

January 4, 2021

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. December 29, 2020, Minutes as read.
- B. Employment of:
 - 1) Sheriff's Office/Jail Division-Sean Newton

UNANIMOUS VOTE. Motion carried.

Motion by Wichman, second by Drake, to adjourn Sine Die. UNANIMOUS VOTE. Motion Carried.

Justin Schultz, Chairman

ATTEST:

Melvyn Houser, County Auditor

January 4, 2021

MET IN REGULAR SESSION

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

2. SCHEDULED SESSIONS

District Court Judge Kathleen Kilnoski appeared to swear in the following elected officials: Brian Shea, Board of Supervisor; Tim Wichman, Board of Supervisor; Melvyn Houser, Auditor; Andy Brown, County Sheriff.

Motion by Wichman, second by Belt, to appoint Melvyn Houser, County Auditor, as Temporary Chairperson for the election of a new Board Chairman and Chairman Pro-Tem for the year 2021. UNANIMOUS VOTE. Motion carried.

Houser announced nominations are now in order for the office of Chairman for 2021.

Belt was nominated by Schultz.

There being no further nominations, Houser declared it ceased. The Board proceeded to vote as follows:

Shea voted for Belt;
 Grobe voted for Belt;
 Schultz voted for Belt;
 Belt voted for Belt; and
 Wichman voted for Belt.

Belt was elected Chairman for 2021.

Houser announced nominations are now in order for the office of Chairperson Pro-Tem for 2021.

Wichman was nominated by Shea.

There being no further nominations, Melvyn Houser, County Auditor, declared it ceased. The Board proceeded to vote as follows:

Shea voted for Wichman;
 Grobe voted for Wichman;
 Schultz voted for Wichman;
 Belt voted for Wichman; and
 Wichman voted for Wichman.

Wichman was elected Chairman Pro-Tem for 2021.

Thereupon, Houser, Temporary Chairperson, turned the meeting over to Chairman Belt.

Motion by Schultz, second by Wichman, to approve and authorize Board to sign **Resolution No. 06-2021**, entitled: Resolution Authorizing the County Engineer to Close Secondary Roads for Construction and/or Maintenance. Said Resolution is set out as follows:

RESOLUTION NO. 06-2021

RESOLUTION AUTHORIZING THE COUNTY ENGINEER TO CLOSE SECONDARY ROADS FOR CONSTRUCTION AND/OR MAINTENANCE.

WHEREAS, Section 306.41 of the Code of Iowa, 2002, provides that “The agency having jurisdiction and control over any highway in the state, or the chief engineer of said agency when delegated by such agency, may temporarily close sections of a highway by formal resolution entered upon the minutes of such agency when reasonably necessary because of construction, reconstruction, maintenance, or natural disaster and shall cause to be erected ROAD CLOSED signs and partial or total barricades in the roadway at each end of the closed highway section and on the closed highway where that highway is intersected by other highways if such intersection remains open. Any numbered road closed over forty-eight hours shall have a designated detour route. The agency having jurisdiction over a section of highway closed in accordance with the provisions of this section, or the persons or contractors employed to carry out the construction, reconstruction, or maintenance of the closed section of highway, shall not be liable for any damages to any vehicle that enters the closed section of highway or the contents of such vehicle or for any injuries to any person that enters the closed section of highway, unless the damages are caused by gross negligence of the agency or contractor,”

NOW THEREFORE BE IT RESOLVED by the Pottawattamie County Board of Supervisors in session this 4th day of January, 2021, that the County Engineer be authorized to close Pottawattamie County Secondary roads as necessary with the actual dates of closure to be determined by the County Engineer as follows:

For Construction: Any project as described in the approved “Pottawattamie County Secondary Road Construction Program for the fiscal year 2021-2022, and any approved supplements thereto.”

For Emergency Closure of any road for maintenance purposes: Any route deemed necessary by the County Engineer.

Dated this 4th day of January, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

RECOMMENDED: _____
Pottawattamie County Engineer

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

Motion by Schultz, second by Wichman, to approve and authorize Board to sign **Resolution No. 07-2021**, entitled: Resolution to Authorize the County Engineer to Certify Completion Papers and Make Final Acceptance of Contract Work on the Farm to Market and Federal Aid Systems. Said Resolution is set out as follows:

RESOLUTION NO. 07-2021

RESOLUTION TO AUTHORIZE THE COUNTY ENGINEER TO CERTIFY COMPLETION PAPERS AND MAKE FINAL ACCEPTANCE OF CONTRACT WORK ON THE FARM TO MARKET AND FEDERAL AID SYSTEMS.

WHEREAS, it is necessary that the Pottawattamie County Engineer be empowered by the Pottawattamie County Board of Supervisors to execute the Certificate of Completion and make final acceptance of Farm to Market contract construction work as provided for in Section 310 of the Code of Iowa, 2002, and Federal Aid contract construction work,

NOW THEREFORE BE IT RESOLVED by the Pottawattamie County Board of Supervisors in session this 4th day of January, 2021, that said County Engineer John A. Rasmussen, be and is hereby designated, authorized, and empowered on behalf of the Pottawattamie County Board of Supervisors to execute the Certification of Completion of Work and Final Acceptance thereof in accordance with plans and specifications therefore in connection with all Farm to Market and Federal Aid construction projects in Pottawattamie County for the year 2021.

Dated this 4th day of January, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

RECOMMENDED: _____
Pottawattamie County Engineer

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

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 08-2021**, entitled: Resolution to Authorize the County Engineer to Issue and sign Special Permits for the Movement of Vehicles of Excessive Size and Weight Upon Pottawattamie County Secondary Roads. Said Resolution is set out as follows:

RESOLUTION NO. 08-2021

RESOLUTION TO AUTHORIZE THE COUNTY ENGINEER TO ISSUE AND SIGN SPECIAL PERMITS FOR THE MOVEMENT OF VEHICLES OF EXCESSIVE SIZE AND WEIGHT UPON POTTAWATTAMIE COUNTY SECONDARY ROADS.

WHEREAS, the Board of Supervisors is empowered under authority of Section 321E.1 of the 2002 Code of Iowa to issue permits for the movement of machines, vehicles, or loads, or combinations thereof which exceed the maximum dimensions and/or weights

specified in Sections 321.452 to 321.466 but within the limitations of Chapter 321E upon Secondary Roads under their jurisdiction, and

WHEREAS, it is important that such permits be issued by persons familiar with the statutes and regulations relating to such permits and also with the limitations of the County's roadways, road surfaces, and structures along the selected or designated routes,

NOW THEREFORE BE IT RESOLVED by the Pottawattamie County Board of Supervisors in session this 4th day of January, 2021, that the Pottawattamie County Engineer and the following named employees of the Secondary Roads Department be authorized to issue and sign special permits for the movement of vehicles of excessive size and weight upon Pottawattamie County Secondary Roads in accordance with said Chapters 321E and 321 as amended:

John A. Rasmussen, County Engineer
Jacob Ferro, Assistant Engineer
Lisa Nelsen, Assistant Engineer
Kristina R. Treantos, Assistant to the Engineer

Dated this 4th day of January, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Tim Wichman		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott Belt		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

RECOMMENDED: _____
Pottawattamie County Engineer

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

3. OTHER BUSINESS

Motion Wichman, second by Schultz, 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 Schultz, second by Wichman, to establish a policy that the Board of Supervisors’ regular sessions will be held on the following day(s): Tuesdays at 10:00 A.M. It shall be the prerogative of the Chairman, with Board approval, to cancel or add a meeting day. UNANIMOUS VOTE. Motion carried.

Motion by Wichman, second by Schultz, to approve and authorize Board to sign **Resolution No. 01-2021**, a Resolution pertaining to the payment of County bills. Said Resolution is set out as follows:

RESOLUTION NO. 01-2021

BE IT RESOLVED, by the Board of Supervisors of Pottawattamie County, Iowa, that the Auditor be, and is hereby authorized and directed to issue warrants in payment of claims before audit, and when the Board is not in session for the following purposes:

FIRST:

For salaries where such compensation shall have been previously fixed by the Board of Supervisors. When services of an employee are terminated upon certification of the officer under which such compensation has been earned.

SECOND:

For transportation of persons transferred at the County’s expense to various State Institutions, when such expenses have been previously authorized and ordered by the court or direction of the Department of Human Services, and to include transients for Pottawattamie County Human Services.

THIRD:

For Clerk of Court’s certified bills for payment of Grand Jury.

FOURTH:

For benefits for salaries on County payroll, where benefit rates have been previously fixed by the Board of Supervisors.

Dated this 4th day of January, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion by Wichman, second by Schultz, to approve and authorize Board to sign **Resolution No. 02-2021**, a Resolution pertaining to the Auditor destroying county vouchers and canceled county warrants which have been on file for more than ten years. Said Resolution is set out as follows:

RESOLUTION NO. 02-2021

WHEREAS, the Pottawattamie County Auditor has on file county vouchers and canceled county warrants, which have been on file on or before January 1, 2011; and

WHEREAS, Code of Iowa, Section 331.323(e), requires the Board of Supervisors to authorize the Auditor to destroy county vouchers and canceled county warrants, which have been on file for more than ten years.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors, Pottawattamie County, Iowa, authorizes the Auditor to destroy county vouchers and canceled county warrants dated before January 1, 2011.

Dated this 4th day of January, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Scott Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lynn Grobe				

ATTEST: _____
 Melvyn Houser, County Auditor

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

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 03-2021**, a Resolution entitled: Resolution Appointing Deputies. Board adopted amendment to resolution adding Rebecca Killpack as Second Deputy in the Treasurer’s office. Said Resolution is set out as follows:

RESOLUTION NO. 03-2021

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, 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:

Attorney	Jon Jacobmeier, Chief Deputy
Auditor	Kristin M. Everett, First Deputy Linda Swolley, First Deputy, Real Estate Kristy Hassay, Second Deputy, Real Estate
Recorder	Lynn Herrington, First Deputy
Sheriff	Jeff Theulen, Chief Deputy
Treasurer	Jamie Smothers, First Deputy Rebecca Killpack, Second Deputy

Dated this 4th day of January, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion by Wichman, second by Schultz, to approve and authorize Board to sign **Resolution No. 04-2021**, a Resolution pertaining to the taxable value of the lengths of mileage of the several railroad, telegraph, telephone, and express companies in Pottawattamie County. Said Resolution is set out as follows:

RESOLUTION NO. 04-2021

BE IT RESOLVED, by the Board of Supervisors of Pottawattamie County, Iowa, that it is hereby ordered 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 towns, 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 2021-2022.

RECAPITULATION

TELEPHONE – TELEGRAPH	\$ 16,815,637.46
RAILROADS	\$ 72,877,233.78
PIPELINE	\$ 73,751,011.29
 TOTAL FOR COUNTY	 \$ 163,443,782.53

Dated this 4th day of January, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Scott Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lynn Grobe				

ATTEST: _____
 Melvyn Houser, County Auditor

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

Motion by Wichman, second by Schultz, to approve and authorize Board to sign **Resolution No. 05-2021**, a Resolution entitled: Construction Evaluation Resolution. Said Resolution is set out as follows:

RESOLUTION NO. 05-2021

CONSTRUCTION EVALUATION RESOLUTION

WHEREAS, Iowa Code Section 459.304(3), sets out the procedure if a Board of Supervisors wishes to adopt a “Construction Evaluation Resolution” relating to the construction of a confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution can submit to the Department of Natural Resources (DNR) an adopted recommendation to approve or disapprove a construction permit application regarding a proposed confinement feeding operation structure; and

WHEREAS, only counties that have adopted a construction evaluation resolution and submitted an adopted recommendation may contest the DNR’s decision regarding a specific application; and

WHEREAS, by adopting a construction evaluation resolution the Board of Supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the Board of Supervisors between February 1, 2021, and January 31, 2022, and submit an adopted recommendation regarding that application to the DNR; and

WHEREAS, the Board of Supervisors must conduct an evaluation of every construction permit application using the master matrix as provided in Iowa Code Section 459.305, but the Board’s recommendation to the DNR may be based on the final score on the master matrix or may be based on reasons other than the final score on the master matrix:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA that the Board of Supervisors hereby adopts this construction evaluation resolution pursuant to Iowa Code Section 459.304(3).

Dated this 4th day of January, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
<hr/> Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<hr/> Scott Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<hr/> Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<hr/> Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<hr/> Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST:

Melvyn Houser, County Auditor

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

Motion by Schultz, second by Shea, to approve the following newspapers as Official Newspapers for Pottawattamie County, Iowa for the 2021 year: The Herald-Oakland, The Avoca Journal Herald-Avoca; and The Daily Nonpareil-Council Bluffs. The County shall pay no more than Iowa Code allows for legal publications in these newspapers. UNANIMOUS VOTE. Motion carried.

Motion by Wichman, second by Schultz, to approve the Pottawattamie County Courthouse being closed on the following legal holidays for 2021, as per Code of Iowa, Section 33.1:

MARTIN LUTHER KING, JR. DAY	JANUARY 18, 2021
PRESIDENT’S DAY	FEBRUARY 15, 2021
MEMORIAL DAY	MAY 31, 2021
INDEPENDENCE DAY	JULY 4, 2021 OBSERVED JULY 5, 2021
LABOR DAY	SEPTEMBER 6, 2021
VETERAN’S DAY	NOVEMBER 11, 2021
THANKSGIVING DAY	NOVEMBER 25, 2021
LIEU OF LINCOLN’S BIRTHDAY	NOVEMBER 26, 2021
CHRISTMAS	DECEMBER 25, 2021
	OBSERVED DECEMBER 24, 2021
NEW YEAR’S DAY 2022	JANUARY 1, 2022 OBSERVED ON
	DECEMBER 31, 2021

UNANIMOUS VOTE. Motion carried.

Motion by Grobe, second by Schultz, to approve Federal Standard Mileage Rate for 2021, at 56¢ per mile. UNANIMOUS VOTE. Motion carried.

Motion by Schultz, second by Shea, to approve Lynn Grobe as first representative, and Brian Shea as second representative to the Southwest Iowa Region Mental Health & Disability Services Board for 2021. UNANIMOUS VOTE. Motion carried.

Motion by Schultz, second by Wichman, to approve appointment of Scott Belt as first representative, and Justin Schultz as second representative to the Fourth Judicial District Department of Correctional Services Board of Directors for 2021. UNANIMOUS VOTE. Motion carried.

Motion by Schultz, second by Shea, to approve appointment of Scott Belt as first representative, and Jana Lemrick as second representative to IGHCP Board for 2021. UNANIMOUS VOTE. Motion carried.

Motion by Schultz, second by Shea, to approve appointment of Scott Belt as first representative, and Tim Wichman as second representative to MAPA for 2021. UNANIMOUS VOTE. Motion carried.

Motion by Schultz second by Shea, to approve reimbursement amount of \$50.00 for Elected Officials' mobile cellular usage for 2021. UNANIMOUS VOTE. Motion carried.

4. RECEIVED/FILED

A. Salary Action(s):

- 1) Southwest Iowa Juvenile Detention Center Employment of- Lanny Herzog, Kassie Callinan

6. ADJOURN

Motion by Schultz, second by Shea, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:40 AM.

Scott Belt, Chairman

ATTEST:

Melvyn Houser, County Auditor

APPROVED: January 7, 2021

PUBLISH: X

January 7, 2021**MET IN REGULAR SESSION**

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

PLEDGE OF ALLEGIANCE**1. CONSENT AGENDA**

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

- A. January 4, 2021, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. CLOSED SESSION

Motion by Wichman, second by Schultz, to go into Closed Session pursuant to Iowa Code 21.5(1)(i) for discussion and/or decision on personnel matters.

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

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

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

Motion by Wichman, second by Schultz, to go into Closed Session pursuant to to Iowa Code 20.17(3), for discussion and/or decision on labor negotiations / collective bargaining matters.

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

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

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

3. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:40 PM.

Scott Belt, Chairman

ATTEST:

Jana Lemrick, Human Resources Director

APPROVED: January 12, 2021

PUBLISH: X

January 12, 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 Schultz, and seconded by Wichman, to approve

- A. January 7, 2021, Minutes as read.
- B. Publication of Claims Allowed for December 2020
- C. Sheriff – Employment for position of Chief Deputy: Jeffrey Theulen.

UNANIMOUS VOTE. Motion carried.

2. SCHEDULED SESSIONS

After discussion was held by the Board, a Motion was made by Schultz, and seconded by Shea, to Award contract 78-CO78-199 to Gus Construction for project BRS-SWAP-CO78(199)—FF-78. UNANIMOUS VOTE. Motion carried.

After discussion was held by the Board, a Motion was made by Wichman to table discussion until February 2, 2021 and died receiving no second. Motion was made by Schultz, and seconded by Shea, to extend the Amended Leave Police During COVID-19 Emergency through January 31, 2021 and revisit the issue on February 2, 2021.

AYES: Belt, Grobe, Schultz, Shea. NAYS: Wichman. Motion carried.

Discussion only. Budget study session was held with Nick Jedlicka of Veterans Affairs, John Rasmussen of Roads, and Bob Anderson, Tiffany Mass, Nina Hoang, Andy Brown, Linda Hensley, and Jeff Thuelen from the Sheriff's office. No action taken.

3. OTHER BUSINESS

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Schultz, to approve Pottawattamie County Treasurer's Semi Annual Report for 7/1/2020 – 12/31/2020. UNANIMOUS VOTE. Motion carried.

4. RECEIVED/FILED

A. Salary Actions:

- 1) Sheriff's Office / Jail – Payroll Status Change of Andrew Brown, Robin Ambrose, Sam Arkfeld.
- 2) SWI Juvenile Detention Center – Payroll Status Change of Stacey Smith, Alex Fuller
- 3) Board of Supervisors - Payroll Status Change of Andrew Moats
- 4) Secondary Roads – Payroll Status Change of Jake Ferro, Johnathon Johnson
- 5) SWI Juvenile Detention Center - Employment for position of Part Time Youth Corrections Worker: Kasie Callinan, Lanny Herzog.

- B. Reports
1) Recorder Fee Book for December 2020

5. CLOSED SESSION

Motion by Wichman, second by Schultz, to go into Closed Session pursuant Iowa Code 20.17(3), for discussion and/or decision on labor negotiations / collective bargaining matters.
Roll Call Vote: AYES: Belt, Wichman, Shea, Schultz, Grobe. Motion Carried.

Motion by Shea, second by Wichman, to go out of Closed Session.
Roll Call Vote: AYES: Belt, Wichman, Shea, Schultz, Grobe. Motion Carried.

6. ADJOURN

Motion by Schultz, second by Shea, to adjourn meeting.
UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 3:50 PM.

Scott Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: January 19, 2021
PUBLISH: X

January 19, 2021

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. January 12, 2021, Minutes as read.
- B. Employee Satisfaction Survey Participation

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Wichman, and seconded by Schultz, to approve and authorize Board to sign **Resolution No.09-2021** as follows:

RESOLUTION NO. 09-2021

**RESOLUTION AWARDING CONTRACT FOR PROJECT NUMBER
BRS-SWAPoCO78(199)—FF-78
IN POTTAWATTAMIE COUNTY, IOWA, AND AUTHORIZING
POTTAWATTAMIE COUNTY ENGINEER TO EXECUTE CONTRACT**

WHEREAS, the Pottawattamie County construction project identified as Project Number BRS-SWAP-CO78(199)—FF-78 (hereinafter “Project”) was let by Iowa DOT on December 17, 2020; and

WHEREAS, the Pottawattamie County Board of Supervisors has determined that Gus Construction Co., Inc. of Casey, Iowa is the responsible bidder submitting the lowest responsive bid (hereinafter “Low Bidder”) for Projects; and;

WHEREAS, the Pottawattamie County Board of Supervisors desires to award the contract for Projects to the above stated Low Bidder; and;

WHEREAS, construction contracts for projects let through the Iowa DOT must be signed digitally utilizing Doc Express; and;

WHEREAS, delegating the digital signature process to the Pottawattamie County Engineer will facilitate Projects by reducing the overall turn-around time for execution of the construction contract.

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

1. The contract for Project Number BRS-SWAP-CO78(199)—FF-78 is awarded to Gus Construction Co., Inc., the Low Bidder.
2. The Pottawattamie County Engineer is authorized to digitally sign the contract documents for the Project.

Dated this 19th day of January, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

RECOMMENDED: _____
John Rasmussen, Engineer

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

Motion by Wichman, and seconded by Schultz, to approve change order CRC 029 – Shaft enclosure between ground and first level. UNANIMOUS VOTE. Motion carried.

Motion by Schultz, and seconded by Shea, to approve Change Order #1. UNANIMOUS VOTE. Motion carried.

Motion was made by Schultz, and seconded by Shea, to approve Change Order #2. UNANIMOUS VOTE. Motion carried.

Discussion only. Budget study session was held with Jason Slack of Buildings and Grounds, Suzanne Watson of Community Services, Cheri Dahlheim from the Medical Examiner, Christine Circo from the Attorney’s office, Marilyn Hebing and Lynn Herrington from the Recorder’s office, Jana Lemrick of Human Resources, and Melvyn Houser, Becky Belt, and Kristi Everett from the Auditor’s office. No action taken.

3. OTHER BUSINESS

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Schultz, to approve allowed/disallowed Homestead Applications (174 allowed, 0 disallowed) Military Credit Applications (15 allowed, 0 disallowed), Disabled Veteran Homestead (4 allowed, 0 disallowed), Business Property Tax Credit Applications (12 allowed, 2 disallowed), and Family Farm (2 allowed, 0 disallowed). UNANIMOUS VOTE. Motion carried.

4. RECEIVED/FILED

A. Salary Actions:

- 1) Sheriff’s Office / Jail – Payroll Status Change of Nolan Darnell, Teddy Gillespie, Vickie Larsen

5. CLOSED SESSION

Motion by Wichman, second by Schultz, to go into Closed Session pursuant Iowa Code 20.17(3), for discussion and/or decision on labor negotiations / collective bargaining matters. Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion carried.

Motion by Wichman, second by Schultz, 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 4:02 P.M.

Scott Belt, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: January 19, 2021
PUBLISH: X

January 26, 2021

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M. All members present with Supervisor Shea appearing at 10:05 A.M. Chairman Belt presiding.

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. January 19, 2021, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Pottawattamie Arts, Culture, Entertainment CEO, Danna Kehm, appeared before the Board to provide an update on the Hoff Family Arts & Culture Center and programming in the county. No action taken.

After discussion by the Board, motion by Wichman, and seconded by Shea, to approve Cost Advisory Services Report for FY2020. UNANIMOUS VOTE. Motion Carried.

Motion by Wichman, and seconded by Schultz, to approve renewal of county property casualty insurance package with ICAP for \$555,576. UNANIMOUS VOTE. Motion Carried.

Discussion only. Budget study session was held with Matt Wyant and Maria Sieck from the Planning Department. Discussion of the Wellness Committee budget was held with Jana Lemrick and Maria Sieck. No action taken. Supervisor Shea left the meeting at 12:39 P.M.

4. RECEIVED/FILED

- A. Salary Actions:

- 1) Treasurer – Payroll Status Change of Heather Ausdemore.

5. ADJOURN

Motion by Wichman, second by Schutz, to adjourn meeting. UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:45 P.M.

Scott Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: February 2, 2021

PUBLISH: X

February 2, 2021

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M. All members present with supervisor Grobe arriving at 9:15 A.M. Chairman Belt presiding.

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. January 26, 2021, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

After discussion was held by the Board, a Motion was made by Schultz, and seconded by Wichman, to allow the Amended Leave Police During COVID-19 Emergency to expire on February 2, 2021 and allowing those employees currently quarantining to remain covered until they return to work. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Shea, to approve job description for Finance & Budget Director. UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, and seconded by Shea, to approve and authorize Board to sign **Resolution No. 10-2021** as follows:

RESOLUTION NO. 10-2021

RESOLUTION DETERMINING THE NECESSITY AND SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED POTTAWATTAMIE COUNTY COURTHOUSE CAMPUS URBAN RENEWAL PLAN FOR A PROPOSED URBAN RENEWAL AREA IN POTTAWATTAMIE COUNTY, STATE OF IOWA

WHEREAS, it is hereby found and determined that one or more blighted areas, as defined in Chapter 403, Code of Iowa, exist within the County and the rehabilitation, conservation, redevelopment, development, or combination thereof, of the area is necessary in the interest of the public health, safety, or welfare of the residents of the County; and

WHEREAS, this Board has reasonable cause to believe that the area described below satisfies the eligibility criteria for designation as an urban renewal area under Iowa law and has caused there to be prepared a proposed Pottawattamie County Courthouse Campus Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Pottawattamie Courthouse Campus Urban Renewal Area ("Area" or "Urban Renewal Area"), which proposed Plan is attached hereto as Exhibit 1 and which is incorporated herein by reference; and

WHEREAS, the purpose of the Plan is to form the Pottawattamie County Courthouse Campus Urban Renewal Area suitable for blight remediation activities and to include a list of proposed projects to be undertaken within the Urban Renewal

Area, and a copy of the Plan has been placed on file for public inspection in the office of the County Auditor; and

WHEREAS, the property proposed to be included in the Urban Renewal Area is legally described in the Plan and this Board has reasonable cause to believe that the Area described in the Plan satisfies the eligibility criteria for designation as an urban renewal area under Iowa law and; and

WHEREAS, the proposed Area is within two miles of the corporate boundaries the City of Council Bluffs, Iowa, and accordingly, the County will enter into a joint agreement with the City of Council Bluffs to allow the County to operate within the proposed Area; and

WHEREAS, it is desirable that the area be redeveloped as part of the overall redevelopment covered by the Plan; and

WHEREAS, the Iowa statutes require the Board of Supervisors to submit the proposed Urban Renewal Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for development of the County as a whole prior to Board approval of such Plan, and further provides that the Planning and Zoning Commission shall submit its written recommendations thereon to this Board within thirty (30) days of its receipt of such proposed Urban Renewal Plan; and

WHEREAS, the Iowa statutes require the Board of Supervisors to notify all affected taxing entities of the consideration being given to the proposed Urban Renewal Plan and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the County shall submit written responses as provided in Section 403.5, Code of Iowa, as amended; and

WHEREAS, the Iowa statutes further require the Board of Supervisors to hold a public hearing on the proposed Urban Renewal Plan subsequent to notice thereof by publication in a newspaper having general circulation within the County, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the Plan and shall outline the general scope of the urban renewal project under consideration, with a copy of the notice also being mailed to each affected taxing entity.

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

Section 1. That the consultation on the proposed Urban Renewal Plan required by Section 403.5(2), Code of Iowa, as amended, shall be held on February 9, 2021, in the Board of Supervisors Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa, at 12:00 P.M., and Chairperson Scott Belt, or his delegate, is hereby appointed to serve as the designated representative of the County for purposes of conducting the consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2), Code of Iowa.

Section 2. That the County Auditor is authorized and directed to cause a notice of such consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1), Code of Iowa, along with a copy of this Resolution

and the proposed Urban Renewal Plan, the notice to be in substantially the following form:

NOTICE OF A CONSULTATION TO BE HELD BETWEEN POTTAWATTAMIE, STATE OF IOWA AND ALL AFFECTED TAXING ENTITIES CONCERNING THE PROPOSED POTTAWATTAMIE COUNTY COURTHOUSE CAMPUS URBAN RENEWAL PLAN FOR POTTAWATTAMIE COUNTY, STATE OF IOWA

Pottawattamie County, State of Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1), Code of Iowa, as amended, commencing at 12:00 P.M. on February 9, 2021, in the Board of Supervisors Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa concerning a proposed Pottawattamie County Courthouse Campus Urban Renewal Plan for a proposed Pottawattamie County Courthouse Campus Urban Renewal Area, a copy of which is attached hereto.

Each affected taxing entity may appoint a representative to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the proposed Urban Renewal Area, the fiscal impact of the division of revenue on the affected taxing entities, the estimated impact on the provision of services by each of the affected taxing entities in the proposed Urban Renewal Area, and the duration of any bond issuance included in the Plan. The Plan does not propose the use of tax increment financing in connection with the urban renewal projects identified in the Plan.

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. Chairperson Scott Belt, or his delegate, as the designated representative of the County, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed Pottawattamie County Courthouse Campus Urban Renewal Plan, addressing any recommendations made by that entity for modification to the proposed division of revenue.

This notice is given by order of the Board of Supervisors of Pottawattamie County, State of Iowa, as provided by Section 403.5, Code of Iowa, as amended.

Dated this _____ day of _____, 2021.

County Auditor, Pottawattamie
County, State of Iowa

(End of Notice)

Section 3. That a public hearing shall be held on the proposed Urban Renewal Plan before the Board of Supervisors at its meeting which commences at 10:00 A.M. on March 2, 2021, in the Board of Supervisors Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa.

Section 4. That the County Auditor is authorized and directed to publish notice of this public hearing in The Daily Nonpareil, The Avoca Journal Herald, and The Oakland Herald, once on a date not less than four (4) nor more than twenty (20) days before the date of the public hearing, and to mail a copy of the notice by ordinary mail to each affected taxing entity, such notice in each case to be in substantially the following form:

(One publication required)

NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL OF A PROPOSED POTTAWATTAMIE COUNTY COURTHOUSE CAMPUS URBAN RENEWAL PLAN FOR A PROPOSED URBAN RENEWAL AREA IN POTTAWATTAMIE COUNTY, STATE OF IOWA

The Board of Supervisors of Pottawattamie County, State of Iowa, will hold a public hearing before itself at its meeting which commences at 10:00 A.M. on March 2, 2021 in the Board of Supervisors Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa, to consider adoption of a proposed Pottawattamie County Courthouse Campus Urban Renewal Plan (the "Plan") concerning a proposed Urban Renewal Area in Pottawattamie, State of Iowa.

Due to public health concerns related to COVID-19, the public may access the meeting in person or electronically, pursuant to Iowa Code Section 21.8, as follows:

Telephone:
(712)328-5848

YouTube:
<https://www.youtube.com/channel/UCeP9ZQIBgMpuSyOprlyMl6g>

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing. Please check the posted agenda in advance of the March 2, 2021 meeting for any updates to the manner in which the public may access the hearing. Please contact the Finance Officer at becky.belt@pottcounty-ia.gov if you have questions about the format of the meeting, or to request a copy of the Plan.

The Pottawattamie County Courthouse Campus Urban Renewal Area is proposed to contain the land legally described as follows:

JEFFERIS SUB LTS 1 THRU 5, 19 & 20 BLK 7 & N1/2 VAC ALLEY ADJ ON S LTS 19 & 20, E1/2 VAC ALLEY ADJ LTS 4 & 5 & ALL VACALLEY ADJ LTS 1 THRU 3 & 5TH AVE ROW ADJ

AND

BAYLISS FIRST ADD LTS 9 & 10 BLK 14 & BAYLISS STRIP LTS B & C & LARIMERS SUB LTS 1 THRU 10 BLK 2 & VAC ALLEYS ADJ INC & 5TH AVE ROW ADJ

Pottawattamie County, State of Iowa is the local public agency which, if such Plan is approved, shall undertake the urban renewal activities described in such Plan.

The general scope of the urban renewal activities under consideration in the Plan is to rehabilitate, conserve and redevelop land, buildings and other improvements within such area through the elimination and containment of conditions of blight so as to improve the community through the establishment of effective land use controls, through use of an effective program of rehabilitation of existing buildings and elimination of those structures which cannot be economically

rehabilitated, with a limited amount of acquisition, clearance, resale and improvement of land for various purposes specified in the Plan. To accomplish the objectives of the Plan, the Plan provides that the County may use special financing tools and may reimburse or directly undertake the installation, construction and reconstruction of substantial public improvements and public buildings. The Plan provides that the County may issue bonds or use available funds for purposes allowed by the Plan. The Plan does not propose the use of tax increment financing in connection with the urban renewal projects identified in the Plan. The Plan initially proposes specific public infrastructure or site improvements to be undertaken by the County, and provides that the Plan may be amended from time to time.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

This notice is given by order of the Board of Supervisors of Pottawattamie County, State of Iowa, as provided by Section 403.5, Code of Iowa.

Dated this _____ day of _____, 2021.

County Auditor, Pottawattamie
County, State of Iowa

(End of Notice)

Section 5. That the proposed Urban Renewal Plan, attached hereto as Exhibit 1, for the proposed Urban Renewal Area described therein is hereby officially declared to be the proposed Urban Renewal Plan referred to in the notices for purposes of such consultation and hearing and that a copy of the Plan shall be placed on file in the office of the County Auditor.

Section 6. That the proposed Urban Renewal Plan be submitted to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for the development of the County as a whole, with such recommendation to be submitted in writing to this Board within thirty (30) days of the date hereof.

PASSED AND APPROVED this 2nd day of February, 2021.

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
_____ Scott 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.

After discussion was held by the Board, a Motion was made by Shea, and seconded by Grobe, to approve setting the date and time for the public hearing on Amendment of the FY 2020-21 Budget for Tuesday, February 23rd, 2021, at 10:00 A.M. UNANIMOUS VOTE. Motion Carried

Discussion only. Budget study session was held with David Bayer of IT and John Rasmussen of Roads. The Board also discussed the Board of Supervisor’s budget. No action taken.

Discussion only. Chris Merck/Carpenter’s Union – PO Box 193 Logan, IA 51546 – appeared before to Board to raise concerns about subcontractors being used in B-Wing renovation. No action taken.

3. OTHER BUSINESS

After discussion was held by the Board, a Motion was made by Shea and seconded by Wichman, to approve assignment to 2021 Representative Meetings as follows:

	<u>Primary:</u>	<u>Secondary:</u>
Advance SW Iowa Corp	Wichman	Shea
Council Bluffs Airport Authority	Belt	Schultz
Conservation Board	Wichman	Shea
E911 Board	Belt	Shea

East Pott Soil and Water Conserv.	Grobe	Belt
EMA Board	Shea	Schultz
Golden Hills RC&D	Grobe	Belt
Hungry Canyons	Grobe	Wichman
Loess Hills Alliance Board	Belt	Grobe
PACE	Schultz	Grobe
712 Initiative	Belt	Schultz
Pott County Trails	Shea	Schultz
Promise Partners	Schultz/Belt	
SW Iowa Juvenile Services	Grobe	Belt
SWIPCO/SWITA	Grobe	
Veteran Affairs	Schultz	Grobe
Public Health	Wichman	Shea
West Central Community Action	Grobe	Shea
West Pott Soil and Water Conserv.	Wichman	Schultz
WIDA	Grobe	Shea
Workforce Investments Board	Belt	Schultz
Pott County Quarterly Dept. Head	Belt	Wichman
Pott County Ops/ Policy Committee	Belt/Wichman	
Pott Tourism	Belt	Shea

UNANIMOUS VOTE. Motion carried.

Discussion only. No action taken. The Board discussed how they would like to proceed with scheduling their annual meeting with the Iowa Farm Bureau.

4. RECEIVED/FILED

A. Salary Actions:

- 1) Auditor – Payroll Status Change of Candy Becerra
- 2) Treasurer – Payroll Status Change of Christina Lingren
- 3) Conservation – Payroll Status Change of Kimberly Wickersham, Jeffrey Franco
- 4) Buildings and Grounds – Payroll Status Change of Roberto Estrada, Matthew Wiese
- 5) Mental Health – Payroll Status Change of Chasity Kephart, Amy Jobe

5. SCHEDULED SESSIONS

The Board of Supervisors held a budget study workshop. Discussion only. No action taken.

6. ADJOURN

Motion by Wichman, second by Shea , to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 3:55 P.M.

Scott Belt, Chairman

ATTEST:

Melvyn Houser, County Auditor

APPROVED: February 9, 2021

PUBLISH: X

February 9, 2021

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. February 2, 2021, Minutes as read.
- B. Publication of Claims allowed for January 2021

UNANIMOUS VOTE. Motion carried.

2. SCHEDULED SESSIONS

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Shea, to approve Change Order 030 – Plaster Above Jail Elevator on the Second Floor.

UNANIMOUS VOTE. Motion carried.

After discussion was held by the Board, a Motion was made by Shea, and seconded by Schultz, to allow David Bayer, CIO, to pursue naming the new shared conference rooms in the B-Wing and return to Board for final approval of names. UNANIMOUS VOTE. Motion carried.

Brittany Whittington and Cortny Garmong from Lockton Companies appeared before the Board to discuss the county wellness program and present their annual aggregate report. Discussion only. No action taken.

Mark Eckman from the Countywide Tourism Promotion Committee came before the Board to discuss and present funding request for FY2021-22. After discussion was held by the Board, a Motion was made by Wichman, and seconded by Schultz, to approve Countywide Tourism Promotion Committee funding request in the amount of \$65,000. UNANIMOUS VOTE. Motion carried.

Antonia Krupicka-Smith, Council Bluffs Public Library Director, appeared before the Board to discuss how county funding of the Council Bluffs Public Library goes to serve the citizens of Pottawattamie County. Discussion only. No action taken.

After discussion was held by the Board, a Motion was made by Schultz, and seconded by Shea, to approve overtime for temporary public health employees working holidays due to COVID-19 response. UNANIMOUS VOTE. Motion carried.

After discussion was held by the Board, a Motion was made by Schultz, and seconded by Wichman, to approve updated job description for Bridge Crew Technician I,II, III. UNANIMOUS VOTE. Motion carried.

Discussion only. Budget study session was held with Bob Anderson, Tiffany Mass, Nina Hoang, Andy Brown, Linda Hensley, and Jeff Theulen from the Sheriff's office. No action taken. At 12:00 P.M. the Board recessed for 2 minutes for Urban Renewal Consultation Meeting with City

of Council Bluffs and Council Bluffs Community School District. None attended. Board resumed regular Board Meeting at 12:02 P.M.

Matt Wyant, Planning Director, appeared before the Board to provide an update on the Governor's new COVID-19 guidelines and restrictions. Discussion only. No action taken.

3. OTHER BUSINESS

Jana Lemrick, Human Resources Director appeared before the Board to discuss how the Board would like to receive Baker Tilly's final report. No formal action taken.

4. RECEIVED/FILED

A. Salary Actions:

- 1) Attorney – Payroll Status Change of Jolene Huerta, Malina Dobson
- 2) Sheriff/Jail – Payroll Status Change of Jennifer Geronimo, Megan Albers, Adam Rutledge

B. Reports

- 1) Recorder Fee Book for January 2021

5. CLOSED SESSION

Motion by Wichman, second by Shea, to go into Closed Session pursuant Iowa Code 20.17(3), for discussion and/or decision on labor negotiations / collective bargaining matters.

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

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

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

6. ADJOURN

Motion by Wichman, second by Schultz, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 2:45 P.M.

Scott Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: February 16, 2021

PUBLISH: X

February 16, 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 seconded by Schultz, to approve:

- A. February 9, 2021, Minutes as read.
- B. Jail – Employment for position of Detention Officer: James Taylor.
- C. Sheriff's Office/Communications – Employment of Joshua Derrington.
- D. Renewal of Class C Liquor License (LC) (Commercial), granting privileges of Class C Liquor License (LC) Commercial/Outdoor Service/Sunday Sales for Stress Free LLC d/b/a Bent Tree Golf Course, Council Bluffs.
- E. Renewal of Class C Liquor License (LC) (Commercial), granting privileges of Class C Liquor License (LC) Commercial/Outdoor Service/Sunday Sales for NW Pottawattamie County Golf d/b/a Quail Run Country Club, Neola.
- F. Renewal of Class C Liquor License (LC) (Commercial), granting privileges of Class C Liquor License (LC) Commercial/ Sunday Sales for Palace Event Center, LLC, Treynor.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Schultz, to approve Change Order #3. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Schultz, and seconded by Shea, to approve CRC 031 – Alternate Clean Agent Fire System. UNANIMOUS VOTE. Motion Carried.

Paula Hazlewood, Executive Director and Shalimar Mazetis, Manager of Rural Development for Advance Southwest Iowa appeared before the Board to present their 2020 EOY Update and 2021 YTD Activity Report. Discussion only. No action taken.

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Shea, to approve funding request for county libraries in the amount of \$329,600. UNANIMOUS VOTE. Motion Carried.

Matt Wyant, Planning Director and Pam Kalstrup, Acting Director appeared before the board to provide an update on the 2019 Flood Event. Discussion only. No action taken.

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Schultz, to approve reappointments of Anne Christensen and John Reynolds to Magistrate Appointing Commission. UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Motion by Schultz, seconded by Shea, to approve and authorize Board to sign Resolution No. 11-2021 entitled: Resolution for Transfer from County Case Management Fund to General Basic Fund. Said resolution is laid out as follows:

RESOLUTION NO. 11-2021

RESOLUTION Transfer from County Case Management Fund to General Basic Fund

WHEREAS, it is desired to transfer money from County Case Management Fund to General Basic Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa; and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$771,795.94 is ordered to be transferred from County Case Management Fund to General Basic Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

Dated this 16th day of February, 2020.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

AYES: Belt, Wichman, Grobe, Schultz, Shea

After discussion was held by the Board, a Motion was made by Shea, and seconded by Schultz, to approve Educational Reimbursement Request from Corey Little/Detention Officer. UNANIMOUS VOTE. Motion Carried.

Discussion was held on the need to find individuals to fill a vacancy on the Magistrate Appointing Commission. Discussion only. No action taken.

Discussion was held by the Board on sharing agendas, minutes and other information from the Board's representative appointment meetings via a shared Dropbox. Discussion only. No action

taken.

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Shea, to approve allowed/disallowed Homestead Applications (46 allowed, 0 disallowed) Military Credit Applications (7 allowed, 0 disallowed), Disabled Veteran Homestead (1 allowed, 0 disallowed), Business Property Tax Credit Applications (13 allowed, 3 disallowed), and Family Farm (3 allowed, 0 disallowed).

UNANIMOUS VOTE. Motion Carried.

4. CLOSED SESSION

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

AYES: Belt, Wichman, Grobe, Schultz, Shea

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

AYES: Belt, Wichman, Grobe, Schultz, Shea

Motion was made by Schultz, and seconded by Grobe to set aside the agenda for emergency action. UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, and seconded by Shea to set Max Levy Public Hearing date for March 9th, 2021 at 10:00 A.M.

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

AYES: Belt, Wichman, Grobe, Schultz, Shea

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

AYES: Belt, Wichman, Grobe, Schultz, Shea

Motion by Wichman, second by Schultz, to go into Closed Session pursuant Iowa Code 20.17(3) for discussion and/or decision on labor negotiations / collective bargaining matters.

AYES: Belt, Wichman, Grobe, Schultz, Shea

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

AYES: Belt, Wichman, Grobe, Schultz, Shea

5. RECEIVED/FILED

A. Salary Actions:

- 1) Secondary Roads – Payroll Status Change for Matt White
- 2) Jail – Payroll Status Change for Trevor Ceder, Riley Jones, Dustin Ceder, Rod Oliver, Jon Poore
- 3) Auditor – Payroll Status Change for Becky Lenihan, Rebecca Belt as amended

- 4) Juvenile Detention – Employment of Caroline Espino for position of Part-Time Youth Corrections Worker

6. SCHEDULED SESSIONS

The Board held a budget workshop. Discussion only. No action taken.

7. ADJOURN

Motion by Grobe, second by Shea, to adjourn meeting. UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 4:25 P.M.

Scott Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: February 23, 2021

PUBLISH: X

February 23, 2021

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M. Chairman Pro-Tem Wichman presiding. Chairman Belt attending via phone.

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. February 16, 2021, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Schultz, second by Shea, to open public hearing on Ordinance No. 2021-01, AN ORDINANCE to amend Chapter 8 of the Pottawattamie County, Iowa Zoning Ordinance, by adding a provision that temporary roadside fireworks stands and Christmas tree lots are a principal use in the class I-1 (General Industrial) District.

Roll Call Vote: AYES: Belt, Wichman, Grobe Schultz, Shea

Motion by Schultz, second by Shea, to close public hearing.

Roll Call Vote: AYES: Belt, Wichman, Grobe Schultz, Shea

Motion by Shea, second by Schultz to approve First Consideration of **Ordinance No. 2021-01** and to set second consideration for Tuesday, March 2nd, 2021 at 10:00 A.M. UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to open public hearing on Pottawattamie County's amendment to current county budget for fiscal year 2020-21.

Roll Call Vote: AYES: Belt, Wichman, Grobe Schultz, Shea

Motion by Schultz, second by Shea, to close public hearing.

Roll Call Vote: AYES: Belt, Wichman, Grobe Schultz, Shea

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 12-2021**, a Resolution to Approve Pottawattamie County's amendment to current county budget for fiscal year 2020-21. Said Resolution is set out as follows:

RESOLUTION NO. 12-20201

WHEREAS, there were necessary expenses incurred in some county departments, causing the budget of that department to exceed 100% of costs; and

WHEREAS, the Board of Supervisors desires to allow those expenditures, and no tax increase will occur due to these expenditures; and

WHEREAS, the public had due notice of the Budget Amendment Hearing, and at the hearing, due time was allowed for objections to any and all portions of the amended budget.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Pottawattamie County, hereby amends the Fiscal Year 2020/21 budget.

Dated this 23rd day of February, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

Roll Call Vote: AYES: Belt, Wichman, Grobe Schultz, Shea

After discussion was held by the Board, a Motion was made by Schultz, and seconded by Shea, to approve CRC 034 – Boiler Room FS and HVAC Clash. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Shea, and seconded by Schultz, to approve CRC 040 – Garage Sally Port Exterior Window Security. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Schultz, and seconded by Shea, to approve Parallel Technologies Quote for 24 user licenses. UNANIMOUS VOTE. Motion Carried.

Suzan Erem, Executive Director of Sustainable Iowa Land Trust (SILT) appeared before the Board to give a presentation on how the organization operates and on their new book “An Iowa Landowners Guide to Sustainable Food Crops.” Discussion only. No action taken.

The Board held a budget review session to go over final budget numbers for the FY21-22 budget. Jeff Theulen from the Sheriff’s office; Lynn Herrington, Marilyn Hebing from the Recorder’s office; Lea Voss from the Treasurer’s office; Matt Wyant and Maria Sieck from Planning and Development/Public Health; John Rasmussen from Roads; Nick Jedlicka from Veteran Affairs; Jason Slack from Buildings and Grounds; David Bayer from IT/GIS; Melvyn Houser from the Auditor’s office; Jana Lemrick from Human Resources; and Suzanne Watson from Community Services all appeared before the Board to discuss their budgets. The Board also discussed their own budget. Discussion only. No action taken.

3. OTHER BUSINESS

After discussion was held by the Board, a Motion was made by Schultz, and seconded by Shea to accept and approve Human Resources Memo approving: paying Department Heads straight pay when working at the mass vaccination clinic, paying back-pay at straight pay to Department Heads who have previously worked at the mass vaccination clinic; out of class pay for VA Director and Safety Coordinator ,pay grade 532 and out of class back pay; for Department Heads

who are working COVID response, changing when they receive straight pay for hours worked from over 45 in a week, to over 40 hours worked a week; approval of back-pay of 5 hours per week for those mentioned in previous statement; and one time payout of 100 vacation hours for Planning Director and Public Health Administrator. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Schultz, and seconded by Shea, to approve change to Employee Handbook policy #608, Inclement Weather/Emergency Courthouse Closing; In the event of an emergency closing, the Board of Supervisors Chairman will notify the Executive Assistant to the Board of Supervisors who will alert all employees through the County e-mail system. Notification of closing will also be announced as early as possible through the media. UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Actions:

- 1) Sheriff – Payroll Status change of Steve Maguire
- 2) Medical Examiner – Payroll status change of Cheri Dahlheim

5. CLOSED SESSION

Motion by Grobe, second by Shea, to go into Closed Session pursuant Iowa Code 20.17(3) for discussion and/or decision on labor negotiations / collective bargaining matters.

Roll Call Vote: AYES: Belt, Wichman, Grobe Schultz, Shea

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

Roll Call Vote: AYES: Belt, Wichman, Grobe Schultz, Shea

7. ADJOURN

Motion by Shea, second by Grobe, to adjourn meeting.
UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 3:20 P.M.

Tim Wichman, Chairman Pro -Tem

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: March 2, 2021

PUBLISH: X

March 2, 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 Shea, and seconded by Schultz, to approve:

- A. February 23, 2021, Minutes as read.
- B. Publication of Pottawattamie County Salary Listing for 2020

UNANIMOUS VOTE. Motion Carried

2. SCHEDULED SESSIONS

After Discussion was held by the Board, a motion was made by Shea, and seconded by Grobe, to approve second consideration of **Ordinance No. 2021-01**, AN ORDINANCE to amend Chapter 8 of the Pottawattamie County, Iowa Zoning Ordinance, by adding a provision that temporary roadside fireworks stands and Christmas Tree lots are a principle use in the class I-1 (General Industrial) District; and to adopt **Ordinance No. 2021-01** into law. Said ordinance is laid out as follows:

**POTTAWATTAMIE COUNTY, IOWA
ORDINANCE NO. 2021-01**

AN ORDINANCE to amend Chapter 8, of Pottawattamie County, Iowa Zoning Ordinance, by adding provisions that Temporary roadside fireworks stands and Christmas tree lots, when approved by the Development Director for a specified time period, after which they shall be disassembled and removed at the end of the authorized period each year are a principal use in the I-1 District.

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

SECTION 1 - 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 8.055.020.20 T., Principal Use in the I-1 (General Industrial) District:

- 8.055.020.20 PRINCIPAL USES: The following principal uses shall be permitted in a Class I-1 District:
- I. Temporary roadside fireworks stands and Christmas tree lots, when approved by the Development Director for a specified time period, after which they shall be disassembled and removed at the end of the authorized period each year.

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

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

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

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

Discussion was held with Mat Wyant/Planning Director, Pam Kalstrup/Acting Planning Director, Mark Hanwright, and Jason James on rural development. Discussion only. No action taken.

Motion by Schultz, second by Shea, to open public hearing on Pottawattamie County Courthouse Campus Urban Renewal Plan.

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

Motion by Shea, second by Schultz, to close public hearing.

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

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 13-2021** entitled: Resolution determining an area of the County to be an economic development and blighted area, and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the County; designating such area as appropriate for urban renewal projects; and adopting the Pottawattamie County Courthouse Campus Urban Renewal Plan.

Resolution No. 13-2021

**RESOLUTION DETERMINING AN AREA OF THE COUNTY TO
BE AN ECONOMIC DEVELOPMENT AND BLIGHTED AREA,
AND THAT THE REHABILITATION, CONSERVATION,
REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION
THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST
OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE
RESIDENTS OF THE COUNTY; DESIGNATING SUCH AREA
AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND
ADOPTING THE POTTAWATTAMIE COUNTY COURTHOUSE
CAMPUS URBAN RENEWAL PLAN**

WHEREAS, this Board has reasonable cause to believe that the area described below satisfies the eligibility criteria for designation as an urban renewal area under Iowa law; and

WHEREAS, a proposed Pottawattamie County Courthouse Campus Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Pottawattamie County Courthouse Campus Urban Renewal Area ("Area" or "Urban Renewal Area") described below has been prepared, which proposed Plan has been on file in the office of the County Auditor, and which proposed Plan is attached hereto as Exhibit 1 and which is incorporated herein by reference; and

WHEREAS, the purpose of the Plan is to form the Pottawattamie County Courthouse Campus Urban Renewal Area suitable for blight remediation activities and to include a list of proposed projects to be undertaken within the Urban Renewal Area, and a copy of the Plan has been placed on file for public inspection in the office of the County Auditor; and

WHEREAS, the property proposed to be included in the Urban Renewal Area is legally described in the Plan and this Board has reasonable cause to believe that the Area described in the Plan satisfies the eligibility criteria for designation as an urban renewal area under Iowa law; and

WHEREAS, the proposed Area is within two miles of the corporate boundaries the City of Council Bluffs, Iowa, and accordingly, the County has received the consent of the City of Council Bluffs in the form of a joint agreement to allow the County to operate within the proposed Area, which agreement is hereby approved in all respects and incorporated herein by this reference; and

WHEREAS, it is desirable that the Urban Renewal Area be redeveloped as described in the proposed Urban Renewal Plan to be known hereafter as the "Pottawattamie County Courthouse Campus Urban Renewal Plan"; and

WHEREAS, the Iowa statutes require the Board of Supervisors to submit the proposed Urban Renewal Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for development of the County as a whole, prior to Board of Supervisors approval thereof; and

WHEREAS, creation of the Urban Renewal Area and adoption of the Urban Renewal Plan therefore has been approved by the Planning and Zoning Commission for the County as being in conformity

with the general plan for development of the County as a whole, as evidenced by its written report and recommendation filed herewith, which report and recommendation is hereby accepted, approved in all respects and incorporated herein by this reference; and

WHEREAS, by resolution adopted on February 2, 2021, this Board directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Urban Renewal Plan and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Urban Renewal Plan be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the Board of Supervisors and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of Chairperson Scott Belt, or his delegate, filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by resolution this Board also set a public hearing on the adoption of the proposed Urban Renewal Plan for this meeting of the Board, and due and proper notice of the public hearing was given, as provided by law, by timely publication in The Daily Nonpareil, The Avoca Journal Herald, and The Oakland Herald, which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Urban Renewal Plan, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Board in connection therewith and the public hearing has been closed.

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

Section 1. That the findings and conclusions set forth or contained in the proposed "Pottawattamie County Courthouse Campus Urban Renewal Plan" for the area of Pottawattamie County, State of Iowa, legally described and depicted in the Plan and incorporated herein by reference (which area shall hereinafter be known as the "Pottawattamie Courthouse Campus Urban Renewal Area"), be and the same are hereby adopted and approved as the findings of this Board for this area.

Section 2. This Board further finds:

- a) Although relocation is not expected, a feasible method exists for the relocation of any families who will be displaced from the Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;
- b) The Urban Renewal Plan conforms to the general plan for the development of the County as a whole; and
- c) Acquisition of additional land within the Urban Renewal Area by the County is not immediately expected, because the County already owns the land within the Urban Renewal Area.

Section 3. That the Urban Renewal Area is an economic development and blighted area within the meaning of Chapter 403, Code of Iowa; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403, Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this County.

Section 4. That the Urban Renewal Plan, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as the "Pottawattamie County Courthouse Campus Urban Renewal Plan for the Pottawattamie Courthouse Campus Urban Renewal Area"; the Urban Renewal Plan for such area is hereby in all respects approved; the Chairperson and County Auditor are authorized to execute the Joint City-County Agreement; and the County Auditor is hereby directed to file a certified copy of the Urban Renewal Plan with the proceedings of this meeting.

Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, the original Urban Renewal Plan shall be in full force and effect from the date of this Resolution until the Board amends or repeals the Plan. Said Urban Renewal Plan shall be forthwith certified by the County Auditor, along with a copy of this Resolution, to the Recorder for Pottawattamie County, Iowa, to be filed and recorded in the manner provided by law.

PASSED AND APPROVED this 2nd day of March, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott 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.

After discussion was held by the Board, a Motion was made by Schultz, and seconded by Shea to approve and authorize Board to sign **Resolution No. 14-2021** entitled: Resolution Fixing Date for A Meeting on The Proposition of The Issuance of Not to Exceed \$16,900,000 General Obligation Urban Renewal Bonds of Pottawattamie County, State of Iowa (For Essential County Purposes), And Providing for Publication of Notice Thereof.

Resolution No. 14 - 2021

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED \$16,900,000 GENERAL OBLIGATION URBAN RENEWAL BONDS OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, by Resolution No. 13, adopted March 2, 2021, this Board found and determined that certain areas located within the County are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Pottawattamie County Courthouse Campus Urban Renewal Plan (the "Plan") for the Pottawattamie County Courthouse Campus Urban Renewal Area (the "Area" or "Urban Renewal Area"), which Plan is or will be on file in the office of the Recorder of Pottawattamie County, Iowa; and

WHEREAS, it is deemed necessary and advisable that Pottawattamie County, State of Iowa, should issue General Obligation Urban Renewal Bonds, to the amount of not to exceed \$16,900,000, as authorized by Sections 331.443 and 403.12, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential county urban renewal purpose project(s) as hereinafter described; and

WHEREAS, before bonds may be issued, it is necessary to comply with the procedural requirements of Chapters 331 and 403 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. **PASSED AND APPROVED** this 2nd day of March, 2021.

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 A.M., on the 16th day of March, 2021, for the purpose of taking action on the matter of the issuance of not to exceed \$16,900,000 General Obligation Urban Renewal Bonds, for essential county purposes, the proceeds of which bonds will be used to provide funds to pay the costs of aiding in the planning, undertaking, and carrying out of urban renewal projects under the authority of Chapter 403.

Section 2. 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 ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Bonds.

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

(To be published on or before: March 6, 2021)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED ISSUANCE OF NOT TO EXCEED \$16,900,000 GENERAL OBLIGATION URBAN RENEWAL BONDS 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 16th day of March, 2021, at 10:00 A.M., 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 \$16,900,000 General Obligation Urban Renewal Bonds, for essential county purposes, to provide funds to pay the costs of aiding in the planning, undertaking, and carrying out of urban renewal projects under the authority of Chapter 403.

At any time before the date of the meeting, a petition, asking that the question of issuing such Bonds be submitted to the legal voters of the County, may be filed with the Auditor of the County in the manner provided by Section 331.306 of the Code of Iowa, pursuant to the provisions of Sections 331.441(2)(b)(14), 331.443 and 403.12 of the Code of Iowa.

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 issuance of the Bonds or will abandon the proposal to issue said Bonds.

This notice is given by order of the Board of Supervisors of Pottawattamie County, State of Iowa, as provided by Chapters 331 and 403 of the Code of Iowa.

Dated this 2nd day of March, 2021.

County Auditor, Pottawattamie County,
State of Iowa

(End of Notice)

PASSED AND APPROVED this 2nd day of March, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott Belt, Chairman	○	○	○	○

_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tim Wichman				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lynn Grobe				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Justin Schultz				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Brian Shea				

ATTEST: _____
 Melvyn Houser, County Auditor

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

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Schultz, to approve and authorize Board to sign **Resolution No. 15-2021. Resolution No. 15-2021** is laid out as follows:

Resolution No. 15 - 2021

WHEREAS, functional classification is the process by which streets and highways are grouped into classes according to the character of service they are intended to provide; and

WHEREAS, Pottawattamie County periodically reviews the system of streets and highways for appropriate changes to classification of the various segments of the system; and

WHEREAS, a recent review of the system has revealed the need for a change to the federal functional classification of road segments due to added paved routes within the City of Council Bluffs and the reconfiguration of roadways along the city limits; and

WHEREAS, the Omaha-Council Bluffs Metropolitan Area Planning Agency (MAPA) is the designated Metropolitan Planning Organization (MPO) for the Omaha-Council Bluffs Transportation Management Area (TMA); and

WHEREAS, the identified road segment is within both the county and the MAPA TMA, and

WHEREAS, MAPA has concurred with this change in MAPA Resolution 2021-25.

NOW, THEREFORE, BE IT RESOLVED that Pottawattamie County hereby requests the Iowa Department of Transportation to request the Federal Highway Administration to make the following changes in federal functional classification:

CHANGES TO FEDERAL FUNCTIONAL CLASSIFICATION SYSTEM

Cedar Ln from Proposed Steven Rd to West Urban Area boundary for a distance of 0.18 miles from **Rural Local to Rural Major Collector**

PASSED AND APPROVED this 2nd day of March, 2021.

ROLL CALL VOTE

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

Lynn Grobe

Justin Schultz

Brian Shea

○	○	○	○
○	○	○	○

ATTEST: _____
Melvyn Houser, County Auditor

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

After discussion was held by the Board, a Motion was made by Grobe, and seconded by Shea, to reappoint Bernie Bolton to the Loess Hills Development and Conservation Authority for a term of two years. UNANIMOUS VOTE. Motion Carried

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Schultz, to approve and authorize Chairman to sign Farm Lease with Craig Hotze, for property legally described as: GROVE TWP 17-74-39 PT SE SE & 20-74-39 PT NE NE Comm 138.85' SE COR SEC 17 TH SW 669.08' N283.91' W 364.92' S307.35' SW276.37' SE 270.43' SW442.07' N 1934.4' E1327.46' S818.15' TO POB (INCLUDES PARCEL A SE SE PARCELS B & C NE NE) commonly referred to as Wheeler Grove Conservation Area. UNANIMOUS VOTE. Motion Carried

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Schultz to approve and authorize Chairman to sign Farm Lease with Craig Hotze, for property legally described as: Tract #1, The North Half of the Northeast Quarter (N ½ NE ¼) and the North Half of the Northwest Quarter (N ½ NW ¼) of the Section 14, Township 74 North, Range 39, West of the 5th P.M.; and Tract #2, the South Half of the Southeast Quarter (S ½ SE ¼) of Section 11, Township 74, Range 39, West of the 5th P.M. UNANIMOUS VOTE. Motion Carried

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Schultz to approve and authorize Chairman to sign Farm Lease with Joe Respeliars, for property legally described as: A Parcel of Land being a portion of Government Lot 7 in the South Half of the Northeast Quarter, A Portion of the Southeast Quarter, and a portion of Government Lot 6 in the Northwest Quarter of the Southeast Quarter, all in Section 23 Township 75 North, Range 44 West of the 5th Principal Meridian, City of Council Bluffs, Pottawattamie County, Iowa. UNANIMOUS VOTE. Motion Carried

3. RECEIVED/FILED

A. Salary Actions:

- 1) Communications – Payroll status change of Alicia Cotton
- 2) Public Health – Payroll status change of Melissa Castro

4. CLOSED SESSION

Motion by Wichman, second by Shea, to go into Closed Session pursuant Iowa Code 20.17(3) for discussion and/or decision on labor negotiations / collective bargaining matters.

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

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

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

5. SCHEDULED SESSIONS

Becky Lenihan/Assistant Finance Officer, Auditor's Office appeared before the board for a discussion on the FY 21/22 budget. Discussion only. No action taken.

6. ADJOURN

Motion by Shea, second by Schultz, to adjourn meeting.
UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 2:40 P.M.

Scott Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: March 9, 2021

PUBLISH: X

March 9, 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 Schultz, and seconded by Grobe, to approve:

- A. March 2, 2021, Minutes as read.
- B. Publication of Claims allowed for February 2021

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Shea, second by Schultz, to open public hearing on Maximum Property Tax Levy for Fiscal Year Ending June 30, 2022.

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

Motion by Shea, second by Schultz, to close public hearing.

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

Motion by Schultz, second by Grobe, to approve and authorize Board to sign Resolution No. 16-2021 entitled: A Resolution Approving Pottawattamie County's Property Tax Levy for Fiscal Year Ending June 30, 2022.

RESOLUTION NO. 16-2021

A Resolution Approving Pottawattamie County's Property Tax Levy for Fiscal Year Ending June 30, 2022

WHEREAS, the Pottawattamie County Board of Supervisors have considered the proposed fiscal year ending June 30, 2022 County maximum property tax dollars for the affected levy total; and

WHEREAS, a notice concerning the proposed County maximum property tax dollars was published as required and posted on the Pottawattamie County web site and social media accounts, where applicable; and

WHEREAS, a public hearing concerning the proposed Pottawattamie County maximum property tax dollars was held on March 9, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Pottawattamie County Board of Supervisors that the maximum property tax dollars for the affected tax levies for fiscal year ending June 30, 2022, shall not exceed the following total:

Total maximum levy for affected property tax levies for General Services \$38,925,501; and for Rural Services \$6,354,158.

The maximum property tax dollars requested in the total maximum levy for the affected property tax levies for fiscal year ending June 30, 2022, does represent greater than 102% of the maximum property tax dollars requested for current fiscal year ending June 30, 2021.

