVED: April 1, 2009

PUBLISH: X

April 1, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members except Knauss present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Houser, to approve March 30, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Grobe, second by Leaders, to award bid for HC-2005(4), two pipe replacements on 290th Street in Section 35-T76N-R42W (Norwalk Township) to Trevor Enterprise in the amount of \$80,114.29, with 20% match. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to award bid for HC-2009(CE35), construct grade control structures in Section 35-T75N-R42W (Center Township) and HC-2007(1) in Section 33-T75N-R38W (Wright Township) to Nelson & Rock in the amount of \$367,249.63, with 20% match. Unanimous vote. Motion carried.

Motion by Leaders, second by Grobe, to award bid for L-Northli- - 73-78, Northline Drive pavement and storm sewers to Leazenby Construction in the amount of \$156,010.26. Unanimous vote. Motion carried.

Motion by Houser, second by Grobe, to award bid for LFM-2009(2)- -7X.-78, countywide painted pavement markings to Vogel in the amount of \$122,084.59. Unanimous vote. Motion carried.

Motion by Houser, second by Grobe, to approve AFSCME Union Contracts for Secondary Roads, Courthouse and 911 employees for July 1, 2009 through June 30, 2011, reopen July 1, 2010 for wages and insurance purposes. Unanimous vote. Motion carried.

Motion by Houser, second by Grobe, to approve for the Sheriff's Department the employment of Eric Hempel as a Deputy at \$19.57 per hour to be effective March 27, 2009. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:30 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: April 6, 2009

PUBLISH: X

April 6, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members except Knauss present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Houser, to approve the April 1, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Houser, second by Grobe, to authorize Chairman to sign a contract with Silverstone Group for Actuarial Services under the GASB Law and recommendation of State Auditor. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to award bid on new phone system for Courthouse, Sheriff's Department/Jail, Annex and Services Building to Windstream in the amount of \$199,971.00. Unanimous vote. Motion carried.

Motion by Grobe, second by Houser, to appoint Steven L. Pierce to the Zoning Board of Adjustment, as replacement for Lynn Grobe. This term will expire December 31, 2011. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to authorize Chairman to sign revised application and **Board Resolution No. 16-2009** (amended from \$15,000 to \$17,647.00) for the 2009 Hazard Mitigation Grant Program. This Resolution amends **Board Resolution No. 15-2009**. Roll Call Vote: Ayes-Leaders, Williams, Grobe, Houser; Absent-Knauss. Motion carried.

Motion by Grobe, second by Leaders, to approve Class C Liquor/Sunday Sales Permit/ Outdoor Service for Bent Tree Golf Course, Council Bluffs. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve Class C Native Wine/Sunday Sales Permit for Breezy Hills Vineyard, Minden, Iowa. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:50 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: April 13, 2009
PUBLISH: X

April 13, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Leaders, to approve the April 6, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve the Secondary Roads Budget and Program for DOT submittal. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to sign contract with Nelson & Rock for Projects HC-2007(1) and HC-2009(CE35). Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve Spring 2009 CITIES applications and authorization to issue project grant agreements. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve submission of \$900,000 application to Iowa West Foundation for recapitalization of CITIES fund and authorize Chairman to sign application. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to sign letter of support for Pottawattamie County MH/SA (Mental Health/Substance Abuse) Network. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to sign Teamsters Detention Officers and Nurse Contracts, effective July 1, 2009 through June 30, 2010. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve for publication the Claims Allowed for the month of March 2009. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve Class "B" Outdoor/Sunday Sales (includes Wine Coolers) for Westfair Stands 1, 2, 3 and 4. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports

Recorder's Office – report of fees for March 2009.

Sheriff's Department – Report of fees disbursed for March 2009.

The Board adjourned subject to call at 12:00 P.M.

Roger R. Williams, Chairman

ATTEST: _____
Donna West, Financial Officer, Auditor's Office

APPROVED: April 15, 2009

PUBLISH: X

April 15, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.
PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Houser, to approve the April 13, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Houser, second by Grobe, to approve MOU with Southwest Iowa Regional Long Term Recovery Committee. Unanimous vote. Motion carried.

Motion by Grobe, second by Houser, to sign contract with Vogel Traffic Services for project LMF-2009(2) - -7X-78 for pavement markings in the amount of \$122,084.59. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to sign contract with Leazenby Construction for project L-NORTHLI-73-78 for paving of North Line Drive in the amount of \$156,010.26. Unanimous vote. Motion carried.

Motion by Houser, second by Grobe, to approve tax suspension request for property located at 708 Wilson Avenue, Council Bluffs. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:25 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Donna West, Financial Officer, Auditor's Office

APPROVED: April 20, 2009

PUBLISH: X

April 20, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:45 A.M., all members present except Houser, who is absent on County business. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Grobe, to approve the April 15, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to sign contract with Trevor Enterprises for project HC-2005(4) for Hungry Canyons Project in the amount of \$80,114.20. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to open the public hearing on Ordinance #2009-02. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Leaders, second by Grobe, to close the public hearing on Ordinance #2009-02. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Leaders, second by Knauss, to approve first consideration of Ordinance #2009-02, AN ORDINANCE to amend Chapter 3.50 Animal Control, by changing the title to "Animal Care and Control", adding definitions for the following: abandon, adequate food, adequate shelter, adequate water, bite, dangerous dog, equines, hybrid, kennel, kennel dogs, livestock, necessary medical attention, service animals, and zoonosis. To amend the Code to make it lawful for any person to hold an animal "at large"; to allow the County to insert a microchip in any impounded dog at a fee of \$20 to the owner/custodian; to adopt Chapter 167, Code of Iowa, by reference dealing with the duties relating to disposal of deceased animals including livestock; establish criteria for determining what constitutes an "irresponsible animal owner" and "habitual irresponsible animal ownership" and how it is established and how such a designation can be removed; procedures for dealing with animal bites; and establish criteria for pet retailers, with minor amendment to the original proposed amendment in Section 3.50.040.02 to stipulate that the Animal Control Officer may seize dangerous/vicious animals which shall be held for the (10) days and to set second consideration for Wednesday, April 29, 2009 at 10:30 A.M. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Grobe, second by Knauss, to authorize Chairman to sign "Notices of Disallowances for Homestead Tax Credits, Military Service Tax Exemptions and Family Farm Credit Tax Credits." Unanimous vote. Motion carried.

Motion by Knauss, second by Grobe, to approve **Board Resolution No. 17-2009** to transfer \$69,665.00 from the General Basic Fund to the Secondary Roads Fund. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Leaders, second by Knauss, to approve **Board Resolution No. 18-2009** to transfer \$840,253.00 from the Rural Services Fund to the Secondary Roads Fund. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Leaders, second by Grobe, to approve **Board Resolution No. 19-2009** to transfer \$21,827.13 from the LOT Conservation Fund to the Restoration Initiative Hitchcock Fund. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Grobe, second by Leaders, to approve appointment of Stella Huerter of Honey Creek, to the Board of Adjustment. This term will expire December 31, 2013. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve Class "C" Liquor License/Sunday Sales Permit/Outdoor Service for Deuces Bar, Council Bluffs. Unanimous vote. Motion carried.

Motion by Grobe, second by Leaders to suspend taxes on property located at 400 Highland Street, Walnut, Iowa. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:40 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: April 22, 2009
PUBLISH: X

April 22, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present except Houser, who is absent on County business. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Knauss, second by Leaders, to approve the April 20, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Leaders, second by Grobe, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c), for purpose of discussion of labor negotiations. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Knauss, second by Leaders, to go out of Executive Session. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Knauss, second by Leaders, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(i) for purpose of discussion of personnel matters. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Knauss, second by Leaders, to go out of Executive Session. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

The Board adjourned subject to call at 11:45 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Donna West, Financial Officer, Auditor's Office

APPROVED: April 29, 2009

PUBLISH: X

April 29, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Leaders, to approve the April 22, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to authorize Chairman to sign an updated tower lease with Walnut Telephone Company for Avoca tower site. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve second consideration of Ordinance #2009-02, AN ORDINANCE to amend Chapter 3.50, Animal Control, by changing the title to "Animal Care and Control", adding definitions for the following: abandon, adequate food, adequate shelter, adequate water, bite, dangerous dog, equines, hybrid, kennel, kennel dogs, livestock, necessary medical attention, service animals, and zoonosis. To amend the Code to make it lawful for any person to hold an animal "at large"; to allow the County to insert a microchip in any impounded dog at a fee of \$20 to the owner/custodian; to adopt Chapter 167, Code of Iowa, by reference dealing with the duties relating to disposal of deceased animals including livestock; establish criteria for determining what constitutes an "irresponsible animal owner" and "habitual irresponsible animal ownership" and how it is established and how such a designation can be removed; procedures for dealing with animal bites; and establish criteria for pet retailers, with the minor amendment to the original proposed amendment in Section 3.50.040.02 to stipulate that the Animal Control Officer may seize dangerous/vicious animals which shall be held for ten (10) days and to set third consideration for Monday, May 4, 2009 at 11:00 A.M. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to authorize Chairman to sign Iowa West Foundation Grant Award Letter of Agreement in the amount of \$39,000 to support the County Way-finding and Marketing Campaign. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to approve **Board Resolution No. 20-2009** amending Resolution No. 15-2009 (\$15,000/\$2,647) and Resolution No. 16-2009 (\$17,647/\$2,647), changing dollar amount of funding from the Hazard Mitigation Grant Program to \$17,650 with a local match of \$2,650. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Houser, second by Grobe, to authorize Chairman to sign "Notice of Disallowances for Homestead Tax Credits and Military Service Tax Exemptions." Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:25 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: May 4, 2009

PUBLISH: X

May 4, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Grobe, to approve the April 29, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Grobe, second by Knauss, to authorize Chairman to sign Law Enforcement Contract with Avoca. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve third consideration and adopt **Ordinance #2009-02**, AN ORDINANCE to amend Chapter 3.50, Animal Control, by changing the title to “Animal Care and Control”, adding definitions for the following: abandon, adequate food, adequate shelter, adequate water, bite, dangerous dog, equines, hybrid, kennel, kennel dogs, livestock, necessary medical attention, service animals, and zoonosis. To amend the Code to make it lawful for any person to hold an animal “at large”; to allow the County to insert a microchip in any impounded dog at a fee of \$20 to the owner/custodian; to adopt Chapter 167, Code of Iowa, by reference dealing with the duties relating to disposal of deceased animals including livestock; establish criteria for determining what constitutes an “irresponsible animal owner” and “habitual irresponsible animal ownership” and how it is established and how such a designation can be removed; procedures for dealing with animal bites; and establish criteria for pet retailers, with the minor amendment to the original proposed amendment in Section 3.50.040.02 to stipulate that the Animal Control Officer may seize dangerous/vicious animals which shall be held for ten (10) days. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Houser, second by Grobe, to approve Affirmative Action Plan to be effective May 1, 2009 – December 31, 2011. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve for the Sheriff’s Department/Jail the employment of Steve Noecker as a Detention Officer at \$16.87 per hour to be effective April 29, 2009. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to approve for Community Services the employment of Monica Makinde as a Social Worker at \$17.40 per hour to be effective April 13, 2009. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:25 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: May 11, 2009

PUBLISH: X

May 11, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members except Houser present.

Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Knauss, to approve the May 4, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve and sign contracts with Alegent Psychiatric Associates, Thurman Psychological, Heartland Family Service and Crossroads of Western Iowa. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve **Board Resolution No. 21-2009** authorizing the Board of Supervisors to sign an Interlocal Agreement between the County of Pottawattamie and City of Council Bluffs with respect to the 2009 Byrne Justice Assistance Grant (JAG) Program award. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Knauss, second by Leaders, to approve for publication the Claims Allowed for April 2009. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve renewal of dental insurance with Met Life. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING:

County Recorder's report of fees collected for month of April 2009.

The Board adjourned subject to call at 11:40 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: May 18, 2009

PUBLISH: X

May 18, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present. Chairman Williams presiding.
PLEDGE OF ALLEGIANCE

Motion by Knauss, second by Leaders, to approve the May 11, 2009 minutes as read. Unanimous vote. Motion carried.

Zoning Public Hearing:

CASE #ZMA-2009-02: The request of Pottawattamie County Planning for property owners Jeff and Kim Howell, Jeff Paulson, Michael D. McKinley, Michael and Merilee Jo Mescher for a zoning map amendment to reclassify approximately 21.11 acres from a Class R-3 (Urban Residential) District to a Class R-2 (Urban Transitional) District, located in Lewis Township, located on 20356 Concord Loop, 20388 Concord Loop, 20462 Concord Loop and 20464 Concord Loop, legally described as: AUD SUB PT S1/2 SW SECT 4 & PT N1/2 NW SECT 9-74-43 LT 3 EXC COMM NW COR TH E119.87'SWLY285.87' N259.38'TO POB & EXC E125.9'N266.25' & PT LT 4 COMM SE COR THW282.24' NELY673.78'S611.63' TO POB & OVERLOOK SUB PT LT 3 COMM 236'S NE COR THS174.52' NW184.01'N164.35' SE253.82' TOPOB (INCLUDES PARCEL B) and AUD SUB PT S1/2 SW SECT 4 & PT N1/2 NW SECT 9- 74-43 PT LT 1 COMM 1311'N 1764'E218'NELY W1/4 CORSECT 9 TH NWLY169' N110' SE217' SW100' TO POB and OVERLOOK SUB LT 3 & AUD SUB PT S1/2 SW SECT 4 & PT N1/2 NW 9-74-43 PT LT 3 COMM NE COR AUD SUBTH S64.77' SE364.71' SW236' NW393.13' N266.25' E125.9' TO POB (PARCEL A) and Lot 2, Overlook Sub and Lot 1, Overlook Sub.

Motion by Grobe, second by Knauss, to open the public hearing on Case #ZMA 2009-02. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Knauss, second by Leaders, to close the public hearing on Case #ZMA 2009-02. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Knauss, second by Leaders, to approve first consideration of an ordinance to reclassify approximately 21.11 acres from a Class R-3 (Urban Residential) district to a Class R-2 (Urban Transitional) District, located in Lewis Township, as filed under Case #ZMA 2009-02, and to set second consideration for May 27, 2009 at 10:30 A.M. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

CASE #ZMA-2009-03: The request of Mary Nixon and Brian Robson, for property owner Rhonda Darrah Et Al for a zoning map amendment to reclassify approximately 4.61 acres from a Class C-1 (Highway Commercial) District to a Class C-2 (General Commercial) District, located in Boomer Township, 33617 Road L-34, legally described as: 1-77-43 E267' N798' W293' SW NW

Motion by Grobe, second by Houser, to open the public hearing on Case #ZMA-2009-03. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Knauss, second by Houser, to close the public hearing on Case #ZMA-2009-03. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Grobe, second by Houser, to approve first consideration of an ordinance to reclassify approximately 4.61 acres from a Class C-1 (Highway Commercial) District to a Class C-2 (General Commercial) District, located in Boomer Township, as filed under Case #ZMA-2009-03, and to set second consideration for May 27, 2009 at 10:30 A.M. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

CASE #ZTA-2009-01: The request of Pottawattamie County for a zoning text amendment to amend Chapter 8.099, Fees, Zoning Ordinance, Section 8.099.040, Fee Refunds, to clarify that fees are not refundable once submitted.

Motion by Houser, second by Leaders, to open the public hearing on Case #ZTA-2009-01. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Leaders, second by Grobe, to close the public hearing on Case #ZTA-2009-01. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Leaders, second by Houser, to approve first consideration of an ordinance to amend Chapter 8.099, Fees, Zoning Ordinance, Section 8.099.040, Fee Refunds, to clarify that fees are not refundable once submitted as filed under Case #ZTA-2009-01, and to set second consideration for May 27, 2009 at 10:30 A.M. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

CASE #ZTA-2009-02: The request of Pottawattamie County for a zoning text amendment to amend Chapter 8.004, General District Regulations and Exceptions, Zoning Ordinance, Section 8.004.240, Placement of Non-Commercial Wind Turbine Generators, to amend the criteria for placement of such generators and to establish a minimum lot size of 1 acre.

Motion by Houser, second by Grobe, to open the public hearing on Case #ZTA-2009-02. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Knauss, second by Leaders, to close the public hearing on Case #ZTA-2009-02. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Grobe, second by Houser, to approve first consideration of an ordinance to amend Chapter 8.004, General district Regulations and Exceptions, Zoning Ordinance, Section 8.004.240, Placement of Non-Commercial Wind Turbine Generators, to amend the criteria for placement of such generators and to establish a minimum lot size of 1 acre, as filed under Case #ZTA-2009-02, and to set second consideration for May 27, 2009 at 10:30 A.M. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Leaders, second by Grobe, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5 (c) for purposes of discussing current litigation. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Houser, second by Grobe, to go out of Executive Session. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Houser, second by Knauss, to approve final payment of \$10,000 to the City of Treynor for Eagle Monument at the Veteran’s Plaza in Treynor. Unanimous vote. Motion carried.

Motion by Knauss second by Leaders, to authorize Chairman to sign “Notice of Disallowances for Homestead Tax Credits and Military Service Tax Exemptions.” Unanimous vote. Motion carried.

Motion by Houser, second by Grobe, to authorize a payment of \$1,500.00 to Council Bluffs Leadership Community Project for Book Plates for new library books. Unanimous vote. Motion carried.

Motion by Grobe, second by Houser, to authorize replacement of the chairs for public seating in the Board of Supervisors Hearing Room with 9 tables and 44 chairs at a total cost of \$6,100.50. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve for Information Technologies the employment of Christine Sachs as Public Safety Tech Support at \$22.39 per hour to be effective 5/5/09. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to approve for Pottawattamie County Conservation the employment of Brian Orth as a Park Ranger at \$36,000 annually effective 5/11/09. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Pottawattamie County Sheriff’s Office – Report of Fees Disbursed for April 2009.

The Board adjourned subject to call at 11:35 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: May 27, 2009
PUBLISH: X

May 27, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members, except Houser, present. Houser absent on County business. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Grobe, to approve the May 18, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to open public hearing on budget amendment for Fiscal Year 2008-2009 budget year. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Knauss, second by Leaders, to close public hearing. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Knauss, second by Leaders, to approve **Board Resolution No. 22-2009** approving budget amendment for Fiscal Year 2008-2009. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Knauss, second by Leaders, to set aside agenda as allowed by Code of Iowa, Chapter 21.4(2), to approve the following three items. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Knauss, second by Leaders, to allow Chairman to sign a dated contract with the Windstream Company for telephone service. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders to approve **Board Resolution No. 23-2009** to appropriate funds from the 2008-09 budget amendment and to appropriate remaining budget funds for departments as follows: 01 Board of Supervisors, 05 Sheriff, 20 Secondary Roads, 29 Corrections/Jail, 30 Communications Capital Project, 40 Unemployment HR, 50 Human Resources, 52 Information Services, 53 Planning and Development and 66 Juvenile. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Knauss, second by Leaders, to sign **Board Resolution #24-2009** to transfer funds from the Gaming Fund to GO Capital Loan Series 2007 Debt Fund. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Second Considerations:

CASE #ZMA-2009-02: The request of Pottawattamie County Planning for property owners Jeff and Kim Howell, Jeff Paulson, Michael D. McKinley, Michael and Merilee Jo Mescher for a zoning map amendment to reclassify approximately 21.11 acres from a Class R-3 (Urban Residential) District to a Class R-2 (Urban Transitional) District, located in Lewis Township, located on 20356 Concord Loop, 20388 Concord Loop, 20462 Concord Loop and 20464 Concord Loop, legally described as: AUD SUB PT S1/2 SW SECT 4 & PT N1/2 NW SECT 9-74-43 LT 3 EXC COMM NW COR TH E119.87'SWLY285.87' N259.38'TO POB & EXC E125.9'N266.25' & PT LT 4 COMM SE COR THW282.24' NELY673.78'S611.63' TO POB & OVERLOOK SUB PT LT 3 COMM 236'S NE COR THS174.52' NW184.01'N164.35' SE253.82' TOPOB (INCLUDES PARCEL B) and AUD SUB PT S1/2 SW SECT 4 & PT N1/2 NW SECT 9- 74-43 PT LT 1 COMM 1311'N 1764'E218'NELY W1/4 CORSECT 9 TH NWLY169' N110' SE217' SW100' TO POB and OVERLOOK SUB LT 3 & AUD SUB PT S1/2 SW SECT 4 & PT N1/2 NW 9-74-43 PT LT 3 COMM NE COR AUD SUBTH S64.77' SE364.71' SW236' NW393.13' N266.25' E125.9' TO POB (PARCEL A) and Lot 2, Overlook Sub and Lot 1, Overlook Sub.

