

Consent Agenda

March 15, 2022

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. March 8, 2022, Minutes as read.
- B. Public Health – Employment of Sarah Hiller as Public Health Nurse ITS.
- C. Communications – Employment of Michele Kemmish as Telecommunicator.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Schultz, second by Belt, to open Public Hearing on proposed preliminary plat of Matriarch Manor East and Matriarch Manor West, a subdivision situated in Garner Township; and to approve and authorize Board to sign Planning and Zoning **Resolution No. 2022-04**.

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

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

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

Motion by Schultz, second by Shea, to approve and authorize Board to sign Planning and Zoning **Resolution No. 2022-04**.

**PLANNING AND ZONING
RESOLUTION NO. 2022-04**

WHEREAS, the proposed preliminary plat and supporting documents for **Matriarch Manor East and Matriarch Manor West**, subdivisions situated in **Garner Township**, has been filed with the Pottawattamie County Planning and Zoning Commission for its study and recommendation under **Case #SUB-2022-01**; and

WHEREAS, said Commission conducted a public hearing on **February 14, 2022**, 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 **March 15, 2022** 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 plats of **Matriarch Manor East and Matriarch Manor West**, be, and the same is hereby approved as the preliminary plats of said subdivisions.

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.

PASSED AND APPROVED March 15, 2022.

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

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

RECORD: After Passage

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

Motion by Schultz, second by Shea, to open Public Hearing on proposed preliminary plat of Liston Subdivision, situated in Lake Township; and to approve and authorize Board to sign Planning and Zoning **Resolution No. 2022-05.**

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

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

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

Motion by Schultz, second by Shea, to approve and authorize Board to sign Planning and Zoning **Resolution No. 2022-05.**

**PLANNING AND ZONING
 RESOLUTION NO. 2022-05**

WHEREAS, the proposed preliminary plat and supporting documents for **Liston Subdivision**, subdivision situated in **Lake Township**, has been filed with the Pottawattamie County Planning and Zoning Commission for its study and recommendation under **Case #SUB-2022-02**; and

WHEREAS, said Commission conducted a public hearing on **February 14, 2022**, 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 **March 15, 2022** 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 **Liston 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.

PASSED AND APPROVED March 15, 2022.

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

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

RECORD: After Passage

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

Craig Wilson appeared before the board to discuss improvements to Woodland Trail and Dumfries Ave. Discussion only. No Action Taken.

After discussion was held by the Board, a Motion was made by Schultz, and second by Shea, to approve the Board Chairman to sign Program Agreement between MAPA and Pottawattamie for Amendment 3 for Cities Iowa Downtown Revitalization – 19POTT01-Pottawattamie County Iowa Downtown Revitalization. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Shea, and second by Schultz, to approve the Board Chairman to sign Cornerstone Commercial Contractors pay application no. 09 for Carson/Macedonia downtown rehab. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Shea, and second by Belt, to hire DLR engineer for \$88,690 for Chiller replacement at the Jail. UNANIMOUS VOTE. Motion Carried.

3. OTHER

Matt Wyant/Director, Planning and Development and Tom Hall appeared before the Board to give an update concerning the Tiny Homes for Homeless Veterans Project. Discussion only. No action taken.

4. RECEIVED/FILED

- A. Salary Action(s):
 - 1) Sheriff – Payroll status change for Marc Freeman

5. BUDGET DISCUSSION

Discussion only. No action taken.

6. CLOSED SESSION

Motion by Shea, second by Schultz, to go into Closed Session pursuant to Iowa Code, Chapter 21.5(1)(i), for discussion and/or decision on evaluation of individual’s hiring.
Roll Call Vote: AYES: Wichman, Belt, Grobe, Shea, Schultz. Motion Carried.

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

7. ADJOURN

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

UNANIMOUS VOTE. Motion Carried

THE BOARD ADJOURNED SUBJECT TO CALL AT 3:35 P.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn House, Auditor

APPROVED: March 22, 2022
PUBLISH: X

TO: Lea Voss, County Treasurer
Andrew Brown, County Sheriff
Matt Wyant, County Planning Director

FROM: Gina Hatcher

Request for County Department Comments

DATE: March 4th, 2022

ESTABLISHMENT: **RENEWAL- WESTFAIR**

OWNER: see attached

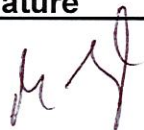
LEGAL DESCRIPTION: See attached property record.

The Auditor has received the attached request for the above class permits/sales/services. Please supply the following information for the Board of Supervisors within five (5) working days. Additional explanation may be given in the form of comments below and/or attachments.

DEPARTMENT	COMMENTS	YES	NO
TREASURER	Free from certified taxes and special assessments		
PLANNING	Properly zoned	>	
	Nuisance violations		<
	Septic system violations		<
SHERIFF	Complaints received		
	Citations issued at this establishment		
	Owner convicted of a felony within the last 5 years		

COMMENTS

Signature

 3-8-22

TO: Lea Voss, County Treasurer
Andrew Brown, County Sheriff
Matt Wyant, County Planning Director

FROM: Gina Hatcher

Request for County Department Comments

DATE: March 4th, 2022

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DEPARTMENT	COMMENTS	YES	NO
TREASURER	Free from certified taxes and special assessments	✓	
PLANNING	Properly zoned		
	Nuisance violations		
	Septic system violations		
SHERIFF	Complaints received		
	Citations issued at this establishment		
	Owner convicted of a felony within the last 5 years		

COMMENTS

Signature

Lea A Voss

TO: Lea Voss, County Treasurer
Andrew Brown, County Sheriff
Matt Wyant, County Planning Director

FROM: Gina Hatcher

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DEPARTMENT	COMMENTS	YES	NO
TREASURER	Free from certified taxes and special assessments		
PLANNING	Properly zoned		
	Nuisance violations		
	Septic system violations		
SHERIFF	Complaints received		X
	Citations issued at this establishment		X
	Owner convicted of a felony within the last 5 years		X

COMMENTS

Signature

ATB 28-1



State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS
THE WESTFAIR ASSOCIATION	Westfair	(712) 242-3323

ADDRESS OF PREMISES	CITY	COUNTY	ZIP
22984 U.S. 6	Council Bluffs	Iowa	51503

MAILING ADDRESS	CITY	STATE	ZIP
PO Box 698	Council Bluffs	Iowa	51502-0698

Contact Person

NAME	PHONE	EMAIL
Rick Killion	(402) 981-2426	rkillion@anbank.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
	Class B Beer Permit	8 Month	Submitted to Local Authority

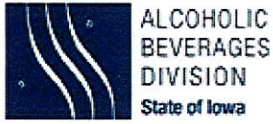
EFFECTIVE DATE	EXPIRATION DATE	LAST DAY OF BUSINESS
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SUB-PERMITS

Class B Beer Permit

PRIVILEGES

Outdoor Service, Sunday Service



Status of Business

BUSINESS TYPE

Nonprofit corporation organized under chapter 504.

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Rick Killion	Council Bluffs	Iowa	51503	Treasurer	0.00	Yes

• Companies

COMPANY NAME	FEDERAL ID	CITY	STATE	ZIP	% OF OWNERSHIP
The Westfair Association	42-1020703	Council Bluffs	Iowa	51503	100.00

Insurance Company Information

INSURANCE COMPANY

Illinois Casualty Co

POLICY EFFECTIVE DATE

Apr 1, 2022

POLICY EXPIRATION DATE

Dec 1, 2022

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE

[Find Property](#) [Res Sales](#) [Comm/Ind Sales](#)

7543 24 100 004

--- Permanent Property Address ---
WESTFAIR ASSN
22984 HWY 6
COUNCIL BLUFFS, IA 51503

----- Mailing Address -----
WESTFAIR ASSN
C/O PEOPLES NATL BANK
PO BOX 698
COUNCIL BLUFFS, IA 51502

District: 024 GARNER TWP/UNDERWOOD SCH

District: 024 GARNER TWP/UNDERWOOD SCH

===== REAL ESTATE TAXES ON TREASURER'S WEBPAGE =====

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754324100004>

===== TAX DESCRIPTION* =====

* Not to be used on legal documents

GARNER TWP 24-75-43 SW NW & NW NW EXC COMM NW COR E842.5' S363.23' W515.68' S552.77' W320' N916'TO POB

===== ASSESSED VALUE =====

* Class is for Assessment purposes only - Not Zoning

Current Value						
2021	Agri. Land	Dwelling	Improvement	Total	Ag Acres	Class
Full Value	\$55,500	\$95,900	\$207,100	\$358,500	68.530	A/AD
Exempt	\$55,500	\$95,900	\$207,100	\$358,500	68.530	A/AD
Net Total	\$0	\$0	\$0	\$0	0.000	A/AD

Prior Year Value						
2020	Agri. Land	Dwelling	Improvement	Total	Ag Acres	Class
Full Value	\$55,500	\$95,900	\$207,100	\$358,500	68.530	A/AD
Exempt	\$55,500	\$95,900	\$207,100	\$358,500	68.530	A/AD
Net Total	\$0	\$0	\$0	\$0	0.000	A/AD

===== EXEMPTIONS/CREDITS APPLIED =====

2020 AE32 AGRICULTURAL SOCIETY
2020 AE32 AGRICULTURAL SOCIETY68.53 acres
2021 AE32 AGRICULTURAL SOCIETY
2021 AE32 AGRICULTURAL SOCIETY68.53 acres

===== OWNERS =====

* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D WESTFAIR ASSN book/page:

===== SALES HISTORY =====

Sale Date	Amount	Code	Book/Page	
03/14/1978	65000	<u>D000</u>	0078/20394	multiple parcel sale
04/06/1966	39500	<u>D000</u>	1415/00081	multiple parcel sale

