

January 3, 2022

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. December 28, 2021, Minutes as read.
- B. December 30, 2021, Minutes as read.
- C. Secondary Roads – Employment of Shane Smith as Full-Time Equipment Operator.
- D. Sheriff – Employment of Richard Mayer Sr as Part-Time Entry Security Personnel.

UNANIMOUS VOTE Motion Carried.

Amend next year session to add 21.5(1)(c) for possible litigation.

Motion by Wichman, second by Shea, to amend next year session to add 21.5(1)(c) for possible litigation.

UNANIMOUS VOTE Motion Carried.

Motion by Wichman, second by Shea, to adjourn Sine Die.

UNANIMOUS VOTE. Motion Carried

Scott A. Belt, Chairman

ATTEST:

Melvyn Houser, County Auditor

January 3, 2022

MET IN REGULAR SESSION

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

2. SCHEDULED SESSIONS

Motion by Schultz, second by Shea, to appoint Melvyn Houser, County Auditor, as Temporary Chairperson for the election of a new Board Chairman and Chairman Pro-Tem for the year 2022.

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

Houser announced nominations are now in order for the office of Chairman for 2022.

Wichman was nominated by Shea.

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

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

Wichman was elected Chairman for 2022.

Houser announced nominations are now in order for the office of Chairperson Pro-Tem for 2022.

Shea was nominated by Belt.

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

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

Shea was elected Chairman Pro-Tem for 2022.

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

Motion by Shea, second by Belt, to approve Second Consideration of **Ordinance No. 2021-10**, AN ORDINANCE to amend Chapter 5.30, Flood Plain Management, and to adopt said Ordinance into law.

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

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

Motion by Shea, second by Schultz, to approve and authorize Board to sign **Resolution No. 06-2022**, entitled: Resolution Authorizing the County Engineer to Close Secondary Roads for Construction and/or Maintenance. Said Resolution is set out as follows:

RESOLUTION NO. 06-2022

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

WHEREAS, Section 306.41 of the Code of Iowa, 2002, provides that “The agency having jurisdiction and control over any highway in the state, or the chief engineer of said agency when delegated by such agency, may temporarily close sections of a highway by formal resolution entered upon the minutes of such agency when reasonably necessary because of construction, reconstruction, maintenance, or natural disaster and shall cause to be erected ROAD CLOSED signs and partial or total barricades in the roadway at each end of the closed highway section and on the closed highway where that highway is intersected by other highways if such intersection remains open. Any numbered road closed over forty-eight hours shall have a designated detour route. The agency having jurisdiction over a section of highway closed in accordance with the provisions of

this section, or the persons or contractors employed to carry out the construction, reconstruction, or maintenance of the closed section of highway, shall not be liable for any damages to any vehicle that enters the closed section of highway or the contents of such vehicle or for any injuries to any person that enters the closed section of highway, unless the damages are caused by gross negligence of the agency or contractor.”

NOW THEREFORE BE IT RESOLVED by the Pottawattamie County Board of Supervisors in session this 3rd day of January, 2022, that the County Engineer be authorized to close Pottawattamie County Secondary roads as necessary with the actual dates of closure to be determined by the County Engineer as follows:

For Construction: Any project as described in the approved “Pottawattamie County Secondary Road Construction Program for the fiscal year 2022-2023, and any approved supplements thereto.”

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

Dated this 3rd day of January, 2022.

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

ATTEST: _____
Melvyn Houser, County Auditor

RECOMMENDED: _____
Pottawattamie County Engineer

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

Motion by Shea, second by Schultz, to approve and authorize Board to sign **Resolution No. 07-2022**, entitled: Resolution to Authorize the County Engineer to Certify Completion Papers and Make Final Acceptance of Contract Work on the Farm to Market and Federal Aid Systems. Said Resolution is set out as follows:

RESOLUTION NO. 07-2022

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

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

NOW THEREFORE BE IT RESOLVED by the Pottawattamie County Board of Supervisors in session this 3rd day of January, 2022, that said County Engineer John A. Rasmussen, be and is hereby designated, authorized, and empowered on behalf of the Pottawattamie County Board of Supervisors to execute the Certification of Completion of Work and Final Acceptance thereof in accordance with plans and specifications therefore in connection with all Farm to Market and Federal Aid construction projects in Pottawattamie County for the year 2022.

Dated this 3rd day of January, 2022.

| | ROLL CALL VOTE | | | |
|------------------------|-----------------------|-----|---------|--------|
| | AYE | NAY | ABSTAIN | ABSENT |
| _____ Scott A. Belt | ○ | ○ | ○ | ○ |
| _____ Tim Wichman | ○ | ○ | ○ | ○ |

| | | | | |
|----------------|-----------------------|-----------------------|-----------------------|-----------------------|
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Lynn Grobe | | | | |
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Justin Schultz | | | | |
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Brian Shea | | | | |

ATTEST: _____
Melvyn Houser, County Auditor

RECOMMENDED: _____
Pottawattamie County Engineer

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

Motion by Shea, second by Belt, to approve and authorize Board to sign **Resolution No. 08-2022**, entitled: Resolution to Authorize the County Engineer to Issue and sign Special Permits for the Movement of Vehicles of Excessive Size and Weight Upon Pottawattamie County Secondary Roads. Said Resolution is set out as follows:

RESOLUTION NO. 08-2022

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

WHEREAS, the Board of Supervisors is empowered under authority of Section 321E.1 of the 2002 Code of Iowa to issue permits for the movement of machines, vehicles, or loads, or combinations thereof which exceed the maximum dimensions and/or weights specified in Sections 321.452 to 321.466 but within the limitations of Chapter 321E upon Secondary Roads under their jurisdiction, and

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

NOW THEREFORE BE IT RESOLVED by the Pottawattamie County Board of Supervisors in session this 3rd day of January, 2022, that the Pottawattamie County Engineer and the following named employees of the Secondary Roads Department be authorized to issue and sign special permits for the movement of vehicles of excessive size and weight upon Pottawattamie County Secondary Roads in accordance with said Chapters 321E and 321 as amended:

John A. Rasmussen, County Engineer
Lisa Keierleber, Assistant Engineer
Kristina R. Treantos, Assistant to the Engineer

Dated this 3rd day of January, 2022.

| | ROLL CALL VOTE | | | |
|----------------|-----------------------|-----------------------|-----------------------|-----------------------|
| | AYE | NAY | ABSTAIN | ABSENT |
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Scott A. Belt | | | | |
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Tim Wichman | | | | |
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Lynn Grobe | | | | |
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Justin Schultz | | | | |
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Brian Shea | | | | |

ATTEST: _____
Melvyn Houser, County Auditor

RECOMMENDED: _____
Pottawattamie County Engineer

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

3. OTHER BUSINESS

Motion by Schultz, second by Shea, to adopt Robert’s Rules of Order as written rules of parliamentary procedures for transaction of business in meetings, except when it conflicts with the Code of Iowa. UNANIMOUS VOTE. Motion Carried.

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

Motion by Belt, second by Shea, to approve and authorize Board to sign **Resolution No. 01-2022**, a Resolution pertaining to the payment of County bills. Said Resolution is set out as follows:

RESOLUTION NO. 01-2022

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

FIRST:

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

SECOND:

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

THIRD:

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

FOURTH:

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

Dated this 3rd Day of January, 2022.

| | ROLL CALL VOTE | | | |
|-------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| | AYE | NAY | ABSTAIN | ABSENT |
| _____ Scott A. Belt | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Tim Wichman | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Lynn Grobe | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Justin Schultz | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Brian Shea | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion by Shea, second by Grobe, to approve and authorize Board to sign **Resolution No. 02-2022**, a Resolution pertaining to the Auditor destroying county vouchers and canceled county warrants which have been on file for more than ten years. Said Resolution is set out as follows:

RESOLUTION NO. 02-2022

WHEREAS, the Pottawattamie County Auditor has on file county vouchers and canceled county warrants, which have been on file on or before January 1, 2012; and

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

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors, Pottawattamie County, Iowa, authorizes the Auditor to destroy county vouchers and canceled county warrants dated before January 1, 2012.

Dated this 3rd Day of January, 2022.

| | ROLL CALL VOTE | | | |
|-------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| | AYE | NAY | ABSTAIN | ABSENT |
| _____ Scott A. Belt | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Tim Wichman | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Lynn Grobe | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Justin Schultz | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Brian Shea | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion by Schultz, second by Belt, to approve and authorize Board to sign **Resolution No. 03-2022**, a Resolution entitled: Resolution Appointing Deputies. Said Resolution is set out as follows:

RESOLUTION NO. 03-2022

RESOLUTION APPOINTING DEPUTIES

WHEREAS, the Code of Iowa, Chapter 331.903, states that the auditor, treasurer, recorder, sheriff and county attorney may each appoint, with approval of the board, one or more deputies, assistants, or clerks for whose acts the principal officer is responsible, and

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

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

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors hereby approves the following deputy appointments:

- | | |
|------------------|---|
| Attorney | Jon Jacobmeier, Chief Deputy |
| Auditor | Kristin M. Everett, First Deputy Linda Swolley, First Deputy, Real Estate Kristy Hassay, Second Deputy, Real Estate |
| Recorder | Lynn Herrington, First Deputy Andrew Moats, First Deputy |
| Sheriff | Jeff Theulen, Chief Deputy |
| Treasurer | Jamie Smothers, First Deputy Heather Ausdemore, First Deputy |

Dated this 3rd Day of January, 2022.

| | ROLL CALL VOTE | | | |
|-------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| | AYE | NAY | ABSTAIN | ABSENT |
| _____ Scott A. Belt | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Tim Wichman | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Lynn Grobe | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Justin Schultz | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Brian Shea | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion by Schultz, second by Belt, to approve and authorize Board to sign **Resolution No. 04-2022**, a Resolution pertaining to the taxable value of the lengths of mileage of the several railroad, telegraph, telephone, and express companies in Pottawattamie County. Said Resolution is set out as follows:

RESOLUTION NO. 04-2022

BE IT RESOLVED, by the Board of Supervisors of Pottawattamie County, Iowa, that it is hereby ordered that the lengths of the mileage of the several railroad, telegraph, telephone, and express companies in Pottawattamie County, and the taxable value thereof, as fixed by the Department of Revenue, within the several towns, townships, and school districts of Pottawattamie County be fixed according to schedule and the County Auditor is hereby ordered to publish and spread the same upon the taxes levied for said County for the Fiscal Year 2021-2022.

RECAPITULATION

| | |
|-----------------------|--------------------|
| TELEPHONE – TELEGRAPH | \$ 10,582,707 |
| RAILROADS | \$ 75,276,765 |
| PIPELINE | \$ 76,500,169 |
| TOTAL FOR COUNTY | \$ 162,359,641 |

Dated this 3rd Day of January, 2022.

| | ROLL CALL VOTE | | | |
|-------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| | AYE | NAY | ABSTAIN | ABSENT |
| _____ Scott A. Belt | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Tim Wichman | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Lynn Grobe | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Justin Schultz | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Brian Shea | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion by Belt, second by Schultz, to approve and authorize Board to sign **Resolution No. 05-2022**, a Resolution entitled: Construction Evaluation Resolution. Said Resolution is set out as follows:

RESOLUTION NO. 05-2022

CONSTRUCTION EVALUATION RESOLUTION

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

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

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

WHEREAS, by adopting a construction evaluation resolution the Board of Supervisors agrees to evaluate every construction permit application for a proposed confinement feeding operation structure received by the Board of Supervisors between February 1, 2022, and January 31, 2023, and submit an adopted recommendation regarding that application to the DNR; and

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

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

Dated this 3rd day of January, 2022.

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

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion by Schultz, second by Shea, to approve the following newspapers as Official Newspapers for Pottawattamie County, Iowa for the 2022 year: The Herald-Oakland, The Avoca Journal Herald-Avoca; and The Daily Nonpareil-Council Bluffs. The County shall pay no more than Iowa Code allows for legal publications in these newspapers.
UNANIMOUS VOTE. Motion Carried.

Motion by Belt, second by Schultz, to approve the Pottawattamie County Courthouse being closed on the following legal holidays for 2022, as per Code of Iowa, Section 33.1:

| | |
|-----------------------------|--|
| MARTIN LUTHER KING, JR. DAY | JANUARY 17, 2022 |
| PRESIDENT’S DAY | FEBRUARY 21, 2022 |
| MEMORIAL DAY | MAY 30, 2022 |
| INDEPENDENCE DAY | JULY 4, 2022 |
| LABOR DAY | SEPTEMBER 5, 2022 |
| VETERAN’S DAY | NOVEMBER 11, 2022 |
| THANKSGIVING DAY | NOVEMBER 24, 2022 |
| LIEU OF LINCOLN’S BIRTHDAY | NOVEMBER 25, 2022 |
| CHRISTMAS | DECEMBER 25, 2022 |
| | OBSERVED DECEMBER 26, 2022 |
| NEW YEAR’S DAY 2022 | JANUARY 1, 2022 OBSERVED ON JANUARY 2, 2023 |

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve Federal Standard Mileage Rate for 2022, at 58.5¢ per mile.
UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve Lynn Grobe as first representative, and Brian Shea as second representative to the Southwest Iowa Region Mental Health & Disability Services Board for 2022.
UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to approve appointment of Scott Belt as first representative, to the Fourth Judicial District Department of Correctional Services Board of Directors for 2022.
UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve appointment of Scott Belt as first representative, and Jana Lemrick as second representative to IGHCP Board for 2022.
UNANIMOUS VOTE. Motion Carried

Motion by Schultz, second by Shea, to approve appointment of Scott Belt as first representative, and Tim Wichman as second representative to MAPA for 2022.
UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Belt, to approve reimbursement amount of \$50.00 per month for Elected Officials' mobile cellular usage for 2022.
UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

- A. Salary Action(s):
1) Sheriff – Payroll Status Change for Rex Woodbury.

5. CLOSED SESSION

Motion by Shea, second by Belt, to go into Closed Session pursuant Iowa Code 21.5(1)(c) for pending litigation.

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

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

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

6. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:56 A.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: January 11, 2022

PUBLISH: X

January 11, 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 Grobe, and seconded by Shea, to approve:

- A. January 3, 2022, Minutes as read.
- B. December 2021 Vendor Publication Report.
- C. Sheriff’s Office – Employment of Bradly Oliver and Deondre Hook as Detention Officer.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Schultz, second by Shea, to open Public Hearing on proposed preliminary plat of Huneke Subdivision, a subdivision situated in Norwalk Township; and to approve and authorize Board to sign Planning and Zoning **Resolution No. 2022-01**.

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 Shea, second by Belt, to approve and authorize Board to sign Planning and Zoning **Resolution No. 2022-01**.

**PLANNING AND ZONING
RESOLUTION NO. 2022-01**

WHEREAS, the proposed preliminary plat and supporting documents for **Huneke Subdivision**, a subdivision situated in **Norwalk Township**, has been filed with the Pottawattamie County Planning and Zoning Commission for its study and recommendation under **Case #SUB-2021-03**; and

WHEREAS, said Commission conducted a public hearing on **December 20, 2021**, in accordance with Chapter 9.04 of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa, and has given all parties an opportunity to be heard; and

WHEREAS, after careful study and being thoroughly familiar with the involved real estate and the surrounding area, said Commission has submitted its written recommendation to this Board to approve the preliminary plat; and

WHEREAS, this Board conducted a public hearing on **January 11, 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 **Huneke 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 January 11, 2022.

| | ROLL CALL VOTE | | | |
|-----------------------|-----------------------|------------|----------------|---------------|
| | AYE | NAY | ABSTAIN | ABSENT |
| Tim Wichman, Chairman | ○ | ○ | ○ | ○ |
| Scott Belt | ○ | ○ | ○ | ○ |

| | | | | |
|----------------|---|---|---|---|
| _____ | ○ | ○ | ○ | ○ |
| Lynn Grobe | | | | |
| _____ | ○ | ○ | ○ | ○ |
| Brian Shea | | | | |
| _____ | ○ | ○ | ○ | ○ |
| Justin Schultz | | | | |

Attest: _____
 Dixie Wilson, Assistant Tax and Finance Officer, Auditor’s Office
 Pottawattamie County, Iowa

RECORD: After Passage

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

Motion by Shea, second by Schultz, to approve and authorize Board approve submission of 2022 Pottawattamie County CITIES Program Re-Capitalization Grant.
 UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, it was decided to have legal review Eastern Hills Drive water main extension agreement with Council Bluffs Water Works to be reviewed on January 25, 2022.
 No Action Taken.