Motion by Leaders, second by Knauss, to approve second consideration of an Ordinance to reclassify approximately 21.11 acres from a Class R-3 (Urban Residential) District to a Class R-2 (Urban Transitional) District, as filed under Case #ZMA-2009-02, and to adopt **Ordinance #2009-03** into law. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

CASE #ZMA-2009-03: The request of Mary Nixon and Brian Robson, for property owner Rhonda Darrah Et Al for a zoning map amendment to reclassify approximately 4.61 acres from a Class C-1 (Highway Commercial) District to a Class C-2 (General Commercial) District, located in Boomer Township, 33617 Road L-34, legally described as: 1-77-43 E267' N798' W293' SW NW

Motion by Grobe, second by Leaders, to approve second consideration of an Ordinance to reclassify approximately 4.61 acres from a Class C-1 (Highway Commercial) District to a Class C-2 (General Commercial) district, as filed under Case #ZMA-2009-03, and to adopt **Ordinance #2009-04** into law. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

CASE #ZTA-2009-01: The request of Pottawattamie County for a zoning text amendment to amend Chapter 8.099, Fees, Zoning Ordinance, Section 8.099.040, Fee Refunds, to clarify that fees are not refundable once submitted.

Motion by Knauss, second by Grobe, to approve second consideration of an Ordinance to amend Chapter 8.099, Fees, Zoning Ordinance, Section 8.099.040, Fee Refunds, to clarify that fees are not refundable once submitted, as filed under Case #ZTA-2009-01, and to adopt **Ordinance #2009-05** into law. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

CASE #ZTA-2009-02: The request of Pottawattamie County for a zoning text amendment to amend Chapter 8.004, General District Regulations and Exceptions, Zoning Ordinance, Section 8.004.240, Placement of Non-Commercial Wind Turbine Generators, to amend the criteria for placement of such generators and to establish a minimum lot size of 1 acre.

Motion by Leaders, second by Grobe, to approve second consideration of an Ordinance to amend Chapter 8.004, General District Regulations and Exceptions, Zoning Ordinance, Section 8.004.240, Placement of Non-Commercial Wind Turbine Generators, to amend the criteria for placement of such generators and to establish a minimum lot size of 1 acre once submitted, as filed under Case #ZTA-2009-02, and to adopt **Ordinance #2009-06** into law. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Knauss, second by Leaders, to authorize Chairman to sign Change Order One to the original Software Project Agreement #1208PCIA between Pottawattamie County, Iowa and Geo Comm. Inc. This change order results in an additional cost to Pottawattamie County of \$14,500. Unanimous vote. Motion carried.

Houser joined meeting at 10:40 A.M.

Motion by Houser, second by Knauss, to approve Fireworks Permit for Caputo Enterprises Inc. dba/Mother Goose Child Care & Preschool. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve a contract with Motorola for radio equipment for fire departments, and law enforcement offices for \$4,361,778.00, and to also approve a contract with D & D Communications Corp. for installation of radio equipment for \$249,778.00. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:00 P.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: June 1, 2009
PUBLISH: X

June 1, 2009**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Houser, to approve the May 27, 2009 minutes as read. Unanimous vote. Motion carried.

10:00 A.M. – PUBLIC HEARING - ORDINANCE #2009-07:

AN ORDINANCE to amend Chapter 1.50, Schedule of Fees, by adding Subsection 1.50.060, Refunds, to clarify that fees are not refundable once submitted.

Motion by Leaders, second by Houser, to open public hearing on Ordinance #2009-07. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Grobe, second by Knauss, to close public hearing. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Knauss, second by Houser, to approve first consideration of **Ordinance #2009-07**, an ordinance to amend Chapter 1.50, Schedule of Fees, by adding Subsection 1.50.060, Refunds, to clarify that fees are not refundable once submitted and set second consideration for Wednesday, June 3rd at 10:00 A.M. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Grobe, second by Leaders, to abate taxes for Amy and Dwayne Brown on parcel number 754402200006 at 21497 Hillsboro Lane North, Crescent, Iowa for the time period of July 18, 2007 until April 8, 2008 for the reason that during this time period the property was titled to the United States Government pursuant to a federal forfeiture, case number 4:06-CR-180. Supporting documentation will be filed in document minutes. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to sign contract with VODEC (Vocational Development Center, Inc.). Unanimous vote Motion carried.

Motion by Knauss, second by Leaders, to approve for the Telecommunications Department the employment of Shannon Burgstrum and David Sands as Telecommunication Operators at \$15.54 per hour both to be effective as of May 13, 2009. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:02 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: June 3, 2009

PUBLISH: X

June 3, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Grobe, to approve the June 1, 2009 minutes as read. Unanimous vote. Motion carried.

10:00 Second Consideration - ORDINANCE #2009-07:

AN ORDINANCE to amend Chapter 1.50, Schedule of Fees, by adding Subsection 1.50.060, Refunds, to clarify that fees are not refundable once submitted.

Motion by Leaders, second by Knauss, to approve second consideration of Ordinance #2009-07 to amend Chapter 1.50, Schedule of Fees, by adding Subsection 1.50.060, to clarify that fees are not refundable once submitted and to adopt said Ordinance #2009-07 into law. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Houser, second by Grobe, to authorize Chairman to sign a grant of \$8,400.00 to Pottawattamie County Local Food Council for promotion of growth and sales of local foods. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve fireworks permit for Bill Bracker to display fireworks on July 3, 2009. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve fireworks permit for John Podraza to display fireworks on July 4, 2009. Unanimous vote. Motion carried.

The Board adjourned subject to call at 10:20 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: June 8, 2009

PUBLISH: X

June 8, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Grobe, to approve the June 3, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to approve Board Resolution No. 25-2009 to establish a "Schedule of Fees". Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Grobe, second by Houser, to approve total cost of living package of 3% (2.5% plus longevity) for non-union employees for FY 09-10. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve Deputy Sheriff's labor agreement for Fiscal Year 2009-2010, total cost of living increase 3%. Unanimous vote. Motion carried.

Motion by Grobe, second by Houser, to authorize Chairman to approve and sign "Rural Transit System Joint Participation Agreement" between the Southwest Iowa Planning Council (SWIPCO) and Pottawattamie County in the amount of \$6,000.00, which will provide for the operation of a rural transit system for use by the general public within the designated geographical area. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:00 P.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: June 10, 2009
PUBLISH: X

June 10, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present except Houser, who is absent on county business. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Knauss, second by Leaders, to approve the June 8, 2009 minutes as read. Unanimous vote.

Motion carried.

Motion by Knauss, second by Leaders, to approve and sign **Board Resolution No. 26-2009**, a resolution setting June 29, 2009 at 10:00 A.M. for a public hearing on the proposition of the issuance of not to exceed \$6,000,000 General Obligation Bonds (for an essential county purpose-911 Center) and providing for publication of notice thereof. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser.

Motion carried.

Motion by Grobe, second by Knauss, to set public hearing for amendment to FY 08-09 Pottawattamie County Budget for Monday, June 29, 2009 at 10:30 A.M. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Leaders, second by Knauss, to approve the following Cigarette/Tobacco Permits: K.C Mart, Inc.-Underwood; Desoto Bend Mini Mart-Missouri Valley; Kum & Go #23-Neola; U-Stop #22-Minden and U-Stop#21-Council Bluffs. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports

Pottawattamie County Recorder’s monthly report for 5/1/09-5/31/09.

Pottawattamie County Sheriff’s monthly report of receipts and disbursements for 5/1/09-5/31/09.

The Board adjourned subject to call at 11:00A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: June 15, 2009

PUBLISH: X

June 15, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Leaders, to approve the June 10, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Grobe, second by Houser, to appoint the Stormwater Management Task Force. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to approve and sign Alegent Health Inpatient Agreement. Unanimous vote. Motion carried.

Motion by Grobe, second by Knauss, to approve and sign agreement with AmeriServe International. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve and sign **Board Resolution No. 27-2009**, transferring \$69,666.00 from the General Basic Fund to the Secondary Roads Fund. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Houser, second by Grobe, to approve and sign **Board Resolution No. 28-2009**, transferring \$840,254.00 from the Rural Services Fund to the Secondary Roads Fund. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Knauss, second by Leaders, to approve and sign **Board Resolution No. 29-2009**, transferring \$7,660.45 from the GO Capital Loan-Series 2007 Debt Fund to the Gaming Fund. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Grobe, second by Knauss, to approve and sign **Board Resolution No. 30-2009**, transferring \$135,000.00 from the General Basic Fund to the Flood and Erosion Fund. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Knauss, second by Leaders, to approve the Cigarette/Tobacco Permit for Fill R Up, Inc.-Council Bluffs. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve for Information Technology Department the employment of Seth Swanson as a Computer Programmer at \$24.07 per hour to be effective June 1, 2009. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve for publication the Claims Allowed for May 2009. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:25 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: June 22, 2009

PUBLISH: X

June 22, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Knauss, to approve the June 15, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve Fireworks Permit for William Trescott, Jr. to display fireworks on July 4, 2009. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to authorize Chairman to sign "Notice of Disallowances for Homestead Tax Credits." Unanimous vote. Motion carried.