===== ASSESSMENT DATA =====

PDF: 29 MAP: GARNER TWP

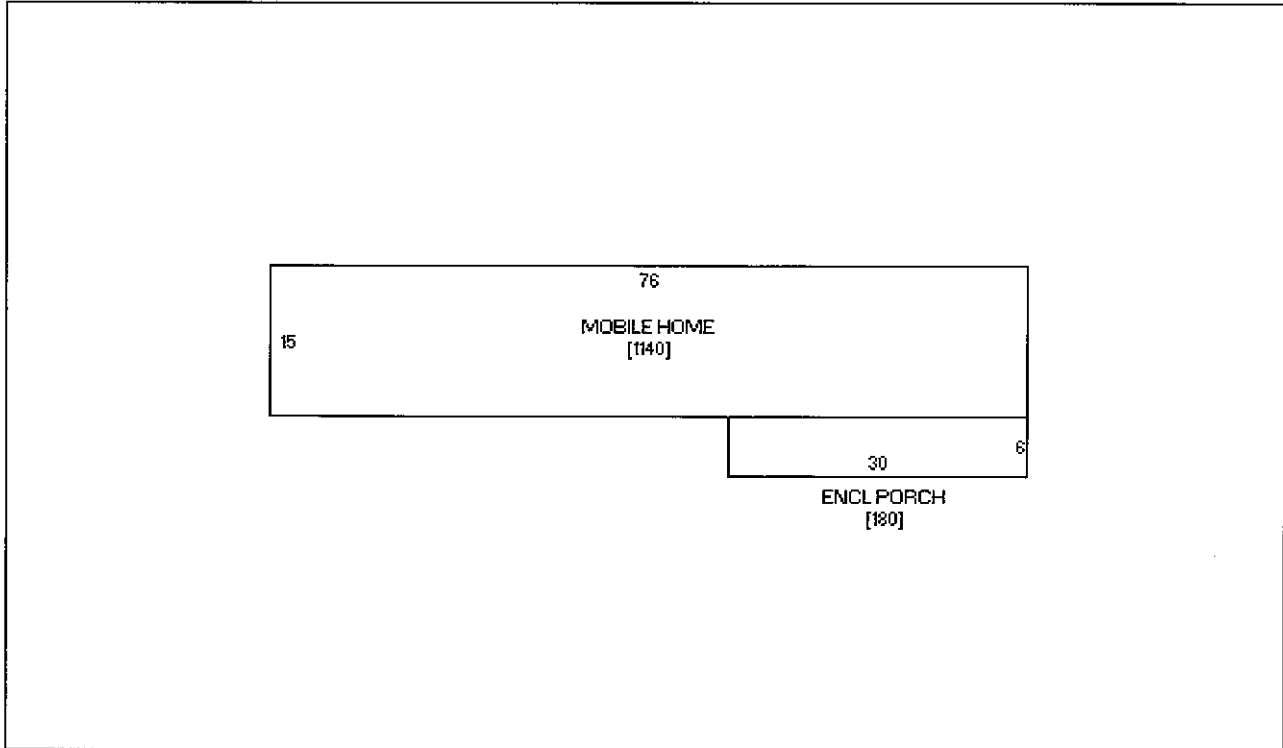
Date Reviewed: 08/12/20 PJR

LAND.....2985166 sqFt 68.53 acres

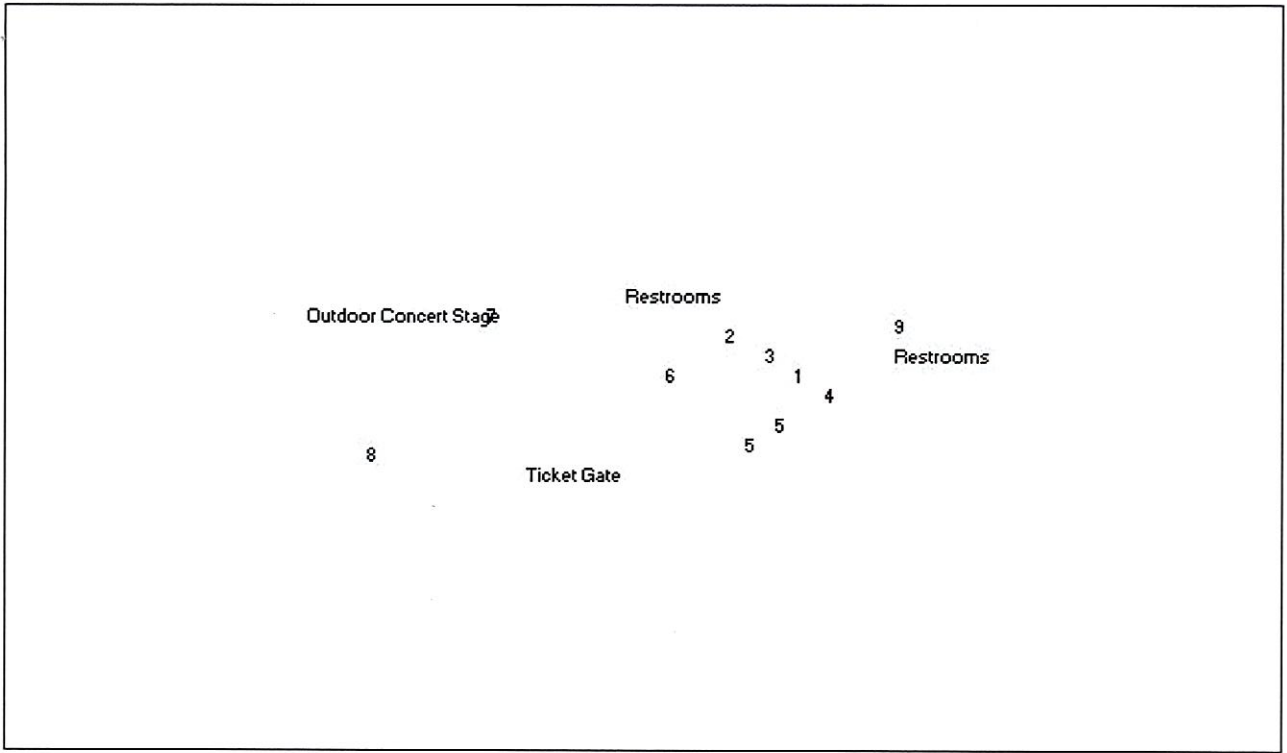
Residence 1 of 1 -- Mobile Home Housing
BUILDING.....Mfd Home (Single) 6/0 Rooms Above/Below 3/0 Bedrooms Above/Below 1140 SF Base AC
 Built:2017 Normal Bsmt: Full Bsmt Finish: 15 SF Attic Finish: None
FINISH.....Foundation: Conc Exterior: Vinyl Roof: Asph / Gable
 Interior: Drwl Flooring: Carpet / Vinyl
PLUMBING.....1 Full Bath 1 Shower Stall Bath
PORCHES.....180 SF 1S Frame Enclosed 180 SF Bsmt
YARD EXTRAS..Restrooms Quantity=323.00 Square Feet, Height=0
 Restrooms Quantity=1,156.00 Square Feet, Height=0
 Outdoor Concert Stage Quantity=4,675.00 Square Feet, Height=0

Ticket Gate Quantity=1,100.00 Square Feet, Height=0

##	Outbuilding Type / Description	Dimension	Cap/Area	Year
1	Steel Utility Building/Metal/Steel PP#2	80 x 120	9600 SF	1975
2	Steel Utility Building/Metal/Steel PP#3	80 x 118	9440 SF	1975
3	Barn - Confined Cattle/Metal/Pole PP#4	46 x 192	8832 SF	1975
4	Barn - Confined Cattle/Metal/Pole PP#5 (2)	30 x 120	3600 SF	1975
5	Steel Utility Building/Metal/Steel PP#6	80 x 120	9600 SF	1975
6	Steel Utility Building/Metal/Steel PP#7	36 x 80	2880 SF	1999
7	Steel Utility Building/Metal/Steel PP#8	26 x 30	780 SF	1975
8	Steel Utility Building/Metal/Pole PP#9	31 x 52	1612 SF	1975
9	Steel Utility Building/Metal/Steel PP#1	116 x 112	12992 SF	1975



22984 HWY 6, WESTFAIR ASSN

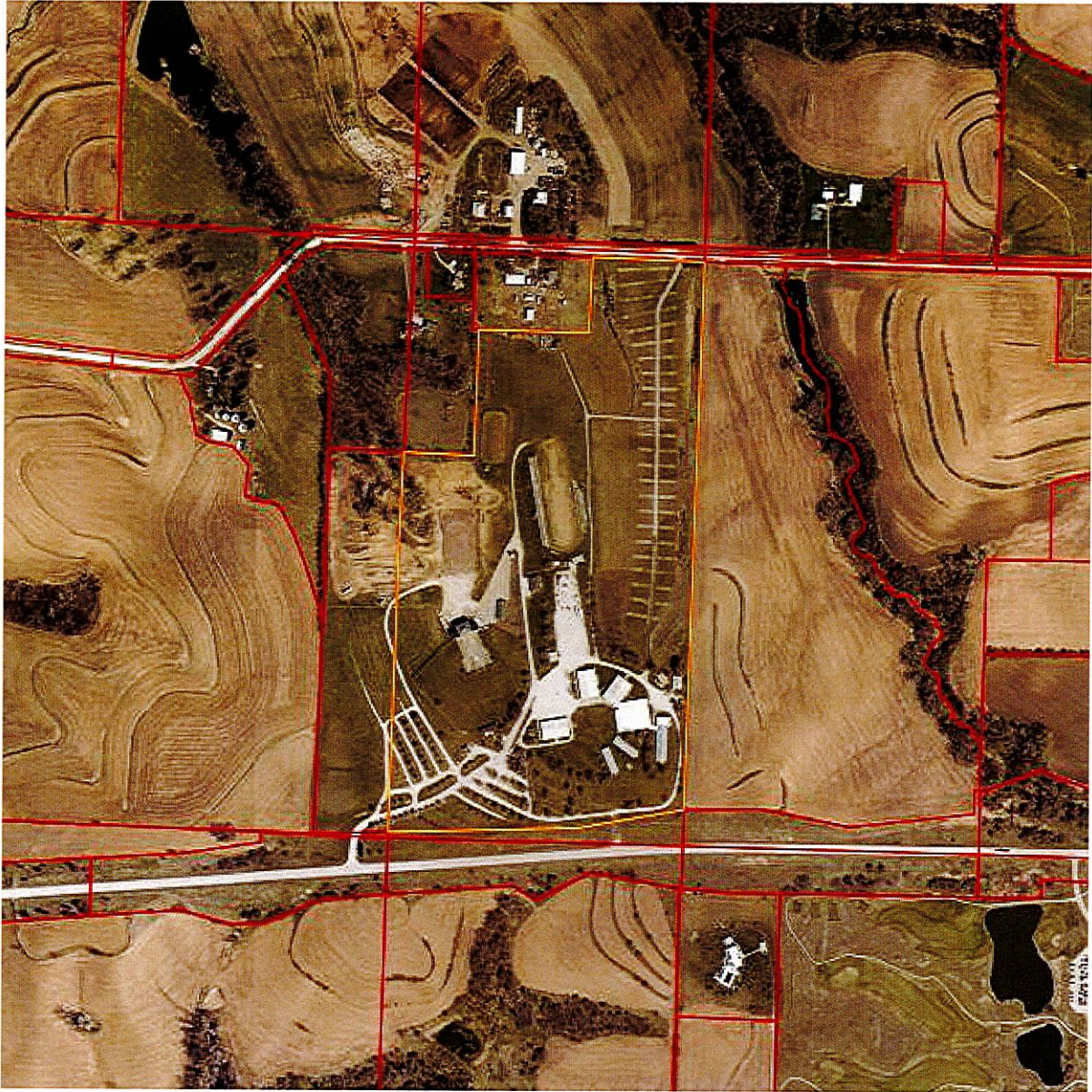


22984 HWY 6, WESTFAIR ASSN



22984 HWY 6, WESTFAIR ASSN, 1 01/07/2019

[Zoom Out](#) [Zoom In](#)



4800ft x 4800ft

Click any parcel to go to its web page
See [more maps](#) at the [County GIS Department](#).