Motion by Schultz, second by Shea, to set date and time for open bids for the Pottawattamie County Secondary Roads Operations Center on February 15th at 10:00 A.M.
 UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

After discussion was held by the Board, a Motion was made by Shea, and seconded by Belt, to approve assignment to 2022 Representative Meetings as follows:

| | Primary: | Secondary: |
|-----------------------------------|----------|------------|
| Advance SW Iowa Corp | Wichman | Shea |
| Council Bluffs Airport Authority | Belt | Schultz |
| Conservation Board | Wichman | Shea |
| E911 Board | Belt | Shea |
| East Pott Soil and Water Conserv. | Grobe | Belt |
| EMA Board | Shea | Schultz |
| Golden Hills RC&D | Grobe | Belt |
| Hungry Canyons | Grobe | Shea |
| Loess Hills Alliance Board | Shea | Grobe |
| PACE | Grobe | Schultz |
| 712 Initiative | Schultz | Belt |
| Pott County Trails | Shea | Schultz |
| Promise Partners | Belt | Schultz |
| SW Iowa Juvenile Services | Grobe | Belt |
| SWIPCO/SWITA | Grobe | |
| Veteran Affairs | Schultz | Grobe |
| Public Health | Shea | Belt |
| West Central Community Action | Grobe | Shea |
| West Pott Soil and Water Conserv. | Wichman | Schultz |
| WIDA | Grobe | Shea |
| Workforce Investments Board | Belt | Schultz |
| Pott County Quarterly Dept. Head | Wichman | Belt |
| Pott County Operations Committee | Belt | Wichman |
| Pott County Wellness Committee | Schultz | Wichman |
| Pott County Tourism | Belt | Schultz |
| 4 th Judicial | Belt | Schultz |
| MAPA | Belt | Wichman |
| MH&DS | Grobe | Wichman |
| IGHCP | Belt | Lemrick |

UNANIMOUS VOTE. Motion Carried.

Motion by Shea, and seconded by Schultz, to approve setting time and place for a public hearing on an amendment to the FY 2021/22 budget for February 1, 2022 at 10:00 A.M.
 UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Belt, to approve and authorize Board to sign **Resolution No. 09-2022** entitled: RESOLUTION transfer from General Basic Fund to Veterans Relocation Allocation Fund.

RESOLUTION NO. 09-2022

RESOLUTION for Transfer from General Fund to Veteran Relocation Allocation Fund.

WHEREAS, it is desired to transfer money from General Fund to Veteran Relocation Allocation Fund; and

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

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

SECTION 1: The sum of \$22,500.00 is ordered to be transferred from General Fund to Veterans Relocation Allocation Fund, and

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

Dated this 11th Day of January, 2022.

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

ATTEST: _____
Dixie Wilson, Assistant Tax and Finance Officer, Auditor’s Office

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

Motion by Shea, second by Belt, to reappoint Dr. Tana Perry to the Pottawattamie County Board of Health for a term of 3 years and Dr. Barbara Lee to the Pottawattamie County Board of Health for a term of 1 year: UNANIMOUS VOTE. Motion Carried

After discussion was held by the Board, a Motion by Schultz, and seconded by Shea, to deny CRC 003 – Chiller Heat Piping Change based on recommendation from Building & Grounds Director Jason Slack. UNANIMOUS VOTE. Motion Denied.

Motion by Schultz, second by Belt, to approve CRC 04 – CRAC Unit Condenser Unit Location. UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Belt, to authorize Board Chairman to sign agreement for annual maintenance with Tyler Technologies. UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Action(s):

- 1) Juvenile Detention Center– Payroll Status Change for weekend differential pay.
- 2) Public Health – Payroll Status Change for Carol Timm, Rebekkah Reilich and Jennifer Minchew.

B. Reports

- 1) Recorder Fee Book for December 2021.

5. BUDGET STUDY SESSION

- 1) Auditor

2) Board of Supervisors

The Board held Budget Study Sessions with the following departments: Melvyn Houser and Becky Lenihan / Auditor. The Board also discussed their own budget. Discussion only. No action taken.

6. CLOSED SESSION

Motion by Schultz, second by Shea, to go into Closed Session pursuant to Iowa Code §21.5(1)(j) for discussion and/or decision on possible litigation.

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

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

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

6. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 2:15 P.M.

Tim Wichman, Chairman

ATTEST: _____

Dixie Wilson, Assistant Tax and Finance Officer, Auditor's Office

APPROVED: January 20, 2022

PUBLISH: X

January 20, 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 Schultz, and second by Belt, to approve:

- A. January 11, 2022, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Shea, and second by Belt, to approve and authorize Board of Supervisors to sign **Resolution No. 10-2022** entitled: RESOLUTION to vacate excess right-of-way in Section 28, Boomer Township.

RESOLUTION NO. 10-2022

Whereas, a request has been filed with the Pottawattamie County Board of Supervisors to vacate and clear the record of a section of Pottawattamie County Road in Boomer Township,

Whereas, it is in the best interest of Pottawattamie County to vacate the Road Right of way.

Now, therefore be it resolved by the Board of Supervisors of Pottawattamie County in session this 20 day of January, 2022, that the following described road easement be vacated:

Vacate a portion of Road L36 (Coldwater Avenue) right-of-way along the west line of the NW1/4 NW1/4 of Section 28, Township 77 North, Range 43 West of the 5th Principal Meridian, Pottawattamie County, Iowa described as follows:

Commencing at the Southwest corner of the NW1/4 NW1/4 of said Section 28; thence North along the west line of said NW1/4 NW1/4 a distance of 130.75 feet to the Point of Beginning; thence continuing North along the west line of said NW1/4 NW1/4 a distance of 253.43 feet; thence East a distance of 33.50 feet to the easterly right-of-way line of said L36 (Coldwater Avenue); thence South along easterly right-of-way line of a distance of 281.92 feet to the northerly prolongation of said northerly right-of-way line a distance of 43.98 feet to the Point of Beginning. (Exhibit Attached)

Said road was established by Original Petition No. 761 on July 7, 1856, recorded in Road Calendar Book A on page 77. Part of the road was established by Original Petition No. 725 recorded in Road Calendar Book A on page 294. A portion of said right-of-way was later conveyed by easement and recorded on November 22, 1966 in Book 1429 on page 131.

Note: Utilities are granted a permanent and perpetual easement for the continuance of maintaining existing facilities for such construction, reconstruction, replacement, and repair thereof as may be deemed necessary by the utilities in the future (Iowa Code 306.22, 479.17, 479.24).

Dated this 20th day of January, 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: _____
Matt Wilber, County Attorney

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

Motion by Shea, and second by Belt, to approve application no. 07 for Cornerstone Commercial Contractors pay for Carson/Macedonia downtown rehab.
UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

After discussion was held by the Board, a Motion was made by Schultz, and second by Belt, to approve Pottawattamie County Treasurer’s Semi-Annual Report for 7/1/2021 – 12/31/2021.
UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Action(s):

- 1) Jail-Payroll Status Change for Mike Mantell, Logan Melby, Matt Wyant, and Sean Newton.

5. ADJOURN

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

THE BOARD ADJOURNED SUBJECT TO CALL AT 10:11 A.M.

Tim Wichman, Chairman

ATTEST: _____
Matt Wilber, County Attorney

APPROVED: January 25, 2022
PUBLISH: X

January 25, 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. January 20, 2022, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Shea, second by Schultz, to approve Eastern Hills Drive water main extension agreement with Council Bluffs Water Works.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve tax suspension pursuant to Iowa Code Section 427.9, for property located at 100 Cambridge Cir., Council Bluffs, Iowa.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve Pottawattamie County 2022 Insurance Renewal.

UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Belt, and second by Shea, to approve the reappointment of Michael Genereux to the Zoning Board of Adjustment, with a term ending date of December 31, 2026.

UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Belt, and second by Shea, to approve the appointment of Austin Kay to the Zoning Board of Adjustment, with a term ending date of December 31, 2026.

UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Belt, and second by Shea, to approve the appointment of Tyler Brunow to the Appeal Board, with a term ending date of December 31, 2026.

UNANIMOUS VOTE. Motion Carried.

Matt Wyant/Director, Planning and Development, and/or Pam Kalstrup, Acting Director of Planning and Development appeared before the Board to recognize Steve Pierce for his years of service on the Zoning Board of Adjustment since 2009.

Al Wegman appeared before the Board to discuss traffic signals on HWY 92. Discussion only. No action taken.

3. OTHER BUSINESS

Matt Wyant/Director, Planning and Development and Melinda Sorenson, Wellbeing Partners appeared before the Board for presentation of "Vivacity" Workplace wellness initiative for Pottawattamie County Employers and Residents. Discussion only. No action taken.

After discussion was held by the Board, a motion was made by Schultz, and second by Shea, to approve Job Description of Public Relations Manager, and the posting of said position.

UNANIMOUS VOTE. Motion Carried.

4. CLOSED SESSION

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

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

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

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

5. BUDGET DISCUSSION

Discussion only. No action taken.

6. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 2:29 P.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: February 1, 2022

PUBLISH: X

February 1, 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 Belt, and second by, Shea, to approve:

- A. January 25, 2022, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Belt, second by Schultz, to open public hearing on Pottawattamie County’s amendment to current county budget for fiscal year 2021-22.

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

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

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

Motion by Belt, second by Shea, to approve and authorize Board to sign **Resolution No. 11-2022**, a Resolution to Approve Pottawattamie County’s amendment to current county budget for fiscal year 2021-22. Said Resolution is set out as follows:

RESOLUTION NO. 11-2022

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

WHEREAS, the Public Health, Medical Examiner, Board Supervisors, and Planning have exceeded their Budget due to said necessary expenditures; and

WHEREAS, the Amendment to the Fiscal Year 2021/22 Budget for the Public Health, Medical Examiner, Board Supervisors, and Planning shall be substantially as follows:

| DEPT # | Revenue Amount | Expense Amount |
|---------------------------|----------------------|---------------------|
| Public Health - 23 | \$ 642,604 | \$ 855,790 |
| Total | \$ 642,604 | \$ 855,790 |
| Medical Examiner - 12 | \$ 6,000 | \$ 15,000 |
| Total | \$ 6,000 | \$ 15,000 |
| Board of Supervisors - 01 | \$ 10,553,903 | \$ 5,323,249 |
| Total | \$ 10,553,903 | \$ 5,323,249 |
| Planning - 53 | \$ 40,000 | \$ 40,000 |
| Total | \$ 40,000 | \$ 40,000 |
| | \$ 11,242,507 | \$ 6,234,039 |

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

WHEREAS, the public had due notice of the Budget Amendment Hearing held on February 1, 2022, and at the hearing, due time was allowed for objections to any and all portions of the amended budget.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Pottawattamie County, hereby amends the Fiscal Year 2021/22 budget

Dated this 1st day of February, 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

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

Deb Masker from Southwest Iowa Leadership Academy appeared before the Board to give a presentation and provide an update on the 2022 Southwest Iowa Leadership Academy Retreat and potential funding by the County. Discussion only. No action taken.

Antonia Krupicka–Smith from the Council Bluffs Public Library appeared before the Board to give a presentation and provide an update on the Council Bluffs Public Library. Discussion only. No action taken.

Matt Wyant Director, Planning and Zoning appeared before the Board to give an update on the Public Health Building Project. Discussion only. No action taken.

Patricia Russmann / Executive Director, Thriving Families Alliance appeared before the Board to give a presentation on Community Plan for Pottawattamie County advance early childhood. Discussion only. No action taken.

After discussion was held by the Board, a Motion was made by Belt, and second by Schultz, to approve the Veteran Affairs Commission’s recommendation to hire Margarita Dooley as Director for Pottawattamie County Veteran Affairs at an annual salary of \$65,000.

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

3. OTHER

After discussion was held by the Board, a Motion was made by Schultz, and second by Shea, to approve the Treasurer’s office renovation work to Olsen Construction.
UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Schultz, and second by Shea, to approve and authorize Chairman to sign the Final Acceptance Certification for Project RC-C078(203) – 9A-78.
UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Reports

- 1) Sheriff’s Report of Fees Collected and Disbursed for December 2021.

B. Salary Action(s):

1) Jail – Payroll Status Change for Steve Winchell.

5. CLOSED SESSION

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

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

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

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

6. STUDY SESSION

The Board of Supervisors held a study session. Discussion only.

7. BUDGET DISCUSSION

Discussion only.

8. ADJOURN

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

THE BOARD ADJOURNED SUBJECT TO CALL AT 3:08 P.M.

Tim Wichman, Chairman

ATTEST: _____
Becky Lenihan, Finance & Tax Officer

APPROVED: February 8, 2022
PUBLISH: X

February 8, 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 Schultz, to approve:

- A. February 1, 2022, Minutes as read.
- B. January 2022 Vendor Publication Report
- C. Jail – Employment of Trisha Bernhards as Detention Administrative Coordinator.

UNANIMOUS VOTE. Motion Carried

2. SCHEDULED SESSIONS

Paula Hazelwood and Shalimar Mazetis from Advance Southwest Iowa Corporation appeared before the Board to give a presentation and provide an update on Advance Southwest Iowa Corporation. Discussion only. No action taken.

Rita Dooley appeared before the Board to be sworn in, and take the Official Oath of Office as Pottawattamie County Veterans Affairs Director.

After discussion was held by the Board, a Motion was made by Shea, and second by Schultz, to approve and authorize Chairman to sign CDBG contract expansion request letter addressed to the Economic Development Authority.

UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Shea, and second by Belt, to approve Unclaimed Body Policy and related fees/expenses.

UNANIMOUS VOTE. Motion Carried.

John Rasmussen, Pottawattamie County Engineer, appeared before the Board for further discussion concerning traffic control for Lewis Township Volunteer Fire Department. Discussion only. No action taken.

3. OTHER BUSINESS

After discussion was held by the Board, a Motion was made by Shea, and second by Grobe, to approve Natural Areas Management Intern, Crew Lead job description.

UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Schultz, and second by Shea, to approve the following applications made to the Assessor's Office: Homestead (161 recommend allowed, 13 recommend disallowed), Military (9 recommend allowed, 0 recommend disallowed), Disabled Veteran Homestead (4 recommend allowed, 1 recommend disallowed), Business Property Tax Credit (23 recommend allowed, 0 recommend disallowed), Family Farm (10 recommend allowed, 0 recommend disallowed).

UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Action(s):

- 1) Communications– Payroll Status Change for Logan Brown.

B. Reports

- 1) Recorder Fee Book for January 2022

5. CLOSED SESION

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

Roll Call Vote: AYES: 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.

7. BUDGET DISCUSSION

Discussion only.

8. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 2:52 P.M.

Tim Wichman, Chairman

ATTEST: _____
Becky Lenihan, Finance & Tax Officer

APPROVED: February 14, 2022

PUBLISH: X

February 14, 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 Grobe, and second by Schultz, to approve:

- A. February 8, 2022, Minutes as read.
- B. Publication of Pottawattamie County Salary listing for 2021.
- C. Communications – Employment of Kristen Ewer as Telecommunicator.
- D. Jail – Employment of Brandy Paulson as Jail Secretary.
- E. Class E Liquor License (LE) granting privileges of Class E Liquor License (LE) to (NEW OWNERSHIP) Kum & Go LC d/b/a Kum & Go #23, Neola.
- F. Renewal of C Native Wine (WCN), granting privileges of Class C Native Wine (WCN)/Outdoor Service/Sunday Sales for Prairie Crossing Vineyard and Winery d/b/a Prairie Crossing Vineyard and Winery, Treynor.
- G. Renewal of Class C Liquor License (LC) (Commercial), granting privileges of Class C Liquor License (LC) Commercial/Outdoor service/Sunday Sales for NW Pottawattamie County Golf Association, Inc. d/b/a Quail Run Country Club, Neola.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Schultz, second by Shea, to open Public Hearing on proposed preliminary plat of Schmidt's Creek Phase 1 and Phase 2, a subdivision situated in Hazel Dell Township; and to approve and authorize Board to sign Planning and Zoning **Resolution No. 2022-03**.

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

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

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

Motion by Schultz, second by Shea, to approve and authorize Board to sign Planning and Zoning **Resolution No. 2022-03**.

**PLANNING AND ZONING
RESOLUTION NO. 2022-03**

WHEREAS, the proposed preliminary plat and supporting documents for **Schmidt's Creek Phase 1 and Phase 2**, a subdivision situated in **Hazel Dell Township**, has been filed with the Pottawattamie County Planning and Zoning Commission for its study and recommendation under **Case #SUB-2021-04**; and

WHEREAS, said Commission conducted a public hearing on **January 24, 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 **February 14, 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 **Schmidt's Creek Phase 1 and Phase 2**, 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 February 14, 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"/> |
| _____ Brian Shea | <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"/> |

Attest: _____
Becky Lenihan, County Auditor
Pottawattamie County, Iowa

RECORD: After Passage

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

Motion by Shea, second by Schultz, to open Public Hearing on Ordinance No. 2022-01, an Ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa, by changing the district designation of approximately 35.84 acres from a Class A-3 (Riverfront and Agricultural Production) to a Class I-1 (Limited Industrial) District.