Dated this 9th day of March, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

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

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Schultz, to approve CO #4; Contract Update. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Schultz, to deny CRC 039 – Add Ground Floor Conduit (in preparation for addition) based on recommendation from Buildings & Grounds Director Jason Slack. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Wichman and seconded by Schultz, to approve CRC 044 – Boiler Room Kill Switch Relocation. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Schultz, to approve CRC 045 – Remove Painting of Ground Floor Ceiling. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Schultz, and seconded by Shea, to approve CRC 046 – Control Room Changes. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Shea, and seconded by Schultz, to approve CRC 047 – Door 034 Changes (jail pipe chase). UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Schultz, and seconded by Shea, to approve CRC 026R – 2 Hour Ceiling @ Hall 040. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Shea, and seconded by Grobe, to approve Change Order from Parallel Technologies for 2 exterior cameras at the annex building. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Grobe to approve Right of Way purchase contract with Keith A and Mark W Bentley for project STBG-SWAP-CO78(204)-FG-78. UNANIMOUS VOTE. Motion Carried.

Discussion was held with Matt Wyant/ Planning Director, Pam Kalstrup/Acting Director, Mark Hughes and Jim Hughes on potential rural development. Discussion only. No action taken.

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Shea, to approve funding request from Southwest Iowa Planning Council (SWIPCO) for FY 21/22 for the amount of \$11,716.90. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Shea, to approve funding request from Southwest Iowa Transit Agency (SWITA) for FY 21/22 for the amount of \$6,000. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Shea to approve funding request from Hungry Canyons Alliance for FY 21/22 for the amount of \$4,500. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Shea, and seconded by Wichman, to set date and time for FY 22 at Tuesday, March 30th at 10:00 A.M. UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Motion made by Schultz, seconded by Wichman, to approve Educational Reimbursement Request from Megan Leggett. UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Actions:

- 1) EMA – Payroll Status Change of Michell Bose and Travis Hitchcock
- 2) Community Services – Payroll Status Change of Chasity Kephart
- 3) Communications – Payroll Status Change of Joshua Derrington
- 4) Jail – Payroll Status Change of Lewis Davids

B. Reports

- 1) Recorder's Fee Book for February 2021
- 2) Iowa Department of Natural Resources Public Notice – Bunge North America

5. CLOSED SESSION

Motion by Schultz, second by Shea, to go into Closed Session pursuant Iowa Code 21.5(1)(i) for discussion and/or decision on personnel matters.

Roll Call Vote: AYES: Belt, Grobe, Schultz, Shea NAYS: Wichman. 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 Shea, second by Grobe, to adjourn meeting.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:25 A.M.

Scott Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: March 16, 2021

PUBLISH: X

March 16, 2021

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:10 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 seconded by Shea, to approve:

- A. March 9, 2021, Minutes as read.
- B. Renewal of C Native Wine (WCN), granting privileges of Class C Native Wine (WCN)/Outdoor Service/Sunday Sales for Prairie Crossing Vineyard and Winery d/b/a Prairie Crossing Vineyard and Winery, Treynor.
- C. Human Resources – Employment of Heather Shafer for Position of Human Resources Assistant.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Wichman, second by Schultz, to open public hearing on General Obligation Urban Renewal Bonds Not to Exceed \$16,900,000.

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea

Motion by Wichman, second by Schultz, to close public hearing.

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea

Motion by Schultz, second by Wichman, to approve and authorize Board to sign Resolution No. 17-2021 entitled: RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$16,900,000 GENERAL OBLIGATION URBAN RENEWAL BONDS.

RESOLUTION NO. 17-2021

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$16,900,000 GENERAL OBLIGATION URBAN RENEWAL BONDS

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of not to exceed \$16,900,000 General Obligation Urban Renewal Bonds, for the essential county purposes, in order to provide funds to pay the costs of aiding in the planning, undertaking, and carrying out of urban renewal projects under the authority of Chapter 403, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Bonds; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by

law of not to exceed \$16,900,000 General Obligation Urban Renewal Bonds, for the foregoing essential county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Bonds. The amounts so advanced shall be reimbursed from the proceeds of the Bonds not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

PASSED and APPROVED this 16th day of March, 2021

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
_____ Scott 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 by Schultz, second by Shea, to approve and authorize Board to sign Resolution No. 18-2021 entitled: RESOLUTION AUTHORIZING THE ISSUANCE OF \$16,900,000 GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2021, AND LEVYING A TAX FOR THE PAYMENT THEREOF.

RESOLUTION NO. 18-2021

RESOLUTION AUTHORIZING THE ISSUANCE OF \$16,900,000 GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2021, AND LEVYING A TAX FOR THE PAYMENT THEREOF

WHEREAS, Pottawattamie County, State of Iowa ("Issuer"), is a political subdivision, organized and existing under the Constitution and laws of the State of Iowa, and is not affected by any special legislation; and

WHEREAS, the Issuer is in need of funds to pay costs of aiding in the planning, undertaking, and carrying out of urban renewal projects under the authority of Chapter 403 (the "Project"), and it is deemed necessary and advisable that General Obligation Urban Renewal Bonds, Series 2021, in the amount of \$16,900,000 be issued; and

WHEREAS, the Board of Supervisors has taken such acts as are necessary to authorize issuance of the Bonds.

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

Section 1. Authorization of the Issuance. General Obligation Urban Renewal Bonds, Series 2021, in the amount of \$16,900,000 shall be issued pursuant to the provisions of Iowa Code Sections 331.443 and 403.12 for the purposes covered by the hearing.

Section 2. Levy of Annual Tax. For the purpose of providing funds to pay the principal and interest as required under Chapter 76, there is levied for each future year the following direct annual tax upon all the taxable property in Pottawattamie County, State of Iowa, to wit:

<u>AMOUNT</u>	<u>FISCAL YEAR (JULY 1 TO JUNE 30)</u> <u>YEAR OF COLLECTION</u>
\$1,102,425	2021/2022
\$943,675	2022/2023
\$1,116,425	2023/2024
\$1,172,375	2024/2025
\$1,032,675	2025/2026
\$1,034,275	2026/2027
\$1,030,775	2027/2028
\$1,030,088	2028/2029
\$1,034,275	2029/2030
\$1,033,275	2030/2031
\$922,150	2031/2032
\$925,300	2032/2033
\$923,225	2033/2034
\$911,000	2034/2035
\$898,775	2035/2036
\$886,550	2036/2037
\$874,325	2037/2038
\$895,062	2038/2039
\$890,188	2039/2040
\$880,137	2040/2041

Principal and interest coming due at any time when the proceeds of the tax on hand are insufficient to pay the amount due shall be promptly paid when due from current funds available for that purpose and reimbursement must be made.

Section 3. Amendment of Levy of Annual Tax. Based upon the terms of the future sale of the Bonds to be issued, this Board will file an amendment to this Resolution ("Amended Resolution") with the County Auditor.

Section 4. Filing. A certified copy of this Resolution shall be filed with the County Auditor of County of Pottawattamie, State of Iowa, who shall, pursuant to Iowa Code Section 76.2, levy, assess and collect the tax in the same manner as other taxes and, when collected, these taxes shall be used only for the purpose of paying principal and interest on the Bonds.

PASSED and APPROVED this 16th day of March, 2021

ROLL CALL VOTE

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

Brian Shea

ATTEST: _____
Melvyn Houser, County Auditor

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea

Sheriff Andy Brown appeared before the Board to present a letter and coin to Kenny Wilcox from Secondary Roads for his actions on March 1st, 2021 when he discovered a woman that had fallen between houses and needed medical attention. His actions were above and beyond his job. No action taken.

After discussion was held by the Board, a Motion was made by Shea, and seconded by Grobe to approve CRC 41R2 – Leak Detection System in 911 Call Center.
UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Schultz, and seconded by Shea, to approve CRC 049 – Door 018 Hardware Changes (Comm. Center).
UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Schultz, and seconded by Shea, to approve CRC 050 – Lobby 019 Ceiling.
UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Shea, to approve CRC 051 – Waste Line Repairs not to exceed \$72,350.98.
UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Schultz, to approve release of Courthouse Addition to bid on 3/17/21 and to open bids at 10:00 A.M. on April 20, 2021.
UNANIMOUS VOTE. Motion Carried.

Craig Wilson appeared before the Board to discuss the maintenance of Woodland Trail and Dumfries Avenue. Discussion only. No action taken.

Motion made by Wichman, seconded by Schultz, to approve and authorize chairman to sign Construction Contract – Pottawattamie County CDBG-DTR Award No. 18-DTR-004 Carson and Macedonia Downtown Façade Rehabilitation. UNANIMOUS VOTE. Motion Carried.

Doug Reed/Director, EMA appeared before the Board to discuss Resolution No. 19-2021 entitles: COUNTY OF POTTAWATTAMIE RESOLUTION TO ADOPT THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) AND POTTAWATTAMIE COUNTY NIMS IMPLEMENTATION PLAN. After discussion, a motion was made by Schultz, seconded by Wichman, to postpone the resolution until after the County Policy Committee has reviewed and made a recommendation on the resolution. UNANIMOUS VOTE. Motion Carried.

Matt Wyant/Planning and Zoning Director, Pam Kalstrup/Acting Director, Nicholas Gaul/Rural Water, Peter Baudhuin/DGR Engineering appeared before the Board to discuss possible Rural Water extension to potential Pioneer Trail housing developments. Discussion only. No action taken.

3. RECEIVED/FILED

A. Salary Actions:

- 1) Secondary Roads – Payroll Status Change of Brody Darrington, Wylie McIntire, Todd Runge
- 2) Jail – Payroll Status Change of Todd Schlines, Cassandra Green, Valerie Garrean, Trish Jones, Jamie Mass
- 3) Sheriff – Payroll Status Change of Brian Loomis, Jonathan Hilz

4. CLOSED SESSION

Motion by Wichman, second by Schultz, to go into Closed Session pursuant Iowa Code 20.17(3) for discussion and/or decision on labor negotiations / collective bargaining matters.

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea

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

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea

5. ADJOURN

Motion by Shea, second by Schultz, to adjourn meeting.
UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:00 P.M.

Scott Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: March 23, 2021

PUBLISH: X

March 23, 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 Wichman and seconded by Shea to approve:

A. March 16, 2021, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Wichman, seconded by Shea, to approve appointment of Susan Lorkovic to the Board of Health for a term of 3 years. UNANIMOUS VOTE. Motion Carried.

After Discussion was held by the Board, a motion by Schultz, second by Shea to approve first consideration of **Ordinance No. 2021-03** entitled: An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Pottawattamie County Industrial Park Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa; and to set Second Consideration for March 30th at 10:00 A.M..

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

Motion by Schultz, second by Wichman, to approve and authorize Board to sign **Resolution No. 20-2021** entitled: RESOLUTION FOR ESTABLISHING OFFICIAL BITUMINOUS ROADS.

RESOLUTION No. 20-2021

RESOLUTION FOR ESTABLISHING OFFICIAL BITUMINOUS ROADS

WHEREAS, the Pottawattamie County, Iowa, Board of Supervisors, amended the Pottawattamie County, Iowa, Zoning Ordinance by adopting Ordinance #2015-05, effective December 18, 2015; and

WHEREAS, Section 8.002.200.150 defines “hardsurfaced street” as a street which has a full-depth surfacing consisting of concrete, or asphalt with a structural capacity equivalency of concrete, constructed in accordance with appropriate local, County or state regulations or a street that the surfacing has been prepared and treated with a bituminous coating and designated by the County Board in a Resolution as an Official Bituminous Road; and

WHEREAS, the Board of Supervisors in conjunction with the County Engineer has reviewed the current Pottawattamie County, Iowa, Secondary Road System Roads and has determined that only certain roads are sufficiently improved with a bituminous product that warrants allowing residential development to take place along;

NOW, THEREFORE, BE IT RESOLVED, by the Pottawattamie County, Iowa, Board of Supervisors, that the following County Roads be classified as “Official Bituminous (Sealcoat, Blacktop, Asphalt) Roads ” for the purpose of satisfying Section 8.002.200.150 of the Pottawattamie County, Iowa, Zoning Ordinance:

Road Name	From	To
Chestnut Road	Pioneer Trail	230 th Street

PASSED and APPROVED this 23rd day of March, 2021

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion by Shea, second by Grobe, to approve and authorize Board to sign **Resolution No. 21-2021** entitled: RESOLUTION TO CHANGE THE ROADWAY NAME OF WHITETAILE LANE TO WHITE OAK LANE AND TO ADD THE ROADWAY NAMES OF PORTLAND STREET, NORTH 193RD CIRCLE AND SOUTH 193RD CIRCLE.

**PLANNING AND ZONING
RESOLUTION NO. 21-2021**

WHEREAS, Pottawattamie County adopted a Uniform Rural Address System Ordinance, which became effective March 17, 1993; and

WHEREAS, whereas Section 7.30.040 of said Ordinance stipulates that “Updates (to the Rural Address Map) to include new roadway names shall require approval through the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA that Rural Address Map be updated to change the following roadway name:

<u>Current Street Name</u>	<u>Township</u>	<u>New Street Name</u>	<u>Address Range</u>
Whitetail Ln	Rockford	White Oak Lane	16700-16979

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA that Rural Address Map be updated to include the following roadway names:

<u>Established through</u>	<u>Township</u>	<u>Street Name</u>	<u>Address Range</u>
I-29/I-80 Industrial Park	Lewis	Portland Street	19250 to 19425
I-29/I-80 Industrial Park	Lewis	North 193 rd Circle	13500 to 13599
I-29/I-80 Industrial Park	Lewis	South 193 rd Circle	13600 to 13699

PASSED AND APPROVED March 23rd, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Scott Belt, Chairman

_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tim Wichman				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lynn Grobe				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Justin Schultz				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Brian Shea				

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

RECORD: After Passage

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

Motion by Shea, second by Wichman, to approve and authorize Board to sign **Resolution No. 22-2021** entitled: RESOLUTION SETTING A DATE OF MEETING AT WHICH IT IS PROPOSED TO APPROVE AN AMENDED DEVELOPMENT AGREEMENT WITH ARMSTRONG INVESTMENTS, LLC, INCLUDING TAX INCREMENT PAYMENTS.

RESOLUTION NO. 22-2021

Resolution Setting a Date of Meeting at which it is Proposed to Approve an Amended Development Agreement with Armstrong Investments, LLC, Including Tax Increment Payments

WHEREAS, Pottawattamie County, Iowa (the “County”), pursuant to and in strict compliance with all laws applicable to the County, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the Pottawattamie County Industrial Park Urban Renewal Area (the “Urban Renewal Area”); and

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

WHEREAS, the County has previously entered into a certain development agreement (the “Original Agreement”) with Armstrong Investments, LLC (the “Developer”) in connection with the construction of public infrastructure and the platting and marketing of lots necessary for the development of an industrial park; and

WHEREAS, the County and the Developer now propose to amend the Original Agreement in order to (1) provide for incremental property tax payments to be made to the Developer in an amount not to exceed \$200,000 under the authority of Section 403.9(1) of the Code of Iowa; and (2) make other related changes; and

WHEREAS, it is necessary to set a date for a public hearing on an amended Development Agreement (the “Amended Agreement”) and the proposal to provide the incremental property tax payments thereunder, pursuant to Section 403.9 of the Code of Iowa;

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

Section 1. This Board shall meet on April 13, 2021, at 10:00 A.M., electronically and/or at the Pottawattamie County Courthouse, Council Bluffs, Iowa, at which time and place proceedings will be instituted and action taken to approve the Amended Agreement and to authorize incremental property tax payments to the Developer.

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

- -

NOTICE OF MEETING FOR APPROVAL OF AMENDED DEVELOPMENT AGREEMENT WITH ARMSTRONG INVESTMENTS, LLC AND AUTHORIZATION OF TAX INCREMENT PAYMENTS

The Board of Supervisors of Pottawattamie County, Iowa, will meet at the Pottawattamie County Board of Supervisor’s Hearing Room, Council Bluffs, Iowa, on April 13, 2021, at 10:00 A.M., at which time and place proceedings will be instituted and action taken to approve an amended Development Agreement (the “Amended Agreement”) between the County and Armstrong Investments, LLC (the “Developer”) in connection with the construction of public infrastructure and the platting and marketing of lots necessary for the development of an industrial park on certain real property in the Pottawattamie County Industrial Park Urban Renewal Area, which Amended Agreement (1) provides for incremental property tax payments to be made to the Developer in an amount not to exceed \$200,000; and (2) makes other related changes.

As authorized by Section 403.9 of the Code of Iowa, the commitment of the County to make incremental property tax payments to the Developer under the Amended Agreement will not be a general obligation of the County, but such incremental property tax payments will be payable solely and only from incremental property tax revenues generated within the Pottawattamie County Industrial Park Urban Renewal Area. Some or all of the payments under the Amended Agreement may be made subject to annual appropriation by the Board of Supervisors.

Due to federal and state government recommendations in response to COVID-19 pandemic conditions, the meeting can alternatively be accessed via YouTube and teleconference, which will be accessible at the following:

<https://www.youtube.com/channel/UCeP9ZQIBgMpuSyOprlyMl6g>

Telephone Conference Call: (712) 328-5848

In addition to electronic access, written comments may be filed or made prior to the meeting and will be recorded in the minutes.

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

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

Melvyn Houser
County Auditor

- -

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

PASSED and APPROVED this 23rd day of March, 2021

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
Scott 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 by Wichman, second by Schultz, to approve and authorize Board to sign **Resolution No. 23-2021** entitled: RESOLUTION SETTING DATE FOR A PUBLIC HEARING ON THE PROPOSAL TO INCUR NON-CURRENT DEBT.

RESOLUTION NO. 23-2021

Resolution Setting Date for a Public Hearing on the Proposal to Incur Non-Current Debt

WHEREAS, the Board of Supervisors of Pottawattamie County, Iowa (the “County”), has established the Pottawattamie County Industrial Park Urban Renewal Area (the “Urban Renewal Area”) and intends to establish the Pottawattamie County Industrial Park Urban Renewal Area Tax Increment Revenue Fund (the “Tax Increment Fund”) in connection therewith; and

WHEREAS, the County has proposed to undertake the construction of certain public infrastructure improvements, including street and storm water drainage improvements, necessary for the development of an industrial park (the “Industrial Park Infrastructure Project”) as an urban renewal project in the Urban Renewal Area; and

WHEREAS, it has been proposed that the County facilitate an internal advance of fund in an amount not to exceed \$540,000 (the “Advance”) for the purposes of paying a portion of costs of the Industrial Park Infrastructure Project; and

WHEREAS, pursuant to Section 331.479 of the Code of Iowa, it is now necessary to fix a date of meeting of the Board of Supervisors at which it is proposed to take action to approve the Advance and to give notice thereof as required by such law;

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

Section 1. This Board will meet electronically and/or at the Pottawattamie County Courthouse, Council Bluffs, Iowa, on April 13, 2021, at 10:00 A.M., at which time and place a hearing will be held and proceedings will be instituted and action taken to approve the Advance.

Section 2. The County Auditor shall publish notice of said hearing, the same being in the form attached to this resolution, which publication shall be made in a legal newspaper of general circulation in Pottawattamie County, which publication shall be not less than four (4) and not more than twenty (20) days before the date set for the hearing.

- -

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS FOR THE
INCURRENCE OF NONCURRENT DEBT IN A PRINCIPAL AMOUNT NOT TO
EXCEED \$540,000

(NONCURRENT DEBT)

The Board of Supervisors of Pottawattamie County, Iowa (the “County”), will meet on April 13, 2021, at the Pottawattamie County Board of Supervisor’s Hearing Room, Council Bluffs, Iowa, at 10:00

A.M., for the purpose of instituting proceedings and taking action on a proposal to incur noncurrent debt (the "Noncurrent Debt") in a principal amount not to exceed \$540,000 for the purpose of paying a portion of the costs of the construction of certain public infrastructure improvements, including street and storm water drainage improvements, necessary for the development of an industrial park (the "Industrial Park Infrastructure Project"). The Industrial Park Infrastructure Project is being undertaken as an urban renewal project in the County's Pottawattamie County Industrial Park Urban Renewal Area.

Due to federal and state government recommendations in response to COVID-19 pandemic conditions, the meeting can alternatively be accessed via YouTube and teleconference, which will be accessible at the following:

<https://www.youtube.com/channel/UCeP9ZQIBgMpuSyOprlyMl6g>

Telephone Conference Call: (712) 328-5848

In addition to electronic access, written comments may be filed or made prior to the meeting and will be recorded in the minutes.

At the time and place set forth herein, oral or written objections may be filed or made to the proposal to incur the Noncurrent Debt. After receiving objections, the County may determine to incur the Noncurrent Debt.

The Noncurrent Debt will be in the form of an internal advance (the "Internal Advance") of funds from the County's Impact Fund for the payment of costs of the Industrial Park Infrastructure Project and shall be repaid in one or more annual installments on or before June 1, 2034. The Noncurrent Debt will be incurred pursuant to authority contained in Chapter 403 and in Section 331.478 and Section 331.479 of the Code of Iowa.

By order of the Board of Supervisors of Pottawattamie County, Iowa.

Melvyn Houser
County Auditor

- -

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

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

PASSED and APPROVED this 23rd day of March, 2021

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

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

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Schultz, to deny CRC 48R – Change Storage Room in Comm. Center 013 to an office. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Shea, to deny CRC 37 R – Structured Cabling Installation from Comm. Center to Server Room. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Schultz, and seconded by Shea to deny CRC 43R2 – Paint Stairwell S-1 & 2nd Floor Elevator Door. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Schultz to approve Addition of Access Control to Door 034; Court Security Control Room. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Schultz to approve Quote and funding of Window Coverings for the B-Wing and 911 Spaces. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Schultz to approve Naming of the new conference rooms in the B-Wing: Goldfinch Conference Room, Wild Rose Conference Room, and Bur Oak Multi-Purpose Room. UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Motion made by Shea, seconded by Grobe, to approve appointment of Ron Tekippe to the Magistrate Appointing Commission for a term of 6 years. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, seconded by Shea, to approve reappointment of Lea Voss to the Board of Health for a term of 3 years and reappoint Dr. Michael Guzman to the Board of Health for a term of 1 year. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Schultz, and seconded by Wichman to approve job description for Volunteer and Facilities Coordinator. UNANIMOUS VOTE. Motion Carried.

Discussion was held on the American Rescue Plan Act of 2021 and its effect on the County. Discussion only. No action taken.

4. RECEIVED/FILED

A. Salary Actions:

- 1) Juvenile Detention – Employment of Justin Cox, John Fabian, Jacklyn Moore as Part-Time Youth Corrections Worker
- 2) Sheriff – Payroll Status Change of Nick Amdor, Nathan Brensel, Josh Harker

5. CLOSED SESSION

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

Roll Call Vote: **AYES: 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**

Outside of Closed Session, a Motion was made by Wichman, second by Schultz, to authorize Chairman to sign purchase agreement for property discussed in closed session.

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

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

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

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

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

6. SCHEDULED SESSIONS

A Capital Improvements Workshop was held. Discussion only. No action taken.

7. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:00 P.M.

Scott Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: March 30, 2021

PUBLISH: X

March 30, 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 Shea, and second by Schultz, to approve:

- A. March 23, 2021, Minutes as read.
- B. Jail - Employment of Cameron Goodell, Bailey Ceder, and Destiny Clark as Detention Officers
- C. Public Health – Employment of Jason Kuehnhold as Disease Investigator
- D. Board of Supervisors – Employment of Mitch Kay as Budget & Finance Director
- E. Renewal of Class B Beer (BB) (Includes Wine Coolers) Liquor License, granting privileges of Class B Beer (BB) (Includes Wine Coolers)/Outdoor Service/Sunday Sales for Westfair Association, d/b/a/ Westfair, Council Bluffs.
- F. Renewal of Class E Liquor License (LE), granting privileges of Class B Wine Permit; Class C Beer Permit (Carryout Beer); Class E Liquor License (LE), and Sunday Sales for Kum & Go LC d/b/a Kum & Go #23, Neola.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Schultz, second by Shea, to approve and sign Proclamation designating the month of April 2021 as Child Abuse Prevention Month.

**POTTAWATTAMIE COUNTY BOARD OF SUPERVISORS
PROCLAMATION**

CHILD ABUSE PREVENTION MONTH – APRIL 2021

WHEREAS, nationally, it is estimated that more than 1,540 children die each year from child abuse and neglect; and

WHEREAS, both locally and nationally, child abuse is considered to be one of the most serious public health problems with scientific studies documenting the link between the abuse and neglect of children and a wide range of medical, emotional, psychological and behavioral disorders; and

WHEREAS, promoting family functioning and resiliency, social support systems, concrete supports, nurturing and attachment, and knowledge of parenting and child development are all known protective factors which prevent child maltreatment and help strengthen families; and

WHEREAS, child abuse prevention is an acknowledged community responsibility. On behalf of Iowa's children, this month and every month, we join Promise Partners to commit to prevent child abuse and neglect and to ensure a great childhood for every child.

THEREFORE, We, the Pottawattamie County Board of Supervisors, Do hereby proclaim April 2021 as

CHILD ABUSE PREVENTION MONTH

“In Pottawattamie County, Iowa and encourage all citizens, community agencies, religious organizations, medical facilities, and businesses to partner in efforts to prevent child abuse and neglect, thereby strengthening the communities in which we live.”

IN WITNESS WHEREOF, I have caused my signature and Seal of Pottawattamie County, Iowa to be affixed this 30th day of March, 2021.

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
	○	○	○	○
_____ Scott Belt, Chairman				
_____ Tim Wichman	○	○	○	○
_____ Lynn Grobe	○	○	○	○
_____ Justin Schultz	○	○	○	○
_____ Brian Shea	○	○	○	○
Attest: _____ Melvyn Houser, County Auditor Pottawattamie County, Iowa				

UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to open Public Hearing on Discussion regarding Compensation Board’s recommendations for elected officials for FY 2021/22; and discussion regarding the Pottawattamie County Budget for FY 2021/22.

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea

Motion by Shea, second by Schultz, to close public hearing.

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 24-2021**, regarding Compensation Boards recommendation for elected officials for FY 2021/22.

Resolution No. 24-2021 is laid out as follows:

RESOLUTION NO. 24-2021

WHEREAS, the Pottawattamie County Compensation Board meets annually to recommend a compensation schedule for elected officials for the fiscal year immediately following, in accordance with Iowa Code Chapters 331.905 and 331.907; and

WHEREAS, the Pottawattamie County Compensation Board met on the 16th day of December 2020, and recommended a 2.5% increase for all County elected officials, for the fiscal year beginning July 1, 2021.

THEREFORE, BE IT RESOLVED that the Pottawattamie County Board of Supervisors hereby adopts the Compensation Board’s recommended 2.5% salary increase for all Pottawattamie County elected officials for the fiscal year beginning July 1, 2021. Said increases shall be as follows:

Elected Official	Approved Salary for FY 2021/2022
Attorney	\$147,075
Auditor	\$90,568
Recorder	\$90,568
Sheriff	\$140,747
Supervisors	\$49,196
Treasurer	\$90,568

Dated this 30th day of March, 2021.

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
	○	○	○	○
_____ Scott 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 by Schultz, second by Grobe, to approve and authorize Board to sign **Resolution No. 25-2021**, regarding Pottawattamie County Budget for FY 2021/22 . **Resolution No. 25-2021** is laid out as follows:

RESOLUTION NO. 25-2021

WHEREAS, the Board of Supervisors of Pottawattamie County, after due consideration of estimated income and expenses for Fiscal Year 2021-2022, duly published such estimates for the county budget; and

WHEREAS, the budget correctly states estimated tax dollars against all parcels of property lying within Pottawattamie County, and the income and expense breakdown for each of the ten (10) budgeting areas; and

WHEREAS, a hearing was held on Tuesday, March 30, 2021, at 10:00 AM, in the Board of Supervisors’ Hearing Room, Second Floor, Courthouse, 227 South 6th Street, Council Bluffs, Iowa; and

WHEREAS, the public had due notice of the hearing, and at the hearing due time was allowed for objections to any and all portions of the budget.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Pottawattamie County, after hearing no objections, on a motion by Supervisor _____, and a second by Supervisor _____, the Fiscal Year 2021-2022 budget was adopted.

Chairman Belt called for a roll call vote, the results being: Belt-_____; Wichman-_____; Grobe-_____; Schultz-_____; and Shea-_____. Motion carried.

Dated this 30th day of March, 2021.

ROLL CALL VOTE

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

ATTEST: _____
Melvyn Houser, County Auditor

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea

After Discussion was held by the Board, a motion by Wichman, second Schultz, to approve Second Consideration of **Ordinance No. 2021-03** entitled: An Ordinance Providing for the

Division of Taxes Levied on Taxable Property in the Pottawattamie County Industrial Park Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa; and to adopt **Ordinance No. 2021-03** into Law.

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea

Motion by Wichman, second by Schultz, to open Public Hearing on First Consideration of Ordinance No. 2021-02, an Ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa, by changing the district designation of approximately 5.0 acres from a Class A-2 (Agricultural Production) to a Class C-1 (Highway Commercial) District and to set Second Consideration for April 6th, 2021 at 10:00 A.M.

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea

Motion by Wichman, second by Schultz, to close public hearing.

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea

Motion by Shea, second by Schultz, to approve First Consideration of **Ordinance No. 2021-02**, an Ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa, by changing the district designation of approximately 5.0 acres from a Class A-2 (Agricultural Production) to a Class C-1 (Highway Commercial) District; and setting date for Second Consideration for April 6th, 2021 at 10:00 A.M.

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea

After discussion was held by the Board, a Motion was made by Wichman, and second by Shea, to approve CRC 027R – Bullet Resistant Panels Credit. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Wichman, and second by Schultz, to approve quote and funding of Furniture for shared conference rooms and break room in B-Wing to be taken from the General Fund. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Wichman, and second by Schultz, to approve and authorize Chairman to sign agreement with Bishop Business for Managed Print Services. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Schultz, to approve and authorize Chairman to sign Staffing Service Agreement with CAMILLUS STAFFING, LLC dba NEXTAFF. UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Discussion was held on the Job Description for the Finance Officer in the Auditor's Office. Discussion only. No action taken.

4. RECEIVED/FILED

A. Salary Actions:

- 1) Jail – Payroll Status Change of Brent Fauble, Jacob Meyer, Randie Hardiman
- 2) Communications – Payroll Status Change of Joshua Derrington
- 3) Planning/Public Health – Payroll Status Change of Tracy Nosekabel
- 4) Conservation – Employment of Nolan Moore as Seasonal Park Aide
- 5) Conservation – Employment of Alec Mass as Park Ranger Intern
- 6) Conservation – Employment of Connor Williams and Daniel Pauley as NAM Intern

B. Reports

- 1) Sheriff's Report of Fees Disbursed and Collected for February 2021

5. ADJOURN

Motion by Wichman, second by Shea, to adjourn meeting.
UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:37A.M.

Scott Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: April 13, 2021
PUBLISH: X

April 6, 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 Wichman, and second by Schultz to approve:

- A. Publication of Claims Allowed for March 2021
- B. Jail – Employment of Ryan LaFave as Jail Nurse/RN

UNANIMOUS VOTE. Motion Carried.

A Motion was made by Wichman, second by Schultz, to amend the Board minutes from March 30th, 2021 to change funding for B-Wing conference room furniture from the Gaming Fund to the General Fund. UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Shea, second by Grobe, to approve Second Consideration of **Ordinance No. 2021-02**, an Ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa, by changing the district designation of approximately 5.0 acres from a Class A-2 (Agricultural Production) to a Class C-1 (Highway Commercial) District; and to adopt **Ordinance No. 2021-02** into law.

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea

Motion made by Wichman, second by Shea, to approve and authorize Chairman to sign Pottawattamie County Subaward Agreement to provide federal assistance from the HMGP 4421DR. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Grobe, to approve and authorize Chairman to sign Omaha-Council Bluffs Metropolitan Area Planning Agency Agreement for Service on the Pottawattamie County Acquisition Project HMGP 4421DR and not to exceed \$32,000. UNANIMOUS VOTE. Motion Carried.

Motion made by Schultz, second by Shea, to set Public Hearing Date for Public Hearing on the plans, specifications, form of contract and estimated total cost of construction for the Combined Contract for the Pottawattamie County Sheriff's Office Expansion project for April 27, 2021 at 10:00 A.M.; and to approve publication of Notice of Public Hearing.

UNANIMOUS VOTE. Motion Carried.

Motion made by Schultz, second by Shea, to approve and authorize Chairman to sign 2021 Pottawattamie County Housing Trust Fund Grant Agreement between Pottawattamie County General Assistance Fund and Pottawattamie County Housing Trust Fund, Inc. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Wichman, and second by Schultz, to approve CRC 053 – Exhaust Fan -1 Conflict. UNANIMOUS VOTE. Motion Carried.

Jason Slack, Director of Buildings and Grounds appeared before the Board to provide an update and discuss the cancelled change orders pertaining to the Courthouse Renovation Project. Discussion only. No action taken.

Jason Slack, Director of Buildings and Grounds appeared before the Board to provide an update and discuss the demolition plan for the Services Building. Discussion only. No action taken.

3. OTHER BUSINESS

Motion made by Wichman, second by Schultz, to approve and authorize Chairman to sign Grant Agreement with Iowa West Foundation for the purpose of providing grant funding for the 2021 CITIES Program Re-Capitalization program. UNANIMOUS VOTE. Motion Carried.

Motion made by Schultz, second by Shea, to approve and authorize Chairman to sign Purchase Order – Lease, Government Product Lease Agreement, and Why Wait Program Agreement with Quadient Inc. for a term of five years for an upgraded postage machine and folding machine. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Wichman, and second by Shea, to approve job description for Epidemiologist. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Schultz, and second by Shea, to approve job description for Finance & Tax Officer.

AYES: Belt, Grobe, Schultz, Shea NAYS: Wichman Motion Carried.

4. RECEIVED/FILED

A. Salary Actions:

- 1) Auditor – Payroll Status Change for Out of Class Pay for Becky Lenihan
- 2) Conservation – Payroll Status Change for Ryan Penney
- 3) Planning – Payroll Status Change for Paula Good
- 4) Attorney – Payroll Status Change for Emily Grothe, Kerrie Snyder

5. CLOSED SESSION

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

Roll Call Vote: **AYES: Belt, Wichman, Grobe, Schultz, Shea**

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

Roll Call Vote: **AYES: Belt, Wichman, Grobe, Schultz, Shea**

6. SCHEDULED SESSIONS

A workshop was held with Department Heads and Elected Officials on Community Project Funding and potential Capital Improvements. Discussion only. No action taken.

7. ADJOURN

Motion by Schultz, second by Shea , to adjourn meeting. UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:59 P.M.

Scott Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: April 13, 2021

PUBLISH: X

April 13, 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 Schultz, and second by Shea to approve:

- A. March 30, 2021, Minutes as read.
- B. April 6, 2021, Minutes as read.
- C. Sheriff – Employment of Dalton Ebertowski, Travis Healy as Deputy.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Deb Masker from Southwest Iowa Leadership Academy appeared before the Board to give a presentation and provide an update on the 2021 Southwest Iowa Leadership Academy Retreat and potential funding by the County. Discussion only. No action taken.

Motion by Shea, second by Schultz, to open Public Hearing on Proposal to Incur Noncurrent Debt.
Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried.

Motion by Shea, second by Schultz, to close public hearing.
Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried.

Motion made by Wichman, second by Schultz, to approve and authorize Board to sign Resolution No. 28-2021 entitled: AUTHORIZING INTERNAL LOAN TO FUND URBAN RENEWAL PROJECT COSTS.

RESOLUTION NO. 28-2021

AUTHORIZING INTERNAL ADVANCE TO FUND URBAN RENEWAL PROJECT COSTS

WHEREAS, the Board of Supervisors of Pottawattamie County, Iowa (the "County"), has established the Pottawattamie County Industrial Park Urban Renewal Area (the "Urban Renewal Area") and has established the Pottawattamie County Industrial Park Urban Renewal Area Tax Increment Revenue Fund (the "Tax Increment Fund") in connection therewith; and

WHEREAS, the County has proposed to undertake a certain urban renewal project (the "Project") in the Urban Renewal Area, consisting of the construction of certain public infrastructure improvements, including street and storm water drainage improvements, necessary for the development of an industrial park; and

WHEREAS, it has been proposed that the County facilitate an internal advance of funds in the amount of \$540,000 (the "Advance") in order to pay a portion of the costs of the Project, and, pursuant to Section 331.479 of the Code of Iowa, the County has published notice and has held a public hearing on such proposal on April 13, 2021, and

WHEREAS, the County desires to make the Advance eligible to be repaid from future incremental property tax revenues to be derived from the Urban Renewal Area;

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

Section 1. It is hereby directed that the Advance in the amount of FIVE HUNDRED FORTY THOUSAND DOLLARS (\$540,000) be advanced for the funding of the Project from the County's Impact Fund. The Advance shall be repaid to the County's Impact Fund, with interest at the per annum rate of 2.00%, out of future incremental property tax revenues received into the Tax Increment Fund. Interest shall be calculated from April 1, 2021, and shall be computed on the basis of the actual 365-day calendar year.

It is intended that the Advance, plus accrued interest thereon, shall be repaid in one or more annual installments on or before June 1, 2034, provided however that repayment of the Advance is subject to the determination of the Board of Supervisors that there are incremental property tax revenues available for such purpose which have been allocated to or accrued in the Tax Increment Fund relative to the Advance, and the Board of Supervisors reserves the right to appropriate funds, or to withhold such appropriation, at its discretion. All payments made will be applied first to accrued interest and then to the principal amount of the Advance.

Section 2. A copy of this Resolution shall be filed in the office of the County Auditor of Pottawattamie County to evidence the Advance. Pursuant to Section 403.19 of the Code of Iowa, the County Auditor is hereby directed to certify, no later than December 1, 2021, the original amount of the Advance.

Section 3. All resolutions or parts thereof in conflict herewith, are hereby repealed, to the extent of such conflict.

Dated this 13th day of April, 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.

Motion by Wichman, second by Schultz, to open Public Hearing on Proposed Amended Development Agreement with Armstrong Investments, LLC.

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

Motion by Shea, second by Grobe, to close public hearing.

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

Motion made by Schultz, second by Wichman, to approve and authorize Board to sign Resolution No. 27-2021 entitled: RESOLUTION APPROVING AMENDED DEVELOPMENT AGREEMENT WITH ARMSTRONG INVESTMENTS, LLC, AUTHORIZING TAX INCREMENT PAYMENTS AND PLEDGING CERTAIN TAX INCREMENT REVENUES TO THE PAYMENT OF THE AGREEMENT.

RESOLUTION NO. 27-2021

RESOLUTION APPROVING AMENDED DEVELOPMENT AGREEMENT WITH ARMSTRONG INVESTMENTS, LLC, AUTHORIZING TAX INCREMENT PAYMENTS AND PLEDGING CERTAIN TAX INCREMENT REVENUES TO THE PAYMENT OF THE AGREEMENT

WHEREAS, Pottawattamie County, Iowa (the "County"), pursuant to and in strict compliance with all laws applicable to the County, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the Pottawattamie County Industrial Park Urban Renewal Area (the "Urban Renewal Area"); and

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

WHEREAS, the County has previously entered into a certain development agreement (the "Original Agreement") with Armstrong Investments, LLC (the "Developer") in connection with the construction of public

infrastructure and the platting and marketing of lots necessary for the development of an industrial park (the "Project"); and

WHEREAS, the County and the Developer now propose to amend the Original Agreement in order to (1) provide for incremental property tax payments to be made to the Developer in an amount not to exceed \$200,000 under the authority of Section 403.9(1) of the Code of Iowa; and (2) make other related changes; and

WHEREAS, an amended agreement (the "Amended Agreement") has been prepared to set forth the new understanding between the County and the Developer; and

WHEREAS, this Board of Supervisors, pursuant to Section 403.9 of the Code of Iowa, has published notice, has held a public hearing on the Amended Agreement on April 13, 2021, and has otherwise complied with statutory requirements for the approval of said Amended Agreement; and

WHEREAS, Chapter 15A of the Code of Iowa ("Chapter 15A") declares that economic development is a public purpose for which a County may provide grants, loans, tax incentives, guarantees and other financial assistance to or for the benefit of private persons; and

WHEREAS, Chapter 15A requires that before public funds are used for grants, loans, tax incentives or other financial assistance, a Board of Supervisors must determine that a public purpose will reasonably be accomplished by the spending or use of those funds; and

WHEREAS, Chapter 15A requires that in determining whether funds should be spent, a Board of Supervisors must consider any or all of a series of factors;

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

Section 1. Pursuant to the factors listed in Chapter 15A, the Board hereby reaffirms that:

(a) The Project will add diversity and generate new opportunities for the Pottawattamie County and Iowa economies;

(b) The Project will generate public gains and benefits, particularly in the creation of new jobs, which are warranted in comparison to the amount of the proposed property tax incentives.

Section 2. The Board of Supervisors further finds and reaffirms that a public purpose will reasonably be accomplished by entering into the Amended Agreement and providing the incremental property tax payments to the Developer.

Section 3. The Amended Agreement is hereby approved and the Chairperson and County Auditor are hereby authorized and directed to execute and deliver the Amended Agreement on behalf of the County, in substantially the form and content in which the Amended Agreement has been presented to this Board of Supervisors, and such officers are also authorized to make such changes, modifications, additions or deletions as they, with the advice of bond counsel, may believe to be necessary, and to take such actions as may be necessary to carry out the provisions of the Amended Agreement.

Section 4. As provided and required by Chapter 403 of the Code of Iowa, the County's obligations under the Amended Agreement shall be payable solely from a subfund (the "Armstrong Investments, LLC Subfund") into which shall be paid that portion of the income and proceeds of the Urban Renewal Tax Revenue Fund attributable to property taxes derived from the property described as follows:

Certain real property situated in Pottawattamie County, State of Iowa more particularly described as follows:

I-29/I-80 INDUSTRIAL PARK LT 2
 I-29/I-80 INDUSTRIAL PARK LT 3
 I-29/I-80 INDUSTRIAL PARK LT 4
 I-29/I-80 INDUSTRIAL PARK LT 5
 I-29/I-80 INDUSTRIAL PARK LT 6
 I-29/I-80 INDUSTRIAL PARK LT 7
 I-29/I-80 INDUSTRIAL PARK LT 8
 I-29/I-80 INDUSTRIAL PARK LT 9
 I-29/I-80 INDUSTRIAL PARK LT 10
 I-29/I-80 INDUSTRIAL PARK LT 11
 I-29/I-80 INDUSTRIAL PARK LT 12
 I-29/I-80 INDUSTRIAL PARK LT 13
 I-29/I-80 INDUSTRIAL PARK LT 14

Section 5. The County hereby pledges to the payment of its obligations under the Amended Agreement the Armstrong Investments, LLC Subfund and the taxes referred to in Subsection 2 of Section 403.19 of the Code of Iowa to be paid into such Subfund.

Section 6. After its adoption, a copy of this resolution shall be filed in the office of the County Auditor of Pottawattamie County to evidence the continuing pledging of the Armstrong Investments, LLC Subfund and the

portion of taxes to be paid into such Subfund and, pursuant to the direction of Section 403.19 of the Code of Iowa, the Auditor shall allocate the taxes in accordance therewith and in accordance with the tax allocation ordinance referred to in the preamble hereof.

Section 7. All resolutions or parts thereof in conflict herewith are hereby repealed.

Dated this 13th day of April, 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.

Motion made by Wichman, second by Shea, to approve and authorize Board to sign Resolution No. 26-2021 entitled ADOPTION OF INTERGOVERNMENTAL AGREEMENT CREATING THE IOWA COUNTY TREASURERS EGOVERNMENT ALLIANCE.

RESOLUTION NO. 26-2021

ADOPTION OF INTERGOVERNMENTAL AGREEMENT CREATING THE IOWA COUNTY TREASURERS E-GOVERNMENT ALLIANCE

BE IT RESOLVED, and it is hereby resolved, that the INTERGOVERNMENTAL AGREEMENT CREATING THE IOWA COUNTY TREASURERS EGOVERNMENT ALLIANCE, attached hereto and marked as Exhibit “A” is approved and adopted by Pottawattamie County.

BE IT FURTHER RESOLVED, that the Pottawattamie County Treasurer is authorized to participate as a Sponsor in the attached agreement in his/her capacity and consistent with his/her authority as County Treasurer of this County.

BE IT FURTHER RESOLVED, that the Pottawattamie County Treasurer is authorized to take additional actions and execute any documents that are, in his/her discretion, necessary to facilitate this Resolution.

Dated this 13th day of April, 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.

Motion made by Shea, second by Grobe, to approve DOT submittals for the 2022 Budget and the County Five Year Plan. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Grobe, to approve Project plans for STBG-SWAP-CO78(204)—FG-78; L66 Paving from Highway 6 to G30.
UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Shea, and second by Wichman to approve and authorize Chairman to sign Farm Lease with Nick Hanson D/B/A Hanson Brothers Land & Livestock LLC for property legally described as: Commencing at the Southwest corner of the SW1/4 NW1/4 of Section 22, Township 76, Range 44, thence West along the South line of said SW1/4 NW1/4 to the Intersection of the East right -of- way line of the I.C. Railroad, thence Northerly along this Right-of-way line 1545 feet, thence Easterly 200 feet along the centerline of a Drainage ditch, thence continuing Southeasterly along this ditch 1301 feet to a point On the East line of SW1/4 NW1/4 802 feet North of the Southeast corner of said SW1/4 NW1/4, thence South 802 feet along said East line to the Point of Beginning. Commonly referred to as Crescent Wildlife Area. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Shea, and second by Grobe, to approve and authorize Chairman to sign Farm Lease with Nick Hanson D/B/A Hanson Brothers Land & Livestock LLC for property legally described as: Commencing at the center of said Section 28; thence S89°36'07"E 1099.49 ft. along the north line of said NW 1/4 SE 1/4; thence S22°11'50"W 112.44 ft.; thence southwesterly 614.43 ft. along a 768.51 ft. radius curve, concave northwesterly, and having a chord bearing S45°06'05"W 598.19 ft.; thence S68°00'20"W 681.74 ft. to a point on the west line of said NW 1/4 SE 1/4; thence N0°04'55"W 789.31 ft. along said west line to said center of Section 28, the Point of Beginning. Commonly referred to as Pheasants Forever Food Plot. UNANIMOUS VOTE. Motion Carried.

Matt Wyant/Planning and Development Director and John Rasmussen/County Engineer both appeared before the Board to discuss and provide an update on rural water and the pavement of 240th Street. Discussion only. No action taken.

3. OTHER BUSINESS

The Board held a discussion on Countywide Radios. Discussion only. No action taken.

The Board held a discussion on the Western Iowa Development Association. Discussion only. No action taken.

Motion made by Shea, second by Grobe, to approve Auditor's Office Scanning Project with Microfilm Imaging Systems, Inc. not to exceed \$27,630.00.
UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Actions:

- 1) Jail – Payroll Status Change for Nolan Darnell, Sean Newton
- 2) Conservation – Employment of Abigail Ridder, Dillon Stane, Jeremy Yost, Grant Carstens
- 3) Sheriff – Payroll Status Change for Jaron Neumann
- 4) Communications – Payroll Status Change for Alicia Cotten

B. Reports

- 1) Recorder's Fee Book for March 2021

C. Out of State Travel

- 1) Jail – Out of State Travel Notification

5. CLOSED SESSION

Motion by Wichman, second by Schultz, to go into Closed Session pursuant to Iowa Code 20.17(3), for discussion and/or decision on labor negotiations / collective bargaining matters.
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 Schultz, second by Shea, to adjourn meeting.

UNANIMOUS VOTE. Motion Carried

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:10 P.M.

Scott Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: April 20, 2021

PUBLISH: X

April 20, 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. April 13, 2021, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Shea, second by Schultz, to approve and sign CO #5. UNANIMOUS VOTE. Motion Carried.

Jason Slack/ Director, Buildings and Grounds and Kim Bogatz from HGM Associates, Inc. appeared before the Board to open Bids for the Courthouse Addition Project. Seven bids were received from Prairie Construction, CR Anderson, Lund Ross, ConStruct Inc., AOI Corporation, Meco-Henne, and Ronco Construction. No action taken.

After discussion was held by the Board regarding tax suspension pursuant to Iowa Code Section 427.9, for property located at 130 Wallace Ave, Council Bluffs, IA, the Board tabled the item until they receive more information. No action taken.

Motion made by Wichman, second by Schultz, to approve appointment of Tracy Nosekabel as County Weed Commissioner. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 29-2021** entitled: Resolution for the Destruction of Noxious Weeds.

RESOLUTION NO. 29-2021

RESOLUTION FOR THE DESTRUCTION OF NOXIOUS WEEDS

NOTICE TO ALL PROPERTY OWNERS AND THOSE IN CONTROL THEREOF: You are hereby notified that the Board of Supervisors of Pottawattamie County, Iowa, did on the 20th day of April, 2021, pass the following resolution:

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA, that pursuant to the provisions of Chapter 317.14, Code of Iowa, it is hereby ordered:

1. That each person in possession or control of all noxious weeds thereon as defined in this Chapter, at such times each year and in such a manner as shall prevent said weeds from blooming or coming to maturity, and shall keep lands free from such growth of any other weeds, as shall render the streets and highways adjoining said land unsafe for public travel. Noxious weeds shall be controlled, cut or otherwise destroyed between April 1 and November 15, 2021, as is necessary to prevent seed production.

PRIMARY NOXIOUS WEEDS:

- (1) Quack grass,
- (2) Perennial sow thistle,
- (3) Canada thistle,
- (4) Bull thistle,
- (5) European morning glory or field bindweed,
- (6) Horse nettle,
- (7) Leafy spurge,
- (8) Perennial pepper-grass,
- (9) Russian knapweed,
- (10) Buckthorn,
- (11) All species of thistles belonging in the genera of *Cirsium* and *Carduus*.
- (12) Palmer amaranth,

SECONDARY NOXIOUS WEEDS:

- (1) Butterprint annual,
- (2) Cocklebur annual,
- (3) Wild mustard annual,
- (4) Wild carrot biennial,
- (5) Buckhorn,
- (6) Sheep sorrel,
- (7) Sour dock perennial,
- (8) Smooth dock,
- (9) Poison hemlock,
- (10) Multiflora rose,
- (12) Puncture vine,
- (13) Teasel biennial,
- (14) Shattercane

2. That each owner and each person in possession or control of any land in Pottawattamie County, Iowa, infested with any Primary and Secondary Noxious Weed, and all other species of thistles belonging to the genera of Cirsium and Carduus, shall adopt or enter into a program of weed destruction, and treatment of control, described by the Weed Commissioner, which in five years may be expected to destroy and will immediately keep under control such infestation of said noxious weeds.
3. That all weeds other than noxious weeds on all county trunk and local county roads between the fence line thereof, shall be destroyed and controlled by the adjoining property owner, to prevent seed production.
4. That if the owners or persons in possession or control of any land in Pottawattamie County fails to comply with the foregoing order, the Weed Commissioner shall cause this to be done and the expense of said work, including cost of serving notice and other costs, if any, to be assessed against the land and their owners thereof.
5. That the County Auditor be and is hereby directed to cause notice of this making and entering of the foregoing order shall be given by one publication in each of the official newspapers of the County.

DATED THIS 20th day of April, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn J. Houser, County Auditor

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

Motion by Schultz, second by Shea, to approve MAPA to move forward with the RFPs for Legal Services, Abstracting Services and Asbestos Surveying Services associated with the HMGP DR-4421. UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 33-2021 entitled:** Adoption of the Administrative Plan for Voluntary Property Acquisition Funded Under the Hazard Mitigation Grant Program – HMGP DR-4421-IA-0048.

RESOLUTION NO. 33-2021

Adoption of the Administrative Plan for Voluntary Property Acquisition Funded Under the Hazard Mitigation Grant Program – HMGP DR-4421-IA-0048.

WHEREAS, On March 26, 2021, Pottawattamie County, Iowa was awarded Hazard Mitigation Grant Program (HMGP) funding under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (PL93-288, as amended) and the Code of Iowa, Chapter 29C and administered by Iowa Department of Homeland Security and Emergency Management (HSEMD). And;

WHEREAS, Said award is in accordance with the scope of work and budget that were included in the County’s application package submitted to and approved by HSEMD and the Federal Emergency Management Agency. And;

WHEREAS, The Pottawattamie County Board of Supervisors subsequently authorized the execution of a Sub Award Agreement between HSEMD and County on April 6, 2021. And;

WHEREAS, The County is committed to making this Voluntary Acquisition Program work as quickly as possible so that the affected property owners may promptly make their property decisions with as much information as is available. And,

WHEREAS, The County is required to adopt an Administrative Plan to outline procedures on how the County’s Voluntary Property Acquisition Program will operate. Therefore;

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA, that Board of Supervisors hereby adopts the Administrative Plan for Voluntary Property Acquisition Funded Under the Hazard Mitigation Grant Program – HMGP DR-4421-IA-0048.

DATED THIS 20th day of April, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn J. Houser, County Auditor

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

Motion by Schultz, second by Shea, to approve and authorize Chairman to sign Amended Development Agreement with Armstrong Investments, LLC, Authorizing Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement. AYES: Belt, Grobe, Schultz, Shea. NAYS: Wichman. Motion Carried.

Motion by Shea, second by Schultz, to approve further planning for proposed route for waterline extension down Woodland Trail in southwestern Pottawattamie County. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve and authorize Chairman to sign Final voucher for FM-CO78(202)—55-78. UNANIMOUS VOTE. Motion Carried. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Schultz, to approve and authorize Chairman to sign Funding agreement for STP-SWAP-CO78(204)—FG-78. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, approval of Final Design Services Agreement for the Roads Operational Center was tabled awaiting more details. No action taken.

3. OTHER BUSINESS

Motion made by Schultz, second by Shea, to approve appointment of Jana Lemrick as Title VI Coordinator. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board on Resolution No. 19-2021 entitled: County of Pottawattamie Resolution to Adopt the National Incident Management System (NIMS) and Pottawattamie County NIMS Implementation Plan, the Resolution was tabled awaiting recommendation from the Policy Committee. No action taken.

The Board held a discussion with Andy Brown/Sheriff and Matt Wilber/County Attorney on how to use funds from a previous bond. Discussion only. No action taken.

Motion by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 30-2021**; Funds Transfer from Rural Services Fund to Secondary Roads Fund.

RESOLUTION NO. 30-2021

RESOLUTION Transfer from Rural Services Fund to Secondary Roads Fund

WHEREAS, it is desired to transfer money from Rural Services Fund to Secondary Roads Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa; and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$2,550,000 is ordered to be transferred from Rural Services Fund to Secondary Roads Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

Dated this 20th day of April, 2020.

	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.

Motion by Wichman, second by Schultz, to approve and authorize Board to sign **Resolution No. 31-2021**; Funds Transfer from LOT Secondary Roads Fund to Bond Series Fund.

RESOLUTION NO. 31-2021

RESOLUTION Transfer from LOT Secondary Roads Fund to Bond Series Fund

WHEREAS, it is desired to transfer money from LOT Secondary Roads Fund to Bond Series Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa; and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$2,000 is ordered to be transferred from LOT Secondary Roads Fund to Bond Series Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

Dated this 20th day of April, 2020.

	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.**

Motion by Wichman, second by Grobe, to approve and authorize Board to sign **Resolution No. 32-2021**; Funds Transfer from LOT Secondary Roads Fund to Secondary Roads Fund.

RESOLUTION NO. 32-2021

RESOLUTION Transfer from LOT Secondary Roads Fund to Secondary Roads Fund

WHEREAS, it is desired to transfer money from LOT Secondary Roads Fund to Secondary Roads Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa; and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$2,450,000 is ordered to be transferred from LOT Secondary Roads Fund to Secondary Roads Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

Dated this 20th day of April, 2020.

	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.**

Motion by Schultz, second by Wichman, to approve/disallow the following applications made to the Assessor’s Office and that further review be done on the one recommended disallowed Military Credit: Homestead (86 recommended allowed, 0 recommended disallowed), Military (17 recommended allowed, 1 recommended disallowed) Disabled Veteran Homestead (3 recommended allowed, 0 recommended disallowed), Business Property Tax Credit (7 recommended allowed, 1 recommended disallowed), Family Farm (2 recommended allowed, 0 recommended disallowed). **UNANIMOUS VOTE. Motion Carried.**

Motion by Schultz, second by Grobe, to approve Disallowed Homestead and Military Credit Applications. **UNANIMOUS VOTE. Motion Carried.**

4. RECEIVED/FILED

A. Salary Actions

- 1) Conservation – Payroll Status Change for Kimberly Wickersham
- 2) Juvenile Detention – Payroll Status Change for Erin Matter
- 3) Secondary Roads – Payroll Status Change for Tom Schneckloth, Devan Feigenbutz

5. ADJOURN

Motion by Wichman, second by Schultz, to adjourn meeting.
UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:40 P.M.

Scott Belt, Chairman

ATTEST:

Becky Lenihan, Assistant Finance Officer, Auditor's Office

APPROVED: April 27, 2021
PUBLISH: X

April 27, 2021

MET IN REGULAR SESSION

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

1. CONSENT AGENDA

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

- A. April 20, 2021, Minutes as read.
- B. Planning – Employment of Alex McGee as Environmental Health Inspector
- C. Jail – Employment of Kayla Werneberg as Detention Officer

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Shea, second by Wichman, to open Public Hearing on the plans, specifications, form of contract and estimated total cost of construction for the Combined Contract for the Pottawattamie County Sheriff's Office Expansion project.

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea

Motion made by Shea, second by Grobe, to close Public Hearing.

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea

Paula Hazelwood, Executive Director and Shalimar Mazetis, Manager Entrepreneurial Development from Advance Southwest Iowa Corporation appeared before the Board to discuss the County's partnership with Advance Southwest Iowa Corporation. Discussion only. No action taken.

Michael Williams and Jim Garbina from The Harry A. Koch Company and Human Resources Director Jana Lemrick appeared before the Board to discuss and provide an update on FY 21/22 employee health and dental insurance.

Motion by Wichman, second by Schultz to set aside agenda. UNANIMOUS VOTE. Motion Carried.

Motion by Wichman, second by Schultz to approve Employee Dental Plan with Reliance Standard in the amount of \$350,396.64, to approve Employee Vision Plan with Reliance Standard VSP in the amount of \$43,907.04, and to approve employee health plan with IGHCP for FY 21/22. UNANIMOUS VOTE. Motion Carried.

Planning and Development Director Matt Wyant appeared before the Board to provide an update on Phase 2 of Pottawattamie County Public Health Vaccination Effort. Discussion only. No action taken.

Motion by Schultz, second by Shea, to approve purchase of 2020 Ford Transit Van for Mobile Vaccination Efforts. UNANIMOUS VOTE. Motion Carried.

Motion by Wichman, second by Schultz, to approve and authorize Chairman to sign Final Design Services Agreement with HGM for the Roads Operational Center. UNANIMOUS VOTE. Motion Carried.

Motion by Wichman, second by Schultz, to declare bid the from Mecco-Henne Contracting of \$5,525,000 as the lowest responsive bid and to award Courthouse Addition Project to Mecco-Henne Contracting with contract signing date to be set for May 4, 2021. UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Motion by Shea, second by Schultz, to approve and authorize Board to sign Resolution No. 19-2021 entitled: County of Pottawattamie Resolution to Adopt the National Incident Management System (NIMS) and Pottawattamie County NIMS Implementation Plan.

RESOLUTION NO. 19-2021

COUNTY OF POTTAWATTAMIE RESOLUTION TO ADOPT THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) AND POTTAWATTAMIE COUNTY NIMS IMPLEMENTATION PLAN.

WHEREAS, emergencies, domestic incidents, and disasters transcend jurisdictional boundaries, making intergovernmental coordination essential in successful emergency response and recovery efforts; and

WHEREAS, Homeland Security Presidential Directive 5 (SHPD-5), Management of Domestic Incidents, requires all Federal departments and agencies to adopt NIMS and use it in their domestic incident management and emergency prevention, preparedness, response, recovery, and mitigation activities; and

WHEREAS, the HSPD-5 required Federal departments and agencies to make the adoption and institutionalization of NIMS by State, Local, Tribal, and Territorial organizations as a condition for Federal preparedness assistance; and

WHEREAS, the NIMS doctrine for incident management applies to all levels of government and all response agencies in each jurisdiction; and

WHEREAS, the Pottawattamie County Emergency Management Agency has developed for use the Pottawattamie County NIMS Implementation Plan and under authority of Iowa Code §29C, the Pottawattamie County Emergency Management Commission has adopted said plan for execution; and

WHEREAS, the Board of Supervisors of Pottawattamie County deems is advisable and with best interest to adopt said plan;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVORS OF POTTAWATTAMIE COUNTY that the U.S. Department of Homeland Security, Federal Emergency Management Agency’s National Incident Management System (NIMS) doctrine and Pottawattamie County National Incident Management System (NIMS) Implementation Plan be approved and adopted this day, and furthermore directs all subordinate agencies and departments within the jurisdiction to implement the provisions of said plan in coordination with the Pottawattamie County Emergency Management Agency.

PASSED and APPROVED this 27th day of April, 2021

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

Roll Call Vote: **AYES: Belt, Wichman, Grobe, Schultz, Shea**

4. RECEIVED/FILED

A. Salary Actions

- 1) Communications – Payroll Status Change for Joshua Derrington, Kena Wood

- 2) Jail – Payroll Status Change for Corey Little, Ryan Thompson, Samantha Stone
- 3) WIC – Payroll Status Change for Luz Collins
- 4) Juvenile Detention – Employment of Makenzie Ayers as Part-Time Youth Corrections Worker
- B. Reports
 - 1) Sheriff’s Report of Fees Collected and Disbursed for March 2021
- C. Out of State Travel
 - 1) Sheriff - Out of State Travel Notification

5. CLOSED SESSION

Motion by Wichman, second by Schultz, to go into Closed Session pursuant to Iowa Code 20.17(3), for discussion and/or decision on labor negotiations / collective bargaining matters.

Roll Call Vote: **AYES: Belt, Wichman, Grobe, Schultz, Shea**

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

Roll Call Vote: **AYES: Belt, Wichman, Grobe, Schultz, Shea**

6. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:26 P.M.

Scott A. Belt, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: May 4, 2021
PUBLISH: X

May 4, 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 Shea, and second by Schultz to approve:

- A. April 27, 2021, Minutes as read.
- B. Publication of Claims allowed for April 2021
- C. Communications - Employment of Colleen Sylvis, Matthew Spitznagle, and Rachele Holt as Telecommunicator

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Chief Carmody of the Council Bluffs Police Department appeared before the Board to provide an update on the Southwest Iowa Training Facility and the 100-yard Range Project. Discussion only. No action taken.

Jim Hughes, Mark Hughes, Sandy Winton from Jim Hughes Real Estate and John Jorgensen from HGM appeared before the Board for a discussion on potential subdivision at 240th St and Pioneer Trail. Discussion only. No action taken.

Motion made by Schultz, second by Shea, to postpone signing of contract with Mecco-Henne Contracting for the Courthouse Addition Project until May 11th, 2021.

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

Motion made by Wichman, second by Schultz, to approve and authorize Chairman to sign certificate of substantial completion for the Courthouse Renovation Project.

UNANIMOUS VOTE. Motion Carried.

Motion made by Schultz, second by Shea, to approve job description for Community Health Organizer. UNANIMOUS VOTE. Motion Carried.

Discussion was held on a services agreement with Field Day Development. Discussion only. No action taken.

3. OTHER BUSINESS

Motion made by Schultz, second by Shea, to approve and authorize Chairman to sign the E-Verify Memorandum of Understanding for Employer Access Portal, between the Department of Homeland Security (DHS), Pottawattamie County, and E-Verify. UNANIMOUS VOTE. Motion Carried.

Motion made by Schultz, second by Shea, to approve change to Employee Handbook Policy #403 Insurance/Retirement Programs. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Grobe, to increase employee contribution of health benefits to 11%. UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

- A. Salary Actions
 - 1) Recorder – Payroll Status Change for Paul Nelson
 - 2) Secondary Roads – Payroll Status Change for Shawna Hedegaard, Brady Schroder
 - 3) WIC – Payroll Status Change for Wei Kay Eng

5. SCHEDULED SESSIONS

Finance and Budget Director Mitch Kay appeared before the Board for a Budget Study Session. Discussion only. No action taken.

