

June 30, 2020

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M. All member present. Chairman Schultz presiding.

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

After discussion was held by the Board, a Motion was made by Drake, and seconded by Belt, to approve

- A. June 23, 2020, Minutes as read.
- B. Conservation – Employment of Steve Bath, as Park Aide.
- C. Medical Examiner Employment of Allison Sundeen, as Part-Time Medical Examiner Investigator.
- D. Conservation – Pay Increase of Clarence Sliger, Seasonal Park Aide.
- E. Conservation – Pay Increase of Jackson Nelson, Seasonal Ranger Intern.
- F. Planning/Public Health – Pay Increase of Maria Torres, Temporary/Part-time Community Health Organizer, pursuant to expansion of temporary position duties to include bilingual disease investigation.

UNANIMOUS VOTE. Motion carried.

2. SCHEDULED SESSIONS

Motion by Belt, second by Wichman, to open public hearing on Carson and Macedonia downtown façade architectural plans and documents. **Roll Call Vote: AYES: Drake, Belt, Schultz, Wichman, Grobe. Motion carried.**

Motion by Wichman, second by Drake, to close public hearing. **Roll Call Vote: AYES: Drake, Belt, Schultz, Wichman, Grobe. Motion carried.**

After discussion was held by the Board, a Motion was made by Belt, and seconded by Grobe, to approve and authorize MAPA's initiation of the bidding process for Carson and Macedonia downtown revitalization projects. UNANIMOUS VOTE. Motion carried.

After discussion was held by the Board, a Motion was made by Belt, and seconded by Grobe, to approve Application for Use of Pottawattamie County Grounds for Iowa 99 County Bible Reading Marathon from July 21, 2020 through July 23, 2020. UNANIMOUS VOTE. Motion carried.

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Belt, to approve corrected ending term date to Veteran Affairs Commission as follows: Ellen Fritz – Appointment ending June 30, 2022 (corrected from June 30, 2021, as per Iowa Code); Jesse Shea – Appointment ending June 30, 2021 (corrected from June 30, 2020, as per Iowa Code); and William Dooley – Appointment ending June 30, 2022 (corrected from June 30, 2021, as per Iowa Code). UNANIMOUS VOTE. Motion carried.

After discussion was held by the Board, a Motion was made by Belt, and seconded by Drake, to approve and authorize Chairman to sign Southwest Iowa Training Facility Revised Joint 28E Agreement between the City of Council Bluffs and Pottawattamie County. **Roll Call Vote: AYES: Drake, Belt, Schultz, Wichman, Grobe. Motion carried.**

After discussion was held by the Board, a Motion was made by Belt, and seconded by Drake, to approve the donation of five laptops to the Junior Jacket Robotics program. UNANIMOUS VOTE Motion carried.

Motion by Belt, second by Drake, to approve and authorize Board to sign **Resolution No. 64-2020**, a Resolution fixing date for a meeting on the proposition to authorize a Loan Agreement and the issuance of not to exceed \$600,000 General Obligation Capital Loan Notes, for essential county

purposes, the proceeds of which notes will be used to provide funds to pay the costs of equipping, remodeling, or reconstruction of public buildings including equipping jail with programmable logic control upgrades. Said Resolution is set out as follows:

RESOLUTION NO. 64-2020

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$600,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (ESSENTIAL COUNTY PURPOSE) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that Pottawattamie County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$600,000, as authorized by Sections 331.402 and 331.443, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential county purpose project(s) as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes, issued to evidence the obligation of the County thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the County to such action.

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

Section 1. That this Board meet in the Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa, at 10:00 AM, on the 21st day of July, 2020, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$600,000 General Obligation Capital Loan Notes, for essential county purposes, the proceeds of which notes will be used to provide funds to pay the costs of equipping, remodeling, or reconstruction of public buildings including equipping jail with programmable logic control upgrades.