As of:

[Find Property](#) [Res Sales](#) [Comm/Ind Sales](#)

TO: Lea Voss, County Treasurer
Andrew Brown, County Sheriff
Matt Wyant, County Planning Director

FROM: Gina Hatcher

Request for County Department Comments

DATE: March 4th, 2022

ESTABLISHMENT: **RENEWAL- BENT TREE GOLF COURSE**

OWNER: see attached

LEGAL DESCRIPTION: See attached property record.

The Auditor has received the attached request for the above class permits/sales/services. Please supply the following information for the Board of Supervisors within five (5) working days. Additional explanation may be given in the form of comments below and/or attachments.

DEPARTMENT	COMMENTS	YES	NO
TREASURER	Free from certified taxes and special assessments		
PLANNING	Properly zoned	X	
	Nuisance violations		X
	Septic system violations		X
SHERIFF	Complaints received		
	Citations issued at this establishment		
	Owner convicted of a felony within the last 5 years		

COMMENTS

Signature

diff 3-8-22

TO: Lea Voss, County Treasurer
Andrew Brown, County Sheriff
Matt Wyant, County Planning Director

FROM: Gina Hatcher

Request for County Department Comments

DATE: March 4th, 2022

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DEPARTMENT	COMMENTS	YES	NO
TREASURER	Free from certified taxes and special assessments	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PLANNING	Properly zoned	<input type="checkbox"/>	<input type="checkbox"/>
	Nuisance violations	<input type="checkbox"/>	<input type="checkbox"/>
	Septic system violations	<input type="checkbox"/>	<input type="checkbox"/>
SHERIFF	Complaints received	<input type="checkbox"/>	<input type="checkbox"/>
	Citations issued at this establishment	<input type="checkbox"/>	<input type="checkbox"/>
	Owner convicted of a felony within the last 5 years	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

COMMENTS

Signature

Lea A Voss

TO: Lea Voss, County Treasurer
Andrew Brown, County Sheriff
Matt Wyant, County Planning Director

FROM: Gina Hatcher

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TREASURER	Free from certified taxes and special assessments		
PLANNING	Properly zoned		
	Nuisance violations		
	Septic system violations		
SHERIFF	Complaints received		X
	Citations issued at this establishment		X
	Owner convicted of a felony within the last 5 years		X

COMMENTS

Signature

Andrew Brown 287



State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY

Stress Free LLC

NAME OF BUSINESS(DBA)

Bent Tree Golf Course

BUSINESS

(712) 566-9441

ADDRESS OF PREMISES

23797 Highway 6

CITY

Council Bluffs

COUNTY

Pottawattamie

ZIP

51503

MAILING ADDRESS

23579 Highway 6

CITY

Council Bluffs

STATE

Iowa

ZIP

51503

Contact Person

NAME

Manfred Witecy

PHONE

(402) 885-0914

EMAIL

fred.witecy@cox.net

License Information

LICENSE NUMBER

LC0041558

LICENSE/PERMIT TYPE

Class C Liquor License

TERM

12 Month

STATUS

Submitted
to Local
Authority

EFFECTIVE DATE

Mar 9, 2022

EXPIRATION DATE

Mar 8, 2023

LAST DAY OF BUSINESS

SUB-PERMITS

Class C Liquor License



State of Iowa

Alcoholic Beverages Division

PRIVILEGES

Outdoor Service, Sunday Service

Status of Business

BUSINESS TYPE

Limited Liability Company

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Manfred Witecy	Elkhorn	Nebraska	68022	Member/Owner	100.00	Yes

Insurance Company Information

INSURANCE COMPANY

Amco Insurance Company

POLICY EFFECTIVE DATE

Mar 9, 2022

POLICY EXPIRATION DATE

Mar 9, 2023

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE

[Find Property](#) [Res Sales](#) [Comm/Ind Sales](#)

7543 24 401 001

--- Permanent Property Address ---
STRESS FREE LLC
23797 HWY 6
COUNCIL BLUFFS, IA 51503

----- Mailing Address -----
STRESS FREE LLC
ATTN: FRED WITECY
23579 HWY 6
COUNCIL BLUFFS, IA 51503

District: 025 GARNER TWP/TREYNOR SCHOOL

===== REAL ESTATE TAXES ON TREASURER'S WEBPAGE =====

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754324401001>

===== TAX DESCRIPTION* =====

* Not to be used on legal documents

GARNER TWP 24-75-43 PT S1/2 SEC 24 & PT N1/2 SEC 25 COMM 1746.99'E & 33'N SW COR SEC 24 TH N2432.97' ELY3129.02' SE186.19' SW265.14' NW50' S2104.26' W246' SW86.18' S133' W538.64' S530.59' SW461.18' NLY841.02' W699.96' SWLY1845.86' SE487.34' SW166.83' NW1711.9' W473.31' N510.82' NE546.74' E1162.97' N66' TO POB EXC BENT TREE PHASE I & EXC RDS (PARCEL A NE SE & PARCELS B E1/2 SW SEC 24, B & D N1/2 SEC 25)

===== ASSESSED VALUE =====

* Class is for Assessment purposes only - Not Zoning

Current Value

2021	Comm. Land	Improvement	Total	Class
Full Value	\$1,032,000	\$582,200	\$1,614,200	C
Exempt	\$0	\$0	\$0	C
Net Total	\$1,032,000	\$582,200	\$1,614,200	C

Prior Year Value

2020	Comm. Land	Improvement	Total	Class
Full Value	\$1,032,000	\$582,200	\$1,614,200	C
Exempt	\$0	\$0	\$0	C
Net Total	\$1,032,000	\$582,200	\$1,614,200	C

===== EXEMPTIONS/CREDITS APPLIED =====

2020 BPTC

===== OWNERS =====

* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D STRESS FREE LLC book/page: [2015/2363](#) D

===== SALES HISTORY =====

Sale Date	Amount	Code	Book/Page
02/26/2015	1000000	D50	2015/02363
11/15/2006	1	D050	0107/08598
12/27/2005	0	D050	0107/01099
08/23/1998	485100	D000	0099/11340
05/08/1997	723228	D042	0097/42020

===== ASSESSMENT DATA =====

PDF: 10 MAP: GARNER TWP COMM-10

Date Reviewed: 06/26/20 MEC

LAND.....8816544 sqFt 202.4 acres

Commercial Building 1 of 4 -- Golf Course (801) 18 Holes

DBA: BENT TREE GOLF CLUB

STRUCTURE....0 story 0 base SF 0 bsmt SF 0 gross SF

Year Built: 1999 Eff Year: 1999 Condition: Normal

VERTICALS...Ext Wall: Incl. w / Base

Int Wall: Unfinished

WallFace: Incl. w / Walls

Front/Doors: Incl. w / Base

Windows: Incl. w / Base
 HORIZONTALS..Basement: Incl. w / Base
 Roof: Incl. w / Base
 Ceiling: Unfinished
 Partitions: Incl. w / Base
 Framing: Incl. w/ Base
 HVAC: No HVAC

Commercial Building 2 of 4 -- Clubhouse (305)

DBA: BENT TREE GOLF CLUB

STRUCTURE....1 story 5500 base SF 0 bsmt SF 5500 gross SF
 Year Built: 2000 Eff Year: 2000 Condition: Normal

VERTICALS....Ext Wall: Concrete - 8"
 Composition - Frame
 Int Wall: Drywall or Equiv.
 Unfinished

Windows: Aluminum Casement
 HORIZONTALS..Roof: Asph. Shingle/ Wood Dk
 Ceiling: Suspended Blk-M'Ral
 Struc Floor: Concrete
 Floor Cover: Carpet
 Partitions: Retail Store
 Framing: Wood - Average
 HVAC: Combination FHA - AC

PLUMBING.....Toilet Room (2)
 Sink-Kitchen (1)
 Urinal - Wall (3)
 Water Closet (1)
 Lavatory (2)
 Stainless Stl Triple Sinks - 6' (1)

ADJUSTMENTS..Interior - No Finish (450)

BLDG EXTRAS..1 Door: O.H. Door - Manual, 12 Ft Wide, 8 Ft High

Commercial Building 3 of 4 -- Metal Warehouse - Pole Frame (603)

DBA: BENT TREE GOLF CLUB

STRUCTURE....1 story 2700 base SF 0 bsmt SF 2700 gross SF
 Year Built: 1994 Eff Year: 1994 Condition: Normal

VERTICALS....Ext Wall: Metal/ Frm/ Insul (<50' Wide)
 Int Wall: Unfinished
 Drywall or Equiv.

WallFace: Incl. w / Walls
 Front/Doors: Incl. w / Base
 Windows: Aluminum Casement
 HORIZONTALS..Basement: Incl. w / Base
 Roof: Mtl/ Frm/ Insul.
 Ceiling: Unfinished
 Drywall
 Struc Floor: Incl. w/ Base
 Floor Cover: Asphalt Tile
 Partitions: Incl. w / Base
 Framing: Pole Construction
 HVAC: Suspended Gas Unit

PLUMBING.....Rough Plumbing (1)
 Toilet Room (2)
 Sink-Kitchen (1)
 Hot Water Tank - 40-gal (1)

ADJUSTMENTS..Office - internal w/heat only (840)

BLDG EXTRAS..1 DOOR: O.H. Door - Manual, 12 Ft Wide, 10 Ft High

1 DOOR: O.H. Door - Manual, 8 Ft Wide, 8 Ft High

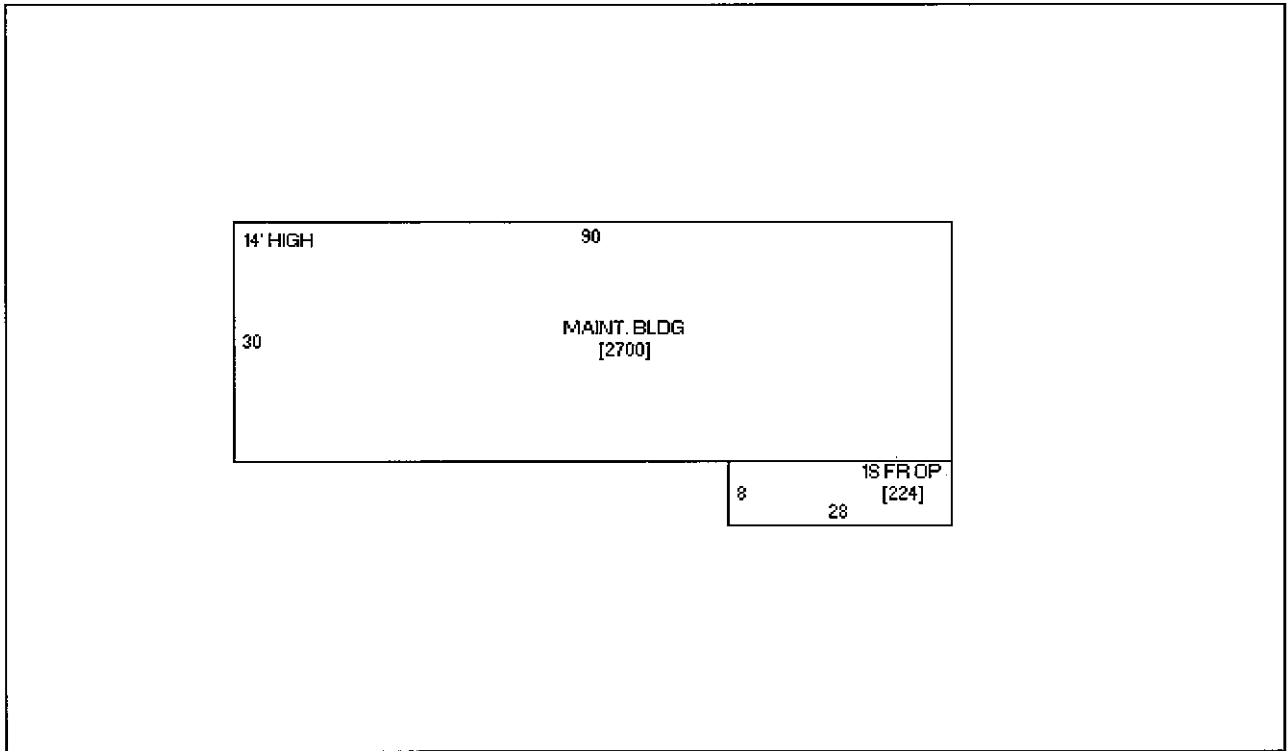
1 PORCH: 224 SF, Porch

Commercial Building 4 of 4 -- Warehouse (701)