Motion by Houser, second by Grobe, to approve Iowa Drainage District Association Dues in the amount of \$1,500 for FY 2009-2010. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to allow First Night to use the lobby of the Pottawattamie County Courthouse for their December 31, 2009 activities and to contribute \$2,500 for the activity. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:30 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Donna West, Financial Officer, Auditor's Office

APPROVED: June 24, 2009
PUBLISH: X

June 24, 2009**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Leaders, to approve the June 22, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve and sign contract with Alcatel-Lucent for microwave project in the amount of \$1,221,234.00. Unanimous vote. Motion carried.

The Board adjourned subject to call at 10:40 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Lois J. Haines, Executive Secretary
Board of Supervisors

APPROVED: June 29, 2009

PUBLISH: X

June 29, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members except Williams present. Chairman Pro Tem Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Leaders, to approve the June 24, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Grobe, second by Leaders to approve Secondary Roads 5-year budgeting plan package. Unanimous vote. Motion carried.

Motion by Grobe, second by Knauss, to sign letter authorizing Maggie Popp-Reyes, Assistant County Attorney to attend consultation meeting concerning proposed voluntary Airport annexation. Unanimous vote. Motion carried.

Motion by Grobe, second by Leaders, to open public hearing on the issuance of not to exceed \$6,000,000 General Obligation Bonds. Roll Call Vote: Ayes-Knauss, Leaders, Grobe, Houser; Absent-Williams. Motion carried.

Motion by Knauss, second by Grobe, to close public hearing. Roll Call Vote: Ayes-Knauss, Leaders, Grobe, Houser; Absent-Williams. Motion carried.

Motion by Knauss, second by Leaders, to approve and sign **Board Resolution No. 31-2009**, institution proceedings to take additional action for the issuance of not to exceed \$6,000,000 General Obligation Bonds for essential county purpose of paying costs of acquisition of peace officer and other emergency services communication equipment and systems. Roll Call Vote: Ayes-Knauss, Leaders, Grobe, Houser; Absent-Williams. Motion carried.

Motion by Knauss, second by Leaders, to open public hearing on budget amendment for FY2008-2009. Roll Call Vote: Ayes-Knauss, Leaders, Grobe, Houser; Absent-Williams. Motion carried.

Motion by Leaders, second by Knauss, to close public hearing. Roll Call Vote: Ayes-Knauss, Leaders, Grobe, Houser; Absent-Williams. Motion carried.

Motion by Knauss, second by Leaders, to approve and sign **Board Resolution No.32-2009**, amending the Fiscal Year 2008-2009 budget. Roll Call Vote: Ayes-Knauss, Leaders, Grobe, Houser; Absent-Williams. Motion carried.

Motion by Knauss, second by Leaders, to approve and sign **Board Resolution No. 33-2009**, appropriating funds from budget amendment for FY 2008-2009. Roll Call Vote: Ayes-Knauss, Leaders, Grobe, Houser; Absent-Williams. Motion carried.

Motion by Grobe, second by Knauss, to approve and sign **Board Resolution No. 34-2009**, appropriating funds for each of the different officers and departments for the fiscal year beginning July 1, 2009. Roll Call Vote: Ayes-Knauss, Leaders, Grobe, Houser; Absent-Williams. Motion carried.

Motion by Knauss, second by Grobe, to approve a Fireworks Permit for Gary Arbaugh to display fireworks on July 4, 2009. Unanimous vote. Motion carried.

Motion by Grobe, second by Leaders to grant authority to the County Treasurer to abate uncollectable taxes. Unanimous vote. Motion carried.

Motion by Leaders, second by Grobe, to approve and sign **Board Resolution No. 35-2009**, a resolution to transfer \$76,883.00 from the Mental Health Fund to the General Basic Fund. Roll Call Vote: Ayes-Knauss, Leaders, Grobe, Houser; Absent-Williams. Motion carried.

Motion by Grobe, second by Knauss, to approve and sign **Board Resolution No. 36-2009**, a resolution to transfer \$106,541.00 from the Mental Health Fund to the General Basic Fund. Roll Call Vote: Ayes-Knauss, Leaders, Grobe, Houser; Absent-Williams. Motion carried.

Motion by Knauss, second by Leaders, to approve and sign **Board Resolution No. 37-2009**, a resolution to transfer \$300,000.00 from the Gaming Fund to the Supplemental Fund. Roll Call Vote: Ayes-Knauss, Leaders, Grobe, Houser; Absent-Williams. Motion carried.

Motion by Knauss, second by Leaders, to approve and authorize Chairman to sign Law Enforcement Services Contracts with City of Carson, City of Crescent, City of Hancock, City of Macedonia, City of McClelland, City of Minden, City of Neola, City of Oakland, City of Underwood, City of Treynor and City of Walnut. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve and authorize Chairman to sign Employment Agreements for Fiscal Year 2009-2010 with the following: David Bayer/GIS Coordinator-\$69,290.00; Mary Davis/ Human Resources Director-\$71,422.00; Curtis Edwards II/Information Technology Director-\$89,328.75; Darlene McMartin/Veteran Affairs Administrator-\$53,300.00; Kay Mocha/Director, Planning and Development-\$69,095.25; John Rasmussen/County Engineer-\$95,940.00; Stacey Robertson/Animal Control Supervisor-\$47,970.00; Mark Shoemaker/Conservation Director-\$66,112.50, Suzanne Watson/Community Services Director/CPC-\$71,422.00; and James Yochum-\$58,630.00. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:45 A.M.

Melvyn J. Houser, Chairman Pro Tem

ATTEST: _____
Donna West, Financial Officer, Auditor's Office

APPROVED: July 1, 2009
PUBLISH: X

July 1, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Grobe, to approve the June 29, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to approve Pottawattamie County Personnel Policy. Unanimous vote. Motion carried.

Motion by Grobe, second by Leaders, to authorize Chairman to sign RISE Accomplishment Report. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve for the County Attorney’s office appointment of outside legal council/special prosecutor of Mills County Attorney’s Office in State vs. Terry Cozad, stemming from June 26, 2009 incidents. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve purchase of radios for Engineers office from Motorola/D&D Communications in the amount of \$226,278.05, plus \$35,565.00 to install. Unanimous vote. Motion carried

Motion by Knauss, second by Grobe, to approve for publication the “Notice of Hearing on a Proposed Tower Construction Project” at the Sheriff’s Offices site. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to approve and sign **Board Resolution No. 38-2009**, a resolution authorizing the Chairman to sign an interlocal agreement between the County of Pottawattamie and City of Council Bluffs with respect to the 2009 Byrne Justice Assistance Grant Program Award. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Houser, second by Leaders, to approve Fireworks Permit for Patricia Fernside to display fireworks July 4, 2009. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve and authorize Chairman to sign “Notices of Disallowance for Homestead Tax Credits.” Unanimous vote. Motion carried.

Motion by Houser, second by Grobe, to approve and sign Software License Agreement between Pottawattamie County and Story County. Licensee(Story County) agrees to pay Developer (Pottawattamie County) a one-time licensing fee of \$3,500. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:50 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: July 13, 2009
PUBLISH: X

July 13, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members, except Grobe, present. Grobe absent on County business. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Knauss, second by Leaders, to approve the July 1, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve purchase of mobile emergency generator from Nebraska Machinery at a cost of \$214,060.00 inclusive with lights, etc. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to let bid for proposal for tower construction at jail site. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to approve for the Treasurer’s Office a salary adjustment for Jamie Smothers/Motor Vehicle Deputy from 65% to 75% of Treasurer’s salary. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve for publication the claims allowed for June 2009. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve matching funds for IDED funding of the Western Iowa Tourism Region in the amount of \$500.00 for fiscal year 2009-2010. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to approve for the Sheriff’s Department the promotion of Patrick McGinn from Sergeant to Lieutenant at \$32.47 per hour to be effective June 22, 2009. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve for the Sheriff’s Office/Jail the employment of Ashley Voss as part-time PRN at \$21.96 per hour to be effective June 25, 2009. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve the GIS Data Sales. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:20 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: July 15, 2009
PUBLISH: X

July 15, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M. All members except Grobe and Houser present. Both are absent on county business. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Knauss, to approve the July 13, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to authorize Chairman to sign "Grant Award Letter of Agreement" with Iowa West Foundation for a CITIES Grant in the amount of \$170,000. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve for publication the Semi-Annual Report of Judy Ann Miller, Pottawattamie County Treasurer for the period of January 1, 2009 – June 30, 2009 inclusive. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve for the County Attorney's office the promotion of Kyle Focht from Attorney 1 to Attorney 2 at \$35.07 per hour to be effective July 10, 2009 and Amy Zacharias from Attorney 1 to Attorney 2 at \$34.82 per hour to be effective July 1, 2009. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve the Class "C" Native Wine/ Outdoor/Sunday Sales permit for Whispering Hills Vineyards, Carson, Iowa. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve and authorize Chairman to sign agreement with Mitchell & Associates in the amount of approximately \$4,000 to appraise the Pottawattamie County Law Enforcement Building. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to authorize Board to sign a contract agreement on the Pottawattamie County Animal Shelter with Loess Hills Humane Society. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:35 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: July 20, 2009
PUBLISH: X

July 20, 2009**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:30 A.M., all members except Leaders present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Knauss, to approve the July 15, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to approve state funded tax credits for FY09-10, including Homestead, Military and Elderly/Disabled. Unanimous vote. Motion carried.