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

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

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

Motion by Schultz, second by Shea, to approve First Consideration of **Ordinance No. 2022-01**, an Ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa, by changing the district designation of approximately 35.84 acres from a Class A-3 (Riverfront and Agricultural Production) to a Class I-1 (Limited Industrial) District; and to set date for Second Consideration for February 22, 2022.

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

Jason Slack/Director, Building & Grounds appeared before the Board to give an update on the Courthouse Addition Project. Discussion only. No action taken.

Motion by Schultz, second by Shea, to approve and authorize Chairman to sign AIA document for the Sheriff expansion.

UNANIMOUS VOTE. Motion Carried.

Andy Brown/Sheriff and/or Steve Winchell appeared before the Board to give an update on the Jails budget. Discussion only. No action taken.

After discussion was held by the Board, a Motion was made by Shea, and second by Belt, to approve funding for insurance required for paint at the recycling center.

UNANIMOUS VOTE. Motion Carried.

Matt Wyant/Director, Planning and Zoning appeared before the Board to give an update concerning COVID. Discussion only. No action taken.

Tom Emmett/Executive Director, for the Historic General Dodge House came before the Board to discuss and present funding request for FY 2022-23. Historic General Dodge House funding request in the amount of \$50,000. Discussion only. No action taken.

After discussion was held by the Board, a Motion was made by Shea, and second by Belt, to approve the appointment of Bruce Potter to the Waveland Township as a trustee.

UNANIMOUS VOTE. Motion Carried.

3. RECEIVED/FILED

A. Salary Action(s):

- 1) SWI Juvenile Detention Center – Employment of Tobi Brich as Part-Time Youth Corrections Worker.

4. CLOSED SESSION

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

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

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

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

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

Roll Call Vote: AYES: 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.

5. BUDGET DISCUSSION

Discussion only. No action taken.

6. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 3:18 P.M.

Tim Wichman, Chairman

ATTEST: _____
Becky Lenihan, Finance & Tax Officer

APPROVED: February 22, 2022

PUBLISH: X

February 22, 2022

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M. All members present, except Justin Schultz. 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. February 14, 2022, Minutes as read.
- B. Sheriff/Communications – Employment of Marie Morris as 911 Telecommunicator.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Shea, second by Belt, to approve Second Consideration of **Ordinance No. 2022-01**, an Ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa, by changing the district designation of approximately 35.84 acres from a Class A-3 (Riverfront and Agricultural Production) to a Class I-1 (Limited Industrial) District; and to adopt **Ordinance No. 2022-01** into law.

POTTAWATTAMIE COUNTY, IOWA
ORDINANCE NO. 2022-01

AN ORDINANCE to amend the Official Zoning Map of Pottawattamie County, Iowa, by changing the district designation of approximately 35.84 acres from a Class A-3 (Riverfront and Agricultural 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:

17-74-43 SE SW EXC 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.

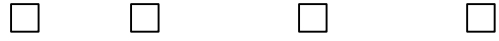
SECTION 3 - REPEAL OF CONFLICTING ORDINANCES: That all ordinance or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

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

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



NOTICE OF PUBLIC HEARING PUBLISHED: February 10, 2022
BOARD OF SUPERVISORS PUBLIC HEARING: February 14, 2022
FIRST CONSIDERATION: February 14, 2022
SECOND CONSIDERATION: February 22, 2022
PUBLICATION: March 3, 2022
RECORD: March 4, 2022

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

Matt Wyant/Director, Planning and Zoning and/or Maria Sieck/Public Health Admin and Representatives from Field Day Development and Alley Poyner Macchietto Architecture appeared before the Board to give an update on the status of Public Health Building Project. Discussion only. No action taken.

Tom Kallman / Manager, Regional Water appeared before the Board to give an update on the rural water extension to Pioneer Trail. Discussion only. No action taken.

After discussion was held by the Board, motion by Belt, second by Shea to open bids for the Roads Operation Center Facilities.
UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Belt, to approve and authorize Chairman to sign Cornerstone Commercial Contractors pay application no.08 for Carson/Macedonia downtown rehab.
UNANIMOUS VOTE. Motion Carried.

Motion made by Belt, second by Shea, to approve and authorize Chairman to sign Network Services Agreement with the City of Council Bluffs.
UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

After discussion was held by the Board, a Motion was made by Shea, and second by Belt, to approve the setting of public hearing on Pottawattamie County’s Maximum Property Tax Levy for Fiscal Year Ending June 30, 2023, for the 8th day of March 2022, at 10:00, A.M.; and approve publication request.
UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Belt, to approve funding request for county libraries in the amount of \$343,390.
UNANIMOUS VOTE. Motion Carried.

Jana Lemrick/Director, Human Resources; Michael Williams and Jim Garbina/FNIC Group appeared before the Board to discuss and provide an update on FY 21/22 employee health insurance. Discussion only. No action taken.

4. RECEIVED/FILED

- A. Salary Action(s):
 - 1) SWI Juvenile Detention Center – Employment of Austin Phipps as Part-Time Youth Corrections Worker.
 - 2) Conservation – Payroll Status Change for Chad Kunze.
 - 3) Buildings and Grounds – Payroll Status Change for Matthew Wiese and Roberto Estrada.
 - 4) Communications – Payroll Status Change for Logan Brown.
 - 5) Public Health – Payroll Status Change for Rebekkah Reilich.
 - 6) I.T. – Payroll Status Change for Anthony McCartney.

5. CLOSED SESSION

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

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

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

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

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

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

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

Motion by Belt, second by Shea, to move forward with what was discussed in closed session.
UNANIMOUS VOTE. Motion Carried.

6. BUDGET DISCUSSION

Discussion only. No action taken.

7. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:31 P.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Auditor

APPROVED: March 1, 2022

PUBLISH: X

March 1, 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 Grobe, and second by Shea, to approve:

- A. February 22, 2022, Minutes as read.
- B. Sheriff's Office – Employment of Desiree Dale and Taylor Winey as part time Front Entry Security Personnel.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Brenda Mainwaring from Iowa West Racing Association appeared before the Board to give an update on Iowa West Racing Association. Discussion only. No action taken.

Jana Lemrick/Director, Human Resources and Suzanne Watson/Director, Community Services appeared before the Board to discuss the recommendation by the SWIA MHDS Region for a future 28E agreement between the SWIA MHDS Region and Pottawattamie County. Discussion only. No action taken.

Shalimar Mazetis from Advance Southwest Iowa Corporation appeared before the Board to give a presentation to the Board on the RPCIC Priority Projects. Discussion only. No action taken

After discussion was held by the Board, a Motion was made by Belt, and second by Schultz, to approve the Board Chairman to sign a letter of support for the City of Crescent's application for grant funding from the state of Iowa's Water Infrastructure Fund

UNANIMOUS VOTE. Motion Carried.

Kristine Sorenson from Western Iowa Development Association appeared before the Board to give a presentation to the Board on the Western Iowa Development annual report. Discussion only. No action taken.

Motion made by Schultz, second by Shea, to approve appointment of Tracy Nosekabel as County Weed Commissioner.

UNANIMOUS VOTE. Motion Carried.

Motion by Belt, second by Shea, to approve and authorize Board of Supervisors to sign **Resolution No. 12-2022** entitled: RESOLUTION for the destruction of noxious weeds.

**RESOLUTION NO. 12-2022
RESOLUTION FOR THE DESTRUCTION OF NOXIOUS WEEDS**

NOTICE TO ALL PROPERTY OWNERS AND THOSE IN CONTROL THEREOF: You are hereby notified that the Board of Supervisors of Pottawattamie County, Iowa, did on the 1st day of March 2022, pass the following resolution:

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

1. That each person in possession or control of all noxious weeds thereon as defined in this Chapter, at such times each year and in such a manner as shall prevent said weeds from blooming or coming to maturity and shall keep lands free from such growth of any other weeds, as shall render the streets and highways adjoining said land unsafe for public travel. Noxious weeds shall be controlled, cut, or otherwise destroyed between April 1 and November 15, 2022, as is necessary to prevent seed production.

PRIMARY NOXIOUS WEEDS:

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

SECONDARY NOXIOUS WEEDS:

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

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

DATED THIS 1st 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, Co Melvyn J. Houser, County Auditor

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

After discussion was held by the Board, a Motion was made by Shea, and second by Schultz, to reopen request for bids for the Roads Operations Center Facilities.
UNANIMOUS VOTE. Motion Carried.

3. OTHER

Margarita Dooley/Director, Veterans Affairs appeared before the Board to discuss the Veterans Affairs Commission Ex Officio members. Discussion only. No action taken.

Jana Lemrick/Director, Human Resources; Michael Williams and Jim Garbina/FNIC Group appeared before the Board to discuss and provide an update on FY 21/22 employee health insurance. Discussion only. No action taken.

4. RECEIVED/FILED

- A. Salary Action(s)
 - 1) Communications – Payroll Status Change for Logan Brown.

5. CLOSED SESSION

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

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

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

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

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

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

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

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

6. BUDGET DISCUSSION

Discussion only. No action taken.

7. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:52 P. M.

Tim Wichman, Chairman

ATTEST: _____
 Melvyn Houser, Auditor

APPROVED: March 8, 2022

PUBLISH: X

March 8, 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 Grobe, and second by Shea, to approve:

- A. March 1, 2022, Minutes as read.
- B. February 2022 Vendor Publication Report.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Drew Kamp from Council Bluffs Area Chamber of Commerce appeared before the Board to give a presentation to the Board on the contractual agreement for Workforce Development Services. Discussion only. No action taken.

Motion by Schultz, second by Belt, to award bid to Ray Martin Company of Omaha for the Courthouse Air Handler Replacement Project.

UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Shea, and second by Belt, to approve and authorize Chairman to sign Farm Lease with Craig Hotze, for property legally described as: Grove TWP 17-74-39 PT SE SE & 20-74-39 PT NE NE Comm 138.85' N SE Cor SEC 17 TH SW669-08' N283.91" W364.92" S307.35' SW276.37" SE270.43' SW442.07' N1934.4' E1327.46' S818.15' TO POB (INCLUDES PAREL A SE SE PARCELS B & C NE NE) commonly referred to as Wheeler Grove Conservation Area.

UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Shea, and second by Belt, to approve and authorize Chairman to sign Farm Lease with Craig Hotze, for property legally described as: Tract #1: The North Half of the Northeast Quarter (N 1/2 NE 1/4) and the North Half of the Northwest Quarter (N 1/2 NW 1/4) of the Section 14, Township 74 North, Range 39, West of the 5th P.M.; and Tract #2: The South Half of the Southeast Quarter (S 1/2 SE 1/4) of Section 11, Township 74 North, Range 39, West of the 5th P.M.

UNANIMOUS VOTE. Motion Carried.

Cheri Dahleim/Chief Medical Examiner Investigator/Coordinator appeared before the board to discuss the on-call policy revision. Discussion only. No action taken.

After discussion was held by the Board, a Motion was made by Schultz, and second by Shea, to move forward with the RFP for Public Health Building.

UNANIMOUS VOTE. Motion Carried.

3. OTHER

Motion made by Schultz, second by Shea, to approve and authorize the Board to sign **Resolution No 13-2022** a fixing date for a meeting on the authorization of Loan agreement and the issuance of not to exceed \$645,000 General Obligation Capital Loan Notes (Essential County Purpose #1).

RESOLUTION NO. 13-2022

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$645,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (ESSENTIAL COUNTY PURPOSE #1) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that Pottawattamie County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$645,000, as authorized by Sections 331.402 and 331.443, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential county purpose project(s) as hereinafter described; and

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

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

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

Section 1. That this Board meet in the Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa, at 10:00 A.M., on the 22nd day of March, 2022, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$645,000 General Obligation Capital Loan Notes (Essential County Purpose #1), for essential county purposes, the proceeds of which notes will be used 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.

Section 2. The Auditor is authorized and directed to proceed on behalf of the County with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the County's obligations to a principal amount of not to exceed \$645,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the County and this Board and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the County and acceptable to the Board.

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

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published on or before: March 12,2022)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$645,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (ESSENTIAL COUNTY PURPOSE #1) OF THE COUNTY (FOR ESSENTIAL COUNTY PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Pottawattamie County, State of Iowa, will hold a public hearing on the 22 day of March 2022, at 10:00 A.M., in the Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$645,000 General Obligation Capital Loan Notes (Essential County Purpose #1), for essential county purposes, 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. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

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

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

Dated this _____ day of _____ 2022.

County Auditor, Pottawattamie County, State of Iowa

(End of Notice)

PASSED AND APPROVED this 8th 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

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

Motion made by Schultz, second by Shea, to approve and authorize the Board to sign **Resolution No 14-2022** a fixing date for a meeting on the authorization of Loan agreement and the issuance of not to exceed \$245,000 General Obligation Capital Loan Notes (Essential County Purpose #2).

RESOLUTION NO. 14-2022

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$245,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (ESSENTIAL COUNTY PURPOSE #2) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that Pottawattamie County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation

Capital Loan Notes, to the amount of not to exceed \$245,000, as authorized by Sections 331.402 and 331.443, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential county purpose project(s) as hereinafter described; and

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

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

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

Section 1. That this Board meet in the Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa, at 10:00 A.M., on the 22nd day of March, 2022, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$245,000 General Obligation Capital Loan Notes (Essential County Purpose #2), for essential county purposes, the proceeds of which notes will be used 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.

Section 2. The Auditor is authorized and directed to proceed on behalf of the County with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the County's obligations to a principal amount of not to exceed \$245,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the County and this Board and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the County and acceptable to the Board.

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

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published on or before: March 12)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$245,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (ESSENTIAL COUNTY PURPOSE #2) OF THE COUNTY (FOR ESSENTIAL COUNTY PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Pottawattamie County, State of Iowa, will hold a public hearing on the 22nd day of March 2022, at 10:00 A.M., in the Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$245,000 General Obligation Capital Loan Notes (Essential County Purpose #2), for essential county purposes, 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. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

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

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

Dated this _____ day of _____ 2022.

 County Auditor, Pottawattamie County,
 State of Iowa

(End of Notice)

PASSED AND APPROVED this 8th 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

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

Motion made by Schultz, second by Shea, to approve and authorize the Board to sign **Resolution No 15-2022** a fixing date for a meeting on the authorization of Loan agreement and the issuance of not to exceed \$300,000 General Obligation Capital Loan Notes (Essential County Purpose #3).

RESOLUTION NO. 15-2022

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #3) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that Pottawattamie County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$300,000, as authorized by Sections 331.402 and 331.442, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general county purpose project(s) as hereinafter described; and

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

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

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

WHEREAS, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 331 of the Code of Iowa, and to publish a notice of the proposal to issue such Notes and the right to petition for an election.

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

Section 1. That this Board meet in the Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa, at 10:00 A.M., on the 22nd day of March, 2022, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$300,000 General Obligation Capital Loan Notes (General County Purpose #3), for general county purposes, the proceeds of which notes will be used 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 shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. The Auditor is authorized and directed to proceed on behalf of the County with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the County's obligations to a principal amount of not to exceed \$300,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the County and this Board and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the County and acceptable to the Board.

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

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published on or before: March 12)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #3) OF THE COUNTY (FOR GENERAL COUNTY PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Pottawattamie County, State of Iowa, will hold a public hearing on the 22 day of March, 2022, at 10:00 A.M., in the Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$300,000 General Obligation Capital Loan Notes (General County Purpose #3), for general county purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Notes to be issued to provide funds to pay the costs of acquiring and equipping new sheriff vehicles which are necessary for the operation of the county or the health and welfare of its citizens. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

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

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

This notice is given by order of the Board of Supervisors of Pottawattamie County, State of Iowa, as provided by Sections 331.402 and 331.442 of the Code of Iowa.

Dated this _____ day of _____ 2022.

 County Auditor, Pottawattamie County,
 State of Iowa

(End of Notice)

PASSED AND APPROVED this 8th 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

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

Motion made by Belt, second by Shea, to approve and authorize the Board to sign **Resolution No 16-2022** a fixing date for a meeting on the authorization of Loan agreement and the issuance of not to exceed \$300,000 General Obligation Capital Loan Notes (Essential County Purpose #4).

RESOLUTION NO. 16-2022

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #4) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that Pottawattamie County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$300,000, as authorized by Sections 331.402 and 331.442, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general county purpose project(s) as hereinafter described; and

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

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

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

WHEREAS, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 331 of the Code of Iowa, and to publish a notice of the proposal to issue such Notes and the right to petition for an election.

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

Section 1. That this Board meet in the Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa, at 10:00 A.M., on the 22nd day of March, 2022, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$300,000 General Obligation Capital Loan Notes (General County Purpose #4), for general county purposes, the proceeds of which notes will be used to provide funds to pay the costs of acquiring and equipping the secondary roads department including mowing equipment and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. The Auditor is authorized and directed to proceed on behalf of the County with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the County's obligations to a principal amount of not to exceed \$300,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the County and this Board and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the County and acceptable to the Board.