Section 2. The Auditor is authorized and directed to proceed on behalf of the County with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the County's obligations to a principal amount of not to exceed \$600,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the County and this Board and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the County and acceptable to the Board.

Section 3. That the Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County. The publication to be not less than four clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes. Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published between July 1, 2020 and July 15, 2020)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$600,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (ESSENTIAL COUNTY PURPOSE) OF THE COUNTY (FOR ESSENTIAL COUNTY PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Pottawattamie County, State of Iowa, will hold a public hearing on the 21st day of July, 2020, at 10:00 AM, in the Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan

Agreement and the issuance of not to exceed \$600,000 General Obligation Capital Loan Notes, for essential county purposes, to provide funds to pay the costs of equipping, remodeling, or reconstruction of public buildings including equipping jail with programmable logic control upgrades. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At the above meeting the Board shall receive oral or written objections from any resident or property owner of the County to the above action. After all objections have been received and considered, the Board will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the County thereunder or will abandon the proposal to issue said Notes.

This notice is given by order of the Board of Supervisors of Pottawattamie County, State of Iowa, as provided by Sections 331.402 and 331.443 of the Code of Iowa.

Dated this 30th day of June, 2020.

/s/
County Auditor, Pottawattamie County, State of Iowa

(End of Notice)

Dated this 30th day of June, 2020.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
<u>Justin Schultz, Chairman</u>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<u>Tim Wichman</u>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<u>Scott Belt</u>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<u>Marilyn Jo Drake</u>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<u>Lynn Grobe</u>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

Roll Call Vote: AYES: Drake, Belt, Schultz, Wichman, Grobe. Motion carried.

Motion by Bel, second by Drake, to approve and authorize Board to sign **Resolution No. 65-2020**, a Resolution fixing date for a meeting on the proposition to authorize a Loan Agreement and the issuance of not to exceed \$900,000 General Obligation Capital Loan Notes, for essential county purposes, to provide funds to pay the costs of equipping, remodeling, or reconstruction of public buildings including equipping the Courthouse with access control and video surveillance and the jail with camera upgrades. Said Resolution is set out as follows:

RESOLUTION NO. 65-2020

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$900,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (ESSENTIAL COUNTY PURPOSE) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that Pottawattamie County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$900,000, as authorized by Sections 331.402 and 331.443, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential county purpose project(s) as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes, issued to evidence the obligation of the County thereunder, it is necessary to

comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the County to such action.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, STATE OF IOWA: Section 1. That this Board meet in the Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa, at 10:00 AM, on the 21st day of July, 2020, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$900,000 General Obligation Capital Loan Notes, for essential county purposes, the proceeds of which notes will be used to provide funds to pay the costs of equipping, remodeling, or reconstruction of public buildings including equipping the Courthouse with access control and video surveillance and the jail with camera upgrades. Section 2. The Auditor is authorized and directed to proceed on behalf of the County with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the County's obligations to a principal amount of not to exceed \$900,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the County and this Board and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the County and acceptable to the Board. Section 3. That the Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the County. The publication to be not less than four clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes. Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published between July 1, 2020 and July 15, 2020)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$900,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (ESSENTIAL COUNTY PURPOSE) OF THE COUNTY (FOR ESSENTIAL COUNTY PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF PUBLIC NOTICE is hereby given that the Board of Supervisors of Pottawattamie County, State of Iowa, will hold a public hearing on the 21st day of July, 2020, at 10:00 AM, in the Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$900,000 General Obligation Capital Loan Notes, for essential county purposes, to provide funds to pay the costs of equipping, remodeling, or reconstruction of public buildings including equipping the Courthouse with access control and video surveillance and the jail with camera upgrades. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund. At the above meeting the Board shall receive oral or written objections from any resident or property owner of the County to the above action. After all objections have been received and considered, the Board will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the County thereunder or will abandon the proposal to issue said Notes. This notice is given by order of the Board of Supervisors of Pottawattamie County, State of Iowa, as provided by Sections 331.402 and 331.443 of the Code of Iowa. Dated this 30th day of June, 2020.