Motion by Knauss, second by Grobe, to set aside the agenda, as allowed by Code of Iowa, Chapter 21.4(2), to consider signing a contract on use of Quad Meter Set at Memorial Tower site. Roll Call Vote: Ayes-Knauss, Williams, Grobe, Houser; Absent-Leaders. Motion carried.

Motion by Knauss, second by Grobe, to authorize Board to approve and sign contract of Lease Agreement between Pottawattamie County and Iowa Wireless of Urbandale Iowa to occupy one slot of the County's Quad Meter Set at the Memorial Tower site on Gleason Avenue in Council Bluffs, Iowa. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:25 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: July 27, 2009

PUBLISH: X

July 27, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:30 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Houser, second by Grobe, to approve the July 20, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Grobe, second by Houser, to approve and sign Hazard Mitigation Planning Grant Agreement between Homeland Security Emergency Management Division and Pottawattamie County. Unanimous vote.

Motion by Grobe, second by Knauss, to approve and sign CITIES project grant agreement with the City of Hancock. Unanimous vote. Motion carried.

Motion by Houser, second by Grobe, to approve Class "B" Native Wine/Sunday Sales Permit for Ditmars Orchard, Council Bluffs. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to approve "Notice of Disallowances for Military Service Tax Exemptions." Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve for the Recorder's Office the promotion of Judy Castillo from Clerk I to Clerk II at \$17.74 per hour to be effective August 1, 2009. Unanimous vote. Motion carried.

Motion by Grobe, second by Houser, to approve for the Sheriff's Department/Jail the employment of Shawn Jensen as a Detention Officer at \$17.38 per hour to be effective July 6, 2009. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve for the Sheriff's Department/Jail the promotion of Lewis Davids from Detention Officer to Detention Supervisor at \$25.44 per hour effective 7/4/09. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve for the Sheriff's Department the promotion of Andrew Brown from Corporal to Sergeant at \$31.64 per hour to be effective July 10, 2009. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports

Pottawattamie County Sheriff's Office Report of Fees Disbursed for June 2009.

The Board adjourned subject to call at 11:35 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: August 3, 2009
PUBLISH: X

August 3, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:30 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Knauss, second by Leaders, to approve the July 27, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Houser, second by Grobe, to sign Service Contract with Mosaic. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to approve and sign agreement with County View Estates. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve replacement of Animal Control truck to be purchased from Classic Chevrolet-Cadillac at a cost of \$22,699.00, with trade-in. Ayes-Williams, Houser, Knauss, Leaders; Nays-Grobe. Motion carried.

Motion by Houser, second by Grobe, to approve final payment to the City of Crescent for their “Veterans Eagle Monument Project.” Unanimous vote.

Motion by Knauss, second by Leaders, to approve the appointment of K.C. Hummel to the Western Iowa Tourism Board. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to authorize Chairman to sign letter of agreement for Energy Efficiency & Conservation Block Grant (EECBG) Proposal for stimulus funds for Hitchcock Nature Ctr. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:45 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Donna West, Financial Officer, Auditor’s Office

APPROVED: August 17, 2009

PUBLISH: X

August 13, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 2:30 P.M., all members except Houser present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Leaders, to approve "Special Class C/Outdoor and Sunday Sales Permit" for K & JS Enterprises at Westfair Fairgrounds. Unanimous vote. Motion carried.

The Board adjourned subject to call at 3:15 P.M.

Roger R. Williams, Chairman

ATTEST: _____
Lois J. Haines, Executive Secretary
Board of Supervisors

APPROVED: August 17, 2009

PUBLISH: X

August 17, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members except Houser present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Grobe, to approve the August 3 and August 13, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Grobe, second by Knauss, to open public hearing on Case #SUB-2009-01. Roll Call Vote: Ayes-Williams, Knauss, Leaders, Grobe; Absent-Houser. Motion carried.

Motion by Knauss, second by Leaders, to close public hearing. Roll Call Vote: Ayes-Williams, Knauss, Leaders, Grobe; Absent-Houser. Motion carried.

Motion by Knauss, second by Grobe, to approve the preliminary plat of Thomas Country Subdivision and to adopt Planning and Zoning Resolution #2009-01. Roll Call Vote: Ayes-Williams, Knauss, Leaders, Grobe; Absent-Houser. Motion carried.

Motion by Grobe, second by Leaders, to approve 2009 applications for Homestead and Military Tax Exemptions. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve for Secondary Roads the promotion of Allen Hadfield to Maintenance Manager at \$28.49 per hour to be effective July 27, 2009. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve tax suspension request for property located at 2823 Poplar Drive, Council Bluffs. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve tax suspension request for property located at 2 Lakeshore Court, Council Bluffs. Unanimous vote. Motion carried.

Motion by Grobe, second by Knauss, to approve for publication the Claims Allowed for July 2009. Unanimous vote. Motion carried.

Motion by Leaders, second by Grobe, to approve for the Recorder's Office the employment of Scott Mefferd as Clerk I at \$12.62 per hour to be effective August 17, 2009. Unanimous vote. Motion carried.

RECEIVED AND FILLED THE FOLLOWING

Reports

Recorder's Office – monthly report for July 1, 2009 – July 31, 2009.

The Board adjourned subject to call at 11:50 A.M.

Roger R. Williams, Chairman

ATTEST: _____

Lois J. Haines, Executive Secretary
Board of Supervisors

APPROVED: August 19, 2009

PUBLISH: X

August 19, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Knauss, to approve the August 17, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to open bids for Jail Tower Project and set awarding for Monday, August 24, 2009 at 10:00 A.M. in the Board of Supervisors' Hearing Room. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve for the Sheriff's Department the employment of Aaron Soucie as a Deputy at \$20.16 per hour to be effective August 10, 2009. Unanimous vote. Motion carried.

Motion by Leaders, second by Grobe, to assign Tax Sale Certificate #08-1238 to the City of Hancock on parcel #763908354018. Unanimous vote. Motion carried.

The Board adjourned subject to call at 10:50 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake/County Auditor

APPROVED: August 24, 2009

PUBLISH: X

August 24, 2009**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.
PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Knauss, to approve the August 19, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to approve reimbursement claim for Emergency Watershed Program Projects. Unanimous vote. Motion carried.

Motion by Grobe, second by Leaders, to sign plans on Project Number TSF-CO78(LO9) - - 92 -78 for pipe culverts and guardrail on Wabash Avenue and set bid opening for September 21, 2009 at 10:30 A.M. in the Board of Supervisors Office. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to negotiate a contract with Capital Tower/DTSI in the amount of \$252,025.00 for a 142' monopole communication tower with a 10' x 30' building. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5 (c) for discussion and/or decision on pending litigation. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Leaders, second by Grobe, to go out of Executive Session. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Knauss, second by Grobe, to approve Animal Control Contract with the City of Avoca. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve for the Sheriff's Department the promotion of Nick Amdor from Deputy to Corporal at \$24.60 per hour to be effective August 1, 2009. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING**Reports**

Pottawattamie County Sheriff's Department report of fees disbursed for July 2009.

The Board adjourned subject to call at 12:30 P.M.

Roger R. Williams, Chairman

ATTEST: _____
 Donna West, Financial Officer, Auditor's Office

APPROVED: August 26, 2009

PUBLISH: X

August 26, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Knauss, to approve the August 24, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to sign agreement between Golden Hills RC&D and Pottawattamie County GIS for \$4,800.00 Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to authorize Knauss and Sheriff Danker to request RFP's (request for proposal's) for camera system in lobby area, security for the courthouse entryway and equipment. Staffing concerns will be last step. Roll Call Vote: Ayes-Williams, Grobe, Houser, Knauss, Leaders. Motion carried.

Motion by Leaders, second by Grobe, to approve and sign contract with Windstream for the new VOIP system at \$2,479.09 monthly phone service. Unanimous vote. Motion carried.

Motion by Knauss, second by Grobe, to approve Intergovernmental Cooperation Agreement between the County Attorney's Office of Pottawattamie County, Iowa and the City of Avoca regarding prosecution of violations for the City's animal control ordinances. Unanimous vote. Motion carried.

Motion by Knauss, second by Grobe, to approve and authorize Chairman to sign "Notices of Disallowances for Homestead Tax Credits and Military Service Tax Exemptions". Unanimous vote. Motion carried.

Motion by Grobe, second by Knauss, to approve for the County Attorney's Office the promotion of Toni Mackland from Receptionist to Clerk I at \$15.60 per hour to be effective July 1, 2009. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:00 P.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake/County Auditor

APPROVED: August 31, 2009

PUBLISH: X

August 31, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Houser, to approve the August 26, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to sign contract with REM Development Services. Unanimous vote. Motion carried.

The Board adjourned subject to call at 10:55 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake/County Auditor

APPROVED: September 11, 2009

PUBLISH: X

September 11, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Leaders, to approve the August 31, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Houser, second by Grobe, to canvass School Board Election held on September 8, 2009 and authorize Auditor to pay costs. Unanimous vote. Motion carried.

Motion by Houser, second by Grobe, to approve PayFlex contract and authorize Chairman to sign. Unanimous vote. Motion carried.

Motion by Grobe, second by Houser, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c) for purpose of discussing and/or decision on current litigation. Roll Call Vote: Ayes-Houser, Grobe, Williams, Leaders, Knauss. Motion carried.

Motion by Knauss, second by Leaders, to go out of Executive Session. Roll Call Vote; Ayes: Houser, Grobe, Williams, Leaders, Knauss. Motion carried.

Motion by Knauss, second by Grobe, to approve construction plans for DSR IA7330-02, DSR IA8339-03, DSR IA7339-03, DSR IA7339-05 and DSR IA8339-04. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve and sign "Real Estate Assurance" form for proposed Emergency Watershed Protection grant. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve grant agreement 90-78-LRTF-001 for \$19,750.00. Unanimous vote. Motion carried.