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

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published on or before: March 12, 2022)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #4) OF THE COUNTY (FOR GENERAL COUNTY PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Pottawattamie County, State of Iowa, will hold a public hearing on the 22nd day of March 2022, at 10:00 A.M., in the Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$300,000 General Obligation Capital Loan Notes (General County Purpose #4), for general county purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Notes to be issued to provide funds to pay the costs of acquiring and equipping the secondary roads department including mowing equipment. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

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

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

This notice is given by order of the Board of Supervisors of Pottawattamie County, State of Iowa, as provided by Sections 331.402 and 331.442 of the Code of Iowa.

Dated this _____ day of _____, 2022.

County Auditor, Pottawattamie County,
State of Iowa

(End of Notice)

PASSED AND APPROVED this 8th 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

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

Motion made by Schultz, second by Shea, to approve and authorize the Board to sign **Resolution No 17-2022** a fixing date for a meeting on the authorization of Loan agreement and the issuance of not to exceed \$300,000 General Obligation Capital Loan Notes (Essential County Purpose #5).

RESOLUTION NO. 17-2022

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #5) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that Pottawattamie County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$300,000, as authorized by Sections 331.402 and 331.442, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general county purpose project(s) as hereinafter described; and

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

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

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

WHEREAS, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 331 of the Code of Iowa, and to publish a notice of the proposal to issue such Notes and the right to petition for an election.

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

Section 1. That this Board meet in the Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa, at 10:00 A.M., on the 22nd day of March, 2022, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$300,000 General Obligation Capital Loan Notes (General County Purpose #5), for general county purposes, the proceeds of which notes will be used to provide funds to pay the costs of acquisition and development of land for a public park or other recreation or conservation purpose, including improving approximately nine sites and adding approximately ten full hookup sites at Arrowhead Park and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. The Auditor is authorized and directed to proceed on behalf of the County with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the County's obligations to a principal amount of not to exceed \$300,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the County and this Board and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the County and acceptable to the Board.

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

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published on or before: March 12, 2022)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #5) OF THE COUNTY (FOR GENERAL COUNTY PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Pottawattamie County, State of Iowa, will hold a public hearing on the 22nd day of March 2022, at 10:00 A.M., in the Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$300,000 General Obligation Capital Loan Notes (General County Purpose #5), for general county purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Notes to be issued to provide funds to pay the costs of acquisition and development of land for a public park or other recreation or conservation purpose, including improving approximately nine sites and adding approximately ten full hookup sites at Arrowhead Park. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

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

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

This notice is given by order of the Board of Supervisors of Pottawattamie County, State of Iowa, as provided by Sections 331.402 and 331.442 of the Code of Iowa.

Dated this _____ day of _____ 2022.

County Auditor, Pottawattamie County,
State of Iowa

(End of Notice)

PASSED AND APPROVED this 8th 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

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

Motion made by Belt, second by Shea, to approve and authorize the Board to sign **Resolution No 18-2022** a fixing date for a meeting on the authorization of Loan agreement and the issuance of not to exceed \$120,000 General Obligation Capital Loan Notes (Essential County Purpose #6).

RESOLUTION NO. 18-2022

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$120,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #6) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that Pottawattamie County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$120,000, as authorized by Sections 331.402 and 331.442, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general county purpose project(s) as hereinafter described; and

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

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes, issued to evidence the obligation of the County thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the

authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the County to such action; and

WHEREAS, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 331 of the Code of Iowa, and to publish a notice of the proposal to issue such Notes and the right to petition for an election.

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

Section 1. That this Board meet in the Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa, at 10:00 A.M., on the 22nd day of March, 2022, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$120,000 General Obligation Capital Loan Notes (General County Purpose #6), for general county purposes, the proceeds of which notes will be used to provide funds to pay the costs of acquisition and development of land for a public park or other recreation or conservation purpose, including improvement, reconstruction and equipping of existing camping cabins at Arrowhead Park and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. The Auditor is authorized and directed to proceed on behalf of the County with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the County's obligations to a principal amount of not to exceed \$120,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the County and this Board and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the County and acceptable to the Board.

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

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published on or before: March 12, 2022)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$120,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #6) OF THE COUNTY (FOR GENERAL COUNTY PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Pottawattamie County, State of Iowa, will hold a public hearing on the 22nd day of March 2022, at 10:00 A.M., in the Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$120,000 General Obligation Capital Loan Notes (General County Purpose #6), for general county purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Notes to be issued to provide funds to pay the costs of acquisition and development of land for a public park or other recreation or conservation purpose, including improvement, reconstruction and equipping of existing camping cabins at Arrowhead Park. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

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

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

This notice is given by order of the Board of Supervisors of Pottawattamie County, State of Iowa, as provided by Sections 331.402 and 331.442 of the Code of Iowa.

Dated this _____ day of _____ 2022.

County Auditor, Pottawattamie County,
State of Iowa

(End of Notice)

PASSED AND APPROVED this 8th 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

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

Motion made by Shea, second by Belt, to approve and authorize the Board to sign **Resolution No 19-2022** a fixing date for a meeting on the authorization of Loan agreement and the issuance of not to exceed \$90,000 General Obligation Capital Loan Notes (Essential County Purpose #7).

RESOLUTION NO. 19-2022

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$90,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #7) OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that Pottawattamie County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$90,000, as authorized by Sections 331.402 and 331.442, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general county purpose project(s) as hereinafter described; and

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

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

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

WHEREAS, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 331 of the Code of Iowa, and to publish a notice of the proposal to issue such Notes and the right to petition for an election.

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

Section 1. That this Board meet in the Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa, at 10:00 A.M., on the 22nd day of March, 2022, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$90,000 General Obligation Capital Loan Notes (General County Purpose #7), for general county purposes, the proceeds of which notes will be used to provide funds to pay the costs of acquisition and development of land for a public park or other recreation or conservation purpose, including playground equipment at Hitchcock Park and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. The Auditor is authorized and directed to proceed on behalf of the County with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the County's obligations to a principal amount of not to exceed \$90,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the County and this Board and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the County and acceptable to the Board.

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

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published on or before: March 12, 2022)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$90,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (GENERAL COUNTY PURPOSE #7) OF THE COUNTY (FOR GENERAL COUNTY PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Pottawattamie County, State of Iowa, will hold a public hearing on the 22nd day of March 2022, at 10:00 A.M., in the Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$90,000 General Obligation Capital Loan Notes (General County Purpose #7), for general county purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Notes to be issued to provide funds to pay the costs of acquisition and development of land for a public park or other recreation or conservation purpose, including playground equipment at Hitchcock Park. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

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

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

This notice is given by order of the Board of Supervisors of Pottawattamie County, State of Iowa, as provided by Sections 331.402 and 331.442 of the Code of Iowa.

Dated this _____ day of _____ 2022.

 County Auditor, Pottawattamie County, State
 of Iowa

(End of Notice)

PASSED AND APPROVED this 8th 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

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

After discussion was held by the Board, a Motion was made by Schultz, and second by Grobe, to approve the FY 22/23 employee health insurance.
 UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

- A. Salary Action(s):
 - 1) Jail – Payroll status change for Randy Elwood.
 - 2) Thriving Families Alliance – Payroll status change for Jordan Morse.
 - 3) Veteran Affairs – Payroll status change for Samuel Pettit.
- B. Reports
 - 1) Sheriff’s Report of Fees Disbursed and Collected for January 2022.
 - 2) Recorder Fee Book for February 2022.
- C. Minutes
 - 1) Motion to receive and petition the Pottawattamie County Conservation Board Special Meeting Minutes for February 28, 2022.

5. CLOSED SESION

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

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

Motion by Shea, second by Schultz, to go into Closed Session pursuant to Iowa Code §21.5(1)(j), for discussion and/or decision on purchase or sale of particular real estate.
Roll Call Vote: AYES: Wichman, Belt, Grobe, Shea, Schultz. Motion Carried.

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

6. BUDGET DISCUSSION

Discussion only. No action taken.

7. ADJOURN

Chair Pro Tem Shea to adjourn.

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:15. P M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Auditor

APPROVED: March 15, 2022

PUBLISH: X

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 Houser, Auditor

APPROVED: March 22, 2022
PUBLISH: X

March 22, 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 15, 2022, Minutes as read.
- B. Renewal of Class B Beer Liquor License, granting privileges of Class B Beer/Outdoor Service/Sunday Service for Westfair Association d/b/a Westfair, Council Bluffs.
- C. Renewal of Class C Liquor License, granting privileges of Class C Liquor License/Outdoor Service/Sunday Service for Stress Free LLC d/b/a Bent Tree Gold Course, Council Bluffs.
- D. Renewal of Class C Liquor License, granting privileges of Class C Liquor License/Sunday Service for Palace Event Center, LLC d/b/a Palace Event Center, Treynor.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Belt, second by Shea, to open Public Hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder (Not to Exceed \$645,000 General Obligation Capital Loan Notes #1).

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

Motion by Shea, second by Belt, to close Public Hearing.

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

Motion by Belt, second by Shea, to approve and authorize Board to sign **Resolution No. 20-2022** instituting proceedings to take additional action.

RESOLUTION 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 |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 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 | | | | |

ATTEST: _____
 Melvyn J. Houser, County Auditor

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

Motion made by Shea, second by Grobe, to open Public Hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder (Not to Exceed \$245,000 General Obligation Capital Loan Notes #2).

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

Motion by Shea, second by Belt, to close Public Hearing.

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

Motion by Shea, second by Belt, to approve and authorize Board to sign **Resolution No. 21-2022** instituting proceedings to take additional action.

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 |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 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 | | | | |

ATTEST: _____
 Melvyn J. Houser, County Auditor

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

Motion made by Belt, second by Grobe, to open Public Hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder (Not to Exceed \$300,000 General Obligation Capital Loan Notes #3).

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

Motion by Shea, second by Belt, to close Public Hearing.

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

Motion by Belt, second by Schultz, to approve and authorize Board to sign **Resolution No. 22-2022** instituting proceedings to take additional action.

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

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

Motion made by Belt, second by Shea, to open Public Hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder (Not to Exceed \$300,000 General Obligation Capital Loan Notes #4).

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

Motion by Shea, second by Belt, to close Public Hearing.

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

Motion by Belt, second by Shea, to approve and authorize Board to sign **Resolution No. 23-2022** instituting proceedings to take additional action.

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 | ○ | ○ | ○ | ○ |
| _____ Scott Belt | ○ | ○ | ○ | ○ |
| _____ Lynn Grobe | ○ | ○ | ○ | ○ |
| _____ Justin Schultz | ○ | ○ | ○ | ○ |
| _____ Brian Shea | ○ | ○ | ○ | ○ |

ATTEST: _____
Melvyn J. Houser, County Auditor

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

Motion made by Belt, second by Shea, to open Public Hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder (Not to Exceed \$300,000 General Obligation Capital Loan Notes #5).

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

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

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

Motion by Shea, second by Belt, to approve and authorize Board to sign **Resolution No. 24-2022** instituting proceedings to take additional action.

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

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

Motion made by Belt, second by Shea, to open Public Hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder (Not to Exceed \$120,000 General Obligation Capital Loan Notes #6).

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

Motion by Shea, second by Belt, to close Public Hearing.

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

Motion by Shea, second by Belt, to approve and authorize Board to sign **Resolution No. 25-2022** instituting proceedings to take additional action.

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

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

Motion made by Schultz, second by Shea, to open Public Hearing on the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the County thereunder (Not to Exceed \$90,000 General Obligation Capital Loan Notes #7).

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

Motion by Shea, second by Belt, 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 **Resolution No. 26-2022** instituting proceedings to take additional action.

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

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

Jana Lemrick/Director, Human Resources and Suzanne Watson/Director, Community Services appeared before the Board to review draft for SWIA MHDS Region for 28E agreement between the SWIA MHDS Region and Pottawattamie County. Discussion only. No action taken.

After discussion was held by the Board, a Motion was made by Shea, and second by Belt, to approve the Board Chairman to sign contract extension with Witt O'Brien for FEMA representation. UNANIMOUS VOTE. Motion Carried.

Tom Kallman/Manager, Regional Water appeared before the Board to give an update on the rural water extension to Pioneer Trail. Discussion only. No action taken.

3. OTHER

After discussion was held by the Board, a Motion was made by Shea, and second by Belt, to accept the agreement of donated property from Jack Links and to approve the Board Chairman to sign the offer to donate Parcel No. 3 on the attached survey recorded in Book 89, Page 24354 of the Pottawattamie County Recorder Office. UNANIMOUS VOTE. Motion Carried.

John Rasmussen/Engineer and Matt Wyant/Director, Planning and Development and Josh Billings/Public Works, Hancock appeared before the Board and after discussion by the Board they will get an appraisal on the old secondary roads shed in Hancock. Discussion only. No action taken.

After discussion was held by the Board, a Motion was made by Belt, and second by Shea, to approve transfer of transfer station site to the City of Hancock per original agreement. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Shea, and second by Belt, to approve and authorize an on-call policy revision. UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

- A. Salary Action(s):
 - 1) Communications – Payroll status change for Scott Vandervort.
 - 2) Conservation – Employment of Noah Sundberg as Natural Areas Management Intern

- 3) Veterans Affairs – Employment agreement with Margarita Dooley for February 2, 2022 – June 30, 2022.

5. BUDGET DISCUSSION

Discussion Only. No Action Taken.

6. CLOSED SESSION

Motion by Shea, second by Belt, 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 Belt, second by Shea, 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 3:07 P.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Auditor

APPROVED: March 29, 2022

PUBLISH: X

March 25, 2022

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 11:00 A.M. All members present. Chairman Wichman presiding.

PLEDGE OF ALLEGIANCE

1. SCHEDULED SESSIONS

After discussion was held by the Board, a Motion was made by Belt, and second by Schultz, to extend the RFP deadline for Public Health Building for one week until April 1st at 4:00 P.M.

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

2. CLOSED SESION

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

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

3. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:05 P.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Auditor

APPROVED: March 29, 2022

PUBLISH: X

March 29, 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 Schultz, to approve:

- A. March 22, 2022, Minutes as read.
- B. March 25, 2022, Minutes as read.
- C. GIS – Employment of Wyatt Cheney as GIS Intern.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Shea, second by Schultz, to open Public Hearing on discussion regarding Compensation Board's recommendations for elected officials for FY 2022/23; and discussion regarding the Pottawattamie County Budget for FY 2022/23.

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 Amend Resolution to approve and authorize Board to sign **Resolution No. 27-2022**, regarding Compensation Board's recommendation for elected officials for FY 2022/23, reducing Compensation Board's recommendation from 10% to 4%.

UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Belt, to approve and authorize Board to sign **Resolution 27-2022** as Amended, regarding Compensation Board's recommendation for elected officials for FY 2022/23, reducing Compensation Board's recommendations from 10% to 4%. **Resolution No. 27-2022** is laid out as follows:

RESOLUTION NO. 27-2022

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

WHEREAS, the Pottawattamie County Compensation Board met on the 16th day of December 2021, and recommended a 10% increase for all County elected officials, for the fiscal year beginning July 1, 2022.

THEREFORE, BE IT RESOLVED that the Pottawattamie County Board of Supervisors hereby reduces the Compensation Board's recommended 10% salary increase to 4% salary increase for all Pottawattamie County elected officials for the fiscal year beginning July 1, 2022. Said increases shall be as follows:

| Elected Official | Approved Salary for FY 2022/2023 |
|-------------------------|---|
| Attorney | \$152,958 |
| Auditor | \$94,191 |
| Recorder | \$94,191 |
| Sheriff | \$146,377 |
| Supervisors | \$51,164 |
| Treasurer | \$94,191 |

Dated this 29th 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 Houser, County Auditor

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

Motion by Belt, second by Schultz, to approve and authorize Board to sign **Resolution No. 28-2022**, regarding Pottawattamie County Budget for FY 2022/23. **Resolution No. 28-2022** is laid out as follows:

RESOLUTION NO. 28-2022

WHEREAS, the Board of Supervisors of Pottawattamie County, after due consideration of estimated income and expenses for Fiscal Year 2022-2023, duly published such estimates for the county budget; and

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

WHEREAS, a hearing was held on Tuesday, March 29, 2022, at 10:00 AM, in the Board of Supervisors’ Hearing Room, Second Floor, Courthouse, 227 South 6th Street, Council Bluffs, Iowa; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Pottawattamie County, after hearing no objections, on a motion by Supervisor _____, and a second by Supervisor _____, the Fiscal Year 2022-2023 budget was adopted.

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

Dated this 29th 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 Houser, County Auditor

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

After discussion was held by the Board, a motion was made by Schultz, and second by Shea, to approve and authorize Chairman to sign Grant Award Letter of Agreement from Iowa West Foundation on the following grant awards: CITIES 2022 for the City of Carson and City of Neola project. UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Belt, to approve and sign Proclamation designating the month of April 2022 as Child Abuse Prevention Month.

