

October 19, 2021

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. October 12, 2021, Minutes as read.
- B. Medical Examiner – Employment of Kalen Knight as Medical Examiner Investigator.
- C. IT – Employment of Andrew Dewey as Cybersecurity Analyst 1

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Shea, second by Schultz, to approve Second consideration of **Ordinance No. 2021-06, AN ORDINANCE** to amend Chapter 3.20 of the Pottawattamie County, Iowa Conservation Board Lands Rules and Regulations by adding the use of All Terrain/Off-Road Vehicles and Golf Carts on Areas; and to adopt said ordinance into law.

**POTTAWATTAMIE COUNTY, IOWA
ORDINANCE NO. 2021-06**

AN ORDINANCE to amend the following in Chapter 3.20 Conservation Board Lands Rules and Regulations:

Amend Section 3.20.040, Use of Motor Vehicles On Areas.

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

SECTION 1 - REPEAL OF CONFLICTING ORDINANCES: That section 3.20.040 Use of Motor Vehicles On Areas, is hereby repealed in its entirety. Furthermore all other Ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

SECTION 2 – AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding thereto the following new Section, to be codified as Section 3.20.040 USE OF MOTOR VEHICLES, ALL-TERRAIN / OFF-ROAD VEHICLES and GOLF CARTS ON AREAS:

3.20.040 USE OF MOTOR VEHICLES, ALL-TERRAIN / OFF-ROAD VEHICLES and GOLF CARTS ON AREAS: All driving and parking shall be confined to roadways or parking areas (gravel, sealcoat, asphalt or concrete surfacing). No vehicle shall be permitted to obstruct the roadway. Vehicles shall be parked in designated parking areas. The use of all-terrain and/or off-road vehicles at Arrowhead Park, Botna Bend Park, Hitchcock Nature Center, Narrows River Park and Old Town Park in Pottawattamie County must follow Chapter 12; All-terrain and Off-road Vehicles, Sections 12.01 – 12.08 of county ordinance #2020-03 adopted 09/11/2020 and municipality ordinances adopted within the county. Use in the parks shall be restricted to roadways and parking areas. Golf carts must have all required equipment and comply with all regulations to operate on roadways (street legal) and parking areas in the county parks identified above. Individuals operating golf carts must have a valid driver’s license. All other wildlife and habitat areas prohibit the use of all-terrain and off-road vehicles except accessing parking areas on adjacent county roads. The maximum speed limit shall be twenty (20) miles per hour within conservation areas, unless posted otherwise.

SECTION 3 - SEVERABILITY: If any of the provisions of this Ordinance or the application thereof to any person or circumstances are held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared to be severable.

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

Dated this 19th Day of October, 2021.

ROLL CALL VOTE

AYE	NAY	ABSTAIN	ABSENT
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Scott A. Belt, Chairman				
_____	○	○	○	○
Tim Wichman				
_____	○	○	○	○
Lynn Grobe				
_____	○	○	○	○
Justin Schultz				
_____	○	○	○	○
Brian Shea				

ATTEST: _____
Melvyn Houser, County Auditor

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried.

Motion made by Schultz, second by Shea, to amend Hazard Mitigation Grant and 15% local match to include expanded list of flood buyout properties. UNANIMOUS VOTE. Motion Carried.

Motion by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 107-2021** entitled: RESOLUTION AUTHORIZING BOARD OF SUPERVISORS AND POTTAWATTAMIE COUNTY SHERIFF TO EXECUTE AN AGREEMENT WITH MOTOROLA SOLUTIONS, INC. TO PROVIDE RADIO EQUIPMENT AND SERVICES FOR POTTAWATTAMIE COUNTY.

RESOLUTION NO. 107-2021

RESOLUTION AUTHORIZING BOARD OF SUPERVISORS AND POTTAWATTAMIE COUNTY SHERIFF TO EXECUTE AN AGREEMENT WITH MOTOROLA SOLUTIONS, INC. TO PROVIDE RADIO EQUIPMENT AND SERVICES FOR POTTAWATTAMIE COUNTY

WHEREAS, radio communication is a critical tool employed by first responders in their efforts to keep the public safe; and

WHEREAS, a system with broken or substandard equipment is a disservice and a potential life-safety threat for our first responders and citizens; and