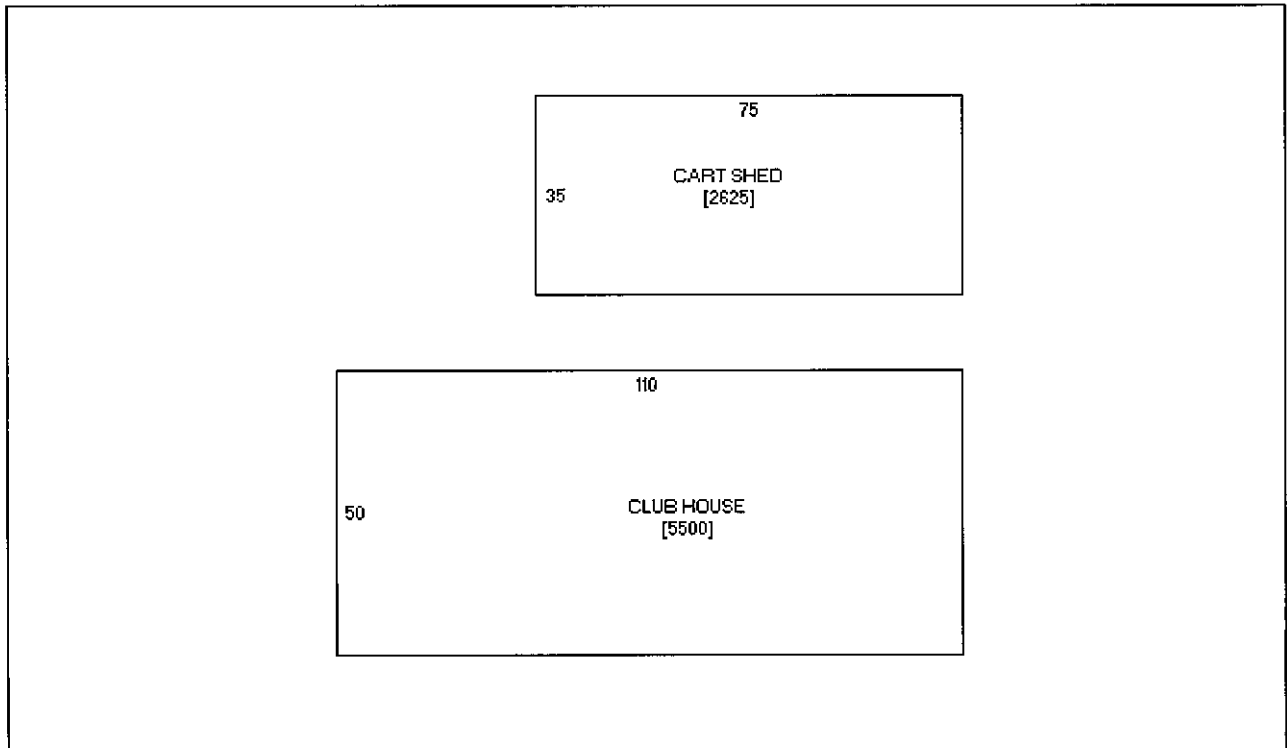
DBA: BENT TREE GOLF CLUB

STRUCTURE....1 story 2625 base SF 0 bsmt SF 2625 gross SF
 Year Built: 2015 Eff Year: 2015 Condition: Normal

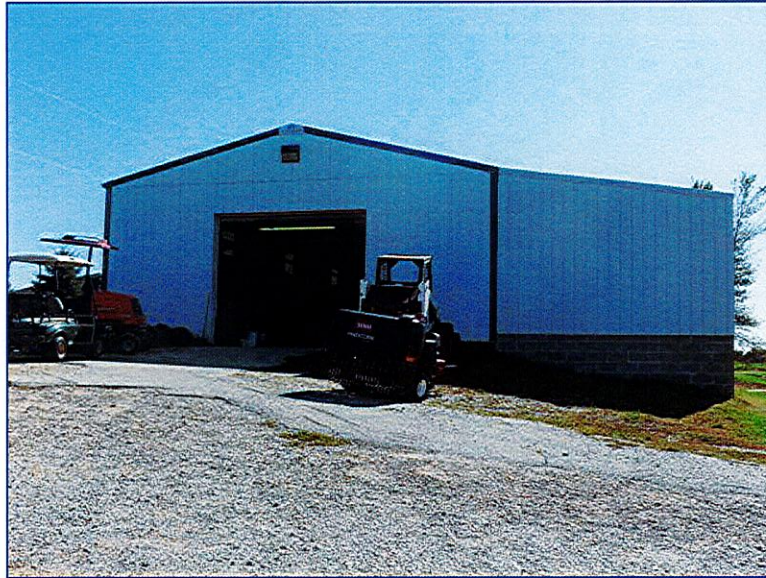
VERTICALS....Ext Wall: Decorative Block - 8" (Rock Face)
 HORIZONTALS..Roof: Asph. Shingle/ Wood Dk
 Struc Floor: R' Concrete
 BLDG EXTRAS..2 Door: O.H. Door - Power, 7 Ft Wide, 10 Ft High
 YARD EXTRAS..Paving 6,600 SF, Asphalt Parking
 Paving 31,952 SF, Concrete Parking, Lighting: Average



23797 HWY 6, STRESS FREE LLC



23797 HWY 6, STRESS FREE LLC



23797 HWY 6, STRESS FREE LLC, 4 10/08/2019



23797 HWY 6, STRESS FREE LLC, 1 06/28/2020



23797 HWY 6, STRESS FREE LLC, 2 06/28/2020



23797 HWY 6, STRESS FREE LLC, 3 06/28/2020

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4800ft x 4800ft

Click any parcel to go to its web page
See [more maps](#) at the [County GIS Department](#).

As of:

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TO: Lea Voss, County Treasurer
Andrew Brown, County Sheriff
Matt Wyant, County Planning Director

FROM: Gina Hatcher

Request for County Department Comments

DATE: March 4th, 2022

ESTABLISHMENT: **RENEWAL- PALACE EVENT CENTER**

OWNER: see attached

LEGAL DESCRIPTION: See attached property record.

The Auditor has received the attached request for the above class permits/sales/services. Please supply the following information for the Board of Supervisors within five (5) working days. Additional explanation may be given in the form of comments below and/or attachments.

DEPARTMENT	COMMENTS	YES	NO
TREASURER	Free from certified taxes and special assessments		
PLANNING	Properly zoned	X	
	Nuisance violations		X
	Septic system violations		X
SHERIFF	Complaints received		
	Citations issued at this establishment		
	Owner convicted of a felony within the last 5 years		

COMMENTS

Signature

MJ 3-8-22

TO: Lea Voss, County Treasurer
Andrew Brown, County Sheriff
Matt Wyant, County Planning Director

FROM: Gina Hatcher

Request for County Department Comments

DATE: March 4th, 2022

ESTABLISHMENT: RENEWAL- PALACE EVENT CENTER

OWNER: see attached

LEGAL DESCRIPTION: See attached property record.

The Auditor has received the attached request for the above class permits/sales/services. Please supply the following information for the Board of Supervisors within five (5) working days. Additional explanation may be given in the form of comments below and/or attachments.

DEPARTMENT	COMMENTS	YES	NO
TREASURER	Free from certified taxes and special assessments	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PLANNING	Properly zoned	<input type="checkbox"/>	<input type="checkbox"/>
	Nuisance violations	<input type="checkbox"/>	<input type="checkbox"/>
	Septic system violations	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
SHERIFF	Complaints received	<input type="checkbox"/>	<input type="checkbox"/>
	Citations issued at this establishment	<input type="checkbox"/>	<input type="checkbox"/>
	Owner convicted of a felony within the last 5 years	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

COMMENTS

Signature

Lea A Voss

TO: Lea Voss, County Treasurer
Andrew Brown, County Sheriff
Matt Wyant, County Planning Director

FROM: Gina Hatcher

Request for County Department Comments

DATE: March 4th, 2022

ESTABLISHMENT: **RENEWAL- PALACE EVENT CENTER**

OWNER: see attached

LEGAL DESCRIPTION: See attached property record.

The Auditor has received the attached request for the above class permits/sales/services. Please supply the following information for the Board of Supervisors within five (5) working days. Additional explanation may be given in the form of comments below and/or attachments.