**POTTAWATTAMIE COUNTY BOARD OF SUPERVISORS
PROCLAMATION**

CHILD ABUSE PREVENTION MONTH – APRIL 2022

WHEREAS 4.4 million referrals are made to child protective services national yearly; and

WHEREAS child abuse and neglect is a serious problem affecting every segment of our community, and finding solutions requires input and action from everyone; and

WHEREAS our children are our most valuable resources and will shape the future of the Pottawattamie County; and

WHEREAS child abuse can have long-term psychological, emotional, and physical effects that have lasting consequences for victims of abuse; and

WHEREAS protective factors are conditions that reduce or eliminate risk and promote the social, emotional, and developmental well-being of children; and

WHEREAS, effective child abuse prevention activities succeed because of the partnerships created between child welfare professionals, education, health, community- and faith-based organizations, businesses, law enforcement agencies, and families; and

WHEREAS communities must make every effort to promote programs and activities that create strong and thriving children and families; and

WHEREAS we acknowledge that we must work together as a community to increase awareness about child abuse and continue to promote the social and emotional well-being of children and families in a safe, stable, and nurturing environment; and

WHEREAS prevention remains the best defense for our children and families.

THEREFORE, We, the Pottawattamie County Board of Supervisors, do hereby proclaim April 2022 as

NATIONAL CHILD ABUSE PREVENTION MONTH

“In Pottawattamie County and urge all citizens to recognize this month by dedicating ourselves to the task of improving the quality of life for all children and families.”

IN WITNESS WHEREOF, I have caused my signature and Seal of Pottawattamie County, Iowa to be affixed this 29th day of March 2022.

ROLL CALL VOTE

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

John Rasmussen appeared before the Board to discuss and review the draft for Secondary Roads Five Year Program. Discussion only. No action taken.

After discussion was held by the Board, a motion was made by Shea, second by Belt, to approve and award Contract 78-C078-205 for Hot Mix Asphalt Resurfacing M47 from Highway 6 North 5 miles to G30.

UNANIMOUS VOTE. Motion Carried.

3. OTHER

Motion by Schultz, second by Shea, to approve job descriptions for the Infection Preventionist and Epidemiologist Intern positions.

UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Action(s):

- 1) Conservation – Employment of Kaden McDermott as a Seasonal Park Aide.
- 2) Conservation – Employment of Joseph Campbell as Natural Areas Management Intern.
- 3) SWI Juvenile Detention – Payroll Status Change for Tobi Brich.
- 4) Jail – Payroll Status Change for William Baylor.

B. Reports

- 1) Sheriff's Report of Fees Disbursed and Collected for February 2022.

5. CLOSED SESSION

Motion by Belt, second by Schultz, to go into Closed Session pursuant to Iowa Code §21.5(1)(c) for discussion and/or decision on possible litigation.

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.**

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

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

6. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

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

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Auditor

APPROVED: April 5, 2022

PUBLISH: X

April 5, 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 Schultz, and second by Belt, to approve:

- A. March 29, 2022, Minutes as read.
- B. New Ownership Class B Native Wine Liquor License, granting privileges of Class B Native Wine Liquor License/Sunday Sales for Olive Branch Inc d/b/a Olive Branch, Council Bluffs.
- C. Renewal of Class C Native Wine (WCN) Liquor License, granting privileges of Class C Native Wine (WCN); Outdoor Service; Sunday Sales for Breezy Hills Winery, LLC d/b/a Breezy Hills Vineyard, Minden, Iowa.
- D. Renewal of Class B Beer (BB) (includes Wine Coolers) Liquor License, granting privileges of Class B Beer (BB) (Includes Wine Coolers); Class C Native Wine Permit (On Premises); Outdoor Service; and Sunday Sales for Lyle Ditmars d/b/a Ditmars Orchard and Vineyard, Council Bluffs.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Shea, second by Belt, to approve funding of \$500k per Hospital for Mercy and Jennie Edmundson with expenditure line yet to be determined. County Funds will be last into the project.

UNANIMOUS VOTE. Motion Carried. Hospitals will provide any documentation if ARPA funds are to be used.

Motion by Shea, second by Schultz, to approve Secondary Roads Budget and County Five Year Plan for Department of Transportation Submittal.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Grobe, to approve and authorize Board to sign **Resolution No. 30-2022** entitled: RESOLUTION for construction agreement between the City of Underwood and Pottawattamie County for a secondary road extension project.

RESOLUTION NO. 30-2022

**RESOLUTION FOR CONSTRUCTION AGREEMENT
BETWEEN THE CITY OF UNDERWOOD AND POTTAWATTAMIE COUNTY FOR A
SECONDARY ROAD EXTENSION PROJECT**

Pottawattamie County Resolution No. 30-2022

Project No. FM-CO78(TBD)—55-78

Consenting to and approving the plans for the improvement of the extension of Secondary Road G30 (Magnolia Road) within the City of Underwood, Iowa (“City”).

WHEREAS, Pottawattamie County proposes to improve Magnolia Road within the City of Underwood, Iowa in accordance with plans filed in the office of the Clerk of said City as follows:

Remove and Replace Pavement and reconstruct Mosquito Creek Bridge to support turn lanes as necessitated by the Jack Links Expansion project, identified as project number FM-CO78(TBD)—55-78, and

WHEREAS, the City has informed itself as to the proposed improvement and has examined the plans thereof,

WHEREAS, the City recognizes the County will develop the project and the City supports the proposed improvements, the Jack Links Expansion, and grant applications made by the County for this project.

WHEREAS, the City is aware that the purpose of the agreement is to apply for and secure RISE funding. Failure to receive RISE funding will terminate this agreement and future project development would require a separate agreement.

NOW, THEREFORE, BE IT RESOLVED by the said Council of the City of Underwood, as follows:

1. The City hereby approves the plans for the said project and consents to the improvement in accordance with the plans.
2. The City will take such legal steps and procedures to a conclusion such legal action and/or proceedings as are now or may hereafter be required.
 - a. To legally establish the grade lines of the street in accordance with and as shown by the project plans, and to cause any damage accruing there from to be determined and paid pursuant to Iowa Code Section 364.15.
 - b. To take such steps as may be necessary to secure the consent to the removal of any trees that may interfere with the construction of the project.
 - c. To remove existing and prevent future encroachments and obstructions upon streets or highways covered by the project.
 - d. To remove or cause to be removed without expense to the County all water hydrants, curb boxes, electroliers and cables, poles, parking meters, traffic signals, and any other facilities or obstructions which interfere with the construction of the project.

All above ground utilities shall be placed as close to the right of way line as practical.

3. Since this project may be partly financed with Federal-aid funds, the grant of which requires that the Iowa Department of Transportation (Iowa DOT) and the County comply with federal laws and regulations with respect thereto, the City agrees to take such action as may be necessary to comply with such federal laws and regulations. (Approval of the plans by the City satisfies the requirements of this paragraph.)
4. The City further agrees that within the limits of the proposed surfacing and for one foot outside thereof where the City or utility companies may be digging ditches prior to the proposed surfacing, the City will require that all backfilling and compaction of ditches shall be made in accordance with the Iowa DOT's current Standard Specifications. The work will be subject to the approval of the County.
5. The City will, by ordinance, prohibit or restrict diagonal parking throughout the project.
6. Upon completion of the project, the City agrees that:
 - a. Any changes in the physical features of the project will be authorized only after approval has been secured from the County.
 - b. The City will furnish and erect all traffic signage and signaling in accordance with the current Manual on Uniform Traffic Control Devices.
 - c. All traffic signage and signaling shall be approved by the County before placement.

Passed this 5th day of April, 2022.

ROLL CALL VOTE

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

Chairman Wichman resumed as Chair.

4. RECEIVED/FILED

- A. Salary Action(s):
- 1) Sheriff – Payroll status changes for Eric Shea.
 - 2) Sheriff – Payroll status change for Aaron Soucie.

5. CLOSED SESSION

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

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

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

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

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

Roll Call Vote: **AYES: 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.**

6. STUDY SESSION

Mark Shoemaker/Director, Conservation

7. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 2:10 P.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Auditor

APPROVED: April 12, 2022

PUBLISH: X

April 12, 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 Grobe, to approve:

- A. April 5, 2022, Minutes as read.
- B. New Ownership Class C Liquor License, granting privileges of Class C Liquor License; Outdoor Service; Sunday Sales for Grand Mac LLC d/b/a Mile A Way Hall & Tavern, Council Bluffs.
- C. New Ownership Class C Liquor License, granting privileges of Class C Liquor License, Outdoor Service; Sunday Sales for BT Links LLC d/b/a Bent Tree Golf Club, Council Bluffs.
- D. March 2022 Vendor Publication Report.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Schultz, second by Belt, to open public hearing on Dumfries and 240th Street Paving project.
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 **Resolution No. 31-2022** entitled: RESOLUTION Awarding Contract for Project Number STBG-SWAP-CO78(205)—FG-78 in Pottawattamie County, Iowa, and Authorizing Pottawattamie County Engineer to Execute Contract.

RESOLUTION NO. 31-2022

**RESOLUTION AWARDING CONTRACT FOR PROJECT NUMBER
STBG-SWAP-CO78(205)—FG-78
IN POTTAWATTAMIE COUNTY, IOWA, AND AUTHORIZING POTTAWATTAMIE
COUNTY ENGINEER TO EXECUTE CONTRACT**

WHEREAS, the Pottawattamie County construction project identified as Project Number **STBG-SWAP-CO78(205)—FG-78** (hereinafter “Project”) was let by Iowa DOT on March 15, 2022; and

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

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

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

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

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

1. The contract for Project Number **STBG-SWAP-CO78(205)—FG-78** is awarded to Western Engineering Co., Inc., the Low Bidder of \$2,318,272.10.
2. The Pottawattamie County Engineer is authorized to digitally sign the contract documents for the Project.

Dated this 12 day of April, 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 Houser, County Auditor

RECOMMENDED: _____
John Rasmussen, Engineer

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

Motion by Schultz, second by Shea, to approve funding request for the Pottawattamie Arts, Culture & Entertainment Hoff Family Arts & Culture Center in the amount of \$50k for 3-year commitment from gaming fund.
UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Belt, to approve and authorize Chairman to sign Change Order #02 for CDBG downtown rehab Project in Carson and Macedonia.
UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Belt, to approve and authorize Chairman to sign application no. 10 for Cornerstone Commercial Contractors pay for Carson/Macedonia downtown rehab.
UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to approve Public Comment Policy.
UNANIMOUS VOTE. Motion Carried.

3. OTHER

David Bayer/Chief Information Officer and Jana Lemrick/Director, Human Resources appeared before the Board to give an update on the Status of the ExecuTime Timekeeping Project. Discussion only. No action taken.

Motion by Grobe, second by Belt, to approve the following applications made to the Assessor’s Office: Homestead (117 recommend allowed), Military (27 recommend allowed), Disabled Veteran Homestead (7 recommend allowed), Business Property Tax Credit (16 recommend allowed), Family Farm (7 recommend allowed).
UNANIMOUS VOTE. Motion Carried.

Leanne Gifford/Attorney and Penny Ravlin/Assessor appeared before the Board to discuss the Natural Conservation and Wildlife Areas Property Tax Exemptions pursuant to Iowa Code §427.1(22). Discussion only. No action taken.

4. RECEIVED/FILED

- A. Salary Action(s):
 - 1) SWI Juvenile Detention Center – Payroll Status Change for Jeannette Juarez-Alcantara.
 - 2) Secondary Roads – Payroll Status Changes for Wylie McIntire.
 - 3) Sheriff – Payroll Status Change for Eric Shea.
- B. Reports
 - 1) Recorder Fee Book for March 2022.

5. PUBLIC COMMENTS

Geri Frederickson spoke encouraging Board Members to attend Town Hall Meetings in Oakland, Avoca, and Council Bluffs regarding ARPA Funding.

6. ADJOURN

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

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:10 A.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Auditor

APPROVED: April 19, 2022
PUBLISH: X

April 19, 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 Grobe, and second by Shea, to approve:

- A. April 12, 2022, Minutes as read.
- B. Sheriff's Office – Employment of Tanner Miller as a Deputy (Road).

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

10:00 A.M. South Noble Lake Drainage District minutes done by Drainage Levy.

Paula Hazelwood/Executive Director and Shalimar Mazetis/Manager Entrepreneurial Development from Advance Southwest Iowa Corporation and Clint Sloss from McClure and Representative from Rural Pottawattamie County Infrastructure Coalition (RPCIC) appeared before the Board to discuss and present funding request for RPCIC projects. Discussion only. No Action Taken.

Motion by Shea, and second by Schultz, to approve and authorize Board to sign **Resolution No. 32-2022** entitled: A Resolution Endorsing an Application for RISE Program Funding to Reconstruct Portions of Magnolia Road to Support the Link Snacks Inc Expansion Project in the City of Underwood.

RESOLUTION NO. 32-2022

A RESOLUTION ENDORSING AN APPLICATION FOR RISE PROGRAM FUNDING TO RECONSTRUCT PORTIONS OF MAGNOLIA ROAD TO SUPPORT THE LINK SNACKS INC EXPANSION PROJECT IN THE CITY OF UNDERWOOD, POTTAWATTAMIE COUNTY.

WHEREAS, the Iowa Department of Transportation (“DOT”) sponsors a program called Revitalize Iowa’s Sound Economic (“RISE”) which was created to promote economic development in Iowa through the establishment, construction, improvement and maintenance of roads and streets; and

WHEREAS, Pottawattamie County and the City of Underwood have concurrent jurisdiction of a portion of Magnolia Road and Resolution 30-2022 designates Pottawattamie County as the lead agency for this project; and

WHEREAS, the City of Underwood and Pottawattamie County desires to improve Magnolia Road with a two – way left turn lane (TWLTL); and the Railroad Highway Intersection to improve visibility and provide for safe turning movements; and

WHEREAS, the improvements to Magnolia Road, Railroad Highway Intersection, and the Mosquito Creek Bridge are estimated to cost \$4,520,400 (“the Project”) and qualify as an eligible expense under the DOT RISE Program; and

WHEREAS, Pottawattamie County will request RISE funds from the DOT in the amount of \$2,260,200 for the Project; and

WHEREAS, the RISE Program requires matching funds in the amount of \$2,260,200 which will be guaranteed by Pottawattamie County; and

WHEREAS, the Project will support traffic for 161-acres of land for immediate industrial development for Link Snacks Inc. to include a \$55 million warehouse expansion project, as well as, support and encourage the future development of 94.71 acres of land North of Magnolia Road; and

WHEREAS, the road improvements are dedicated to public use; and,

WHEREAS, the road improvements constructed under this project will be the jurisdictional responsibility of Pottawattamie County and the City of Underwood as provided for in Iowa Code Section 306; and,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY that the Board of Supervisors of Pottawattamie County hereby endorses the RISE application dated May 13, 2022 to fund the improvements to Magnolia Road.

Dated this 19 day of April, 2022.

| | |
|------------|---------------------------|
| | ROLL CALL VOTE |
| AYE | NAY ABSTAIN ABSENT |
| ○ | ○ ○ ○ ○ |
| _____ | |

| | | | | |
|----------------|-----------------------|-----------------------|-----------------------|-----------------------|
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Lynn Grobe | | | | |
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Justin Schultz | | | | |
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Brian Shea | | | | |

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

RECORD: After Passage

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

Motion by Shea, and second by Belt, to approve and authorize Board to sign Planning and Zoning **Resolution No. 2022-02** entitled: Final Plat of Huneke Subdivision, a subdivision situated in Norwalk Township.

**PLANNING AND ZONING
 RESOLUTION NO. 2022-02**

WHEREAS, this Board had approved the preliminary plat of **Huneke Subdivision**, a residential subdivision situated in **Norwalk Township**, by approval of Planning and Zoning Resolution No. **2022-01**, dated **January 11, 2022**; and

WHEREAS, the final plat and supporting documents required by Chapter 9.10 of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa, has been filed with this Board for its study and consideration under **Case #SUB-2021-03**; and

WHEREAS, this Board has examined the final plat and has found it is in substantial compliance with the approved preliminary plat; and

WHEREAS, after careful study, and due consideration this Board has determined that the final plat and supporting documents conform to the requirements of Chapter 9.10 of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa, and it has deemed it to be in the best interest of Pottawattamie County, Iowa, to approve the final plat.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA: That the final plat of **Huneke Subdivision**, a residential subdivision in Pottawattamie County, Iowa, be, and the same is hereby approved as the final plat of said subdivision.

And that the Chairman of the Board of Supervisors is hereby authorized to enter such approval upon said final plat.

PASSED AND APPROVED April 19, 2022

| | ROLL CALL VOTE | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| | AYE | NAY | ABSTAIN | ABSENT |
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 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 | | | | |

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

RECORD: After Passage

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

After discussion was held by the Board, a motion was made by Schultz, and second by Shea, to approve and award RFP for general contracting services for Public Health Building to Boyd-Jones.
UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a motion was made by Belt, and second by Schultz, to approve the Rules and Application for Use of Pottawattamie County Property updates.
UNANIMOUS VOTE. Motion Carried.