6. ADJOURN

Motion by Shea, second by Wichman, to adjourn meeting.
UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:30 P.M.

Scott A. Belt, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: May 11, 2021
PUBLISH: X

May 11, 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 Shea, and second by Schultz to approve:

- A. May 4, 2021, Minutes as read.
- B. Renewal of Class C Native Wine (WCN) Liquor License, granting privileges of Class C Native Wine (WCN); Outdoor Service; Sunday Sales for Breezy Hills Winery, LLC d/b/a Breezy Hills Vineyard, Minden, Iowa.
- C. Class B Beer (BB) (Includes Wine Coolers) Liquor License, granting privileges of Class B Beer (BB) (Includes Wine Coolers); Class C Native Wine Permit (On Premises); Outdoor Service; and Sunday Sales for Lyle Ditmars d/b/a Ditmars Orchard and Vineyard, Council Bluffs.
- D. Public Health – Employment of Jeffry Peterson as Part Time Recycle Center Attendant.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Wichman, second by Shea, to approve and authorize Chairman to sign Tower Lease Agreement with Omaha Cellular Telephone Company d/b/a Verizon Wireless.

UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Schultz, to approve Lockton Consulting Agreement.

UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Schultz, to approve funding request for planning for American Rescue Plan and/or any other available state or federal funding for Pottawattamie County and Communities not to exceed \$35,000 to be paid from the Gaming Fund UNANIMOUS VOTE. Motion Carried.

Discussion was held with Planning Director Matt Wyant regarding a services agreement with Field Day Development. Discussion only. No action taken.

Motion made by Wichman, second by Schultz, to approve and authorize Chairman to sign contract with Mecco-Henne Contracting for the Courthouse Addition Project.

UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Schultz, to approve HGM's proposal for Courthouse Parking Feasibility Study in the amount of \$9,200 to be taken from the gaming fund.

UNANIMOUS VOTE. Motion Carried.

Discussion was held regarding Resolution No. 96-2020. Discussion only. No action taken.

3. OTHER BUSINESS

Motion made by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 34-2021** entitled: RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSAL TO REALLOCATE CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2020A, OF POTTAWATTAMIE COUNTY, IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF with Public Hearing to be held June 1st, 2021 at 10:00 A.M.

RESOLUTION NO. 34-2021**RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSAL TO REALLOCATE CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2020A, OF POTTAWATTAMIE COUNTY, IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF**

WHEREAS, the Board of Supervisors of Pottawattamie County, Iowa has previously issued its General Obligation Capital Loan Notes, Series 2020A, in the aggregate principal amount of \$4,610,000 (the "Series 2020A Notes"), for costs of:

- a) equipping, remodeling, or reconstruction of public buildings including equipping the Courthouse with a fiber network;
- b) equipping, remodeling, or reconstruction of public buildings including software and card readers for doors on multiple public buildings;
- c) equipping of public buildings including software for the County Attorney's office;
- d) peace officer communication equipment and other emergency services communication equipment and systems including a vehicle for emergency response situations;
- e) a vehicle for the use of risk management which is necessary for the operation of the county;
- f) sheriff vehicles which are necessary for the operation of the county or the health and welfare of its citizens;
- g) acquisition and development of land for a public park or other recreation or conservation purpose including a maintenance building and shower facility at Botna Bend Park;
- h) acquisition and development of land for a public park or other recreation or conservation purpose, including a new dock and asphalt parking at Narrows Park;
- i) acquisition and development of land for a public park or other recreation or conservation purpose, including RV hook-ups and hard surface roads at Old Towne Park;
- j) acquisition and development of land for a public park or other recreation or conservation purpose, including a shower facility at Arrowhead Park;
- k) acquisition and development of land for a public park or other recreation or conservation purpose, including entrance renovation, a 3 lane entry and additional parking at Hitchcock Park;
- l) acquisition and development of land for a public park or other recreation or conservation purpose, including road resurfacing at County Parks;
- m) equipping, remodeling, or reconstruction of public buildings including equipping jail with programmable logic control upgrades;
- n) equipping, remodeling, or reconstruction of public buildings including equipping the Courthouse with access control and video surveillance and the jail with camera upgrades; and

WHEREAS, certain proceeds of the Series 2020A Notes remain unspent, and County staff has recommended that not to exceed \$100,000 of such unspent proceeds originally related to the Series 2020A Notes (hereinafter referred to as the "Unspent Proceeds") be applied for the acquisition and equipping of a sheriff vehicle and trailer which are necessary for the operation of the county or the health and welfare of its citizens; and

WHEREAS, there being no procedure specified under Iowa law for consideration or approval of such a reallocation, it is hereby determined, pursuant to Section 331.301(5) of the Code of Iowa, that the procedure set forth in Section 331.442 should apply and that a hearing be held upon the proposal to reallocate the Unspent Proceeds to provide funds for paying costs of the acquisition and equipping of a sheriff vehicle and trailer which are necessary for the operation of the county or the health and welfare of its citizens.

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 A.M., on the 1st day of June, 2021, for the purpose of taking action on the matter of the proposed reallocation of certain Unspent Proceeds of the Series 2020A Notes to provide funds for paying costs of the acquisition and equipping of a sheriff vehicle and trailer which are necessary for the operation of the county or the health and welfare of its citizens.

Section 2. That the Auditor is hereby directed to cause one publication to be made of 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 City, said publication to be not less than ten nor more than twenty clear days before the date of said public meeting.

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

(To be published between May 12, 2021 and May 22, 2021, inclusive)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED REALLOCATION OF CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2020A, OF POTTAWATTAMIE COUNTY, IOWA, AND THE PUBLIC HEARING THEREON

PUBLIC NOTICE is hereby given that the Board of Supervisors of Pottawattamie County, State of Iowa, will hold a public hearing on the 1st day of June, 2021, at 10:00 A.M., 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 reallocation of Unspent Proceeds of the General Obligation Capital Loan Notes, Series 2020A (the "Series 2020A Notes") of Pottawattamie County, Iowa, in the aggregate amount of not to exceed \$100,000, in order to provide funds to pay costs of the acquisition and equipping of a sheriff vehicle and trailer which are necessary for the operation of the county or the health and welfare of its citizens.

At any time before the date of the meeting, a petition, asking that the reallocation be submitted to the legal voters of the County, may be filed with the Auditor of the County in the manner provided by Section 331.306 of the Code of Iowa, pursuant to the provisions of Sections 331.402 and 331.442 of the Code of Iowa.

Any person interested may appear at the public hearing, either orally or in writing, and be heard as to the reallocation of said proceeds of the Series 2020A Notes for the above purposes.

This notice is given by order of the Board of Supervisors of Pottawattamie County, State of Iowa, as provided by Sections 331.301(5) and 331.442 of the Code of Iowa, as amended.

Dated this 11th day of May, 2021.

County Auditor, Pottawattamie County, State of Iowa

(End of Notice)

Dated this 11th day of May, 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.

Motion made by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 35-2021** entitled: RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSAL TO REALLOCATE CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2020A, OF POTTAWATTAMIE COUNTY, IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF with Public Hearing to be held June 1st, 2021 at 10:00 A.M.

RESOLUTION NO. 35-2021

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSAL TO REALLOCATE CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2020A, OF POTTAWATTAMIE COUNTY, IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, the Board of Supervisors of Pottawattamie County, Iowa has previously issued its General Obligation Capital Loan Notes, Series 2020A, in the aggregate principal amount of \$4,610,000 (the "Series 2020A Notes"), for costs of:

- a) equipping, remodeling, or reconstruction of public buildings including equipping the Courthouse with a fiber network;
- b) equipping, remodeling, or reconstruction of public buildings including software and card readers for doors on multiple public buildings;
- c) equipping of public buildings including software for the County Attorney's office;

- d) peace officer communication equipment and other emergency services communication equipment and systems including a vehicle for emergency response situations;
- e) a vehicle for the use of risk management which is necessary for the operation of the county;
- f) sheriff vehicles which are necessary for the operation of the county or the health and welfare of its citizens;
- g) acquisition and development of land for a public park or other recreation or conservation purpose including a maintenance building and shower facility at Botna Bend Park;
- h) acquisition and development of land for a public park or other recreation or conservation purpose, including a new dock and asphalt parking at Narrows Park;
- i) acquisition and development of land for a public park or other recreation or conservation purpose, including RV hook-ups and hard surface roads at Old Towne Park;
- j) acquisition and development of land for a public park or other recreation or conservation purpose, including a shower facility at Arrowhead Park;
- k) acquisition and development of land for a public park or other recreation or conservation purpose, including entrance renovation, a 3 lane entry and additional parking at Hitchcock Park;
- l) acquisition and development of land for a public park or other recreation or conservation purpose, including road resurfacing at County Parks;
- m) equipping, remodeling, or reconstruction of public buildings including equipping jail with programmable logic control upgrades;
- n) equipping, remodeling, or reconstruction of public buildings including equipping the Courthouse with access control and video surveillance and the jail with camera upgrades; and

WHEREAS, certain proceeds of the Series 2020A Notes remain unspent, and County staff has recommended that not to exceed \$300,000 of such unspent proceeds originally related to the Series 2020A Notes (hereinafter referred to as the "Unspent Proceeds") be applied for the acquisition and equipping of a critical incident multipurpose vehicle for use in emergencies, natural disasters and other purposes which are necessary for the operation of the county or the health and welfare of its citizens; and

WHEREAS, there being no procedure specified under Iowa law for consideration or approval of such a reallocation, it is hereby determined, pursuant to Section 331.301(5) of the Code of Iowa, that the procedure set forth in Section 331.442 should apply and that a hearing be held upon the proposal to reallocate the Unspent Proceeds to provide funds for paying costs of the acquisition and equipping of a critical incident multipurpose vehicle for use in emergencies, natural disasters and other purposes which are necessary for the operation of the county or the health and welfare of its citizens.

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 A.M., on the 1st day of June, 2021, for the purpose of taking action on the matter of the proposed reallocation of certain Unspent Proceeds of the Series 2020A Notes to provide funds for paying costs of the acquisition and equipping of a critical incident multipurpose vehicle for use in emergencies, natural disasters and other purposes which are necessary for the operation of the county or the health and welfare of its citizens.

Section 2. That the Auditor is hereby directed to cause one publication to be made of 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 City, said publication to be not less than ten nor more than twenty clear days before the date of said public meeting.

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

(To be published between May 12, 2021 and May 22, 2021, inclusive)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED REALLOCATION OF CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2020A, OF POTTAWATTAMIE COUNTY, IOWA, AND THE PUBLIC HEARING THEREON

PUBLIC NOTICE is hereby given that the Board of Supervisors of Pottawattamie County, State of Iowa, will hold a public hearing on the 1st day of June, 2021, at 10:00 A.M., 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 reallocation of Unspent Proceeds of the General Obligation Capital Loan Notes, Series 2020A (the "Series 2020A Notes") of Pottawattamie County, Iowa, in the aggregate amount of not to exceed \$300,000, in order to provide funds to pay costs of the acquisition and equipping of a critical incident multipurpose vehicle for use in emergencies, natural disasters and other purposes which are necessary for the operation of the county or the health and welfare of its citizens.

At any time before the date of the meeting, a petition, asking that the reallocation be submitted to the legal voters of the County, may be filed with the Auditor of the County in the manner provided by Section 331.306 of the Code of Iowa, pursuant to the provisions of Sections 331.402 and 331.442 of the Code of Iowa.

Any person interested may appear at the public hearing, either orally or in writing, and be heard as to the reallocation of said proceeds of the Series 2020A Notes for the above purposes.

This notice is given by order of the Board of Supervisors of Pottawattamie County, State of Iowa, as provided by Sections 331.301(5) and 331.442 of the Code of Iowa, as amended.

Dated this 11th day of May, 2021.

County Auditor, Pottawattamie County, State of Iowa

(End of Notice)

Dated this 11th day of May, 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.

Motion made by Shea, second by Wichman, to approve HR Director Jana Lemrick to proceed with planning for an Elected Official/Department Head retreat. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve job description for Volunteer and Facilities Coordinator. UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Actions

- 1) Sheriff- Payroll Status Change for Trey Carstens, Jeremy Harker, Rikayla Redding
- 2) Auditor – Payroll Status Change for Becky Lenihan
- 3) Conservation – Employment of Ashley Jones and Sarah Fleenor as Seasonal EE Intern, Isaac Heilman and Kaden McDermott as Seasonal AH Park Ranger Intern.
- 4) Public Health – Payroll Status Change for Candy Heyer
- 5) Jail – Payroll Status Change for Kenny Loghry

B. Reports

- 1) Recorder’s Fee Book for April 2021

5. CLOSED SESSION

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

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.

Motion by Motion by Wichman, second by Shea to go into Closed Session pursuant to Iowa Code 20.17(3), for discussion and/or decision on labor negotiations / collective bargaining matters.

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

Motion by Grobe, second by Schultz, to go out of Closed Session.

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

6. ADJOURN

Motion by Shea, second by Grobe, to adjourn meeting. UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:58 P.M.

Scott A. Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: May 18, 2021
PUBLISH: X

May 18, 2021

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M. All members present with Supervisor Wichman attending via telephone. 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. May 11, 2021, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Schultz, second by Shea, to approve and award Bid for Sheriff’s Office Expansion Project to DR Anderson Constructing. UNANIMOUS VOTE. Motion Carried.

Motion made by Schultz, second by Wichman, to approve payment of \$198,237.58 to the City of Council Bluffs for costs related to the Southwest Iowa 100-Yard Shooting Range Addition to be taken from the Gaming fund. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Schultz, to approve and authorize Chairman to sign services agreement with Field Day Development. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve purchase of vehicle to replace inspector’s vehicle in Planning Department. UNANIMOUS VOTE. Motion Carried.

Motion made by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 37-2021** to revise the County Five Year Program.

Resolution No 37-2021

2021 County Five Year Program Resolution

WHEREAS, Unforeseen circumstances have arisen since adoption of the approved Secondary Road Five Year Program and previous revisions, requiring changes to the sequence, funding, and timing of the proposed work plan; and

WHEREAS, The Board of Supervisors of Pottawattamie County, Iowa, in accordance with Iowa Code section 309.22, initiates and recommends modification of the following project(s) in the accomplishment year (State Fiscal Year 2021), for approval by the Iowa Department of Transportation (Iowa DOT), per Iowa Code 309.23 and Iowa DOT Instructional Memorandum 2.050;

NOW THEREFORE BE IT RESOLVED:

The following projects shall be ADDED to the Program's Accomplishment year:

Project Number Name Project ID	Project Location Description of Work	AADT Length Bridge ID	Type of Work Fund	Total
LFM-C078(1)--7X-78 Emergency Watershed Repairs 48407	On Various Locations Countywide This is a multiple project contract for NRCS Emergency Watershed Repair projects stemming from the 2019 flood event. The projects are bank stabilization projects at bridge locations. NRCS Projects 1, 8, 10, and 13.	15 0.000 miles	389 Miscellaneous Local	\$500,000
LFM-C078(3)--7X-78 Emergency Watershed Repairs 48408	On Various Locations Countywide This is a multiple project contract for NRCS Emergency Watershed Repair projects stemming from the 2019 flood event. The projects are bank stabilization projects at bridge locations. NRCS Projects 3,4,7, and 11.	10 0.000 miles	389 Miscellaneous Local	\$300,000
L-C078(4)--73-78 Emergency Watershed Repairs 48409	On Various Locations Countywide This is a multiple project contract for NRCS Emergency Watershed Repair projects stemming from the 2019	10 0.000 miles	389 Miscellaneous Local	\$400,000

	flood event. The projects are bank stabilization projects at bridge locations. NRCS project numbers 5 and 17.			
LFM-C078(2)--7X-78 Emergency Watershed Repairs 48410	On Various Locations Countywide This is a multiple project contract for NRCS Emergency Watershed Repair projects stemming from the 2019 flood event. The projects are bank stabilization projects at bridge locations. NRCS Projects 2,9,15, and 16.	40 0.000 miles	389 Miscellaneous Local	\$500,000

The following projects shall be MODIFIED as follows:

Project Number Name Project ID	Project Location Description of Work	AADT Length Bridge ID	Type of Work Fund	Modifications	Total
L-(BE02)--73-78 Belknap 2 Bridge Replacement 36157	On IDLEWOOD RD, Over SLOCUM CREEK, S3 T75 R40 SD, 100'	10 0.000 miles 285680	320 Bridges Local	added 200,000 Local dollars to 2021 removed 200,000 Local dollars from 2024	\$200,000
L-YO-1--73-78 York 1 Bridge Replacement 5353	On ROSEWOOD RD, Over MIDDLE SILVER CREEK, S1 T76 R41 Replace steel truss	25 0.000 miles 288230	320 Bridges Local	added 145,000 Local dollars to 2021 removed 145,000 Local dollars from 2025	\$145,000
STBG-SWAP-C078(--FG- 78 L66 HMA Resurfacing 36205	On L66, from the Highway 6 Intersection North 6.5 Miles to the South Intersection of G30 Project letting delayed from FY21 into FY22.	260 6.493 miles	366 HMA Paving SWAP	Project Location updated removed 4,800,000 FM dollars from 2021 added 4,800,000 FM dollars to 2022 removed 1,200,000 SWAP dollars from 2021 added 1,250,000 SWAP dollars to 2022	\$6,050,000

Fund	Accomplishment Year		
	Previous Amount	New Amount	Net Change
Local	\$1,230,000	\$3,275,000	\$2,045,000
Farm-to-Market	\$4,800,000	\$0	\$-4,800,000
Special	\$0	\$0	\$0
SWAP	\$1,700,000	\$500,000	\$-1,200,000
Federal Aid	\$0	\$0	\$0
Totals	\$7,730,000	\$3,775,000	\$-3,955,000

Dated this 18th day of May, 2020.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

RECOMMENDED: _____
John Rasmussen, County Engineer

ROLL CALL VOTE: AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried

Motion made by Schultz, second by Grobe, to approve and authorize Chairman to sign Iowa DOT budget revision. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Schultz, to rescind Resolution No. 96-2020 which was passed and approved November 5th 2020.

ROLL CALL VOTE: AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried

3. OTHER BUSINESS

Discussion was held with Human Resources Director Jana Lemrick about holding a Department Head/Elected Official retreat. Discussion only. No action taken.

Motion made by Wichman, second by Schultz, to approve and authorize Chairman to sign Engagement Letter with Ahlers & Cooney, P.C. UNANIMOUS VOTE. Motion Carried.

Motion made by Schultz, second by Shea, to approve/disallow the following applications made to the Assessor's Office: Homestead (113 recommended allowed, 0 recommended disallowed), Military (17 recommended allowed, 2 recommended disallowed), Disabled Veteran Homestead (6 recommended allowed, 0 recommended disallowed), Business Property Tax Credit (9 recommended allowed, 1 recommended disallowed), Family Farm (8 recommended allowed, 0 recommended disallowed).

UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Actions

- 1) Conservation – Employment of Kaley Hubbard as NAM Seasonal.
- 2) Veterans Affairs – Payroll Status Change for Jess Boese
- 3) Sheriff – Payroll Status Change for Travis Kephart, Jeremy Warren
- 4) Juvenile Detention – Payroll Status Change for Kasie Callinan
- 5) IT – Payroll Status Change for Todd Butterbaugh

5. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:02 A.M.

Scott A. Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: May 25, 2021

PUBLISH: X

May 25, 2021

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M. All members present with Supervisor Grobe appearing via telephone.

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. May 18, 2021, Minutes as read.
- B. Renewal of Iowa Retail Permit for Cigarette/Tobacco/Nicotine/Vapor for Kum & Go #0023, Neola.
- C. Renewal of Iowa Retail Permit for Cigarette/Tobacco/Nicotine/Vapor for Casey's Marketing Company DBA Casey's General Store #3204, Minden.
- D. Renewal of Iowa Retail Permit for Cigarette/Tobacco/Nicotine/Vapor for Casey's Marketing Company DBA Casey's General Store #3205, Council Bluffs.
- E. Secondary Roads – Employment of Monte Isaacson as Roadside Seasonal.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Shea, second by Wichman, to open Public Hearing on disposal of county-owned property under Iowa Code Section 331.361, legally described as: Lot 7 in Block 5 of Babbitt Place in Council Bluffs, Pottawattamie County, Iowa.

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

Motion made by Wichman, second by Shea, to close Public Hearing.

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

Motion made by Wichman, second by Schultz, to approve and authorize Board to sign **Resolution No. 36-2021** for disposal of county-owned property under Iowa Code Section 331.361, legally described as: Lot 7 in Block 5 of Babbitt Place in Council Bluffs, Pottawattamie County, Iowa.

RESOLUTION NO. 36-2021

A RESOLUTION AUTHORIZING DISPOSAL OF AN INTEREST IN COUNTY-OWNED PROPERTY AS PROVIDED UNDER IOWA CODE SECTION 331.361

WHEREAS, the Board of Supervisors has provided legal notice of and set a public hearing for the disposal of an interest in county-owned property described below; and

WHEREAS, the Board of Supervisors believes it to be in the best interests of Pottawattamie County to dispose of certain county-owned property and to allow the property to be transferred; and

WHEREAS, on March 7, 1994, Pottawattamie County, Iowa acquired the property on tax sale; and

WHEREAS, John Liston has expressed interest in obtaining title and ownership of said property from Pottawattamie County, Iowa, for expansion of his personal residential property; and

WHEREAS, the assessed value of said property in 2020 was found to be \$165 and John Liston is willing to purchase said property for that sum.

NOW THEREFORE BE IT RESOLVED, by the Board of Supervisors of Pottawattamie County, Iowa, that the Board of Supervisors does hereby authorize the disposal of Pottawattamie County, Iowa's interest in the property legally described as follows:

Lot 7 in Block 5 of Babbitt Place in Council Bluffs, Pottawattamie County, Iowa.

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized, empowered and directed to cause a Quit Claim Deed to be prepared, duly executed, and recorded along with this Resolution and the Proof of Publication of the “Notice of Public Hearing”.

Dated this 25th day of May, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn J. Houser, County Auditor

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

Motion made by Schultz, second by Wichman, to approve Change Order #1 – 7 Day Time Extension Due to Delay in Contract Signing. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 38-2021** to amend County Code Chapter 1.5, Schedule of Fees, increasing the Percolation Test Fee from \$325 to \$450.

**RESOLUTION NO. 38-2021
A RESOLUTION TO ESTABLISH A SCHEDULE OF FEES.**

WHEREAS, Pottawattamie County, Iowa, has established the need for fees to cover the cost of administering various provisions of the Pottawattamie County, Iowa, Code; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA, that the Board of Supervisors of Pottawattamie County, Iowa, that the following Schedule of Fees be and the same is hereby amended and said amendments adopted.

County Code Chapter 3.50-Animal Control Description of License, Fee or Permit	Charges
Any animal	\$ 8.00
Unspayed female or unneutered male	\$ 22.00
County Code Chapter 3.55-Sexually Oriented Businesses Description of License, Fee or Permit	Charges
Sexually Oriented Business License-Initial License	\$ 100.00
Sexually Oriented Business License-Annual Renewal	\$ 50.00
Sexually Oriented Business Employees License-Initial License	\$ 50.00
Sexually Oriented Business Employees License-Annual Renewal	\$ 25.00
County Code Chapter 5.50-Onsite Wastewater Treatment and Disposal Systems Description of License, Fee or Permit	Charges
Percolation Test	\$450.00
Septic Permit & 1st Septic Inspection Fee	\$ 120.00
Septic Permit Tank Only Permit and Inspection Fee	\$ 60.00
Septic Inspection Fee 2nd & subsequent (Per Visit)	\$ 60.00
Septic Variance	\$ 120.00
Septic Installer's Commercial License	\$ 60.00
Septic Pre-Installation Site Inspection	\$ 60.00
Late Inspection Fee Per Hour (Inspections after 4:30 P.M. time calculated at job site plus drive time from job site to Courthouse)	\$ 75.00
Site Evaluation Fee (% of Permit Fee)	75%*
*50% of septic permit fee if multiple permits applied for at the same time	
Time of Transfer Waiver Agreement	\$150.00
County Code Chapter 5.60-Private Water Well Description of License, Fee or Permit	Charges
Well Permit	\$ 120.00
Well Pre-Installation Site Inspection	\$ 60.00
Well Variance	\$ 120.00
Site Evaluation Fee (% of Permit Fee)	75%*
*50% of the well permit fee if multiple permits are applied for at the same time	
Late Inspection Fee Per Hour (Inspections after 4:30 P.M. time calculated at job site plus drive time from job site to Courthouse)	\$ 75.00

County Code Chapter 5.05-Local Siting Description of License, Fee or Permit		Charges
Local Siting approval for projects outlined in Chapter 5.05		\$5000.00
Amendment to Local Siting approval for projects in Chapter 5.05		\$2500.00
County Code Chapter 5.30-Floodplain Development Description of License, Fee or Permit		Charges
Floodplain Development Permit		\$ 120.00
Site Evaluation Fee (% of Permit Fee)		75%*
*50% of Floodplain Development permit fee if multiple permits applied for at the same time		
Floodplain Development Variance		\$ 120.00
County Code Chapter 7.30-Rural Addressing Description of License, Fee or Permit		Charges
Cost to change the name of a roadway		Actual Cost
County Code Title 8-Zoning Ordinance Description of License, Fee or Permit		Charges
Zoning Text Amendment		\$ 450.00
Zoning Map Amendment – Any District**		\$ 400.00
Development Plan Review Class R-5, R-6 and I-3 Districts/Per Plan Submittal		\$ 300.00
Conditional Use Permit**		\$ 260.00
Zoning Variance-Appeal of Administrative Decision**		\$ 140.00
Zoning Permit for signs, home occupations and other issues not required to secure building permits		\$ 70.00
Site Evaluation Fee (% of Permit Fee)		75%*
*50% of the zoning permit fee if multiple permits are applied for at the same time		
Late Inspection Fee Per Hour (Inspections after 4:30 P.M. time calculated at job site plus drive time from job site to Courthouse)		\$ 75.00
County Code Title 9-Subdivision Ordinance Description of License, Fee or Permit		Charges
Preliminary Plat-Minor Subdivision		\$ 165.00
Preliminary Plat Major Subdivision		\$ 275.00 + \$5/lot
Final Plat - Minor Subdivision		\$ 165.00
Final Plat - Major Subdivision		\$ 275.00 + \$5/lot
Subdivision Variance or Appeal/Per Issue		\$ 120.00
Final Construction Plan Review		\$ 200.00
Stop sign per public road intersection		\$ 100.00
Intersection sign per public road intersection		\$ 210.00
Sketch Plat Application per parcel (\$150 minimum)		\$ 75.00
Sketch Plat Application for a minor or major subdivision		\$ 200.00 1 st 4 lots + \$5.00/lot >4

County Code Title 10-Building Codes

BUILDING PERMIT FEE
(Table 3-A of the 1997 UBC Administrative)

TOTAL VALUATION	FEE
\$1 to \$500	\$ 23.50
\$501 to 2,000	\$ 23.50 for the first \$ 500.00 plus \$ 3.05 for each additional \$ 100.00, or fraction thereof, to and including \$ 2,000.00
\$2,001 to \$25,000	\$ 69.25 for the first \$ 2,000.00 plus \$ 14.00 for each additional \$ 1,000.00, or fraction thereof, to and including \$ 25,000.00
\$25,001 to \$50,000	\$ 391.75 for the first \$ 25,000.00 plus \$ 10.10 for each additional \$ 1,000.00, or fraction thereof, to and including \$ 50,000.00
\$50,001 to \$100,000	\$ 643.75 for the first \$ 50,000.00 plus \$ 7.00 for each additional \$ 1,000.00, or fraction thereof, to and including \$ 100,000.00
\$100,001 to \$500,000	\$ 993.75 for the first \$ 100,000.00 plus \$ 5.60 for each additional \$ 1,000.00, or fraction thereof, to and including \$ 500,000.00
\$500,001 to \$1,000,000	\$ 3,233.75 for the first \$ 500,000.00 plus \$ 4.75 for each additional \$ 1,000.00, or fraction thereof, to and including \$ 1,000,000.00
\$1,000,001 and up	\$ 5,608.75 for the first \$ 1,000,000.00 plus \$ 3.15 for each additional \$ 1,000.00, or fraction thereof
Other Inspections and Fees:	
1. Inspections outside of normal business hours (minimum charge-two hours) \$75.00 per hr*	
2. Reinspection fees assessed under provisions of Building Official \$75.00 per hr*	
3. Inspections for which no fee is specifically indicated (minimum charge-1/2 hour) \$75.00 per hr*	
4. Additional plan review required by changes, additions or revisions to plans. (Minimum charge is ½ hour) \$75.00 per hr*	
5. For use of outside consultants for plan checking and inspections, or both...Actual costs**	

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

**Actual costs include administrative and overhead costs.

Construction valuations shall include total value of work including materials and labor for which the permit is being issued such as electrical, gas, mechanical, plumbing equipment and permanent systems. The determination of value or valuation for new construction per square foot under any of the provisions of the adopted Codes shall be as currently published in the International Code Council "Building Safety" Journal. For residential one and two family, the square foot construction cost shall be 76% of the table valuation, effective September 1, 2007. Annually, in June, the Board of Supervisors may review the this percentage to determine if the fees collected are adequate to cover expenses incurred in the operation of the Building and Safety Division. If, in the opinion of the Building Official, the valuation is underestimated on the application for remodeling, the Building Official shall require the applicant can show detailed estimates to meet the approval of the Building Official. Final building permit valuation shall be set by the Building Official.

BUILDING VALUATION OF:	PER SQUARE FOOT
------------------------	-----------------

Dwelling – Habitable Living Area	\$ 71.50
Dwelling – Remodel/Finish Existing Area into Habitable Living Area	\$ 36.50
Dwelling – Pre-Manufactured Home – Habitable Living Area	\$ 35.75
Basement – Finished Habitable Living Area	\$ 36.50
Basement – Unfinished Non-Habitable Area	\$ 18.25
Basement – Finish Existing Unfinished Area into Habitable Living Area	\$ 28.50
Garage – Attached or Detached Area	\$ 28.00
Storage Shed/Pole Barn Area (Post & Truss Design)	\$ 10.75
Carport – Attached or Detached Area	\$ 12.50
Porch – Enclosed Habitable Area	\$ 29.50
Porch – With Roof Area	\$ 14.75
Porch – Deck Only Area	\$ 8.25

BUILDING VALUATION OF:	PER SQUARE FOOT
Block or CMU fence over six (6) feet in height	\$ 8.25
Retaining walls over four (4) feet in height	\$ 8.25
TYPES OF PERMITS:	FLAT FEE
Reshingle-Existing Structure	\$100.00
Windows and Door Replacement*	\$100.00
Combination of 2: Reshingle or Windows & Doors*	\$ 75.00
Demolition of Principal Structure, per structure (Issued in conjunction with other permit on the same property there is No Charge)	\$ 75.00
Demolition of Accessory Structure, per structure (Issued in conjunction with other permit on the same property there is No Charge)	\$75.00
Interior Commercial Alteration before Remodeling	\$150.00
Residential Tornado Shelter	\$ 56.25

- Window replacement: size for size or smaller installation of new windows in an existing structure for every permitted project.

ELECTRICAL PERMIT FEES
(Table 3-B of the 1997 UBC Administrative)

Permit Issuance

1.	For the issuance of each electrical permit	\$23.50
2.	For the issuing of each supplemental permit for which the original permit has not expired, been canceled, or finale	\$7.25

System Fee Schedule (Note: The following do not include permit-issuing fee.)

1.	New Residential Buildings The following fees shall include all wiring and electrical equipment in or on each building, or other electrical equipment on the same premises constructed at the same time.	
	Multifamily: For new multifamily buildings (apartments and condominiums) having three or more dwelling units constructed at the same time, not including the area of garages, carports and accessory buildings, per square foot (0.09 m ²)	\$0.050
	Single and Two family: For new single- and two-family residential buildings constructed at the same time and not including the area of garages, carports and accessory buildings, per square foot (0.09 m ²)	\$0.056
2.	Private Swimming Pools For new private, in ground swimming pools for single-family and multifamily occupancies, including a complete system of necessary branch circuit wiring, bonding, grounding, underwater lighting, water pumping and other similar electrical equipment directly related to the operation of a swimming pool, each pool	\$49.50
3.	Carnivals and Circuses Carnivals, circuses, or other traveling shows or exhibitions utilizing transportable-type rides, booths, displays and attractions.	
	For electrical generators and electrically driven rides, each	\$23.50
	For mechanically driven rides and walk-through attractions or displays having electric lighting, each	\$7.25
	For a system of area and booth lighting, each	\$7.25
	For permanently installed rides, booths, displays and attractions, use the Unit Fee Schedule.	
4.	Temporary Power Service	
	For a temporary service pole or pedestal, including all pole or pedestal-mounted receptacle outlets and appurtenances each	\$23.50
	For a temporary distribution system and temporary lighting and receptacle outlets for construction sites, decorative lights, Christmas tree sale lots, fireworks stand, etc. each	\$12.30

Unit Fee Schedule (Note: The following do not include permit-issuing fee.)

1.	Receptacle, Switch and Light Outlets For receptacle, switch, light or other outlets at which current is used or controlled, except services, feeders and meters:	
	First 20 fixtures, each	\$1.10
	Additional fixtures, each (Note: For multi-outlet assemblies, each 5 feet (1524 mm) or fraction thereof may be considered as one outlet.)	\$0.73
2.	Lighting Fixtures For lighting fixtures, sockets or other lamp-holding devices:	
	First 20 fixtures, each	\$1.10
	Additional fixtures, each	\$0.73

	For pole or platform-mounted lighting fixtures, each	\$1.10
	For theatrical-type lighting fixtures or assemblies, each	\$1.10
3.	Residential Appliances For fixed residential appliances or receptacle outlets for same, including wall-mounted electric ovens; counter-mounted cooking tops; electric ranges; self-contained room; console or through-wall air conditioners; space heaters; food waste grinders; dishwaters; washing machine; water heaters; clothes dryers; or other motor-operated appliances not exceeding 1 horsepower (HP) (746 W) in rating, each <i>(Note: For other types of air conditioners and other motor-driven appliances having larger electrical ratings, see Power apparatus.)</i>	\$4.75
4.	Nonresidential Appliances For nonresidential appliances and self-contained factory-wired, nonresidential appliances not exceeding 1 horsepower (HP), kilowatt (kW) or kilovolt-ampere (kVA), in rating, including medical and dental devices; food, beverage and ice cream cabinets; illuminated show cases; drinking fountains; vending machines; laundry machines; or other similar types of equipment, each <i>(Note: For other types of air conditioners and other motor-driven appliances having larger electrical ratings, see Power apparatus.)</i>	\$4.75
5.	Power Apparatus For motors, generators, transformers, rectifiers, synchronous converters, capacitors, industrial heating, air conditioners and heat pumps, cooking or baking equipment and other apparatus, as follows: Rating in horsepower (HP), kilowatts (kW), kilovolt-amperes (kVA) or kilovolt-amperes-reactive (kVAR):	
	Up to and including 1, each	\$4.75
	Over 1 and not over 10, each	\$12.30
	Over 10 and not over 50, each	\$24.60
	Over 50 and not over 100, each	\$49.50
	Over 100, each	\$74.50
	Notes: 1. For equipment or appliances having more than one motor, transformer, heater, etc. the sum of the combined ratings may be used. 2. These fees include all switches, circuit breakers, contractors, thermostats, relays and other directly related control equipment.	
6.	Busways For trolley and plug-in-type busways, each 100 feet (30 480 mm) or fraction thereof <i>(Note: An additional fee is required for lighting fixtures, motors and other appliances that are connected to trolley and plug-in-type busways. A fee is not required for portable tools.)</i>	\$7.25
7.	Signs, Outline Lighting and Marquees For signs, outline lighting systems or marquees supplied from one branch circuit, each	\$24.60
	For additional branch circuits within the same sign, outline lighting system or marquee, each	\$4.75
8.	Services For services of 600 volts or less and not over 200 amperes in rating, each	\$30.50
	For services of 600 volts or less and over 200 amperes to 1,000 amperes, each	\$62.15
	For services over 600 volts or over 1,000 amperes in rating, each	\$124.30
9.	Miscellaneous Apparatus, Conduits and Conductors For electrical apparatus, conduits and conductors for which a permit is required but for which no fee is herein set forth <i>(Note: This fee is not applicable when a fee is paid for one or more services, outlets, fixtures, appliances, power apparatus, busways, signs or other equipment.)</i>	\$18.20

Other Inspections and Fees

1.	Inspections outside of normal business hours, per hour (minimum charge-two hours)	\$75.00*
2.	Reinspection fees assessed under provisions of Section 10.01.700.08 per inspection	\$75.00*
3.	Inspections for which no fee is specifically indicated, per hour (minimum charge-one half hour)	\$75.00*
4.	Additional plan review required by changes, additions or revisions to plans or to plans for which an initial review has been completed (minimum charge-one half hour)	\$75.00*

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

MECHANICAL PERMT FEES
(Table 3-C of the 1997 UBC Administrative)

Permit Issuance and Heaters

1.	For the issuance of each mechanical permit	\$23.50
2.	For issuing each supplemental permit for which the original permit has not expired, been canceled or finale	\$7.25

Unit Fee Schedule *(Note: The following do not include permit-issuing fee.)*

1.	For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliances, up to and including 100,000 Btu/h (29.3)	\$14.80
	For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h (29.3)	\$18.20
	For the installation or relocation of each floor furnace, including vent	\$14.80
	For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater	\$14.80
2.	Appliance Vents	

	For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit	\$7.25
3.	Repairs or Additions	
	For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code	\$13.70
4.	Boilers, Compressors and Absorption Systems	
	For the installation or relocation of each boiler or compressor to and including 3 horsepower (10.6 kW), or each absorption system to and including 100,000 Btu/h (29.3 kW)	\$14.70
	For the installation or relocation of each boiler or compressor over 3 horsepower (10.6 kW) to and including 15 horsepower (52.7 kW), or each absorption system over 100,000 Btu/h (29.3 kW) to and including 500,000 Btu/h (146.6 kW)	\$27.15
	For the installation or relocation of each boiler or compressor over 15 horsepower (52.7 kW) to and including 30 horsepower (105.5 kW), or each absorption system over 500,000 Btu/h (146.6 kW) to and including 1,000,000 Btu/h (293.1 kW).	\$37.25
	For the installation or relocation of each boiler or compressor over 30 horsepower (105.5 kW) to and including 50 horsepower (176 kW), or each absorption system over 1,000,000 Btu/h (293.1 kW) to and including 1,750,000 Btu/h (512.9 kW).	\$55.45
	For the installation or relocation of each boiler or compressor over 50 horsepower (176 kW), or each absorption system over 1,750,000 Btu/h (512.9 kW)	\$92.65
5.	Air Handlers	
	For each air-handling unit to and including 10,000 cubic feet per minute (cfm) (4719 L/s), including ducts attached thereto <i>(Note: This fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code.)</i>	\$10.65
	For each air-handling unit over 10,000 cfm (4719 L/s)	\$18.10
6.	Evaporative Coolers	
	For each evaporative cooler other than portable type	\$10.65
7.	Ventilation and Exhaust	
	For each ventilation fan connected to a single duct	\$7.25
	For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit	\$10.65
	For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood	\$10.65
8.	Incinerators	
	For the installation or relocation of each domestic-type incinerator	\$18.20
	For the installation or relocation of each commercial or industrial-type incinerator	\$14.50
9.	Miscellaneous	
	For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which their fee is listed in the table	\$10.65

Other Inspections and Fees

1.	Inspections outside of normal business hours, per hour (minimum charge-two hours)	\$75.00*
2.	Reinspection fees assessed under provisions of Section 10.01.700.08 per inspection	\$75.00*
3.	Inspections for which no fee is specifically indicated, per hour (minimum charge-one half hour)	\$75.00*
4.	Additional plan review required by changes, additions or revisions to plans or to plans for which an initial review has been completed (minimum charge-one half hour)	\$75.00*

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

PLUMBING PERMIT FEES
(Table 3-D of the 1997 UBC Administrative)

Permit Issuance

1.	For the issuance of each plumbing permit	\$23.50
2.	For issuing each supplemental permit for which the original permit has not expired, been canceled or finale	\$7.25

Unit Fee Schedule (Note: The following do not include permit-issuing fee.)

1.	Fixtures and Vents	
	For each plumbing fixture or trap or set of fixtures on one trap (including water, drainage piping and backflow protection thereof)	\$9.80
	For repair of alteration of drainage or vent piping, each fixture	\$4.75
2.	Sewers, Disposal Systems and Interceptors	
	For each building sewer and each trailer park sewer	\$24.65
	For each private sewage disposal system (See Title 5 fees above)	
	For each industrial waste pretreatment interceptor, including its trap and vent, excepting kitchen-type grease interceptors functioning as fixture traps	\$19.90
	Rainwater Systems-per drain (inside building)	\$9.80
3.	Wells	
	For each private water well (See Title 5 fees above)	
4.	Water Piping and Water Heaters	
	For installation, alteration, or repair of water piping or water-treating equipment, or both, each	\$4.75
	For each water heater including vent	\$12.30

	For vents only, see Table 3-C	
5.	Gas Piping Systems	
	For each gas piping system of one to five outlets	\$6.15
	For each additional outlet over five, each	\$1.10
6.	Lawn Sprinklers, Vacuum Breakers and Backflow Protection Devices	
	For each lawn sprinkler system on any one meter, including backflow protection devices thereof	\$14.80
	For atmospheric-type vacuum breakers or backflow protection devices not included in Item 1:	
	1 to 5 devices	\$12.30
	Over 5 devices, each	\$2.25
	For each backflow-protection device other than atmospheric-type vacuum breakers:	
	2 inches (50.8 mm) and smaller	\$12.30
	Over 2 inches (50.8 mm)	\$24.65
7.	Swimming Pools	
	For each swimming pool or spa:	
	Public pool	\$91.25
	Public spa	\$60.75
	Private pool, over 5,000 gallons in ground or above ground. 1 square foot = 7.48 gallons	\$60.75
	Private spa	\$30.25
8.	Miscellaneous	
	For each appliance or piece of equipment regulated by the Plumbing Code but not classed in other appliance categories, or for which no other fee is listed in this code	\$9.80

Other Inspections and Fees

1.	Inspections outside of normal business hours, per hour (minimum charge-two hours)	\$75.00*
2.	Reinspection fees assessed under provisions of Section 10.01.700.08 per inspection	\$75.00*
3.	Inspections for which no fee is specifically indicated, per hour (minimum charge-one half hour)	\$75.00*
4.	Additional plan review required by changes, additions or revisions to plans or to plans for which an initial review has been completed (minimum charge-one half hour)	\$75.00*

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

PROPERTY MAINTENANCE CODE

1.	Inspections of property to determine abatement work to be completed and post abatement inspection of cleanup work, per hour (minimum charge-two hours)	\$75.00*
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GRADING PERMIT FEES

Permit Issuance

1.	For the issuance of each grading permit	\$23.50
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Unit Fee Schedule (Note: The following do not include permit-issuing fee.)

		PER CUBIC YARD:
1.	Excavation and Fill-all Relocated On-site	.02
2.	Fill Brought in from Off-site	.06
3.	Excavation Removed from On-site	.06

ALL-TERRAIN AND OFF-ROAD VEHICLE LICENSES

County Code Chapter 12-All-Terrain and Off-Road Vehicle Licensing	Charges
For each All-Terrain and/or Off-Road Vehicle License	\$ 50.00

PASSED AND APPROVED May 25, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott Belt, Chairman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Justin Schultz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Tim Wichman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Lynn Grobe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Brian Shea

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

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

Motion made by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 39-2021** to approve the selection of Terracon Consultants, Inc. for asbestos survey and abatement removal inspection services for the amount of \$4,720.00.

RESOLUTION NO. 39-2021

**ASBESTOS SURVEY AND MONITORING OF ABATEMENT
2019 FLOOD**

WHEREAS, as a result of the flooding of 2019, Pottawattamie County has applied to FEMA under its §403 Essential Assistance Program for funding of demolition work. Funding is anticipated from FEMA, the State of Iowa and the County.

WHEREAS, the County requires asbestos removal to be performed for the purpose of preparing structures for demolition in connection with the above identified project; and

WHEREAS, the County requires an asbestos survey identifying asbestos containing material (ACM) and monitoring of asbestos removal; and

WHEREAS, Terracon Consultants, Inc. (contractor) certifies to be an individual licensed by, or an entity permitted by Iowa Workforce Development to perform asbestos surveys, is an Iowa registered Contractor, is qualified and willing to perform the work required in accordance with standards and criteria hereinafter set forth, and pursuant to the terms provisions and conditions hereof, and

WHEREAS, Request for Bids (RFB) Notice to Bidders was published in the The Nonpareil on April 28, 2021 and individual written RFB Notice to Bidders were mailed on April 28, 2021 to various asbestos survey and monitoring companies licensed by the State of Iowa from the region surrounding the County, and

WHEREAS, said bids were required to be submitted to Pottawattamie County, Iowa, on or before May 19, 2021, and

WHEREAS, Pottawattamie County received two (2) quotes, and have opened said quotes on May 19, 2021, and

WHEREAS, the County has determined that Terracon Consultants, Inc has submitted the lowest and most responsive and responsible submittal and who has best met the submittal criteria as set out in the RFB, and

WHEREAS, Pottawattamie County, Iowa, is interested in continuing forward and having the work described in said RFB completed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA that the Board of Supervisors that the contract to perform the said Asbestos Surveying and Monitoring of Abatement work for Pottawattamie County, Iowa, as outlined in the said RFB is hereby awarded to Terracon Consultants, Inc in the total amount of \$4,720.00, and that the Board is authorized to execute said Contract with this contractor and that the contractor is hereby given "Notice to Proceed", after having submitted the Certificate of Insurance required by the RFB to the County through the Planning Director.

Dated this 25th day of May, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn J. Houser, County Auditor

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

Discussion was held with Matt Wyant/Planning Director, Pam Kalstrup/Acting Director, Nicholas Gaul, Regional Water Rural Water Association and Peter Baudhuin, DGR on the proposed waterline and loan agreement. Discussion only. No action taken.

3. OTHER BUSINESS

Discussion was held with Jana Lemrick/Director, HR and John Rasmussen/County Engineer on an updated Secondary Roads organizational chart and reclassification of Project Manager II and Assistant to the Engineer to Project Administrator and Operations Administrator, respectively. Discussion only. No action taken.

Motion made by Wichman, second by Shea, to approve job description update and exempt status update for 911 Assistant Director, Detention Manager, Project Manager II, and Assistant to the Engineer. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Schultz, to approve a 2.5% pay increase for department heads and non-union employees and adjustment of pay scales to reflect 2.5% between steps. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve change to Employee Handbook policy #201, Salary Administration. UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Actions

- 1) Jail – Payroll Status Change for Oral White, Kyle Hackett, Kyle Putnam, Matt Corum, Luis Trujillo.
- 2) Auditor – Payroll Status change for Dixie Wilson

B. Reports

- 1) Sheriff's Report of Fees Disbursed and Collected for April 2021

5. CLOSED SESSION

Motion by Wichman, second by Shea, to go into Closed Session pursuant to Iowa Code 20.17(3), for discussion and/or decision on labor negotiations / collective bargaining matters.

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 Shea, second by Schultz , to adjourn meeting. UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:55 A.M.

Scott A. Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: June 1, 2021

PUBLISH: X

June 1, 2021

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. May 25, 2021, Minutes as read.

UNANIMOUS VOTE. Motion Carried

2. SCHEDULED SESSIONS

Motion made by Wichman, second by Shea, to open Public Hearing on proposed reallocation of not to exceed \$300,000 of unspent proceeds of the General Obligation Capital Loan Notes, Series 2020A in order to provide funds to pay costs of acquisition and equipping of a critical incident multipurpose vehicle.

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

Motion made by Wichman, second by Shea, to close Public Hearing.

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

Motion made by Shea, second by Wichman, to approve and authorize Board to sign **Resolution No. 40-2021**, entitled RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION AND APPROVING THE REALLOCATION OF CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2020A, OF POTTAWATTAMIE COUNTY, IOWA.

RESOLUTION NO. 40-2021

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION AND APPROVING THE REALLOCATION OF CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2020A, OF POTTAWATTAMIE COUNTY, IOWA

WHEREAS, pursuant to notice published as required by law, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the reallocation of certain unspent proceeds, in the amount of not to exceed \$300,000 (the "Unspent Proceeds") of the General Obligation Capital Loan Notes, Series 2020A, of Pottawattamie, Iowa, to provide funds to pay costs of acquisition and equipping of a critical incident multipurpose vehicle for use in emergencies, natural disasters and other purposes which are necessary for the operation of the county or the health and welfare of its citizens, and no petition was filed calling for a referendum thereon and has considered the extent of objections received from residents or property owners as to said proposal and, accordingly the following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That this Board does hereby institute proceedings and takes additional action for the reallocation of the Unspent Proceeds of the General Obligation Capital Loan Notes, Series 2020A to pay costs of acquisition and equipping of a critical incident multipurpose vehicle for use in emergencies, natural disasters and other purposes which are necessary for the operation of the county or the health and welfare of its citizens, is in all respects authorized and approved.

Section 2. The Auditor is authorized and directed to take such action as may be necessary to effect and implement the foregoing reallocation of the Unspent Proceeds as described herein, and to cause the records and accounts of the County to reflect the same.

Passed and Approved this 1st day of June, 2021.

ROLL CALL VOTE

AYE	NAY	ABSTAIN	ABSENT
○	○	○	○

Scott A. Belt, Chairman

<hr/> Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<hr/> Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<hr/> Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<hr/> Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST:

Melvyn J. Houser, County Auditor

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

Motion made by Wichman, second by Shea, to open Public Hearing on proposed reallocation of not to exceed \$100,000 of unspent proceeds of the General Obligation Capital Loan Notes, Series 2020A in order to provide funds to pay costs of acquisition and equipping of a critical incident multipurpose vehicle.

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

Motion made by Wichman, second by Shea, to close Public Hearing.

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

Motion made by Shea, second by Grobe, to approve and authorize Board to sign **Resolution No. 41-2021**, entitled RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION AND APPROVING THE REALLOCATION OF CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2020A, OF POTTAWATTAMIE COUNTY, IOWA.

RESOLUTION NO. 41-2021

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION AND APPROVING THE REALLOCATION OF CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2020A, OF POTTAWATTAMIE COUNTY, IOWA

WHEREAS, pursuant to notice published as required by law, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the reallocation of certain unspent proceeds, in the amount of not to exceed \$100,000 (the "Unspent Proceeds") of the General Obligation Capital Loan Notes, Series 2020A, of Pottawattamie, Iowa, to provide funds to pay costs of acquisition and equipping of a sheriff vehicle and trailer which are necessary for the operation of the county or the health and welfare of its citizens, and no petition was filed calling for a referendum thereon, and has considered the extent of objections received from residents or property owners as to said proposal and, accordingly the following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That this Board does hereby institute proceedings and takes additional action for the reallocation of the Unspent Proceeds of the General Obligation Capital Loan Notes, Series 2020A to pay costs of acquisition and equipping of a sheriff vehicle and trailer which are necessary for the operation of the county or the health and welfare of its citizens, is in all respects authorized and approved.

Section 2. The Auditor is authorized and directed to take such action as may be necessary to effect and implement the foregoing reallocation of the Unspent Proceeds as described herein, and to cause the records and accounts of the County to reflect the same.

Passed and Approved this 1st day of June, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
<hr/> Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<hr/> Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<hr/> Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<hr/> Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Brian Shea

○ ○ ○ ○

ATTEST: _____
Melvyn J. Houser, County Auditor

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

Motion made by Shea, second by Grobe, to approve and authorize Board to sign **Resolution No. 42-2021**, entitled RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #1) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF.

RESOLUTION NO. 42-2021

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #1) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL 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 \$300,000, as authorized by Sections 331.402 and 331.442, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general county purpose project(s) as hereinafter described; and

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

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; 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; and

WHEREAS, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 331 of the Code of Iowa, and to publish a notice of the proposal to issue such Notes and the right to petition for an election.

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 10:00A.M., on the 22nd day of June, 2021, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$300,000 General Obligation Capital Loan Notes, for general county purposes, the proceeds of which notes will be used to provide funds to pay the costs of acquisition and development of land for a public park or other recreation or conservation purpose, including upgrading electrical and installing full, modern RV hook-ups at Arrowhead Park and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

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 \$300,000, 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 ten 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 June 2, 2021 and June 12, 2021, inclusive)

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 \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #1) OF THE COUNTY (FOR GENERAL 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 22nd day of June, 2021, at 10:00A.M., 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 \$300,000 General Obligation Capital Loan Notes, for general county purposes, bearing interest at a rate of not to exceed nine (9%) per centum per annum, the Notes to be issued to provide funds to pay the costs of acquisition and development of land for a public park or other recreation or conservation purpose, including upgrading electrical and installing full, modern RV hook-ups at Arrowhead Park. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the County, may be filed with the Auditor of the County in the manner provided by Section 331.306 of the Code of Iowa, pursuant to the provisions of Sections 331.402 and 331.442 of the Code of Iowa.

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 331.442 of the Code of Iowa.

Dated this 1st day of June, 2021.

County Auditor, Pottawattamie County, State of Iowa

(End of Notice)

Passed and Approved this 1st day of June, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn J. Houser, County Auditor

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

Motion made by Shea, second by Grobe, to approve and authorize Board to sign **Resolution No. 43-2021**, entitled RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$225,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #2) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF.

RESOLUTION NO. 43-2021

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$225,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #2) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL 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 \$225,000, as authorized by Sections 331.402 and 331.442, of the Code of Iowa, for the

purpose of providing funds to pay costs of carrying out general county purpose project(s) as hereinafter described; and

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

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; 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; and

WHEREAS, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 331 of the Code of Iowa, and to publish a notice of the proposal to issue such Notes and the right to petition for an election.

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, 10:00A.M., on the 22nd day of June, 2021, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$225,000 General Obligation Capital Loan Notes, for general county purposes, the proceeds of which notes will be used to provide funds to pay the costs of acquisition and development of land for a public park or other recreation or conservation purpose, including RV Park Road and landscaping upgrades at Arrowhead Park and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

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 \$225,000, 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 ten 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 June 2, 2021 and June 12, 2021, inclusive)

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 \$225,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #2) OF THE COUNTY (FOR GENERAL 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 22nd day of June, 2021, at 10:00A.M., 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 \$225,000 General Obligation Capital Loan Notes, for general county purposes, bearing interest at a rate of not to exceed nine (9%) per centum per annum, the Notes to be issued to provide funds to pay the costs of acquisition and development of land for a public park or other recreation or conservation purpose, including RV Park Road and landscaping upgrades at Arrowhead Park. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the County, may be filed with the Auditor of the County in the manner provided by Section 331.306 of the Code of Iowa, pursuant to the provisions of Sections 331.402 and 331.442 of the Code of Iowa.

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 331.442 of the Code of Iowa.

Dated this 1st day of June, 2021.

County Auditor, Pottawattamie County, State of Iowa

(End of Notice)

Passed and Approved this 1st day of June, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn J. Houser, County Auditor

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

Motion made by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 44-2021**, entitled RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #3) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF.

RESOLUTION NO. 44-2021

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #3) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL 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 \$300,000, as authorized by Sections 331.402 and 331.442, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general county purpose project(s) as hereinafter described; and

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

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; 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; and

WHEREAS, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 331 of the Code of Iowa, and to publish a notice of the proposal to issue such Notes and the right to petition for an election.

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 10:00A.M., on the 22nd day of June, 2021, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$300,000 General Obligation Capital Loan Notes, for general county purposes, the proceeds of which notes will be used to provide funds to pay the costs of acquisition and development of land for a public park or other recreation or conservation purpose, including campground improvements at Botna Bend Park and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

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 \$300,000, 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 ten 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 June 2, 2021 and June 12, 2021, inclusive)

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 \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #3) OF THE COUNTY (FOR GENERAL 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 22nd day of June, 2021, at 10:00 A.M., 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 \$300,000 General Obligation Capital Loan Notes, for general county purposes, bearing interest at a rate of not to exceed nine (9%) per centum per annum, the Notes to be issued to provide funds to pay the costs of acquisition and development of land for a public park or other recreation or conservation purpose, including campground improvements at Botna Bend Park. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the County, may be filed with the Auditor of the County in the manner provided by Section 331.306 of the Code of Iowa, pursuant to the provisions of Sections 331.402 and 331.442 of the Code of Iowa.

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 331.442 of the Code of Iowa.

Dated this 1st Day of June, 2021.

County Auditor, Pottawattamie County, State of Iowa

(End of Notice)

Passed and Approved this 1st day of June, 2021.

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

ATTEST: _____
Melvyn J. Houser, County Auditor

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

Motion made by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 45-2021**, entitled RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$150,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #4) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF.

RESOLUTION NO. 45-2021

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$150,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #4) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL 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 \$150,000, as authorized by Sections 331.402 and 331.442, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general county purpose project(s) as hereinafter described; and

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

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; 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 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; and

WHEREAS, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 331 of the Code of Iowa, and to publish a notice of the proposal to issue such Notes and the right to petition for an election.

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, 10:00A.M., on the 22nd day of June, 2021, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$150,000 General Obligation Capital Loan Notes, for general county purposes, the proceeds of which notes will be used to provide funds to pay the costs of acquisition and development of land for a public park or other recreation or conservation purpose, including boat ramp improvements at Botna Bend Park and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

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 \$150,000, 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 ten 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 June 2, 2021 and June 12, 2021, inclusive)

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 \$150,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #4) OF THE COUNTY (FOR GENERAL 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 22nd day of June, 2021, at 10:00 A.M., 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 \$150,000 General Obligation Capital Loan Notes, for general county purposes, bearing interest at a rate of not to exceed nine (9%) per centum per annum, the Notes to be issued to provide funds to pay the costs of acquisition and development of land for a public park or other recreation or conservation purpose, including boat ramp improvements at Botna Bend Park. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the County, may be filed with the Auditor of the County in the manner provided by

Section 331.306 of the Code of Iowa, pursuant to the provisions of Sections 331.402 and 331.442 of the Code of Iowa.

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 331.442 of the Code of Iowa.

Dated this 1st Day of June, 2021.

County Auditor, Pottawattamie County, State of Iowa

(End of Notice)

Passed and Approved this 1st day of June, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn J. Houser, County Auditor

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

Motion made by Shea, second by Wichman, to approve and authorize Board to sign **Resolution No. 46-2021**, entitled RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$200,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #5) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

RESOLUTION NO. 46-2021

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$200,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #5) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL 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 \$200,000, as authorized by Sections 331.402 and 331.442, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general county purpose project(s) as hereinafter described; and

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

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; 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; and

WHEREAS, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 331 of the Code of Iowa, and to publish a notice of the proposal to issue such Notes and the right to petition for an election.

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 10:00A.M., on the 22nd day of June, 2021, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$200,000 General Obligation Capital Loan Notes, for general county purposes, the proceeds of which notes will be used to provide funds to pay the costs of acquisition and development of land for a public park or other recreation or conservation purpose, including lodge and cabin updates and campground hook-ups at Hitchcock Park and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

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 \$200,000, 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 ten 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 June 2, 2021 and June 12, 2021, inclusive)

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 \$200,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #5) OF THE COUNTY (FOR GENERAL 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 22nd day of June, 2021, 10:00A.M., 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 \$200,000 General Obligation Capital Loan Notes, for general county purposes, bearing interest at a rate of not to exceed nine (9%) per centum per annum, the Notes to be issued to provide funds to pay the costs of acquisition and development of land for a public park or other recreation or conservation purpose, including lodge and cabin updates and campground hook-ups at Hitchcock Park. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the County, may be filed with the Auditor of the County in the manner provided by Section 331.306 of the Code of Iowa, pursuant to the provisions of Sections 331.402 and 331.442 of the Code of Iowa.

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 331.442 of the Code of Iowa.

Dated this 1st Day of June, 2021.

County Auditor, Pottawattamie County, State of Iowa

(End of Notice)

Passed and Approved this 1st day of June, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Justin Schultz

○ ○ ○ ○

Brian Shea

○ ○ ○ ○

ATTEST: _____
Melvyn J. Houser, County Auditor

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

Motion made by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 47-2021**, entitled RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #6) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

RESOLUTION NO. 47-2021

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #6) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL 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 \$300,000, as authorized by Sections 331.402 and 331.442, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general county purpose project(s) as hereinafter described; and

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

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; 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; and

WHEREAS, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 331 of the Code of Iowa, and to publish a notice of the proposal to issue such Notes and the right to petition for an election.

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 10:00A.M., on the 22nd day of June, 2021, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$300,000 General Obligation Capital Loan Notes, for general county purposes, the proceeds of which notes will be used to provide funds to pay the costs of acquisition and equipping of sheriff vehicles which are necessary for the operation of the county or the health and welfare of its citizens and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

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 \$300,000, 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 ten 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 June 2, 2021 and June 12, 2021, inclusive)

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 \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #6) OF THE COUNTY (FOR GENERAL 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 22nd day of June, 2021, at 10:00A.M., 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 \$300,000 General Obligation Capital Loan Notes, for general county purposes, bearing interest at a rate of not to exceed nine (9%) per centum per annum, the Notes to be issued to provide funds to pay the costs of acquisition and equipping of sheriff vehicles which are necessary for the operation of the county or the health and welfare of its citizens. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the County, may be filed with the Auditor of the County in the manner provided by Section 331.306 of the Code of Iowa, pursuant to the provisions of Sections 331.402 and 331.442 of the Code of Iowa.

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 331.442 of the Code of Iowa.

Dated this 1st Day of June, 2021.

County Auditor, Pottawattamie County, State of Iowa

(End of Notice)

Passed and Approved this 1st day of June, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn J. Houser, County Auditor

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

Motion made by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 48-2021**, entitled RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$25,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #7) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF.

RESOLUTION NO. 48-2021

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$25,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #7) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL 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 \$25,000, as authorized by Sections 331.402 and 331.442, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general county purpose project(s) as hereinafter described; and

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

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; 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; and

WHEREAS, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 331 of the Code of Iowa, and to publish a notice of the proposal to issue such Notes and the right to petition for an election.

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 10:00A.M., on the 22nd day of June, 2021, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$25,000 General Obligation Capital Loan Notes, for general county purposes, the proceeds of which notes will be used to provide funds to pay the costs of acquisition and equipping of a vehicle for Planning and Zoning which is necessary for the operation of the county or the health and welfare of its citizens and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

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 \$25,000, 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 ten 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 June 2, 2021 and June 12, 2021, inclusive)

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 \$25,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #7) OF THE COUNTY (FOR GENERAL 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 22nd day of June, 2021, at 10:00A.M., 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 \$25,000 General Obligation Capital Loan Notes, for general county purposes, bearing interest at a rate of not to exceed nine (9%) per centum per annum, the Notes to be issued to provide funds to pay the costs of acquisition and equipping of a vehicle for Planning and Zoning which is necessary for the operation of the county or the health and welfare of its citizens. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the County, may be filed with the Auditor of the County in the manner provided by Section 331.306 of the Code of Iowa, pursuant to the provisions of Sections 331.402 and 331.442 of the Code of Iowa.

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 331.442 of the Code of Iowa.

Dated this 1st Day of June, 2021.

County Auditor, Pottawattamie County, State of Iowa

(End of Notice)

Passed and Approved this 1st day of June, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn J. Houser, County Auditor

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

Motion made by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 49-2021**, entitled RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #8) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF.

RESOLUTION NO. 49-2021

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #8) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL 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 \$300,000, as authorized by Sections 331.402 and 331.442, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general county purpose project(s) as hereinafter described; and

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

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; 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; and

WHEREAS, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 331 of the Code of Iowa, and to publish a notice of the proposal to issue such Notes and the right to petition for an election.