DEPARTMENT	COMMENTS	YES	NO
TREASURER	Free from certified taxes and special assessments		
PLANNING	Properly zoned		
	Nuisance violations		
	Septic system violations		
SHERIFF	Complaints received		X
	Citations issued at this establishment		X
	Owner convicted of a felony within the last 5 years		X

COMMENTS

Signature

 78-1



Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS
Palace Event Center, LLC	Palace Event Center	(402) 490-1875

ADDRESS OF PREMISES	CITY	COUNTY	ZIP
33153 Highway 92	Treynor	Pottawattamie	51575

MAILING ADDRESS	CITY	STATE	ZIP
33153 Highway 92	Treynor	Iowa	51575

Contact Person

NAME	PHONE	EMAIL
Craig Buckingham	(402) 250-7435	cbuck62@wiaw.net

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
LC0045321	Class C Liquor License	12 Month	Submitted to Local Authority

EFFECTIVE DATE	EXPIRATION DATE	LAST DAY OF BUSINESS
Apr 4, 2022	Apr 3, 2023	

SUB-PERMITS
Class C Liquor License



State of Iowa

Alcoholic Beverages Division

PRIVILEGES

Sunday Service

Status of Business

BUSINESS TYPE

Limited Liability Company

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Penny Buckingham	Treynor	Iowa	51575	Owner	50.00	Yes
Craig Buckingham	Treynor	Iowa	51575	owner	50.00	Yes

Insurance Company Information

INSURANCE COMPANY

Illinois Casualty Co

POLICY EFFECTIVE DATE

Apr 4, 2022

POLICY EXPIRATION DATE

Apr 3, 2023

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE

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7441 10 100 009

--- Permanent Property Address ---
BUCKINGHAM, CRAIG A-PENNY R
33153 HWY 92
TREYNOR, IA 51575

----- Mailing Address -----
BUCKINGHAM, CRAIG A-PENNY R
33153 HWY 92
TREYNOR, IA 51575

District: 073 SILVER CREEK TWP/TREYNOR
District: 073 SILVER CREEK TWP/TREYNOR

=====
REAL ESTATE TAXES ON TREASURER'S WEBPAGE
Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/744110100009>

=====
TAX DESCRIPTION*
* Not to be used on legal documents

SILVER CREEK TWP 10-74-41 PT N1/2 NW COMM 507.53'E 110.86'S OF NW COR OF SECT 10 TH SE58.10'
NE251.86' SW232.31' SE115.03' SW73.09' SE300.36' SW144.62' SE138.73' E151.78' N120' E347.70'
N219.34' NW194.64' SW145.42' NW264.15' SW31.48' NW98.99' NE228.69' NW9.52' NE66.50' SE151.62'
NE300.79' SE943.84' NW219.02' SW642.78' NW934.03' TO POB (PARCEL 21048)

=====
ASSESSED VALUE
* Class is for Assessment purposes only - Not Zoning

2021	Current Value			Total	Ag Acres	Class
	Agri. Land	Dwelling	Improvement			
Full Value	\$14,800	\$189,200	\$38,200	\$242,200	14.910	A/AD
Exempt	\$0	\$0	\$0	\$0	0	A/AD
Net Total	\$14,800	\$189,200	\$38,200	\$242,200	14.910	A/AD

=====
EXEMPTIONS/CREDITS APPLIED
2021 HOMESTEAD

=====
OWNERS
* Book/Page LINKS TO RECORDER'S WEBPAGE

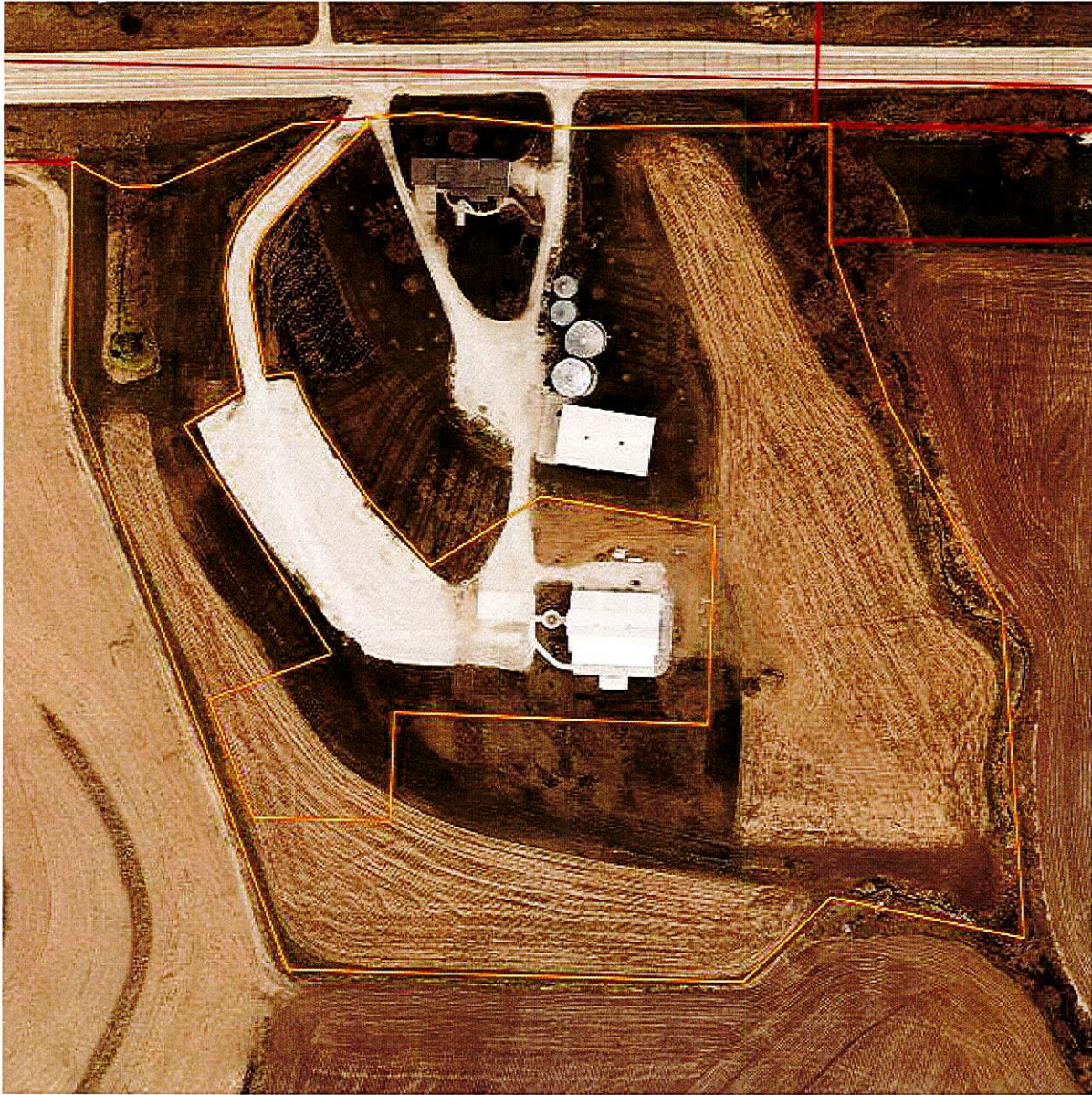
1 D BUCKINGHAM, CRAIG A-PENNY R book/page: [2021/12859](#) D

=====
SALES HISTORY
=====

Sale Date	Amount	Code	Book/Page
08/10/2021	0	D17	2021/12859

=====
ASSESSMENT DATA
=====

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1200ft x 1200ft

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As of:

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Scheduled Sessions

**Becky Lenihan/Tax and Finance Officer,
Auditor's Office.**

Discussion and/or decision to approve and authorize the Board to sign Resolution No. 20-2022, Resolution No. 21-2022, Resolution No. 22-2022, Resolution No. 23-2022, Resolution No. 24-2022, Resolution No. 25-2022 and Resolution 26-2022.

RESOLUTION NO. 20-2022

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$645,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (ESSENTIAL COUNTY PURPOSE #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 \$645,000 General Obligation Capital Loan Notes (Essential County Purpose #1), for the essential county purposes, in order to provide funds to pay the costs of (a) equipping and remodeling the Courthouse including new furniture for the Treasurer; (b) equipping and remodeling the Courthouse including new furniture for GIS; (c) equipping and remodeling the Courthouse including updating the audio/video system hardware and software; (d) equipping and remodeling the Pottawattamie County Jail and Sherriff Office including wiring and networking components; (e) equipping and remodeling the Courthouse including equipping conference room with audio/video system; (f) equipping and remodeling the Sherriff Office addition including computer hardware and software; (g) equipping and remodeling the Sherriff Office addition including new furniture; (h) erecting and equipping the Pottawattamie County Jail and Sherriff Office including construction of a storage shed; and (i) equipping and remodeling the Courthouse including new furniture for Planning, 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 \$645,000 General Obligation Capital Loan Notes (Essential County Purpose #1), 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.

PASSED AND APPROVED this 22nd day of March, 2022.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Tim Wichman, Chairman	<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"/>
_____ 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

RESOLUTION NO. 21-2022

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$245,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (ESSENTIAL COUNTY PURPOSE #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 \$245,000 General Obligation Capital Loan Notes (Essential County Purpose #2), for the essential county purposes, in order to provide funds to pay the costs of peace officer communication equipment and other emergency services communication equipment and systems including a mobile command vehicle, 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 \$245,000 General Obligation Capital Loan Notes (Essential County Purpose #2), 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.

PASSED AND APPROVED this 22nd day of March, 2022.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Tim Wichman, Chairman	<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"/>
_____ 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

RESOLUTION NO. 22-2022

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #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 (General County Purpose #3), for the general county purposes, in order to provide funds to pay the costs of acquiring and equipping new 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 (General County Purpose #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.

PASSED AND APPROVED this 22nd day of March, 2022.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
Tim Wichman, Chairman	<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"/>
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

RESOLUTION NO. 23-2022

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #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 \$300,000 General Obligation Capital Loan Notes (General County Purpose #4), for the general county purposes, in order to provide funds to pay the costs of acquiring and equipping the secondary roads department including mowing equipment, 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 (General County Purpose #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.

PASSED AND APPROVED this 22nd day of March, 2022.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
Tim Wichman, Chairman	<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"/>
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

RESOLUTION NO. 24-2022

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL
ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL
OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #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 \$300,000 General Obligation Capital Loan Notes (General County Purpose #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 improving approximately nine sites and adding approximately ten full hookup sites 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 (General County Purpose #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.

PASSED AND APPROVED this 22nd day of March, 2022.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Tim Wichman, Chairman	<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"/>
_____ 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

RESOLUTION NO. 25-2022

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL
ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$120,000 GENERAL
OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #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 \$120,000 General Obligation Capital Loan Notes (General County Purpose #6), 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 improvement, reconstruction and equipping of existing camping cabins 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 \$120,000 General Obligation Capital Loan Notes (General County Purpose #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.

PASSED AND APPROVED this 22nd day of March, 2022.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
Tim Wichman, Chairman	<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"/>
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

RESOLUTION NO. 26-2022

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$90,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #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 \$90,000 General Obligation Capital Loan Notes (General County Purpose #7), 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 playground equipment 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 \$90,000 General Obligation Capital Loan Notes (General County Purpose #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.

PASSED AND APPROVED this 22nd day of March, 2022.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Tim Wichman, Chairman	<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"/>
_____ 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

**Jana Lemrick/Director, Human Resources
and Suzanne Watson/Director, Community
Services.**

**Discussion and/or decision to review draft
for SWIA MHDS Region for 28E agreement
between the SWIA MHDS Region and
Pottawattamie County.**

28 E Agreement Between Pottawattamie County, Iowa and Southwest Iowa Mental Health and Disability Services Region

This 28E Agreement (“Agreement”) is made and entered into by and between Pottawattamie County, Iowa, (which hereinafter may be referred to as “County” or “Pottawattamie County”) and Southwest Iowa Mental Health and Disability Services Region (which hereinafter may be referred to as “Region” or “SWIA MHDS”) in accordance with provisions of Iowa Code Chapter 28E.