Rita Dooley/Director, Veteran Affairs appeared before the Board to give an update on the Veteran Affairs Department progress and State Conference. Discussion only. No action taken.

3. OTHER

Matt Wilber/Attorney discussed a Closed Session that was held on December 21 to correct minutes, Matt Wilber asked Chairman Wichman to state that the minutes were approved as corrected from December 21, 2021, and to get signatures from former Chairman Belt, and Melvyn Houser to sign corrected minutes from December 21, 2021.

Motion by Shea, and second by Belt, to approve and authorize Board Chairman to sign 2022-2023 Wage Increase between Pottawattamie County and the Pottawattamie County Deputy Sheriff's Association, effective July 1, 2022, through June 30, 2023.
UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a motion was made by Schultz, and second by Shea, to approve Job Description of Site Manager, and Job Description of Mechanical Operations & Maintenance Manager.
UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Schultz, and second by Belt, to remove 1-year waiting period for new employees to earn wellness incentive.
UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, and second by Shea, to approve and authorize Board Chairman to sign Internet Service Agreement with Lumen.
UNANIMOUS VOTE. Motion Carried.

Motion by Belt, and second by Shea, to approve and authorize Board Chairman to sign EPL Service agreement with Great Plains Communications.
UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a motion was made by Schultz, and second by Shea, to approve Application for Use of Pottawattamie County Grounds for the Bible Reading Marathon on July 14th – 16th.
UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

- A. Salary Action(s):
- 1) Conservation - Payroll Status Change for Cory Thomas.
 - 2) Attorney – Payroll Status Change for Sara Thomsen.
 - 3) Attorney – Payroll Status Change for Rhonda Blair.
 - 4) Conservation – Employment of Ashley Jones as Environmental Education Intern – Hitchcock.

5. PUBLIC COMMENTS

Fran Mierzwa spoke and is disappointed in Sunshine Laws in Chapter 20 – Ski Hill purchase was not done openly and just in Closed Session only.

Shawna Anderson spoke and is concerned about ARPA Funds. Board of Supervisors need to attend Town Hall meeting in Oakland at 7:30 P.M.

Tim Kealy spoke concerning Policy on Road Paving and Petition for paving, contribution of Public is not equal per landowner.

6. CLOSED SESION

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

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

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

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

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

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

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

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

7. BUDGET SESION

8. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 2:32 P. M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Auditor

APPROVED: April 26, 2022

PUBLISH: X

April 26, 2022

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. April 19, 2022, Minutes as read.
- B. Public Health – Employment of Kristen Reid as Health Educator.
- C. Veteran Affairs – Employment of Kara Behrens as Administrative Assistant.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Belt, and second by Schultz, to approve and authorize Board to sign Planning and Zoning Resolution No. 2022-07 entitled: Final Plat of Matriarch Manor East and West, subdivisions situated in Garner Township.

PLANNING AND ZONING RESOLUTION NO. 2022-07

WHEREAS, this Board had approved the preliminary plat of Matriarch Manor East and Matriarch Manor West, residential subdivisions situated in Garner Township, by approval of Planning and Zoning Resolution No. 2022-04, dated March 15, 2022; and

WHEREAS, the final plat and supporting documents required by Chapter 9.10 of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa, has been filed with this Board for its study and consideration under Case #SUB-2022-01; and

WHEREAS, this Board has examined the final plat and has found it is in substantial compliance with the approved preliminary plat; and

WHEREAS, after careful study, and due consideration this Board has determined that the final plat and supporting documents conform to the requirements of Chapter 9.10 of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa, and it has deemed it to be in the best interest of Pottawattamie County, Iowa, to approve the final plat.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA: That the final plats of Matriarch Manor East and Matriarch Manor West, residential subdivisions in Pottawattamie County, Iowa, be, and the same is hereby approved as the final plat of said subdivisions.

And that the Chairman of the Board of Supervisors is hereby authorized to enter such approval upon said final plat.

PASSED AND APPROVED April 26, 2022

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

_____ ○ ○ ○ ○
 Brian Shea

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

RECORD: After Passage

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

After discussion was held by the Board, a motion was made by Schultz, and second by Grobe, to approve the Board Chairman to sign CO 004 for Roofing Material Price Increase in the amount of \$43,928.03. UNANIMOUS VOTE. Motion Carried.

Motion by Belt, second by Schultz, to approve setting time and place for public hearing on an amendment for the FY 2021/22 Budget for May 17, 2022, at 10:00 AM. UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, and second by Belt, to approve and authorize Board to sign **Resolution No. 33-2022** entitled: Resolution Authorizing Transfer from Lost Secondary Roads Fund to Bond Series 2021C Debt Fund.

RESOLUTION NO. 33-2022

RESOLUTION Authorizing Transfer from LOST Secondary Roads Fund to Bond Series 2021C Debt Fund

WHEREAS, it is desired to transfer money from LOST Secondary Roads Fund to Bond Series 2021C Debt Fund; and

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

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

SECTION 1: The sum of \$401,360.83 is ordered to be transferred from LOST Secondary Roads Fund to Bond Series 2021C Debt Fund, and

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

Dated this 26th day of April, 2022.

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

ATTEST: _____
 Melvyn Houser, County Auditor

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

Motion by Schultz, and second by Belt, to approve and authorize Board to sign **Resolution No. 34-2022** entitled: Resolution Authorizing Transfer from Lost Secondary Roads Fund to Bond Series 2020B Debt Fund.

RESOLUTION NO. 34-2022

RESOLUTION Authorizing Transfer from LOST Secondary Roads Fund to Bond Series 2020B Debt Fund

WHEREAS, it is desired to transfer money from LOST Secondary Roads Fund to Bond Series 2020B Debt Fund; and

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

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

SECTION 1: The sum of \$192,052.61 is ordered to be transferred from LOST Secondary Roads Fund to Bond Series 2020B Debt Fund, and

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

Dated this 26th day of April, 2022.

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

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion by Schultz, and second by Belt, to approve and authorize Board to sign **Resolution No. 35-2022** entitled: Resolution Transfer from Lot Secondary Roads Fund to Secondary Roads Fund.

RESOLUTION NO. 35-2022

RESOLUTION Transfer from LOT Secondary Roads Fund to Secondary Roads Fund

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

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

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

SECTION 1: The sum of \$2,750,000 is ordered to be transferred from LOT Secondary Roads Fund to Secondary Roads Fund, and

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

Dated this 26th day of April, 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 Houser, County Auditor

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

Motion by Schultz, and second by Belt, to approve and authorize Board to sign **Resolution No. 36-2022** entitled: Resolution for Transfer from Rural Services Fund to Secondary Roads Fund.

RESOLUTION NO. 36-2022

RESOLUTION for Transfer from Rural Services Fund to Secondary Roads Fund

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

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

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

SECTION 1: The sum of \$2,607,500 is ordered to be transferred from Rural Services Fund to Secondary Roads Fund, and

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

Dated this 26th Day of April, 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 Houser, County Auditor

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

Motion by Grobe, and second by Belt, to approve and authorize Board to sign **Resolution No. 37-2022** entitled: Resolution Authorizing Transfer from Bond Series 2020A Debt Fund to Bond Series 2021B Debt Fund.

RESOLUTION NO. 37-2022

RESOLUTION Authorizing Transfer from Bond Series 2020A Debt Fund to Bond Series 2021B Debt Fund.

WHEREAS, it is desired to transfer money from Bond Series 2020A Debt Fund to Bond Series 2021B Debt Fund; and

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

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

SECTION 1: The sum of \$9,266.65 is ordered to be transferred from Bond Series 2020A Debt Fund to Bond Series 2021B Debt Fund, and

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

Dated this 26th day of April, 2022.

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

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion by Schultz, and second by Belt, to approve and authorize Board to sign **Resolution No. 38-2022** entitled: Resolution Authoring Transfer from Bond Series 2021A Debt Fund to Bond Series 2021B Debt Fund.

RESOLUTION NO. 38-2022

RESOLUTION Authorizing Transfer from Bond Series 2021A Debt Fund to Bond Series 2021B Debt Fund

WHEREAS, it is desired to transfer money from Bond Series 2021A Debt Fund to Bond Series 2021B Debt Fund; and

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

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

SECTION 1: The sum of \$405,000 is ordered to be transferred from Bond Series 2021A Debt Fund to Bond Series 2021B Debt Fund, and

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

Dated this 26th day of April, 2022.

| ROLL CALL VOTE | | | |
|-----------------------|-----|---------|--------|
| AYE | NAY | ABSTAIN | ABSENT |

| | | | | |
|-----------------------|---|---|---|---|
| _____ | ○ | ○ | ○ | ○ |
| Tim Wichman, Chairman | | | | |
| _____ | ○ | ○ | ○ | ○ |
| Scott Belt | | | | |
| _____ | ○ | ○ | ○ | ○ |
| Lynn Grobe | | | | |
| _____ | ○ | ○ | ○ | ○ |
| Justin Schultz | | | | |
| _____ | ○ | ○ | ○ | ○ |
| Brian Shea | | | | |

ATTEST: _____
 Melvyn Houser, County Auditor

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

3. RECEIVED/FILED

A. Salary Action(s):

- 1) Sheriff - Payroll Status Change for John Cool.
- 2) Sheriff – Payroll Status Change for Josh Kirlin.
- 3) Sheriff – Payroll Status Change for Ryan Olderog.
- 4) Conservation – Payroll Status Change for Sarah Arbogast.
- 5) WIC – Payroll Status Change for Luz Collins.
- 6) Conservation – Employment of Steven Fox as Natural Areas Management Intern.
- 7) Conservation – Employment of Isabella Lombardo as Natural Areas Management Intern.
- 8) Conservation – Employment of Kate Williams as Environmental Education Intern.
- 9) Conservation – Employment of Nicole Truax as Natural Areas Management Seasonal.

B. Report:

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

4. PUBLIC COMMENTS

Dave BuShaw feels there is a gap in ARPA Funding for the public.
 Shawna Anderson wants Board to attend Town Hall meeting at Avoca at 7.
 Joshua Springhower inviting Board for Dialogue.

5. ADJOURN

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

THE BOARD ADJOURNED SUBJECT TO CALL AT 10:30 A.M.

 Tim Wichman, Chairman

ATTEST: _____
 Melvyn Houser, Auditor

APPROVED: May 3, 2022
 PUBLISH: X

May 3, 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 Grobe, and second by Shea, to approve:

- A. April 26, 2022, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Tom Kallman / Manager, Regional Water appeared before the Board to give an update on the ruralwater extension to Pioneer Trail. Discussion only. No action taken.

Lea Voss/Treasurer appeared before the Board to give an update on gaming revenue and local option sales tax. Discussion only. No action taken.

Motion by Schultz, second by Shea, to approve updated job description and exemption status for Natural Resource Specialist position.

UNANIMOUS VOTE. Motion Carried.

3. RECEIVED/FILED

- A. Salary Action(s):
 - 1) GIS- Payroll Status Change for Jamie Petersen.
 - 2) Attorney – Payroll Status Change for Eric Strovers.
 - 3) SWI Juvenile Detention Center – Employment of Rylee Walter as Part-time Youth Corrections Worker.
 - 4) Conservation – Employment of Ethan Bose as Season Park Aid – Botna Bend.
 - 5) Conservation – Employment of Ray Mehaffy as Mechanical Operations & Maintenance Manager.
 - 6) Conservation – Employment of Chris Andrew as Site Manager.

4. PUBLIC COMMENTS

Shawna Anderson: the Oakland Town Hall had a good turnout. Inviting the Board of Supervisors to the City of Council Bluffs Town Hall on Wednesday, May 5, 2022.

5. CLOSED SESSION

Motion by Shea, second by Belt, to go into Closed Session pursuant to Iowa Code §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 Schultz, to go out of Closed Session.

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

6. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:00 P.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Auditor

APPROVED: May 10, 2022
PUBLISH: X

May 10, 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 Schultz, to approve:

- A. May 3, 2022, Minutes as read.
- B. April 2022 Vendor Publication Report.
- C. Thriving Families Alliance – Employment of Carrie Powders as Child & Family Resource Network Coordinator.
- D. Thriving Families Alliance – Employment of Erika Kirchhoff as part time CFRN Outreach Coordinator.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

John Rasmussen/Engineer appeared before the Board to discuss the Roads Operation Center with regards to the expenditures. Discussion only. No Action Taken.

John Rasmussen/Engineer appeared before the Board to discuss pipeline inspection requirement and consideration of consultant inspection for land restoration. Discussion only. No Action Taken.

Motion by Belt, second by Schultz, to approve and authorize Board to sign **Resolution No. 39-2022** authorizing Finance and Tax Officer, Becky Lenihan, to be appointed as Pottawattamie County’s Chief Financial Officer for DHS-FEMA programs.

RESOLUTION 39-2022

WHEREAS, Pottawattamie County receives Federal and State financial assistance from DHS-FEMA; and

WHEREAS, Pottawattamie County is required to update the authorized representative upon the change of Authorized Representative or Chief Finance Officer; and

WHEREAS, Becky Lenihan is the Finance and Tax Officer in the Pottawattamie County Auditor’s Office;

IT IS THEREFORE RESOLVED that Finance and Tax Officer, Becky Lenihan, shall be appointed as the Pottawattamie County’s Chief Financial Officer for DHS-FEMA programs.
Resolution adopted this 10TH day of May, 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 Houser, County Auditor

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

Motion by Belt, second by Schultz, to approve and authorize Board Chairman to sign American Federation of State, County and Municipal Employees (AFSCME) Local 2364 Roads Employees Agreement, effective July 1, 2022, through June 30, 2025.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve and authorize Board Chairman to sign Memorandum of Understanding Between Pottawattamie County and the American Federation of State, County and Municipal Employees (AFSCME) Local 2364 Roads Employees Agreement, effective July 1, 2022, through June 30, 2025.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve and authorize Board Chairman to sign Pottawattamie County Communications and 911 Employee Association/AFSCME 2364-911 Union Labor Agreement, effective July 1, 2022, through June 30, 2025.

UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Belt, to approve and authorize Board Chairman to sign Memorandum of Understanding Between Pottawattamie County and the American Federation of State, County and Municipal Employees (AFSCME) Local 2364-911 Agreement, effective July 1, 2022, through June 30, 2025.

UNANIMOUS VOTE. Motion Carried.

3. OTHER

After discussion was held by the Board, a motion was made by Shea, second by Schultz, to approve the Website Privacy, Legal & Linking Policy.

UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a motion was made by Shea, second by Belt, to approve the Acceptable Use Policy. This will be a new policy in the employee handbook.

UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a motion was made by Schultz, second by Shea, to approve Public Relations position.

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

4. RECEIVED/FILED

A. Salary Action(s):

- 1) Conservation – Employment of Grace Kauffman as Natural Areas Management Intern – Hitchcock.

5. PUBLIC COMMENTS

Arlen Ullrich following up to Town Hall meetings on ARPA money, wants \$200 per month for citizens of the county 70 years of age or older who make \$35,000 per year or less. Money to be spent in 4 vouchers for #1 housing, #2 utilities, #3 medical and drugs and #4 food and gasoline for as long as the money lasts.

Shawna Anderson will present information from Town Hall ideas. 1. Help for Small Businesses 2.

Housing for Teachers.

6. BUDGET SESSION

Discussion only.

7. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:44 P. M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Auditor

APPROVED: May 17, 2022
PUBLISH: X

May 17, 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 Schultz, and second by Shea, to approve:

- A. May 10, 2022, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Shea, second by Schultz, to open public hearing on Pottawattamie County's amendment to current county budget for fiscal year 2021-22.

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

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

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

Motion by Shea, second by Schultz, to approve and authorize Board to sign **Resolution No. 40-2022**, a Resolution to approve Pottawattamie County's amendment to current county budget for fiscal year 2021-22. Said Resolution is set out as follows:

RESOLUTION NO. 40-2022

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

WHEREAS, the Board of Supervisors, Veteran Affairs, Conservation, Public Health, Planning, Mental Health Department Services and Nondepartmental have exceeded their Budget due to said necessary expenditures; and

WHEREAS, the Amendment to the Fiscal Year 2021/22 Budget for the Board of Supervisors, Veteran Affairs, Conservation, Public Health, Planning, Mental Health Department Services, and Nondepartmental shall be substantially as follows:

| DEPT # | Revenue Amount | Expense Amount |
|---------------------------|-----------------------|-----------------------|
| Board of Supervisors - 01 | \$ 1,104,844 | |
| Total | \$ 1,104,844 | |
| | | |
| Veteran Affairs -21 | | \$ 22,500 |
| Total | | \$ 22,500 |
| | | |
| Conservation - 22 | | 333,081 |
| Total | | 333,081 |
| | | |
| Public Health - 23 | \$ 36,000 | 9,000 |
| | \$ 20,503 | 20,503 |
| Total | \$ 56,503 | \$ 29,503 |
| | | |
| Planning - 53 | \$ 354,140 | 247,466 |
| | \$ 35,476 | |
| Total | \$ 389,616 | \$ 247,466 |

| | | |
|-----------------------|-------------------|-------------------|
| MHDS - 60 | \$ 156,629 | 156,629 |
| | | 750,000 |
| Total | \$ 156,629 | \$ 906,629 |
| Non-Departmental - 99 | | 20,000 |
| Total | | 20,000 |
| | \$ 1,707,592 | \$ 1,559,179 |

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

WHEREAS, the public had due notice of the Budget Amendment Hearing held on May 17, 2022, and at the hearing, due time was allowed for objections to any and all portions of the amended budget.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Pottawattamie County, hereby amends the Fiscal Year 2021/22 budget.