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 10:00A.M., on the 22nd day of June, 2021, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$300,000 General Obligation Capital Loan Notes, for general county purposes, the proceeds of which notes will be used to provide funds to pay the costs of acquisition and equipping of a road grader for secondary roads which is necessary for the operation of the county or the health and welfare of its citizens and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

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 \$300,000, 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 ten 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 June 2, 2021 and June 12, 2021, inclusive)

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 \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #8) OF THE COUNTY (FOR GENERAL 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 22nd day of June, 2021, 10:00 A.M., 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 \$300,000 General Obligation Capital Loan Notes, for general county purposes, bearing interest at a rate of not to exceed nine (9%) per centum per annum, the Notes to be issued to provide funds to pay the costs of acquisition and equipping of a road grader for secondary roads which is necessary for the operation of the county or the health and welfare of its citizens. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the County, may be filed with the Auditor of the County in the manner provided by Section 331.306 of the Code of Iowa, pursuant to the provisions of Sections 331.402 and 331.442 of the Code of Iowa.

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 331.442 of the Code of Iowa.

Dated this 1st Day of June, 2021.

County Auditor, Pottawattamie County, State of Iowa

(End of Notice)

Passed and Approved this 1st day of June, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn J. Houser, County Auditor

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

Motion made by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 50-2021**, entitled RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$60,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (ESSENTIAL COUNTY PURPOSE #9)

OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES),
AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

RESOLUTION NO. 50-2021

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$60,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (ESSENTIAL COUNTY PURPOSE #9) 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 \$60,000, 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 10:00A.M., on the 22nd day of June, 2021, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$60,000 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 public buildings including computer hardware and software 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 \$60,000, 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 June 2, 2021 and June 12, 2021, inclusive)

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 \$60,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (ESSENTIAL COUNTY PURPOSE #9) 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 22nd day of June, 2021, 10:00A.M., 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 \$60,000 General Obligation Capital Loan Notes, for essential county purposes, to provide funds to pay the costs of equipping public buildings including computer hardware and software 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 1st Day of June, 2021.

County Auditor, Pottawattamie County, State of Iowa

(End of Notice)

Passed and Approved this 1st day of June, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn J. Houser, County Auditor

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

Motion made by Shea, second by Wichman, to approve and authorize Chairman to sign agreement with HGM to provide architectural and engineering services to construct a parking lot at the Election Building site. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Grobe, to award bid for Services Building Asbestos Abatement to Jamco Abatement Services Inc. for the amount of \$32,311. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Grobe, to award bid for Services Building Demolition to Jim’s Hauling for the amount of \$98,774. UNANIMOUS VOTE. Motion Carried.

Discussion was held on funding for Services Building Demolition Project. Discussion only. No action taken.

Motion made by Wichman, second by Shea, to approve and authorize Chairman to sign Fee Based Consulting and Broker Services Agreement with First Insurance Group, LLC. UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Motion made by Wichman, second by Shea, to approve funding request from Southwest Iowa Leadership Academy in the amount of \$2,500 to be paid from the Gaming Fund. UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Actions

- 1) Recorder – Payroll Status Change for Mary Jo Turpen
- 2) Jail – Payroll Status Change for Corey Little, Kayla Smeal
- 3) Planning – Payroll Status Change for Maria Sieck
- 4) Attorney – Payroll Status Change for James Burger, Lyndze Thompson

B. Affidavit and Notice of Found Property

**IN THE DISTRICT COURT OF
POTTAWATTAMIE COUNTY, IOWA**

**IN THE MATTER OF LOST PROPERTY FOUND
BY Michael Hartenhoff**

Case No. CB20-01 1661

AFFIDAVIT AND NOTICE OF FOUND PROPERTY

COMES NOW Michael Hartenhoff, a finder of lost goods, and hereby swears or affirms under oath, the following facts:

1. I found the following property: Ziploc bag of money greater than \$10,000 but less than \$20,000.
2. This property was located at the following place: 1600 W. South Omaha Bridge Road.
3. This property was located on the following date and time: Oct. 29, 2020, 11:15 A.M.
4. No alteration has been made in the appearance of the property from the time I found it to the time I turned it over to the chief of police of the city in which the property was found.
5. The value of the property exceeds forty dollars.
6. My address is: 1 Park Circle Council Bluffs IA 51503

FURTHER YOUR AFFIANT SAITH NAUGHT.
DATED THIS 27TH day of April, 2021

SIGNED: Michael Hartenhoff

5. CLOSED SESSION

Motion by Wichman, second by Shea, to go into Closed Session pursuant to Iowa Code §21.5(i) for discussion and/or decision on personnel matters.

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

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

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

Motion by Shea, Second by Wichman, to approve that which was discussed in closed session. UNANIMOUS VOTE. Motion Carried.

6. ADJOURN

Motion by Wichman, second by Shea, to adjourn meeting.
UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:50 A.M.

Scott A. Belt, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: June 8, 2021

PUBLISH: X

June 8, 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 Shea, and second by Schultz to approve:

- A. June 1, 2021, Minutes as read.
- B. Publication of Claims allowed for May 2021
- C. Conservation – Employment of Michael Casson as BB Seasonal; and Cory Rhinehart as NAM Seasonal.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Schultz, second by Shea, to approve funding request from Avoca Main Street for the amount of \$3,000 from Gaming Fund. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Schultz, to approve and authorize Board to sign **Resolution No. 53-2021** approving the selection of a firm for Legal Services.

RESOLUTION NO. 53-2021

**REAL ESTATE ACQUISITION LEGAL SERVICES
2019 FLOOD**

WHEREAS, as a result of the flooding of 2019, Pottawattamie County has applied to FEMA under its §403 Essential Assistance Program for funding of demolition work. Funding is anticipated from FEMA, the State of Iowa and the County.

WHEREAS, the County requires legal services to be performed for the purpose of preparing structures for demolition in connection with the above identified project; and

WHEREAS, Petersen Law PLLC (contractor) certifies to be permitted to practice law in Iowa as established in Chapter 31 of the Iowa Court Rules, is qualified and willing to perform the work required in accordance with standards and criteria hereinafter set forth, and pursuant to the terms provisions and conditions hereof, and

WHEREAS, Request for Bids (RFB) Notice to Bidders was published in the The Nonpareil on April 28, 2021 and individual written RFB Notice to Bidders were mailed on April 28, 2021 to law firms permitted to practice law in Iowa from the region surrounding the County, and

WHEREAS, said bids were required to be submitted to Pottawattamie County, Iowa, on or before May 19, 2021, and

WHEREAS, Pottawattamie County received three (3) quotes, and have opened said quotes on May 19, 2021, and

WHEREAS, the County has determined that Petersen Law PLLC has submitted the lowest and most responsive and responsible submittal and who has best met the submittal criteria as set out in the RFB, and

WHEREAS, Pottawattamie County, Iowa, is interested in continuing forward and having the work described in said RFB completed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA that the Board of Supervisors that the contract to perform the said Legal Services work for Pottawattamie County, Iowa, as outlined in the said RFB is hereby awarded to Petersen Law PLLC in the total amount of \$12,000, and that the Board is authorized to execute said Contract with this contractor and that the contractor is hereby given “Notice to Proceed”, after having submitted the Certificate of Insurance required by the RFB to the County through the Planning Director.

ROLL CALL VOTE

Passed and Approved this 8th day of June, 2021.

AYE	NAY	ABSTAIN	ABSENT
○	○	○	○

Scott A. Belt, Chairman

	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tim Wichman				
	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lynn Grobe				
	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Justin Schultz				
	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Brian Shea				

ATTEST: _____
Melvyn J. Houser, County Auditor

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

Motion made by Schultz, second by Wichman, to approve and authorize Board to sign **Resolution No. 51-2021** entitled: Resolution Authorizing Forgivable Loan Agreement with Regional Water.

RESOLUTION NO. 51-2021

Resolution Authorizing Forgivable Loan Agreement with Regional Water

WHEREAS, Chapter 15A of the Code of Iowa (“Chapter 15A”) declares that economic development is a public purpose for which a county may provide grants, loans, guarantees and other financial assistance to or for the benefit of private persons; and

WHEREAS, Chapter 15A requires that before public funds are used for grants, loans or other financial assistance, the board of supervisors must determine that a public purpose will reasonably be accomplished by the spending or use of those funds; and

WHEREAS, Chapter 15A requires that, in determining whether funds should be spent, the board of supervisors must consider any or all of a series of factors; and

WHEREAS, Regional Water has proposed to undertake certain improvements and extensions (the “Water Improvement Project”) to its water system in order to serve certain property (the “Development Property”) situated in Pottawattamie County, Iowa (the “County”); and

WHEREAS, the Water Improvement Project is necessary to provide water service to the Development Property and to promote the development of residential housing thereon (the “Housing Development Project”); and

WHEREAS, Regional Water has requested that the County provide financial assistance in the form of a forgivable loan (the “Forgivable Loan”) in order to pay for a portion of the costs of the Water Improvement Project; and

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

- Section 1.** Pursuant to the factors listed in Chapter 15A, the Board of Supervisors hereby finds that:
 - a) The Housing Development Project, including the Water Improvement Project, will add diversity and generate new opportunities for the Pottawattamie County and Iowa economies; and
 - b) The Housing Development Project, including the Water Improvement Project, will generate public gains and benefits, particularly in the creation of new jobs and housing opportunities in the County, which are warranted in comparison to the amount of the proposed Forgivable Loan.

Section 2. The Board of Supervisors further finds that a public purpose will reasonably be accomplished by making the Forgivable Loan in connection with the Water Improvement Project.

Section 3. The Forgivable Loan in an amount not to exceed \$300,000 is hereby approved, subject to the terms and conditions set out in the forgivable loan agreement (the “Forgivable Loan Agreement”) to be entered into by Regional Water and the County. The Chairperson and the County Auditor are hereby authorized to execute such documents as may be necessary to implement the Forgivable Loan approved herein, including the Forgivable Loan Agreement, in substantially the form as has been presented to this Board of Supervisors, and such officers or their designees are hereby authorized and directed to prepare any additional documentation and to make such changes to the Forgivable Loan Agreement as are deemed necessary to carry out the purposes of this Resolution.

Section 4. All resolutions or parts thereof in conflict herewith, are hereby repealed, to the extent of such conflict.

Passed and Approved this 8th day of June, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn J. Houser, County Auditor

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

3. OTHER BUSINESS

Motion made by Wichman, second by Schultz, to approve job description for Seasonal Election Clerk. UNANIMOUS VOTE. Motion carried.

Motion made by Schultz, second by Wichman, to approve Series 2021A Bond Counsel Engagement Agreement with Ahlers & Cooney, P.C. UNANIMOUS VOTE. Motion carried

Motion made by Wichman, second by Schultz, to approve Series 2021B Bond Counsel Engagement Agreement with Ahlers & Cooney, P.C. UNANIMOUS VOTE. Motion carried

Motion made by Wichman, second by Schultz, to approve and authorize Board to sign **Resolution No. 52-2021** entitled: RESOLUTION DECLARING AN OFFICIAL INTENT UNDER TREASURY REGULATION 1.150-2 TO ISSUE DEBT TO REIMBURSE THE COUNTY FOR CERTAIN ORIGINAL EXPENDITURES PAID IN CONNECTION WITH SPECIFIED PROJECTS.

RESOLUTION NO. 52-2021

RESOLUTION DECLARING AN OFFICIAL INTENT UNDER TREASURY REGULATION 1.150-2 TO ISSUE DEBT TO REIMBURSE THE COUNTY FOR CERTAIN ORIGINAL EXPENDITURES PAID IN CONNECTION WITH SPECIFIED PROJECTS

WHEREAS, the County anticipates making cash expenditures for one or more capital improvement projects, generally described below (each of which shall hereinafter be referred to as a "Project"); and

WHEREAS, the County reasonably expects to issue debt to reimburse the costs of a Project; and

WHEREAS, the Board believes it is consistent with the County's budgetary and financial circumstances to issue this declaration of official intent.

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

Section 1. That this Resolution be and does hereby serve as a declaration of official intent under Treasury Regulation 1.150-2.

Section 2. That it is reasonably expected that capital expenditures will be made in respect of the following Project(s), from time to time and in such amounts as this Board determines to be necessary or desirable under the circumstances then and there existing.

Section 3. That the County reasonably expects to reimburse all or a portion of the following expenditures with the proceeds of bonds, notes or other indebtedness to be issued or incurred by the County in the future.

Section 4. That the total estimated costs of the Project(s), the maximum principal amount of the bonds, notes or other indebtedness to be issued for the foregoing Project(s) and the estimated dates of completion of the Project(s) are reasonably expected to be as follows:

<u>Project</u>	<u>Fund from which original expenditures are to be Advanced</u>	<u>Total Estimated Cost*</u>	<u>Amount of Borrowing Anticipated</u>	<u>Estimated Date of Completion</u>
B-Wing Demolition	Property Acquisition and Improvement 0019	\$ 232,390	\$ 232,390	6/30/2022
B-Wing Renovation	Property Acquisition and Improvement 0019	\$ 4,932,245	\$ 4,932,245	6/30/2022
Services Building Demolition – Asbestos Removal	Property Acquisition and Improvement 0019	\$ 32,311	\$ 32,311	6/30/2022
Asbestos Removal Monitoring	Property Acquisition and Improvement 0019	\$ 7,500	\$ 7,500	6/30/2022
Services Building Demolition	Property Acquisition and Improvement 0019	\$ 98,774	\$ 98,774	6/30/2022
Acquisition and Equipping of a vehicle for Planning and Zoning which is necessary for the operation of the county or the health and welfare of its citizens	Rural Basic 0011	\$ 25,000	\$ 25,000	6/30/2022
Acquisition and Equipping of a road grader for Secondary Roads which is necessary for the operation of the county or the health and welfare of its citizens	Secondary Roads 0020	\$ 300,000	\$ 300,000	6/30/2022

Section 5. That the County reasonably expects to reimburse the above-mentioned Project costs not later than the later of eighteen months after the capital expenditures are paid or eighteen months after the property is placed in service, but in no event more than three (3) years after the original expenditure is paid.

Section 6. That this Resolution be maintained by the County Auditor in an Official Intent File maintained in the office of the Auditor and available at all times for public inspection, subject to such revisions as may be necessary.

Passed and Approved this 8th day of June, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn J. Houser, County Auditor

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

Motion made by Shea, second by Schultz, to approve and authorize Chairman to sign Rural Transit System Joint Participation Agreement with SWIPCO; and to approve Funding request in the amount of \$6,000. UNANIMOUS VOTE. Motion carried.

4. PUBLIC HEARING

At 11:00 A.M, motion by Shea, second by Schultz, to open Public Hearing on Intent to Commence a Public Improvement Project to Construct an Extension of the Pottawattamie County Railroad Highway Trail and to Acquire Property for the project.

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

Motion by Wichman, second by Shea, to close Public Hearing.

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

5. RECEIVED/FILED

A. Salary Actions

- 1) IT – Payroll Status Change for Matthew Reeves, Kelly Greer, Kellie Newell
- 2) Sheriff – Payroll Status Change for Jeremy Harker
- 3) Secondary Roads – Payroll Status change for Kevin Ausdemore, Shawn Bluml, Josh Kohl, Zach Larimore, Nick McCoid, Josh Reynolds, Mitch Rollins,
- 4) Jail – Payroll Status Change for Amber Roberts
- 5) Communications – Payroll Status Change for Rachel Bieghler
- 6) Auditor – Payroll Status Change for Dixie Wilson

B. Reports

- 1) Recorder’s Fee Book for May 2021

6. 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.

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

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

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

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

Motion by Wichman, second by Shea, to go into Closed Session pursuant to Iowa Code 20.17(3), for discussion and/or decision on labor negotiations / collective bargaining matters.

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

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

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

7. ADJOURN

Motion by Shea, second by Schultz , to adjourn meeting. UNANIMOUS VOTE. Motion carried. THE BOARD ADJOURNED SUBJECT TO CALL AT 1:54 P.M.

Scott A. Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: June 15, 2021

PUBLISH: X

June 15, 2021

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. June 8, 2021, Minutes as read.
- B. Renewal of Iowa Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for Desoto Bend Mini Mart, Missouri Valley.
- C. Renewal of Iowa Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor by Taylor Quik Pik, Council Bluffs.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Shea, second by Schultz, to approve Cornerstone Commercial Contractors pay request no. 1 for downtown rehab construction work in Carson/Macedonia. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Schultz, to approve and authorize Chairman to sign Program Agreement between MAPA and Pottawattamie for Amendment 1 for Cities Iowa Downtown Revitalization – 19POTT01-Pottawattamie County, Iowa Downtown Revitalization. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve and authorize Chairman to sign Program Agreement between MAPA and Pottawattamie for Amendment 3 for Cities Macedonia, Minden, Treynor & Walnut Projects – 17POTT01-Pottawattamie County CITIES Administration: Cities Macedonia, Minden, Treynor and Walnut Projects. UNANIMOUS VOTE. Motion Carried.

Motion made by Schultz, second by Shea, to approve and authorize Chairman to sign Program Agreement between MAPA and Pottawattamie for Amendment for Avoca, Macedonia, Neola, and Treynor – 20POTT03-Pottawattamie County CITIES Administration: Cities of Avoca, Macedonia, Neola & Treynor. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman second by Shea, to approve 2021-2022 Union Contract between Pottawattamie County and AFSCME Local #2364, Courthouse Union. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Schultz, to approve 2021-2022 Union Contract between Pottawattamie County and AFSCME Local #2364, Roads. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve 2021-2022 Union Contract between Pottawattamie County and AFSCME Local #2364, 911. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Schultz, to approve and authorize Chairman to sign Tyler Amendment to add Socrata Open Finance Suite. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Schultz, to approve and authorize CIO to sign Cox Commercial Agreement Amendment for Metro Ethernet service. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve and authorize Chairman to sign Bishop/US Bank additions to contract. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Schultz, to approve and authorize Board to sign **Resolution No. 54-2021** entitled: A RESOLUTION AUTHORIZING APPROVAL TO COMMENCE A PUBLIC IMPROVEMENT PROJECT TO CONSTRUCT AN EXTENSION OF THE POTTAWATTAMIE COUNTY RAILROAD HIGHWAY TRAIL AND TO ACQUIRE PROPERTY FOR THE PROJECT.

RESOLUTION NO. 54-2021

A RESOLUTION AUTHORIZING APPROVAL TO COMMENCE A PUBLIC IMPROVEMENT PROJECT TO CONSTRUCT AN EXTENSION OF THE POTTAWATTAMIE COUNTY RAILROAD HIGHWAY TRAIL AND TO ACQUIRE PROPERTY FOR THE PROJECT

WHEREAS, the Board of Supervisors has provided legal notice of and set a public hearing to discuss the commencement of a public improvement project to construct an extension of the Pottawattamie County Railroad Highway Trail and to acquire property for the project; and

WHEREAS, this project is reasonable and necessary as an incident to the powers and duties conferred upon counties by Iowa Code; and

WHEREAS, this project is for a public use, public purpose, and/or public improvement within the meaning of Iowa Code Chapter 6A; and

WHEREAS, this project will not involve the condemnation of “agricultural land” within the meaning of Iowa Code 6A.21(1)(b); and

WHEREAS, the Board of Supervisors believes it to be in the best interests of Pottawattamie County to approve the commencement of this project; and

WHEREAS, the Board of Supervisors believes it to be in the best interests of Pottawattamie County to authorize the acquisition of property for the purpose of this project; and

WHEREAS, the acquisition of property for this project will first be attempted by good faith negotiations with property owners; and

WHEREAS, condemnation proceedings may be initiated against those properties which Pottawattamie County is unable to purchase through good faith negotiations; and

WHEREAS, Pottawattamie County has previously approved a recreational trail project for the construction of a trail along Railroad Highway in Pottawattamie County from Council Bluffs to Weston; and

WHEREAS, a portion of that trail has been constructed from the Smith Wildlife Preserve to Weston; and

WHEREAS, additional property between Railroad Highway and the existing railroad line belonging to the Burlington Northern – Santa Fe Railroad (BNSF) will need to be acquired to extend the existing recreational trail further to the north; and

WHEREAS, before initiating condemnation proceedings Pottawattamie County will offer no less than the appraised value for any property sought to be acquired; and

WHEREAS, the construction of the project is proposed to be funded in Fiscal Year 2021 and 2022.

NOW THEREFORE BE IT RESOLVED, by the Board of Supervisors of Pottawattamie County, Iowa, that the Board of Supervisors does hereby approve the commencement of a public improvement project to construct an extension of the Pottawattamie County Railroad Highway Trail.

BE IT FURTHER RESOLVED, by the Board of Supervisors of Pottawattamie County, Iowa, that the Board of Supervisors does hereby authorize the acquisition of property for the purpose of the above-mentioned project.

Passed and Approved this 15th day of June, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn J. Houser, County Auditor

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

Discussion was held with County Treasurer Lea Voss on a potential renovation of the Treasurer's Office. Discussion only. No action taken.

3. OTHER BUSINESS

Discussion was held on the Employment Agreements of Chief Information Officer David Bayer, HR Director Jana Lemrick, Engineer John Rasmussen, Buildings and Grounds Director Jason Slack, Planning and Development Director Matt Wyant, and Community Services Director Suzanne Watson. Discussion only. No action taken.

Motion by Wichman, Second by Shea, to approve a 2.5% pay increase for Department Heads. UNANIMOUS VOTE. Motion Carried.

Motion made by Schultz, second by Wichman, to approve Application for Permit to Display Fireworks filed by Robert Caputo, for display on July 4th, 2021, at 22881 Three Bridge Road. UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Employment Agreements

- 1) Pottawattamie County Conservation Board – Employment agreement with Conservation Director Mark Shoemaker
- 2) Pottawattamie County Emergency Management Commission – Employment agreement with Emergency Management Director Doug Reed

B. Salary Actions

- 1) Public Health – Payroll Status Change for Tani Harris
- 2) Communications – Payroll Status Change for Calee Morgal

C. Out of State Travel

- 1) Communications – Out of state travel notification.
- 2) Jail – Out of state travel notification.

5. ADJOURN

Motion by Wichman, second by Schultz, to adjourn meeting. UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:00 A.M.

Scott A. Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: June 22, 2021

PUBLISH: X

June 22, 2021

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. June 15, 2021, Minutes as read.
- B. Renewal of Iowa Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for The Mile Away, Council Bluffs.

UNANIMOUS VOTE. Motion Carried.

Motion by Wichman, second by Schultz, to amend agenda to read Closed Session pursuant to Iowa Code §21(1)(C) for discussion/decision regarding pending litigation. UNANIMOUS VOTE. Motion Carried.

2. PUBLIC HEARINGS

Motion made by Schultz, second by Shea, to open Public Hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder (Not to Exceed \$300,000 General Obligation Capital Loan Notes #1).

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

Motion by Wichman, second by Schultz, to close Public Hearing.

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

Motion by Wichman, second by Schultz, to approve and authorize Board to sign **Resolution No. 57-2021** instituting proceedings to take additional action.

RESOLUTION NO. 57-2021

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GCP #1)

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of Not to Exceed \$300,000 General Obligation Capital Loan Notes (GCP #1), for the general county purposes, in order to provide funds to pay the costs of acquisition and development of land for a public park or other recreation or conservation purpose, including upgrading electrical and installing full, modern RV hook-ups at Arrowhead Park, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of Not to Exceed \$300,000 General Obligation Capital Loan Notes (GCP #1), for the foregoing general county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

Dated this 22nd Day of June, 2021.

ROLL CALL VOTE

	AYE		NAY		ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion made by Schultz, second by Shea, to open Public Hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder (Not to Exceed \$225,000 General Obligation Capital Loan Notes #2).

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

Motion by Wichman, second by Schultz, to close Public Hearing.

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

Motion by Wichman, second by Schultz, to approve and authorize Board to sign **Resolution No. 58-2021** instituting proceedings to take additional action.

RESOLUTION NO. 58-2021

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$225,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GCP #2)

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of Not to Exceed \$225,000 General Obligation Capital Loan Notes (GCP #2), for the general county purposes, in order to provide funds to pay the costs of acquisition and development of land for a public park or other recreation or conservation purpose, including RV Park Road and landscaping upgrades at Arrowhead Park, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of Not to Exceed \$225,000 General Obligation Capital Loan Notes (GCP #2), for the foregoing general county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

Dated this 22nd Day of June, 2021.

ROLL CALL VOTE

	AYE		NAY		ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion made by Schultz, second by Shea, to open Public Hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder (Not to Exceed \$300,000 General Obligation Capital Loan Notes #3).

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

Motion by Wichman, second by Shea, to close Public Hearing.

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

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 59-2021** instituting proceedings to take additional action.

RESOLUTION NO. 59-2021

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GCP #3)

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of Not to Exceed \$300,000 General Obligation Capital Loan Notes (GCP #3), for the general county purposes, in order to provide funds to pay the costs of acquisition and development of land for a public park or other recreation or conservation purpose, including campground improvements at Botna Bend Park, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of Not to Exceed \$300,000 General Obligation Capital Loan Notes (GCP #3), for the foregoing general county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

Dated this 22nd Day of June, 2021.

ROLL CALL VOTE

	AYE		NAY		ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion made by Wichman, second by Shea, to open Public Hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder (Not to Exceed \$150,000 General Obligation Capital Loan Notes #4).

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

Motion by Wichman, second by Shea, to close Public Hearing.

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

Motion by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 60-2021** instituting proceedings to take additional action.

RESOLUTION NO. 60-2021

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$150,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GCP # 4)

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of Not to Exceed \$150,000 General Obligation Capital Loan Notes (GCP # 4), for the general county purposes, in order to provide funds to pay the costs of acquisition and development of land for a public park or other recreation or conservation purpose, including boat ramp improvements at Botna Bend Park, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of Not to Exceed \$150,000 General Obligation Capital Loan Notes (GCP # 4), for the foregoing general county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

Dated this 22nd Day of June, 2021.

ROLL CALL VOTE

	AYE		NAY		ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion made by Shea, second by Schultz, to open Public Hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder (Not to Exceed \$200,000 General Obligation Capital Loan Notes #5).

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

Motion by Wichman, second by Shea, to close Public Hearing.

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

Motion by Shea, second by Schultz, to approve and authorize Board to sign **Resolution No. 61-2021** instituting proceedings to take additional action.

RESOLUTION NO. 61-2021

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$200,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GCP #5)

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of Not to Exceed \$200,000 General Obligation Capital Loan Notes (GCP #5), for the general county purposes, in order to provide funds to pay the costs of acquisition and development of land for a public park or other recreation or conservation purpose, including lodge and cabin updates and campground hook-ups at Hitchcock Park, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of Not to Exceed \$200,000 General Obligation Capital Loan Notes (GCP #5), for the foregoing general county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

Dated this 22nd Day of June, 2021.

ROLL CALL VOTE

	AYE		NAY		ABSTAIN	ABSENT
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	

Scott A. Belt, Chairman

_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tim Wichman				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lynn Grobe				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Justin Schultz				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Brian Shea				

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion made by Shea, second by Wichman, to open Public Hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder (Not to Exceed \$300,000 General Obligation Capital Loan Notes #6).

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

Motion by Wichman, second by Shea, to close Public Hearing.

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

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 62-2021** instituting proceedings to take additional action.

RESOLUTION NO. 62-2021

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GCP #6)

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of Not to Exceed \$300,000 General Obligation Capital Loan Notes (GCP #6), for the general county purposes, in order to provide funds to pay the costs of acquisition and equipping of sheriff vehicles which are necessary for the operation of the county or the health and welfare of its citizens, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$300,000 General Obligation Capital Loan Notes (GCP #6), for the foregoing general county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

Dated this 22nd Day of June, 2021.

ROLL CALL VOTE

	AYE		NAY	ABSTAIN	ABSENT
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Scott A. Belt, Chairman					
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Tim Wichman					

	○	○	○	○
Lynn Grobe				
	○	○	○	○
Justin Schultz				
	○	○	○	○
Brian Shea				

ATTEST: _____
 Melvyn Houser, County Auditor

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

Motion made by Wichman, second by Schultz, to open Public Hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder (Not to Exceed \$25,000 General Obligation Capital Loan Notes #7).

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

Motion by Wichman, second by Shea, to close Public Hearing.

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

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 63-2021** instituting proceedings to take additional action.

RESOLUTION NO. 63-2021

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$25,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GCP #7)

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of Not to Exceed \$25,000 General Obligation Capital Loan Notes (GCP #7), for the general county purposes, in order to provide funds to pay the costs of acquisition and equipping of a vehicle for Planning and Zoning which is necessary for the operation of the county or the health and welfare of its citizens, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of Not to Exceed \$25,000 General Obligation Capital Loan Notes (GCP #7), for the foregoing general county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

Dated this 22nd Day of June, 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, Schultz, Shea. Motion Carried.

Motion made by Shea, second by Schultz, to open Public Hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder (Not to Exceed \$300,000 General Obligation Capital Loan Notes #8).

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

Motion by Wichman, second by Shea, to close Public Hearing.

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

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 64-2021** instituting proceedings to take additional action.

RESOLUTION NO. 64-2021

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GCP #8)

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of Not to Exceed \$300,000 General Obligation Capital Loan Notes (GCP #8), for the general county purposes, in order to provide funds to pay the costs of acquisition and equipping of a road grader for secondary roads which is necessary for the operation of the county or the health and welfare of its citizens, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of Not to Exceed \$300,000 General Obligation Capital Loan Notes (GCP #8), for the foregoing general county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

Dated this 22nd Day of June, 2021.

ROLL CALL VOTE

	AYE		NAY		ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	

	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Brian Shea				

ATTEST: _____
 Melvyn Houser, County Auditor

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

Motion made by Schultz, second by Wichman, to open Public Hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder (Not to Exceed \$60,000 General Obligation Capital Loan Notes #9).

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

Motion by Wichman, second by Shea, to close Public Hearing.

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

Motion by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 65-2021** instituting proceedings to take additional action.

RESOLUTION NO. 65-2021

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$60,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (ECP #9)

WHEREAS, pursuant to notice published as required by law, the Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of Not to Exceed \$60,000 General Obligation Capital Loan Notes (ECP #9), for the essential county purposes, in order to provide funds to pay the costs of equipping public buildings including computer hardware and software upgrades, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That this Board does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of Not to Exceed \$60,000 General Obligation Capital Loan Notes (ECP #9), for the foregoing essential county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

Dated this 22nd Day of June, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

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

3. SCHEDULED SESSIONS

Motion made by Shea, second by Schultz, to approve funding request from Pottawattamie County Housing Trust Fund in the amount of \$15,000 for the purpose of Economic Development pursuant to Iowa Code §15(A). Said funds are to be paid from Gaming.
UNANIMOUS VOTE. Motion Carried.

Discussion was held on the Courthouse Campus Parking Construction Plan. Discussion only. No action taken.

Motion made by Shea, second by Schultz, to approve and authorize Chairman to sign Employment Agreements with Chief Information Officer David Bayer, HR Director Jana Lemrick, Buildings and Grounds Director Jason Slack, Finance and Budget Director Mitch Kay, Planning and Development Director Matt Wyant, and Community Services Director Suzanne Watson.
UNANIMOUS VOTE. Motion Carried.

4. OTHER BUSINESS

Motion by Wichman, second by Schultz, to approve and authorize Board to sign **Resolution No 66-2021** entitled: RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF \$1,905,000 (DOLLAR AMOUNT SUBJECT TO CHANGE) GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2021A, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND OFFICIAL STATEMENT

RESOLUTION NO. 66-2021

RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF \$1,905,000 (DOLLAR AMOUNT SUBJECT TO CHANGE) GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2021A, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND OFFICIAL STATEMENT

WHEREAS, the County is in need of funds to pay costs of acquisition and development of land for a public park or other recreation or conservation purpose, including upgrading electrical and installing full, modern RV hook-ups at Arrowhead Park, general county purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes (GCP #1), to the amount of not to exceed \$300,000 be authorized for said purpose(s); and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Notes for general county purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, the County is in need of funds to pay costs of acquisition and development of land for a public park or other recreation or conservation purpose, including RV Park Road and landscaping upgrades at Arrowhead Park, general county purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes (GCP #2), to the amount of not to exceed \$225,000 be authorized for said purpose(s); and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Notes for general county purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, the County is in need of funds to pay costs of acquisition and development of land for a public park or other recreation or conservation purpose, including campground improvements at Botna Bend Park, general county purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes (GCP # 3), to the amount of not to exceed \$300,000 be authorized for said purpose(s); and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Notes for general county purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, the County is in need of funds to pay costs of acquisition and development of land for a public park or other recreation or conservation purpose, including boat ramp improvements at Botna Bend Park, general county

purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes (GCP # 4), to the amount of not to exceed \$150,000 be authorized for said purpose(s); and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Notes for general county purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, the County is in need of funds to pay costs of acquisition and development of land for a public park or other recreation or conservation purpose, including lodge and cabin updates and campground hook-ups at Hitchcock Park, general county purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes (GCP # 5), to the amount of not to exceed \$200,000 be authorized for said purpose(s); and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Notes for general county purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, the County is in need of funds to pay costs of acquisition and equipping of sheriff vehicles which are necessary for the operation of the county or the health and welfare of its citizens, general county purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes (GCP # 6), to the amount of not to exceed \$300,000 be authorized for said purpose(s); and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Notes for general county purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, the County is in need of funds to pay costs of acquisition and equipping of a vehicle for Planning and Zoning which is necessary for the operation of the county or the health and welfare of its citizens, general county purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes (GCP # 7), to the amount of not to exceed \$25,000 be authorized for said purpose(s); and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Notes for general county purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, the County is in need of funds to pay costs of acquisition and equipping of a road grader for secondary roads which is necessary for the operation of the county or the health and welfare of its citizens; and, general county purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes (GCP # 8), to the amount of not to exceed \$300,000 be authorized for said purpose(s); and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Notes for general county purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, the Issuer is in need of funds to pay costs of equipping public buildings including computer hardware and software upgrades, essential county purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes (ECP # 9), to the amount of not to exceed \$60,000 be authorized for said purpose(s); and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.443 of the Code of Iowa, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of the Notes, and the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, pursuant to Section 331.445 of the Code of Iowa, it is hereby found and determined that the various general obligation notes authorized as hereinabove described shall be combined for the purpose of issuance in a single issue of \$1,905,000 (Dollar Amount Subject to Change) General Obligation Capital Loan Notes, Series 2021A as hereinafter set forth; and

WHEREAS, in conjunction with its Municipal Advisor, Speer Financial, Inc., the County has caused an Official Statement to be prepared outlining the details of the proposed sale of the Notes; and

WHEREAS, the Board has received information from its Municipal Advisor evaluating and recommending the procedure hereinafter described for electronic, facsimile and internet bidding to maintain the integrity and security of the competitive bidding process and to facilitate the delivery of bids by interested parties; and

WHEREAS, the Board deems it in the best interests of the County and the residents thereof to receive bids to purchase such Notes by means of both sealed and electronic internet communication.

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

Section 1. That the receipt of electronic bids by facsimile machine and through the SpeerAuction Competitive Bidding System described in the Notice of Sale and Official Statement are hereby found and determined to provide reasonable security and to maintain the integrity of the competitive bidding process, and to facilitate the delivery of bids by interested parties in connection with the offering at public sale.

Section 2. That General Obligation Capital Loan Notes, Series 2021A, of Pottawattamie County, State of Iowa, in the amount of \$1,905,000 (Dollar Amount Subject to Change), to be issued as referred to in the preamble of this Resolution, to be dated August 18, 2021, be offered for sale pursuant to the published advertisement.

Section 3. That the preliminary Official Statement in the form presented to this meeting be and the same hereby is approved as to form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission, subject to such revisions, corrections or modifications as the Chairperson and County Auditor, upon the advice of bond counsel and the County's Municipal Advisor, shall determine to be appropriate, and is authorized to be distributed in connection with the offering of the Notes for sale.

Section 4. That the Auditor is hereby directed to publish notice of sale of the Notes at least once, the last one of which shall be not less than four clear days nor more than twenty days before the date of the sale. Publication shall be made in the "Daily Nonpareil", a legal newspaper, printed wholly in the English language, published within the county in which the Notes are to be offered for sale or an adjacent county. The notice is given pursuant to Chapter 75 of the Code of Iowa, and shall state that this Board, on the 19th day of July, 2021, at 1:00 P.M., will hold a meeting to receive and act upon bids for said Notes, which bids were previously received and opened by County Officials at 10:30 A.M. on said date.

Dated this 22nd Day of June, 2021.

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No 67-2021** entitled: RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF \$12,000,000 (DOLLAR AMOUNT SUBJECT TO CHANGE) GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2021B, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND OFFICIAL STATEMENT.

RESOLUTION NO. 67-2021

RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF \$12,000,000 (DOLLAR AMOUNT SUBJECT TO CHANGE) GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2021B, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND OFFICIAL STATEMENT

WHEREAS, the Issuer is in need of funds to pay costs of aiding in the planning, undertaking, and carrying out of urban renewal projects under the authority of Chapter 403, essential county urban renewal purpose project(s), and it is deemed necessary and advisable that the County issue General Obligation Urban Renewal Bonds, for such purpose(s) to the amount of not to exceed \$16,900,000 as authorized by Sections 331.441(2)(b)(14), 331.443 and 403.12 of the Code of Iowa; and

WHEREAS, pursuant to notice published as required by Sections 331.441(2)(b)(14), 331.443 and 403.12 this Board has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of said Bonds, and all objections, if any, to such Board action made by any resident or property owner of the County were received and considered by the Board; and no petition having been filed, it is the

decision of the Board that additional action be taken for the issuance of said Bonds for such purpose(s), and that such action is considered to be in the best interests of the County and the residents thereof; and

WHEREAS, in conjunction with its Municipal Advisor, Speer Financial, Inc., the County has caused an Official Statement to be prepared outlining the details of the proposed sale of the Bonds; and

WHEREAS, the Board has received information from its Municipal Advisor evaluating and recommending the procedure hereinafter described for electronic, facsimile and internet bidding to maintain the integrity and security of the competitive bidding process and to facilitate the delivery of bids by interested parties; and

WHEREAS, the Board deems it in the best interests of the County and the residents thereof to receive bids to purchase such Bonds by means of both sealed and electronic internet communication.

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

Section 1. That the receipt of electronic bids by facsimile machine and through the SpeerAuction Competitive Bidding System described in the Notice of Sale and Official Statement are hereby found and determined to provide reasonable security and to maintain the integrity of the competitive bidding process, and to facilitate the delivery of bids by interested parties in connection with the offering at public sale.

Section 2. That General Obligation Urban Renewal Bonds, Series 2021B, of Pottawattamie County, State of Iowa, in the amount of \$12,000,000 (Dollar Amount Subject to Change), to be issued as referred to in the preamble of this Resolution, to be dated August 18, 2021, be offered for sale pursuant to the published advertisement.

Section 3. That the preliminary Official Statement in the form presented to this meeting be and the same hereby is approved as to form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission, subject to such revisions, corrections or modifications as the Chairperson and County Auditor, upon the advice of bond counsel and the County's Municipal Advisor, shall determine to be appropriate, and is authorized to be distributed in connection with the offering of the Bonds for sale.

Section 4. That the Auditor is hereby directed to publish notice of sale of the Bonds at least once, the last one of which shall be not less than four clear days nor more than twenty days before the date of the sale. Publication shall be made in the "Daily Nonpareil", a legal newspaper, printed wholly in the English language, published within the county in which the Bonds are to be offered for sale or an adjacent county. The notice is given pursuant to Chapter 75 of the Code of Iowa, and shall state that this Board, on the 19th day of July, 2021, at 1:00 P.M., will hold a meeting to receive and act upon bids for said Bonds, which bids were previously received and opened by County Officials at 11:00 A.M. on said date.

Dated this 22nd Day of June, 2021.

ROLL CALL VOTE

	AYE		NAY		ABSTAIN	ABSENT
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Scott A. Belt, Chairman						
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Tim Wichman						
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Lynn Grobe						
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Justin Schultz						
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Brian Shea						

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No 55-2021** entitled: RESOLUTION for Transfer from Rural Services Fund to Secondary Roads Fund.

RESOLUTION NO. 55-2021

RESOLUTION for Transfer from Rural Services Fund to Secondary Roads Fund

WHEREAS, it is desired to transfer money from Rural Services Fund to Secondary Roads Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa; and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$1,275,000 is ordered to be transferred from Rural Services Fund to Secondary Roads Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

Dated this 22nd Day of June, 2021.

ROLL CALL VOTE

	AYE		NAY		ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No 56-2021** entitled: RESOLUTION FOR RE-APPROPRIATION BETWEEN DEPARTMENTS.

RESOLUTION NO. 56-2021

RESOLUTION FOR RE-APPROPRIATION BETWEEN DEPARTMENTS

WHEREAS, it is desired to re-appropriate money from Board of Supervisors (Department 01) to Conservation (Department 22); and

WHEREAS, said re-appropriations are in accordance with Section 331.434(6), Code of Iowa, and

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

SECTION 1: The sum of **\$25,000** is ordered to be re-appropriated from Board of Supervisors (Department 01), to Conservation (Department 22); and

SECTION 2: The Auditor is directed to correct his/her books accordingly and to notify the Treasurer of this operating re-appropriation.

Dated this 22nd Day of June, 2021.

ROLL CALL VOTE

	AYE		NAY		ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	

	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lynn Grobe				
	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Justin Schultz				
	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Brian Shea				

ATTEST: _____
 Melvyn Houser, County Auditor

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

Motion made by Wichman, second by Shea, to approve/disallow the following applications made to the Assessor’s Office: Homestead (67 recommended allowed, 11 recommended disallowed), Military (9 recommended allowed, 1 recommended disallowed), Disabled Veteran Homestead (5 recommended allowed, 0 recommended disallowed), Business Property Tax Credit (3 recommended allowed, 0 recommended disallowed), Family Farm (5 recommended allowed, 0 recommended disallowed). UNANIMOUS VOTE. Motion Carried.

5. RECEIVED/FILED

- A. Pottawattamie County Emergency Management Agency – Compensation Adjustment Validation
- B. Reports
 - 1) Sheriff’s Office Report of Fees Disbursed and Collected for May 2021
 - 2) Baker Tilly Classification and Compensation Study
- C. Salary Actions
 - 1) SWIJDC – Payroll Status Change for Addison Fischer, Alex Rosenberg
 - 2) Sheriff – Payroll Status Change for Travis Steffens
 - 3) Communications – Payroll Status Change for Calee Morgal, Torie Brummett
 - 4) Roads – Payroll Status Change for Todd Runge

6. CLOSED SESSION

Motion made by Wichman, second by Shea, to go into Closed Session pursuant to Iowa Code §21.5(1)(c) for discussion and/or decision on pending litigation.

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

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

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

7. ADJOURN

Motion by Shea, second by Wichman, to adjourn meeting.
 UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:34 P.M.

 Scott A. Belt, Chairman

ATTEST: _____
 Melvyn Houser, Pottawattamie County Auditor

APPROVED: June 29, 2021
 PUBLISH: X

June 29, 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 Shea, and second by Grobe, to approve:

- A. June 22, 2021, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Schultz, second by Shea, to approve and authorize Chairman to sign Contract with D.R. Anderson Constructors for the Pottawattamie County Sheriff's Office Expansion project. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Wichman, to approve and authorize Chairman to sign Law Enforcement Services Contracts between Pottawattamie County and the following: City of Avoca, 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 Treynor, City of Underwood, and City of Walnut. UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Motion made by Wichman, second by Shea, to approve revisions to Employment Agreement and to authorize Chairman to sign Employment Agreement with County Engineer John Rasmussen. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve and authorize Board to sign 2021-2022 Union Contract between Pottawattamie County, Pottawattamie County Sheriff's Office, and General Drivers and Helpers Union Local No. 554 Affiliate of the International Brotherhood of Teamsters (Pottawattamie County Detention Officers). UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Schultz, to approve and authorize Board to sign Agreement between Pottawattamie County and Pottawattamie County's Sheriff's Deputies Association, for July 1, 2021 through June 30, 2023. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve and authorize Chairman to sign Memorandum of Understanding Between Pottawattamie County and AFSCME Local 2364, Roads Employees. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve and authorize Chairman to sign Memorandum of Understanding Between Pottawattamie County and AFSCME Local 2364-911. UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

- A. Southwest Iowa Juvenile Detention Center
 - 1) Employment Agreement with Director Don Uhlig
 - 2) Pay increases for SWI Juvenile Detention Center Staff effective July 1, 2021.
- B. Salary Actions
 - 1) Planning/Public Health – Payroll Status Change for Melissa Castro.

5. CLOSED SESSION

Motion made by Wichman, second by Shea, to go into Closed Session pursuant to Iowa Code §21.5(1)(i) for discussion and/or decision on personnel matters.

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. STUDY SESSION

The Board of Supervisors held a Capital Improvements study session. Discussion only. No action taken.

7. ADJOURN

Motion by Grobe, second by Schultz, to adjourn meeting.

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:00 P.M.

Scott A. Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: July 6, 2021

PUBLISH: X

July 6, 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. June 29, 2021, Minutes as read.
- B. Publication of Claims allowed for June 2021
- C. Treasurer – Employment of Carol Hensley as Clerk II

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Wichman, second by Schultz, to approve authorize Board to sign **Resolution No. 68-2021** entitled: Resolution for the Establishment of a Stop Sign at the Intersection of Honeysuckle and Perry Road.

RESOLUTION NO. 68-2021

RESOLUTION FOR THE ESTABLISHMENT OF A STOP SIGN AT THE INTERSECTION OF HONEYSUCKLE AND PERRY ROADS.

WHEREAS, under the provisions of Section 321.255 and 321.236 (1.C.6) of 2021 Code of Iowa, the Board of Supervisors and County Engineer are empowered to designate the location and erection of stop signs.

AND WHEREAS, The County Board and County Engineer may designate certain roads as through roads and erect stop signs at specified locations to furnish access thereto or designate any intersection as a stop intersection and erect like signs at one or more locations of access to such intersections.

AND WHEREAS, there are currently no stop signs controlling traffic at the intersection.

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Pottawattamie County on this 6th day of July, 2021, recognize Honeysuckle Road as a through road and cause the erection of stop signs on Perry Road.

Dated this 6th Day of July, 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.

Motion made by Shea, second by Schultz, to approve Courthouse Addition Project, CRC #001 – Structural Steel Price Increase in the amount of \$75,840. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to send out to bid construction of a parking lot at the Election Building. UNANIMOUS VOTE. Motion Carried.

Discussion was held with Planning and Development Director Matt Wyant on proposed positions, job descriptions, and funding for the Division of Public Health. Discussion only. No action taken.

3. OTHER BUSINESS

Motion made by Shea, second by Schultz, to approve payment of FY 2021/2022 ISAC Member Dues of \$5,900. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Grobe, to approve payment of FY22 Matching Funds for Iowa Economic Development Authority funding of the Western Iowa Tourism Region for \$500. UNANIMOUS VOTE. Motion Carried.

Motion made by Schultz, second by Wichman, to approve 2021 Capital Plan as a living document. UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Actions

1. Communications – Payroll Status Change for Cheryl Hawkins, David Sands, Joy Watcher, Eric Wallner, Jamie Watts,
2. BOS – Payroll Status Change for Andrew Moats
3. Mental Health – Payroll Status Change for Miranda Watcher
4. Conservation – Employment of Kylie Gumpert as Promotions and Outreach Coordinator
5. Sheriff – Payroll Status Change for Travis Healy
6. Jail – Payroll Status Change for Cory Elonich, Doug Whittington, Bailey Ceder, Destiny Clark

B. Reports

1. Baker Tilly Benefits Summary

5. ADJOURN

Motion by Wichman, second by Schultz, to adjourn meeting. UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:10 P.M.

Scott A. Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: July 13, 2021

PUBLISH: X

July 13, 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. July 6, 2021, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Schultz, second by Shea, to open Public Hearing on proposed preliminary plat of Bond Subdivision, a subdivision situated in Lewis Township.

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

Motion made by Schultz, second by Shea, to close Public Hearing.

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

Motion made by Schultz, second by Shea, to approve and authorize Board to sign Planning and Zoning Resolution No. 2021-01.

PLANNING AND ZONING RESOLUTION NO. 2021-01

WHEREAS, the proposed preliminary plat and supporting documents for Bond Subdivision, a subdivision situated in Lewis Township, has been filed with the Pottawattamie County Planning and Zoning Commission for its study and recommendation under Case #SUB-2021-01; and

WHEREAS, said Commission conducted a public hearing on June 21, 2021, in accordance with Chapter 9.04 of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa, and has given all parties an opportunity to be heard; and

WHEREAS, after careful study and being thoroughly familiar with the involved real estate and the surrounding area, said Commission has submitted its written recommendation to this Board to approve the preliminary plat; and

WHEREAS, this Board conducted a public hearing on July 13th, 2021 in accordance with the above-noted Ordinance and Statute, and has examined the proposed preliminary plat; and

WHEREAS, after careful study, and due consideration this Board has determined that the proposed preliminary plat conforms to the requirements of Chapter 9.01-9.30. Subdivision Ordinance of the Pottawattamie County, Iowa, Code; the Pottawattamie County, Iowa, Land Use Plan and Chapter 354, Code of Iowa, and has deemed it to be in the best interest of Pottawattamie County, Iowa, to concur with the County's Planning and Zoning Commission's recommendation:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA: That the proposed preliminary plat of Gillett Subdivision, be, and the same is hereby approved as the preliminary plat of said subdivision.

Provided however, that this Resolution shall not be construed as being a final acceptance or approval of said Plat with the meaning of Chapter 9.01-9.30, Subdivision Ordinance, of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa; that after completion of all improvements and satisfaction of all requirements for final plats required by the State and County Ordinances and this Resolution, the final plat shall be submitted to this Board for its consideration.

Dated this 13th Day of July, 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.

Motion made by Schultz, second by Shea, to approve and authorize Chairman to sign Forgivable Loan Agreement for the Water Improvement Project. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Wichman, to approve Cornerstone Commercial Contractors pay request no. 2 for downtown rehab construction work in Carson/Macedonia. UNANIMOUS VOTE. Motion Carried.

Donna Dostal, President and CEO of the Pottawattamie County Community Foundation appeared before the Board to give a presentation on the organization, granting opportunities, and areas of potential collaboration. Discussion only. No action taken.

East and West Pottawattamie County Commissioners and Employees appeared before the Board to discuss the Education Coordinator Position and potential funding for the position. Discussion only. No action taken.

Motion made by Shea, second by Grobe, to approve Letter of Support to the State of Iowa OCIO to support the Empower Rural Iowa Broadband Grant Request to expand broadband access in rural Pottawattamie County made by Marne Elk Horn; and to approve contribution of \$10,000 from the American Rescue Plan Act Funds upon successful Grant application and subsequent award to improve broadband access in Pottawattamie county. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Wichman, to approve and authorize Chairman to sign Amendment to the Professional Services Contract with DLR Group. UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Motion made by Wichman, second by Shea, to approve updated Out of County Resident Reimbursement Policy. UNANIMOUS VOTE. Motion Carried.

Motion made by Schultz, second by Shea, to approve addition of 2 new On Call Medical Examiner Investigator positions. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Schultz, to approve updated Job Description for Medical Examiner Investigator. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea second by Schultz, to approve Positions and Job descriptions of Health Equity Coordinator, Promotions Coordinator, and Quality Assurance Coordinator; and to approve funding mechanism for said positions through rolling over money Public Health is returning from the previous fiscal year, any available grant money for Public Health, and quarantining said positions through funds from the American Rescue Plan Act Fund for a period of five years. AYES: Belt, Grobe, Schultz, Shea. NAYS: Wichman. Motion Carried.

Motion made by Wichman, second by Shea, to approve Pottawattamie County Treasurer’s Semi-Annual Report for 1/1/2021 – 6/30/2021. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Schultz, to approve/disallow the following applications made to the Assessor’s Office: Homestead (203 recommended allowed, 1 recommended disallowed), Military (24 recommended allowed, 2 recommended disallowed), Disabled Veteran Homestead (7 recommended allowed, 0 recommended disallowed), Business Property Tax Credit (28 recommended allowed, 6 recommended disallowed), Family Farm (1 recommended allowed, 0 recommended disallowed). UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

- A. Salary Actions
 - 1) Payroll Status Change for Robert Hladik, Natalie Shaw
- B. Reports
 - 1) Recorder's Fee Book for June 2021

5. CLOSED SESSION

Motion made by Grobe, second by Shea, to go into Closed Session pursuant Iowa Code 21.5(1)(i) for discussion and/or decision on personnel matters.

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

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

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

Motion by Wichman, second by Schultz, to approve what was discussed in Closed Session. UNANIMOUS VOTE. Motion Carried.

6. ADJOURN

Motion by Shea, second by Wichman, to adjourn meeting. UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:32 P.M.

Scott A. Belt, Chairman

ATTEST:

Becky Lenihan, Finance and Tax Officer

APPROVED: July 19, 2021

PUBLISH: X

July 19, 2021

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 1:00 P.M. All members, except Supervisor Schultz and Supervisor Shea 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 Wichman, to approve:

- A. July 13, 2021, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Wichman, second by Grobe, to approve and authorize Board to sign **Resolution No. 69-2021** entitled: RESOLUTION DIRECTING SALE OF \$1,905,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2021A.

RESOLUTION NO. 69-2021

RESOLUTION DIRECTING SALE OF \$1,905,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2021A

WHEREAS, bids have been received for the Notes described as follows and the best bid received (with permitted adjustments, if any) is determined to be the following:

**\$1,905,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING)
GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2021A**

Bidder: Robert W. Baird & Co., Inc. of Red Bank, New Jersey

The terms of award:

Final Par Amount as adjusted: \$1,905,000
 Purchase Price as adjusted: \$ 1,991,639.10 _____
 True Interest Rate: 0.9338%
 Net Interest Cost: \$80,512 _____

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

Section 1. That the bid for the Notes as above set out is hereby determined to be the best and most favorable bid received and, the Notes are hereby awarded as described above.

Section 2. That the statement of information for Note bidders and the form of contract for the sale of the Notes are hereby approved and the Chairperson and Auditor are authorized to execute the same on behalf of the County.

Section 3. That all acts of the County Treasurer and other officials done in furtherance of the sale of the Notes are hereby ratified and approved.

Section 4. That the notice of the sale of the notes heretofore given and all acts of the Auditor done in furtherance of the sale of the notes are hereby ratified and approved.

Dated this 19th Day of July, 2021.

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	○	○	○	○
_____ Tim Wichman	○	○	○	○

_____	○	○	○	○
Lynn Grobe				
_____	○	○	○	○
Justin Schultz				
_____	○	○	○	○
Brian Shea				

ATTEST: _____
 Becky Lenihan, Finance and Tax Officer

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

Motion made by Wichman, second by Grobe, to approve and authorize Board to sign **Resolution No. 70-2021** entitled: RESOLUTION DIRECTING SALE OF \$12,000,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2021B.

RESOLUTION NO. 70-2021

RESOLUTION DIRECTING SALE OF \$12,000,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2021B

WHEREAS, bids have been received for the Bonds described as follows and the best bid received (with permitted adjustments, if any) is determined to be the following:

**\$12,000,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING)
 GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2021B**

Bidder: Robert W. Baird & Co., Inc. of Red Bank, New Jersey

The terms of award:

Final Par Amount as adjusted: \$12,000,000
 Purchase Price as adjusted: \$12,491,079.75 _____
 True Interest Rate: 1.4879%
 Net Interest Cost: \$1,588,687.00

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

Section 1. That the bid for the Bonds as above set out is hereby determined to be the best and most favorable bid received and, the Bonds are hereby awarded as described above.

Section 2. That the statement of information for Bond bidders and the form of contract for the sale of the Bonds are hereby approved and the Chairperson and Auditor are authorized to execute the same on behalf of the County.

Section 3. That all acts of the County Treasurer and other officials done in furtherance of the sale of the Notes are hereby ratified and approved.

Section 4. That the notice of the sale of the notes heretofore given and all acts of the Auditor done in furtherance of the sale of the notes are hereby ratified and approved.

Dated this 19th Day of July, 2021.

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

ATTEST: _____
Becky Lenihan, Finance and Tax Officer

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

3. ADJOURN

Motion by Grobe, second by Wichman , to adjourn meeting. UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:15 P.M.

Scott A. Belt, Chairman

ATTEST: _____
Becky Lenihan, Finance and Tax Officer

APPROVED: July 20, 2021
PUBLISH: X

July 20, 2021

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. July 19, 2021, Minutes as read.
- B. Auditor – Employment of Thea Harrison as Account Clerk II.
- C. Communications – Employment of Julie Stober as Telecommunicator.
- D. Human Resources – Employment Agreement with HR Director Jana Lemrick.
- E. Renewal of Class E Liquor License (LE), granting privileges of Class B Wine Permit / Class C Beer Permit (Carryout Beer) / Class E Liquor License (LE) / Sunday Sales for Casey’s Marketing Company d/b/a Casey’s General Store #3204, Minden.
- F. Renewal of Class E Liquor License (LE), granting privileges of Class B Wine Permit / Class C Beer Permit (Carryout Beer) / Class E Liquor License (LE) / Sunday Sales for Casey’s Marketing Company d/b/a Casey’s General Store #3205, Council Bluffs

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Wichman, second by Schultz, to approve and authorize Chairman to sign CO #002 AIA Change Order – Steel Price Increase. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Schultz, to approve and authorize Board to sign **Resolution No. 71-2021** entitled: A RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN AN INTERLOCAL AGREEMENT BETWEEN THE COUNTY OF POTTAWATTAMIE AND CITY OF COUNCIL BLUFFS WITH RESPECT TO THE 2021 BYRNE JUSTICE ASSISTANCE GRANT PROGRAM AWARD.

RESOLUTION NO. 71-2021

A RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN AN INTERLOCAL AGREEMENT BETWEEN THE COUNTY OF POTTAWATTAMIE AND CITY OF COUNCIL BLUFFS WITH RESPECT TO THE 2021 BYRNE JUSTICE ASSISTANCE GRANT PROGRAM AWARD.

WHEREAS, the Justice Assistance Grant (JAG) Program has funds available to award the County and City; and

WHEREAS, the heads of both law enforcement agencies have determined the best way to utilize said funds and agree that the proposed use is in the best interest of the public.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Pottawattamie County, Iowa, that the Chairman of the Board is hereby authorized and directed to sign the Interlocal Agreement between the County and City for use of the 2021 JAG funds.

Dated this 20th Day of July, 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. Motion Carried.

Motion made by Schultz, second by Wichman, to approve payment of \$141,815.50 to the City of Council Bluffs for costs related to the Southwest Iowa 100-Yard Shooting Range Addition. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Schultz, to set Public Hearing to receive comment on plans; specifications; form of contract; and estimated cost for the Roads Operations Center Grading project on Eastern Hills Drive for July 27th at 10:00 A.M. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Schultz, to approve Letter of Support to the State of Iowa OCIO to support the Empower Rural Iowa Broadband Grant Request to expand broadband access in rural Pottawattamie County made by Western Iowa Networks. UNANIMOUS VOTE. Motion Carried.

Motion made by Schultz, second by Grobe, to approve funding request for the Workforce Development Program for \$50,000 to be paid from gaming, pending the signing of contract. UNANIMOUS VOTE. Motion Carried.

Mayor Allan Hadfield/City of Treynor and Michael Holton/Treynor City Administrator appeared before the Board for a on the City of Treynor's request for ARPA County funding for road infrastructure in Treynor for future growth. Discussion only. No action taken.

3. OTHER BUSINESS

Motion made by Wichman, second by Schultz, to funding appropriation for support of MAPA for FY 21/22 First Half in the amount of \$22,824. UNANIMOUS VOTE. Motion Carried.

Motion made by Schultz, second by Grobe, to approve ISACS Supervisors' Dues for FY 21/22 in the amount of \$375.00. UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Actions

- 1) Roads – Payroll Status Change of Brady DeYeager, Lisa Nelsen
- 2) Communications – Payroll Status Change of Rachelle Holt, Colleen Sylvis, Matthew Spitznagle, Joshua Derrington, Joy Watcher
- 3) Board of Health – Payroll Status Change for Jane Husz
- 4) Veteran Affairs Commission – Employment Agreement with Veteran Affairs Director Nicholas Jedlicka
- 5) Human Resources – Payroll Status Change of Garfield Coleman

5. ADJOURN

Motion by Wichman, second by Schultz, to adjourn meeting. UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:38 P.M.

Scott A. Belt, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: July 27, 2021
PUBLISH: X

July 27, 2021

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M. All members, except Supervisor Schultz present with Supervisor Grobe appearing via teleconference. Chairman Belt presiding.

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. July 20, 2021, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Wichman, second by Shea, to open Public Hearing on disposal of county-owned property under Iowa Code Section 331.361, legally described as: Lot 2 and the South 2 feet of Lot 1, Block 12 of Jacksons Addition, all located in Council Bluffs, Pottawattamie County, Iowa (commonly referred to as 706 South 3rd Street).

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

Motion by Wichman, second by Shea, to close public hearing.

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

Motion by Wichman, second by Shea, to approve and authorize Board to sign Resolution No. 72-2021 to authorize disposal of county-owned property under Iowa Code Section 331.361, legally described as: Lot 2 and the South 2 feet of Lot 1, Block 12 of Jacksons Addition, all located in Council Bluffs, Pottawattamie County, Iowa (commonly referred to as 706 South 3rd Street).

RESOLUTION NO. 72-2021

A RESOLUTION AUTHORIZING DISPOSAL OF AN INTEREST IN COUNTY-OWNED PROPERTY AS PROVIDED UNDER IOWA CODE SECTION 331.361

WHEREAS, the Board of Supervisors has provided legal notice of and set a public hearing for the disposal of an interest in county-owned property described below; and

WHEREAS, the Board of Supervisors believes it to be in the best interests of Pottawattamie County to dispose of certain county-owned property and to allow the property to be transferred; and

WHEREAS, on March 18, 2021, Pottawattamie County, Iowa acquired the property by tax sale deed; and

WHEREAS, the Pottawattamie County Development Corporation d/b/a The 712 Initiative has expressed interest in obtaining title and ownership of said property from Pottawattamie County, Iowa, for rehabilitation of the property and creation of owner-occupied housing; and

WHEREAS, the assessed value of said property in 2019 was found to be \$46,829 and the 712 Initiative is willing to purchase said property for that sum with a forgivable promissory note.

NOW THEREFORE BE IT RESOLVED, by the Board of Supervisors of Pottawattamie County, Iowa, that the Board of Supervisors does hereby authorize the disposal of Pottawattamie County, Iowa’s interest in the property commonly referred to as 706 South 3rd Street, and legally described as follows:

Lot 2 and the South 2 feet of Lot 1, Block 12 of Jacksons Addition, all located in Council Bluffs, Pottawattamie County, Iowa.

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized, empowered and directed to cause a Quit Claim Deed to be prepared, duly executed, and recorded along with this Resolution and the Proof of Publication of the “Notice of Public Hearing”.

Dated this 27th Day of July, 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, Shea. Motion Carried.

Motion made by Shea, second by Wichman, to open Public Hearing on disposal of county-owned property under Iowa Code Section 331.361, legally described as: Lot 7 and the East 13 1/3’ of Lot 8, Block 5 of Squires Addition, all located in Council Bluffs, Pottawattamie County, Iowa (commonly referred to as 2117 5th Avenue).

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

Motion by Wichman, second by Shea, to close public hearing.