Motion by Houser, second by Grobe, to approve Secondary Roads FY09 Annual Report. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to sign contract with MAPA regarding GIS services. Unanimous vote. Motion carried.

Motion by Grobe, second by Knauss, to authorize tax abatement for parcel number 744410306011. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve and authorize Chairman to sign "Homestead and Military Disallowances for 2009 and 2010. Unanimous vote. Motion carried.

Motion by Grobe, second by Knauss, to approve for publication the Claims Allowed for August 2009. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Recorder's Office monthly report for August 2009.

Sheriff's Office – Report of fees disbursed for August 2009.

The Board adjourned subject to call at 11:30 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake/County Auditor

APPROVED: September 14, 2009

PUBLISH: X

September 14, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.
PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Grobe, to approve the September 11, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to renew lease with MOSAIC for property located at 600 Ninth Avenue in the amount of \$17,955.00 and authorize Chairman to sign. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders to open public hearing for setting date of September 29, 2009 in Board of Supervisors Hearing Room, 2nd Floor, County Courthouse, Council Bluffs, Iowa for Sale of \$5,000,000 in Bonds for 911 Project. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Houser, second by Knauss to go out of public hearing. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Knauss, second by Leaders, to approve **Board Resolution Number 39-2009**, directing the advertisement for sale of \$5,000,000 General Obligation Bonds and approving Electronic Bidding Procedures and setting September 29th, 2009 at 3:00 P.M to award bid for the sale of \$5,000,000 General Obligation Bonds. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Houser, second by Grobe, to approve purchase of Kronos Timekeeping program at a cost of \$15,585.00. The \$1,780.00 per year maintenance fee will be in each of the following offices budget: auditor, treasurer, buildings and grounds, recorder and county attorney. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve for the Secondary Roads Department the promotion of Dustin Ausdemore from Sign Tech 1 to Roadside Tech II at \$19.39 per hour to be effective as of August 25, 2009. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve tax suspension for property located at 212 North Locust Street, Carson, Iowa. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to authorize Chairman to sign FY10 MAPA/ Pottawattamie County Agreement (Contract Number 521-300) for Administration of the CITIES Program in the amount of \$10,000. Unanimous vote. Motion carried.

Motion by Grobe, second by Knauss, to approve and sign **Board Resolution No.40-2009**, transferring \$600,000 from the Gaming Fund to the General Supplemental Fund. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Grobe, second by Houser, to set aside the agenda as allowed by Code of Iowa, Chapter 21.4(2) to approve Board Resolution No. 41-2009. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Knauss, second by Houser, to approve and sign **Board Resolution No. 41-2009**, transferring \$101,272.91 from the Gaming Resources Fund to the LOT Conservation Fund. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Grobe, second by Knauss, to authorize Chairman to sign Library Agreement between Pottawattamie County Board of Supervisors and Board of Library Trustees for Town of Avoca, Carter Lake, City of Council Bluffs, Town of Oakland and Town of Walnut for 2009-2010. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:35 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake/County Auditor

APPROVED: September 16, 2009

PUBLISH: X

September 16, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Houser, second by Leaders, to approve the September 14, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve and sign agreement with MidAmerican Energy for utility service at Jail Tower in the amount of \$4,313.54. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to approve notice of intent to sign easement for utility at Jail Tower Site with MidAmerican Energy. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve "Application For Use of Pottawattamie County Courthouse Grounds" form. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve for the Information Technologies Department the employment of James Eastman III as a Public Safety Tech at \$22.95 per hour to be effective September 15, 2009. Unanimous vote. Motion carried.

The Board adjourned subject to call at 10:55 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake/County Auditor

APPROVED: September 21, 2009
PUBLISH: X

September 21, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members except Grobe present. Grobe absent on county business. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Houser, to approve the September 16, 2009 minutes as read. Unanimous vote. Motion carried.

10:00 Public Hearing – Zoning

CASE #ZMA-2009-04: The request of MidAmerican Energy Company for a zoning map amendment to reclassify approximately 9.07 acres from a Class R-2 (Urban Transitional) District and Class A-2 (Agricultural Production) district to a Class A-2 (Agricultural Production) district, located in Layton Township, 50246 Teakwood Road legally described as 16-77-38 PT SW1/4 COMM 1301.55'E SW COR TH N1869.86' E 535' S 650' W495' S1219.94' W40' TO POB (PARCEL A).

Motion by Houser, second by Knauss, to open public hearing on Case #ZMA-2009-04 on the request of Mid American Energy Company for a zoning map amendment. Roll Call Vote: Ayes-Houser, Knauss, Leaders, Williams; Absent-Grobe. Motion carried.

Motion by Knauss, second by Houser, to close public hearing. Roll Call Vote: Ayes-Houser, Knauss, Leaders, Williams; Absent-Grobe. Motion carried.

Motion by Houser, second by Knauss, to approve first consideration of an ordinance to reclassify approximately 9.07 acres from a Class R-2 (Urban Transitional) District and Class A-2 (Agricultural Production) District to a Class A-2 (Agricultural Production) District in Layton Township, as filed under Case #ZMA-2009-04 and to set second consideration for Tuesday, September 29, 2009 at 10:15 A.M. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser; Absent-Grobe. Motion carried.

Motion by Leaders, second by Knauss, to open bids for project number TSF-CO78(LI09) - - 92-78 (Wabash Avenue). Bids received as follows: 1)PCI – Peterson Contractors, of Reinbeck, Iowa, in the amount of \$301,633.65, 2) Gus Construction Company Inc., of Casey , Iowa, in the amount of \$359,137.25, and 3) K & L Landscaping and Construction, of Sergeant Bluff, Iowa, in the amount of \$357,472.75. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve Emergency Watershed Protection Grant. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c) – for purpose of discussing labor negotiations. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser; Absent-Grobe. Motion carried.

Motion by Knauss, second by Leaders, to go out of Executive Session. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser; Absent-Grobe. Motion carried.

Motion by Houser, second by Leaders, to approve funding request in the amount of \$4,500 for two years (\$9,000 total) for the Grant Wood Restoration Project. Monies to be paid from Gaming Fund October 1st of FY 2009-2010 and FY 2010-11. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to authorize Chairman to sign Official Statements in regard to the \$5,000,000 General Obligation Bonds, Series 2009. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve payment to the City of Carter Lake for “Eagle Veterans Monument” in the amount of \$10,000. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports

County Recorder – Monthly Reports for the months of July 2008, December 2008 and January 2009.

The Board adjourned subject to call at 11:45A.M.

Roger R. Williams, Chairman

ATTEST: _____
Donna West, Financial Officer, Auditor’s Office

APPROVED: September 28, 2009

PUBLISH: X

September 28, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members except Williams present. Williams absent on county business. Chairman Pro-Tem Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Knauss, to approve the September 21, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to canvass and approve the IWCC Election held on September 8, 2009. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve and sign agreement between Pottawattamie County and DTSI for the Jail Tower in the amount of \$252,025.00. Unanimous vote. Motion carried.

Motion by Grobe, second by Leaders, to approve abatement of taxes on property owned by Pottawattamie County Conservation Board. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to authorize Chairman to sign 2009 "Notices of Disallowance for Homestead and Military Service Tax Exemptions." Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to authorize Chairman to sign contract between Pottawattamie County and Red Cross regarding CPR Training.

RECEIVED AND FILED THE FOLLOWING

Reports

Employment of Jeffrey J. Theulen as Pottawattamie County Emergency Management Agency Coordinator at \$55,000 per year to be effective September 21, 2009.

The Board adjourned subject to call at 11:25 A.M.

Melvyn J. Houser, Chairman Pro Tem

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: September 29, 2009

PUBLISH: X

September 29, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Houser, second by Grobe, to approve the September 28, 2009 minutes as read. Unanimous vote. Motion carried.

Second Consideration:

CASE #ZMA-2009-04: The request of MidAmerican Energy Company for a zoning map amendment to reclassify approximately 9.07 acres from a Class R-2 (Urban Transitional) District and Class A-2 (Agricultural Production) district to a Class A-2 (Agricultural Production) district, located in Layton Township, 50246 Teakwood Road legally described as 16-77-38 PT SW1/4 COMM 1301.55'E SW COR TH N1869.86' E 535' S 650' W495' S1219.94' W40' TO POB (PARCEL A).

Motion by Grobe, second by Houser, to approve second consideration of an ordinance to reclassify approximately 9.07 acres from a Class R-2 (Urban Transitional) District and Class A-2 (Agricultural Production) District to a Class A-2 (Agricultural Production) District in Layton Township, as filed under Case #ZMA-2009-04 and to adopt Ordinance #2009-08. Ayes-Grobe, Houser, Knauss, Leaders, Williams. Motion carried.

Motion by Houser, second by Leaders, to open bids regarding the \$5,000,000 General Obligation Bonds and set 3:00 P.M. on this day to direct the sale. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser, Grobe. Motion carried.

Motion by Leaders, second by Knauss, to approve **Board Resolution No. 42-2009** directing the sale of \$5,000,000 General Obligation Bonds to the following: Bankers Bank, Madison, Wisconsin @ 3.9963%. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

The Board adjourned subject to call at 4:00 P.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: October 5, 2009

PUBLISH: X

October 5, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members except Williams present.

Chairman Pro Tem Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Knauss, to approve the September 29, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Grobe, second by Knauss, to sign contract with Peterson Contractors for Project #TSF-C078(L09)- -92-78) (Wabash Avenue) in the amount of \$301,633.65 Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, approve stop payment on warrant number 40496 and issue new warrant. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to sign Letter of Agreement between OPPD and Pottawattamie County concerning Emergency Response. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss to authorize purchase of "On Shore" Building footprints for GIS Department for \$171,438.00 Unanimous vote. Motion carried.