/s/
County Auditor, Pottawattamie County, State of Iowa

(End of Notice)

Dated this 30th day of June, 2020.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
<u>Justin Schultz, Chairman</u>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<u>Tim Wichman</u>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<u>Scott Belt</u>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Marilyn Jo Drake				
	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lynn Grobe				

ATTEST: _____
 Melvyn Houser, County Auditor

Roll Call Vote: AYES: Drake, Belt, Schultz, Wichman, Grobe. Motion carried.

After discussion was held by the Board, a Motion was made by Belt, and seconded by Drake, to approve and authorize Chairman to sign Bond Counsel Engagement Agreement with Ahlers & Cooney, P.C., dated June 25, 2020, regarding General Obligation Capital Loan Notes, regarding the \$600,000 General Obligation Capital Loan Notes, and the \$900,000 General Obligation Capital Loan Notes. UNANIMOUS VOTE. Motion carried.

Motion by Drake, second by Wichman, to approve and authorize Board to sign **Resolution No. 66-2020**, a Resolution entitled fixing date for a meeting on the proposition to authorize a Loan Agreement and the issuance of not to exceed \$8,000,000 General Obligation Local Option Sales and Services Tax Bonds, the proceeds of which Bonds will be used to provide funds to pay the cost of acquisition of land and construction and equipping of county shops to service secondary roads. Said Resolution is set out as follows:

RESOLUTION NO. 66-2020

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$8,000,000 GENERAL OBLIGATION LOCAL OPTION SALES AND SERVICES TAX BONDS OF POTTAWATTAMIE COUNTY, STATE OF IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, pursuant to Chapter 423B of the Code of Iowa, 2019, as amended, and an election duly held in accordance therewith, the Board of Supervisors of the County of Pottawattamie (the "Issuer") is currently entitled to receive proceeds of the local option sales and services tax (the "Local Option Tax") imposed in accordance with Chapter 423B and an Ordinance duly adopted by the Board of Supervisors of Pottawattamie County with respect thereto; and

WHEREAS, pursuant to an election held November 8, 1994 and an Ordinance No. 95-2 passed and approved by this Board of Supervisors on February 22, 1995 and published on March 2, 1995, revenues derived from the Local Option Tax are to be allocated as follows: 15% for property tax relief (the "Property Tax Relief Portion"); 70% for secondary roads capital improvements; 10% for soil and water conservation districts for capital improvements; and 5% County Conservation Department; and

WHEREAS, the 70% of local option revenues allocated for "secondary roads capital improvements" is the "Designated Project Portion" proposed to be used for the present project; and

WHEREAS, the Issuer proposes to apply the Designated Project Portion of the Local Option Tax to pay the cost of acquisition of land and construction and equipping of county shops to service secondary roads as determined by the Pottawattamie County Board of Supervisors; and

WHEREAS, the Board now deems it in the best interests of the County and its residents to issue not to exceed \$8,000,000 General Obligation Local Option Sales and Services Tax Bonds, to pay the cost of acquisition of land and construction and equipping of county shops to service secondary roads; and

WHEREAS, before said Bonds may be issued, it is necessary to comply with the provisions of Chapter 423B of the Code of Iowa, and to publish a notice of the proposal to issue such Bonds and the right to petition for an election and to receive oral or written objections from any resident or property owner of the County to such actions.

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

Section 1. That this Board shall meet in the Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa, at 10:00 AM, on the 21st day of July, 2020, for the purpose of taking action on the matter of the issuance of not to exceed \$8,000,000 of General Obligation Local Option Sales and Services Tax Bonds, the proceeds of which Bonds will be used to provide funds to pay the cost of acquisition of land and construction and equipping of county shops to service secondary roads. The Bonds shall bear interest at a rate not exceeding the maximum specified in the attached notice. Said Bonds shall be payable from the

Designated Project Portion of the Local Option Tax receipts and, to the extent provided in Iowa Code Section 423B.9(4), the debt service fund of the County.