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

Motion by Wichman, second by Shea, to approve and authorizing Board to sign **Resolution No. 73-2021** to authorize disposal of county-owned property under Iowa Code Section 331.361, legally described as: Lot 7 and the East 13 1/3’ of Lot 8, Block 5 of Squires Addition, all located in Council Bluffs, Pottawattamie County, Iowa (commonly referred to as 2117 5th Avenue);

RESOLUTION NO. 73-2021

A RESOLUTION AUTHORIZING DISPOSAL OF AN INTEREST IN COUNTY-OWNED PROPERTY AS PROVIDED UNDER IOWA CODE SECTION 331.361

WHEREAS, the Board of Supervisors has provided legal notice of and set a public hearing for the disposal of an interest in county-owned property described below; and

WHEREAS, the Board of Supervisors believes it to be in the best interests of Pottawattamie County to dispose of certain county-owned property and to allow the property to be transferred; and

WHEREAS, on March 18, 2021, Pottawattamie County, Iowa acquired the property by tax sale deed; and

WHEREAS, the Pottawattamie County Development Corporation d/b/a The 712 Initiative has expressed interest in obtaining title and ownership of said property from Pottawattamie County, Iowa, for rehabilitation of the property and creation of owner-occupied housing; and

WHEREAS, the assessed value of said property in 2019 was found to be \$23,200 and the 712 Initiative is willing to purchase said property for that sum with a forgivable promissory note.

NOW THEREFORE BE IT RESOLVED, by the Board of Supervisors of Pottawattamie County, Iowa, that the Board of Supervisors does hereby authorize the disposal of Pottawattamie County, Iowa’s interest in the property commonly referred to as 2117 5th Avenue, and legally described as follows:

Lot 7 and the East 13 1/3’ of Lot 8, Block 5 of Squires Addition, all located in Council Bluffs, Pottawattamie County, Iowa.

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized, empowered and directed to cause a Quit Claim Deed to be prepared, duly executed, and recorded along with this Resolution and the Proof of Publication of the “Notice of Public Hearing”.

Dated this 27th Day of July, 2021.

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

Brian Shea	○	○	○	○
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ATTEST: _____
 Melvyn Houser, County Auditor

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

Motion made by Wichman, second by Shea, to open Public Hearing on the plans; specifications; form of contract; and estimated cost for the Roads Operations Center Grading project on Eastern Hills Drive; and discussion and/or decision to approve plans; specifications; form of contract; and estimated cost for the Roads Operations Center

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

Motion by Wichman, second by Shea, to close public hearing.

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

Motion by Wichman, second by Shea, to approve and authorizing Board to sign **Resolution No. 75-2021** entitled: RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF PROBABLE COST FOR THE POTTAWATTAMIE COUNTY SECONDARY ROADS OPERATIONS CENTER PUBLIC IMPROVEMENT PROJECT.

RESOLUTION NO. 75-2021

RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF PROBABLE COST FOR THE POTTAWATTAMIE COUNTY SECONDARY ROADS OPERATIONS CENTER PUBLIC IMPROVEMENT PROJECT.

WHEREAS, on the 20th day of July, 2021, plans, specifications, form of contract and estimate of cost were provided by the County Engineer for the construction of the public improvements described in general as the Pottawattamie County Secondary Roads Operations Center public improvement; and

WHEREAS, notice of hearing on plans, specifications, form of contract and estimate of cost for the public improvements was published as required by law.

WHEREAS, the project shall be let for construction at a public bid opening with bids to be opened at 10:00 A.M. on August 10, 2021 in the Pottawattamie County Board of Supervisor’s Hearing Room.

THEREFORE, BE IT RESOLVED BY THE POTTAWATTAMIE COUNTY BOARD OF SUPERVISORS, STATE OF IOWA: That the plans, specifications, form of contract and estimate of probable cost are hereby approved for the Pottawattamie County Secondary Roads Operations Center public improvement project.

Dated this 27th Day of July, 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

RECOMMEND: _____
 John Rasmussen, County Engineer

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

Discussion was held with County Engineer John Rasmussen on transportation projects and updating the County Five Year Plan. Discussion only. No action taken.

Motion made by Wichman, second by Shea, to pledge \$10,000 in ARPA funds towards Western Iowa Networks’ broadband expansion project, contingent upon their submitting an application for the Empower Rural Iowa Broadband Grant program and receiving an award.
 UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Wichman, to approve and authorize Chairman to sign CDBG contract extension letter addressed to the Iowa Economic Development Authority. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve tax suspension pursuant to Iowa Code Section 427.9, for property located at 2809 Summner Dr, Council Bluffs, Iowa. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve Application for Use of Pottawattamie County Grounds for the Bible Reading Marathon on September 9th -11th. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Wichman, to approve Sheriff’s Office Expansion Project COR-001, Change from Trusses to Beams. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve Courthouse Addition Project CRC 002 – Master Schedule Modifications. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve Final plat of Bond Subdivision, a subdivision situated in Lewis Township; and sign **Planning and Zoning Resolution 2021-02**.

**PLANNING AND ZONING
RESOLUTION NO. 2021-02**

WHEREAS, this Board had approved the preliminary plat of **Bond Subdivision**, a residential subdivision situated in **Lewis Township**, by approval of Planning and Zoning Resolution No. **2021-01**, dated **July 13, 2021**; and

WHEREAS, the final plat and supporting documents required by Chapter 9.10 of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa, has been filed with this Board for its study and consideration under **Case #SUB-2021-01**; and

WHEREAS, this Board has examined the final plat and has found it is in substantial compliance with the approved preliminary plat; and

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

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

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

Dated this 27th Day of July, 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, Shea. Motion Carried.

3. OTHER BUSINESS

Motion made by Wichman, second by Shea, to approve and authorize Chairman to sign contract between MAPA and Pottawattamie County GIS for FY22 GIS Activities. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Wichman, to approve and authorize Board to sign **Resolution No. 74-2021** entitled: RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSAL TO REALLOCATE CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2018, OF POTTAWATTAMIE COUNTY, IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF.

RESOLUTION NO. 74-2021

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSAL TO REALLOCATE CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2018, OF POTTAWATTAMIE COUNTY, IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, the Board of Supervisors of Pottawattamie County, Iowa has previously issued its General Obligation Capital Loan Notes, Series 2018, in the aggregate principal amount of \$5,260,000 (the "Series 2018 Notes"), for costs of:

- a) equipping public buildings with computers and software from the Zuercher Suite pertaining to document management, storage and retrieval, in an amount not to exceed \$550,000;
- b) peace officer communication equipment and other emergency services communication equipment and system provided in the Zuercher Suite, radio upgrades and improvements to the Carson Tower, in an amount not to exceed \$1,300,000;
- c) equipping, remodeling and reconstruction of the Sheriff's Department and the Jail, in an amount not to exceed \$520,000;
- d) works and facilities useful for the collection and disposal of solid waste, including vehicles and buildings used for recycling, in an amount not to exceed \$370,000;
- e) equipping of public buildings including the digitalization of records in the County Recorder's office, in an amount not to exceed \$120,000;
- f) equipping, remodeling and reconstructing the Courthouse basement, in an amount not to exceed \$300,000;
- g) equipping, remodeling and reconstructing the first floor of the Courthouse, in an amount not to exceed \$900,000;
- h) architectural and engineering studies, plans and designs for the future equipping, remodeling, reconstruction and extension of the current Law Enforcement Center building, in an amount not to exceed \$900,000;
- i) vehicles for the Sheriff's Department; and

WHEREAS, certain proceeds of the Series 2018 Notes remain unspent, and County staff has recommended that not to exceed \$389,021.42 of such unspent proceeds originally related to the Series 2018 Notes (hereinafter referred to as the "Unspent Proceeds") be applied for the equipping, remodeling, or reconstruction of public buildings; and

WHEREAS, there being no procedure specified under Iowa law for consideration or approval of such a reallocation, it is hereby determined, pursuant to Section 331.301(5) of the Code of Iowa, that the procedure set forth in Section 331.443 should apply and that a hearing be held upon the proposal to reallocate the Unspent Proceeds to provide funds for paying costs of the equipping, remodeling, or reconstruction of public buildings.

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 A.M., on the 10th day of August, 2021, for the purpose of taking action on the matter of the proposed reallocation of certain Unspent Proceeds of the Series 2018 Notes to provide funds for paying costs of the equipping, remodeling, or reconstruction of public buildings.

Section 2. That the Auditor is hereby directed to cause one publication to be made of 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 City, said publication to be not less than ten nor more than twenty clear days before the date of said public meeting.

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

(To be published on or before: August 6, 2021)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED REALLOCATION OF CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2018, OF POTTAWATTAMIE COUNTY, IOWA, AND THE PUBLIC HEARING THEREON

PUBLIC NOTICE is hereby given that the Board of Supervisors of Pottawattamie County, State of Iowa, will hold a public hearing on the 10th day of August, 2021, at 10:00A.M., 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 reallocation of Unspent Proceeds of the General Obligation Capital Loan Notes, Series 2018 (the "Series 2018 Notes") of Pottawattamie County, Iowa, in the aggregate amount of not to exceed \$389,021.42, in order to provide funds to pay costs of the equipping, remodeling, or reconstruction of public buildings.

Any person interested may appear at the public hearing, either orally or in writing, and be heard as to the reallocation of said proceeds of the Series 2018 Notes for the above purposes.

This notice is given by order of the Board of Supervisors of Pottawattamie County, State of Iowa, as provided by Sections 331.301(5) and 331.443 of the Code of Iowa, as amended.

Dated this 27th day of July, 2021.

County Auditor, Pottawattamie County, State of Iowa

(End of Notice)

Dated this 27th Day of July, 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, Shea. Motion Carried.

4. RECEIVED/FILED

A. Salary Actions

- 1) Planning – Payroll Status Change for Matthew Wyant, Deborah Miller
- 2) Juvenile Detention – Payroll Status Change for Zachary Matthews, Logan Pruitt as Part-Time Youth Corrections Worker
- 3) Conservation – Payroll Status Change for Sarah Fleenor, Ashley Jonas
- 4) Attorney – Payroll Status Change for Patrick Eppler, Dawn Brockman
- 5) EMA – Payroll Status Change for Douglas Reed
- 6) Conservation – Employment of Dana Kruse as Volunteer and Facilities Coordinator.

5. ADJOURN

Motion by Wichman, second by Shea, to adjourn meeting. UNANIMOUS VOTE. Motion Carried. THE BOARD ADJOURNED SUBJECT TO CALL AT 11:21 A.M.

Scott A. Belt, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: August 3, 2021
PUBLISH: X

August 3, 2021

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M. All members, except Supervisor Schultz 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. July 27, 2021, Minutes as read.
- B. Treasurer – Employment of Mary Sortino and Brittany Nowatzke as Clerk II.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 82-2021** entitled: RESOLUTION AWARDING CONTRACT FOR PROJECT NUMBER STBG-SWAP-CO78(204)—FG-78 IN POTTAWATTAMIE COUNTY, IOWA, AND AUTHORIZING POTTAWATTAMIE COUNTY ENGINEER TO EXECUTE CONTRACT.

RESOLUTION NO. 82-2021

RESOLUTION AWARDING CONTRACT FOR PROJECT NUMBER STBG-SWAP-CO78(204)—FG-78 IN POTTAWATTAMIE COUNTY, IOWA, AND AUTHORIZING POTTAWATTAMIE COUNTY ENGINEER TO EXECUTE CONTRACT

WHEREAS, the Pottawattamie County construction project identified as Project Number **STBG-SWAP-CO78(204)—FG-78** (hereinafter “Project”) was let by Iowa DOT on July 20, 2021; and

WHEREAS, the Pottawattamie County Board of Supervisors has determined that Western Engineering Co., Inc. of Harlan, Iowa is the responsible bidder submitting the lowest responsive bid (hereinafter “Low Bidder”) for the Project; and,

WHEREAS, the Pottawattamie County Board of Supervisors desires to award the contract for the Project to the above stated Low Bidder; and,

WHEREAS, construction contracts for projects let through the Iowa DOT must be signed digitally utilizing Doc Express; and,

WHEREAS, delegating the digital signature process to the Pottawattamie County Engineer will facilitate the Project by reducing the overall turn-around time for execution of the construction contract.

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

- 1. The contract for Project Number **STBG-SWAP-CO78(204)—FG-78** is awarded to Western Engineering Co., Inc., the Low Bidder of \$6,007,811.67.
- 2. The Pottawattamie County Engineer is authorized to digitally sign the contract documents for the Project.

Dated this 3rd day of August, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Justin Schultz

○ ○ ○ ○

ATTEST: Melvyn Houser, County Auditor

RECOMMENDED: John Rasmussen, Engineer

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

Motion by Shea, second by Grobe, to approve and authorize Board to sign Resolution No. 80-2021 approving the selection of a contractor for Demo of HMGP acquisition properties.

RESOLUTION NO. 80-2021

Hazard Mitigation Property Acquisition
Asbestos Abatement and Demolition of Flood Damaged Properties in Pottawattamie County, Iowa

WHEREAS, as a result of the flooding of 2019, Pottawattamie County has applied to FEMA under its Hazard Mitigation Property Acquisition Program for funding of demolition work.

WHEREAS, Request for Bids were sent to various demolition contractors, and

WHEREAS, Notice to Bidders was published in the Council Bluffs Nonpareil on June 25th, 2021.

WHEREAS, said bids were required to be submitted to Pottawattamie County, Iowa, on or before July 23rd, 2021, and

WHEREAS, Pottawattamie County received 3 bids, and have opened said bids at the Pottawattamie County Planning Department Offices on July 23rd, 2021, and

WHEREAS, the County has determined that Larson Backhoe Services, Inc. has submitted the lowest bid, and

WHEREAS, Pottawattamie County, Iowa, is interested in continuing forward and having the work described in said Request for Bids completed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERSIORS OF POTTAWATTAMIE COUNTY, IOWA that the contract to perform the said Asbestos Abatement and Demolition Work is hereby awarded to Larson Backhoe Services, Inc. in the total amount of \$142,800.00, and that the Chairman is authorized to execute said Contract by signing the Letter of Engagement with this contractor.

Dated this 3rd Day of August, 2021.

Table with 5 columns: Name, AYE, NAY, ABSTAIN, ABSENT. Rows include Scott A. Belt, Tim Wichman, Lynn Grobe, Justin Schultz, and Brian Shea.

ATTEST: Melvyn Houser, County Auditor

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

Motion made by Shea, second by Grobe, to commit \$2.4 Million to purchase 8 flooded properties and seek reimbursement from Iowa Homeland Security and State CDBG. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Grobe, to approve and authorize Board to sign **Resolution No. 81-2021** entitled: Resolution Setting Date for a Public Hearing on Designation of the Heartland Ridge Subdivision Urban Renewal Area and on Urban Renewal Plan and Project.

RESOLUTION NO. 81-2021

Resolution Setting Date for a Public Hearing on Designation of the Heartland Ridge Subdivision Urban Renewal Area and on Urban Renewal Plan and Project

WHEREAS, a proposal has been made to the Board of Supervisors (the “Board”) of Pottawattamie County, Iowa (the “County”) which shows the desirability of designating a portion of the County as the Heartland Ridge Subdivision Urban Renewal Area (the “Urban Renewal Area”), pursuant to the provisions of Chapter 403, Code of Iowa; and

WHEREAS, under such proposal the real property (the “Property”) lying within the boundaries set out in Exhibit A would be designated as the Urban Renewal Area; and

WHEREAS, this Board is desirous of obtaining as much information as possible from the residents of the County before making this designation; and

WHEREAS, portions of the Property lie within two miles of the incorporated limits of the City of Council Bluffs, Iowa (the “City”), and pursuant to Section 403.17, the City has executed a certain joint agreement (the “Joint Agreement”) in order to enable the County exercise urban renewal authority over such portions of the Property; and

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

WHEREAS, it is now necessary that a date be set for a public hearing on the designation of the Urban Renewal Area and on the Plan;

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

Section 1. This Board will meet at the Pottawattamie County Courthouse, Council Bluffs, Iowa, on September 7, 2021, at 10:00 o’clock a.m., at which time and place it will hold a public hearing on the designation of the proposed Urban Renewal Area described in the preamble hereof and on the proposed urban renewal plan and project for said Urban Renewal Area.

Section 2. The County Auditor shall publish notice of said hearing, the same being in the form attached to this resolution, which publication shall be made in a legal newspaper of general circulation in the County, which publication shall be not less than four (4) and not more than twenty (20) days before the date set for the hearing.

Section 3. Pursuant to Section 403.5 of the Code of Iowa, Pam Kalstrup and Matt Wyant are hereby designated as the County’s representatives in connection with the consultation process with the Lewis Central Community School District which is required under that section of the urban renewal law.

Section 4. The proposed Plan is hereby submitted to the County’s Planning and Zoning Commission for review and recommendations, as required by Section 403.5, Code of Iowa.

Section 5. The Chairperson and the County Auditor are hereby authorized to execute the Joint Agreement on behalf of the County.

Dated this 3rd Day of August, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

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

Paula Hazlewood, Executive Director and Shalimar Mazetis, Manager of Rural Development for Advance Southwest Iowa Corporation appeared before the Board to provide an update. Discussion only. No action taken.

Motion made by Shea, second by Grobe, to fund a Broadband Consultant with ARPA Funding, not to exceed \$40,000. UNANIMOUS VOTE. Motion Carried.

3. DEPARTMENT HEAD / ELECTED OFFICIALS SESION

The Board of Supervisor’s met with the County’s Elected Officials and Department Heads regarding COVID-19 procedures and policies. Discussion only. No action taken.

4. OTHER BUSINESS

Motion made by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 76-2021** entitled: RESOLUTION APPOINTING UMB BANK, N.A. OF WEST DES MOINES, IOWA, TO SERVE AS PAYING AGENT, NOTE REGISTRAR, AND TRANSFER AGENT, APPROVING THE PAYING AGENT AND NOTE REGISTRAR AND TRANSFER AGENT AGREEMENT AND AUTHORIZING THE EXECUTION OF THE AGREEMENT.

RESOLUTION NO. 76-2021

RESOLUTION APPOINTING UMB BANK, N.A. OF WEST DES MOINES, IOWA, TO SERVE AS PAYING AGENT, NOTE REGISTRAR, AND TRANSFER AGENT, APPROVING THE PAYING AGENT AND NOTE REGISTRAR AND TRANSFER AGENT AGREEMENT AND AUTHORIZING THE EXECUTION OF THE AGREEMENT

WHEREAS, \$1,905,000 General Obligation Capital Loan Notes, Series 2021A, dated August 18, 2021, have been sold and action should now be taken to provide for the maintenance of records, registration of certificates and payment of principal and interest in connection with the issuance of the Notes; and

WHEREAS, this Board has deemed that the services offered by UMB Bank, N.A. of West Des Moines, Iowa, are necessary for compliance with rules, regulations, and requirements governing the registration, transfer and payment of registered notes; and

WHEREAS, a Paying Agent, Note Registrar and Transfer Agent Agreement (hereafter "Agreement") has been prepared to be entered into between the County and UMB Bank, N.A.

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

1. That UMB Bank, N.A. of West Des Moines, Iowa, is hereby appointed to serve as Paying Agent, Note Registrar and Transfer Agent in connection with the issuance of \$1,905,000 General Obligation Capital Loan Notes, Series 2021A, dated August 18, 2021.
2. That the Agreement with UMB Bank, N.A. of West Des Moines, Iowa, is hereby approved and that the Chairperson and Auditor are authorized to sign the Agreement on behalf of the County.

Dated this 3rd Day of August, 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, Shea. Motion Carried

Motion made by Shea, second by Wichman, to approve and authorize Board to sign **Resolution No. 77-2021** entitled: RESOLUTION APPROVING AND AUTHORIZING A FORM OF LOAN AGREEMENT AND AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$1,905,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2021A, AND LEVYING A TAX TO PAY SAID NOTES; APPROVAL OF THE TAX EXEMPTION CERTIFICATE AND CONTINUING DISCLOSURE CERTIFICATE.

RESOLUTION NO. 77-2021

RESOLUTION APPROVING AND AUTHORIZING A FORM OF LOAN AGREEMENT AND AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$1,905,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2021A, AND LEVYING A TAX TO PAY SAID NOTES; APPROVAL OF THE TAX EXEMPTION CERTIFICATE AND CONTINUING DISCLOSURE CERTIFICATE

WHEREAS, the Issuer is a political subdivision, organized and exists under and by virtue of the laws and Constitution of the State of Iowa; and

WHEREAS, the County is in need of funds to pay costs of acquisition and development of land for a public park or other recreation or conservation purpose, including upgrading electrical and installing full, modern RV hook-ups at Arrowhead Park, general county purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$300,000 be authorized for said purpose(s); and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Notes for general county purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, the County is in need of funds to pay costs of acquisition and development of land for a public park or other recreation or conservation purpose, including RV Park Road and landscaping upgrades at Arrowhead Park, general county purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$225,000 be authorized for said purpose(s); and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Notes for general county purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, the County is in need of funds to pay costs of acquisition and development of land for a public park or other recreation or conservation purpose, including campground improvements at Botna Bend Park, general county purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$300,000 be authorized for said purpose(s); and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Notes for general county purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, the County is in need of funds to pay costs of acquisition and development of land for a public park or other recreation or conservation purpose, including boat ramp improvements at Botna Bend Park, general county purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$150,000 be authorized for said purpose(s); and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the

issuance of Notes for general county purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, the County is in need of funds to pay costs of acquisition and development of land for a public park or other recreation or conservation purpose, including lodge and cabin updates and campground hook-ups at Hitchcock Park, general county purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$200,000 be authorized for said purpose(s); and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Notes for general county purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, the County is in need of funds to pay costs of acquisition and equipping of sheriff vehicles which are necessary for the operation of the county or the health and welfare of its citizens, general county purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$300,000 be authorized for said purpose(s); and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Notes for general county purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, the County is in need of funds to pay costs of acquisition and equipping of a vehicle for Planning and Zoning which is necessary for the operation of the county or the health and welfare of its citizens, general county purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$25,000 be authorized for said purpose(s); and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Notes for general county purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, the County is in need of funds to pay costs of acquisition and equipping of a road grader for secondary roads which is necessary for the operation of the county or the health and welfare of its citizens; and, general county purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$300,000 be authorized for said purpose(s); and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Notes for general county purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, the Issuer is in need of funds to pay costs of equipping public buildings including computer hardware and software upgrades, essential county purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$60,000 be authorized for said purpose(s); and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.443 of the Code of Iowa, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of the Notes, and the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, pursuant to Section 331.445 of the Code of Iowa, it is hereby found and determined that the various general obligation capital loan Notes authorized as hereinabove described shall be combined for the purpose of issuance in a single issue of \$1,905,000 General Obligation Capital Loan Notes as hereinafter set forth; and

WHEREAS, the above mentioned Notes were heretofore sold and action should now be taken to issue said Notes conforming to the terms and conditions of the best bid received at the sale.

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

Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by necessary implication requires otherwise:

- "Authorized Denominations" shall mean \$5,000 or any integral multiple thereof.
- "Beneficial Owner" shall mean, whenever used with respect to a Note, the person in whose name such Note is recorded as the beneficial owner of such Note by a Participant on the records of such Participant or such person's subrogee.
- "Blanket Issuer Letter of Representations" shall mean the Representation Letter from the Issuer to DTC, with respect to the Notes.
- "Cede & Co." shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Notes.
- "Continuing Disclosure Certificate" shall mean that certain Continuing Disclosure Certificate approved under the terms of this Resolution and to be executed by the Issuer and dated the date of issuance and delivery of the Notes, as originally executed and as it may be amended from time to time in accordance with the terms thereof.
- "Depository Notes" shall mean the Notes as issued in the form of one global certificate for each maturity, registered in the Registration Books maintained by the Registrar in the name of DTC or its nominee.
- "DTC" shall mean The Depository Trust Company, New York, New York, which will act as security depository for the Note pursuant to the Representation Letter.
- "Issuer" and "County" shall mean Pottawattamie County, State of Iowa.
- "Loan Agreement" shall mean a Loan Agreement between the Issuer and a lender or lenders in substantially the form attached to and approved by this Resolution.
- "Note Fund" shall mean the fund created in Section 3 of this Resolution.
- "Notes" shall mean \$1,905,000 General Obligation Capital Loan Notes, Series 2021A, authorized to be issued by this Resolution.
- "Participants" shall mean those broker-dealers, banks and other financial institutions for which DTC holds Notes as securities depository.
- "Paying Agent" shall mean UMB Bank, N.A., or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein as Issuer's agent to provide for the payment of principal of and interest on the Notes as the same shall become due.
- "Project" shall mean the (a) acquisition and development of land for a public park or other recreation or conservation purpose, including upgrading electrical and installing full, modern RV hook-ups at Arrowhead Park; (b) acquisition and development of land for a public park or other recreation or conservation purpose, including RV Park Road and landscaping upgrades at Arrowhead Park; (c) acquisition and development of land for a public park or other recreation or conservation purpose, including campground improvements at Botna Bend Park; (d) acquisition and development of land for a public park or other recreation or conservation purpose, including boat ramp improvements at Botna Bend Park; (e) acquisition and development of land for a public park or other recreation or conservation purpose, including lodge and cabin updates and campground hook-ups at Hitchcock Park; (f) acquisition and equipping of sheriff vehicles which are necessary for the operation of the county or the health and welfare of its citizens; (g) acquisition and equipping of a vehicle for Planning and Zoning which is necessary for the operation of the county or the health and welfare of its citizens; (h) acquisition and equipping of a road grader for secondary roads which is necessary for the operation of the county or the health and welfare of its citizens; and (i) equipping public buildings including computer hardware and software upgrades.
- "Project Fund" shall mean the fund required to be established by this Resolution for the deposit of the proceeds of the Notes.
- "Rebate Fund" shall mean the fund so defined in and established pursuant to the Tax Exemption Certificate.
- "Registrar" shall mean UMB Bank, N.A. of West Des Moines, Iowa, or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein with respect to maintaining a register of the owners of the Notes. Unless otherwise specified, the Registrar shall also act as Transfer Agent for the Notes.

- "Resolution" shall mean this resolution authorizing the Notes.
- "Tax Exemption Certificate" shall mean the Tax Exemption Certificate approved under the terms of this Resolution and to be executed by the Treasurer and delivered at the time of issuance and delivery of the Notes.
- "Treasurer" shall mean the County Treasurer or such other officer as shall succeed to the same duties and responsibilities with respect to the recording and payment of the Notes issued hereunder.

Section 2. Levy and Certification of Annual Tax; Other Funds to be Used.

a) Levy of Annual Tax. That for the purpose of providing funds to pay the principal and interest of the Notes hereinafter authorized to be issued, there is hereby levied for each future year the following direct annual tax on all of the taxable property in Pottawattamie County, State of Iowa, to-wit:

AMOUNT	FISCAL YEAR (JULY 1 TO JUNE 30 YEAR OF COLLECTION)
\$254,951*	2021/2022
\$ 258,600	2022/2023
\$ 259,100	2023/2024
\$ 259,500	2024/2025
\$ 259,800	2025/2026
\$ 260,000	2026/2027
\$ 260,100	2027/2028
\$ 260,100	2028/2029

*Payable from available cash on hand

(NOTE: For example the levy to be made and certified against the taxable valuations of January 1, 2021 will be collected during the fiscal year commencing July 1, 2022.)

b) Resolution to be Filed With County Auditor. A certified copy of this Resolution shall be filed with the Auditor of Pottawattamie County, Iowa and the Auditor is hereby instructed in and for each of the years as provided, to levy and assess the tax hereby authorized in Section 2 of this Resolution, in like manner as other taxes are levied and assessed, and such taxes so levied in and for each of the years aforesaid be collected in like manner as other taxes of the County are collected, and when collected be used for the purpose of paying principal and interest on said Notes issued in anticipation of the tax, and for no other purpose whatsoever.

c) Additional County Funds Available. Principal and interest coming due at any time when the proceeds of said tax on hand shall be insufficient to pay the same shall be promptly paid when due from current funds of the County available for that purpose and reimbursement shall be made from such special fund in the amounts thus advanced.

Section 3. Note Fund. Said tax shall be assessed and collected each year at the same time and in the same manner as, and in addition to, all other taxes in and for the County, and when collected they shall be converted into a special fund within the Debt Service Fund to be known as the "2021A GENERAL OBLIGATION CAPITAL LOAN NOTE FUND NO. 1" (the "Note Fund"), which is hereby pledged for and shall be used only for the payment of the principal of and interest on the Notes hereinafter authorized to be issued; and also there shall be apportioned to said fund its proportion of taxes received by the County from property that is centrally assessed by the State of Iowa.

Section 4. Application of Note Proceeds. Proceeds of the Notes, other than accrued interest except as may be provided below, shall be credited to the Project Fund and expended therefrom for the purposes of issuance. Any amounts on hand in the Project Fund shall be available for the payment of the principal of or interest on the Notes at any time that other funds shall be insufficient to the purpose, in which event such funds shall be repaid to the Project Fund at the earliest opportunity. Any balance on hand in the Project Fund and not immediately required for its purposes may be invested not inconsistent with limitations provided by law or this Resolution.

Section 5. Investment of Note Fund Proceeds. All moneys held in the Note Fund, provided for by Section 3 of this Resolution shall be invested in investments permitted by Chapter 12B, Code of Iowa, as amended, or deposited in financial institutions which are members of the Federal Deposit Insurance Corporation and the deposits in which are insured thereby and all such deposits exceeding the maximum amount insured from time to time by FDIC or its equivalent successor in any one financial institution shall be continuously secured in compliance with Chapter 12C of the Code of Iowa, as amended, or otherwise by a valid pledge of direct obligations of the United States Government having an equivalent market value. All such interim investments shall mature before the date on which the moneys are required for payment of principal of or interest on the Notes as herein provided.

Section 6. Note Details, Execution and Redemption.

a) Note Details. General Obligation Capital Loan Notes of the County in the amount of \$1,905,000, shall be issued to evidence the obligations of the Issuer under the Loan Agreement pursuant to the provisions of Sections 331.402, 331.442, 331.443 and 331.445 of the Code of Iowa for the aforesaid

purposes. The Notes shall be issued in one or more series and shall be secured equally and ratably from the sources provided in Section 3 of this Resolution. The Notes shall be designated "GENERAL OBLIGATION CAPITAL LOAN NOTE, SERIES 2021A", be dated August 18, 2021, and bear interest from the date thereof, until payment thereof, at the office of the Paying Agent, said interest payable on December 1, 2021, and semiannually thereafter on the 1st day of June and December in each year until maturity at the rates hereinafter provided.

The Notes shall be executed by the manual or facsimile signature of the Chairperson and attested by the manual or facsimile signature of the Auditor, and impressed or printed with the seal of the County and shall be fully registered as to both principal and interest as provided in this Resolution; principal, interest and premium, if any, shall be payable at the office of the Paying Agent by mailing of a check to the registered owner of the Note. The Notes shall be in the denomination of \$5,000 or multiples thereof. The Notes shall mature and bear interest as follows:

Principal Amount	Interest Rate	Maturity June 1st
\$225,000	2.000%	2022
\$225,000	2.000%	2023
\$230,000	2.000%	2024
\$235,000	2.000%	2025
\$240,000	2.000%	2026
\$245,000	2.000%	2027
\$250,000	2.000%	2028
\$255,000	2.000%	2029

b) Redemption.

i. Optional Redemption. Notes maturing after June 1, 2027, may be called for optional redemption by the Issuer on that date or any date thereafter, from any funds regardless of source, in whole or from time to time in part, in any order of maturity and within an annual maturity by lot. The terms of redemption shall be par, plus accrued interest to date of call.

Thirty days' written notice of redemption shall be given to the registered owner of the Note. Failure to give written notice to any registered owner of the Notes or any defect therein shall not affect the validity of any proceedings for the redemption of the Notes. All Notes or portions thereof called for redemption will cease to bear interest after the specified redemption date, provided funds for their redemption are on deposit at the place of payment. Written notice will be deemed completed upon transmission to the owner of record.

If selection by lot within a maturity is required, the Registrar shall designate the Notes to be redeemed by random selection of the names of the registered owners of the entire annual maturity until the total amount of Notes to be called has been reached.

If less than all of a maturity is called for redemption, the Issuer will notify DTC of the particular amount of such maturity to be redeemed prior to maturity. DTC will determine by lot the amount of each Participant's interest in such maturity to be redeemed and each Participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at a price of par plus accrued interest.

Section 7. Issuance of Notes in Book-Entry Form: Replacement Notes.

a) Notwithstanding the other provisions of this Resolution regarding registration, ownership, transfer, payment and exchange of the Notes, unless the Issuer determines to permit the exchange of Depository Notes for Notes in Authorized Denominations, the Notes shall be issued as Depository Notes in denominations of the entire principal amount of each maturity of Notes (or, if a portion of said principal amount is prepaid, said principal amount less the prepaid amount). The Notes must be registered in the name of Cede & Co., as nominee for DTC. Payment of semiannual interest for any Notes registered in the name of Cede & Co. will be made by wire transfer or New York Clearing House or equivalent next day funds to the account of Cede & Co. on the interest payment date for the Notes at the address indicated or in the Representation Letter.

b) The Notes will be initially issued in the form of separate single authenticated fully registered bonds in the amount of each stated maturity of the Notes. Upon initial issuance, the ownership of the Notes will be registered in the registry books of the UMB Bank, N.A. kept by the Paying Agent and Registrar in the name of Cede & Co., as nominee of DTC. The Paying Agent and Registrar and the Issuer may treat DTC (or its nominee) as the sole and exclusive owner of the Notes registered in its name for the purposes of payment of the principal or redemption price of or interest on the Notes, selecting the Notes or portions to be redeemed, giving any notice permitted or required to be given to registered owners of Notes under the Resolution of the Issuer, registering the transfer of Notes, obtaining any consent or other action to be taken by registered owners of the Notes and for other purposes. The Paying Agent, Registrar and the Issuer have no responsibility or obligation to any Participant or Beneficial Owner of the Notes under or through DTC with respect to the accuracy of records maintained by DTC or any Participant; with respect to the payment by DTC or Participant of an amount of principal or redemption price of or interest on the Notes; with respect to any notice given to owners of Notes under the Resolution; with respect to the Participant(s) selected to receive payment in the event of a partial redemption of the Notes, or a consent given or other

action taken by DTC as registered owner of the Notes. The Paying Agent and Registrar shall pay all principal of and premium, if any, and interest on the Notes only to Cede & Co. in accordance with the Representation Letter, and all payments are valid and effective to fully satisfy and discharge the Issuer's obligations with respect to the principal of and premium, if any, and interest on the Notes to the extent of the sum paid. DTC must receive an authenticated Bond for each separate stated maturity evidencing the obligation of the Issuer to make payments of principal of and premium, if any, and interest. Upon delivery by DTC to the Paying Agent and Registrar of written notice that DTC has determined to substitute a new nominee in place of Cede & Co., the Notes will be transferable to the new nominee in accordance with this Section.

c) In the event the Issuer determines that it is in the best interest of the Beneficial Owners that they be able to obtain Notes certificates, the Issuer may notify DTC and the Paying Agent and Registrar, whereupon DTC will notify the Participants, of the availability through DTC of Notes certificates. The Notes will be transferable in accordance with this Section. DTC may determine to discontinue providing its services with respect to the Notes at any time by giving notice to the Issuer and the Paying Agent and Registrar and discharging its responsibilities under applicable law. In this event, the Notes will be transferable in accordance with this Section.

d) Notwithstanding any other provision of the Resolution to the contrary, so long as any Note is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal of and premium, if any, and interest on the Note and all notices must be made and given, respectively to DTC as provided in the Representation letter.

e) In connection with any notice or other communication to be provided to Noteholders by the Issuer or the Paying Agent and Registrar with respect to a consent or other action to be taken by Noteholders, the Issuer or the Paying Agent and Registrar, as the case may be, shall establish a record date for the consent or other action and give DTC notice of the record date not less than 15 calendar days in advance of the record date to the extent possible. Notice to DTC must be given only when DTC is the sole Noteholder.

f) The Representation Letter is on file with DTC and sets forth certain matters with respect to, among other things, notices, consents and approvals by Noteholders and payments on the Notes. The execution and delivery of the Representation Letter to DTC by the Issuer is ratified and confirmed.

g) In the event that a transfer or exchange of the Notes is permitted under this Section, the transfer or exchange may be accomplished upon receipt by the Registrar from the registered owners of the Notes to be transferred or exchanged and appropriate instruments of transfer. In the event Note certificates are issued to holders other than Cede & Co., its successor as nominee for DTC as holder of all the Notes, or other securities depository as holder of all the Notes, the provisions of the Resolution apply to, among other things, the printing of certificates and the method or payment of principal of and interest on the certificates. Any substitute depository shall be designated in writing by the Issuer to the Paying Agent. Any such substitute depository shall be a qualified and registered "clearing agency" as provided in Section 17A of the Securities Exchange Act of 1934, as amended. The substitute depository shall provide for (i) immobilization of the Depository Notes, (ii) registration and transfer of interests in Depository Notes by book entries made on records of the depository or its nominee and (iii) payment of principal of, premium, if any, and interest on the Notes in accordance with and as such interests may appear with respect to such book entries.

h) The officers of the Issuer are authorized and directed to prepare and furnish to the purchaser, and to the attorneys approving the legality of Notes, certified copies of proceedings, ordinances, resolutions and records and all certificates and affidavits and other instruments as may be required to evidence the legality and marketability of the Notes, and all certified copies, certificates, affidavits and other instruments constitute representations of the Issuer as to the correctness of all stated or recited facts.

Section 8. Registration of Notes; Appointment of Registrar; Transfer; Ownership; Delivery; and Cancellation.

a) Registration. The ownership of Notes may be transferred only by the making of an entry upon the books kept for the registration and transfer of ownership of the Notes, and in no other way. UMB Bank, N.A. is hereby appointed as Note Registrar under the terms of this Resolution and under the provisions of a separate agreement with the Issuer filed herewith which is made a part hereof by this reference. Registrar shall maintain the books of the Issuer for the registration of ownership of the Notes for the payment of principal of and interest on the Notes as provided in this Resolution. All Notes shall be negotiable as provided in Article 8 of the Uniform Commercial Code and Section 331.446 of the Code of Iowa, subject to the provisions for registration and transfer contained in the Notes and in this Resolution.

b) Transfer. The ownership of any Note may be transferred only upon the Registration Books kept for the registration and transfer of Notes and only upon surrender thereof at the office of the Registrar together with an assignment duly executed by the holder or his duly authorized attorney in fact in such form as shall be satisfactory to the Registrar, along with the address and social security number or federal employer identification number of such transferee (or, if registration is to be made in the name of multiple individuals, of all such transferees). In the event that the address of the registered owner of a Note (other than a registered owner which is the nominee of the broker or dealer in question) is that of a broker or dealer, there must be disclosed on the Registration Books the information pertaining to the registered owner required above. Upon the transfer of any such Note, a new fully registered Note, of any denomination or

denominations permitted by this Resolution in aggregate principal amount equal to the unmatured and unredeemed principal amount of such transferred fully registered Note, and bearing interest at the same rate and maturing on the same date or dates shall be delivered by the Registrar.

c) Registration of Transferred Notes. In all cases of the transfer of the Notes, the Registrar shall register, at the earliest practicable time, on the Registration Books, the Notes, in accordance with the provisions of this Resolution.

d) Ownership. As to any Note, the person in whose name the ownership of the same shall be registered on the Registration Books of the Registrar shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any such Notes and the premium, if any, and interest thereon shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note, including the interest thereon, to the extent of the sum or sums so paid.

e) Cancellation. All Notes which have been redeemed shall not be reissued but shall be cancelled by the Registrar. All Notes which are cancelled by the Registrar shall be destroyed and a certificate of the destruction thereof shall be furnished promptly to the Issuer; provided that if the Issuer shall so direct, the Registrar shall forward the cancelled Notes to the Issuer.

f) Non-Presentation of Notes. In the event any payment check, wire, or electronic transfer of funds representing payment of principal of or interest on the Notes is returned to the Paying Agent or if any note is not presented for payment of principal at the maturity or redemption date, if funds sufficient to pay such principal of or interest on Notes shall have been made available to the Paying Agent for the benefit of the owner thereof, all liability of the Issuer to the owner thereof for such interest or payment of such Notes shall forthwith cease, terminate and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the owner of such Notes who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Resolution or on, or with respect to, such interest or Notes. The Paying Agent's obligation to hold such funds shall continue for a period equal to two years and six months following the date on which such interest or principal became due, whether at maturity, or at the date fixed for redemption thereof, or otherwise, at which time the Paying Agent shall surrender any remaining funds so held to the Issuer, whereupon any claim under this Resolution by the Owners of such interest or Notes of whatever nature shall be made upon the Issuer.

g) Registration and Transfer Fees. The Registrar may furnish to each owner, at the Issuer's expense, one note for each annual maturity. The Registrar shall furnish additional Notes in lesser denominations (but not less than the minimum denomination) to an owner who so requests.

Section 9. Reissuance of Mutilated, Destroyed, Stolen or Lost Notes. In case any outstanding Note shall become mutilated or be destroyed, stolen or lost, the Issuer shall at the request of Registrar authenticate and deliver a new Note of like tenor and amount as the Note so mutilated, destroyed, stolen or lost, in exchange and substitution for such mutilated Note to Registrar, upon surrender of such mutilated Note, or in lieu of and substitution for the Note destroyed, stolen or lost, upon filing with the Registrar evidence satisfactory to the Registrar and Issuer that such Note has been destroyed, stolen or lost and proof of ownership thereof, and upon furnishing the Registrar and Issuer with satisfactory indemnity and complying with such other reasonable regulations as the Issuer or its agent may prescribe and paying such expenses as the Issuer may incur in connection therewith.

Section 10. Record Date. Payments of principal and interest, otherwise than upon full redemption, made in respect of any Note, shall be made to the registered holder thereof or to their designated agent as the same appear on the books of the Registrar on the 15th day of the month preceding the payment date. All such payments shall fully discharge the obligations of the Issuer in respect of such Notes to the extent of the payments so made. Upon receipt of the final payment of principal, the holder of the Note shall surrender the Note to the Paying Agent.

Section 11. Execution, Authentication and Delivery of the Notes. Upon the adoption of this Resolution, the Chairperson and Auditor shall execute the Notes by their manual or authorized signature and deliver the Notes to the Registrar, who shall authenticate the Notes and deliver the same to or upon order of the Purchaser. No Note shall be valid or obligatory for any purpose or shall be entitled to any right or benefit hereunder unless the Registrar shall duly endorse and execute on such Note a Certificate of Authentication substantially in the form of the Certificate herein set forth. Such Certificate upon any Note executed on behalf of the Issuer shall be conclusive evidence that the Note so authenticated has been duly issued under this Resolution and that the holder thereof is entitled to the benefits of this Resolution.

No Notes shall be authenticated and delivered by the Registrar unless and until there shall have been provided the following:

1. A certified copy of the resolution of Issuer approving the execution of a Loan Agreement and a copy of the Loan Agreement;
2. A written order of Issuer signed by the Treasurer of the Issuer directing the authentication and delivery of the Notes to or upon the order of the Purchaser upon payment of the purchase price as set forth therein;

3. The approving opinion of Ahlers & Cooney, P.C., Bond Counsel, concerning the validity and legality of all the Notes proposed to be issued.

Section 12. Right to Name Substitute Paying Agent or Registrar. Issuer reserves the right to name a substitute, successor Registrar or Paying Agent upon giving prompt written notice to each registered noteholder.

Section 13. Form of Note. Notes shall be printed substantially in the form as follows:

"STATE OF IOWA"
"COUNTY OF POTTAWATTAMIE"
"GENERAL OBLIGATION CAPITAL LOAN NOTE"
"SERIES 2021A"
COUNTY PURPOSE

Rate: _____
Maturity: _____
Note Date: August 18, 2021
CUSIP No.: _____
"Registered"
Certificate No. _____
Principal Amount: \$ _____

Pottawattamie County, State of Iowa, a political subdivision organized and existing under and by virtue of the Constitution and laws of the State of Iowa (the "Issuer"), for value received, promises to pay from the source and as hereinafter provided, on the maturity date indicated above, to

(Registration panel to be completed by Registrar or Printer with name of Registered Owner).

or registered assigns, the principal sum of (enter principal amount in long form) THOUSAND DOLLARS in lawful money of the United States of America, on the maturity date shown above, only upon presentation and surrender hereof at the office of UMB Bank, N.A., Paying Agent of this issue, or its successor, with interest on the sum from the date hereof until paid at the rate per annum specified above, payable on December 1, 2021, and semiannually thereafter on the 1st day of June and December in each year.

Interest and principal shall be paid to the registered holder of the Note as shown on the records of ownership maintained by the Registrar as of the 15th day of the month preceding such interest payment date. Interest shall be computed on the basis of a 360-day year of twelve 30-day months.

This Note is issued pursuant to the provisions of Sections 331.402, 331.442, 331.443 and 331.445 of the Code of Iowa, for the purpose of paying costs of (a) acquisition and development of land for a public park or other recreation or conservation purpose, including upgrading electrical and installing full, modern RV hook-ups at Arrowhead Park; (b) acquisition and development of land for a public park or other recreation or conservation purpose, including RV Park Road and landscaping upgrades at Arrowhead Park; (c) acquisition and development of land for a public park or other recreation or conservation purpose, including campground improvements at Botna Bend Park; (d) acquisition and development of land for a public park or other recreation or conservation purpose, including boat ramp improvements at Botna Bend Park; (e) acquisition and development of land for a public park or other recreation or conservation purpose, including lodge and cabin updates and campground hook-ups at Hitchcock Park; (f) acquisition and equipping of sheriff vehicles which are necessary for the operation of the county or the health and welfare of its citizens; (g) acquisition and equipping of a vehicle for Planning and Zoning which is necessary for the operation of the county or the health and welfare of its citizens; (h) acquisition and equipping of a road grader for secondary roads which is necessary for the operation of the county or the health and welfare of its citizens; and (i) equipping public buildings including computer hardware and software upgrades, and in order to evidence the obligations of the Issuer under a certain Loan Agreement dated the date hereof, in conformity to a Resolution of the Board of said County duly passed and approved. For a complete statement of the funds from which and the conditions under which this Note is payable, and the general covenants and provisions pursuant to which this Note is issued, reference is made to the above described Loan Agreement and Resolution.

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a limited purpose trust company ("DTC"), to the Issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other Issuer as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

Notes maturing after June 1, 2027, may be called for optional redemption by the Issuer and paid before maturity on said date or any date thereafter, from any funds regardless of source, in whole or from time to time in part, in any order of maturity and within an annual maturity by lot. The terms of redemption shall be par, plus accrued interest to date of call.

Thirty days' written notice of redemption shall be given to the registered owner of the Note. Failure to give written notice to any registered owner of the Notes or any defect therein shall not affect the validity of any proceedings for the redemption of the Notes. All notes or portions thereof called for redemption will cease to bear interest after the specified redemption date, provided funds for their redemption are on deposit at the place of

payment. Written notice will be deemed completed upon transmission to the owner of record.

If selection by lot within a maturity is required, the Registrar shall designate the Notes to be redeemed by random selection of the names of the registered owners of the entire annual maturity until the total amount of Notes to be called has been reached.

If less than all of a maturity is called for redemption, the Issuer will notify DTC of the particular amount of such maturity to be redeemed prior to maturity. DTC will determine by lot the amount of each Participant's interest in such maturity to be redeemed and each Participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at a price of par plus accrued interest.

Ownership of this Note may be transferred only by transfer upon the books kept for such purpose by UMB Bank, N.A., the Registrar. Such transfer on the books shall occur only upon presentation and surrender of this Note at the office of the Registrar as designated below, together with an assignment duly executed by the owner hereof or his duly authorized attorney in the form as shall be satisfactory to the Registrar. Issuer reserves the right to substitute the Registrar and Paying Agent but shall, however, promptly give notice to registered Noteholders of such change. All notes shall be negotiable as provided in Article 8 of the Uniform Commercial Code and Section 331.446 of the Code of Iowa, subject to the provisions for registration and transfer contained in the Note Resolution.

And it is hereby represented and certified that all acts, conditions and things requisite, according to the laws and Constitution of the State of Iowa, to exist, to be had, to be done, or to be performed precedent to the lawful issue of this Note, have been existent, had, done and performed as required by law; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the territory of the Issuer for the payment of the principal and interest of this Note as the same will respectively become due; that such taxes have been irrevocably pledged for the prompt payment hereof, both principal and interest; and the total indebtedness of the Issuer including this Note, does not exceed the constitutional or statutory limitations.

IN TESTIMONY WHEREOF, the Issuer by its Board, has caused this Note to be signed by the manual or facsimile signature of its Chairperson and attested by the manual or facsimile signature of its County Auditor, with the seal of the County printed or impressed hereon, and to be authenticated by the manual signature of an authorized representative of the Registrar, UMB Bank, N.A., West Des Moines, Iowa.

Date of authentication: _____
This is one of the Notes described in the within mentioned Resolution, as registered by UMB Bank, N.A.

UMB BANK, N.A., Registrar
West Des Moines, Iowa 50266

By: _____
Authorized Signature

Registrar and Transfer Agent: UMB Bank, N.A.
Paying Agent: UMB Bank, N.A.

SEE REVERSE FOR CERTAIN DEFINITIONS

(Seal)
(Signature Block)

POTTAWATTAMIE COUNTY, STATE OF IOWA

By: _____ (manual or facsimile signature) _____
Chairperson

ATTEST:

By: _____ (manual or facsimile signature) _____
County Auditor

(Information Required for Registration)

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ (Social Security or Tax Identification No. _____) the within Note and does hereby irrevocably constitute and appoint _____ attorney in fact to transfer the said Note on the books kept for registration of the within Note, with full power of substitution in the premises.

Dated: _____

(Person(s) executing this Assignment sign(s) here)

SIGNATURE)
GUARANTEED)_____

IMPORTANT - READ CAREFULLY

The signature(s) to this Power must correspond with the name(s) as written upon the face of the certificate(s) or note(s) in every particular without alteration or enlargement or any change whatever. Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signature to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.

INFORMATION REQUIRED FOR REGISTRATION OF TRANSFER

Name of Transferee(s) _____
Address of Transferee(s) _____
Social Security or Tax Identification
Number of Transferee(s) _____
Transferee is a(n):
Individual* _____ Corporation _____
Partnership _____ Trust _____

*If the Note is to be registered in the names of multiple individual owners, the names of all such owners and one address and social security number must be provided.

The following abbreviations, when used in the inscription on the face of this Note, shall be construed as though written out in full according to applicable laws or regulations:

TEN COM - as tenants in common
TEN ENT - as tenants by the entireties
JT TEN - as joint tenants with rights of survivorship and not as tenants in common
IA UNIF TRANS MIN ACT - Custodian
(Cust) (Minor)
Under Iowa Uniform Transfers to Minors Act (State)

ADDITIONAL ABBREVIATIONS MAY
ALSO BE USED THOUGH NOT IN THE ABOVE LIST

(End of form of Note)

Section 14. Loan Agreement and Closing Documents. The form of Loan Agreement in substantially the form attached to this Resolution is hereby approved and is authorized to be executed and issued on behalf of the Issuer by the Chairperson and attested by the County Auditor. The Chairperson and County Auditor are authorized and directed to execute, attest, seal and deliver for and on behalf of the County any other additional certificates, documents, or other papers and perform all other acts, including without limitation the execution of all closing documents, as they may deem necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

Section 15. Contract Between Issuer and Purchaser. This Resolution constitutes a contract between said County and the purchaser of the Notes.

Section 16. Non-Arbitrage Covenants. The Issuer reasonably expects and covenants that no use will be made of the proceeds from the issuance and sale of the Notes issued hereunder which will cause any of the Notes to be classified as arbitrage notes within the meaning of Sections 148(a) and (b) of the Internal Revenue Code of the United States, as amended, and that throughout the term of the Notes it will comply with the requirements of statutes and regulations issued thereunder.

To the best knowledge and belief of the Issuer, there are no facts or circumstances that would materially change the foregoing statements or the conclusion that it is not expected that the proceeds of the Notes will be used in a manner that would cause the Notes to be arbitrage notes.

Section 17. Approval of Tax Exemption Certificate. Attached hereto is a form of Tax Exemption Certificate stating the Issuer's reasonable expectations as to the use of the proceeds of the Notes. The form of Tax Exemption Certificate is approved. The Issuer hereby agrees to comply with the provisions of the Tax Exemption Certificate and the provisions of the Tax Exemption Certificate are hereby incorporated by reference as part of this Resolution. The County Treasurer is hereby directed to make and insert all calculations and determinations necessary to complete the Tax Exemption Certificate at issuance of the Notes to certify as to the reasonable expectations and covenants of the Issuer at that date.

Section 18. Continuing Disclosure. The Issuer hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate, and the provisions of the Continuing Disclosure Certificate are hereby incorporated by reference as part of this Resolution and made a part hereof. Notwithstanding any other provision of this Resolution, failure of the Issuer to comply with the Continuing Disclosure Certificate shall not be considered an event of default under this Resolution; however, any holder of the

Notes or Beneficial Owner may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Issuer to comply with its obligations under the Continuing Disclosure Certificate. For purposes of this section, "Beneficial Owner" means any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Note (including persons holding Notes through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Notes for federal income tax purposes.

Section 19. Additional Covenants, Representations and Warranties of the Issuer. The Issuer certifies and covenants with the purchasers and holders of the Notes from time to time outstanding that the Issuer through its officers, (a) will make such further specific covenants, representations and assurances as may be necessary or advisable; (b) comply with all representations, covenants and assurances contained in the Tax Exemption Certificate, which Tax Exemption Certificate shall constitute a part of the contract between the Issuer and the owners of the Notes; (c) consult with Bond Counsel (as defined in the Tax Exemption Certificate); (d) pay to the United States, as necessary, such sums of money representing required rebates of excess arbitrage profits relating to the Notes; (e) file such forms, statements and supporting documents as may be required and in a timely manner; and (f) if deemed necessary or advisable by its officers, to employ and pay fiscal agents, financial advisors, attorneys and other persons to assist the Issuer in such compliance.

Section 20. Amendment of Resolution to Maintain Tax Exemption. This Resolution may be amended without the consent of any owner of the Notes if, in the opinion of Bond Counsel, such amendment is necessary to maintain tax exemption with respect to the Notes under applicable Federal law or regulations.

Section 21. Repeal of Conflicting Resolutions or Ordinances. All ordinances and resolutions and parts of ordinances and resolutions in conflict herewith are hereby repealed.

Section 22. Severability Clause. If any section, paragraph, clause or provision of this Resolution be held invalid, such invalidity shall not affect any of the remaining provisions hereof, and this Resolution shall become effective immediately upon its passage and approval.

Dated this 3rd Day of August, 2021.

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion made by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 78-2021** entitled: RESOLUTION APPOINTING UMB BANK, N.A. OF WEST 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.

RESOLUTION NO. 78-2021

RESOLUTION APPOINTING UMB BANK, N.A. OF WEST 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

WHEREAS, \$12,000,000 General Obligation Urban Renewal Bonds, Series 2021B, dated August 18, 2021, have been sold and action should now be taken to provide for the maintenance of records, registration of certificates and payment of principal and interest in connection with the issuance of the Bonds; and

WHEREAS, this Board has deemed that the services offered by UMB Bank, N.A. of West Des Moines, Iowa, are necessary for compliance with rules, regulations, and requirements governing the registration, transfer and payment of registered bonds; and

WHEREAS, a Paying Agent, Bond Registrar and Transfer Agent Agreement (hereafter "Agreement") has been prepared to be entered into between the County and UMB Bank, N.A.

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

1. That UMB Bank, N.A. of West Des Moines, Iowa, is hereby appointed to serve as Paying Agent, Bond Registrar and Transfer Agent in connection with the issuance of \$12,000,000 General Obligation Urban Renewal Bonds, Series 2021B, dated August 18, 2021.
2. That the Agreement with UMB Bank, N.A. of West Des Moines, Iowa, is hereby approved and that the Chairperson and Auditor are authorized to sign the Agreement on behalf of the County.

Dated this 3rd Day of August, 2021.

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion made by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 79-2021** entitled: RESOLUTION AMENDING ‘RESOLUTION AUTHORIZING THE ISSUANCE OF \$16,900,000 GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2021, AND LEVYING A TAX FOR THE PAYMENT THEREOF,’ PASSED AND APPROVED ON MARCH 16, 2021, BY SUBSTITUTING A NEW RESOLUTION THEREFOR, AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$12,000,000 GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2021B, AND LEVYING A TAX TO PAY SAID BONDS; APPROVAL OF THE TAX EXEMPTION CERTIFICATE AND CONTINUING DISCLOSURE CERTIFICATE.

RESOLUTION NO. 79-2021

RESOLUTION AMENDING ‘RESOLUTION AUTHORIZING THE ISSUANCE OF \$16,900,000 GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2021, AND LEVYING A TAX FOR THE PAYMENT THEREOF,’ PASSED AND APPROVED ON MARCH 16, 2021, BY SUBSTITUTING A NEW RESOLUTION THEREFOR, AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$12,000,000 GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2021B, AND LEVYING A TAX TO PAY SAID BONDS; APPROVAL OF THE TAX EXEMPTION CERTIFICATE AND CONTINUING DISCLOSURE CERTIFICATE

WHEREAS, the Issuer is a political subdivision, organized and exists under and by virtue of the laws and Constitution of the State of Iowa; and

WHEREAS, the Issuer is in need of funds to pay costs of aiding in the planning, undertaking, and carrying out of urban renewal projects under the authority of Chapter 403, essential county purpose project(s), and it is deemed necessary and advisable that the County issue General Obligation Urban Renewal Bonds, for such purpose(s) to the amount of not to exceed \$16,900,000 as authorized by Sections 331.441(2)(b)(14), 331.443 and 403.12 of the Code of Iowa; and

WHEREAS, pursuant to notice published as required by Sections 331.441(2)(b)(14), 331.443 and 403.12 this Board has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of said Bonds, and all objections, if any, to such Board action made by any resident or property owner of the County were received and considered by the Board; and no petition having been filed, it is the decision of the Board that additional action be taken for the issuance of said Bonds for such purpose(s), and that such action is considered to be in the best interests of the County and the residents thereof; and

WHEREAS, pursuant to the provisions of Chapter 75 of the Code of Iowa, the above mentioned Bonds were heretofore sold at public sale and action should now be taken to issue said Bonds conforming to the terms and

conditions of the best bid received at the advertised public sale; and

WHEREAS, on March 16, 2021, the Board of Supervisors of said County did adopt a certain Resolution entitled "RESOLUTION AUTHORIZING THE ISSUANCE OF \$16,900,000 GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2021, AND LEVYING A TAX FOR THE PAYMENT THEREOF"; and

WHEREAS, due to certain changes in the overall financing plans of the County, it is necessary to make numerous changes to the Resolution adopted on March 16, 2021; and, therefore, said Board has adopted a new Resolution to be substituted in its entirety for the Resolution previously adopted on March 16, 2021, authorizing the issuance of \$16,900,000 General Obligation Urban Renewal Bonds, Series 2021.

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

Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by necessary implication requires otherwise:

- "Authorized Denominations" shall mean \$5,000 or any integral multiple thereof.
- "Beneficial Owner" shall mean, whenever used with respect to a Bonds, the person in whose name such Bond is recorded as the beneficial owner of such Bond by a Participant on the records of such Participant or such person's subrogee.
- "Blanket Issuer Letter of Representations" shall mean the Representation Letter from the Issuer to DTC, with respect to the Bonds.
- "Cede & Co." shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Bonds.
- "Continuing Disclosure Certificate" shall mean that certain Continuing Disclosure Certificate approved under the terms of this Resolution and to be executed by the Issuer and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.
- "Depository Bonds" shall mean the Bonds as issued in the form of one global certificate for each maturity, registered in the Registration Books maintained by the Registrar in the name of DTC or its nominee.
- "DTC" shall mean The Depository Trust Company, New York, New York, which will act as security depository for the Bond pursuant to the Representation Letter.
- "Issuer" and "County" shall mean Pottawattamie County, State of Iowa.
- "Participants" shall mean those broker-dealers, banks and other financial institutions for which DTC holds Bonds as securities depository.
- "Paying Agent" shall mean UMB Bank, N.A., or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein as Issuer's agent to provide for the payment of principal of and interest on the Bonds as the same shall become due.
- "Project" shall mean the costs of aiding in the planning, undertaking, and carrying out of urban renewal projects under the authority of Chapter 403.
- "Project Fund" shall mean the fund required to be established by this Resolution for the deposit of the proceeds of the Bonds.
- "Rebate Fund" shall mean the fund so defined in and established pursuant to the Tax Exemption Certificate.
- "Registrar" shall mean UMB Bank, N.A. of West Des Moines, Iowa, or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein with respect to maintaining a register of the owners of the Bonds. Unless otherwise specified, the Registrar shall also act as Transfer Agent for the Bonds.
- "Resolution" shall mean this resolution authorizing the Bonds.
- "Tax Exemption Certificate" shall mean the Tax Exemption Certificate approved under the terms of this Resolution and to be executed by the Treasurer and delivered at the time of issuance and delivery of the Bonds.
- "Treasurer" shall mean the County Treasurer or such other officer as shall succeed to the same duties and responsibilities with respect to the recording and payment of the Bonds issued hereunder.

Section 2. Levy and Certification of Annual Tax; Other Funds to be Used.

d) Levy of Annual Tax. That for the purpose of providing funds to pay the principal and interest of the Bonds hereinafter authorized to be issued, there is hereby levied for each future year the following direct annual tax on all of the taxable property in Pottawattamie County, State of Iowa, to-wit:

AMOUNT	FISCAL YEAR (JULY 1 TO JUNE 30 YEAR OF COLLECTION)
\$1,102,425*	2021/2022
\$ 627,000	2022/2023
\$ 619,000	2023/2024
\$ 936,000	2024/2025
\$ 936,500	2025/2026
\$ 981,700	2026/2027
\$ 990,700	2027/2028
\$ 999,200	2028/2029
\$ 1,007,200	2029/2030
\$ 1,014,700	2030/2031
\$ 1,021,700	2031/2032
\$ 1,028,200	2032/2033
\$ 1,019,200	2033/2034
\$ 1,040,000	2034/2035
\$ 1,020,000	2035/2036

*A levy has been included in the budget previously certified and will be used together with available County funds to pay the principal and interest of the Bond coming due in fiscal year 2021/2022.

(NOTE: For example the levy to be made and certified against the taxable valuations of January 1, 2021 will be collected during the fiscal year commencing July 1, 2022.)

e) Resolution to be Filed With County Auditor. A certified copy of this Resolution shall be filed with the Auditor of Pottawattamie County, Iowa and the Auditor is hereby instructed in and for each of the years as provided, to levy and assess the tax hereby authorized in Section 2 of this Resolution, in like manner as other taxes are levied and assessed, and such taxes so levied in and for each of the years aforesaid be collected in like manner as other taxes of the County are collected, and when collected be used for the purpose of paying principal and interest on said Bonds issued in anticipation of the tax, and for no other purpose whatsoever which action requires a modification and change of the levies originally made in accordance with the Bond Resolution certified to and filed in the Pottawattamie County Auditor's office on March 16, 2021.

f) Additional County Funds Available. Principal and interest coming due at any time when the proceeds of said tax on hand shall be insufficient to pay the same shall be promptly paid when due from current funds of the County available for that purpose and reimbursement shall be made from such special fund in the amounts thus advanced.

Section 3. Bond Fund. Said tax shall be assessed and collected each year at the same time and in the same manner as, and in addition to, all other taxes in and for the County, and when collected they shall be converted into a special fund within the Debt Service Fund to be known as the "2021B GENERAL OBLIGATION BOND FUND NO. 1" (the "Bond Fund"), which is hereby pledged for and shall be used only for the payment of the principal of and interest on the Bonds hereinafter authorized to be issued; and also there shall be apportioned to said fund its proportion of taxes received by the County from property that is centrally assessed by the State of Iowa.

Section 4. Application of Bond Proceeds. Proceeds of the Bonds, other than accrued interest except as may be provided below, shall be credited to the Project Fund and expended therefrom for the purposes of issuance. Any amounts on hand in the Project Fund shall be available for the payment of the principal of or interest on the Bonds at any time that other funds shall be insufficient to the purpose, in which event such funds shall be repaid to the Project Fund at the earliest opportunity. Any balance on hand in the Project Fund and not immediately required for its purposes may be invested not inconsistent with limitations provided by law or this Resolution.