Purpose of Agreement:

SWIA MHDS wishes to retain Pottawattamie County to provide human resources (HR) and Payroll services (“Services”) to include, without limitation, personnel support and administration, payroll management, and benefit administration and seek other services as described in this Agreement. Pottawattamie County will provide these services for all SWIA MHDS staff performing duties of the Region. This Agreement recognizes the responsibilities of Pottawattamie County and SWIA MHDS with regard to employees for SWIA MHDS (“Region employees”).

SWIA MHDS further wishes to retain Pottawattamie County to provide Information Technology (IT) support for the Region.

Pottawattamie County and SWIA MHDS agree to the following terms effective July 1, 2022 (“Effective Date”). This Agreement shall be approved by each party and filed with the Iowa Secretary of State as required by Iowa Code Section 28E.8.

Section 1. Human Resources Administration and Employee On-Boarding Services

- 1.1 Pottawattamie County will provide Services to SWIA MHDS within their payroll software and applications at no additional expense to SWIA MHDS.
- 1.2 As part of the Services, Pottawattamie County will provide full payroll support including, without limitation:
 - Payroll processing and records management, prepare all standard payroll reports after each payroll period
 - All aspects of time and attendance tracking to include paid and unpaid leave time management
 - Prepare all State and Federal tax remitting and filings including W-2s
 - Iowa Public Employees Retirement System (IPERS) administration.
- 1.3 As part of the Services, Pottawattamie County will manage on-boarding of new employees in a manner consistent with all new County employees to include, among other things:
 - Criminal history check through the Iowa Division of Criminal Investigation
 - Driving records check through the Iowa Department of Transportation (~~Do we do this~~)
 - Pre- and Post-employment physicals and drug screening

Section 2. Employee Benefits

- 2.1 As part of the Services, Pottawattamie County will manage all aspects of employee benefits for SWIA MHDS, to the extent the benefits are provided to County employees, including but not limited to:

Commented [SW1]: From Jana: Not necessary to run through IDOT but can be run through our background check company.

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- Health, Dental and Vision Insurance. Any employee cost share will be in accordance with Pottawattamie County policies for its other employees [including the wellness program and applicable discount](#)
- Section 125 Flexible Savings Account
- Group life insurance per Pottawattamie County policies for employees and their dependents
- 457(b) Deferred Compensations plans

2.3 As part of the Services, Pottawattamie County will manage all aspects of:

- COBRA insurance and compliance
- Affordable Care Act compliance
- OSHA regulations and compliance
- Workers compensation, including access to company nurse services to manage workplace injuries and illnesses
- Family Medical Leave Act (FMLA) and compliance

2.4 Employee leave benefits:

SWIA MHDS agrees to adopt Pottawattamie County's paid leave accrual schedules, including vacation, sick, family sick, holidays, and floating holidays for the Region employees. SWIA MHDS shall provide starting vacation and sick leave balances for each Region employee from previous county employer of record to be transferred to employee's starting leave balance account with Pottawattamie County (for the [transferring initial](#) employees being hired 7/1/22).

2.5 Longevity:

The Regions employees shall be entitled to longevity pay in accordance with County policies. Each Region employee's start date of employment for longevity, seniority, vacation, and sick leave accrual shall be the employee's start date with his or her previous county employer.

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Section 3. Employee Policies and Procedures and Employee Management:

3.1 SWIA MHDS agrees to adopt Pottawattamie County Employee Policies and Procedures as defined in the Employee Handbook.

3.2 Discipline.

- Pottawattamie County's Human Resources Department will oversee and conduct any internal and external investigations arising from non-compliance of employee policy or allegations of harassment or discrimination regarding a Region employee. The County will make a formal recommendation for major disciplinary action to SWIA MHDS. (Major disciplinary action means any action resulting in loss of pay for a Region employee, including but not limited to suspension or termination of employment.)
- SWIA MHDS will have the discretion to unilaterally implement minor discipline (verbal and written warnings) on matters concerning employee performance.
- SWIA MHDS shall provide documentation of minor discipline action to the HR office to be retained in the employee's personnel file.

- SWIA MHDS shall consult with Pottawattamie County's Human Resources on major discipline issues that may lead to time off without pay or termination to ensure all ADA, Fair Labor standards and any other state and federal mandates are followed accordingly.
- Pottawattamie County will not supersede a decision of SWIA MHDS regarding employee discipline but will serve in an advisory role regarding employment laws and regulations.

3.3 Pottawattamie County will have oversight of Region employees only to the degree necessary to ensure compliance with State and Federal employment laws and applicable personnel policies. Day to day direction and oversight of Region employees will remain with the SWIA MHDS.

3.4 SWIA MHDS agrees to hold the County free from liability to Region if a SWIA MHDS-specific employee policy, procedure, and/or practice is enforced in accordance with its terms and such terms in any way contradict Pottawattamie County employee policy, procedure, and/or practice and results in a lawsuit involving SWIA MHDS. Should the County incur additional expenses, including but not limited to legal fees or settlement funds, for investigations into SWIA MHDS staff members for harassment, discrimination, or hostile work environment not resulting, in whole or in part, from any actions or inactions of Pottawattamie County those expenses shall be reimbursed to the County by SWIA MHDS.

3.5 SWIA MHDS will maintain its own insurance coverage for any claims of liability due to actions (or inactions) by a Region employee.

Section 4. Employee Compensation

4.1 SWIA MHDS will pay start-up costs of ~~three~~ one months ~~(we could do up to three — up to county)~~ of estimated employee costs to Pottawattamie County prior to the first payroll period for SWIA MHDS staff. Such costs shall be communicated to SWIA MHDS in advance. Pottawattamie County shall invoice SWIA MHDS for the start-up costs. Upon termination of this Agreement, any funds advanced by SWIA MHDS to Pottawattamie County for start-up costs or other employee costs that have not been expended pursuant to the terms of this Agreement shall be promptly refunded to SWIA MHDS.

Commented [SW2]: We may be able to remove this section if can just use Region fund instead of new fund 9 account dept 60. Suzanne will be talking to Becky and DOM about this

4.2 SWIA MHDS agrees that Region employees will be paid at the hourly Step and Grade rate established by Pottawattamie County. Therefore, SWIA MHDS employees will receive wage increases according to Pottawattamie County practices with annual acknowledgement of and approval by the Region Governing Board.

Commented [SW3]: Jana recommended as she believe Region Governing Board would still have final say on all pay practices

4.3 SWIA MHDS Governing Board will set the Chief Executive Officer's salary on an annual basis and will report the amount to Pottawattamie County Board of Supervisors for the annual Employment Agreement effective July 1 of each year.

4.4 SWIA MHDS will promptly pay payroll costs to Pottawattamie County upon receipt of an invoice. Pottawattamie County shall invoice the Region on a quarterly basis.

Commented [SW4]: Same here if can use Region account for payroll, county would only need to bill for work comp and misc.

Section 5. Payment for Services

5.1 SWIA MHDS shall be responsible for development of any budgets for the services provided hereunder and the services and expenses incurred pursuant to this Agreement shall be financed by SWIA MHDS. As consideration for the Services and upon the submission of invoices, within

the payment terms stipulated herein, SWIA MHDS shall pay Pottawattamie County at the rates or in accordance with the milestone-pricing table set forth in Exhibit A. In no event, however, shall the County perform, or receive compensation for additional services not set forth in this Agreement without a written mutual agreed upon modification to this Agreement signed by both parties encompassing such additional services in accordance with Section 6 below.

- 5.2 SWIA MHDS agrees to cover all additional employee-related fees and costs incurred to Pottawattamie County resulting from the performance of this Agreement such as but not limited to: unemployment claims, worker's compensations costs, and pre- and post-employment screening costs for SWIA MHDS staff.
- 5.3 SWIA MHDS agrees to reimburse the County for any costs associated with Human Resources (HR) and Internet Technology (IT) Departments **as set forth in Exhibit A.**

Section 6. Administration

The CEO of SWIA MHDS shall be the administrator of this Agreement.

Section 7. Amendments

Any amendments to this Agreement requires approval in writing from the Pottawattamie County Board of Supervisors and SWIA MHDS Region Governing Board. Changes in Exhibit A Services Cost does not require a new Agreement; however, modifications shall be agreed upon in writing by the parties' respective governing boards.

Section 8. Agreement Term

This Agreement shall commence on the Effective Date and continue for a term of five (5) years. Thereafter, this Agreement shall automatically renew for successive terms of three (3) years, unless terminated sooner pursuant to Section 9 below.

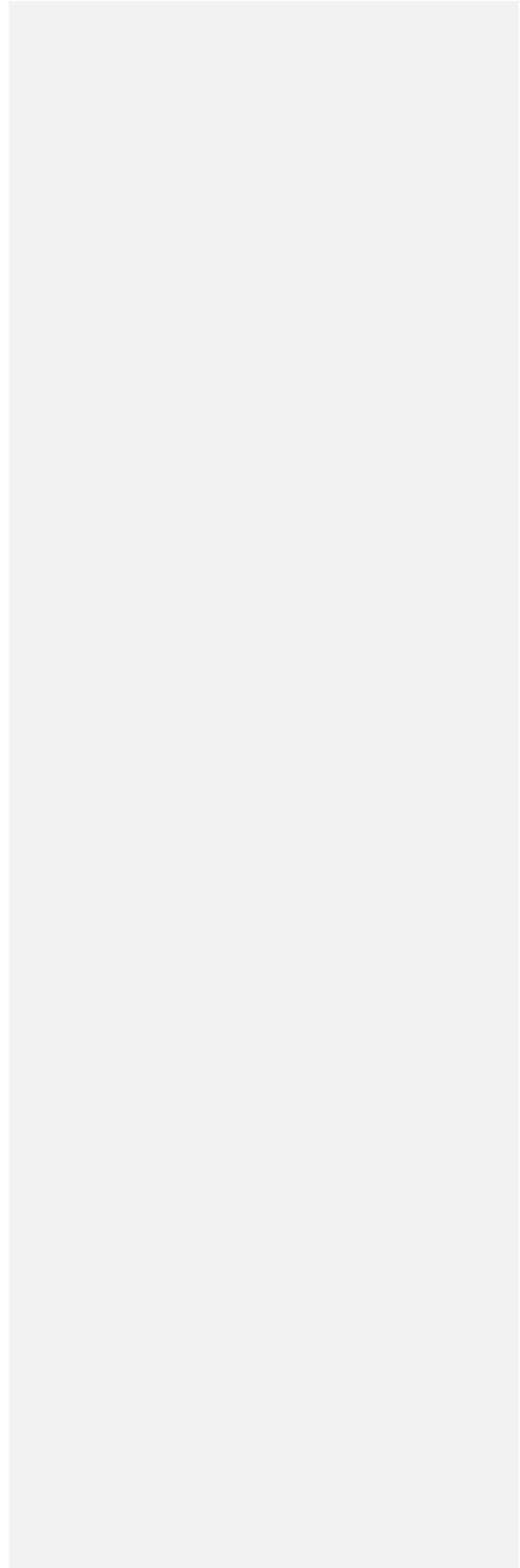
Section 9. Agreement Termination

- 9.1 This Agreement may be terminated by either party in the event the other party fails to perform its obligations hereunder, fails to assure timely performance, or otherwise fails to perform its material obligations, provided, however that prior to such termination the terminating party notifies the defaulting party in writing 90 days in advance.
- 9.2 This Agreement shall end if action of the federal or state government creates a situation where SWIA MHD can no longer function under this Agreement.
- 9.3 This Agreement may be terminated without cause by either party with written notice no later than December 1 prior to the fiscal year that the termination will become effective, resulting in a minimum seven-month notice.
- 9.4 Upon termination of this Agreement, SWIA MHD shall have no liability for such termination except for liability for Services rendered or expenses incurred by the County in accordance with this Agreement prior to the effective date of such termination and for which payment has not been made.