WHEREAS, the current system in use by Pottawattamie County is outdated, radios are reaching the end of their serviceable life and are substandard; and

WHEREAS, in partnership with the Council Bluffs Police and Fire Department and based on the feedback and needs of involved stakeholders, the Pottawattamie County Sheriff’s office has been working with Motorola Solutions, Inc. to define the needs and costs for updates to County and volunteer fire department radio equipment across the County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, STATE OF IOWA that the Board of Supervisors and Pottawattamie County Sheriff are authorized to execute agreement with Motorola Solutions, Inc. to provide radio equipment and services for Pottawattamie County; and

BE IT FURTHER RESOLVED that the Board of Supervisors hereby approves funding not to exceed \$3,250,000 to be paid to Motorola Solutions, Inc. using funds from the American Rescue Plan Act (ARPA) to fortify and enhance the public safety radio system within Pottawattamie County. Use of these funds for this project will enhance the County’s efforts in the prevention, mitigation, and in response to Covid-19 and future pandemic events. The funds will also invest in technology and equipment to allow law enforcement to more efficiently and effectively respond to the rise in gun violence resulting from the pandemic.

Dated this 19th Day of October, 2021.

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
_____	○	○	○	○
Scott A. Belt, Chairman				
_____	○	○	○	○
Tim Wichman				
_____	○	○	○	○
Lynn Grobe				
_____	○	○	○	○
Justin Schultz				
_____	○	○	○	○
Brian Shea				

ATTEST: _____
Melvyn Houser, County Auditor

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried.

3. OTHER BUSINESS

Motion by Shea, second by Schultz, to approve and authorize Board to sign **Resolution No. 108-2021** entitled: Resolution Appointing Deputies.

RESOLUTION NO. 108-2021

RESOLUTION APPOINTING DEPUTIES

WHEREAS, the Code of Iowa, Chapter 331.903, states that the Auditor, Treasurer, Recorder, Sheriff and County Attorney may each appoint, with approval of the Board, one or more deputies, assistants, or clerks for whose acts the principal officer is responsible; and

WHEREAS, on October 12th, 2021 the Board of Supervisors appointed Marilyn Hebing as Pottawattamie County Recorder; and

WHEREAS, the number of deputy appointments of the Recorder has changed; and

WHEREAS, the number of deputies, assistants, and clerks for each office shall be determined by the board and the number and approval of each appointment shall be adopted by a resolution recorded in the minutes of the board; and

WHEREAS, each deputy officer, assistant and clerk shall perform the duties assigned by the principal officer making the appointment and during the absence or disability of the principal officer, the first deputy shall perform the duties of the principal officer.

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors hereby approves the following deputy appointments for the Recorder’s Office:

Lynn Herrington, First Deputy
Andrew Moats, First Deputy

Dated this 19th Day of October, 2021.

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	○	○	○	○
_____ Tim Wichman	○	○	○	○
_____ Lynn Grobe	○	○	○	○
_____ Justin Schultz	○	○	○	○
_____ Brian Shea	○	○	○	○

ATTEST: _____
Melvyn Houser, County Auditor

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried.

Following the approval of Resolution No. 108-2021 by the Board of Supervisors, County Recorder Marilyn Hebing appeared before the Board to swear in newly appointed First Deputy Andrew Moats.

Motion made by Wichman, second by Shea, to approve/disallow the following applications made to the Assessor’s Office: Homestead (80 recommended allowed, 0 recommended disallowed), Military (13 recommended allowed, 1 recommended disallowed), Disabled Veteran Homestead (7 recommended allowed, 1 recommended disallowed), Business Property Tax Credit (2 recommended allowed, 0 recommended disallowed), Family Farm (7 recommended allowed, 0 recommended disallowed). **UNANIMOUS VOTE.** Motion Carried.

4. RECEIVED/FILED**A. Salary Actions**

- 1) Medical Examiner – Payroll Status Change for Jessica Coffman, Karen Foreman, Jeff Hutcheson, Jennifer Nelson, Cody Pane, Abby Robinson, Allison Sundeen.

5. CLOSED SESSION

Motion by Wichman, second by Schultz, to go into Closed Session pursuant to Iowa Code §21.5(1)(c) – Discussion and/or decision on pending litigation.

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried.

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

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried.

6. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:31 A.M.

Scott A. Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: October 26, 2021

PUBLISH: X