The Board adjourned subject to call at 10:35 A.M.

Melvyn J. Houser, Chairman Pro Tem

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: October 8, 2009

PUBLISH: X

October 8, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 1:00 A.M., all members except Williams present. Chairman Pro Tem Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Knauss, to approve the October 5, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Grobe, second by Leaders, to approve canvass of City Primary Election held on October 6, 2009. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, approve Class C Liquor License/Outdoor Service/Sunday Sales/Catering for Mt. Crescent Ski Area, Crescent, Iowa. Unanimous vote. Motion carried.

Motion by Grobe, second by Leaders, approve Class B Native Wine permit for Prairie Hawk Vineyards, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Grobe, second by Leaders, to approve tax suspension request for property located at 3603 William Lane, Council Bluffs, Iowa. Unanimous vote. Motion carried.

The Board adjourned subject to call at 1:45 P.M.

Melvyn J. Houser, Chairman Pro Tem

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: October 12, 2009
PUBLISH: X

October 12, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members except Houser present. Houser absent on County Business. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Leaders, to approve the October 8, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to grant permission to Farm Service Cooperative, 32216 385th Street, Shelby, Iowa, to convert an existing 12,000 gallon propane tank to an anhydrous ammonia tank and to connect it to an existing 30,000 gallon anhydrous ammonia tank, subject to approval by the Iowa Department of Agriculture and Land Stewardship. Unanimous vote. Motion carried.

Motion by Leaders, second by Grobe, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c) for discussion and/or decision on current litigation. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Leaders, second by Knauss, to go out of Executive Session. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Grobe, second by Knauss, to set Public Hearing to amend the 2009-2010 budget for October 26, 2009 at 10:00 A.M. in the Board of Supervisors Hearing Room, Second Floor, Courthouse, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Grobe, second by Leaders, to approve tax suspension request for property located at 1401 Holiday Drive, Carter Lake, Iowa. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:55 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Lois J. Haines, Executive Secretary
Board of Supervisors

APPROVED: October 19, 2009
PUBLISH: X

October 19, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members, except Grobe and Knauss, present. Grobe absent on county business. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Houser, second by Leaders, to approve the October 12, 2009 minutes as read. Unanimous vote. Motion carried.

Zoning – Public Hearing

CASE #ZMA-2009-05: The request of Jon and Helen Bleicher for a zoning map amendment to reclassify approximately 47.80 acres from a Class R-3 (Urban Residential) District to a Class R-2 (Urban Transitional) District, located in Garner Township, 16330 State Orchard Road, legally described as 33-75-43 NE SE and 33-75-43 N9 AC SE SE.

Motion by Leaders, second by Houser, to open public hearing on Case #ZMA-2009-05. Roll Call Vote: Ayes-Houser, Leaders, Williams; Absent-Grobe, Knauss. Motion carried.

Motion by Houser, second by Leaders, to close public hearing on Case #ZMA-2009-05. Roll Call Vote: Ayes-Houser, Leaders, Williams; Absent-Grobe, Knauss. Motion carried.

Motion by Houser, second by Leaders, to approve first consideration of an ordinance to reclassify approximately 47.80 acres from a Class R-3 (Urban Residential) District to a Class R-2 (Urban Transitional) District, located in Garner Township, as filed under Case #ZMA-2009-05 and to set second consideration for October 26, 2009 at 9:45 A.M. Roll Call Vote: Ayes-Leaders, Houser, Williams; Absent-Grobe, Knauss. Motion carried.

CASE #SUB-2009-02: The request of James M. and Debra A. Duggan for a preliminary plat approval of Mount Hope 1 Subdivision, located in Hardin Township, 290th Street, legally described as 14-75-42 PT SE SE COMM SE COR TH W1321.81' N549.7' E1322.05' S533' TO POB (PARCEL A).

Motion by Leaders, second by Houser, to open public hearing on Case #SUB-2009-02. Roll Call Vote: Ayes-Houser, Leaders, Williams; Absent-Grobe, Knauss. Motion carried.

Motion by Houser, second by Leaders, to close public hearing on Case #SUB-2009-02. Roll Call Vote: Ayes-Houser, Leaders, Williams; Absent-Grobe, Knauss. Motion carried.

Motion by Houser, second by Leaders, to approve the preliminary plat of Mount Hope Subdivision and to adopt **Planning and Zoning Resolution #2009-02**. Roll Call Vote: Ayes-Houser, Leaders, Williams; Absent-Grobe, Knauss. Motion carried.

CASE #SUB-2009-03: The request of Debra A. Duggan for a preliminary plat approval of Mount Hope 2 Subdivision, located in Hardin Township, Highway 6 and 290th Street, legally described as 14-75-42 PT SW SE EXC 1 AC SE COR & EXC HWY 6.

Motion by Leaders, second by Houser, to open public hearing on Case #SUB-2009-03. Roll Call Vote: Ayes-Houser, Leaders, Williams; Absent-Grobe, Knauss. Motion carried.

Motion by Leaders, second by Houser, to close public hearing on Case #SUB-2009-03. Roll Call Vote: Ayes-Houser, Leaders, Williams; Absent-Grobe, Knauss. Motion carried.

Motion by Houser, second by Leaders, to approve the preliminary plat of Mount Hope Subdivision 2 and to adopt **Planning and Zoning Resolution #2009-03**. Roll Call Vote: Ayes-Houser, Leaders, Williams; Absent-Grobe, Knauss. Motion carried.

Motion by Houser, second by Leaders, to approve **Board Resolution No. 43-2009** appointing Bankers Trust Company, N.A. of Des Moines, Iowa, to serve as paying agent, Bond Registrar, and Transfer Agent, Approving the Paying Agent and Bond Registrar and Transfer Agent Agreement and Authorizing the Execution of the Agreement. Roll Call Vote: Ayes-Houser, Leaders, Williams; Absent-Grobe, Knauss. Motion carried.

Motion by Leaders, second by Houser, to approve **Board Resolution No. 44-2009**, authorizing the Issuance of General Obligation Taxable Bonds, Series 2009 (Build America Bonds – Direct Pay) in the amount of \$5,000,000 and Levying a tax for the payment thereof. Roll Call Vote: Ayes-Houser, Leaders, Williams; Absent-Grobe, Knauss. Motion carried.

Motion by Houser, second by Leaders, to approve Tax Certificate which sets out in detail a number of facts, promises and obligations which must be met and agreed to by the County in order to maintain the tax status. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to approve Continuing Disclosure Certificate which requires the County to provide annual financial information and operating data. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to approve for publication the Claims Allowed for the month of September 2009. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve Class “C” Beer Permit/Sunday Sales for Honey Creek Campground. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to authorize Chairman to sign proposal requesting grant funds from Iowa West Foundation for CountyConnection.org. project. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve request from City of Oakland for final payment of funds in the amount of \$10,000 for their Veterans Eagle Monument. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve for the Sheriff’s Department the promotion of Josh Kirilin from Deputy to Corporal at \$23.78 per hour to be effective September 26, 2009. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve snow removal contract with Snow Fighter Removal for FY 2009/2010. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to authorize Chairman to sign “Notices of Disallowances for Homestead Tax Credits” and “Military Service Tax Exemptions.” Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to approve for the Telecommunications Department the employment of Becky Francis, Brandon Kea, Rashelle Kock, and David Sigafoose, as Telecommunication Operators at \$15.93 per hour effective as of October 5, 2009. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to authorize Chairman to sign FY10 Pottawattamie County Hazard Mitigation Planning Grant Agreement #DR-1763-0044-01, with the Counties share to be \$2,650. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports

Pottawattamie County Sheriff’s Department report of fees collected/disbursed for September 2009.

The Board adjourned subject to call at 11:55 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Lois J. Haines, Executive Secretary
Board of Supervisors

APPROVED: October 26, 2009
PUBLISH: X

October 26, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:45 A.M., all members, except Knauss, present.

Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Houser, second by Grobe, to approve the October 19, 2009 minutes as read. Unanimous vote. Motion carried.

Second Consideration

CASE #ZMA-2009-05: The request of Jon and Helen Bleicher for a zoning map amendment to reclassify approximately 47.80 acres from a Class R-3 (Urban Residential) District to a Class R-2 (Urban Transitional) District, located in Garner Township, 16330 State Orchard Road, legally described as 33-75-43 NE SE and 33-75-43 N9 AC SE SE.

Motion by Houser, second by Leaders, to approve second consideration of an ordinance to reclassify approximately 47.80 acres from a Class R-3 (Urban Residential) District to a Class R-2 (Urban Transitional) District, located in Garner Township, as filed under Case #ZMA-2009-05 and to adopt Ordinance #2009-09 into law. Ayes-Houser, Grobe, Williams, Leaders; Absent-Knauss. Motion carried.

Knauss joined meeting at 9:50 A.M.

Motion by Knauss, second by Houser, to open public hearing to amend FY 2009-2010 budget. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Leaders, second by Grobe, to close public hearing. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Knauss, second by Houser, to approve **Board Resolution No. 49-2009**, approving budget amendment for FY 2009-2010. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Houser, second by Grobe, to approve Hungry Canyons Grant Agreement Number 07-6 for the amount of \$200,000.00. Unanimous vote. Motion carried.

Motion by Grobe, second by Houser, to approve **Board Resolution No. 45-2009**, transferring \$73,329.00 from the General Basic Fund to the Secondary Roads Fund. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Leaders, second by Knauss, to approve **Board Resolution No. 46-2009**, transferring \$802,224.00 from the Rural Services Fund to the Secondary Roads Fund. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Houser, second by Grobe, to approve **Board Resolution No. 47-2009**, transferring \$15,000.00 from the Gaming Fund to the West SWCD/Pott Co Structures Fund. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

Motion by Grobe, second by Leaders, to approve **Board Resolution No. 48-2009**, transferring \$10,000.00 from the Gaming Fund to the East SWCD/Pott Co Structures Fund. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe, Houser. Motion carried.