Section 10. Miscellaneous

- 10.1 This Agreement constitutes the entire agreement between the parties hereto pertaining to the subject matter hereof and supersedes all negotiations, preliminary agreements and all prior and contemporaneous discussion and understands of the parties in connection with the subject matter hereof. ~~(seems a bit unnecessary, but I left it in just in case).~~
- 10.2 Nothing in this Agreement, express or implied, is intended to confer upon any party, other than the parties hereto (and their respective heirs, legal representatives, successors and permitted assigns), any right, remedies, obligations or liabilities under or by reason of this Agreement.
- 10.3 The rights and obligations of the parties to this Agreement may not be assigned or subcontracted unless such assignment or subcontract is in writing and consented to by the parties hereto. Any assignment not in accordance with this Section 10.3 shall be null and void.
- 10.4 This Agreement is not intended to create a joint employer relationship between the County, SWIA MHD, and any Region employee. The purpose of this Agreement is to reduce costs and streamline administrative processes for SWIA MHD by using the County's HR and Services, and by adopting the County's employment policies and procedures.
- 10.5 Any notice or demand desired or required to be given hereunder shall be in writing and deemed given when personally delivered or when deposited in the United States mail, postage prepaid, sent certified or registered, and addressed as follows:
- (a) If Pottawattamie County, to:
Pottawattamie County Auditor
226 South 6th St.
Council Bluffs, IA 51501
Attn: Auditor
 - (b) If to SWIA MHDS, to:
Southwest Iowa MHDS Region
227 S. 6th St., Suite 128
Council Bluffs, IA 51501
Attn: Chief Executive Officer
- 10.6 All real and personal property of each party that may be used in connection with the cooperative undertaking described in this Agreement shall remain the property of each such party during the term and after the termination of this Agreement.

SIGNATURE PAGE



**28E Agreement Between Pottawattamie County, Iowa and
Southwest Iowa Mental Health and Disability Services Region**

Exhibit A

Services Cost

~~How will HR Director charge time to Region?~~

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~~Do we want to work in IT to this agreement as they will be billing region as well. If so, need to add in body of agreement.~~

CICS added a New hire on boarding fee of \$50.00 per employee and a Payroll and standard HR services, up to 40 employees...3% of SWIA MHDS monthly total payroll cost to include wages and salaries only (this does not include FICA, IPERS, Insurance) — this did this to include Work Compensation but we plan to reimburse actuals for that.

Information Technology (IT)

_____ IT support fees are calculated using the employee rate multiplied by the number of hours each work order (ticket) takes to complete. County IT will bill monthly for support fees.

_____ Microsoft 365 subscription is billed to IT monthly. The subscription is based on the number of licenses needed per employee working on behalf of the Region. County IT will forward the monthly subscription amount to the Region for payment (or reimbursement).

Human Resources (HR)

_____ Fees are calculated using the HR Director hourly rate and billed to the Region on a monthly basis. HR work may include but is not limited to hiring/on-boarding of new employees, HR consulting requests made by the Region and any work pertaining only to employees working on behalf of the Region.

Auditor

_____ Pottawattamie County will receive \$% for Fiscal Agent fees.

_____ Pottawattamie County will receive \$% for payroll fees.

**Matt Wyant/Director, Planning and
Development.**

**Discussion and/or approval of contract
extension with Witt O'Brien for FEMA
representation.**

AMENDMENT 2
To Emergency Purchasing Agreement

This amendment ("Amendment") is made by and between **Witt O'Brien's, LLC**, with a mailing address of 818 Town & Country Blvd., Suite 200, Houston, Texas 77024 ("the Consultant"), and **Pottawattamie County** (the "Client"), collectively "the parties," modifies the Emergency Purchasing Agreement entered into by the parties on June 16, 2020("Agreement"). This Amendment is effective on December 21, 2021.

The parties hereby agree that the Agreement shall be amended as follows:

Clause 1.a. The Period of performance shall be extended from the expiration date of December 31, 2021, to June 30, 2022.

Except as set forth in this Amendment, the Agreement and Amendment 1 is unaffected and shall continue in full force and effect in accordance with its terms.

IN WITNESS WHEREOF, Client and Consultant have caused this Amendment to be executed by their duly authorized representatives.

Pottawattamie County

Witt O'Brien's, LLC

Signature

Signature

Name and Title

Jonathan Hoyes, Senior Managing Director_____
Name and Title

Other Business

**Mark Shoemaker/Director, Conservation and
Matt Wyant/Director, Planning and
Development.**

**Discussion and/or approval to accept the
agreement of donated property from Jack
Links and to authorize Board Chairman to
sign offer to donate.**




March 11, 2022

To Whom It May Concern,

I write to acknowledge the desire by Link Snacks, Inc. ("Link Snacks") to donate to Pottawattamie County, Iowa, the parcel of land referred to as Parcel No. 3 in the attached Offer to Donate. Link Snacks' offer is limited to all rights affecting Parcel No. 3 without prejudice to the rights of use and alienation on any portion of the remaining Link Snacks property which adjoins Parcel No. 3. This offer is made in reliance on representations from Pottawattamie County that Link Snacks will be afforded naming and signage rights on any portion of a trail which is constructed by Pottawattamie County or the State of Iowa on Parcel No. 3.

Respectfully,

 . 3/11/2022

Kevin McAdams



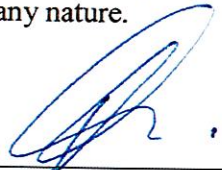
OFFER TO DONATE

Project Number/Name: Parcel No. 3 on the attached survey recorded in Book 89, Page 24354 of the Pottawattamie County Recorder Office and attached description, to be used as a portion of a bicycle trail system.

Parcel Owner Name: Links Snacks, Inc.

Agreement to donate real estate

As owners of real estate needed for the above referenced project and parcel and acknowledging the fact that we are entitled to just compensation based upon the state's approved appraisal of the subject real estate, nevertheless, desire to donate the property. This donation is made in reliance on the understanding that Pottawattamie County will provide naming rights to the portion of any trail, which is constructed on Parcel No. 3. We will execute the necessary conveyance instruments to transfer the property. This donation to Pottawattamie County is made without any coercive action of any nature.



3/11/2022

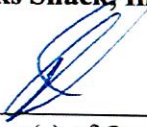
Signature(s) of Owner
Kevin McAdams, President, North America

Date

Agreement to waive the right to a further appraisal of the property

As owners of real estate needed for the above referenced project and parcel we are entitled to just compensation, nevertheless, desire to donate the property and waive the right to a further appraisal. We will execute the necessary conveyance instruments to transfer said property. This donation to Pottawattamie County is made without any coercive action of any nature.

***Appraisal of the property was completed by and at the expense of Pottawattamie County and provided to Links Snack, Inc.**



3/11/2022

Signature(s) of Owner(s)
Kevin McAdams, President, North America

Date

This section for internal use only and to be completed by the right of way acquisition agent.

On _____, 2022, I offered (Property Owner), who is/are the _____ of the property, an opportunity to donate property by:

- personal contact telephone letter

The offer was: accepted declined

Pottawattamie County - Acquisition Agent

IDENTIFICATION OF SUBJECT PROPERTY

Also shown as Parcel No. 3 on the attached survey recorded in Book 89, Page 24354 of the Pottawattamie County Recorder Office

ALL THAT PORTION OF THE ABANDONED RIGHT-OF-WAY OF THE CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD COMPANY OVER, ACROSS AND THROUGH THE NW $\frac{1}{4}$ NW $\frac{1}{4}$, EXCEPT THE NORTH 400 FEET THEREOF, AND THE SW $\frac{1}{4}$ NW $\frac{1}{4}$, ALL IN SECTION 21, AND SE $\frac{1}{4}$ NE $\frac{1}{4}$ AND NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ ALL IN SECTION 20, ALL IN TOWNSHIP 76, RANGE 42, POTTAWATTAMIE COUNTY, IOWA. SAID RIGHT-OF-WAY IS MORE PARTICULARLY DESCRIBED AS A STRIP OF LAND 100 FEET WIDE BEING 50 FEET ON EACH SIDE OF THE CENTERLINE OF SAID RAILROAD COMPANY'S MAIN TRACK AS FORMERLY LOCATED, MAINTAINED AND OPERATED OVER, ACROSS AND THROUGH THE ABOVE DESCRIBED REAL ESTATE, AND WHICH WAS ABANDONED BY SAID RAILROAD IN 1950.

AND ALSO MORE PARTICULARLY DESCRIBED IN SURVEY, AS FOLLOWS:

A PARCEL OF LAND LYING BETWEEN HIGHWAY 191 AND THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD LOCATED IN THE NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 21 AND THE SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 20, ALL IN TOWNSHIP 76, RANGE 42, POTTAWATTAMIE COUNTY, IOWA, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH $\frac{1}{4}$ CORNER OF SAID SECTION 21 THENCE SOUTH 89 DEGREES 56'30" WEST ALONG THE NORTH LINE OF THE NW $\frac{1}{4}$ OF SAID SECTION 21, AND CENTERLINE OF A COUNTY ROAD A DISTANCE OF 1588.93 FEET, THENCE SOUTH 63 DEGREES 01'04" WEST A DISTANCE OF 134.39 FEET, THENCE SOUTH 26 DEGREES 26'21" WEST A DISTANCE OF 231.62 FEET TO THE BEGINNING OF A CIRCULAR CURVE WITH A RADIUS OF 2935.0 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE CONCAVE NORTHWESTERLY A DISTANCE OF 149.30 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTHWESTERLY ALONG SAID CURVE A DISTANCE OF 116.17 FEET; THENCE SOUTH 31 DEGREES 37'19" WEST A DISTANCE OF 4077.98 FEET TO A POINT ON THE SOUTH LINE OF THE NW $\frac{1}{4}$ SE $\frac{1}{4}$ OF SAID SECTION 20; THENCE SOUTH 89 DEGREES 41'03" EAST ALONG SAID SOUTH LINE A DISTANCE OF 73.66 FEET; THENCE NORTH 31 DEGREES 36'30" EAST A DISTANCE OF 3829.98 FEET TO THE BEGINNING OF A SPIRAL CURVE, THENCE NORTHEASTERLY A DISTANCE OF 195.85 FEET ALONG SAID SPIRAL CURVE CONCAVE SOUTHEASTERLY WITH A SPIRAL ANGLE OF 00 DEGREES 29'15" TO THE BEGINNING OF A CIRCULAR CURVE; THENCE NORTHEASTERLY A DISTANCE OF 171.63 FEET ALONG SAID CURVE CONCAVE SOUTHEASTERLY WITH A RADIUS OF 11509.16 FEET; THENCE SOUTH 89 DEGREES 56'30" WEST A DISTANCE OF 79.29 FEET TO THE POINT OF BEGINNING. THE NORTH LINE OF THE NW $\frac{1}{4}$ AT SAID SECTION 21 IS ASSUMED TO BEAR SOUTH 89 DEGREES 56'30" WEST. THIS PARCEL CONTAINS 6.03 ACRES MORE OR LESS.

