

July 26, 2022

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M. All members present. Chairman Wichman presiding.

9:30 A.M. Closed Sessions

Motion by Schultz, second by Shea, to go into Closed Session pursuant to Iowa Code §21.5(1)(c) - discussion on potential litigation.

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

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

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

Motion by Shea, second by Grobe, to go into Closed Session pursuant to Iowa Code §21.5(1)(c) - discussion on potential litigation.

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

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

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

PLEDGE OF ALLEGIANCE

10:00 A.M. Regular Meeting

1. CONSENT AGENDA

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

- A. July 19, 2022, Minutes as read.
- B. Secondary Roads – Payroll status change for Kristina Treantos.

2. SCHEDULED SESSIONS

After discussion was held by the Board, a motion was made by Shea, second by Schultz, to approve property swap with the Historical Society of Pottawattamie County.

UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a motion was made by Shea, second by Schultz, to approve HGM's proposal on engineering fees for the Courthouse Parking Lot Reconstruction Project in the amount of \$44,700.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve Second Consideration of Ordinance No. 2022-02, an Ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa by changing the district designation of approximately 3.91 acres from a Class R-2 (Urban Transitional) to a Class C-2 (General Commercial) District; and to adopt Ordinance No. 2022-02 into law. Said ordinance is laid out as follows:

**POTTAWATTAMIE COUNTY, IOWA
ORDINANCE NO. 2022-02**

AN ORDINANCE to amend the Official Zoning Map of Pottawattamie County, Iowa, by changing the district designation of approximately 3.91 acres from a Class R-2 (Urban Transitional) District to a Class C-2 (General Commercial) 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 C-2 (General Commercial) District of certain real estate, as shown on the attached plat and which is legally described as follows:

28-75-43 LT 6 NW SE LT 1 SW SE N OF HWY EXC COMM NE COR LT 6 W313' S TO R OF WAY
LINE HWY 6 NELY TO POB

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.

PASSED AND APPROVED.

	<u>ROLL CALL VOTE</u>			
	AYE	NAY	ABSTAIN	ABSENT
_____ Tim Wichman, 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"/>
_____ Lynn Grobe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Brian Shea	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Scott Belt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

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

Motion by Schultz, second by Shea, to approve Second Consideration of Ordinance No. 2022-03, and Ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa by changing the district designation of approximately 2.391 acres from a Class A-3 (Riverfront & Ag Production) to a Class I-1 (Limited Industrial) District; and to adopt Ordinance No. 2022-03 into law. Said ordinance is laid out as follows:

**POTTAWATTAMIE COUNTY, IOWA
ORDINANCE NO. 2022-03**

AN ORDINANCE to amend the Official Zoning Map of Pottawattamie County, Iowa, by changing the district designation of approximately 2.391 acres from a Class A-3 (Riverfront & Ag Production) 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 A-3 (Riverfront and Agricultural Production) 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:

Part of NE NW 17-74-43 LYING SWLY OF NORFOLK & WESTERN RR EXC CBEC RR

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.

PASSED AND APPROVED.

ROLL CALL VOTE

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

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

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

Motion by Shea, second by Belt, to approve **Resolution No. 50-2022** entitled: Resolution for participation in SS4A grant application. A grant to develop a Road Safety Action Plan for Pottawattamie County.

RESOLUTION NO. 50-2022

RESOLUTION FOR PARTICIPATION IN SS4A GRANT APPLICATION

WHEREAS, as part of the new Federal Transportation Bill, Infrastructure Investment and Jobs Act (IIJA), there is over \$1B of roadway safety funding available in the form of Safe Streets and Roads for All (SS4A) grants. To be an eligible applicant for this new safety funding, a county MUST have an eligible Action Plan in place; and

WHEREAS, the Iowa County Engineers Association (ICEA) plans to apply for a SS4A grant to develop and supply all 99 counties in Iowa with an eligible Action Plan at no cost to the counties. ICEA encourages all 99 counties to participate in this grant application; and

WHEREAS, the Pottawattamie County Board of Supervisors will commit to achieve significant declines in roadway fatalities and serious injuries in Pottawattamie County; and

WHEREAS, the Pottawattamie County Board of Supervisors recognizes the Action Plan and will assist the County Engineer’s department in achieving the goal of a dramatic decrease in roadway fatalities and serious injuries and zero roadway fatalities and serious injuries by the years 2030 and 2050, respectively; and

WHEREAS, the Pottawattamie County Board of Supervisors, after consulting with the Pottawattamie County Engineer, desires to participate in a joint SS4A grant to develop and receive an eligible Action Plan for Pottawattamie County.

THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY that this County does hereby request to be included in the statewide SS4A grant to develop Actions Plans for all 99 counties in Iowa.

PASSED AND APPROVED this 26th day of July, 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"/>
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Lynn Grobe

Justin Schultz

○ ○ ○ ○

Brian Shea

○ ○ ○ ○

ATTEST: _____

Melvyn J. Houser, County Auditor

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

3. OTHER

Motion by Shea, second by Belt, to approve and authorize Board Chairman to sign final Carson-Macedonia downtown rehab pay applications for Cornerstone Commercial Contractors, The Franks Design Group, and MAPA.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Belt, to approve funding for MAPA Member County Requisition for first half of FY 22/23 in the amount of \$22,948.50.

UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Action(s):

- 1) Attorney – Payroll status change for Brett Wessels
- 2) Veteran Affairs – Payroll status change for out of class pay for Peggy Becker

B. Reports

- 1) Sheriff’s Report of Fees Disbursed and Collected for June 2022.

5. PUBLIC COMMENTS

No public comments.

6. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 10:36 A.M.

Tim Wichman, Chairman

ATTEST: _____

Melvyn Houser, Pottawattamie County Auditor

APPROVED: August 2, 2022

PUBLISH: X