Section 5. Investment of Bond Fund Proceeds. All moneys held in the Bond Fund, provided for by Section 3 of this Resolution shall be invested in investments permitted by Chapter 12B, Code of Iowa, as amended, or deposited in financial institutions which are members of the Federal Deposit Insurance Corporation and the deposits in which are insured thereby and all such deposits exceeding the maximum amount insured from time to time by FDIC or its equivalent successor in any one financial institution shall be continuously secured in compliance with Chapter 12C of the Code of Iowa, as amended, or otherwise by a valid pledge of direct obligations of the United States Government having an equivalent market value. All such interim investments shall mature before the date on which the moneys are required for payment of principal of or interest on the Bonds as herein provided.

Section 6. Bond Details, Execution and Redemption.

a) Bond Details. General Obligation Urban Renewal Bonds of the County in the amount of \$12,000,000, shall be issued pursuant to the provisions of Sections 331.441(2)(b)(14), 331.443 and 403.12 of the Code of Iowa for the aforesaid purposes. The Bonds shall be designated "GENERAL OBLIGATION URBAN RENEWAL BOND, SERIES 2021B", be dated August 18, 2021, and bear interest from the date thereof, until payment thereof, at the office of the Paying Agent, said interest

payable on December 1, 2021, and semiannually thereafter on the 1st day of June and December in each year until maturity at the rates hereinafter provided.

The Bonds shall be executed by the manual or facsimile signature of the Chairperson and attested by the manual or facsimile signature of the Auditor, and impressed or printed with the seal of the County and shall be fully registered as to both principal and interest as provided in this Resolution; principal, interest and premium, if any, shall be payable at the office of the Paying Agent by mailing of a check to the registered owner of the Bond. The Bonds shall be in the denomination of \$5,000 or multiples thereof. The Bonds shall mature and bear interest as follows:

Principal Amount	Interest Rate	Maturity June 1st
\$ 650,000	2.000%	2022
\$ 400,000	2.000%	2023
\$ 400,000	2.000%	2024
\$ 725,000	2.000%	2025
\$ 740,000	2.000%	2026
\$ 800,000	2.000%	2027
\$ 825,000	2.000%	2028
\$ 850,000	2.000%	2029
\$ 875,000	2.000%	2030
\$ 900,000	2.000%	2031
\$ 925,000	2.000%	2032
\$ 950,000	2.000%	2033
\$ 960,000	2.000%	2034
\$1,000,000	2.000%	2035
\$1,000,000	2.000%	2036

b) Redemption.

i. Optional Redemption. Bonds maturing after June 1, 2028, may be called for optional redemption by the Issuer on that date or any date thereafter, from any funds regardless of source, in whole or from time to time in part, in any order of maturity and within an annual maturity by lot. The terms of redemption shall be par, plus accrued interest to date of call.

Thirty days' written notice of redemption shall be given to the registered owner of the Bond. Failure to give written notice to any registered owner of the Bonds or any defect therein shall not affect the validity of any proceedings for the redemption of the Bonds. All Bonds or portions thereof called for redemption will cease to bear interest after the specified redemption date, provided funds for their redemption are on deposit at the place of payment. Written notice will be deemed completed upon transmission to the owner of record.

If selection by lot within a maturity is required, the Registrar shall designate the Bonds to be redeemed by random selection of the names of the registered owners of the entire annual maturity until the total amount of Bonds to be called has been reached.

If less than all of a maturity is called for redemption, the Issuer will notify DTC of the particular amount of such maturity to be redeemed prior to maturity. DTC will determine by lot the amount of each Participant's interest in such maturity to be redeemed and each Participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at a price of par plus accrued interest.

c) Urban Renewal Purposes.

The Bonds are hereby declared to be issued for essential public and governmental purposes for qualified urban renewal projects.

The Bonds shall recite in substance that they have been issued by the County in connection with an urban renewal project as defined by Chapter 403 of the Code of Iowa, and in any suit, action or proceeding involving the validity or enforceability of any bond issued hereunder or the security therefor, such Bond shall be conclusively deemed to have been issued for such purpose and such project shall be conclusively deemed to have been planned, located and carried out in accordance with the provisions of Chapter 403 of the Code of Iowa.

Section 7. Issuance of Bonds in Book-Entry Form; Replacement Bonds.

a) Notwithstanding the other provisions of this Resolution regarding registration, ownership, transfer, payment and exchange of the Bonds, unless the Issuer determines to permit the exchange of Depository Bonds for Bonds in Authorized Denominations, the Bonds shall be issued as Depository Bonds in denominations of the entire principal amount of each maturity of Bonds (or, if a portion of said principal amount is prepaid, said principal amount less the prepaid amount). The Bonds must be registered in the name of Cede & Co., as nominee for DTC. Payment of semiannual interest for any Bonds registered in the name of Cede & Co. will be made by wire transfer or New York Clearing House or equivalent next day funds to the account of Cede & Co. on the interest payment date for the Bonds at the address indicated or in the Representation Letter.

b) The Bonds will be initially issued in the form of separate single authenticated fully registered bonds in the amount of each stated maturity of the Bonds. Upon initial issuance, the ownership of the Bonds will be registered in the registry books of the UMB Bank, N.A. kept by the Paying Agent and Registrar in the name of Cede & Co., as nominee of DTC. The Paying Agent and Registrar and the Issuer may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal or redemption price of or interest on the Bonds, selecting the Bonds or portions to be redeemed, giving any notice permitted or required to be given to registered owners of Bonds under the Resolution of the Issuer, registering the transfer of Bonds, obtaining any consent or other action to be taken by registered owners of the Bonds and for other purposes. The Paying Agent, Registrar and the Issuer have no responsibility or obligation to any Participant or Beneficial Owner of the Bonds under or through DTC with respect to the accuracy of records maintained by DTC or any Participant; with respect to the payment by DTC or Participant of an amount of principal or redemption price of or interest on the Bonds; with respect to any notice given to owners of Bonds under the Resolution; with respect to the Participant(s) selected to receive payment in the event of a partial redemption of the Bonds, or a consent given or other action taken by DTC as registered owner of the Bonds. The Paying Agent and Registrar shall pay all principal of and premium, if any, and interest on the Bonds only to Cede & Co. in accordance with the Representation Letter, and all payments are valid and effective to fully satisfy and discharge the Issuer's obligations with respect to the principal of and premium, if any, and interest on the Bonds to the extent of the sum paid. DTC must receive an authenticated Bond for each separate stated maturity evidencing the obligation of the Issuer to make payments of principal of and premium, if any, and interest. Upon delivery by DTC to the Paying Agent and Registrar of written notice that DTC has determined to substitute a new nominee in place of Cede & Co., the Bonds will be transferable to the new nominee in accordance with this Section.

c) In the event the Issuer determines that it is in the best interest of the Beneficial Owners that they be able to obtain Bonds certificates, the Issuer may notify DTC and the Paying Agent and Registrar, whereupon DTC will notify the Participants, of the availability through DTC of Bonds certificates. The Bonds will be transferable in accordance with this Section. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the Issuer and the Paying Agent and Registrar and discharging its responsibilities under applicable law. In this event, the Bonds will be transferable in accordance with this Section.

d) Notwithstanding any other provision of the Resolution to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal of and premium, if any, and interest on the Bond and all notices must be made and given, respectively to DTC as provided in the Representation letter.

e) In connection with any notice or other communication to be provided to Bondholders by the Issuer or the Paying Agent and Registrar with respect to a consent or other action to be taken by Bondholders, the Issuer or the Paying Agent and Registrar, as the case may be, shall establish a record date for the consent or other action and give DTC notice of the record date not less than 15 calendar days in advance of the record date to the extent possible. Notice to DTC must be given only when DTC is the sole Bondholder.

f) The Representation Letter is on file with DTC and sets forth certain matters with respect to, among other things, notices, consents and approvals by Bondholders and payments on the Bonds. The execution and delivery of the Representation Letter to DTC by the Issuer is ratified and confirmed.

g) In the event that a transfer or exchange of the Bonds is permitted under this Section, the transfer or exchange may be accomplished upon receipt by the Registrar from the registered owners of the Bonds to be transferred or exchanged and appropriate instruments of transfer. In the event Bond certificates are issued to holders other than Cede & Co., its successor as nominee for DTC as holder of all the Bonds, or other securities depository as holder of all the Bonds, the provisions of the Resolution apply to, among other things, the printing of certificates and the method or payment of principal of and interest on the certificates. Any substitute depository shall be designated in writing by the Issuer to the Paying Agent. Any such substitute depository shall be a qualified and registered "clearing agency" as provided in Section 17A of the Securities Exchange Act of 1934, as amended. The substitute depository shall provide for (i) immobilization of the Depository Bonds, (ii) registration and transfer of interests in Depository Bonds by book entries made on records of the depository or its nominee and (iii) payment of principal of, premium, if any, and interest on the Bonds in accordance with and as such interests may appear with respect to such book entries.

h) The officers of the Issuer are authorized and directed to prepare and furnish to the purchaser, and to the attorneys approving the legality of Bonds, certified copies of proceedings, ordinances, resolutions and records and all certificates and affidavits and other instruments as may be required to evidence the legality and marketability of the Bonds, and all certified copies, certificates, affidavits and other instruments constitute representations of the Issuer as to the correctness of all stated or recited facts.

Section 8. Registration of Bonds; Appointment of Registrar; Transfer; Ownership; Delivery; and Cancellation.

a) Registration. The ownership of Bonds may be transferred only by the making of an entry upon the books kept for the registration and transfer of ownership of the Bonds, and in no other way. UMB Bank, N.A. is hereby appointed as Bond Registrar under the terms of this Resolution and under the provisions of a separate agreement with the Issuer filed herewith which is made a part hereof by this

reference. Registrar shall maintain the books of the Issuer for the registration of ownership of the Bonds for the payment of principal of and interest on the Bonds as provided in this Resolution. All Bonds shall be negotiable as provided in Article 8 of the Uniform Commercial Code and Section 331.446 of the Code of Iowa, subject to the provisions for registration and transfer contained in the Bonds and in this Resolution.

b) Transfer. The ownership of any Bond may be transferred only upon the Registration Books kept for the registration and transfer of Bonds and only upon surrender thereof at the office of the Registrar together with an assignment duly executed by the holder or his duly authorized attorney in fact in such form as shall be satisfactory to the Registrar, along with the address and social security number or federal employer identification number of such transferee (or, if registration is to be made in the name of multiple individuals, of all such transferees). In the event that the address of the registered owner of a Bond (other than a registered owner which is the nominee of the broker or dealer in question) is that of a broker or dealer, there must be disclosed on the Registration Books the information pertaining to the registered owner required above. Upon the transfer of any such Bond, a new fully registered Bond, of any denomination or denominations permitted by this Resolution in aggregate principal amount equal to the unmatured and unredeemed principal amount of such transferred fully registered Bond, and bearing interest at the same rate and maturing on the same date or dates shall be delivered by the Registrar.

c) Registration of Transferred Bonds. In all cases of the transfer of the Bonds, the Registrar shall register, at the earliest practicable time, on the Registration Books, the Bonds, in accordance with the provisions of this Resolution.

d) Ownership. As to any Bond, the person in whose name the ownership of the same shall be registered on the Registration Books of the Registrar shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any such Bonds and the premium, if any, and interest thereon shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond, including the interest thereon, to the extent of the sum or sums so paid.

e) Cancellation. All Bonds which have been redeemed shall not be reissued but shall be cancelled by the Registrar. All Bonds which are cancelled by the Registrar shall be destroyed and a certificate of the destruction thereof shall be furnished promptly to the Issuer; provided that if the Issuer shall so direct, the Registrar shall forward the cancelled Bonds to the Issuer.

f) Non-Presentation of Bonds. In the event any payment check, wire, or electronic transfer of funds representing payment of principal of or interest on the Bonds is returned to the Paying Agent or if any bond is not presented for payment of principal at the maturity or redemption date, if funds sufficient to pay such principal of or interest on Bonds shall have been made available to the Paying Agent for the benefit of the owner thereof, all liability of the Issuer to the owner thereof for such interest or payment of such Bonds shall forthwith cease, terminate and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the owner of such Bonds who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Resolution or on, or with respect to, such interest or Bonds. The Paying Agent's obligation to hold such funds shall continue for a period equal to two years and six months following the date on which such interest or principal became due, whether at maturity, or at the date fixed for redemption thereof, or otherwise, at which time the Paying Agent shall surrender any remaining funds so held to the Issuer, whereupon any claim under this Resolution by the Owners of such interest or Bonds of whatever nature shall be made upon the Issuer.

g) Registration and Transfer Fees. The Registrar may furnish to each owner, at the Issuer's expense, one bond for each annual maturity. The Registrar shall furnish additional Bonds in lesser denominations (but not less than the minimum denomination) to an owner who so requests.

Section 9. Reissuance of Mutilated, Destroyed, Stolen or Lost Bonds. In case any outstanding Bond shall become mutilated or be destroyed, stolen or lost, the Issuer shall at the request of Registrar authenticate and deliver a new Bond of like tenor and amount as the Bond so mutilated, destroyed, stolen or lost, in exchange and substitution for such mutilated Bond to Registrar, upon surrender of such mutilated Bond, or in lieu of and substitution for the Bond destroyed, stolen or lost, upon filing with the Registrar evidence satisfactory to the Registrar and Issuer that such Bond has been destroyed, stolen or lost and proof of ownership thereof, and upon furnishing the Registrar and Issuer with satisfactory indemnity and complying with such other reasonable regulations as the Issuer or its agent may prescribe and paying such expenses as the Issuer may incur in connection therewith.

Section 10. Record Date. Payments of principal and interest, otherwise than upon full redemption, made in respect of any Bond, shall be made to the registered holder thereof or to their designated agent as the same appear on the books of the Registrar on the 15th day of the month preceding the payment date. All such payments shall fully discharge the obligations of the Issuer in respect of such Bonds to the extent of the payments so made. Upon receipt of the final payment of principal, the holder of the Bond shall surrender the Bond to the Paying Agent..

Section 11. Execution, Authentication and Delivery of the Bonds. Upon the adoption of this Resolution, the Chairperson and Auditor shall execute the Bonds by their manual or authorized signature and deliver the Bonds to the Registrar, who shall authenticate the Bonds and deliver the same to or upon order of the Purchaser. No Bond shall be valid or obligatory for any purpose or shall be entitled to any right or benefit hereunder unless the Registrar shall duly endorse and execute on such Bond a Certificate of Authentication substantially in the form of the Certificate herein set forth. Such Certificate upon any Bond

executed on behalf of the Issuer shall be conclusive evidence that the Bond so authenticated has been duly issued under this Resolution and that the holder thereof is entitled to the benefits of this Resolution.

No Bonds shall be authenticated and delivered by the Registrar unless and until there shall have been provided the following:

1. A certified copy of the Resolution of Issuer authorizing the issuance of the Bonds;
2. A written order of Issuer signed by the Treasurer of the Issuer directing the authentication and delivery of the Bonds to or upon the order of the Purchaser upon payment of the purchase price as set forth therein;
3. The approving opinion of Ahlers & Cooney, P.C., Bond Counsel, concerning the validity and legality of all the Bonds proposed to be issued.

Section 12. Right to Name Substitute Paying Agent or Registrar. Issuer reserves the right to name a substitute, successor Registrar or Paying Agent upon giving prompt written notice to each registered bondholder.

Section 13. Form of Bond. Bonds shall be printed substantially in the form as follows:

"STATE OF IOWA"
 "COUNTY OF POTTAWATTAMIE"
 "GENERAL OBLIGATION CAPITAL LOAN BOND"
 "SERIES 2021B"
 ESSENTIAL COUNTY PURPOSE

Rate: _____
 Maturity: _____
 Bond Date: August 18, 2021
 CUSIP No.: _____
 "Registered"
 Certificate No. _____
 Principal Amount: \$ _____

Pottawattamie County, State of Iowa, a political subdivision organized and existing under and by virtue of the Constitution and laws of the State of Iowa (the "Issuer"), for value received, promises to pay from the source and as hereinafter provided, on the maturity date indicated above, to

(Registration panel to be completed by Registrar or Printer with name of Registered Owner).

or registered assigns, the principal sum of (enter principal amount in long form) THOUSAND DOLLARS in lawful money of the United States of America, on the maturity date shown above, only upon presentation and surrender hereof at the office of UMB Bank, N.A., Paying Agent of this issue, or its successor, with interest on the sum from the date hereof until paid at the rate per annum specified above, payable on December 1, 2021, and semiannually thereafter on the 1st day of June and December in each year.

Interest and principal shall be paid to the registered holder of the Bond as shown on the records of ownership maintained by the Registrar as of the 15th day of the month preceding such interest payment date. Interest shall be computed on the basis of a 360-day year of twelve 30-day months.

This Bond is issued pursuant to the provisions of Sections 331.441(2)(b)(14), 331.443 and 403.12 of the Code of Iowa, for the purpose of paying costs of aiding in the planning, undertaking, and carrying out of urban renewal projects under the authority of Chapter 403, in conformity to a Resolution of the Board of said County duly passed and approved.

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a limited purpose trust company ("DTC"), to the Issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other Issuer as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

Bonds maturing after June 1, 2028, may be called for optional redemption by the Issuer and paid before maturity on said date or any date thereafter, from any funds regardless of source, in whole or from time to time in part, in any order of maturity and within an annual maturity by lot. The terms of redemption shall be par, plus accrued interest to date of call.

Thirty days' written notice of redemption shall be given to the registered owner of the Bond. Failure to give written notice to any registered owner of the Bonds or any defect therein shall not affect the validity of any proceedings for the redemption of the Bonds. All bonds or portions thereof called for redemption will cease to bear interest after the specified redemption date, provided funds for their redemption are on deposit at the place of payment. Written notice will be deemed completed upon transmission to the owner of record.

If selection by lot within a maturity is required, the Registrar shall designate the Bonds to be redeemed by random selection of the names of the registered owners of the entire annual maturity until the total amount of Bonds to be called has been reached.

If less than all of a maturity is called for redemption, the Issuer will notify DTC of the particular amount of such maturity to be redeemed prior to maturity. DTC will determine by lot the amount of each Participant's interest in such maturity to be redeemed and each Participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at a price of par plus accrued interest.

Ownership of this Bond may be transferred only by transfer upon the books kept for such purpose by UMB Bank, N.A., the Registrar. Such transfer on the books shall occur only upon presentation and surrender of this Bond at the office of the Registrar as designated below, together with an assignment duly executed by the owner hereof or his duly authorized attorney in the form as shall be satisfactory to the Registrar. Issuer reserves the right to substitute the Registrar and Paying Agent but shall, however, promptly give notice to registered Bondholders of such change. All bonds shall be negotiable as provided in Article 8 of the Uniform Commercial Code and Section 331.446 of the Code of Iowa, subject to the provisions for registration and transfer contained in the Bond Resolution.

This Bond and the series of which it forms has been issued by the County in connection with an urban renewal project as defined in Chapter 403 of the Code of Iowa, and in any suit, action or proceeding involving the validity or enforceability of any bond issued hereunder or the security therefor, such Bond shall be conclusively deemed to have been issued for such purpose and such project shall be conclusively deemed to have been planned, located and carried out in accordance with the provisions of Chapter 403 of the Code of Iowa.

And it is hereby represented and certified that all acts, conditions and things requisite, according to the laws and Constitution of the State of Iowa, to exist, to be had, to be done, or to be performed precedent to the lawful issue of this Bond, have been existent, had, done and performed as required by law; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the territory of the Issuer for the payment of the principal and interest of this Bond as the same will respectively become due; that such taxes have been irrevocably pledged for the prompt payment hereof, both principal and interest; and the total indebtedness of the Issuer including this Bond, does not exceed the constitutional or statutory limitations.

IN TESTIMONY WHEREOF, the Issuer by its Board, has caused this Bond to be signed by the manual or facsimile signature of its Chairperson and attested by the manual or facsimile signature of its County Auditor, with the seal of the County printed or impressed hereon, and to be authenticated by the manual signature of an authorized representative of the Registrar, UMB Bank, N.A., West Des Moines, Iowa.

Date of authentication: _____
This is one of the Bonds described in the within mentioned Resolution, as registered by UMB Bank, N.A.

UMB BANK, N.A., Registrar
West Des Moines, Iowa 50266

By: _____
Authorized Signature

Registrar and Transfer Agent: UMB Bank, N.A.
Paying Agent: UMB Bank, N.A.

SEE REVERSE FOR CERTAIN DEFINITIONS

(Seal)
(Signature Block)

POTTAWATTAMIE COUNTY, STATE OF IOWA

By: _____ (manual or facsimile signature) _____
Chairperson

ATTEST:

By: _____ (manual or facsimile signature) _____
County Auditor

(Information Required for Registration)

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ (Social Security or Tax Identification No. _____) the within Bond and does hereby irrevocably constitute and appoint _____ attorney in fact to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: _____

(Person(s) executing this Assignment sign(s) here)

SIGNATURE)
GUARANTEED)_____

IMPORTANT - READ CAREFULLY

The signature(s) to this Power must correspond with the name(s) as written upon the face of the certificate(s) or bond(s) in every particular without alteration or enlargement or any change whatever. Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signature to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.

INFORMATION REQUIRED FOR REGISTRATION OF TRANSFER

Name of Transferee(s) _____
Address of Transferee(s) _____
Social Security or Tax Identification _____
Number of Transferee(s) _____
Transferee is a(n):
Individual* _____ Corporation _____
Partnership _____ Trust _____

*If the Bond is to be registered in the names of multiple individual owners, the names of all such owners and one address and social security number must be provided.

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though written out in full according to applicable laws or regulations:

TEN COM - as tenants in common
TEN ENT - as tenants by the entireties
JT TEN - as joint tenants with rights of survivorship and not as tenants in common
IA UNIF TRANS MIN ACT - Custodian
(Cust) (Minor)
Under Iowa Uniform Transfers to Minors Act (State)

ADDITIONAL ABBREVIATIONS MAY
ALSO BE USED THOUGH NOT IN THE ABOVE LIST

(End of form of Bond)

Section 14. Closing Documents. The Chairperson and County Auditor are authorized and directed to execute, attest, seal and deliver for and on behalf of the County any other additional certificates, documents, or other papers and perform all other acts, including without limitation the execution of all closing documents, as they may deem necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

Section 15. Contract Between Issuer and Purchaser. This Resolution constitutes a contract between said County and the purchaser of the Bonds.

Section 16. Non-Arbitrage Covenants. The Issuer reasonably expects and covenants that no use will be made of the proceeds from the issuance and sale of the Bonds issued hereunder which will cause any of the Bonds to be classified as arbitrage bonds within the meaning of Sections 148(a) and (b) of the Internal Revenue Code of the United States, as amended, and that throughout the term of the Bonds it will comply with the requirements of statutes and regulations issued thereunder.

To the best knowledge and belief of the Issuer, there are no facts or circumstances that would materially change the foregoing statements or the conclusion that it is not expected that the proceeds of the Bonds will be used in a manner that would cause the Bonds to be arbitrage bonds.

Section 17. Approval of Tax Exemption Certificate. Attached hereto is a form of Tax Exemption Certificate stating the Issuer's reasonable expectations as to the use of the proceeds of the Bonds. The form of Tax Exemption Certificate is approved. The Issuer hereby agrees to comply with the provisions of the Tax Exemption Certificate and the provisions of the Tax Exemption Certificate are hereby incorporated by reference as part of this Resolution. The County Treasurer is hereby directed to make and insert all calculations and determinations necessary to complete the Tax Exemption Certificate at issuance of the Bonds to certify as to the reasonable expectations and covenants of the Issuer at that date.

Section 18. Continuing Disclosure. The Issuer hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate, and the provisions of the Continuing Disclosure Certificate are hereby incorporated by reference as part of this Resolution and made a part hereof. Notwithstanding any other provision of this Resolution, failure of the Issuer to comply with the Continuing

Disclosure Certificate shall not be considered an event of default under this Resolution; however, any holder of the Bonds or Beneficial Owner may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Issuer to comply with its obligations under the Continuing Disclosure Certificate. For purposes of this section, "Beneficial Owner" means any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bond (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

Section 19. Additional Covenants, Representations and Warranties of the Issuer. The Issuer certifies and covenants with the purchasers and holders of the Bonds from time to time outstanding that the Issuer through its officers, (a) will make such further specific covenants, representations and assurances as may be necessary or advisable; (b) comply with all representations, covenants and assurances contained in the Tax Exemption Certificate, which Tax Exemption Certificate shall constitute a part of the contract between the Issuer and the owners of the Bonds; (c) consult with Bond Counsel (as defined in the Tax Exemption Certificate); (d) pay to the United States, as necessary, such sums of money representing required rebates of excess arbitrage profits relating to the Bonds; (e) file such forms, statements and supporting documents as may be required and in a timely manner; and (f) if deemed necessary or advisable by its officers, to employ and pay fiscal agents, financial advisors, attorneys and other persons to assist the Issuer in such compliance

Section 20. Amendment of Resolution to Maintain Tax Exemption. This Resolution may be amended without the consent of any owner of the Bonds if, in the opinion of Bond Counsel, such amendment is necessary to maintain tax exemption with respect to the Bonds under applicable Federal law or regulations.

Section 21. Repeal of Conflicting Resolutions or Ordinances. All ordinances and resolutions and parts of ordinances and resolutions in conflict herewith are hereby repealed.

Section 22. Severability Clause. If any section, paragraph, clause or provision of this Resolution be held invalid, such invalidity shall not affect any of the remaining provisions hereof, and this Resolution shall become effective immediately upon its passage and approval.

Dated this 3rd Day of August, 2021.

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

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

5. CLOSED SESSION

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

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

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

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

6. RECEIVED/FILED

- A. Salary Actions
 - 1) Communications – Payroll Status Change for Angela Dobyns
 - 2) IT – Payroll Status Change for Adam Klein
 - 3) Jail – Payroll Status Change for Shannon Holman, Kayla Werneburg
- B. Reports
 - 1) Sheriff’s Report of Fees Disbursed and Collected for June 2021

7. ADJOURN

Motion by Shea, second by Grobe, to adjourn meeting. UNANIMOUS VOTE. Motion Carried.
THE BOARD ADJOURNED SUBJECT TO CALL AT 1:15 P.M.

Scott A. Belt, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: August 10, 2021
PUBLISH: X

August 10, 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. August 3, 2021, Minutes as read.
- B. Publication of Claims allowed for July 2021.
- C. Renewal of Class C Liquor License (LC) (Commercial), granting privileges of Class C Liquor License (LC) Commercial)/Outdoor Service/Sunday Sales for Genevieve Stueve d/b/a Aeroplane Inn, Honey Creek.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Shea, second by Schultz, to open Public Hearing on the proposed reallocation of Unspent Proceeds.

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

Motion by Wichman, second by Schultz, to close public hearing.

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

Motion by Schultz, second by Shea, to approve and authorize Board to sign Resolution No. 83-2021 entitled: RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION AND APPROVING THE REALLOCATION OF CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2018, OF POTTAWATTAMIE COUNTY, IOWA.

RESOLUTION NO. 83-2021

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION AND APPROVING THE REALLOCATION OF CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2018, OF POTTAWATTAMIE COUNTY, IOWA

WHEREAS, pursuant to notice published as required by law, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the reallocation of certain unspent proceeds, in the amount of not to exceed \$389,021.42 (the "Unspent Proceeds") of the General Obligation Capital Loan Notes, Series 2018, of Pottawattamie, Iowa, to provide funds to pay costs of the equipping, remodeling, or reconstruction of public buildings, and has considered the extent of objections received from residents or property owners as to said proposal and, accordingly the following action is now considered to be in the best interests of the County and residents thereof.

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

Section 1. That this Board does hereby institute proceedings and takes additional action for the reallocation of the Unspent Proceeds of the General Obligation Capital Loan Notes, Series 2018 to pay costs of the equipping, remodeling, or reconstruction of public buildings, is in all respects authorized and approved.

Section 2. The Auditor is authorized and directed to take such action as may be necessary to effect and implement the foregoing reallocation of the Unspent Proceeds as described herein, and to cause the records and accounts of the County to reflect the same.

Dated this 10th Day of August, 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 made by Wichman, second by Shea, to open Public Hearing on Ordinance No. 2021-02, an Ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa, by changing the district designation of approximately 73.8 acres from a Class R-1 (Ag-Urban Transitional) to a Class A-2 (Agricultural Production) District.

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

Motion by Shea, second by Schultz, to close public hearing.

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

Motion by Shea, second by Schultz, to approve First Consideration of **Ordinance No. 2021-04**, an Ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa, by changing the district designation of approximately 73.8 acres from a Class R-1 (Ag-Urban Transitional) to a Class A-2 (Agricultural Production) District and to set date for Second Consideration for Tuesday, August 17th at 10:00 A.M.

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

After discussion was held by the Board, motion by Schultz, second by Shea, to open bids for the Roads Operation Center Project. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Wichman, to approve Cornerstone Commercial Contractors pay request no. 3 for downtown rehab construction work in Carson/Macedonia. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Wichman, to approve and authorize Chairman to sign Change Order 003; Addition of Time Extension (211 days) for Courthouse Addition Project to contract. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Schultz, to Award Elections Building Parking Lot Contract to Bluffs Paving & Utility Co. Inc. in the amount of \$215,611.50. UNANIMOUS VOTE. Motion Carried.

Buildings and Grounds Director Jason Slack appeared before the Board to discuss the hiring of an additional Maintenance Worker. Discussion only. No action taken.

3. OTHER BUSINESS

Motion made by Wichman, second by Shea, to approve quote and funding for Tyler Technologies ExecuTime software to be initially funded by Gaming funds while exploring the availability of using ARPA funds. UNANIMOUS VOTE. Motion Carried.

Motion made by Schultz, second by Shea, to approve update Employee Handbook/Credit Card Policy #303; to take effect October 1st, 2021. UNANIMOUS VOTE. Motion Carried.

4. CLOSED SESSION

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

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

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

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

5. RECEIVED/FILED

A. Salary Actions

- 1) Communications – Payroll Status Change for Rachelle Holt, Matthew Spitznagle, Colleen Sylvis

B. Reports

- 1) Recorder's Fee Book for July 2021.

6. ADJOURN

Motion by Shea, second by Wichman , to adjourn meeting.
UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:10 P.M.

Scott A. Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: August 17, 2021

PUBLISH: X

August 17, 2021

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. August 10, 2021, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Shea, second by Grobe, to expand Veteran’s Affairs Commission to Seven Members to include the addition of two Ex Officio members. UNANIMOUS VOTE. Motion Carried.

Motion made by Schultz, second by Shea, to appoint Brittany Rockwell as a Commissioner on the Veteran Affairs Commission for a term of 3 years, to appoint Brad Powell and David Hazlewood as Ex Officio members of the Veteran Affairs Commission, and to appoint David Hazlewood as Commissioner on the Veteran Affairs Commission upon the completion of Ellen Fritz’s term. UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to approve second consideration of **Ordinance No. 2021-04**, an Ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa, by changing the district designation of approximately 73.8 acres from a Class R-1 (Ag-Urban Transitional) to a Class A-2 (Agricultural Production) District; and to adopt **Ordinance No. 2021-04** into law.

Roll Call Vote: AYES: Belt, Grobe, Schultz, Shea

Motion made by Shea, second by Schultz, to update to General Assistance Policy Manual for rental assistance maximum payments. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Grobe, to award contract for Pottawattamie County Roads operation Center Grading Project to Lee Construction, Inc. for the amount of \$265,337.40. UNANIMOUS VOTE. Motion Carried.

Motion made by Schultz, second by Shea, to approve update to the Road Improvement Policy. UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to approve and authorize Board to sign **Resolution No. 88-2017**, a Resolution approving the increase in the Depository limit for the Treasurer’s Office for American National Bank from \$160,000,000.00 to \$200,000,000.00. Total Maximum Deposit under this resolution is \$215,900,000.00.

RESOLUTION NO. 88-2021

NAME OF DEPOSITORY	LOCATION	MAXIMUM DEPOSIT UNDER THIS RESOLUTION
<u>COUNTY TREASURER</u>		
Rolling Hills Bank	Walnut	1,900,000.00
Arbor Bank	Oakland	2,500,000.00
Midstates Bank	Council Bluffs	2,000,000.00
Midstates Bank	Avoca	100,000.00
Great Western Bank	Oakland	1,500,000.00
American National Bank	Council Bluffs	200,000,000.00
Treynor State Bank	Treynor	2,500,000.00
US Bank	Council Bluffs	3,000,000.00
<u>COUNTY AUDITOR</u>		
American National Bank	Council Bluffs	500,000.00

COUNTY CONSERVATION

American National Bank Council Bluffs 200,000.00

COUNTY PLANNING

American National Bank Council Bluffs 200,000.00

COUNTY RECORDER

American National Bank Council Bluffs 500,000.00

COUNTY SHERIFF

American National Bank Council Bluffs 1,000,000.00

TOTAL \$215,900,000.00

Passed and Approved this 17th day of August, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn J. Houser, County Auditor

Roll Call Vote: **AYES: Belt, Grobe, Schultz, Shea**

3. OTHER BUSINESS

Motion made by Schultz, second by Shea, to approve and authorize Chairman to sign Bond Counsel Engagement Agreement for General Obligation Local Option Sales Tax Bonds, Series 2021C with Ahlers & Cooney, P.C. UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to approve and authorize Board to sign **Resolution No. 84-2021** entitled: RESOLUTION for Transfer from Secondary Roads Fund to Bond Series 2021 A Capital Fund.

RESOLUTION NO. 84-2021

RESOLUTION for Transfer from Secondary Roads Fund to Bond Series 2021 A Capital Fund

WHEREAS, it is desired to transfer money Secondary Roads Fund to Bond Series 2021A Capital Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa; and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$38,353.78 is ordered to be transferred from Secondary Roads Fund to Bond Series 2021A Capital Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

Dated this 17th Day of August, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

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

ATTEST: _____
Melvyn Houser, County Auditor

Roll Call Vote: **AYES: Belt, Grobe, Schultz, Shea**

Motion by Shea, second by Schultz, to approve and authorize Board to sign **Resolution No. 85-2021** entitled: RESOLUTION for Transfer from Secondary Roads Fund to Economic Dev/Construct/Maint Fund.

RESOLUTION NO. 85-2021

RESOLUTION for Transfer from Secondary Roads Fund to Economic Dev/Construct/Maint Fund

WHEREAS, it is desired to transfer money from Secondary Roads Fund to Economic Dev/Construct/Maint Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa; and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$280,206.08 is ordered to be transferred from Secondary Roads Fund to Economic Dev/Construct/Maint Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

Dated this 17th Day of August, 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, Grobe, Schultz, Shea**

Motion by Shea, second by Schultz, to approve and authorize Board to sign **Resolution No. 86-2021** entitled: RESOLUTION for Transfer from General Fund to Veteran Affairs Donations Fund.

RESOLUTION NO. 86-2021

RESOLUTION for Transfer from General Fund to Veteran Affairs Donations Fund

WHEREAS, it is desired to transfer money from General Fund to Veteran Affairs Donations Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa; and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$5,257.73 is ordered to be transferred from General Fund to Veterans Affairs Donations Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

Dated this 17th Day of August, 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, Grobe, Schultz, Shea

Motion by Shea, second by Grobe, to approve and authorize Board to sign **Resolution No. 87-2021** entitled: RESOLUTION DECLARING AN OFFICIAL INTENT UNDER TREASURY REGULATION 1.150-2 TO ISSUE DEBT TO REIMBURSE THE COUNTY FOR CERTAIN ORIGINAL EXPENDITURES PAID IN CONNECTION WITH SPECIFIED PROJECTS.

RESOLUTION NO. 87-2021

RESOLUTION DECLARING AN OFFICIAL INTENT UNDER TREASURY REGULATION 1.150-2 TO ISSUE DEBT TO REIMBURSE THE COUNTY FOR CERTAIN ORIGINAL EXPENDITURES PAID IN CONNECTION WITH SPECIFIED PROJECTS

WHEREAS, the County anticipates making cash expenditures for one or more capital improvement projects, generally described below (each of which shall hereinafter be referred to as a "Project"); and

WHEREAS, the County reasonably expects to issue debt to reimburse the costs of a Project; and

WHEREAS, the Board believes it is consistent with the County's budgetary and financial circumstances to issue this declaration of official intent.

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

Section 1. That this Resolution be and does hereby serve as a declaration of official intent under Treasury Regulation 1.150-2.

Section 2. That it is reasonably expected that capital expenditures will be made in respect of the following Project(s), from time to time and in such amounts as this Board determines to be necessary or desirable under the circumstances then and there existing.

Section 3. That the County reasonably expects to reimburse all or a portion of the following expenditures with the proceeds of bonds, notes or other indebtedness to be issued or incurred by the County in the future.

Section 4. That the total estimated costs of the Project(s), the maximum principal amount of the bonds, notes or other indebtedness to be issued for the foregoing Project(s) and the estimated dates of completion of the Project(s) are reasonably expected to be as follows:

<u>Project</u>	<u>Fund from which original expenditures are to be <u>Advanced</u></u>	<u>Total Estimated Cost*</u>	<u>Amount of Borrowing Anticipated</u>	<u>Estimated Date of Completion</u>
Pottawattamie County Roads Operations Facility	Secondary Roads 0020	\$ 7,193,537.50	\$ 5,955,000	6/30/2022

Section 5. That the County reasonably expects to reimburse the above-mentioned Project costs not later than the later of eighteen months after the capital expenditures are paid or eighteen months after the property is placed in service, but in no event more than three (3) years after the original expenditure is paid.

Section 6. That this Resolution be maintained by the County Auditor in an Official Intent File maintained in the office of the Auditor and available at all times for public inspection, subject to such revisions as may be necessary.

Passed and Approved this 17th day of August, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn J. Houser, County Auditor

Roll Call Vote: AYES: Belt, Grobe, Schultz, Shea

4. RECEIVED/FILED

A. Salary Actions

- 1) Sheriff – Payroll Status Change for James Harvey, Brandon Ramsey, Jerome Stewart, Dan Temeyer
- 2) Veteran Affairs – Payroll Status Change for Jess Boese

5. ADJOURN

Motion by Grobe, second by Shea, to adjourn meeting.
UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:16 A.M.

Scott A. Belt, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: August 24, 2021
PUBLISH: X

August 24, 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 _____, and second by _____, to approve:

- A. August 17, 2021, Minutes as read.
- B. Public Health – Employment of Maria Torres as Health Equity Coordinator; Jason Kuehnhold as Quality Assurance Coordinator; and Brittany McGee as Promotions Coordinator.
- C. Class E Liquor License (LE), granting privileges of Class B Wine Permit, Class C Beer Permit (Carryout Beer), Class E Liquor License (LE), and Sunday Sales for Taylor Oil Company d/b/a Taylor Quik Pik, Council Bluffs.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Schultz, second by Shea, to approve and authorize Chairman to sign Contract for Workforce Development Services with the Council Bluffs Area Chamber of Commerce to be paid out of Gaming. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 96-2021** entitled: RESOLUTION SUPPORTING A COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY APPLICATION FOR PROPERTY BUYOUTS; and to authorize chairman to sign Federal Assurances Signature Page and HUD Form No. 2880 – Applicant/Recipient Disclosure/Update Report.

RESOLUTION NO. 96-2021

RESOLUTION SUPPORTING A COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY APPLICATION FOR PROPERTY BUYOUTS.

- WHEREAS,** Pottawattamie County (County) sustained flood damage in March 2019 and was declared a disaster area by Presidential Declaration DR-4421-01 dated March 12, 2019; and
- WHEREAS,** as a result of the flood damage, the State of Iowa was awarded \$96,741,000 in Community Development Block Grant – Disaster Recovery (CDBG-DR) by the U.S. Department of Housing and Urban Development (HUD) for flood recovery, including Mills County; and
- WHEREAS,** the Iowa Economic Development Agency (IEDA) prepared an Action Plan for Disaster Recovery outlining the use of CDBG-DR funding; and
- WHEREAS,** the buyout of flood damaged properties is one of four eligible activities for the use of CDBG-DR funds; and
- WHEREAS,** County is proposing the acquisition and demolition of 8 properties using Hazard Mitigation Grant Program and Iowa Flood Recovery Fund; and
- WHEREAS,** the County is eligible entity to received CDBG-DR funds; and
- WHEREAS,** after consideration and review, the Pottawattamie County Board of Supervisors finds that an application to IEDA would be in the best interest of the County.

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors hereby supports the CDBG-DR application to IEDA; and

BE IT FURTHER RESOLVED, that the Board of Supervisors authorizes the Metropolitan Area Planning Agency to submit an application to IEDA on behalf of the County.

Dated this 24th Day of August, 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 made by Schultz, second by Shea, to approve new Cyber Security Analyst I job description and to allow IT to pursue filling the role. UNANIMOUS VOTE. Motion Carried.

Discussion was held on the use of Courthouse Conference Rooms. Discussion only. No action taken.

Motion by Wichman, second by Shea, to approve and authorize Board to sign Resolution No. 89-2021 entitled: RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF \$5,955,000 (DOLLAR AMOUNT SUBJECT TO CHANGE) GENERAL OBLIGATION LOCAL OPTION SALES AND SERVICE TAX BONDS, SERIES 2021C, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND OFFICIAL STATEMENT.

RESOLUTION NO. 89-2021

RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF \$5,955,000 (DOLLAR AMOUNT SUBJECT TO CHANGE) GENERAL OBLIGATION LOCAL OPTION SALES AND SERVICE TAX BONDS, SERIES 2021C, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND OFFICIAL STATEMENT

WHEREAS, the County is in need of funds to pay costs of acquisition of land and construction and equipping of county shops to service secondary roads, general county purpose(s), and it is deemed necessary and advisable that General Obligation Local Option Sales and Services Tax Bonds, to the amount of not to exceed \$8,000,000 be authorized for said purpose(s); and

WHEREAS, pursuant to notice published as required by Section 423B.9(4) of the Code of Iowa, the Board of the County has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of Bonds, and no petitions for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Bonds for such purposes; and

WHEREAS, in conjunction with its Municipal Advisor, Speer Financial, Inc., the County has caused an Official Statement to be prepared outlining the details of the proposed sale of the Bonds; and

WHEREAS, the Board has received information from its Municipal Advisor evaluating and recommending the procedure hereinafter described for electronic, facsimile and internet bidding to maintain the integrity and security of the competitive bidding process and to facilitate the delivery of bids by interested parties; and

WHEREAS, the Board deems it in the best interests of the County and the residents thereof to receive bids to purchase such Bonds by means of both sealed and electronic internet communication.

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

Section 1. That the receipt of electronic bids by facsimile machine and through the SpeerAuction Competitive Bidding System described in the Notice of Sale and Official Statement are hereby found and determined to provide reasonable security and to maintain the integrity of the competitive bidding process, and to facilitate the delivery of bids by interested parties in connection with the offering at public sale.

Section 2. That General Obligation Local Option Sales and Service Tax Bonds, Series 2021C, of Pottawattamie County, State of Iowa, in the amount of \$5,955,000 (Dollar Amount Subject to Change), to be issued as referred to in the preamble of this Resolution, to be dated October 12, 2021, be offered for sale pursuant to the published advertisement.

Section 3. That the preliminary Official Statement in the form presented to this meeting be and the same hereby is approved as to form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission, subject to such revisions, corrections or modifications as the Chairperson and County Auditor, upon the advice of bond counsel, and the County's Municipal Advisor, shall determine to be appropriate, and is authorized to be distributed in connection with the offering of the Bonds for sale.

Section 4. That the Auditor is hereby directed to publish notice of sale of the Bonds at least once, the last one of which shall be not less than four clear days nor more than twenty days before the date of the sale. Publication shall be made in the "Daily Nonpareil", a legal newspaper, printed wholly in the English language, published within the county in which the Bonds are to be offered for sale or an adjacent county. The notice is given pursuant to Chapter 75 of the Code of Iowa, and shall state that this Board, on the 14th day of September, 2021, at 1:00 P.M., will hold a meeting to receive and act upon bids for said

Bonds, which bids were previously received and opened by County Officials at 10:30 A.M. on said date. The notice shall be in substantially the following form:

(To be published between August 25, 2021 and September 10, 2021, inclusive)

NOTICE OF BOND SALE

Time and Place of Sealed Bids: Bids for the sale of Bonds of Pottawattamie County, State of Iowa, hereafter described, must be received at the office of the County Treasurer, Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa (the "Issuer") before 10:30 A.M., on the 14th day of September, 2021. The bids will then be publicly opened and referred for action to the meeting of the Board of Supervisors in conformity with the TERMS OF OFFERING.

The Bonds: The Bonds to be offered are the following:

GENERAL OBLIGATION LOCAL OPTION SALES AND SERVICE TAX BONDS, SERIES 2021C, in the amount of \$5,955,000*, to be dated October 12, 2021 (the "Bonds")

*Subject to principal adjustment pursuant to official Terms of Offering.

Manner of Bidding: Open bids will not be received. Bids will be received in any of the following methods:

- Sealed Bidding: Sealed bids may be submitted and will be received at the office of the County Treasurer at 227 South 6Th Street, Council Bluffs, Iowa.
- Electronic Internet Bidding: Electronic internet bids will be received at the office of the County Treasurer at 227 South 6Th Street, Council Bluffs, Iowa. The bids must be submitted through the SPEERAUCTION competitive bidding system.
- Electronic Facsimile Bidding: Electronic facsimile bids will be received at the office of the County's Municipal Advisor, Speer Financial, Inc., Waterloo, Iowa (facsimile number: (319) 291-8628). Electronic facsimile bids will be treated as sealed bids.

Consideration of Bids: After the time for receipt of bids has passed, the close of sealed bids will be announced. Sealed bids will then be publicly opened and announced. Finally, electronic internet bids will be accessed and announced.

Sale and Award: The sale and award of the Bonds will be held at the Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa at a meeting of the Board of Supervisors on the above date at 1:00 P.M.

Official Statement: The Issuer has issued an Official Statement of information pertaining to the Bonds to be offered, including a statement of the Terms of Offering and an Official Bid Form, which is incorporated by reference as a part of this notice. The Official Statement may be obtained by request addressed to the County Auditor, Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa or the Issuer's Municipal Advisor, Speer Financial, Inc., 531 Commercial Street, Suite 608, Waterloo, Iowa, 50701, Telephone: (319) 291-2077 and 230 West Monroe Street, Suite 2630, Chicago, Illinois, 60606, Telephone: (312) 346-3700.

Terms of Offering: All bids shall be in conformity with and the sale shall be in accordance with the Terms of Offering as set forth in the Official Statement.

Legal Opinion: The Bonds will be sold subject to the opinion of Ahlers & Cooney, P.C., Attorneys of Des Moines, Iowa, as to the legality and their opinion will be furnished together with the printed Bonds without cost to the purchaser and all bids will be so conditioned. Except to the extent necessary to issue their opinion as to the legality of the Bonds, the attorneys will not examine or review or express any opinion with respect to the accuracy or completeness of documents, materials or statements made or furnished in connection with the sale, issuance or marketing of the Bonds.

Rights Reserved: The right is reserved to reject any or all bids, and to waive any irregularities as deemed to be in the best interests of the public.

By order of the Board of Supervisors of Pottawattamie County, State of Iowa.

County Auditor, Pottawattamie County, State of Iowa

(End of Notice)

Passed and Approved this 24th day of August, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	○	○	○	○
_____ Tim Wichman	○	○	○	○
_____	○	○	○	○

Lynn Grobe

Justin Schultz

Brian Shea

○ ○ ○ ○

○ ○ ○ ○

ATTEST: _____
Melvyn J. Houser, County Auditor

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

Motion by Shea, second by Schultz, to approve and authorize Board to sign **Resolution No. 90-2021** entitled: RESOLUTION for Transfer from Bond Series 2021B Debt Fund to Gaming Fund.

RESOLUTION NO. 90-2021

RESOLUTION for Transfer from Bond Series 2021B Debt Fund to Gaming Fund

WHEREAS, it is desired to transfer money from Bond Series 2021B Debt Fund to Gaming Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa; and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$6,615.00 is ordered to be transferred from Bond Series 2021B Debt Fund to Gaming Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

Dated this 24th Day of August, 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.

Motion by Shea, second by Schultz, to approve and authorize Board to sign **Resolution No. 91-2021** entitled: RESOLUTION for Transfer from Property Acquisition/ Improvement Fund to Gaming Fund.

RESOLUTION NO. 91-2021

RESOLUTION for Transfer from Property Acquisition/ Improvement Fund to Gaming Fund

WHEREAS, it is desired to transfer money from Property Acquisition/ Improvement Fund to Gaming Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa; and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$141,815.50 is ordered to be transferred from Property Acquisition/ Improvement Fund to Gaming Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

Dated this 24th Day of August, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
ATTEST: _____ Melvyn Houser, County Auditor				

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

Motion by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 92-2021** entitled: RESOLUTION for Transfer from Bond Series 2021B Debt Fund to Property Acquisition/ Improvement Fund.

RESOLUTION NO. 92-2021

RESOLUTION for Transfer from Bond Series 2021B Debt Fund to Property Acquisition/ Improvement Fund

WHEREAS, it is desired to transfer money from Bond Series 2021B Debt Fund to Property Acquisition/ Improvement Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa; and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$1,672,805.00 is ordered to be transferred from Bond Series 2021B Debt Fund to Property Acquisition/ Improvement Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

Dated this 24th Day of August, 2021.

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
ATTEST: _____ Melvyn Houser, County Auditor				

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

Motion by Shea, second by Schultz, to approve and authorize Board to sign **Resolution No. 93-2021** entitled: RESOLUTION for Transfer from American Rescue Plan Act (ARPA) Fund to Property Acquisition/ Improvement Fund.

RESOLUTION NO. 93-2021

RESOLUTION for Transfer from American Rescue Plan Act (ARPA) Fund to Property Acquisition/ Improvement Fund

WHEREAS, it is desired to transfer money from American Rescue Plan Act (ARPA) Fund to Property Acquisition/ Improvement Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa; and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$500,000.00 is ordered to be transferred from American Rescue Plan Act (ARPA) Fund to Property Acquisition/ Improvement Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

Dated this 24th Day of August, 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.

Motion by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 94-2021** entitled: RESOLUTION for Transfer from Special Law Enforcement Fund to Property Acquisition/ Improvement Fund.

RESOLUTION NO. 94-2021

RESOLUTION for Transfer from Special Law Enforcement Fund to Property Acquisition/ Improvement Fund

WHEREAS, it is desired to transfer money from Special Law Enforcement Fund to Property Acquisition/ Improvement Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa; and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$1,500,000.00 is ordered to be transferred from Special Law Enforcement Fund to Property Acquisition/ Improvement Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

Dated this 24th Day of August, 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.

Motion by Shea, second by Schultz, to approve and authorize Board to sign **Resolution No. 95-2021** entitled: RESOLUTION for Transfer from Bond Series 2021A Debt Fund to Rural Basic Fund.

RESOLUTION NO. 95-2021

RESOLUTION for Transfer from Bond Series 2021A Debt Fund to Rural Basic Fund

WHEREAS, it is desired to transfer money from Bond Series 2021A Debt Fund to Rural Basic Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa; and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$20,477.00 is ordered to be transferred from Bond Series 2021A Debt Fund to Rural Basic Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

Dated this 24th Day of August, 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.

4. CLOSED SESSION

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

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

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

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

5. RECEIVED/FILED

- A. Salary Actions
 - 1) Jail – Payroll Status Change of David Button, Corey Little
- B. Reports
 - 1) Sheriff’s Report of Fees Collected and Disbursed for July 2021

6. ADJOURN

Motion by Wichman, second by Grobe, to adjourn meeting.
UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:45 P.M.

Scott A. Belt, Chairman

ATTEST: _____
Becky Lenihan, Finance & Tax Officer

APPROVED: August 31, 2021
PUBLISH: X

August 31, 2021

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:30 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 Wichman, and second by Shea, to approve:

- A. August 24, 2021, Minutes as read.
- B. Sheriff – Employment of Sarah Williams and Brian Mills as Entry Security Personnel.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Jason Slack/Director, Buildings and Grounds and Wyatt Wirges of ETI appeared before the Board for discussion of a cost neutral change to the scope of work concerning the Courthouse chiller for the Courthouse Addition Project. Discussion only. No action taken.

Motion made by Wichman, second by Shea, to approve and authorize GIS Coordinator Jamie Petersen to sign Nearmap agreement for aerial photography services and to fund from the IT budget. UNANIMOUS VOTE. Motion Carried.

Chief Information Officer David Bayer appeared before the Board to provide an update on the Microsoft 365 project. Discussion only. No action taken.

Motion made by Shea, second by Schultz, to approve grading contract with Lee Construction and authorize the Chairman to sign the contract and bond. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Schultz, to approve Veteran Affairs Administrative Assistant job description. UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Motion made by Wichman, second by Schultz, to approve setting time and place for public hearing on an amendment to the FY 2021/22 Budget for September 21st, 2021, at 10:00 AM. UNANIMOUS VOTE. Motion Carried.

4. CLOSED SESSION

Motion by Wichman, second by Shea, to go into Closed Session pursuant to Iowa Code 20.17(3), for discussion and/or decision on labor negotiations / collective bargaining matters.

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.

5. RECEIVED/FILED

- A. Salary Actions
 - 1) Jail – Payroll Status Change for Georgia Harley

6. ADJOURN

Motion by Shea, second by Wichman, to adjourn meeting.
UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:03 P.M.

Scott A. Belt, Chairman

ATTEST: _____
Becky Lenihan, Finance & Tax Officer

APPROVED: September 7, 2021
PUBLISH: X

September 7, 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 Wichman, and second by Shea,

- A. August 31, 2021, Minutes as read.
- B. Publication of Claims for August 2021.

UNANIMOUS VOTE. Motion Carried. __

2. SCHEDULED SESSIONS

Motion by Schultz, second by Shea, to open Public Hearing on proposed preliminary plat of The Boonies, a subdivision situated in Lewis Township.

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

Nick Hansen; 1440 Rolling Hills Loop, Council Bluffs; appeared before the Board to speak in support of the proposed preliminary plat of The Boonies Subdivision.

Motion by Wichman, second by Shea, to close Public Hearing.

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

Motion by Wichman, second by Shea, to approve and authorize Board to sign Planning and Zoning Resolution No. 2021-03.

PLANNING AND ZONING
RESOLUTION NO. 2021-03

WHEREAS, the proposed preliminary plat and supporting documents for **The Boonies**, a subdivision situated in **Lewis Township**, has been filed with the Pottawattamie County Planning and Zoning Commission for its study and recommendation under **Case #SUB-2021-02**; and

WHEREAS, said Commission conducted a public hearing on **August 16, 2021**, in accordance with Chapter 9.04 of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa, and has given all parties an opportunity to be heard; and

WHEREAS, after careful study and being thoroughly familiar with the involved real estate and the surrounding area, said Commission has submitted its written recommendation to this Board to approve the preliminary plat; and

WHEREAS, this Board conducted a public hearing on **September 7, 2021** in accordance with the above-noted Ordinance and Statute, and has examined the proposed preliminary plat; and

WHEREAS, after careful study, and due consideration this Board has determined that the proposed preliminary plat conforms to the requirements of Chapter 9.01-9.30. Subdivision Ordinance of the Pottawattamie County, Iowa, Code; the Pottawattamie County, Iowa, Land Use Plan and Chapter 354, Code of Iowa, and has deemed it to be in the best interest of Pottawattamie County, Iowa, to concur with the County's Planning and Zoning Commission's recommendation:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA: That the proposed preliminary plat of **The Boonies**, be, and the same is hereby approved as the preliminary plat of said subdivision.

Provided however, that this Resolution shall not be construed as being a final acceptance or approval of said Plat with the meaning of Chapter 9.01-9.30, Subdivision Ordinance, of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa; that after completion of all improvements and satisfaction of all requirements for final plats required by the State and County Ordinances and this Resolution, the final plat shall be submitted to this Board for its consideration.

Dated this 7th Day of September, 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 by Wichman, second by Schultz, to open Public Hearing on proposed designation of the Heartland Ridge Subdivision Urban Renewal Area.

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

Mark Hanwright; 23974 Pioneer Trail, Council Bluffs; appeared before the Board to speak in support of the proposed designation of the Heartland Ridge Subdivision Urban Renewal Area.

Motion by Shea, second by Grobe, to close Public Hearing.

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

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No 97-2021** to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan and Projects for the Heartland Ridge Subdivision Urban Renewal Area.

RESOLUTION NO. 97-2021

Resolution to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan and Projects for the Heartland Ridge Subdivision Urban Renewal Area

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

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

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

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

WHEREAS, notice of a public hearing by the Board of Supervisors on the question of establishing the Urban Renewal Area and on the Plan and the Projects was heretofore given in strict compliance with the provisions of Chapter 403 of the Code of Iowa, and the Board has conducted said hearing on September 7, 2021; and

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

WHEREAS, copies of the Plan, notice of public hearing and notice of a consultation meeting with respect to the urban renewal plan were mailed to the Lewis Central Community School District; the consultation meeting was held on August 23rd, 2021; and responses to any comments or recommendations received following the consultation meeting were made as required by law; and

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

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

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

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

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

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

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

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

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

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

Dated this 7th Day of September, 2021.

ROLL CALL VOTE

Table with 5 columns: Name, AYE, NAY, ABSTAIN, ABSENT. Rows include 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 by Schultz, second by Shea, to approve First Consideration of Ordinance No. 2021-05 entitled: An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Heartland Ridge Subdivision Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa (First Consideration), and to set date for Second Consideration for September 14th at 10:00 A.M.

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

Motion by Wichman, second by Schultz, to approve and authorize Board to sign Resolution No 98-2021 Setting a Date of Meeting at Which it is Proposed to Approve a Development Agreement with JJHP, LLC, Including Tax Increment Payments.

RESOLUTION NO. 98-2021

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

WHEREAS, Pottawattamie County, Iowa (the "County"), pursuant to and in strict compliance with all laws applicable to the County, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an urban renewal plan for the Heartland Ridge Subdivision Urban Renewal Area (the "Urban Renewal Area"); and

_____	○	○	○	○
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 made by Schultz, second by Shea, to approve and authorize Chairman to sign 28E agreement with Mills County to assist with Electrical Inspections pending legal approval. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve Time Clocks quote for new timekeeping system. UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Motion by Wichman, second by Schultz, to approve and authorize Board to sign **Resolution No 99-2021** entitled: RESOLUTION for Transfer from Property Acquisition/Improvement Fund to Special Law Enforcement Fund.

RESOLUTION NO. 99-2021

RESOLUTION for Transfer from Property Acquisition/Improvement Fund to Special Law Enforcement Fund

WHEREAS, it is desired to transfer money from Property Acquisition/Improvement Fund to Special Law Enforcement Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa; and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$32,291.93 is ordered to be transferred from Property Acquisition/Improvement Fund to Special Law Enforcement Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

Dated this 7th Day of September, 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 made by Schultz second by Wichman, to approve / disallow the following applications made to the Assessor’s Office: Homestead (107 recommended allowed, 1 recommended disallowed), Military (13

recommended allowed, 1 recommended disallowed), Disabled Veteran Homestead (5 recommended allowed, 0 recommended disallowed), Business Property Tax Credit (9 recommended allowed, 1 recommended disallowed), Family Farm Tax Credit (4 recommended allowed, 0 recommended disallowed).

UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Actions

- 1) Conservation – Employment of Caleb Strand as Hawkwatch Counter.
- 2) Jail – Payroll Status Change for Trevor Nelson, Matt Corum.

5. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 10:50 A.M.

Scott A. Belt, Chairman

ATTEST:

Becky Lenihan, Finance & Tax Officer

APPROVED: September 14, 2021

PUBLISH: X

September 14, 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 Wichman, and second by Shea to approve:

- A. September 7, 2021, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Wichman, second by Shea, to approve Second Consideration of **Ordinance No. 2021-05** entitled: An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Heartland Ridge Subdivision Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa (First Consideration), and to adopt said ordinance into law.

POTTAWATTAMIE COUNTY, IOWA ORDINANCE NO. 2021-05

An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Heartland Ridge Subdivision Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

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

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

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

“County” shall mean Pottawattamie County, Iowa.

“Urban Renewal Area” shall mean the taxable real property situated in Heartland Ridge Subdivision Urban Renewal Area, the boundaries of which are set out below, such property having been identified in the Urban Renewal Plan approved by the Board of Supervisors by resolution adopted on September 7, 2021:

Certain real property situated in Pottawattamie County, State of Iowa, more particularly described as follows:

PARCEL "A" BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 23 AND A PORTION OF THE SOUTHWEST QUARTER OF SECTION 24, ALL IN TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, POTTAWATTAMIE COUNTY, IOWA BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 24;

THENCE ON THE NORTH LINE OF SAID SOUTHWEST QUARTER, SOUTH 87 DEGREES 34 MINUTES 51 SECONDS EAST, 1372.59 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF PIONEER TRAIL (G66), SAID POINT ALSO BEING ON A NON-TANGENT CURVE CONCAVE NORTHERLY, TO WHICH POINT A RADIAL LINE BEARS SOUTH 09 DEGREES 29 MINUTES 29 SECONDS WEST, 3324.30 FEET;

THENCE ON SAID SOUTHERLY RIGHT-OF-WAY LINE AND EASTERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 06 DEGREES 15 MINUTES 28 SECONDS, 363.07 FEET;

THENCE SOUTH 16 DEGREES 38 MINUTES 25 SECONDS WEST, 1201.92 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWESTERLY HAVING A RADIUS OF 883.09 FEET;

THENCE SOUTHWESTERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 77 DEGREES 31 MINUTES 18 SECONDS, 1194.83 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE FORMER WABASH RAILROAD COMPANY (WABASH TRACE TRAIL, BOOK 91, PAGE 21365, POTTAWATTAMIE COUNTY RECORDER'S OFFICE);

THENCE ON SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES:

1. NORTH 85 DEGREES 50 MINUTES 17 SECONDS WEST, 1156.90 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHERLY HAVING A RADIUS OF 1385.15 FEET;
2. WESTERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 31 DEGREES 00 MINUTES 03 SECONDS, 749.45 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SOUTHEAST QUARTER (SW1/4SE1/4);

THENCE ON SAID EAST LINE, NORTH 02 DEGREES 15 MINUTES 16 SECONDS EAST, 223.04 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4);

THENCE ON THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4), NORTH 88 DEGREES 44 MINUTES 53 SECONDS WEST, 260.77 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID FORMER WABASH RAILROAD COMPANY, SAID POINT ALSO BEING ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY, TO WHICH POINT A RADIAL LINE BEARS SOUTH 49 DEGREES 16 MINUTES 09 SECONDS, 1385.15 FEET;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES:

1. NORTHERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 51 DEGREES 39 MINUTES 19 SECONDS, 1248.78 FEET;
2. NORTH 10 DEGREES 55 MINUTES 28 SECONDS EAST, 181.35 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHEAST QUARTER (SE1/4);

THENCE ALONG SAID NORTH LINE, SOUTH 89 DEGREES 08 MINUTES 38 SECONDS EAST, 1901.57 FEET TO THE POINT OF BEGINNING

SAID PARCEL "A" CONTAINS AN AREA OF 5,735,794 SQUARE FEET (131.676 ACRES), MORE OR LESS.

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

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

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

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

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

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

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

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

Passed and approved by the Board of Supervisors of Pottawattamie County, Iowa, on the 14th day of September, 2021.

Dated this 14th Day of September, 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.

Motion made by Wichman, second by Schultz, to approve and authorize Board to sign Amendment to 28E Agreement with Mills County for Electrical Inspection Assistance.
UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to approve and authorize the Board to sign **Resolution No 101-2021** approving the Iowa Waste Systems Association 2022 Solid Waste Comprehensive Plan Update.