Dated this 17th day of May, 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

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

After discussion was held by the Board, a motion was made by Schultz, and second by Shea, to approve the Board Chairman to sign Cornerstone Commercial Contractors pay application no. 11 for Carson/Macedonia downtown rehab. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a motion was made by Shea, second by Grobe, to approve the Value Engineering changes for the Roads Operations Center. UNANIMOUS VOTE. Motion Carried.

John Rasmussen/Engineer appeared before the Board to discuss Pine Terrace and Hwy 92 Traffic study for Lewis Township Volunteer Fire Department traffic light request. Discussion only. No Action Taken.

John Rasmussen/Engineer appeared before the Board to discuss Wabash and Pioneer Trail Traffic Study for South bound Left Turn Lane. Discussion only. No Action Taken.

After discussion was held by the Board, a motion was made by Schultz, second by Shea, to authorize Chairman to sign a quick claim deed to Fino Farms LLC of 10-foot parcel from the Caladonia Shop Parcel. UNANIMOUS VOTE. Motion Carried.

3. RECEIVED/FILED

- A. Salary Action(s):
 - 1) Communications – Payroll Status Change for Kristen Ewer.
 - 2) SWI Juvenile Detention Center- Employment of Cayden Rowell as Youth Corrections Worker.

- 3) SWI Juvenile Detention Center – Employment of Terri Smith as a Part-time Youth Correction Worker.
- 4) Conservation – Employment of Trevor Kjeldgaard as Park Ranger intern – Arrowhead.
- 5) Conservation – Employment of Andrew Larkin as Natural Areas Management Seasonal – Hitchcock.

4. PUBLIC COMMENTS

Shawna Anderson appeared before the Board to discuss ARPA funds.

Arlen Ullrich appeared before the Board to discuss ARPA funds.

5. CLOSED SESSION

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

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

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

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

6. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:15 A. M.

Tim Wichman, Chairman

ATTEST: _____
Becky Lenihan, Finance & Tax Officer

APPROVED: May 24, 2022

PUBLISH: X

May 24, 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 Grobe, and second by Shea, to approve:

- A. May 17, 2022, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

After discussion was held by the Board, a motion was made by Shea, and second by Belt, to authorize the Board Chairman to sign Change Order #3 for Carson – Macedonia CDBG downtown rehab project.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 41-2022**, a Resolution to approve Pottawattamie County’s amendment to the County Five Year Program for accomplishment year 2022. Said Resolution is set out as follows:

**Resolution No 41-2022
2022 County Five Year Program Resolution**

Pottawattamie County Secondary Roads

Whereas, Unforeseen circumstances have arisen since adoption of the approved Secondary Road Five Year Program and previous revisions, requiring changes to the sequence, funding, and timing of the proposed work plan.

Whereas, The Board of Supervisors of Pottawattamie County, Iowa, in accordance with Iowa Code section 309.22, initiates and recommends modification of the following project(s) in the accomplishment year (State Fiscal Year 2022), for approval by the Iowa Department of Transportation (Iowa DOT), per Iowa Code 309.23 and Iowa DOT Instructional Memorandum 2.050.

NOW THEREFORE BE IT RESOLVED:

The following projects shall be ADDED to the Program's Accomplishment year:

| Project Number Name Project ID | Project Location Description of Work | AADT Length Bridge ID | Type of Work Fund | Total |
|--|---|-----------------------------|----------------------------|-------------|
| L-2022-(Dumfries) --73-78 Dumfries Avenue Grade and Pave 52716 | On DUMFRIES AVE, from Aspen Road N 0.7 miles to Pioneer Trail Tied to TPMS 47271 | 57 0.680 miles | 366 HMA Paving Local | \$1,000,000 |
| L-2022-(BO06) --73-78 BO06 Bridge Replacement 52717 | On WESTGATE RD, Over HONEY CREEK, S7 T77 R43 | 14 0.000 miles 290660 | 320 Bridges Local | \$200,000 |
| L-2022-(NE28) --73-78 NE28 Bridge Replacement 52718 | On SUMAC RD, Over STREAM, S35 T77 R42 Remove bridge replace with 96" CMP Culvert | 67 0.000 miles 290530 | 331 Pipe Culverts Local | \$80,000 |

The following projects shall be MODIFIED as follows:

| Project Number Name Project ID | Project Location Description of Work | AADT Length Bridge ID | Type of Work Fund | Modifications | Total |
|---|--|-----------------------------|----------------------------|---|-------------|
| L-2022-(240th) --73-78 240th Street Paving 47271 | On 240TH ST, from Aspen Road N approximately 0.8miles to Pioneer Trail | 57 0.740 miles | 366 HMA Paving Local | Project Number updated Project Location updated AADT updated Miles updated removed 4,000,000 Local dollars from 2022 | \$1,000,000 |
| L-(GR02) --73-78 Grove 2 Bridge Replacement 36164 | On COTTONWOOD RD, Over JORDAN CREEK, S3 T74 R39 SD, 100' | 35 0.000 miles 283661 | 320 Bridges Local | added 200,000 Local dollars to 2022 removed 200,000 Local dollars from 2023 | \$200,000 |

| | | | | | |
|---|---|---------------------------|---------------------------|--|-------------|
| STBG-SWAP-C078(205) --FG-78 M47 Resurfacing 21847 | On M 47, from Highway 6 N 5 miles to G30 Patch, Mill and Over lay existing road. | 5 5.010 miles 43331 | 366 HMA Paving SWAP | Project Location updated added 100,000 SWAP dollars to 2022 | \$1,900,000 |
|---|---|---------------------------|---------------------------|--|-------------|

| Fund | Accomplishment Year | | |
|----------------|---------------------|--------------|--------------|
| | Previous Amount | New Amount | Net Change |
| Local | \$5,634,000 | \$3,114,000 | \$-2,520,000 |
| Farm-to-Market | \$8,100,000 | \$8,100,000 | \$0 |
| Special | \$0 | \$0 | \$0 |
| SWAP | \$2,150,000 | \$2,250,000 | \$100,000 |
| Federal Aid | \$0 | \$0 | \$0 |
| Totals | \$15,884,000 | \$13,464,000 | \$-2,420,000 |

Dated this 24th day of May, 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

RECOMMENDED: _____
John Rasmussen, County Engineer

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

Maria Sieck/Administrator, Public Health appeared before the Board to give an update on Public Health. Discussion only. No action taken.

Motion by Shea, second by Schultz, to approve and authorize the Board Chairman to sign the Lockton Consulting Agreement for June 1, 2022 – May 31, 2023.
UNANIMOUS VOTE. Motion Carried.

3. OTHER

After discussion was held by the Board, a motion was made by Shea, and second by Schultz, to open applications for the Veterans Commission.
AYES: Belt, Grobe, Schultz, Shea. NAYS: Wichman. Motion Carried.

4. RECEIVED/FILED

- A. Salary Action(s):
 - 1) Jail – Payroll Status Change for Kyle Putnam.
 - 2) Jail – Payroll Status Change for Nina Hoang removed from received and file.
 - 3) Sheriff – Payroll Status Change for Jeremy Petersen.
 - 4) Conservation – Employment of Michael Casson as Park Ranger Intern – Botna Bend.
- B. Reports:
 - 1) Recorder Fee Book for April 2022.
 - 2) Sheriff’s Report of Fees Disbursed and Collected for April 2022.
- C. Out of State Travel Notification:
 - 1) Jail – Out of State Travel Notification for Dustin Ceder, Kayla Smeal, Shawn Jensen, and Todd Schlines.

5. PUBLIC COMMENTS

No comments.

6. CLOSED SESSION

Motion by Grobe, second by Belt, to go into Closed Session pursuant to Iowa Code §21.5(1)(c) - discussion or anticipated 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.

7. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:20 A. M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: May 31, 2022

PUBLISH: X

May 31, 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 Grobe, and second by Belt, to approve:

- A. May 24, 2022, Minutes as read.
- B. Jail – Employment of Ryan Hecker as a Detention Officer.
- C. Jail – Employment of Michael Hess as a Detention Officer.
- D. Jail – Employment of Nicholas Rickard as a Detention Officer.
- E. Secondary Roads – Employment of Monte Isaacson as Seasonal Worker.
- F. Renewal of Class C Liquor License (LC) (Commercial), granting privileges of Class C Liquor License (LC) (Commercial)/Outdoor Service/Sunday Sales for Genevieve Stueve d/b/a Aeroplane Inn, Honey Creek.
- G. Renewal of Class E Liquor License (LE), granting privileges of Class B Wine Permit; Class C Beer Permit (Carryout Beer); Class E Liquor License (LE), and Sunday Sales for Kum & Go LC d/b/a Kum & Go #23, Neola.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Shea, second by Belt, to approve funding request from Avoca Main Street in the amount of \$3,000.

UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a motion was made by Schultz, and second by Shea, to approve the Pottawattamie County Conservation Peace Officers Retiree Health Insurance proposal.

UNANIMOUS VOTE. Motion Carried.

Matt Wyant/Director, Planning and Development and Maria Sieck/Administrator, Public Health appeared before the Board to give an update on the fundraising for the Public Health building. Discussion only. No action taken.

After discussion was held by the Board on Resolution No. 44-2022 entitled, a Resolution to Authorize the purchase of property and designating the Board Chair as the Authorized Representative to sign any necessary documents to effectuate said purchase, the Resolution was tabled awaiting more details until June 9th. Discussion only. No action taken.

3. OTHER

Motion by Belt, second by Schultz, to approve and authorize Chairman to sign Rural Transit System Joint Participation Agreement with SWIPCO; and to approve funding request in the amount of \$6,000.

UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

- A. Salary Action(s):
 - 1) SWI Juvenile Detention Center - Payroll Status Change for Austin Conklin.
 - 2) SWI Juvenile Detention Center – Payroll Status Change for Terri Smith.
 - 3) Conservation – Payroll Status Change for Chad Graeve.
 - 4) Conservation – Employment of Hannah Lollis as Natural Areas Management Seasonal – Hitchcock.
- B. Out of State Travel Notification:
 - 1) Veteran Affairs – Out of State Travel Notification for Rita Dooley and Paul Rosenberg.

5. PUBLIC COMMENTS

Shawna Anderson appeared before the Board to discuss Oakland Manor funding promises and Avoca funding issues.

6. CLOSED SESION

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

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.

7. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:42 A.M.

Tim Wichman, Chairman

ATTEST: _____

Dixie Wilson, Assistant Tax and Finance Officer, Auditor's Office

APPROVED: June 9, 2022

PUBLISH: X

June 9, 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 Grobe, and second by Shea, to approve:

- A. May 31, 2022, Minutes as read.
- B. Community Services – Employment of Danelle Bruce as a Disability Services Director.
- C. Community Services – Employment of Ylonda Maguire as a Disability Services Director.
- D. Community Services – Employment of Shelley Welter as a Service Coordinator.
- E. Community Services – Employment of Kristina Richey as a Service Coordinator.
- F. Community Services – Employment of Kimarie Maassen as an Administrative Assistant.
- G. Public Health – Employment of Brandon Wyant as a part time On-Call Animal Control Officer.
- H. Public Health – Employment of Jordan Ranta as an Infection Preventionist.
- I. Public Health – Employment of Madhumitha Mohanraj as a temporary part time Epidemiologist Intern.
- J. Human Resources/Risk Management – Employment of Craig Carlsen as a Public Relations Manager.
- K. Jail – Employment of Emily Rau as a Detention Officer.
- L. May 2022 Vendor Publication Report.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Shea, second by Schultz, to open public hearing on Pottawattamie County Flood Buyout Project.
Roll Call Vote: AYES: Wichman, Belt, Grobe, Schultz, Shea. Motion Carried.

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

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

**POTTAWATTAMIE COUNTY
 CDBG PROPERTY ACQUISITION ACTIVITIES**

A. GENERAL DESCRIPTION OF ACCOMPLISHMENTS TO DATE

In fall of 2021 work began on the acquisition and demolition of flood damaged properties in Pottawattamie County. To date, the County has procured administrative, appraisal, abstracting and legal, asbestos inspection and testing, and building demolition services. As of the date of this report, 8 properties have been acquired and 6 properties demolished using HMGP and CDBG funds. The remaining 2 homes will be demolished by June 15, 2022.

B. SUMMARY OF EXPENDITURES TO DATE

- Though the project is principally financed with grants from FEMA, Pottawattamie County received a CDBG award of \$500,324 on January 27, 2022, to assist with state and local match requirements. As of 5/31/2022, a total of \$354,140 in CDBG funds have been received by the County.
- The total expected cost for the project is \$2,232,792 and \$1,861,054.17 in project costs have been incurred as of May 31, 2022.

C. GENERAL DESCRIPTION OF REMANING WORK

All 8 homes have been acquired and 6 have been demolished as of May 31, 2022. The remaining 2 homes will be demolished by June 15, 2022.

D. GENERAL DESCRIPTION OF CHANGES MADE TO THE PROJECT BUDGET, PERFORMANCE TARGETS, ACTIVITY SCHEDULE, PROJECT SCOPE, LOCATION, OBJECTIVES OR BENEFICIARIES

No significant changes have been made to the project budget, performance targets, or project scope. The project schedule was changed twice, first with a 90-day extension of the March 15, 2022, deadline for demolition of the homes and then also due to an extended environmental review by FEMA on 2 of the homes in the program. The first 6 homes were demolished and clear site by April 8, 2022. Work is currently underway for the demolition of the final 2 homes, with a deadline of June 15, 2022.

Ryan Ossell spoke about the Pottawattamie County CDBG Property Acquisition Properties funding so far. After discussion was held by the Board, a motion was made by Schultz, and second by Grobe, to

accept the CDBG Property Acquisition activities and the deadline of June 15, 2022. There were no public comments.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 42-2022** entitled: Code of Conduct.

**RESOLUTION NO. 42-2022
CODE OF CONDUCT**

PURPOSE

The purpose of this Code of Conduct is to ensure the efficient, fair, and professional administration of federal grant funds in compliance with 2 CFR Part 200.318 and other applicable federal and state standards, regulations, and laws.

APPLICATION

This Code of Conduct applies to all officers, employees, or agents of Pottawattamie County, Iowa engaged in the award or administration of contracts supported by federal grant funds.

REQUIREMENTS

No officer, employee, or agent of Pottawattamie County, Iowa shall participate in the selection, award, or administration of a contract supported by federal grant funds, if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

- a. The employee, officer, or agent;
- b. Any member of his/her immediate family;
- c. His/her partner; or
- d. An organization which employs, or is about to employ any of the above; or, has a financial or other interest in the firm selected for award.

The Pottawattamie County, Iowa officers, employees, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or subcontractors.

FRAUD, WASTE AND ABUSE

Pottawattamie County, Iowa has zero tolerance for the commission or concealment of acts of fraud, waste, or abuse. All officers, employees, or agents shall notify the County of Pottawattamie, Iowa of suspected actions. Allegations of such acts will be investigated and pursued to their logical conclusion, including legal action where warranted. Concerns may be reported to (contact at Recipient, address and phone number of contact).

REMEDIES

To the extent permitted by federal, state, or local laws or regulations, violation of these standards may cause penalties, sanctions, or other disciplinary actions to be taken against Pottawattamie County, Iowa officers, employees, or agents, or the contractors, potential contractors, subcontractors, or their agents.

Passed and adopted this 9th day of June, 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

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

Motion by Schultz, second by Shea, to approve and authorize Board to sign Planning and Zoning **Resolution No. 43-2022** entitled: Resolution directing the planning Director to Publish an affirmative Fair Housing Policy.

RESOLUTION NO. 43 - 2022

RESOLUTION DIRECTING THE PLANNING DIRECTOR TO PUBLISH AN AFFIRMATIVE FAIR HOUSING POLICY

WHEREAS, Pottawattamie County, Iowa was award Community Development Block Grant Disaster Recovery (CDBG-DR) funding for property acquisitions and demolitions; and

WHEREAS the CDBG-DR Program requires the publication of an Affirmative Fair Housing Policy; and

WHEREAS, said policy has been prepared and available for review.

NOW THEREFORE BE IT RESOLVED, that Pottawattamie County, Iowa directs the Planning Director to publish said policy in the County’s official newspaper.