Section 2. That the County Auditor is hereby directed to cause at least one publication to be made of a notice of said meeting in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in said County. The publication to be not less than ten (10) nor more than twenty (20) clear days before the date of said public meeting on the issuance of said Bonds.

Section 3. The notice of the proposed action to issue said Bonds shall be in substantially the following form:

(To be published between July 1, 2020 and July 10, 2020)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$8,000,000 GENERAL OBLIGATION LOCAL OPTION SALES AND SERVICES TAX BONDS, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Pottawattamie County, State of Iowa, will hold a public hearing on the 21st day of July, 2020, at 10:00 AM, in the Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa, at which meeting the Board proposes to take additional action for the issuance of not to exceed \$8,000,000 General Obligation Local Option Sales and Services Tax Bonds of said County, bearing interest at the rate of not to exceed nine per centum (9%) per annum. Said Bonds are proposed to be issued for the purpose of paying the cost of acquisition of land and construction and equipping of county shops to service secondary roads, as determined by the Pottawattamie County Board of Supervisors. Said Bonds shall be payable from the eligible portion of the local option sales and services tax receipts collected by the County (equal to 100% thereof) and, to the extent provided in Iowa Code Section 423B.9(4), the debt service fund of the County.

At any time before the date fixed for taking action for the issuance of the Bonds, a petition, signed by eligible electors residing within the County in a number equal to at least three percent (3%) of the registered voters of the County, may be filed with the County Auditor, asking that the question of issuing the Bonds be submitted to the registered voters of the County at a special election called upon the question of issuing said Bonds.

At the above meeting oral or written objections from any resident or property owner of said County to the above action shall be received. After all objections have been received and considered, the Board will at said meeting or at any adjournment thereof, take additional action for the issuance of said Bonds or will abandon the proposal to issue said Bonds.

This Notice is given by order of the Board of Supervisors of the Pottawattamie County, State of Iowa, as provided by Section 423B.9(4) of the Code of Iowa.

Dated this 30th day of June, 2020.

/s/
County Auditor, Pottawattamie County, State of Iowa

(End of Notice)

Dated this 30th day of June, 2020.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
<u>Justin Schultz, Chairman</u>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<u>Tim Wichman</u>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<u>Scott Belt</u>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<u>Marilyn Jo Drake</u>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<u>Lynn Grobe</u>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

Roll Call Vote: AYES: Drake, Belt, Schultz, Wichman, Grobe. Motion carried.

After discussion was held by the Board, a Motion was made by Drake, and seconded by Wichman, to approve and authorize Chairman to sign Bond Counsel Engagement Agreement with Ahlers & Cooney, P.C., dated June 25, 2020, regarding General Obligation Local Option Sales and Services Tax Bonds, not to exceed \$8,000,000. UNANIMOUS VOTE. Motion carried.

3. OTHER BUSINESS

After discussion was held by the Board, a Motion was made by Drake, and seconded by Belt, to approve Employment Agreement between Southwest Iowa Juvenile Detention Center and Don Uhlig for July 1, 2020 through June 30, 2021. UNANIMOUS VOTE. Motion carried.

4. RECEIVED/FILED

A. Salary Actions

- 1) Board of Supervisors – Payroll Status Change of Melissa Joslin.
- 2) Treasurer – Payroll Status Change of MaryJo Turpen, Brandy Olsen.
- 3) Communications – Payroll Status Change of Torie Brummett.
- 4) Sheriff – Payroll Status Change of Jeremy Harker.

5. ADJOURN

Motion by Drake, second by Belt, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:45 AM.

Justin Schultz, Chairman

ATTEST: _____
Melvyn Houser, County Auditor

APPROVED: July 7, 2020
PUBLISH: X