RESOLUTION NO. 101-2021

RESOLUTION APPROVING THE IOWA WASTE SYSTEMS ASSOCIATION 2022 SOLID WASTE COMPREHENSIVE PLAN UPDATE.

WHEREAS, section 455B.302 of the Code of Iowa requires every city and county of this state to provide for the establishment and operation of a comprehensive solid waste reduction program consistent with the waste management hierarchy under section 455B.301A, and a sanitary disposal project for final disposal of solid waste by its residents; and

WHEREAS, section 455B.302(1) of the Code of Iowa requires that all cities and counties file with the director of the Iowa Department of Natural Resources a comprehensive plan detailing the method by which the city or county will comply with the requirements of section 455B.302 to establish and implement a comprehensive solid waste reduction program for its residents; and

WHEREAS, a comprehensive plan, as described in section 455B.306 of the Code of Iowa has been prepared at the direction of and in participation with the County of Pottawattamie County, SCS Engineers, and dated June 28, 2021; and

WHEREAS, the County of Pottawattamie County has determined that the adoption and implementation of the proposed comprehensive plan is in the best interest of the County of Pottawattamie County with respect to satisfying the County of Pottawattamie County statutory duties.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE County of Pottawattamie County that the proposed comprehensive plan is hereby adopted as the comprehensive solid waste reduction plan of the County of Pottawattamie County.

AND BE IT FURTHER RESOLVED that the Southwest Iowa Solid Waste Management Agency shall implement and participate in the programs set forth in the comprehensive plan.

AND BE IT FURTHER RESOLVED that the comprehensive plan shall be submitted to the Iowa Department of Natural Resources, on behalf of the County of Pottawattamie County in satisfaction of section 455B.306(1) of the Code of Iowa.

Dated this 14th Day of September, 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.

Motion made by Wichman, second by Schultz, to approve and authorize Chairman to sign 28E Agreement with Iowa Department of Natural Resources for private well permitting. UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Motion made by Shea, second by Wichman, to accept Resignation Letter of County Recorder Mark Brandenburg, effective October 8th, 2021. UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

- A. Salary Actions
 - 1) Sheriff – Payroll Status Change for Lee Volkens
 - 2) Communications – Payroll Status Change for Colleen Sylvis
 - 3) Jail – Payroll Status Change of Corey Little
- B. Reports
 - 1) Recorder’s Fee Book for August 2021

5. ADJOURN

Motion by Wichman, second by Shea , to adjourn meeting. UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 10:28 AM.

Scott A. Belt, Chairman

ATTEST: _____
Becky Lenihan, Finance & Tax Officer

APPROVED: September 21, 2021
PUBLISH: X

September 14, 2021

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 1:00 P.M. All members present. Chairman Belt presiding.

PLEDGE OF ALLEGIANCE

1. SCHEDULED SESSIONS

Motion by Shea, second by Wichman, to approve and authorize Board to sign Resolution No. 100-2021 entitled: RESOLUTION DIRECTING SALE OF \$5,955,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) GENERAL OBLIGATION LOCAL OPTION SALES AND SERVICE TAX BONDS, SERIES 2021C.

RESOLUTION NO. 100-2021

RESOLUTION DIRECTING SALE OF \$5,955,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) GENERAL OBLIGATION LOCAL OPTION SALES AND SERVICE TAX BONDS, SERIES 2021C

WHEREAS, bids have been received for the Bonds described as follows and the best bid received (with permitted adjustments, if any) is determined to be the following:

\$5,955,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) GENERAL OBLIGATION LOCAL OPTION SALES AND SERVICE TAX BONDS, SERIES 2021C

Bidder: FHN Financial of New York, NY. The terms of award:

Final Par Amount as adjusted: \$5,955,000
Purchase Price as adjusted: \$ 6,146,948.90
True Interest Rate: 1.5978%
Net Interest Cost: \$851,912

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

Section 1. That the bid for the Bonds as above set out is hereby determined to be the best and most favorable bid received and, the Bonds are hereby awarded as described above.

Section 2. That the statement of information for Bond bidders and the form of contract for the sale of the Bonds are hereby approved and the Chairperson and Auditor are authorized to execute the same on behalf of the County.

Section 3. That the notice of the sale of the Bonds heretofore given and all acts of the County Treasurer and other officials done in furtherance of the sale of the Bonds are hereby ratified and approved.

Dated this 14th Day of September, 2021.

Table with columns: ROLL CALL VOTE, AYE, NAY, ABSTAIN, ABSENT. Rows for Scott A. Belt, Chairman; Tim Wichman; Lynn Grobe; Justin Schultz; Brian Shea.

ATTEST: Melvyn Houser, County Auditor

Roll Call Vote: AYES: Belt, Wichman, Grobe, Shultz, Shea

2. ADJOURN

Motion by Wichman, second by Shea , to adjourn meeting.
UNANIMOUS VOTE. Motion Carried.____

THE BOARD ADJOURNED SUBJECT TO CALL AT _1:08 P.M.

Scott A. Belt, Chairman

ATTEST: _____
Becky Lenihan, Finance & Tax Officer

APPROVED: September 21, 2021
PUBLISH: X

September 21, 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 Wichman, and second by Shea, to approve:

- A. September 14, 2021, Minutes as read.
- B. September 14, 2021, Minutes as read.
- C. Communications – Employment of Logan Thomas Brown as Telecommunicator.
- D. Medical Examiner – Employment of Danielle Easton as Medical Examiner Investigator.
- E. Auditor – Employment of Patricia Henderson, Susan Jensen, Mary Kramer, Kathleen Roenfeld, and Michael Wheeldon as Election Clerk – Seasonal Temp.

UNANIMOUS VOTE. Motion Carried

2. SCHEDULED SESSIONS

Motion made by Wichman, second by Shea, to open Public Hearing on Proposed Development Agreement with JJHP, LLC.

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

Mark Hanwright of 23974 Pioneer Trail, Council Bluffs, appeared before the Board to speak in favor of the proposed development agreement with JJHP, LLC.

Motion by Wichman, second by Shea, to close public hearing.

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

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 102-2021** entitled: Resolution Approving Development Agreement with JJHP, LLC, Authorizing Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement.

RESOLUTION NO. 102-2021

Resolution Approving Development Agreement with JJHP, LLC, Authorizing Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement

WHEREAS, Pottawattamie County, Iowa (the “County”), pursuant to and in strict compliance with all laws applicable to the County, and in particular the provisions of Chapter 403 of the Code of Iowa, has previously adopted an Urban Renewal Plan for the Heartland Ridge Subdivision Urban Renewal Area (the “Urban Renewal Area”); and

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

WHEREAS, a certain Development Agreement (the “Agreement”) between the County and JJHP, LLC, (the “Developer”) has been prepared in connection with the construction of public infrastructure necessary to support the development of a residential subdivision in the Urban Renewal Area (the “Project”); and

WHEREAS, under the Agreement, the County would provide tax increment payments to the Developer in a total amount not exceeding \$4,000,000; and

WHEREAS, the Board of Supervisors, pursuant to Section 403.9 of the Code of Iowa, has published notice, has held a public hearing on the Agreement on September 21, 2021, and has otherwise complied with statutory requirements for the approval of the Agreement; and

WHEREAS, Chapter 15A of the Code of Iowa (“Chapter 15A”) declares that economic development is a public purpose for which a County may provide grants, loans, tax incentives, guarantees and other financial assistance to or for the benefit of private persons; and

WHEREAS, Chapter 15A requires that before public funds are used for grants, loans, tax incentives or other financial assistance, a Board of Supervisors must determine that a public purpose will reasonably be accomplished by the spending or use of those funds; and

WHEREAS, Chapter 15A requires that in determining whether funds should be spent, a Board of Supervisors must consider any or all of a series of factors; and

WHEREAS, pursuant to the Plan and Chapter 403 of the Code of Iowa, the County may undertake projects and initiatives for the promotion of economic development;

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

Section 1. Pursuant to the factors listed in Chapter 15A, the Board hereby finds that:

(a) The Project will add diversity and generate new opportunities for the Pottawattamie County and Iowa economies;

(b) The Project will generate public gains and benefits, particularly in the creation of new jobs and housing opportunities, which are warranted in comparison to the amount of the proposed property tax incentives.

Section 2. The Board further finds that a public purpose will reasonably be accomplished by entering into the Agreement and providing the incremental property tax payments to the Developer.

Section 3. The Agreement is hereby approved and the Chairperson and County Auditor are hereby authorized and directed to execute and deliver the Agreement on behalf of the County, in substantially the form and content in which the Agreement has been presented to this Board of Supervisors, and such officers are also authorized to make such changes, modifications, additions or deletions as they, with the advice of bond counsel, may believe to be necessary, and to take such actions as may be necessary to carry out the provisions of the Agreement.

Section 4. As provided and required by Chapter 403 of the Code of Iowa, the County's obligations under the Agreement shall be payable solely from a subfund (the "JJHP, LLC Subfund") which is hereby established, into which shall be paid that portion of the income and proceeds of the Urban Renewal Tax Revenue Fund attributable to property taxes derived from the property described as follows:

PARCEL "A" BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 23 AND A PORTION OF THE SOUTHWEST QUARTER OF SECTION 24, ALL IN TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, POTTAWATTAMIE COUNTY, IOWA BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 24;

THENCE ON THE NORTH LINE OF SAID SOUTHWEST QUARTER, SOUTH 87 DEGREES 34 MINUTES 51 SECONDS EAST, 1372.59 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF PIONEER TRAIL (G66), SAID POINT ALSO BEING ON A NON-TANGENT CURVE CONCAVE NORTHERLY, TO WHICH POINT A RADIAL LINE BEARS SOUTH 09 DEGREES 29 MINUTES 29 SECONDS WEST, 3324.30 FEET;

THENCE ON SAID SOUTHERLY RIGHT-OF-WAY LINE AND EASTERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 06 DEGREES 15 MINUTES 28 SECONDS, 363.07 FEET;

THENCE SOUTH 16 DEGREES 38 MINUTES 25 SECONDS WEST, 1201.92 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWESTERLY HAVING A RADIUS OF 883.09 FEET;

THENCE SOUTHWESTERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 77 DEGREES 31 MINUTES 18 SECONDS, 1194.83 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE FORMER WABASH RAILROAD COMPANY (WABASH TRACE TRAIL, BOOK 91, PAGE 21365, POTTAWATTAMIE COUNTY RECORDER'S OFFICE);

THENCE ON SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES:

1. NORTH 85 DEGREES 50 MINUTES 17 SECONDS WEST, 1156.90 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHERLY HAVING A RADIUS OF 1385.15 FEET;
2. WESTERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 31 DEGREES 00 MINUTES 03 SECONDS, 749.45 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SOUTHEAST QUARTER (SW1/4SE1/4);

THENCE ON SAID EAST LINE, NORTH 02 DEGREES 15 MINUTES 16 SECONDS EAST, 223.04 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4);

THENCE ON THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4), NORTH 88 DEGREES 44 MINUTES 53 SECONDS WEST, 260.77 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID FORMER WABASH RAILROAD COMPANY, SAID POINT ALSO BEING ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY, TO WHICH POINT A RADIAL LINE BEARS SOUTH 49 DEGREES 16 MINUTES 09 SECONDS, 1385.15 FEET;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES:

- 1. NORTHERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 51 DEGREES 39 MINUTES 19 SECONDS, 1248.78 FEET;
- 2. NORTH 10 DEGREES 55 MINUTES 28 SECONDS EAST, 181.35 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHEAST QUARTER (SE1/4);

THENCE ALONG SAID NORTH LINE, SOUTH 89 DEGREES 08 MINUTES 38 SECONDS EAST, 1901.57 FEET TO THE POINT OF BEGINNING

SAID PARCEL "A" CONTAINS AN AREA OF 5,735,794 SQUARE FEET (131.676 ACRES), MORE OR LESS.

Section 5. The County hereby pledges to the payment of the Agreement the JJHP, LLC Subfund and the taxes referred to in Subsection 2 of Section 403.19 of the Code of Iowa to be paid into such Subfund.

Section 6. After its adoption, a copy of this resolution shall be filed in the office of the County Auditor of Pottawattamie County to evidence the continuing pledging of the JJHP, LLC Subfund and the portion of taxes to be paid into such Subfund and, pursuant to the direction of Section 403.19 of the Code of Iowa, the County Auditor shall allocate the taxes in accordance therewith and in accordance with the tax allocation ordinance referred to in the preamble hereof.

Section 7. All resolutions or parts thereof in conflict herewith are hereby repealed.

Dated this 21st Day of September, 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.

Motion made by Schultz, second by Shea, to open Public Hearing on Pottawattamie County’s amendment to current county budget for FY2021-22.

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

Motion by Schultz, second by Grobe, to close public hearing.

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

After discussion was held by the Board, Motion by Schultz, Second by Grobe, to table **Resolution No. 103-2021** for one week. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, motion by Wichman, second by Schultz, to approve Tax abatement for Myrtue Medical Center for property located at 510 N Elm St, Avoca (Parcel No. 773909332009). UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Schultz, to approve funding request of \$1,000 for Beresheim Porch Replacement project to be paid from Gaming. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve and authorize Chairman to sign the final voucher for project BRS-SWAP-CO78(195)—FF-78 (G30 Nishnabotna River Bridge in Hancock). UNANIMOUS VOTE. Motion Carried.

Motion made by Schultz, second by Shea, to approve and sign proposal for Engineering Services for Air Handling Unit Replacement/Retrofit Project Engineering Technologies, Inc. (ETI). UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Grobe, to provide \$80,000 per fiscal year to East and West Pottawattamie County Soil & Water Conservations Districts for the Education Coordinator Position; and

to direct the County Attorney to draft a 28E Agreement to begin in FY22/23. UNANIMOUS VOTE. Motion Carried.

Matt Wyant/Director, Planning and Zoning and Andrea Kathol/Field Day Development appeared before the Board to provide an update on the status of Public Health Building Project. Discussion only. No action taken.

3. OTHER BUSINESS

Motion made by Wichman, second by Schultz, to accept resignation letter of Michael Guzman, MD from the Board of Health. UNANIMOUS VOTE. Motion Carried.

County Attorney Matt Wilber appeared before the Board to discuss options for filling the County Recorder Vacancy. Discussion only. No action taken.

Motion made by Schultz, second by Shea, to create a line item in the Gaming Fund for the Veterans Tiny Home Project. UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Actions

- 1) Secondary Roads – Payroll Status Change for Dustin Ausdemore
- 2) Communications – Payroll Status Change for Rachele Holt

B. Notifications

- 1) Iowa Utilities Board Notification of Public Informational Meeting for a proposed hazardous liquid pipeline. Meeting to be held Wednesday, October 6th.

5. CLOSED SESSION

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

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

Motion by Wichman, second by Schultz, to approve the settlement agreement for Pittillo vs. Pottawattamie County, Pottawattamie County Case Number LACV121009, as discussed in closed session. UNANIMOUS VOTE. Motion Carried.

6. ADJOURN

Motion by Shea, second by Wichman, to adjourn meeting. UNANIMOUS VOTE. Motion Carried. THE BOARD ADJOURNED SUBJECT TO CALL AT 12:40 P.M.

Scott A. Belt, Chairman

ATTEST:

Becky Lenihan, Finance & Tax Officer

APPROVED: September 28, 2021

PUBLISH: X

September 28, 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 Wichman, and second by Schultz, to approve:

- A. September 21, 2021, Minutes as read.
- B. Jail – Employment of Hunter Dysart and Logan Melby as Detention Officer
- C. Veteran Affairs – Employment of Randall L. Markel as part time Case Worker I.
- D. Medical Examiner – Employment of Kristin Aliano as Part Time Medical Examiner Investigator.

UNANIMOUS VOTE. Motion Carried. ____

2. SCHEDULED SESSIONS

Motion made by Shea, second by Grobe, to approve Project Agreement 2022-P-007 with the Iowa DOT for Bridge Reconstruction at G12 (DeSoto Avenue) over I29 and the associated approach pavement. UNANIMOUS VOTE. Motion Carried

County Engineer John Rasmussen appeared before the Board to discuss the Petitions received for Leisure Avenue Secondary Roads Assessment District and Honeysuckle Road Secondary Roads Assessment District. Discussion only. No action taken.

Motion by Shea, second by Grobe, to appoint Dr. Tana Perry to the Board of Health to serve out remainder of vacated term. UNANIMOUS VOTE. Motion Carried

Motion by Shea, second by Grobe, to approve and authorize Board to sign Architect Agreement with Alley-Poyner for new Public Health Facility. UNANIMOUS VOTE. Motion Carried

After discussion was held by the Board, motion by Schultz, second by Shea, to approve and authorize Chairman to sign Access Agreement for City of Council Bluffs Brownfield Assessments. UNANIMOUS VOTE. Motion Carried

3. OTHER BUSINESS

Motion made by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 103-2021**, a Resolution to Approve Pottawattamie County’s amendment to current county budget for FY2021-22.

RESOLUTION NO. 103-2021

WHEREAS, there were necessary expenses incurred in several county departments, causing the budget of that department to exceed 100% of costs; and

WHEREAS, the Auditor, Secondary Roads, Board of Supervisors, and Nondepartmental have exceeded their Budget due to said necessary expenditures; and

WHEREAS, the Amendment to the Fiscal Year 2021/22 Budget for the Auditor, Secondary Roads, Board of Supervisors, and Nondepartmental shall be substantially as follows:

DEPT #	Revenue Amount	Expense Amount
99	\$ 1,905,000	\$ 1,905,000
99	\$ 12,000,000	\$ 12,000,000
99	\$ 5,955,000	\$ 5,955,000
99	\$ 86,639	\$ -
99	\$ 491,080	\$ -
99	\$ -	\$ 254,951
99	\$ -	\$ 838,667

Total	\$ 20,437,719	\$ 20,953,618
01	\$ 4,172,805	5,920,644
01		7,500,000
Total	\$ 4,172,805	13,420,644
20		1,200,000
20		1,150,000
Total		2,350,000
02		62,379
Total		\$ 62,379
	\$ 24,610,524	\$ 36,786,641

WHEREAS, the Board of Supervisors desires to allow those expenditures, and no tax increase will occur due to these expenditures; and

WHEREAS, the public had due notice of the Budget Amendment Hearing held on September 21, 2021, and at the hearing, due time was allowed for objections to any and all portions of the amended budget.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Pottawattamie County, hereby amends the Fiscal Year 2021/22 budget.

Dated this 28th day of September, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn J. Houser, County Auditor

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

Motion made by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 104-2021** entitled: Resolution Appointing 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.

RESOLUTION NO. 104-2021

RESOLUTION APPOINTING UMB BANK, N.A. OF WEST 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

WHEREAS, \$5,955,000 General Obligation Local Option Sales and Services Tax Bonds, Series 2021C, dated October 12, 2021, have been sold and action should now be taken to provide for the maintenance of records, registration of certificates and payment of principal and interest in connection with the issuance of the Bonds; and

WHEREAS, this Board has deemed that the services offered by UMB Bank, N.A. of West Des Moines, Iowa, are necessary for compliance with rules, regulations, and requirements governing the registration, transfer and payment of registered bonds; and

WHEREAS, a Paying Agent, Bond Registrar and Transfer Agent Agreement (hereafter "Agreement") has been prepared to be entered into between the County and UMB Bank, N.A.

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

1. That UMB Bank, N.A. of West Des Moines, Iowa, is hereby appointed to serve as Paying Agent, Bond Registrar and Transfer Agent in connection with the issuance of \$5,955,000 General Obligation Local Option

Sales and Services Tax Bonds, Series 2021C, dated October 12, 2021.

2. That the Agreement with UMB Bank, N.A. of West Des Moines, Iowa, is hereby approved and that the Chairperson and Auditor are authorized to sign the Agreement on behalf of the County.

Dated this 28th Day of September, 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.

Motion made by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 105-2021** entitled: Resolution authorizing and providing for the issuance, and levying a tax to pay the Bonds; Approval of the Tax Exemption Certificate and Continuing Disclosure Certificate.

RESOLUTION NO. 105-2021

RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$5,955,000 GENERAL OBLIGATION LOCAL OPTION SALES AND SERVICES TAX BONDS, SERIES 2021C, AND LEVYING A TAX TO PAY SAID BONDS; APPROVAL OF THE TAX EXEMPTION CERTIFICATE AND CONTINUING DISCLOSURE CERTIFICATE

WHEREAS, the Issuer is a political subdivision, organized and exists under and by virtue of the laws and Constitution of the State of Iowa; and

WHEREAS, pursuant to notice published as required by Section 423B.9(4) of the Code of Iowa, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of not to exceed \$8,000,000 of General Obligation Local Option Sales and Services Tax Bonds, and no petition for an election thereon was received, and the Council is therefore now authorized to proceed with the issuance of \$5,955,000 of General Obligation Local Option Sales and Services Tax Bonds, Series 2021C (the "Bonds"); and

WHEREAS, pursuant to the provisions of Chapter 75 of the Code of Iowa, the above mentioned Bonds were heretofore sold at public sale and action should now be taken to issue said Bonds conforming to the terms and conditions of the best bid received at the advertised public sale.

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

Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by necessary implication requires otherwise:

- "Authorized Denominations" shall mean \$5,000 or any integral multiple thereof.
- "Beneficial Owner" shall mean, whenever used with respect to a Bond, the person in whose name such Bond is recorded as the beneficial owner of such Bond by a Participant on the records of such Participant or such person's subrogee.
- "Blanket Issuer Letter of Representations" shall mean the Representation Letter from the Issuer to DTC, with respect to the Bonds.
- "Bond Fund" Shall mean the fund created in Section 3 of this Resolution.
- "Bonds" shall mean \$5,955,000 General Obligation Local Option Sales and Services Tax Bonds, Series 2021C, authorized to be issued by this Resolution.
- "Cede & Co." shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Bonds.

- "Continuing Disclosure Certificate" shall mean that certain Continuing Disclosure Certificate approved under the terms of this Resolution and to be executed by the Issuer and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.
- "Depository Bonds " shall mean the Bonds as issued in the form of one global certificate for each maturity, registered in the Registration Books maintained by the Registrar in the name of DTC or its nominee.
- "Designated Project Portion" shall mean that portion of the Local Option Tax Receipts, being equal to 70% received by the County allocated under Section 15 hereof.
- "DTC" shall mean The Depository Trust Company, New York, New York, which will act as security depository for the Bond pursuant to the Representation Letter.
- "Issuer" and "County" shall mean Pottawattamie County, State of Iowa.
- "Local Option Tax" shall mean all of the tax receipts collected by the County from the local option sales and services tax imposed in accordance with Chapter 423B of the Code of Iowa and Ordinance No. 95-2, duly adopted by the Board of Supervisors of Pottawattamie County, Iowa with respect thereto, as authorized pursuant to the special election held on November 8, 1994.
- "Participants" shall mean those broker-dealers, banks and other financial institutions for which DTC holds Bonds as securities depository.
- "Paying Agent" shall mean UMB Bank, N.A., or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein as Issuer's agent to provide for the payment of principal of and interest on the Bonds as the same shall become due.
- "Project" shall mean the costs of acquisition of land and construction and equipping of county shops to service secondary roads.
- "Project Fund" shall mean the fund required to be established by this Resolution for the deposit of the proceeds of the Bonds.
- "Rebate Fund" shall mean the fund so defined in and established pursuant to the Tax Exemption Certificate.
- "Registrar" shall mean UMB Bank, N.A. of West Des Moines, Iowa, or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein with respect to maintaining a register of the owners of the Bonds. Unless otherwise specified, the Registrar shall also act as Transfer Agent for the Bonds.
- "Resolution" shall mean this resolution authorizing the Bonds.
- "Tax Exemption Certificate" shall mean the Tax Exemption Certificate approved under the terms of this Resolution and to be executed by the Treasurer and delivered at the time of issuance and delivery of the Bonds.
- "Treasurer" shall mean the County Treasurer or such other officer as shall succeed to the same duties and responsibilities with respect to the recording and payment of the Bonds issued hereunder.

Section 2. Levy and Certification of Annual Tax; Other Funds to be Used.

a) Local Option Tax Receipts. As set forth in Section 15 hereof, there is hereby established a Local Option Sales and Services Tax Bond Principal and Interest Fund (the "Sinking Fund") as a separate and special fund to pay principal of and interest on the Bonds and any other bonds or notes issued under Chapter 423B of the Code of Iowa. All amounts collected by the Issuer in each fiscal year as part of the Designated Project Portion of the Local Option Tax Receipts or otherwise derived therefrom shall be deposited into the Sinking Fund until the amount on deposit therein shall be equal to the total principal and interest falling due in said year on the Bonds and any other bonds or notes payable from the Local Option Tax Receipts. Money in the Sinking Fund shall be used solely for the purpose of paying principal of and interest on said Bonds.

b) Levy of Annual Tax. For the purpose of providing funds to pay the principal and interest of the Bonds hereinafter authorized to be issued in the event that the Designated Project Portion of the Local Option Tax Receipts are insufficient to do so, there is hereby appropriated to the Sinking Fund and levied for each future year the following direct annual tax on all of the taxable property in Pottawattamie County, State of Iowa, to-wit:

AMOUNT	FISCAL YEAR (JULY 1 TO JUNE 30 YEAR OF COLLECTION)
\$400,760.83*	2021/2022
\$397,600.00	2022/2023
\$391,900.00	2023/2024
\$391,200.00	2024/2025
\$385,400.00	2025/2026
\$384,600.00	2026/2027
\$378,700.00	2027/2028
\$377,800.00	2028/2029
\$376,800.00	2029/2030
\$600,700.00	2030/2031
\$600,000.00	2031/2032
\$604,100.00	2032/2033
\$602,900.00	2033/2034
\$601,500.00	2034/2035
\$504,900.00	2035/2036

* Payable from cash on hand.

c) Resolution to be Filed With County Auditor. A certified copy of this Resolution shall be filed with the Auditor of Pottawattamie County, Iowa and the Auditor is hereby instructed in and for each of the years as provided, to levy and assess the tax hereby authorized in Section 2 of this Resolution, in like manner as other taxes are levied and assessed, and such taxes so levied in and for each of the years aforesaid be collected in like manner as other taxes of the County are collected, and when collected be used for the purpose of paying principal and interest on said Bonds issued in anticipation of the tax, and for no other purpose whatsoever.

d) Additional County Funds Available. Principal and interest coming due at any time when the proceeds of said tax on hand shall be insufficient to pay the same shall be promptly paid when due from current funds of the County available for that purpose and reimbursement shall be made from such special fund in the amounts thus advanced.

Section 3. Pledge of Sinking Fund. Said Designated Project Portion of the Local Option Tax Receipts shall be collected each year at the same time and in the same manner as, and in addition to, all other sales taxes in and for the County, and when collected they shall be deposited into the Sinking Fund, which is hereby pledged for and shall be used only as set forth herein; and also there shall be apportioned to said fund any property taxes levied under Section 2 of this Resolution and, as a part thereof, the applicable proportion of taxes received by the County from railway, express, telephone and telegraph companies and other taxes assessed by the Iowa State Department of Revenue.

Section 4. Application of Bond Proceeds. Proceeds of the Bonds, other than accrued interest except as may be provided below, shall be credited to the Project Fund and expended therefrom for the purposes of issuance. Any amounts on hand in the Project Fund shall be available for the payment of the principal of or interest on the Bonds at any time that other funds shall be insufficient to the purpose, in which event such funds shall be repaid to the Project Fund at the earliest opportunity. Any balance on hand in the Project Fund and not immediately required for its purposes may be invested not inconsistent with limitations provided by law or this Resolution.

Section 5. Investment of Bond Fund Proceeds. All moneys held in the Bond Fund, provided for by Section 3 of this Resolution shall be invested in investments permitted by Chapter 12B, Code of Iowa, as amended, or deposited in financial institutions which are members of the Federal Deposit Insurance Corporation and the deposits in which are insured thereby and all such deposits exceeding the maximum amount insured from time to time by FDIC or its equivalent successor in any one financial institution shall be continuously secured in compliance with Chapter 12C of the Code of Iowa, as amended, or otherwise by a valid pledge of direct obligations of the United States Government having an equivalent market value. All such interim investments shall mature before the date on which the moneys are required for payment of principal of or interest on the Bonds as herein provided.

Section 6. Bond Details, Execution and Redemption.

a) Bond Details. General Obligation Local Option Sales and Services Tax Bonds of the County in the amount of \$5,955,000, shall be issued pursuant to the provisions of Section 423B.9(4) of the Code of Iowa for the aforesaid purposes. The Bonds shall be designated "GENERAL OBLIGATION LOCAL OPTION SALES AND SERVICES TAX BOND, SERIES 2021C", be dated October 12, 2021, and bear interest from the date thereof, until payment thereof, at the office of the Paying Agent, said interest payable on June 1, 2022, and semiannually thereafter on the 1st day of June and December in each year until maturity at the rates hereinafter provided.

The Bonds shall be executed by the manual or facsimile signature of the Chairperson and attested by the manual or facsimile signature of the Auditor, and impressed or printed with the seal of the County and shall be fully registered as to both principal and interest as provided in this Resolution; principal, interest and premium, if any, shall be payable at the office of the Paying Agent by mailing of a check to the registered owner of the Bond. The Bonds shall be in the denomination of \$5,000 or multiples

thereof. The Bonds shall mature and bear interest as follows:

Principal Amount	Interest Rate	Maturity June 1st
\$ 325,000	2.000%	2022
\$ 285,000	2.000%	2023
\$ 285,000	2.000%	2024
\$ 290,000	2.000%	2025
\$ 290,000	2.000%	2026
\$ 295,000	2.000%	2027
\$ 295,000	2.000%	2028
\$ 300,000	2.000%	2029
\$ 305,000	2.000%	2030
\$ 535,000	2.000%	2031
\$ 545,000	2.000%	2032
\$ 560,000	2.000%	2033
\$ 570,000	2.000%	2034
\$ 580,000	2.000%	2035
\$ 495,000	2.000%	2036

b) Redemption.

i. Optional Redemption. Bonds maturing after June 1, 2028, may be called for optional redemption by the Issuer on that date or any date thereafter, from any funds regardless of source, in whole or from time to time in part, in any order of maturity and within an annual maturity by lot. The terms of redemption shall be par, plus accrued interest to date of call.

Thirty days' written notice of redemption shall be given to the registered owner of the Bond. Failure to give written notice to any registered owner of the Bonds or any defect therein shall not affect the validity of any proceedings for the redemption of the Bonds. All Bonds or portions thereof called for redemption will cease to bear interest after the specified redemption date, provided funds for their redemption are on deposit at the place of payment. Written notice will be deemed completed upon transmission to the owner of record.

If selection by lot within a maturity is required, the Registrar shall designate the Bonds to be redeemed by random selection of the names of the registered owners of the entire annual maturity until the total amount of Bonds to be called has been reached.

If less than all of a maturity is called for redemption, the Issuer will notify DTC of the particular amount of such maturity to be redeemed prior to maturity. DTC will determine by lot the amount of each Participant's interest in such maturity to be redeemed and each Participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at a price of par plus accrued interest.

Section 7. Issuance of Bonds in Book-Entry Form; Replacement Bonds.

a) Notwithstanding the other provisions of this Resolution regarding registration, ownership, transfer, payment and exchange of the Bonds, unless the Issuer determines to permit the exchange of Depository Bonds for Bonds in Authorized Denominations, the Bonds shall be issued as Depository Bonds in denominations of the entire principal amount of each maturity of Bonds (or, if a portion of said principal amount is prepaid, said principal amount less the prepaid amount). The Bonds must be registered in the name of Cede & Co., as nominee for DTC. Payment of semiannual interest for any Bonds registered in the name of Cede & Co. will be made by wire transfer or New York Clearing House or equivalent next day funds to the account of Cede & Co. on the interest payment date for the Bonds at the address indicated or in the Representation Letter.

b) The Bonds will be initially issued in the form of separate single authenticated fully registered bonds in the amount of each stated maturity of the Bonds. Upon initial issuance, the ownership of the Bonds will be registered in the registry books of the UMB Bank, N.A. kept by the Paying Agent and Registrar in the name of Cede & Co., as nominee of DTC. The Paying Agent and Registrar and the Issuer may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal or redemption price of or interest on the Bonds, selecting the Bonds or portions to be redeemed, giving any notice permitted or required to be given to registered owners of Bonds under the Resolution of the Issuer, registering the transfer of Bonds, obtaining any consent or other action to be taken by registered owners of the Bonds and for other purposes. The Paying Agent, Registrar and the Issuer have no responsibility or obligation to any Participant or Beneficial Owner of the Bonds under or through DTC with respect to the accuracy of records maintained by DTC or any Participant; with respect to the payment by DTC or Participant of an amount of principal or redemption price of or interest on the Bonds; with respect to any notice given to owners of Bonds under the Resolution; with respect to the Participant(s) selected to receive payment in the event of a partial redemption of the Bonds, or a consent given or other action taken by DTC as registered owner of the Bonds. The Paying Agent and Registrar shall pay all principal of and premium, if any, and interest on the Bonds only to Cede & Co. in accordance with the Representation Letter, and all payments are valid and effective to fully satisfy and discharge the Issuer's obligations with respect to the principal of and premium, if any, and interest on the Bonds to the extent of the sum paid. DTC must receive an authenticated Bond for each separate stated maturity evidencing the obligation of the Issuer to make payments of principal of and premium, if any, and interest.

Upon delivery by DTC to the Paying Agent and Registrar of written notice that DTC has determined to substitute a new nominee in place of Cede & Co., the Bonds will be transferable to the new nominee in accordance with this Section.

c) In the event the Issuer determines that it is in the best interest of the Beneficial Owners that they be able to obtain Bonds certificates, the Issuer may notify DTC and the Paying Agent and Registrar, whereupon DTC will notify the Participants, of the availability through DTC of Bonds certificates. The Bonds will be transferable in accordance with this Section. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the Issuer and the Paying Agent and Registrar and discharging its responsibilities under applicable law. In this event, the Bonds will be transferable in accordance with this Section.

d) Notwithstanding any other provision of the Resolution to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal of and premium, if any, and interest on the Bond and all notices must be made and given, respectively to DTC as provided in the Representation letter.

e) In connection with any notice or other communication to be provided to Bondholders by the Issuer or the Paying Agent and Registrar with respect to a consent or other action to be taken by Bondholders, the Issuer or the Paying Agent and Registrar, as the case may be, shall establish a record date for the consent or other action and give DTC notice of the record date not less than 15 calendar days in advance of the record date to the extent possible. Notice to DTC must be given only when DTC is the sole Bondholder.

f) The Representation Letter is on file with DTC and sets forth certain matters with respect to, among other things, notices, consents and approvals by Bondholders and payments on the Bonds. The execution and delivery of the Representation Letter to DTC by the Issuer is ratified and confirmed.

g) In the event that a transfer or exchange of the Bonds is permitted under this Section, the transfer or exchange may be accomplished upon receipt by the Registrar from the registered owners of the Bonds to be transferred or exchanged and appropriate instruments of transfer. In the event Bond certificates are issued to holders other than Cede & Co., its successor as nominee for DTC as holder of all the Bonds, or other securities depository as holder of all the Bonds, the provisions of the Resolution apply to, among other things, the printing of certificates and the method or payment of principal of and interest on the certificates. Any substitute depository shall be designated in writing by the Issuer to the Paying Agent. Any such substitute depository shall be a qualified and registered "clearing agency" as provided in Section 17A of the Securities Exchange Act of 1934, as amended. The substitute depository shall provide for (i) immobilization of the Depository Bonds, (ii) registration and transfer of interests in Depository Bonds by book entries made on records of the depository or its nominee and (iii) payment of principal of, premium, if any, and interest on the Bonds in accordance with and as such interests may appear with respect to such book entries.

h) The officers of the Issuer are authorized and directed to prepare and furnish to the purchaser, and to the attorneys approving the legality of Bonds, certified copies of proceedings, ordinances, resolutions and records and all certificates and affidavits and other instruments as may be required to evidence the legality and marketability of the Bonds, and all certified copies, certificates, affidavits and other instruments constitute representations of the Issuer as to the correctness of all stated or recited facts.

Section 8. Registration of Bonds; Appointment of Registrar; Transfer; Ownership; Delivery; and Cancellation.

a) Registration. The ownership of Bonds may be transferred only by the making of an entry upon the books kept for the registration and transfer of ownership of the Bonds, and in no other way. UMB Bank, N.A. is hereby appointed as Bond Registrar under the terms of this Resolution and under the provisions of a separate agreement with the Issuer filed herewith which is made a part hereof by this reference. Registrar shall maintain the books of the Issuer for the registration of ownership of the Bonds for the payment of principal of and interest on the Bonds as provided in this Resolution. All Bonds shall be negotiable as provided in Article 8 of the Uniform Commercial Code and Section 331.446 of the Code of Iowa, subject to the provisions for registration and transfer contained in the Bonds and in this Resolution.

b) Transfer. The ownership of any Bond may be transferred only upon the Registration Books kept for the registration and transfer of Bonds and only upon surrender thereof at the office of the Registrar together with an assignment duly executed by the holder or his duly authorized attorney in fact in such form as shall be satisfactory to the Registrar, along with the address and social security number or federal employer identification number of such transferee (or, if registration is to be made in the name of multiple individuals, of all such transferees). In the event that the address of the registered owner of a Bond (other than a registered owner which is the nominee of the broker or dealer in question) is that of a broker or dealer, there must be disclosed on the Registration Books the information pertaining to the registered owner required above. Upon the transfer of any such Bond, a new fully registered Bond, of any denomination or denominations permitted by this Resolution in aggregate principal amount equal to the unmatured and unredeemed principal amount of such transferred fully registered Bond, and bearing interest at the same rate and maturing on the same date or dates shall be delivered by the Registrar.

c) Registration of Transferred Bonds. In all cases of the transfer of the Bonds, the Registrar shall register, at the earliest practicable time, on the Registration Books, the Bonds, in accordance with the provisions of this Resolution.

d) Ownership. As to any Bond, the person in whose name the ownership of the same shall be registered on the Registration Books of the Registrar shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any such Bonds and the premium, if any, and interest thereon shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond, including the interest thereon, to the extent of the sum or sums so paid.

e) Cancellation. All Bonds which have been redeemed shall not be reissued but shall be cancelled by the Registrar. All Bonds which are cancelled by the Registrar shall be destroyed and a certificate of the destruction thereof shall be furnished promptly to the Issuer; provided that if the Issuer shall so direct, the Registrar shall forward the cancelled Bonds to the Issuer.

f) Non-Presentation of Bonds. In the event any payment check, wire, or electronic transfer of funds representing payment of principal of or interest on the Bonds is returned to the Paying Agent or if any bond is not presented for payment of principal at the maturity or redemption date, if funds sufficient to pay such principal of or interest on Bonds shall have been made available to the Paying Agent for the benefit of the owner thereof, all liability of the Issuer to the owner thereof for such interest or payment of such Bonds shall forthwith cease, terminate and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the owner of such Bonds who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Resolution or on, or with respect to, such interest or Bonds. The Paying Agent's obligation to hold such funds shall continue for a period equal to two years and six months following the date on which such interest or principal became due, whether at maturity, or at the date fixed for redemption thereof, or otherwise, at which time the Paying Agent shall surrender any remaining funds so held to the Issuer, whereupon any claim under this Resolution by the Owners of such interest or Bonds of whatever nature shall be made upon the Issuer.

g) Registration and Transfer Fees. The Registrar may furnish to each owner, at the Issuer's expense, one bond for each annual maturity. The Registrar shall furnish additional Bonds in lesser denominations (but not less than the minimum denomination) to an owner who so requests.

Section 9. Reissuance of Mutilated, Destroyed, Stolen or Lost Bonds. In case any outstanding Bond shall become mutilated or be destroyed, stolen or lost, the Issuer shall at the request of Registrar authenticate and deliver a new Bond of like tenor and amount as the Bond so mutilated, destroyed, stolen or lost, in exchange and substitution for such mutilated Bond to Registrar, upon surrender of such mutilated Bond, or in lieu of and substitution for the Bond destroyed, stolen or lost, upon filing with the Registrar evidence satisfactory to the Registrar and Issuer that such Bond has been destroyed, stolen or lost and proof of ownership thereof, and upon furnishing the Registrar and Issuer with satisfactory indemnity and complying with such other reasonable regulations as the Issuer or its agent may prescribe and paying such expenses as the Issuer may incur in connection therewith.

Section 10. Record Date. Payments of principal and interest, otherwise than upon full redemption, made in respect of any Bond, shall be made to the registered holder thereof or to their designated agent as the same appear on the books of the Registrar on the 15th day of the month preceding the payment date. All such payments shall fully discharge the obligations of the Issuer in respect of such Bonds to the extent of the payments so made. Upon receipt of the final payment of principal, the holder of the Bond shall surrender the Bond to the Paying Agent.

Section 11. Execution, Authentication and Delivery of the Bonds. Upon the adoption of this Resolution, the Chairperson and Auditor shall execute the Bonds by their manual or authorized signature and deliver the Bonds to the Registrar, who shall authenticate the Bonds and deliver the same to or upon order of the Purchaser. No Bond shall be valid or obligatory for any purpose or shall be entitled to any right or benefit hereunder unless the Registrar shall duly endorse and execute on such Bond a Certificate of Authentication substantially in the form of the Certificate herein set forth. Such Certificate upon any Bond executed on behalf of the Issuer shall be conclusive evidence that the Bond so authenticated has been duly issued under this Resolution and that the holder thereof is entitled to the benefits of this Resolution.

No Bonds shall be authenticated and delivered by the Registrar unless and until there shall have been provided the following:

1. A certified copy of the Resolution of Issuer authorizing the issuance of the Bonds;
2. A written order of Issuer signed by the Treasurer of the Issuer directing the authentication and delivery of the Bonds to or upon the order of the Purchaser upon payment of the purchase price as set forth therein;
3. The approving opinion of Ahlers & Cooney, P.C., Bond Counsel, concerning the validity and legality of all the Bonds proposed to be issued.

Section 12. Right to Name Substitute Paying Agent or Registrar. Issuer reserves the right to name a substitute, successor Registrar or Paying Agent upon giving prompt written notice to each registered bondholder.

Section 13. Form of Bond. Bonds shall be printed substantially in the form as follows:

"STATE OF IOWA"
 "COUNTY OF POTTAWATTAMIE"
 "GENERAL OBLIGATION LOCAL OPTION SALES AND SERVICES TAX BOND"
 "SERIES 2021C"

Rate: _____
 Maturity: _____
 Bond Date: October 12, 2021
 CUSIP No.: _____
 "Registered"
 Certificate No. _____
 Principal Amount: \$ _____

Pottawattamie County, State of Iowa, a political subdivision organized and existing under and by virtue of the Constitution and laws of the State of Iowa (the "Issuer"), for value received, promises to pay from the source and as hereinafter provided, on the maturity date indicated above, to

(Registration panel to be completed by Registrar or Printer with name of Registered Owner).

or registered assigns, the principal sum of (enter principal amount in long form) THOUSAND DOLLARS in lawful money of the United States of America, on the maturity date shown above, only upon presentation and surrender hereof at the office of UMB Bank, N.A., Paying Agent of this issue, or its successor, with interest on the sum from the date hereof until paid at the rate per annum specified above, payable on June 1, 2022, and semiannually thereafter on the 1st day of June and December in each year.

Interest and principal shall be paid to the registered holder of the Bond as shown on the records of ownership maintained by the Registrar as of the 15th day of the month preceding such interest payment date. Interest shall be computed on the basis of a 360-day year of twelve 30-day months.

This Bond is issued pursuant to the provisions of Sections 423B.9(4) of the Code of Iowa, for the purpose of paying costs of acquisition of land and construction and equipping of county shops to service secondary roads, in conformity to a Resolution of the Board of said County duly passed and approved.

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a limited purpose trust company ("DTC"), to the Issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other Issuer as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

Bonds maturing after June 1, 2028, may be called for optional redemption by the Issuer and paid before maturity on said date or any date thereafter, from any funds regardless of source, in whole or from time to time in part, in any order of maturity and within an annual maturity by lot. The terms of redemption shall be par, plus accrued interest to date of call.

Thirty days' written notice of redemption shall be given to the registered owner of the Bond. Failure to give written notice to any registered owner of the Bonds or any defect therein shall not affect the validity of any proceedings for the redemption of the Bonds. All bonds or portions thereof called for redemption will cease to bear interest after the specified redemption date, provided funds for their redemption are on deposit at the place of payment. Written notice will be deemed completed upon transmission to the owner of record.

If selection by lot within a maturity is required, the Registrar shall designate the Bonds to be redeemed by random selection of the names of the registered owners of the entire annual maturity until the total amount of Bonds to be called has been reached.

If less than all of a maturity is called for redemption, the Issuer will notify DTC of the particular amount of such maturity to be redeemed prior to maturity. DTC will determine by lot the amount of each Participant's interest in such maturity to be redeemed and each Participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at a price of par plus accrued interest

Ownership of this Bond may be transferred only by transfer upon the books kept for such purpose by UMB Bank, N.A., the Registrar. Such transfer on the books shall occur only upon presentation and surrender of this Bond at the office of the Registrar as designated below, together with an assignment duly executed by the owner hereof or his duly authorized attorney in the form as shall be satisfactory to the Registrar. Issuer reserves the right to substitute the Registrar and Paying Agent but shall, however, promptly give notice to registered Bondholders of such change. All bonds shall be negotiable as provided in Article 8 of the Uniform Commercial Code and Section 331.446 of the Code of Iowa, subject to the provisions for registration and transfer contained in the Bond Resolution.

And it is hereby represented and certified that all acts, conditions and things requisite, according to the laws and Constitution of the State of Iowa, to exist, to be had, to be done, or to be performed precedent to the lawful issue of this Bond, have been existent, had, done and performed as required by law; that a local option sales and services tax has been duly authorized, levied and will be maintained in full force for the payment of principal and interest on

the Bonds of which this Bond is one; that in the event that the Designated Project Portion of the Local Option Sales and Services Tax Receipts (as such terms are defined in the Resolution) shall be insufficient in any year to pay the Bonds and interest thereon, provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the territory of the Issuer for the payment of the principal and interest of this Bond as the same will respectively become due; that the faith, credit, revenues and resources and all the real and personal property of the Issuer are irrevocably pledged for the prompt payment hereof, both principal and interest; and the total indebtedness of the Issuer including this Bond, does not exceed the constitutional or statutory limitations.

IN TESTIMONY WHEREOF, the Issuer by its Board, has caused this Bond to be signed by the manual or facsimile signature of its Chairperson and attested by the manual or facsimile signature of its County Auditor, with the seal of the County printed or impressed hereon, and to be authenticated by the manual signature of an authorized representative of the Registrar, UMB Bank, N.A., West Des Moines, Iowa.

Date of authentication: _____

This is one of the Bonds described in the within mentioned Resolution, as registered by UMB Bank, N.A.

UMB BANK, N.A., Registrar
West Des Moines, Iowa 50266

By: _____
Authorized Signature

Registrar and Transfer Agent: UMB Bank, N.A.
Paying Agent: UMB Bank, N.A.

SEE REVERSE FOR CERTAIN DEFINITIONS

(Seal)
(Signature Block)

POTTAWATTAMIE COUNTY, STATE OF IOWA

By: _____ (manual or facsimile signature) _____
Chairperson

ATTEST:

By: _____ (manual or facsimile signature) _____
County Auditor

(Information Required for Registration)

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ (Social Security or Tax Identification No. _____) the within Bond and does hereby irrevocably constitute and appoint _____ attorney in fact to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: _____

(Person(s) executing this Assignment sign(s) here)

SIGNATURE)
GUARANTEED) _____

IMPORTANT - READ CAREFULLY

The signature(s) to this Power must correspond with the name(s) as written upon the face of the certificate(s) or bond(s) in every particular without alteration or enlargement or any change whatever. Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signature to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.

INFORMATION REQUIRED FOR REGISTRATION OF TRANSFER

Name of Transferee(s) _____

Address of Transferee(s) _____

Social Security or Tax Identification

Number of Transferee(s) _____

Transferee is a(n):

Individual* _____

Corporation _____

Partnership _____

Trust _____

*If the Bond is to be registered in the names of multiple individual owners, the names of all such owners and one address and social security number must be provided.

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though written out in full according to applicable laws or regulations:

- TEN COM - as tenants in common
- TEN ENT - as tenants by the entireties
- JT TEN - as joint tenants with rights of survivorship and not as tenants in common
- IA UNIF TRANS MIN ACT - Custodian
- (Cust) (Minor)
- Under Iowa Uniform Transfers to Minors Act.....
- (State)

ADDITIONAL ABBREVIATIONS MAY
ALSO BE USED THOUGH NOT IN THE ABOVE LIST

(End of form of Bond)

Section 14. Equality of Lien. The timely payment of principal of and interest on the Bonds and Parity Bonds shall be secured equally and ratably by the Designated Project Portion of the Local Option Tax Receipts without priority by reason of number or time of sale or delivery; and the Designated Project Portion of the Local Option Tax Receipts is hereby irrevocably pledged to the timely payment of both principal and interest as the same become due.

Section 15. Allocation of Local Option Tax Receipts From and after the delivery of the Bonds, and as long as any of the Bonds or other bonds or notes payable from the Local Option Tax Receipts shall be outstanding and unpaid either as to principal or as to interest, or until the Bonds and other such bonds or notes then outstanding shall have been discharged and satisfied in the manner provided in this Resolution, the Local Option Tax Receipts shall be deposited as collected in a fund to be known as the Local Option Sales and Services Tax Revenue Fund (the "Revenue Fund") and shall be allocated and applied as follows:

- (a) Sinking Fund. There is hereby established and shall be maintained within the Revenue Fund a special account from which interest and principal on the Bonds will be paid. The fund shall be known as the Local Option Sales and Services Tax Bond Principal and Interest Fund (the "Sinking Fund"). The Designated Project Portion of the Local Option Tax Receipts shall be deposited into the Sinking Fund until the amount on deposit therein shall be equal to the total interest and principal coming due on the Bonds and any other Parity Bonds or notes payable from the Local Option Tax Receipts during the fiscal year. Money in the Sinking Fund shall be pledged for and used solely for the purpose of paying the principal of and interest on the Bonds and any other Parity Bonds that are payable from the Designated Project Portion of the Local Option Tax Receipts, as the same shall become due and payable. The Sinking Fund shall be comprised of a separate account for each issue outstanding from time to time, and amounts within the Sinking Fund shall be allocated to each such account, pro-rata, in proportion to the annual principal and interest of each issue or series in the fiscal year. The proceeds of any tax levies made as provided in Section 2(b) of this Resolution also shall be deposited in the Sinking Fund as required.
- (b) Tax Levy Repayment Fund. There is hereby established a special account within the Revenue Fund to be known as the Local Option Property Tax Levy Replacement Fund, into which any remaining Designated Project Portion of the Local Option Tax Receipts shall be deposited to the extent necessary to repay the Issuer for any funds advanced from property taxes levied in Section 2 of this Resolution, with such amounts to be applied to the reduction of property taxes as required by Section 423B.9(4) of the Code of Iowa.
- (c) Subordinate Obligations. The Designated Project Portion of the Local Option Tax receipts may thereafter be used to pay principal and interest of any obligations for which the Designated Project Portion of the Local Option Tax receipts have been pledged on a subordinate basis.
- (d) Surplus Revenues. The Designated Project Portion of the Local Option Tax Receipts thereafter may be used for any lawful purpose of the County as determined by the Board of Supervisors.

The provisions of this Section shall not be construed to require the Issuer to maintain separate bank accounts for the funds created by this Section; except the Sinking Fund and Tax Levy Replacement Fund shall be maintained as separate accounts but may be invested in conjunction with other funds of the Issuer but designated as a trust fund on the books and records of the Issuer.

Section 16. Prior Lien and Parity Bonds. The Issuer will issue no other Bonds or obligations of any kind or nature payable from or enjoying a lien or claim on the Designated Project Portion of the Local Option Tax Receipts having priority over the Bonds or Parity Bonds.

Additional Bonds may be issued on a parity and equality of rank with the Bonds with respect to the lien and claim of such Additional Bonds to the Designated Project Portion of the Local Option Tax Receipts and the money on deposit in the funds adopted by this Resolution, for the following purposes and under the following conditions,

but not otherwise:

(a) For the purpose of refunding any of the Bonds or Parity Bonds which shall have matured or which shall mature not later than three months after the date of delivery of such refunding Bonds and for the payment of which there shall be insufficient money in the Sinking Fund;

(b) For the purpose of refunding any Bonds, Parity Bonds or general obligation bonds outstanding, or undertaking additional projects allowable under the Designated Project Portion of the Local Option Tax Receipts if all of the following conditions shall have been met:

(i) before any such Additional Bonds ranking on a parity are issued, there will have been procured and filed with the County Auditor, a statement of an Independent Auditor, Independent Financial Consultant or a Consulting Engineer, not a regular employee of the Issuer, reciting the opinion based upon necessary investigations that the Designated Project Portion of the Local Option Tax Receipts for the preceding Fiscal Year (with adjustments as hereinafter provided) were equal to at least 1.00 times the maximum amount that will be required in any Fiscal Year prior to the longest maturity of any of the Bonds or Parity Bonds for both principal of and interest on all Bonds or Parity Bonds then outstanding which are payable from the Designated Project Portion of the Local Option Tax Receipts and the Additional Bonds then proposed to be issued.

(ii) the Additional Bonds must be payable as to principal and as to interest on the same month and day as the Bonds herein authorized.

(iii) for the purposes of this Section, principal and interest falling due on the first day of a Fiscal Year shall be deemed a requirement of the immediately preceding Fiscal Year.

(iv) for purposes of this Section, "preceding Fiscal Year" shall be the most recently completed Fiscal Year for which audited financial statements prepared by a certified public accountant are issued and available, but in no event a Fiscal Year which ended more than eighteen months prior to the date of issuance of the Additional Bonds.

Section 17. Discharge and Satisfaction of Bonds. Subject to the provisions of Section 423B.9 of the Code of Iowa, which shall control in the event of any conflict herewith, the covenants, liens and pledges entered into, created or imposed pursuant to this Resolution may be fully discharged and satisfied with respect to the Bonds, in any one or more of the following ways:

(a) By paying the Bonds when the same shall become due and payable; and

(b) By depositing in trust with the County Treasurer or with a corporate trustee designated by the Governing Body for the payment of said obligations and irrevocably appropriated exclusively to that purpose an amount in cash or direct obligations of the United States the maturities and income of which shall be sufficient to retire at maturity, or by redemption prior to maturity on a designated date upon which said obligations may be redeemed, all of such obligations outstanding at the time, together with the interest thereon to maturity or to the designated redemption date, premiums thereon, if any that may be payable on the redemption of the same; provided that proper notice of redemption of all such obligations to be redeemed shall have been previously published or provisions shall have been made for such publication.

Upon such payment or deposit of money or securities, or both, in the amount and manner provided by this Section, all liability of the Issuer with respect to the Bonds shall cease, determine and be completely discharged, and the holders thereof shall be entitled only to payment out of the money or securities so deposited.

Section 18. Non-Arbitrage Covenants. The Issuer reasonably expects and covenants that no use will be made of the proceeds from the issuance and sale of the Bonds issued hereunder which will cause any of the Bonds to be classified as arbitrage bonds within the meaning of Sections 148(a) and (b) of the Internal Revenue Code of the United States, as amended, and that throughout the term of the Bonds it will comply with the requirements of statutes and regulations issued thereunder.

To the best knowledge and belief of the Issuer, there are no facts or circumstances that would materially change the foregoing statements or the conclusion that it is not expected that the proceeds of the Bonds will be used in a manner that would cause the Bonds to be arbitrage bonds. Without limiting the generality of the foregoing, the Issuer hereby agrees to comply with the provisions of the Tax Exemption Certificate and the provisions of the Tax Exemption Certificate are hereby incorporated by reference as part of this Resolution. The Treasurer is hereby directed to make and insert all calculations and determinations necessary to complete the Tax Exemption Certificate in all respects and to execute and deliver the Tax Exemption Certificate at issuance of the Bonds to certify as to the reasonable expectations and covenants of the Issuer at that date.

Section 19. Closing Documents. The Chairperson and County Auditor are authorized and directed to execute, attest, seal and deliver for and on behalf of the County any other additional certificates, documents, or other papers and perform all other acts, including without limitation the execution of all closing documents, as they may deem necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

Section 20. Contract Between Issuer and Purchaser. This Resolution constitutes a contract between said County and the purchaser of the Bonds.

Section 21. Non-Arbitrage Covenants. The Issuer reasonably expects and covenants that no use will be made of the proceeds from the issuance and sale of the Bonds issued hereunder which will cause any of the Bonds to be classified as arbitrage bonds within the meaning of Sections 148(a) and (b) of the Internal Revenue Code of the

United States, as amended, and that throughout the term of the Bonds it will comply with the requirements of statutes and regulations issued thereunder. To the best knowledge and belief of the Issuer, there are no facts or circumstances that would materially change the foregoing statements or the conclusion that it is not expected that the proceeds of the Bonds will be used in a manner that would cause the Bonds to be arbitrage bonds.

Section 22. Approval of Tax Exemption Certificate. Attached hereto is a form of Tax Exemption Certificate stating the Issuer's reasonable expectations as to the use of the proceeds of the Bonds. The form of Tax Exemption Certificate is approved. The Issuer hereby agrees to comply with the provisions of the Tax Exemption Certificate and the provisions of the Tax Exemption Certificate are hereby incorporated by reference as part of this Resolution. The County Treasurer is hereby directed to make and insert all calculations and determinations necessary to complete the Tax Exemption Certificate at issuance of the Bonds to certify as to the reasonable expectations and covenants of the Issuer at that date.

Section 23. Continuing Disclosure. The Issuer hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate, and the provisions of the Continuing Disclosure Certificate are hereby incorporated by reference as part of this Resolution and made a part hereof. Notwithstanding any other provision of this Resolution, failure of the Issuer to comply with the Continuing Disclosure Certificate shall not be considered an event of default under this Resolution; however, any holder of the Bonds or Beneficial Owner may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Issuer to comply with its obligations under the Continuing Disclosure Certificate. For purposes of this section, "Beneficial Owner" means any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bond (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

Section 24. Additional Covenants, Representations and Warranties of the Issuer. The Issuer certifies and covenants with the purchasers and holders of the Bonds from time to time outstanding that the Issuer through its officers, (a) will make such further specific covenants, representations and assurances as may be necessary or advisable; (b) comply with all representations, covenants and assurances contained in the Tax Exemption Certificate, which Tax Exemption Certificate shall constitute a part of the contract between the Issuer and the owners of the Bonds;(c) consult with Bond Counsel (as defined in the Tax Exemption Certificate); (d) pay to the United States, as necessary, such sums of money representing required rebates of excess arbitrage profits relating to the Bonds;(e) file such forms, statements and supporting documents as may be required and in a timely manner; and (f) if deemed necessary or advisable by its officers, to employ and pay fiscal agents, financial advisors, attorneys and other persons to assist the Issuer in such compliance.

Section 25. Amendment of Resolution to Maintain Tax Exemption. This Resolution may be amended without the consent of any owner of the Bonds if, in the opinion of Bond Counsel, such amendment is necessary to maintain tax exemption with respect to the Bonds under applicable Federal law or regulations.

Section 26. Repeal of Conflicting Resolutions or Ordinances. All ordinances and resolutions and parts of ordinances and resolutions in conflict herewith are hereby repealed.

Section 27. Severability Clause. If any section, paragraph, clause or provision of this Resolution be held invalid, such invalidity shall not affect any of the remaining provisions hereof, and this Resolution shall become effective immediately upon its passage and approval.

Dated this 28th Day of September, 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.

Motion made by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 106-2021** entitled: RESOLUTION FOR TRANSFERS TO WEST SWCD/POTT CO STRUCTURES FUND AND EAST SWCD/POTT CO STRUCTURES FUND.

RESOLUTION NO. 106-2021

RESOLUTION FOR TRANSFERS TO WEST SWCD/POTT CO STRUCTURES FUND AND EAST SWCD/POTT CO STRUCTURES FUND.

WHEREAS, it is desired to transfer money from the Gaming Fund to West SWCD/Pott Co Structures Fund, and from the Gaming Fund to East SWCD/Pott Co Structures Fund; and

WHEREAS, said transfers are in accordance with Section 331.432, Code of Iowa.

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors authorizes the following transfers:

SECTION 1: The sum of \$15,000.00 is ordered to be transferred from the Gaming Fund to the West SWCD/Pott Co Structures Fund;

SECTION 2: The sum of \$10,000.00 is ordered to be transferred from the Gaming Fund to the East SWCD/Pott Co Structures Fund;

SECTION 3: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of these operating transfers.

Dated this 28th Day of September, 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.

4. RECEIVED/FILED

- A. Salary Actions
 - 1) Juvenile Detention– Payroll Status Change for Kasie Callinan, Makenzie Ayers.
 - 2) Sheriff – Payroll Status Change for Rob Ambrose, Ryan Avis, Brian Miller.
- B. Reports
 - 1) Sheriff’s Report of Fees Collected and Disbursed
- C. Petitions
 - 1) Petition for Secondary Road Assessment District on Leisure Avenue from Old Lincoln Highway to Lookout Lane.
 - 2) Petition for Secondary Road Assessment District on Leisure Avenue from Old Lincoln Highway from Lookout Lane to Chalet Lane.
 - 3) Petition for Secondary Road Assessment District on Honeysuckle Road.
- D. Out of State Travel Notification
 - 1) Roads – Out of State Travel Notification for Craig Jensen.

5. ADJOURN

Motion by Wichman, second by Shea , to adjourn meeting.
UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:15 A.M.

Scott A. Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: October 5, 2021
PUBLISH: X

October 5, 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 Wichman, and second by Shea, to approve:

- A. September 28, 2021, Minutes as read.
- B. Veteran Affairs – Employment of Samuel Pettit as Administrative Assistant.
- C. Renewal of Class B Beer (BB) (Includes Wine Coolers), granting privileges of Class B Beer (BB) (Includes Wine Coolers) / Class C Native Wine Permit (On-Premise) / Outdoor Service / Sunday Sales to Pioneer Trail Orchard and Pumpkin d/b/a Pioneer Trail Orchard and Pumpkin Patch, Council Bluffs.
- D. Publication of Claims allowed for September 2021.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Shea, second by Schultz, to approve Cornerstone Commercial Contractors pay request no. 4 for downtown rehab construction work in Carson/Macedonia. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Wichman, to accept the petition to establish a Secondary Road Assessment District on Leisure Avenue, from Old Lincoln Highway to Lookout Lane, and set a Public Hearing date for October 26, 2021 at 10:00 A.M. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Schultz, to accept the petition to establish a Secondary Road Assessment District on Leisure Avenue, from Lookout Lane to Chalet Lane, and set a Public Hearing date for October 26, 2021 at 10:00 A.M. UNANIMOUS VOTE. Motion Carried.

After discussion was held on the petition to establish a Secondary Road Assessment District on Honeysuckle Road, from 185th Street to the Dead End a motion was made by Wichman to reject the petition. That motion died for lack of a second. Motion made by Schultz, Second by Grobe to table discussion for one week. UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Motion made by Schultz, second by Shea, to approve County funding of flu shots for part-time employees. UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

- A. Salary Actions
 - 1) Communications – Payroll Status Change for Alicia Cotten
- B. Out of State Travel Notification
 - 1) Jail – Out of State Travel Notification for Brian Snyder, Lewis Davids, Tiffany Mass.

5. CLOSED SESSION

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

Roll Call Vote: AYES: Belt, Wichman, 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 12:35 P.M.

Scott A. Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: October 7, 2021

PUBLISH: X

October 7, 2021

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 1:00 P.M. All members, except Supervisor Shea 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 Schultz, to approve:

- A. October 5, 2021, Minutes as read.