The Board adjourned subject to call at 12:20 P.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: November 2, 2009

PUBLISH: X

November 2, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Houser, second by Grobe, to approve the October 26, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Knauss, second by Grobe, to approve the purchase of file cabinets for the Board of Supervisors' office in the amount of \$2,001.00. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c) for purpose of discussion and/or decision on existing litigation matters. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser, Grobe. Motion carried.

Motion by Houser, second by Leaders, to go out of Executive Session. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser, Grobe. Motion carried.

The Board adjourned subject to call at 11:45 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: November 9, 2009

PUBLISH: X

November 5, 2009

MET IN REGULAR SESSION

The Board of Supervisors met as a board for a canvass session at 1:00 P.M. All members present. Chairman Williams presiding.

Motion by Leaders, second by Knauss, to certify the results of the Avoca City General Election November 3, 2009 and authorize the Auditor to pay the reimbursable costs of the election. Unanimous vote. Motion carried.

The Board adjourned subject to call at 1:45 P.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: November 9, 2009

PUBLISH: X

November 9, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Houser, to approve the November 2 and November 5 minutes as read. Unanimous vote. Motion carried.

Motion by Houser, second by Grobe, to certify the results of the November 3, 2009 City Election and authorize the Auditor to pay the reimbursable costs of the election. Unanimous vote. Motion carried.

Motion by Grobe, second by Houser, to take Sheriffs bids for vehicles under consideration and set Monday, November 16, 2009 for the bid awarding. Unanimous vote. Motion carried.

Motion by Grobe, second by Leaders, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c) for purpose of discussion and/or decision on existing litigation matters. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser, Grobe. Motion carried.

Motion by Houser, second by Knauss, to go out of Executive Session. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser, Grobe. Motion carried.

Motion by Houser, second by Knauss, to authorize Chairman to sign 2010 Notice of Disallowances for Homestead Tax Credits. Unanimous vote. Motion carried.

Motion by Houser, second by Grobe, to approve **Board Resolution No. 50-2009** appointing Randall Cody as a Commissioner to the Southern Iowa Regional Housing Authority for a term of three (3) years to be effective April 9, 2009 through April 8, 2012. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser, Grobe. Motion carried.

Motion by Grobe, second by Knauss, to approve for publication the Claims Allowed for October 2009. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:00 P.M.

Roger R. Williams, Chairman

ATTEST: _____

Marilyn Jo Drake, County Auditor

APPROVED: November 16, 2009

PUBLISH: X

November 16, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Houser, to approve the November 9, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Grobe, second by Knauss, to award bid for purchase of sheriff vehicles to Stivers Ford & Classic Chevrolet in the amount of \$182,203.00. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to canvass Oakland City Election Recount held on November 13, 2009. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve 2009 Family Farm Applications. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:55 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: November 23, 2009

PUBLISH: X

November 23, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Houser, second by Grobe, to approve the November 16, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve funding request from the Victim Advisory Council in the amount of \$4,500.00 for the 2010 National Crime Victims Rights Week event. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve and authorize Chairman to sign Motorola General Radio Service Software License Agreement between Motorola, Inc. and Pottawattamie County, Iowa. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve Class "C" Beer Permit/Sunday Sales for Desoto Bend Mini Mart, Missouri Valley, Iowa. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve Carryout Wine/Class "C" Beer Permit/ Sunday Sales for Fill R Up, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to approve Class "C" Beer Permit/Sunday Sales for KC Mart, Underwood, Iowa. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve Class "C" Beer Permit/Sunday Sales for U-Stop #21, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Grobe, second by Houser, to approve Class "C" Beer Permit/Sunday Sales for U-Stop #22, Minden, Iowa. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to approve for the Sheriff's Department the employment of Nicholas Kile as a Detention Officer at \$17.38 per hour to be effective 11/12/09. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:15 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: November 25, 2009

PUBLISH: X

November 25, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:15 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Leaders, to approve the November 23, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to authorize Chairman to sign Build America Bond Federal Subsidy Filing Service Agreement with Bankers Trust Company. Unanimous vote. Motion carried.

Motion by Knauss, second by Grobe, to set aside agenda as allowed by Code of Iowa, Chapter 21.4(2) to consider a Resolution allowing the transfer of funds for month end balance in the Debt Service Fund. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser, Grobe. Motion carried.

Motion by Leaders, second by Knauss, to approve and sign **Board Resolution No. 51-2009**, transferring \$500.00 from the Gaming Fund to the GO Capital Loan-Series 2009 Debt Fund. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser, Grobe. Motion carried.

Motion by Leaders, second by Grobe, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c) for purpose of discussion of current litigation matters. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser, Grobe. Motion carried.

Motion by Houser, second by Knauss, to go out of Executive Session. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser, Grobe. Motion carried.

Motion by Grobe, second by Leaders, to approve appointment of Marcia Antworth as Board of Supervisors' representative on Compensation Board. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:15 P.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: November 30, 2009

PUBLISH: X

November 30, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Houser, second by Grobe, to approve the November 25, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Houser, second by Grobe, to authorize the Chairman to sign the 2009 Tax Increment Debt Certification for the Airport/Bent Tree Urban Renewal Area and the Shelby/Pottawattamie County Urban Renewal Area and to authorize same to be filed with the County Auditor. Unanimous vote. Motion carried.

The Board adjourned subject to call at 10:35 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: December 7, 2009

PUBLISH: X

December 7, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members except Williams present.

Chairman Pro Tem Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Leaders, to approve the November 30, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Grobe, second by Knauss, to approve canvass City of Avoca run off. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve 2009 Weed Commissioner's Report and authorize Chairman to sign. Unanimous vote. Motion carried.

Motion by Grobe, second by Leaders, to approve and authorize Chairman to sign "Notices of Disallowances for Homestead Tax Credits." Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:15 A.M.

Melvyn J. Houser, Chairman Pro Tem

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: December 14, 2009

PUBLISH: X

December 14, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Houser, second by Grobe, to approve the December 7, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Houser, second by Grobe, to approve for publication the Claims Allowed for November, 2009. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Recorder's Office monthly report for November 2009.

The Board adjourned subject to call at 12:20 P.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: December 16, 2009

PUBLISH: X

December 16, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members except Houser present. Houser absent on county business. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Leaders, to approve the December 14, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to take bids for Secondary Roads project number EWP (69-6114-9-83)-10 under consideration and set Monday, December 21, 2009 to award bid. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve **Board Resolution No. 52-2009**, adopting an update of the Pre-Disaster Mitigation Plan for Pottawattamie County. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

The Board adjourned subject to call at 11:25 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: December 17, 2009

PUBLISH: X

December 17, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members except Houser present. Houser absent on county business. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Knauss, to approve the December 16, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c), for purpose of discussing labor negotiations. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Leaders, second by Grobe, to go out of Executive Session. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Grobe; Absent-Houser. Motion carried.

Motion by Knauss, second by Leaders, to approve for Secondary Roads the employment of Michael Bonnet as Project Manager at \$20.49 per hour to be effective 12/1/09. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:15 P.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: December 21, 2009

PUBLISH: X

December 21, 2009**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Knauss, to approve the December 17, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Leaders, second by Grobe, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c), for purpose of discussing labor negotiations. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser, Grobe. Motion carried.

Motion by Leaders, second by Houser, to go out of Executive Session. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser, Grobe. Motion carried.

The VisionAir change order #110409082078 regarding job #082078 was accepted.

RECEIVED AND FILED THE FOLLOWING**Reports**

Pottawattamie County Sheriff's Department report of fees collected/disbursed for November 2009.

The Board adjourned subject to call at 12:05 P.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: December 30, 2009

PUBLISH: X

December 22, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Houser, to approve contract between Pottawattamie County Board of Supervisors and the Visiting Nurses Association for \$94,835.16. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:40 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: December 30, 2009

PUBLISH: X

December 30, 2009

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Williams presiding.

PLEDGE OF ALLEGIANCE

Motion by Grobe, second by Leaders, to approve the December 21 and 22, 2009 minutes as read. Unanimous vote. Motion carried.

Motion by Grobe, second by Houser, to authorize tax abatement for Oakland Christian Church. Unanimous vote. Motion carried.

Motion by Grobe, second by Houser, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c) for purpose of discussion and/or decision on existing litigation matters. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser, Grobe. Motion carried.

Motion by Leaders, second by Knauss, to go out of Executive Session. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser, Grobe. Motion carried.

Motion by Grobe, second by Houser, to authorize Board, upon advice of County Attorney Matt Wilber, to sign Settlement Agreement regarding Harrington-McGhee case. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser, Grobe. Motion carried.

Motion by Grobe, second by Houser to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c), for purpose of discussing labor negotiations. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser, Grobe. Motion carried.

Motion by Leaders, second by Houser, to go out of Executive Session. Roll Call Vote: Ayes-Knauss, Leaders, Williams, Houser, Grobe. Motion carried.

Motion by Knauss, second by Leaders, to award bid to Stevens/Smith Construction Company in the amount of \$58,000.00 for the concrete/polishing at Pottawattamie County Sheriff's Office. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to authorize Chairman to sign "Certification of Cost Allocation Plan" for year ended June 30, 2009 with Cost Advisory Services, Inc. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve for the Animal Control Department the employment of Sheila McKern as Volunteer Coordinator/Shelter Attendant at \$15.54 per hour to be effective January 4, 2010. Unanimous vote. Motion carried.

Motion by Grobe, second by Knauss to approve Final Plat of Mount Hope Subdivisions I and II and to adopt Planning and Zoning Resolutions #2009-04 and #2009-05. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:45 A.M.

Roger R. Williams, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: January 4, 2010

PUBLISH: X