OWNERSHIP DATA

On November 11, 2011, a Special Warranty Deed was filed in Pottawattamie Record Book 2011, Page 14730 transferring this property from Oriental Trading Company, Inc. to Link Snacks, Inc.

**John Rasmussen/Engineer and Josh
Billings/Public Works, Hancock.**

**Discussion and/or decision on the property
and building of the old secondary roads shed
in Hancock.**

**John Rasmussen/Engineer and Matt
Wyant/Director, Planning and Development
and Josh Billings/Public Works, Hancock.**

**Discussion and/or decision on the property
of the old transfer station site.**

Cheri Dahleim/Chief Investigator,
Coordinator for Medical Examiner Office.

**Discussion and/or decision regarding On Call
and Removal policy revisions.**

Pottawattamie County Medical Examiner's Office

Title: Removal/Transport of Decedents

Policy Number: 601

Effective Date: January 11, 2012

Revision Date: March 1, 2022

Authorized by: Board of Supervisor's (January 17, 2012)

Policy:

It is the policy of the Pottawattamie County Medical Examiner's Office to contact funeral homes to remove decedents from death scenes and to transport, when requested, the decedents to/from the Iowa Office of the State Medical Examiner in Ankeny, IA, in accordance with the guidelines and responsibilities established below.

Definitions:

PCMEO – Pottawattamie County Medical Examiner's Office

IOSME – Iowa Office of the State Medical Examiner

NOK – next of kin; designee as defined in Iowa Code 144C.5

Death scene – physical location of the decedent

Removal of Decedents – see PCMEO Policy Number 601; removal of decedents from death scene

On-call funeral home – see PCMEO Policy Number: 602; On-Call Funeral Home

Unclaimed body – see PCMEO Policy Number 603: Unclaimed/Unidentified Decedent

Policy 601: Removal of the decedents from death scene

Guidelines:

When the PCMEO investigates and subsequently declines jurisdiction of a decedent, the PCMEO will attempt to locate the NOK to arrange for the removal of the decedent from the death scene.

- When the NOK is present or has been notified of a death, they may request the services of a specific funeral home for the removal of the decedent from the death scene. The funeral home chosen by the NOK will be notified by the PCMEO to respond to the death scene and remove the decedent.
 - If the funeral home chosen by the NOK is located more than 30 miles away from Pottawattamie County, the funeral home will be notified of the death and if they do not have a funeral home to partner within Pottawattamie County, the PCMEO may elect to contact the on-call funeral home for the removal. The on-call funeral home shall make arrangements with the funeral home chosen by the NOK to receive the decedent. Any costs, including removal, incurred by the on-call funeral home shall be forwarded to the funeral home chosen by the NOK for payment.
- When the NOK is unavailable or unwilling to request a specific funeral home, or when the NOK is not notified or is unknown at the time of the removal, the PCMEO will assume temporary responsibility for the removal of the decedent and notify the on-call funeral home to remove the decedent from the death scene.
 - When the removal of the decedent has been completed by the on-call funeral home and the NOK selects the on-call funeral home for the decedent's final disposition, any costs, including removal, incurred by the on-call funeral home shall be forwarded to the NOK for payment.
 - When the removal of the decedent has been completed by the on-call funeral home and the NOK selects a funeral home other than the on-call funeral home for the decedent's final disposition, the on-call funeral home shall make arrangements with the funeral home chosen by NOK to receive the decedent. PCMEO will reimburse the on call funeral home for a removal fee of \$150.00. Any other costs incurred by the on-call funeral home shall be forwarded to the funeral home chosen by the NOK for payment.
 - When the removal of the decedent has been completed by the on-call funeral home and the decedent remains unclaimed for 36 hours refer to PCMEO Policy Number 603: Unclaimed/Unidentified Decedent.

Responsibilities:

PCMEO shall be responsible for the following:

- Contact the funeral home requested by the NOK or the on-call funeral home.
- Provide the funeral home with the decedent's information.
- Provide body bag to on-call funeral home in cases where necessary.
- Ensure the removal of the decedent by the funeral home.

Funeral home shall be responsible for the following:

- Respond to the death scene.
- Remove the decedent from the death scene.
- Should NOK choose another funeral home for disposition of decedent, On Call funeral home will coordinate release of decedent to receiving funeral home and bill PCMEO for on call removal fee and receiving funeral home for removal expense.

Reimbursements:

The NOK assumes the financial responsibility for funeral home incurred costs, including the removal, to be billed to NOK only by the funeral home completing final disposition. If funeral home handling removal is not funeral home that handles final disposition, funeral home that completed removal will bill PCMEO \$150.00 on call removal fee, and receiving funeral home for removal fees.

For reimbursements regarding unclaimed decedents, refer to PCMEO Policy Number 603: Unclaimed/Unidentified Decedent.

Policy 601: Transport of the decedent from death scene to/from the Iowa Office of the State Medical Examiner

Guidelines:

When the PCMEO requests an autopsy of a decedent to be performed at the IOSME, the PCMEO will attempt to locate the NOK to arrange for the transportation of the decedent from the death scene to/from the IOSME.

Transport to the IOSME:

- When the NOK is present or has been notified of a death, they may request the services of a specific funeral home for transport of the decedent from the death scene to the IOSME. The funeral home chosen by the NOK will be notified by the PCMEO to respond to the death scene and transport the decedent to the IOSME.
 - If the funeral home chosen by the NOK is located more than 30 miles away from Pottawattamie County, the funeral home will be notified of the death and if they do not have a funeral home to partner with in Pottawattamie County, the PCMEO may elect to contact the on-call funeral home for transport.
- When the NOK is unavailable or unwilling to request a specific funeral home, or when the NOK is not notified or is unknown at the time of transport, the PCMEO will notify the on-call funeral home to transport the decedent from the death scene to the IOSME.

Transport from the IOSME:

- When the NOK selects a funeral home for the decedent's final disposition, the selected funeral home is responsible for contacting the IOSME and transporting the decedent from the IOSME to the funeral home.

Responsibilities:

PCMEO shall be responsible for the following:

- Contact the funeral home requested by the NOK or the on-call funeral home.
- Provide the funeral home with the decedent's information.
- Provide a body bag where necessary.
- Ensure the placement of an identification tag* on the decedent and on the outside of the body bag.
- Ensure the placement of a lock tag* on the outside of the body bag.
- Ensure the removal of the decedent by the funeral home.

Funeral home shall be responsible for the following:

- Respond to the death scene.
- Immediate transport of the decedent to the IOSME, unless otherwise arranged with IOSME by PCMEO Investigator.
- Contact the IOSME to determine the release date and time of the decedent for retrieval.

Reimbursements:

Funeral home requests for reimbursement of costs incurred must be submitted in writing to the PCMEO.

- Transport of a decedent to the IOSME is eligible for reimbursement up to \$450.00 paid by the PCMEO.
- Transport of a decedent from the IOSME is eligible for reimbursement up to \$300.00 paid by the PCMEO.
- Cost of removal is financial responsibility of NOK. Funeral home completing final disposition is responsible for billing NOK. Funeral home that completes on call removal but not final disposition is to bill PCMEO for on call removal fee of \$150.00 and receiving funeral home for removal fees.
- PCMEO is not responsible for paying a removal fee where NOK has requested the funeral home.

Pottawattamie County Medical Examiner's Office

Title: On-Call Funeral Home

Policy Number: 602

Effective Date: January 11, 2012

Revision Date: March 1, 2022

Authorized by: Board of Supervisors (January 17, 2012)

Policy:

It is the policy of the Pottawattamie County Medical Examiner's Office to identify certain funeral homes who shall be designated as an on-call funeral home and act under the direction of the Pottawattamie County Medical Examiner's Office.

Definitions:

PCMEO – Pottawattamie County Medical Examiner's Office

NOK – next of kin; designee as defined in Iowa Code 144C.5

Death scene – physical location of the decedent

Policy 602: On-call funeral home designation

Guidelines:

A funeral home located within Pottawattamie County has the opportunity to be an on-call funeral home by agreeing to the terms and conditions in this policy.

- The list of PCMEO on-call funeral home(s) will be reviewed and renewed annually.
- The PCMEO will make the schedule and designate the response area in accordance with the location and availability of the on-call funeral home(s).
- The PCMEO assumes responsibility of the decedent until NOK assumes responsibility.
- The PCMEO reserves the right to remove an on-call funeral home from the list.

Responsibilities:

PCMEO shall be responsible for the following:

- Review the policy annually with Pottawattamie County funeral homes and send letters of intent by December 1 the year prior for funeral homes to indicate participation in the on call rotation for the upcoming year.
- **Provide body bags for on call funeral home removals, where necessary.**

Funeral home shall be responsible for the following:

- Respond to the death scene and remove and/or transport the decedent in accordance with the Guidelines, Responsibilities, and Reimbursements set forth in PCMEO Policy: 601; Removal/Transport of Decedents.
- Ability to store the decedent in a refrigerated and secure location until notified by the PCMEO, NOK, or the funeral home chosen by NOK.
- Contact the PCMEO if there is no contact from the NOK or the funeral home chosen by the NOK within 36 hours.
- Accept the possibility of removing and storing a decedent who qualifies as an unclaimed decedent under PCMEO Policy Number: 603; Unclaimed/Unidentified Decedent.
- If requested, complete unclaimed decedent final disposition in accordance with the Guidelines, Responsibilities, and Reimbursements set in PCMEO Policy 603: Unclaimed and or Unidentified Decedents.
- Refrain from soliciting the NOK unless contact is initiated by the NOK.
- **Release the decedent to the funeral home chosen by the NOK, if different. Expenses for on call removal of decedent will be billed to PCMEO and removal fees will be billed to the receiving funeral home.**

Reimbursements:

PCMEO will pay \$150.00 to the on call funeral home for removals. PCMEO is not responsible for paying a removal fee where NOK has requested the funeral home.

Received/Filed

BUDGET DISCUSSION

Discussion only

Closed Session