UNANIMOUS VOTE. Motion Carried

2. SCHEDULED SESSIONS

Motion made by Schultz, second by Wichman, to canvass 2021 City Primary Election, and to authorize Auditor to pay election costs. UNANIMOUS VOTE. Motion Carried

3. ADJOURN

Motion by Grobe, second by Schultz, to adjourn meeting.

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:05 P.M.

Scott A. Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: October 12, 2021

PUBLISH: X

October 12, 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 Wichman, and second by Shea, to approve:

- A. October 7, 2021, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Schultz second by Shea, to appoint Marilyn Hebing as Pottawattamie County Recorder to serve out the remainder of the current term, effective October 12th, 2021.

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

Following the appointment, District Court Judge Margaret Popp Reyes appeared to swear in Marilyn Hebing as Pottawattamie County Recorder.

Motion by Wichman, second by Shea, to open Public Hearing on 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.

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

Motion by Wichman, second by Shea, to close Public Hearing.

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

Motion made by Wichman, second by Shea, to approve First 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 set date of second consideration for October 19th, 2021 at 10:00 A.M.

UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, motion by Wichman, second by Grobe, to reject petition as written based on recommendation of legal counsel; and to direct County Attorney's Office to work with petitioners, petition's counsel, and County Engineer to create a petition that is equitable and meets legal requirements.

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

3. OTHER BUSINESS

Motion made by Wichman, second by Shea, to approve publication of County's Annual Financial Report for Fiscal Year ending June 30,2021. UNANIMOUS VOTE. Motion Carried._____

4. RECEIVED/FILED

- A. Salary Actions
 - 1) Juvenile Detention – Employment of Mikayla Bowman as Part Time Youth Corrections Worker
 - 2) Communications – Payroll Status Change for Joshua Derrington
- B. Reports
 - 1) Recorder's Fee Book for September 2021

5. CLOSED SESSION

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

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.

Motion by Shea, second by Wichman, to accept advise of legal counsel as discussed in closed session.
UNANIMOUS VOTE. Motion carried.

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

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 Schultz, second by Wichman , to adjourn meeting.

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:25 P.M.

Scott A. Belt, Chairman

ATTEST:

Becky Lenihan, Finance & Tax Officer

APPROVED: October 19, 2021

PUBLISH: X

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
_____	○	○	○	○

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

October 26, 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 Wichman, and second by Schultz to approve:

- A. October 19, 2021, Minutes as read.
- B. Renewal of Class C Liquor License (LC) (Commercial), granting privileges of Catering / Class C Liquor License (LC) (Commercial) / Outdoor Services /Sunday Sales for Double Diamond, Inc. d/b/a Mt. Crescent Ski Area, Honey Creek, Iowa.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Wichman, second by Schultz, to open Public Hearing for consideration and establishment of a Secondary Road Assessment District on Leisure Avenue from Old Lincoln Highway to Lookout Lane; and to open Public Hearing for consideration and establishment of a Secondary Road Assessment District on Leisure Avenue from Lookout Lane to Chalet Lane.

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

The Board of Supervisors received letters of opposition to the Leisure Avenue, Secondary Roads Assessment District from the following citizens: David & Tracy Porter, 25245 Lookout Lane, Honey Creek, IA; Owen Brewer Jr., P.O. Box 38, Crescent; Mrs. Joey Bauer Sr., 18364 Leisure Ave., Crescent; Teresa McKern, 24939 Rainbow Lane, Honey Creek; Chris & Corinne Conn, 25246 Lookout Lane, Honey Creek.

The following citizens appeared before the Board and spoke in opposition to the Leisure Avenue, Secondary Roads Assessment: Jim Comstock 20 N. 16th St., Council Bluffs, IA representing David & Tracy Porter 25245 Lookout Lane Honey Creek; Iva Bauer, 18364 Leisure Ave.; Ron Clifton 17987 Leisure Ave., Crescent; Teresa McKern 24939 Rainbow Lane, Honey Creek.

The following citizens appeared before the Board and spoke in support of the Leisure Avenue, Secondary Roads Assessment District: Eugene Eivenholtz, 25250 Lookout Lane, Honey Creek; Heather & Matt, 24948 Chalet Lane, Honey Creek; Kathy Rief, 180220 Leisure Ave., Crescent.

Motion by Shea, second by Grobe, to close public hearing.

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

Motion by Wichman, second by Shea, to set date and time for Final Hearing for the Leisure Avenue Secondary Roads Assessment Districts for December 7th at 10:00 A.M. UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to approve and authorize Board to sign **Resolution No. 111-2021** entitled: **RESOLUTION AUTHORIZING THE EXECUTION OF THE AMENDED AND SUBSTITUTED COUNTY ELECTRONIC SERVICES SYSTEM 28E AGREEMENT.**

RESOLUTION NO. 111-2021

RESOLUTION AUTHORIZING THE EXECUTION OF THE AMENDED AND SUBSTITUTED COUNTY ELECTRONIC SERVICES SYSTEM 28E AGREEMENT

WHEREAS, the Electronic Services System was created in 2005 and has implemented electronic recording and electronic transactions in each county and has developed a model statewide land record information system and website to provide electronic access to records and information in the State; and

WHEREAS, in accordance with the recent amendments by the Iowa legislature, the parties seek to amend and Substitute the County Electronic Services System 28E Agreement and in the process allow the system to contract directly for services thereby eliminating the financial liability of the

Iowa County Recorders Association for the direct contractual actions of the Electronic Services System while at the same time allowing for a representative governance system assuring continued leadership by elected County Recorders across the State.

NOW THEREFORE BE IT RESOLVED, that the Chairman of the Pottawattamie County Board of Supervisors is hereby authorized to execute the Amended and Substituted County Electronic Services System 28E Agreement.

Dated this 26th 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.

Buildings & Grounds Director Jason Slack and Risk and Safety Manager Garfield Coleman appeared before the Board of Supervisors to discuss winterization and safety measures on temporary ADA ramp at Courthouse. Discussion only. No action taken.

3. OTHER BUSINESS

Motion made by Wichman, second by Schultz, to approve and authorize Board to sign **Resolution No. 110-2021** entitled: Resolution Appointing Deputies.

RESOLUTION NO. 110-2021

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, the number of deputy appointments of the Treasurer 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 Treasurer’s Office:

- Jamie Smothers, First Deputy
- Heather Ausdemore, First Deputy

Dated this 26th 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.

Motion by Wichman, second by Schultz, to approve job descriptions for GIS Analyst I, II, III and GIS Coordinator to be effective July 1, 2022. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Schultz, to approve and authorize Board to sign **Resolution No. 109-2021** entitled: RESOLUTION Authorizing Transfer from Rural Services Fund to Secondary Roads Fund.

RESOLUTION NO. 109-2021

RESOLUTION Authorizing Transfer from Rural Services Fund to Secondary Roads Fund

WHEREAS, it is desired to transfer money from Rural Services Fund to Secondary Rods Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa; and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$1,303,750 is ordered to be transferred from Rural Services Fund to Secondary Roads Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

Dated this 26th day of October, 2020.

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.

4. RECEIVED/FILED

A. Salary Actions

- 1) Communications – Payroll Status Change for Rebecca Liston, Jason Study
- 2) Recorder – Payroll Status Change for Marilyn Hebing, Andrew Moats

B. Out of State Travel Notification

- 1) Jail – Out of State Travel Notification for Tiffany Mass

5. 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: November 2, 2021

PUBLISH: X

November 2, 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 Wichman, and second by Shea, to approve:

- A. October 26, 2021, Minutes as read.
- B. Jail – Employment of Tyler Stange as Detention Officer

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Wichman, second by Schultz, to open Public Hearing on Ordinance No. 2021-07, an Ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa by changing the district designation of approximately 44.9 acres from a class R-2 (Urban Transitional) District to a Class I-1 (Limited Industrial) District

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

Motion by Wichman, second by Shea, to close public hearing.

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

Motion by Shea, second by Wichman, to set date and time of Second Consideration of Ordinance No. 2021-07, an Ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa by changing the district designation of approximately 44.9 acres from a class R-2 (Urban Transitional) District to a Class I-1 (Limited Industrial) District for Nov. 9th at 10:00 A.M.

UNANIMOUS VOTE. Motion Carried.

Jeff Walton and Larry Klien from Regional Water, and Peter Baudhuin from DGR appeared before the Board to provide an update on the Regional Water Board and the Pioneer Trail waterline project. Discussion only. No action taken.

3. OTHER BUSINESS

Motion by Shea, second by Schultz, to approve and authorize CIO to sign agreements with Great Plains Communications for Internet Service.

UNANIMOUS VOTE. Motion Carried.

Chief Information Officer David Bayer Appeared before the Board to provide an update on the Managed Print Services Contract. Discussion only. No action taken.

Motion by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 112-2021** entitled: RESOLUTION PROVIDING FOR THE AMENDMENT OF THE ARTICLES OF AGREEMENT WHICH FORMED THE WORKFORCE DEVELOPMENT CHIEF ELECTED OFFICIAL CONSORTIUM FOR THE WORKFORCE INNOVATION AND OPPORTUNITY ACT OF 2014.

RESOLUTION NO. 112-2021

RESOLUTION PROVIDING FOR THE AMENDMENT OF THE ARTICLES OF AGREEMENT WHICH FORMED THE WORKFORCE DEVELOPMENT CHIEF ELECTED OFFICIAL CONSORTIUM FOR THE WORKFORCE INNOVATION AND OPPORTUNITY ACT OF 2014

WHEREAS, Pottawattamie County previously signed a resolution to approve the Articles of Agreement creating the Workforce Development Chief Elected Official Consortium (CEO) together with 17 other counties in western and southwestern Iowa, known as the “Western Iowa Workforce Development Area” or WIWDA; and,

WHEREAS, a quorum of the CEO has been difficult to meet, hindering the ability of the CEO to conduct business and provide for smooth operation of the WIWDA; and,

WHEREAS, at their September, 2021 meeting the CEO discussed proposing to the member counties an amendment to the Articles of Agreement to reduce the required quorum from a supermajority (three-fifths or 11 members) to having a minimum of seven members (one-third + 1).

NOW, THEREFORE BE IT RESOLVED by the Pottawattamie County Board of Supervisors that it does hereby agree to amend Article 5C of the Articles of Agreement which formed the WIWDA Chief Elected Official Consortium to read as follows:

- C. A quorum of the member counties is required to conduct a meeting. A quorum is defined as one plus one-third of the members.

Dated this 2nd Day of November, 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.

4. RECEIVED/FILED

- A. Salary Actions
 - 1) Treasurer – Payroll Status Change for Heather Ausdemore
- B. Reports
 - 1) Sheriff’s Report of Fees Collected and Disbursed for September 2021
- C. Out of State Travel Notification
 - 1) Veterans Affairs – Out of State Travel Notification for Nick Jedlicka, Brad Powell, Ellen Way, Brittany Rockwell, Holly Collins, and David Hazelwood.

5. CLOSED SESSION

Motion by Wichman, second by Shea, to go into Closed Session pursuant to Iowa Code 20.17(3), for discussion and/or decision on labor negotiations / collective bargaining matters.
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.

Motion by Shea, second by Grobe, to go into Closed Session pursuant to Iowa Code 21.5(1)(i), for discussion and/or decision on personnel matters
Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried.

Motion by Shea, second by Grobe, to go out of Closed Session.
Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried.

6. ADJOURN

Motion by Shea, second by Grobe, to adjourn meeting.
UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:49 PM.

Scott A. Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: November 9, 2021

PUBLISH: X

November 9, 2021

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 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 Schultz, and second by Shea, to approve:

- A. November 2, 2021, Minutes as read.
- B. Publication of Claims allowed for October 2021.
- C. Renewal of Class C Beer Permit (BC) License by Donald Rief d/b/a Desoto Bend Mini Mart, with privileges of Class C Beer Permit (BC) / Sunday Sales.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

After discussion was held by the Board, a Motion was made by Shea, and second by Schultz, to Canvass City/School Elections 2021, and to authorize Auditor to pay election costs.

UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to approve second consideration of **Ordinance No. 2021-07**, an Ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa, by changing the district designation of approximately 44.9 acres from a class R-2 (Urban Transitional) District to a Class I-1 (Limited Industrial District); and to adopt Ordinance No. 2021-07 into law.

**POTTAWATTAMIE COUNTY, IOWA
ORDINANCE NO. 2021-07**

AN ORDINANCE to amend the Official Zoning Map of Pottawattamie County, Iowa, by changing the district designation of approximately 44.9 acres from a Class R-2 (Urban Transitional) District to a Class I-1 (Limited Industrial) District.

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

SECTION 1 - AMENDMENTS: That the Official Zoning Map, as adopted by reference in Section 8.003.020 of the Pottawattamie County, Iowa, Zoning Ordinance, be and the same is hereby amended by changing the district designation from its present designation of a Class R-2 (Urban Transitional) District to a Class I-1 (Limited Industrial) District of certain real estate, as shown on the attached plat and which is legally described as follows:

20-76-42 & 21-76-42 EXC RR W OF HWY SE NE & NE SE W OF HWY & SW NE
TRI SE COR & 21-76-42 WOF HWY SW NW

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

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

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

Dated this 9th Day of November, 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.

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 113-2021** entitled: RESOLUTION SUPPORTING A COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY APPLICATION FOR PROPERTY BUYOUTS

**RESOLUTION NO. 113-2021
RESOLUTION SUPPORTING A COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY APPLICATION FOR PROPERTY BUYOUTS.**

WHEREAS, Pottawattamie County (County) sustained flood damage in March 2019 and was declared a disaster area by Presidential Declaration DR-4421-01 dated March 12, 2019; and
WHEREAS as a result of the flood damage, the State of Iowa was awarded \$96,741,000 in Community Development Block Grant – Disaster Recovery (CDBG-DR) by the U.S. Department of Housing and Urban Development (HUD) for flood recovery, including Pottawattamie County; and
WHEREAS, the Iowa Economic Development Agency (IEDA) prepared an Action Plan for Disaster Recovery outlining the use of CDBG-DR funding; and
WHEREAS the buyout of flood damaged properties is one of four eligible activities for the use of CDBG-DR funds; and
WHEREAS, County is proposing the acquisition and demolition of 13 properties using Hazard Mitigation Grant Program and Iowa Flood Recovery Fund; and
WHEREAS, the City is eligible entity to received CDBG-DR funds; and
WHEREAS, after consideration and review, the Pottawattamie County Board of Supervisors finds that an application to IEDA would be in the best interest of the County.
NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors hereby supports the CDBG-DR application to IEDA; and
BE IT FURTHER RESOLVED, that the Board of Supervisors authorizes the Metropolitan Area Planning Agency to submit an application to IEDA on behalf of the County.

Dated this 9th Day of November, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion by Shea, second by Grobe, to approve Brand-Safeway bid for winter enclosure for temporary ADA ramp for \$108,598.88.
Roll Call Vote: AYES: Belt, Shea, Grobe; NAYS: Wichman; ABSTAIN: Schultz. Motion Carried.

Motion by Wichman, second by Shea, to approve 2021 Weed Commissioner’s Report.
UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Motion by Schultz, second by Shea, to approve and authorize Board Chairman to sign copier lease agreements for new units in Conservation and Public Health.
UNANIMOUS VOTE. Motion Carried.

Motion by Wichman, second by Schultz, to approve and authorize Board to sign **Resolution No. 114-2021** entitled: RESOLUTION Authorizing Transfer from Bond Series 2021A Debt Fund to Bond Series 2021B Debt Fund.

RESOLUTION NO. 114-2021

RESOLUTION Authorizing Transfer from Bond Series 2021A Debt Fund to Bond Series 2021B Debt Fund

WHEREAS, it is desired to transfer money from Bond Series 2021A Debt Fund to Bond Series 2021B Debt Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa; and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$425,000 is ordered to be transferred from Bond Series 2021A Debt Fund to Bond Series 2021B Debt Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

Dated this 9th day of November, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion by Wichman, second by Shea, approve and authorize Board to sign **Resolution No. 115-2021** entitled: RESOLUTION Authorizing Transfer from LOST Secondary Roads Fund to Bond Series 2020B Debt Fund.

RESOLUTION NO. 115-2021

RESOLUTION Authorizing Transfer from LOST Secondary Roads Fund to Bond Series 2020B Debt Fund

WHEREAS, it is desired to transfer money from LOST Secondary Roads Fund to Bond Series 2020B Debt Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa; and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$9,225 is ordered to be transferred from LOST Secondary Roads Fund to Bond Series 2020B Debt Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

Dated this 9th day of November, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

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

4. RECEIVED/FILED

- A. Salary Actions
 - 1) Conservation – Payroll Status Change for Bennett Amdor
 - 2) Secondary Roads – Payroll Status Change for Andrew Smith
- B. Reports
 - 1) Recorder’s Fee Book for October 2021

5. CLOSED SESSION

Motion by Wichman, second by Shea, to go into Closed Session pursuant of Iowa Code, Chapter 21.5 (1)(i) on evaluation of individual’s hiring.

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

Motion by Schultz, second by Grobe, to go out of Closed Session.

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

6. ADJOURN

Motion by Shea, second by Grobe, to adjourn meeting. UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 3:54 P.M.

Scott A. Belt, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: November 16, 2021
PUBLISH: X

November 16, 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 Wichman, and second by Shea, to approve:

- A. November 9, 2021, Minutes as read.
- B. Jail – Employment of Gerald Cahill as Detention Officer
- C. Secondary Roads – Employment of Israel Rivera as Bridge Technician III, Travis Bauer as Bridge Technician I, and Perry Beedle IV as Equipment Operator.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

After discussion was held by the Board, a Motion was made by Wichman, and second by Shea, to Canvass Second Tier Elections for City/Schools and Iowa Western Community College, and to authorize Auditor to pay election costs.

UNANIMOUS VOTE. Motion Carried.

Motion by Wichman, second by Shea, to approve and authorize Chairman to sign Iowa Economic Development Authority Community Development Block Grant Disaster Recover (CDBG-DR) Program Contract.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Planning and Zoning Resolution No. 2021-04** entitled: Final Plat of the Boonies, a subdivision situated in Lewis Township.

**PLANNING AND ZONING
RESOLUTION NO. 2021-04**

WHEREAS, this Board had approved the preliminary plat of **The Boonies**, a residential subdivision situated in **Lewis Township**, by approval of Planning and Zoning Resolution No. **2021-03**, dated **September 7th, 2021**; and

WHEREAS, the final plat and supporting documents required by Chapter 9.10 of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa, has been filed with this Board for its study and consideration under **Case #SUB-2021-02**; and

WHEREAS, this Board has examined the final plat and has found it is in substantial compliance with the approved preliminary plat; and

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

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

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

PASSED AND APPROVED November 16th, 2021

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Scott Belt, Chairman				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tim Wichman				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Lynn Grobe

_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Justin Schultz				

_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Brian Shea				

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

RECORD: After Passage

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

Motion by Wichman, second by Schultz, to approve and authorize Board to sign **Resolution No. 116-2021** entitled: Establishment of Speed Limit Zone.

RESOLUTION NO. 116-2021

ESTABLISHMENT OF A SPEED LIMIT ZONE

WHEREAS, Pottawattamie County has been requested to study traffic conditions within Sherwood Country Estates Subdivision, and;

WHEREAS, the following roads are not posted at any speed, and;

WHEREAS, the results of the study indicate these roads were designed for less than 30 MPH, and;

WHEREAS, the Pottawattamie County Board of Supervisors may determine and declare reasonable and proper speed limits on County roads.

NOW THEREFORE BE IT RESOLVED, by the Pottawattamie County Board of Supervisors in session this day 16th Day of November, 2021, that speed limits be established at 25 MPH and appropriate signs be erected at the locations described below:

Norman Drive, Tonya Street, Brett Loop, Wayne Circle

Dated this 16th day of November, 2021.

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Scott A. Belt, Chairman				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tim Wichman				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lynn Grobe				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Justin Schultz				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Brian Shea				

ATTEST: _____
 Melvyn Houser, County Auditor

RECOMMEND: _____
 John Rasmussen, County Engineer

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

Motion by Wichman, second by Shea, to open Public Hearing on Status of Funded Activities for Carson/Macedonia CDBG-DTR project.

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

Motion by Wichman, second by Shea, to close Public Hearing.

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

Motion by Wichman, second by Schultz, to approve Cornerstone Commercial Contractors pay request no. 5 for Carson/Macedonia CDBG-DTR.
UNANIMOUS VOTE. Motion Carried.

Kristine Sorenson, Executive Director of the Western Iowa Development Association appeared before the Board to give an update on the organization and current WIDA projects. Discussion only. No action taken.

3. OTHER BUSINESS

Motion by Schultz, second by Shea, to approve job description for Health Educator position.
UNANIMOUS VOTE. Motion Carried.

Motion by Grobe, second by Schultz, to approve the following appointments to the Compensation Board: Board of Supervisors – Marcia Antworth & Roger Williams; Attorney – Matthew Garst; Auditor – Rob Livingston; Treasurer – Julie Roach Jenson. Said terms will run through June 30, 2025.
UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, and second by Shea, to amend Agenda adding Closed Session item pursuant of Iowa Code, 20.17 (3), for discussion and/or decision on labor regulations/collective bargaining.

4. CLOSED SESSION

Motion by Wichman, second by Shea, to go into Closed Session pursuant of Iowa Code, Chapter 21.5 (1)(i) for discussion and/or decision on personnel matters.

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

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

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

4. CLOSED SESSION

Motion by Schultz, second by Wichman to go into Closed Session pursuant of Iowa Code, Chapter 20.17 (3) for discussion and/or decision on labor regulations/collective bargaining.

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

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

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

6. CLOSED SESSION

Motion by Wichman, second by Shea, to go into Closed Session pursuant of Iowa Code, Chapter 21.5 (1)(i) on evaluation of individual's hiring.

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

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

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

7. RECEIVED/FILED

A. Salary Actions

- 1) Communications – Payroll Status Change for Rachelle Holt
- 2) Juvenile Detention – Employment of Stephanie Bradley as Part-Time Youth Corrections Worker
- 3) Auditor – Payroll Status Change for Marilyn Kennedy

8. ADJOURN

Motion by Wichman, second by Grobe, to adjourn meeting.
UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 2:34 P.M.

Scott A. Belt, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: November 23, 2021
PUBLISH: X

November 23, 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 Wichman, and second by Shea, to approve:

- A. November 16, 2021, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Brenda Mainwaring, President & CEO of Iowa West Foundation appeared before the Board to provide an update and discuss the 2021 Award Cycle 3. Discussion only. No action taken.

Motion by Wichman, second by Shea, to approve and authorize CIO to sign contract for Microsoft 365 Migration Services. UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Motion by Schultz, second by Shea, to set date and time for public hearing on proposed Ordinance 2021-09: an Ordinance to amend the Pottawattamie County, Iowa, Code, Chapter 1.45, "Voting Precinct Boundaries" for December 7, 2021 at 10:00 A.M.

UNANIMOUS VOTE. Motion Carried.

Motion by Wichman, second by Schultz, to approve/disallow the following applications made to the Assessor's Office: Homestead (84 recommended allowed, 0 recommended disallowed), Military (15 recommended allowed, 0 recommended disallowed), Disabled Veteran Homestead (5 recommended allowed, 0 recommended disallowed), Business Property Tax Credit (5 recommended allowed, 0 recommended disallowed), Family Farm (4 recommended allowed, 0 recommended disallowed).

UNANIMOUS VOTE. Motion Carried.

4. STUDY SESSION

The Board held a study session regarding the 2021 Joint City/County Land Use Study with officials from the City of Council Bluffs and the County Planning Department. Discussion only. No action taken.

5. CLOSED SESSION

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

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

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

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

Motion by Schultz, Second by Wichman, to approve what was discussed in closed session.

UNANIMOUS VOTE. Motion Carried.

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

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

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

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

Motion by Shea, Second by Schultz, to approve what was discussed in closed session. UNANIMOUS VOTE. Motion Carried.

6. RECEIVED/FILED

- A. Salary Actions
 - 1) Sheriff – Payroll Status Change for John Wilson
 - 2) Communications – Payroll Status Change for Colleen Sylvis Reports
- B. Reports
 - 1) Sheriff’s Report of Fees Collected and Disbursed for October 2021.

7. ADJOURN

Motion by Grobe, second by Shea, to adjourn meeting.
UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:20 P.M.

Scott A. Belt, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: November 30, 2021
PUBLISH: X

November 30, 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 Wichman, and second by Shea, to approve:

- A. November 23, 2021, Minutes as read.
- B. Board of Supervisors – Employment of Jeannette Johnson as Executive Assistant to the Board

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Wichman, second by Schultz, to approve Change Order #01 for CDBG downtown rehab project in Carson and Macedonia. UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to award bid for mold remediation at the Veteran's Affairs Building, to ServPro for \$36,770.84. UNANIMOUS VOTE. Motion Carried.

Buildings and Grounds Director Jason Slack and Risk & Safety Manager Garfield Coleman appeared before to Board to provide an update on the temporary ADA ramp enclosure. Discussion only. No action taken.

Buildings and Grounds Director Jason Slack appeared before the Board to provide an update on the Services Building Demolition Project. Discussion only. No action taken.

Buildings and Grounds Director Jason Slack appeared before the Board to discuss how to designate stalls in the Elections Building Parking Lot. Discussion only. No action taken.

Motion by Wichman, second by Schultz, to approve Change Order 1 for the Elections Building Parking Lot. UNANIMOUS VOTE. Motion Carried.

Jeff Walton, Larry Klien, from Regional Water and Peter Baudhuin from DGR appeared before the Board to provide an update on the Pioneer Trail waterline project. Discussion only. No action taken.

3. OTHER BUSINESS

Motion by Shea, second by Schultz, to approve payment for County buyout of 8 flood properties in the amount of \$1,880,000 plus associated legal fees of \$12,000, for a total of 1,892,000, to be paid from Fund 19 – Land and Acquisition Fund. UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Grobe, to approve and authorize Board to sign **Resolution No. 117-2021** entitled: Resolution Authorizing Withdrawal from Iowa Precinct Atlas Consortium.

RESOLUTION NO. 117-2021

RESOLUTION AUTHORIZING WITHDRAWAL FROM IOWA PRECINCT ATLAS CONSORTIUM

WHEREAS, Pottawattamie County wishes to withdraw from a 28E agreement and cease to be a member in the Iowa Precinct Atlas Consortium and cease to use the computer software programs known as Precinct Atlas and Absentee Atlas;

NOW THEREFORE BE IT RESOLVED, by the Pottawattamie County Board of Supervisors that the Chairman and Auditor are hereby authorized to execute a NOTICE OF WITHDRAWAL from the 28E agreement and as a member in the IOWA PRECINCT ATLAS CONSORTIUM.

Dated this 30th day of November, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

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

4. ADJOURN

Motion by Schultz, second by Wichman, to adjourn meeting.
UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:30 A.M.

Scott A. Belt, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: December 7, 2021
PUBLISH: X

December 7th, 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 Wichman, and second by Shea, to approve:

- A. November 30, 2021, Minutes as read.
- B. November 2021 Vendor Publication Report
- C. Secondary Roads – Employment of Jeremy Wilber as Mechanic Technician III

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Wichman, second by Schultz, to move Item 2B, to first on the Agenda.

Motion by Schultz, second by Shea, to approve and authorize Chairman to sign 28 E Agreement with West Pottawattamie Soil and Water Conservation District and East Pottawattamie County Soil and Water Conservation District for the funding, administration, and implementation of the full-time Conservation Education Coordinator Position.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to open Public Hearing on First Consideration of Ordinance No. 2021-09, AN ORDINANCE to amend Chapter 1.45, “Voting Precinct Boundaries” of the Pottawattamie County, Iowa, Code by uncombining Boomer Township and Neola Township from Neola Precinct and naming it Boomer Precinct; By dissolving GLWCW Precinct; By uncombining Hardin Township from McClelland Precinct; By combining Hardin Township to Treynor Precinct; By combining Lincoln Township to the Walnut Precinct; By combining Center Township, Waveland Township and Wright Township to the Carson Precinct; By combining Grove Township to Macedonia Precinct

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

Motion by Schultz, second by Shea, to close public hearing.

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

Motion by Wichman, second by Schultz, to approve first consideration of Ordinance No. 2021-09, AN ORDINANCE to amend Chapter 1.45, “Voting Precinct Boundaries” of the Pottawattamie County, Iowa, Code by uncombining Boomer Township and Neola Township from Neola Precinct and naming it Boomer Precinct; By dissolving GLWCW Precinct; By uncombining Hardin Township from McClelland Precinct; By combining Hardin Township to Treynor Precinct; By combining Lincoln Township to the Walnut Precinct; By combining Center Township, Waveland Township and Wright Township to the Carson Precinct; By combining Grove Township to Macedonia Precinct; and set date of Second Consideration for December 9, 2021 at 10:00AM

UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, approve and authorize Board to sign **Resolution No. 118-2021**, entitled Local Match for the Hazard Mitigation Grant Program.

RESOLUTION NO. 118-2021

LOCAL MATCH FOR THE HAZARD MITIGATION GRANT PROGRAM

WHEREAS, Pottawattamie County, Iowa (hereinafter called “the Subgrantee”), has made application through the Iowa Homeland Security and Emergency Management Division (HSEMD) to the Federal Emergency Management Agency (FEMA) for funding from the Hazard Mitigation Grant Program, in the amount of \$5,203,400 for the total project cost; and

WHEREAS, the Subgrantee recognizes the fact that this grant is based on a cost share basis with the federal share not exceeding 75%, the state share not exceeding 10%, and the local share being a minimum of 15% of the total project cost. The minimum 15% local share can be cash, in-kind match or other source provided that it is not federal funding.

THEREFORE, the Subgrantee agrees to provide and make available up to \$780,510 (seven hundred eighty thousand five hundred and ten dollars) of non-federal contribution to be used to meet the minimum 15% match requirement for this mitigation grant application.

Dated this 7th day of December, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schulz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion by Wichman, second by Schultz, approve and authorize Board to sign Resolution No. 119-2021 entitled: RESOLUTION AUTHORIZING VACATION OF A SECTION OF POTTAWATTAMIE COUNTY ROAD.

RESOLUTION NO. 119-2021

RESOLUTION AUTHORIZING VACATION OF A SECTION OF POTTAWATTAMIE COUNTY ROAD

WHEREAS, a request has been filed with the Pottawattamie County Board of Supervisors to vacate and clear the record of a section of Pottawattamie County Road, described as follows,

WHEREAS, it is in the best interest of Pottawattamie County to vacate the Road Right of way.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Pottawattamie County in session this 7th day of December, 2021, that the following described road easement be vacated:

A portion of Railroad Street South along the north line of Block 4 of Original Town Plat, between the north line of Charles Avenue and the west line of Bentley Lane (formerly Main Street), Original Town Plat of the unincorporated Town of Bentley per town plat filed for record in Section 13, Township 76, Range 43 West of the 5th P.M., Pottawattamie County, Iowa.

Note: Utilities are granted a permanent and perpetual easement for the continuance of maintaining existing facilities for such construction, reconstruction, replacement, and repair thereof as may be deemed necessary by the utilities in the future (Iowa Code 306.22, 479.17, 479.24).

Dated this 7th day of December, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

RECOMMEND: _____
John Rasmussen, County Engineer

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

Discussion was held by the Board on whether to reject, approve, or modify the Leisure Avenue Secondary Roads Assessment District Proposal.

Motion by Schultz, second by Shea, to open Final Public Hearing for the Leisure Avenue Secondary Roads Assessment District.

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

Motion by Wichman, second by Shea, to close Final Public Hearing.

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

Motion by Shea, second by Grobe, to approve creation of the Leisure Avenue Secondary Roads Assessment District.

UNANIMOUS VOTE. Motion Carried.

Motion by Wichman, second by Shea, to approve County contribution rate of 30% for Leisure Ave Secondary Roads Assessment District, set interest rate at 0%; and set date and time of final apportionment and determination for Tuesday, December 14th at 10:00A.M.

UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to approve Change Order #2 – Elections Building Parking Lot.

UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Motion by Schultz, second by Shea, to approve Jail Captain and Detention Administrative Manager job descriptions. UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve quote from ArcaSearch for Digital Archival of Board of Supervisor's Minute Books for \$20,899 to be paid from the American Rescue Plan Acts Fund.

UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to approve payment of NACO membership dues for 2022 in the amount of \$1863.00. UNANIMOUS VOTE. Motion Carried.

Motion by Wichman, second by Schultz, to approve and authorize Board to sign **Resolution No. 120-2021** entitled: Authorizing Pottawattamie County, Iowa to Enter into Settlement Agreements with McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc., Agree to the Terms of the Iowa Opioid Allocation Memorandum of Understanding and Authorize Entry Into that Memorandum of Understanding.

RESOLUTION NO. 120-2021

Authorizing Pottawattamie County, Iowa to Enter into Settlement Agreements with McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc., Agree to the Terms of the Iowa Opioid Allocation Memorandum of Understanding and Authorize Entry Into that Memorandum of Understanding

WHEREAS, in 2018, the County Board of Supervisors authorized Pottawattamie County (the "County") to enter into an engagement agreement with Crueger Dickinson LLC, Simmons Hanly Conroy LLC and von Briesen & Roper, s.c. (the "Law Firms") to pursue litigation against certain manufacturers, distributors, and retailers of opioid pharmaceuticals (the "Opioid Defendants") in an effort to hold the Opioid Defendants financially responsible for the impact on of the Opioid Epidemic on the County and resources necessary to combat the opioid epidemic;

WHEREAS, on behalf of the County, the Law Firms filed a lawsuit against the Opioid Defendants in 2018 and have been litigating against the Opioid Defendants since that time;

WHEREAS, negotiations to settle claims against several of the Opioid Defendants, specifically McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. (the "Settling Defendants") have been ongoing for several years;

WHEREAS, negotiations with the Settling Defendants have resulted in proposed nationwide settlements of state and local government claims involved in the Litigation;

WHEREAS, copies of the proposed terms of those proposed nationwide settlements have been set forth in the Distributors Master Settlement Agreement and the J&J Master Settlement Agreement (collectively “Settlement Agreements”);

WHEREAS, copies of the Settlement Agreements as well as summary of the main terms of the Settlement Agreements, the deadlines for submitting the Participation Agreements to the Settlement Agreements and the MDL Court’s Order setting deadlines for any Plaintiff who declines to enter into the Settlement Agreements have been provided to the County prior to the execution of this Resolution;

WHEREAS, the Settlement Agreements provide, among other things, for the payment of a certain sum to settling government entities in Iowa including to the State of Iowa and Participating Subdivisions, as that term is defined in the Settlement Agreements, upon occurrence of certain events as defined in the Settlement Agreements (“Iowa Opioid Funds”);

WHEREAS, the Law Firms have engaged in extensive discussions with the State Attorney General’s Office (“AGO”) as to how the Iowa Opioid Funds will be allocated, which has resulted in the proposed Iowa Opioid Allocation Memorandum of Understanding (“Allocation MOU”), which is an agreement between all of the entities who are signatories to the Allocation MOU;

WHEREAS, a copy of the Allocation MOU and the Exhibits to that MOU has been provided with this Resolution;

WHEREAS, the Allocation MOU divides Iowa Opioid Funds as follows: (i) 50% to the State (“the Iowa Abatement Share”) and (ii) 50% to Participating Local Governments (“LG Share”), less fees and costs allocated to the Iowa Backstop Fund as set forth in Section D of the Allocation MOU and in this Resolution (“LG Abatement Share”).

WHEREAS, the LG Abatement Share shall be distributed in direct payments to the Counties that are Participating Local Governments according to the allocation model developed in connection with the proposed negotiating class in the National Prescription Opiate Litigation (MDL No. 2804) in the amounts set forth on Exhibit 2 to the Allocation MOU (“Direct Distribution Percentage”). The Direct Distribution Percentage will be multiplied by the total LG Abatement Share to arrive at the total allocation to the Participating Local Government (the “Direct Distribution Amount”).

WHEREAS, 100% of the Iowa Abatement Share and the LG Abatement Share, regardless of allocation, shall be utilized only for Opioid Related Expenditures incurred after the Effective Date of this MOU. The list of approved Opioid Related Expenditures are set forth in Exhibit 1 to this MOU.

WHEREAS at least 75% of the Iowa Abatement Share and 75% of the LG Abatement Share shall be utilized for only the “Core Strategies” listed in Schedule A of Exhibit 1 to this MOU.

WHEREAS, every Participating Local Government that receives a Direct Distribution Amount shall create a separate fund on its financial books and records that is designated for the receipt and expenditure of the entity’s Direct Distribution Amount, called the “LG Abatement Fund.” Funds in an LG Abatement Fund shall not be commingled with any other money or funds of the Participating Local Government. A Participating Local Government may invest LG Abatement Fund funds consistent with the investment of other funds of a Participating Local Government.

WHEREAS, Funds in a LG Abatement Fund may be expended by a Participating Local Government only for Opioid Related Expenditures. For avoidance of doubt, funds in a LG Abatement Fund may not be expended for costs, disbursements or payments made or incurred prior to the Settlement.

WHEREAS, each LG Abatement Fund shall be subject to audit in a manner consistent with Code of Iowa §§331.402(2)(i) and 11.6. Any such audit shall be a financial and performance audit to ensure that the LG Abatement Fund disbursements are consistent with the terms of this MOU. If any such audit reveals an expenditure inconsistent with the terms of this MOU, the Participating Local Government shall immediately redirect the funds associated with the inconsistent expenditure to an Opioid Related Expenditure.

WHEREAS, County has contracted with the Law Firms for representation in the Litigation and the Law Firms have been representing those entities since 2018 and in consideration for the Law Firms’ representation, the County entered into a contract with the Law Firms for a 25% contingency fee applied to County’s total recovery from any settlement.

WHEREAS, the Settlement Agreements provide for the payment of attorney’s fees and legal expenses owed by States and Participating Local Governments to outside counsel retained for Opioid Litigation. To effectuate this, the Court in the MDL Litigation has established a fund to compensate attorneys representing plaintiffs in the Litigation (the “National Attorney Fee Fund”).

WHEREAS, the Law Firms intend to make application to the National Attorney Fee Fund. However, because there is still uncertainty regarding what counsel for litigating local governments will recover as compensation for the large volume of work done and the large out of pocket expense of the Litigation, and whereas the Parties to the Allocation MOU desire to fairly compensate outside counsel for the work done on behalf of the Participating Local

Governments in Iowa, the Allocation MOU provides that a fund be created from 15 % of the LG Share attributable to the Litigating Local Governments, less any amounts a Litigating Local Government (“Iowa Backstop Fund”)

WHEREAS, the Iowa Backstop Fund is meant to compensate outside counsel for participating local governments only for amounts not recovered at the National Fee Fund attributable to their Iowa clients;

WHEREAS, to be eligible for the Iowa Backstop Fund, the Law Firms must first seek payment from the National Attorneys’ Fees Fund and may not recover amounts attributable to Counsel’s representation of the County received at the National Attorneys’ Fees Fund from the Iowa Backstop Fund;

WHEREAS, the County, by this Resolution, agrees to the creation of the Iowa Backstop Fund in the amount of 15% of the LG Share attributable to the Litigating Local Governments in order to fund a state-level “backstop” for payment of the fees, costs, and disbursements of the Law Firms;

WHEREAS, in no event shall the total of the amounts received by the Law Firms at the National Attorney’s Fees Fund related to the County and the amount received at the Iowa Backstop Fund exceed the amount the Law Firms would have been entitled to pursuant their fee contract with the County;

WHEREAS, the County, by this Resolution, shall establish an account for the receipt of the LG Abatement Share consistent with the terms of this Resolution (“the LG Abatement Fund”);

WHEREAS, the County’s LG Abatement Fund shall be separate from the County’s general fund, shall not be commingled with any other County funds, and shall be dedicated to funding opioid abatement measures as provided in the Settlement Agreements and the Allocation MOU;

WHEREAS, the County must comply annually with the reporting requirements in the Allocation MOU;

WHEREAS, the if the County elects to become a Participating Subdivision in the Settlement Agreements it will receive the benefits associated with the Settlement Agreement and the Allocation MOU, provided the County (a) approves the Settlement Agreements; (b) executes the Participation Agreements stating the County’s intention to be bound by the Settlement Agreements; (3) approves the Allocation MOU; (4) executes the Acknowledgement and Agreement to be Bound to Memorandum of Understanding necessary to execute the Allocation MOU;

WHEREAS, the intent of this Resolution is to authorize the County to enter into the Settlement Agreements by executing the Participation Agreements and to enter into the Allocation MOU by executing the Acknowledgement and Agreement to be Bound to Memorandum of Understanding necessary to execute the Allocation MOU;

NOW, THEREFORE, BE IT RESOLVED: the County Board of Supervisors hereby approves and authorizes Mitchell A. Kay to settle and release the County’s claims against the Settling Defendants in exchange for the consideration set forth in the Settlement Agreements, Allocation MOU and all exhibits thereto, including taking the following measures:

1. The execution of the Participation Agreement to the Distributors Settlement Agreement and any and all documents ancillary thereto.
2. The execution of the Participation Agreement to the Janssen Settlement Agreement and any and all documents ancillary thereto.
3. The execution of the Allocation MOU by executing the Acknowledgement and Agreement to be Bound to Memorandum of Understanding.

BE IT FURTHER RESOLVED: the County hereby establishes an account separate and distinct from the County’s general fund which shall be titled “LG Abatement Fund” to receive the LG Abatement Share from the Settlement Agreements.

BE IT FURTHER RESOLVED that all actions heretofore taken by the Board of Supervisors and other appropriate public officers and agents of the County with respect to the matters contemplated under this Resolution are hereby ratified, confirmed and approved.

Dated this 7th day of December, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Brian Shea

ATTEST: _____
Melvyn Houser, County Auditor

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

4. CLOSED SESSION

Motion by Shea, second by Schultz, to go into Closed Session pursuant to Iowa Code 20.17(3), for discussion and/or decision on labor negotiations / collective bargaining matters.

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

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

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

Motion by Wichman, second by Shea, to go into Closed Session pursuant to Iowa Code §21.5(1)(i) for discussion and/or decision on personnel matters.

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.

5. RECEIVED/FILED

A. Salary Actions

- 1) Communications – Payroll Status Change for Logan Brown
- 2) Juvenile Detention – Employment of Jaxon Boro as Part-Time Youth Corrections Worker
- 3) Conservation – Payroll Status Change for Bennett Amdor
- 4) WIC – Employment of Ariel Quinn and Elizabeth Serrato as Part-Time Breastfeeding Peer Counselors

6. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:55 P.M.

Scott A. Belt, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: December 14, 2021

PUBLISH: X

December 9th, 2021

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M. All members present except Supervisor Grobe and Supervisor Schultz.

PLEDGE OF ALLEGIANCE

1. SCHEDULED SESSIONS

Motion by Wichman, second by Shea, to Second Consideration of **Ordinance No. 2021-09**, AN ORDINANCE to amend Chapter 1.45, "Voting Precinct Boundaries" of the Pottawattamie County, Iowa, Code by uncombining Boomer Township and Neola Township from Neola Precinct and naming it Boomer Precinct; By dissolving GLWCW Precinct; By uncombining Hardin Township from McClelland Precinct; By combining Hardin Township to Treynor Precinct; By combining Lincoln Township to the Walnut Precinct; By combining Center Township, Waveland Township and Wright Township to the Carson Precinct; By combining Grove Township to Macedonia Precinct; and to adopt said Ordinance into law.

**POTTAWATTAMIE COUNTY, IOWA
ORDINANCE NO. 2021-09**

AN ORDINANCE to amend Chapter 1.45, "Voting Precinct Boundaries" of the Pottawattamie County, Iowa, Code by

- By uncombining Boomer Township and Neola Township from Neola Precinct and naming it Boomer Precinct;
- By dissolving GLWCW Precinct;
- By uncombining Hardin Township from McClelland Precinct;
- By combining Hardin Township to Treynor Precinct;
- By combining Lincoln Township to the Walnut Precinct;
- By combining Center Township, Waveland Township and Wright Township to the Carson Precinct;
- By combining Grove Township to Macedonia Precinct;

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

SECTION 1 - REPEAL OF CONFLICTING ORDINANCES: That Section 1.45.040, Division into Precincts, is hereby repealed in their 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 changing the data for the following precincts in Section 1.45.040, to read as follows:

Pottawattamie County is hereby divided into sixteen (16), as follows:

PRECINCTS	POPULATION	DESCRIPTION
Avoca	2,097	Knox Township, Pleasant Township, City of Avoca and that part of City of Shelby which lies within the boundaries of Pottawattamie County
Boomer	1,008	Boomer Township and Neola Township
Carson	1,432	Carson Township, Center Township, Waveland Township, Wright Township and City of Carson
Crescent	2,612	Crescent Township, Lake Township, Rockford Township and City of Crescent
Garner	3,205	Garner Township excluding census block 191550316011016 and 191550316011027
Hancock	356	Valley Township and City of Hancock
Lewis 1	2,070	Part of Lewis Township lying north of Highway 92 and including census block 191550316011016 and 191550316011027 in Garner Township
Lewis 2	2,366	That part of Lewis Township lying South of Highway 92
Macedonia	594	Macedonia Township, Grove Township and City of Macedonia
McClelland	146	City of McClelland
Minden	1,295	Minden Township, York Township and City of Minden
Neola	918	City of Neola

Oakland	2,260	Belknap Township, James Township, Washington Township and City of Oakland
Treynor	2,829	Hardin Township, Keg Creek Township, Silver Creek Township and City of Treynor
Underwood	2,836	Norwalk Township, Hazel Dell Township and City of Underwood
Walnut	1,053	Layton Township, Lincoln Township and City of Walnut
TOTAL	27,077	

SECTION 3 - SEVERABILITY: That should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not effect that validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 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 9th Day of December, 2021.

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

Roll Call Vote: AYES: Belt, Wichman, Sea. Motion Carried.

2. ADJOURN

Motion by Wichman, second by Shea, to adjourn meeting.
UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 10:03 A.M.

Scott A. Belt, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: December 14, 2021
PUBLISH: X

December 14th, 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 Wichman, and second by Shea, to approve:

- A. December 7, 2021, Minutes as read.
- B. December 9, 2021, Minutes as read.
- C. Renewal of Class C Liquor License (LC) (Commercial), granting privileges of Class C Liquor License (LC) Commercial/Outdoor Service/Sunday Sales for Mile A Way Hall and Tavern, LLC, Council Bluffs.

UNANIMOUS VOTE Motion Carried.

2. SCHEDULED SESSIONS

Motion by Schultz, second by Shea, to open Public Hearing on Ordinance No. 2021-08, an Ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa, by changing the district designation of approximately 5 acres from a Class A-2 (Agricultural Production) to a Class I-2 (General Industrial) District.

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

Motion by Shea, second by Grobe, to close public hearing.

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

Motion by Wichman, second by Schultz, to approve first consideration of **Ordinance No. 2021-08**, an Ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa, by changing the district designation of approximately 5 acres from a Class A-2 (Agricultural Production) to a Class I-2 (General Industrial) District; and set date of Second Consideration for December 21, 2021 at 10:00 AM.

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

Motion by Wichman, second by Schultz, to approve Cornerstone Commercial Contractors pay application no. 6 for Carson/Macedonia downtown rehab.

Motion by Shea, second by Schultz, to approve and authorize Chairman to sign 28E Agreement for Funding for Services Between West Central Community Action and Pottawattamie County, Iowa in the amount of \$15,000 from Gaming fund.

Motion by Shea, second by Grobe, to reconsider creation of Leisure Ave secondary roads assessment district.

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

Motion by Wichman, second by Shea, to reject both Leisure Ave secondary roads assessment petitions. AYES: 4, NAYS: 1. Motion carried.

Motion by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 121-2021** entitled: RESOLUTION requesting a joint decision of the Underwood City Council and Pottawattamie County Board of Supervisors that will reduce the speed limit in front of Underwood High School on North Street, also known as G-30, which is a Farm to Market Road, to 25 miles per hour.

RESOLUTION NO. 121-2021

A RESOLUTION REQUESTING A JOINT DECISION OF THE UNDERWOOD CITY COUNCIL AND THE POTTAWATTAMIE COUNTY BOARD OF SUPERIVORS THAT WILL REDUCE THE SPEED LIMIT IN FRONT OF UNDERWOOD HIGH SCHOOL ON NORTH STREET, ALSO KNOWN AS G-30, WHICH IS A FARM TO MARKET ROAD, TO 25 MILES PER HOUR.

WHEREAS, the City asked the Iowa Department of Transportation for a speed study grant, who granted that requested and directed HR Green, Traffic Engineers, to study the appropriate speed limits around and traffic patterns during school hours within the City of Underwood; and

WHEREAS, the Traffic engineers conducted such engineering and traffic study and found that a decrease in the speed limits on this road within the City is justified and recommended.

THEREFORE, BE IT RESOLVED by the Underwood City Council and the Pottawattamie County Board of Supervisor that:

- 1. Change the speed limit in front of the Underwood High School to 25 mph, a school zone.
 - a. Reduce the posted speed limit between Sunset Drive and 260th Street (west of the Sunset Drive and North Street intersection) from 40 mph to 25 mph for the eastbound and westbound traffic to improve safety along North Street.
 - b. Replace the existing 25mph (eastbound) and 40 mph (westbound) signs located immediately west of this intersection. Approximately 120 feet east of 260th Street.
 - c. The existing 40 mph (eastbound) sign located east of 260th Street to be relocated approximately 550 feet west of 260th Street, and the existing advance 40 mph (eastbound) speed limit warning sign to the west to be relocated and spaced approximately 650 feet upstream from the proposed 40 mph posted speed limit sign.
 - d. Add a 25 mph Reduced Speed Limit Ahead sign approximately 450 feet in advance of the corresponding 25 mph posted speed limit sign to inform road users of the reduced speed zone.
 - e. Install school crossing plaque and advance School Crossing AHEAD signs for the northbound and southbound traffic at the existing marked crosswalk on the south leg of this intersection.

Dated this 14th day of December, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

Dated this ____ day of _____, 20__.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Robert Dose	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Jim Pingel	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Josh Madsen	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Royce Forbush	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ JW Tiarks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

SIGNATURE: _____
Dennis Bardsley, Mayor

ATTEST: _____
Cindy Sorlien, City Administrator/Clerk

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

3. OTHER BUSINESS

Motion by Wichman, second by Shea, to approve and authorize Chairman to sign agreements for printers in Public Health and for the updated State & Local Government Addendum.
UNANIMOUS VOTE. Motion Carried.

5. RECEIVED/FILED

A. Salary Actions

- 1) WIC – Employment of Makenna Hogg as a Part-Time Breastfeeding Peer Counselor.
- 2) Juvenile Detention – Employment of James Switzer as Part-Time Youth Corrections Worker.

4. BUDGET STUDY SESSIONS

The Board held Budget Study Sessions with the following department heads: Lea Voss/County Treasurer, DHS – Matthew Madsen, Jana Lemrick/ Human Resources Director, Marilyn Hebing/County Recorder, Jamie Peterson/GIS Coordinator, David Bayer/Chief Information Officer, and Jason Slack/Buildings & Grounds Director. Discussion only. No action taken.

6. ADJOURN

Motion by Wichman, second by Shea, to adjourn meeting.
UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 2:25PM.

Scott A. Belt, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: December 21, 2021
PUBLISH: X

December 21st, 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 Wichman, and second by Shea, to approve:

- A. December 14, 2021, Minutes as read.

UNANIMOUS VOTE Motion Carried.

2. SCHEDULED SESSIONS

Motion by Wichman, second by Schultz, to amend the agenda by adding a discussion with Jim Hughes Real Estate on Pioneer Meadows subdivision.

UNANIMOUS VOTE: Motion Carried.

Motion by Wichman, second by Grobe, to approve second consideration **Ordinance No. 2021-08**, an Ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa, by changing the district designation of approximately 5 acres from a Class A-2 (Agricultural Production) to a Class I-2 (General Industrial) District, and to adopt said order into law.

**POTTAWATTAMIE COUNTY, IOWA
ORDINANCE NO. 2021-08**

AN ORDINANCE to amend the Official Zoning Map of Pottawattamie County, Iowa, by changing the district designation of approximately 5 acres from a Class A-2 (Agricultural Production) District to a Class I-2 (General Industrial) District.

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

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

A part of 20-76-42 & 21-76-42 EXC RR W OF HWY SE NE & NE SE W OF HWY & SW NE TRI SE COR & 21-76-42 WOF HWY SW NW (To be determined by a survey).

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

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

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

Dated this 21ST Day of December, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Brian Shea	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion by Schultz, second by Shea, to approve and authorize Chairman to sign easement agreements on two HMGP buyout properties.
UNANIMOUS VOTE. Motion carried.

Jim Hughes Real Estate provided an update to the Board on Housing Development on Pioneer Trail 240th Street called Pioneer Meadows. Discussion only.
No action taken.

Motion by Wichman, second by Schultz, to approve tax suspension pursuant to Iowa Code Section 427.9, for property located at 3313 7th Ave, Council Bluffs, Iowa.
UNANIMOUS VOTE. Motion Carried.

Officials from Jennie Edmundson Hospital & Mercy Hospital appeared before the board to discuss County Contribution to local Hospitals. Discussion only.
No action taken.

Motion by Wichman, second by Shea, to set public hearing for December 28th at 10:30 A.M. to consider plans, specifications and form of contract and total estimated costs for the proposed Secondary Roads Operations Center project.
UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to approve, project pans and sign cover page for Project Number STBG-SWAP-C078(205)-FG-78 for M47 resurfacing from Highway 6 to G30.
UNANIMOUS VOTE. Motion Carried.

3. RECEIVED/FILED

- A. Salary Actions
 - 1) Sheriff – Payroll status change for Jaron Neumann.
 - 2) Communications – Payroll status change for Logan Brown.
- B. Reports
 - 1) Recorder Fee Book for November 2021
 - 2) Sheriff's Report of Fees Disbursed and Collected for November 2021

4. BUDGET STUDY SESSIONS

The Board held Budget Study Sessions with the following department heads: Nick Jedlicka /Veteran Affair Director, Suzanne Watson / Community Service Director, Andy Brown / Sheriff, Jeff Thuhlen / Chief Deputy Sheriff, Bob Anderson / Communications, Mark Schoemaker / Conservation Director. Discussion only. No action taken.

5. CLOSED SESSION

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

Roll Call Vote: AYES: 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

Motion by Wichman, second by Schultz to authorize Chairman Belt to sign agreement as discussed in closed session.

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

6. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 3:30PM.

Scott A. Belt, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: December 28, 2021, corrected April 19, 2022
PUBLISH: X

December 28th, 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 Wichman, and second by Shea, to approve:

- A. December 21, 2021, Minutes as read.

UNANIMOUS VOTE Motion Carried.

2. SCHEDULED SESSIONS

Motion by Wichman, second by Shea, to open Public Hearing on first Consideration Ordinance No. 2021-10, an Ordinance to amend Chapter 5.30, Flood Plain Management.

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

Motion by Wichman, second by Shea, to close Public Hearing.

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

Motion by Wichman, second by Schultz, to approve first consideration of Ordinance No. 2021-10, AN ORDINANCE to amend Chapter 5.30, Flood Plain Management and set date of Second Consideration for January 3, 2022 at 10 AM.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve and authorize Board of Supervisors to sign **Resolution No. 123-2021** entitled: RESOLUTION Authorizing tax increment financing extension for the City of Underwood.

RESOLUTION NO. 123-2021

RESOLUTION AUTHORIZING TAX INCREMENT FINANCING EXTENSION FOR THE CITY OF UNDERWOOD

WHEREAS, the City of Underwood, Iowa (the "City") is in the process of establishing the Fieldcrest Phase 4 Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa which includes the real property described on Exhibit A hereto (the "Property"); and

WHEREAS, project development needs with respect to the Property will require that the City use incremental property tax revenues, as provided for in Section 403.19 of the code of Iowa, received with respect to the Property to pay the costs of the construction of public infrastructure improvements thereon necessary for the development of a housing subdivision in the Urban Renewal Area; and

WHEREAS, Section 403.22 of the Code of Iowa prohibits cities from collecting incremental property tax revenues for this type of project for more than eleven years without the express consent of any affected county and school district; and

WHEREAS, the City Council of the City has requested that the Board of Supervisors of Pottawattamie County, Iowa approve this resolution in order to allow the City to use incremental property tax revenues from the Property for five additional fiscal years, as provided by law;

NOW, THEREFORE, it is resolved by the Board of Supervisors of Pottawattamie County, Iowa, as follows:

Section 1. Pursuant to Section 403.22 of the Code of Iowa, this Board of Supervisors hereby approves the use by the City of Underwood, Iowa, of future incremental property tax revenues produced with respect to the Property, for a total period of up to sixteen fiscal years.

Section 2. The County Auditor is hereby directed to forward an executed copy of this Resolution to the City Council of the City of Underwood.

Dated this 28th day of December, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____	○	○	○	○
Scott A. Belt, Chairman				

_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tim Wichman				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lynn Grobe				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Justin Schultz				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Brian Shea				

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion by Schultz, second by Shea, to approve and authorize Board of Supervisors to sign **Resolution No. 124-2021** entitled: Resolution Declaring Pottawattamie County, Iowa to be a Second Amendment County.

RESOLUTION NO. 124-2021

RESOLUTION DECLARING POTTAWATTAMIE COUNTY, IOWA TO BE A SECOND AMENDMENT COUNTY

WHEREAS, the right of the people to keep and bear arms is guaranteed as an individual right under the Second Amendment of the United States Constitution, “A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.”; and
WHEREAS, the right of the people to keep and bear arms for the defense of life, liberty, and property is regarded as an inalienable right by the people of Pottawattamie County, Iowa; and
WHEREAS, the people of Pottawattamie County, Iowa derive economic benefit from all safe forms of firearms recreation, hunting, and shooting conducted within Pottawattamie County using all types of firearms allowable under the United States Constitution and the laws of the State of Iowa; and
WHEREAS, the Pottawattamie County Board of Supervisors was elected to represent the citizens of Pottawattamie County, and have sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Iowa; and
WHEREAS, Iowa State Senators and State Representatives have also sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Iowa; and
WHEREAS, legislation is currently being considered and expected to be proposed by both the Iowa State Legislature and the Federal Legislature that potentially seeks to infringe on the constitutionally protected right of citizens to keep and bear arms; and
WHEREAS, it is desirable to declare that Pottawattamie County is a Second Amendment County, as Pottawattamie County opposes the enactment of any legislation that would infringe upon the constitutional right of the people of Pottawattamie County to keep and bear arms.
NOW, THEREFORE, BE IT RESOLVED that the Pottawattamie County Board of Supervisors, State of Iowa, hereby declares Pottawattamie County to be a Second Amendment County, and hereby states its opposition to the enactment of any legislation that would infringe upon the constitutional right of the people of Pottawattamie County to keep and bear arms.

Dated this 28th day of December, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Scott A. Belt, Chairman				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tim Wichman				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lynn Grobe				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Justin Schultz				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Brian Shea				

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion by Wichman, second by Schultz , to approve and authorize Board Chairman to sign, the STBG-SWAP-CO78(205)—FG-78 DOT funding agreement.
UNANIMOUS VOTE. Motion Carried.

Motion by Wichman, second by Shea, to open Public Hearing to approve and authorize plan specifications and form of contract and total estimated costs for the proposed Secondary Roads Operation Center project.

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

Motion by Wichman, second by Shea, to close Public Hearing.

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

Motion by Shea, second by Schultz, to accept resignation letters of Veteran Affairs Commissioners William Dooley and Ellen Fritz.
UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to appoint Brad Powell and David Hazelwood as full members of the Veteran Affairs Commission to serve the remainder of the vacated terms ending June 30, 2022.
UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Wichman, to approve 28E Agreement between Pottawattamie County, Iowa; West Pottawattamie soil and water conservation district; and East Pottawattamie soil and water conservation district for the funding, of the Full-time Conservation Education Coordinator Position.
UNANIMOUS VOTE. Motion Carried.

3. RECEIVED/FILED

- A. Salary Actions
 - 1) Sheriff – Payroll status change for Jaron Neumann.
 - 2) Communications – Payroll status change for Logan Brown.
- B. Reports
 - 1) Recorder Fee Book for November 2021
 - 2) Sheriff’s Report of Fees Disbursed and Collected for November 2021

4. BUDGET STUDY SESSIONS

The Board held Budget Study Sessions with the following department heads: Nick Jedlicka /Veteran Affair Director, Suzanne Watson / Community Service Director, Andy Brown / Sheriff, Jeff Thuhlen / Chief Deputy Sheriff, Bob Anderson / Communications, Mark Schoemaker / Conservation Director. Discussion only. No action taken.

5. CLOSED SESSION

Motion by Wichman, second by Schultz, to go into Closed Session pursuant Iowa Code 21.5(1)(j) for discussion and/or decision on personnel matters.

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 Shea, second by Wichman, to adjourn meeting.

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 2:20 P.M.

Scott A. Belt, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: January 3, 2022
PUBLISH: X

December 30th, 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. SCHEDULED SESSIONS

Motion by Shea, second by Grobe, to approve and authorize Board of Supervisors to sign **Resolution No. 125-2021** entitled: RESOLUTION authorizing purchase of property and designating Board Chair as authorized representative to sign necessary document to effectuate said purchase.

RESOLUTION NO. 125-2021

A RESOLUTION AUTHORIZING THE PURCHASE OF PROPERTY AND DESIGNATING THE BOARD CHAIR AS THE AUTHORIZED REPRESENTATIVE TO SIGN ANY NECESSARY DOCUMENTS TO EFFECTUATE SAID PURCHASE.

WHEREAS, on December 21, 2021, the Pottawattamie County Board of Supervisors met in closed session to discuss the potential purchase of property from Korby and Samantha Fleischer and Double Diamond, Inc., specifically:

Assessor Parcel #764411400004 (17026 Snowhill Lane, ski resort);

Assessor Parcel #764412300002 (5.75 acres, triangle parcel);

Assessor Parcel #764412300006 (17034 Snowhill Lane);

Assessor Parcel #764412300010 (3.05 acres, Snowhill Lane roadway);

Assessor Parcel #764411400006 (1.43 acres);

Assessor Parcel #764412300008 (17019 Snowhill Lane); and

Substantially all business assets of the business presently being operated as the Mt. Crescent Ski Area.

WHEREAS, on December 21, 2021, following the abovementioned closed session, the Pottawattamie County Board of Supervisors went back into open session and authorized the County to enter into the purchase agreement discussed in closed session.

WHEREAS, on or about December 22, 2021, Korby Fleischer (individually and as sole shareholder of Double Diamond, Inc.) and Samantha Fleischer signed the abovementioned purchase agreement creating a legally binding contract for the sale of the abovementioned property.

WHEREAS, a copy of the abovementioned purchase agreement is attached hereto as Exhibit A to this Resolution.

WHEREAS, the purchase of this property is in the best interest of Pottawattamie County and will be used to expand the county park system for the enjoyment of all citizens of, and visitors to, Pottawattamie County.

THEREFORE, BE IT RESOLVED by the Pottawattamie County Board of Supervisors that:

1. The Pottawattamie County Board of Supervisors is authorized to purchase the abovementioned property on behalf of Pottawattamie County.
2. Board Chair Scott Belt is designated as the Authorized Representative of the Pottawattamie County Board of Supervisors and is empowered to sign any and all documents necessary to effectuate said purchase.

Dated this 30th day of December, 2021.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tim Wichman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lynn Grobe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

_____	○	○	○	○
Justin Schultz				
_____	○	○	○	○
Brian Shea				

ATTEST: _____
 Matt Wilber, County Attorney

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

2. ADJOURN

Motion by Shea, second by Wichman, to adjourn meeting.
 UNANIMOUS VOTE. Motion Carried.
 THE BOARD ADJOURNED SUBJECT TO CALL AT 10:04 A.M.

 Scott A. Belt, Chairman

ATTEST: _____
 Matt Wilber, Pottawattamie County Attorney

APPROVED: January 3, 2022
 PUBLISH: X