Passed and adopted this 9th day of June, 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

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

Motion by Belt, second by Belt, to approve and authorize Board to sign Planning and Zoning **Resolution No. 45-2022** entitled: Community Development Block Grant Subrecipient Procurement Policies and Procedures.

RESOLUTION NO. 45-2022

Community Development Block Grant Subrecipient Procurement Policies and Procedures

2 *CFR* 200.317 provides that subrecipients of a state that are administering federal funds will follow sections 200.318 (General procurement standards) through 200.326 (Contract provisions). However, 24 *CFR* 570.489(g), set out in full below, enables states that administer Community Development Block Grant funds to adopt procurement standards other than those set out in 2 *CFR* Part 200 for units of local government that are subrecipients of CDBG funds.

24 CFR 570.489 (g) Procurement: When procuring property or services to be paid for in whole or in part with CDBG funds, the State shall follow its procurement policies and procedures. The State shall establish requirements for procurement policies and procedures for units of general local government, based on full and open competition. Methods of procurement (e.g., small purchase, sealed bids/formal advertising, competitive proposals, and noncompetitive proposals) and their applicability shall be specified by the State. Cost plus a percentage of cost and percentage of construction costs methods of contracting shall not be used. The policies and procedures shall also include standards of conduct governing employees engaged in the award or administration of contracts. (Other conflicts of interest are covered by § 570.489(h).) The State shall ensure that all purchase orders and contracts include any clauses required by Federal statutes, Executive orders, and implementing regulations. The State shall make subrecipient and contractor determinations in accordance with the standards in 2 *CFR* 200.330.

The State of Iowa, in its administration of the CDBG, hereby establishes the following procurement standards for subrecipients of CDBG funding that are units of local government.

Procurement Standards

General (Replaces 2 CFR 200.318)

Subrecipients of the CDBG program must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

The subrecipient alone shall be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the subrecipient of any contractual responsibilities under its contracts.

Conflicts of interest in awarding contracts (Replaces 2 CFR 200.318)

The subrecipient must maintain written standards of conduct covering and governing the actions of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the subrecipient may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. If the subrecipient has a parent, affiliate or subsidiary organization that is not a state, local government, or Indian tribe, the subrecipient must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, the subrecipient is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.

IEDA may terminate contracts with any CDBG subrecipient that violates this policy and may require full repayment of funds issued to the subrecipient.

Best Cost (Replaces 2 CFR 200.318)

The subrecipient's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

The subrecipient is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.

Responsible Contractors (Replaces 2 CFR 200.318)

The subrecipient must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

Awards must not be made to parties listed on the governmentwide Excluded Parties List System in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR Part 1986 Comp., p. 189) and 12689 (3 CFR Part 1989 Comp., p. 235), "Debarment and Suspension." The Excluded Parties List System in SAM contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

The subrecipient must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following:

1. rationale for the method of procurement
2. selection of contract type
3. contractor selection or rejection
4. the basis for the contract price.

Competition (Replaces 2 CFR 200.319)

All procurement transactions must be conducted in a manner providing full and open competition consistent with the standards of this section. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals shall be excluded from competing for such procurements.

IEDA will consider requests for waivers of this provision. The subrecipient must make a sufficient showing that the number of contractors that provide the goods or services is insufficient that it is necessary to not exclude contractors that developed or drafted specifications, requirements, statements of work, or invitations for bids or requests for proposals.

Examples restrictions on competition include but are not limited to:

1. Placing unreasonable requirements on firms in order for them to qualify to do business;
2. Requiring unnecessary experience and excessive bonding;
3. Noncompetitive pricing practices between firms or between affiliated companies;
4. Noncompetitive contracts to consultants that are on retainer contracts;
5. Organizational conflicts of interest;
6. Specifying only a “brand name” product instead of allowing “an equivalent” product to be offered and describing the performance or other relevant requirements of the procurement; and
7. Any arbitrary action in the procurement process.

The subrecipient must conduct procurement in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal or State of Iowa law expressly mandates or encourages geographic preference. Nothing in this section preempts state licensing laws.

When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion, provided that an appropriate number of qualified firms remain, given the nature and size of the project, to compete for the contract.

The subrecipient must have written procedures for procurement transactions. These procedures must ensure that all solicitations:

1. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided. When it is impractical or not reasonably feasible to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and
2. Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

Types of Procurement (Replaces 2 CFR 200.320-based on Iowa Code section 11.118)

1. **Small:** Estimated annual value does not exceed \$5,000 and does not exceed \$15,000 for multiyear contracts: For supplies and services only. The subrecipient does not need to solicit competitive quotations if the subrecipient considers the price to be reasonable. To the extent practicable, the subrecipient must distribute such procurement equitably among qualified suppliers.
2. **Simple:** Estimated annual value exceeds \$5,000 but less than \$50,000 per year and does not exceed \$150,000 for multiyear contracts: For non-engineering and architectural services and supplies only. The subrecipient may use an informal competitive selection process to engage a service provider. Informal selection means price or rate quotations must be obtained from an adequate number of qualified sources. The subrecipient may contact the prospective service providers in person, by telephone, fax, email or letter. The subrecipient should solicit at least three prospective service providers. The sub recipient must justify, to IEDA’s satisfaction, contacting fewer than three service providers. The justification shall be included in the contract file.
3. **Professional:** Estimated annual value exceeds \$50,000 per year and exceeds \$150,000 for multiyear contracts: For supplies and services and ALL engineering and architectural services, a subrecipient shall use a formal *competitive selection* process to procure the goods or services.
4. **Sealed bids:** (formal advertising): The sealed bid method is the preferred method for procuring construction. Bids are publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price. A complete, adequate, and realistic specification or purchase description will be developed before bidding.

The following requirements apply:

1. Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, and the invitation for bids must be publicly advertised (not required for nonprofit entities);
2. The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
3. All bids will be opened at the time and place prescribed in the invitation for bids, and the bids must be opened publicly;
4. The subrecipient shall enter into a firm fixed price contract award with the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and
5. Any or all bids may be rejected if there is a sound documented reason.

Competitive Selection Process: The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded.

It is generally used when a sealed bidding process is not appropriate. If this method is used, the following requirements apply:

1. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
2. Proposals must be solicited from an adequate number of qualified sources;
3. The subrecipient must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;
4. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and
5. The subrecipient may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

Noncompetitive proposals: Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

- (1) The item is available only from a single source. This type of procurement is referred to as sole-source procurement;
- (2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- (3) The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or
- (4) After solicitation of a number of sources, competition is determined inadequate. This type of procurement is referred to as single-source procurement.

Responsible unit: IEDA project managers verified via monitoring and/or state auditor

Targeted Small Businesses – Minority, Disabled, and Woman Owned Businesses (Replaces 2 CFR 200.321)

The subrecipient must take all necessary affirmative steps to ensure that minority businesses, women's business enterprises, businesses owned by disabled persons, and labor surplus area firms are used when possible.

Affirmative steps must include:

- (1) Placing qualified small and minority businesses, small women's business enterprises, and small businesses owned by disabled persons on solicitation lists. Link to a directory of Targeted Small Businesses in Iowa: <https://iowaeda.microsoftportals.com/tsb-search/>;
- (2) Ensuring that Targeted Small Businesses are solicited whenever they are potential sources;
- (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by Targeted Small Businesses;
- (4) Establishing delivery schedules, where the requirement permits, which encourage participation by Targeted Small Businesses;
- (5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration, the Minority Business Development Agency of the Department of Commerce and the Iowa Economic Development Targeted Small Business Program <https://www.iowaeconomicdevelopment.com/tsb>; and
- (6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

Recycled Content and Products (Replaces 2 CFR 200.322)

When appropriate, specifications shall include requirements for the use of recovered materials and products.

The specifications shall not restrict the use of alternative materials, exclude recovered materials, or require performance standards that exclude products containing recovered materials unless the subrecipient seeking the product can document that the use of recovered materials will impede the intended use of the product.

Cost Analysis and Contract Price (Replaces 2 CFR 200.323)

The subrecipient must perform a cost or price analysis in connection with every procurement action in excess of the small, simple and professional acquisition thresholds, including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the subrecipient must make independent estimates before receiving bids or proposals.

The subrecipient must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the subrecipient under 2 CFR 200.402 - 406.

The cost plus a percentage of cost and percentage of construction cost methods of contracting shall not be used.

Review of Procurement Documents and Procurement System (Replaces 2 CFR 200.324)

The subrecipient must make available upon request pre-procurement review; procurement documents, such as requests for proposals or invitations for bids; or independent cost estimates, when:

1. Requested by IEDA;
2. The procurement is expected to exceed the small, simple and professional acquisition thresholds and is to be awarded without competition or only one bid or offer is received in response to a solicitation;

3. The procurement, which is expected to exceed the small, simple and professional acquisition thresholds, specifies a “brand name” product;

IEDA Certification: The subrecipient may request that IEDA certify that its procurement system meets these standards.

Self-certification: The subrecipient may self-certify its procurement system. Such self-certification shall not limit IEDA’s right to review and survey the system. If a subrecipient self-certifies its procurement system, the IEDA may rely on written assurances from the subrecipient that it is complying with these standards. The subrecipient must cite specific policies, procedures, regulations, or standards as compliant with these requirements and make its system available for review.

Bonding (Replaces 2 CFR 200.325)

For construction or facility improvement contracts or subcontracts for public improvement projects and multi-family residential buildings, the minimum requirements shall be as follows:

- a. A bid guarantee from each bidder equivalent to five percent of the bid price. The “bid guarantee” must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.
- b. A performance bond for 100 percent of the contract price. A “performance bond” is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.

A payment bond for 100 percent of the contract price. A “payment bond” is one executed in connection with a contract to ensure that the contractor will pay as required by law all persons supplying labor and material in the execution of the work provided for in the contract.

The subrecipient may petition IEDA to accept its bonding policy, provided that IEDA has made a determination that the Federal interest is adequately protected.

Recipients are expected to comply with all state requirements regarding bonding requirements for public improvement projects: <https://www.legis.iowa.gov/docs/code/2019/573.pdf>
 Recipients should consult with their legal counsel to determine how state requirements may impact their CDBG project.

Contract Provisions (Replaces 2 CFR 200.326)

The subrecipient’s contracts must contain the applicable provisions set out in Appendix II of the CDBG Management Guide

ACKNOWLEDGEMENT AND ADOPTION

As a recipient of Community Development Block Grant (CDBG) funds, the (Pottawattamie County) adopts the State of Iowa’s CDBG Procurement Policies and Procedures and agrees to apply all policies and procedures to CDBG funded projects within (Pottawattamie County).

Adopted by Pottawattamie County on the 9th day of June, 2022.

ROLL CALL VOTE

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

_____ ○ ○ ○ ○

Brian Shea

ATTEST: _____
 Melvyn J. Houser, County Auditor

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

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 44-2022**, a Resolution to Authorize the purchase of property and designating the Board Chair as the Authorized Representative to sign any necessary documents to effectuate said purchase. Said Resolution is set out as follows:

RESOLUTION NO. 44-2022

A RESOLUTION AUTHORIZING THE PURCHASE OF PROPERTY AND DESIGNATING THE BOARD CHAIR AS THE AUTHORIZED REPRESENTATIVE TO SIGN ANY NECESSARY DOCUMENTS TO EFFECTUATE SAID PURCHASE.

WHEREAS, on May 31, 2022, and June 9, 2022, the Pottawattamie County Board of Supervisors met in open session to discuss the purchase of property from Jill Fischer and Roger Olsen, specifically:

See attached legal description.

WHEREAS, the purchase of this property is in the best interest of Pottawattamie County and will be used to continue the county trail system along Railroad Highway for the enjoyment of all citizens of, and visitors to, Pottawattamie County.

WHEREAS, the acquisition of this property was discussed at a Public Hearing of the Pottawattamie County Board of Supervisors on June 8, 2021.

WHEREAS, following the Public Hearing, the County and the current owners have been engaging in negotiations pursuant to Iowa Code 6B.2B and have settled on a purchase price of \$84,370, which is within the range of value allowed to be paid under Iowa Code Chapter 6B.

WHEREAS, the current owners will be conveying the property by virtue of a Quitclaim Deed, an unsigned copy of which is attached hereto.

WHEREAS, the current owners have asked for a Permanent Easement to allow them access to contiguous farmland, an unsigned copy of which is attached hereto.

WHEREAS, the current owners have asked for a Temporary Easement to allow them to harvest hay from the property for the next five growing seasons, an unsigned copy of which is attached hereto.

THEREFORE, BE IT RESOLVED by the Pottawattamie County Board of Supervisors that:

1. The Pottawattamie County Board of Supervisors is authorized to purchase the abovementioned property on behalf of Pottawattamie County.
2. Board Chair Tim Wichman is designated as the Authorized Representative of the Pottawattamie County Board of Supervisors and is empowered to sign any and all documents necessary to effectuate said purchase.

DATED this 9th day of June, 2022.

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

ATTEST: _____

Melvyn J. Houser, County Auditor

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

After discussion was held by the Board, a Motion was made by Shea, second by Schultz, to award Jail Chiller Replacement contract to Grunwald Mechanical in the amount of \$716,373.

UNANIMOUS VOTE. Motion Carried

3. OTHER

After discussion was held by the Board, a motion was made by Schultz, second by Shea, to update the Business Manager job description to Jail Office Coordinator.

UNANIMOUS VOTE. Motion Carried.

Motion by Belt, second by Shea, to approve and authorize Board Chairman to sign American Federation of State, County and Municipal Employees (AFSCME) Local 2364 Courthouse Employees Agreement, effective July 1, 2022, through June 30, 2025.

UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Belt, to approve and authorize Board Chairman to sign Memorandum of Understanding Between Pottawattamie County and the American Federation of State, County and Municipal Employee (AFSCME) Local 2364 Agreement for maintenance and custodial staff assigned to the Pottawattamie County Jail, effective July 1, 2022, through June 30, 2025.

UNANIMOUS VOTE. Motion Carried.

Motion by Belt, second by Shea, to approve and authorize Board Chairman to sign Memorandum of Understanding Between Pottawattamie County and the American Federation of State, County and Municipal Employee (AFSCME) Local 2364-911 Agreement for the employees of the Pottawattamie County Communications Center, effective July 1, 2022, through June 30, 2023.

UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Action(s):

- 1) SWI Juvenile Detention Center – Employment of Makenzie Olson as part time Youth Corrections Worker.

5. PUBLIC COMMENTS

No Public Comments.

6. CLOSED SESSION

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

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

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

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

7. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:43 A.M.

Tim Wichman, Chairman

ATTEST: _____

Melvyn Houser, Pottawattamie County Auditor

APPROVED: June 14, 2022

PUBLISH: X

June 14, 2022

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. June 9, 2022, Minutes as read.
- B. Renewal of Iowa Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for Kum and Go #23, Neola.
- C. Renewal of Iowa Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for Casey's Marketing Company DBA Casey's #3204, Minden.
- D. Renewal of Iowa Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for Casey's Marketing Company DBA Casey's #3205, Council Bluffs.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Schultz, second by Shea, to canvass 2022 Primary Election, and to authorize Auditor to pay election costs. The names of the candidates nominated for county office and the offices for which they were nominated are as follows:

Board of Supervisors -Republicans - Scott Belt, Susan Miller, Jeff Jorgensen, and Democrat -Jeff Shudak.
County Treasurer – Republican -Lea Voss and no one for the Democrat party.

County Recorder – Republican - Andrew Moats and no one for the Democrat party.

County Attorney – Republican - Matthew Wilber and no one for the Democrat party.

UNANIMOUS VOTE. Motion Carried.

Paula Hazelwood/Executive Director, Advance Southwest Iowa Corporation and the Team from McClure and Representative from Iowa West Foundation appeared before the Board to present update on Rural Pottawattamie County Infrastructure Coalition (RPCIC).

Discussion only. No action taken.

After discussion was held by the Board, a motion was made by Shea, and second by Belt, to approve the appointment of Jill Chapman to the Planning and Zoning Commission, with a term ending date of December 31, 2023.

UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Grobe, to approve and authorize Chairman to sign Change Order #04 for CDBG downtown rehab Project in Carson and Macedonia.

UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a motion was made by Shea, and second by Belt, to approve the Board Chairman to sign Cornerstone Commercial Contractors pay application no. 12 for Carson and Macedonia downtown rehab in the amount of \$30,159.60.

UNANIMOUS VOTE. Motion Carried.

3. OTHER

Motion by Belt, second by Schultz, to approve payment of FY 2022/2023 ISAC Member Dues of \$6,100.

UNANIMOUS VOTE. Motion Carried.

Motion by Belt, second by Shea, to approve application for permit to display fireworks filed by Ryan Rogers, on July 2nd and if it rains July 3rd, 2022, at 15259 214th Street.

UNANIMOUS VOTE. Motion Carried.

Motion by Belt, second by Schultz, to approve the following applications made to the Assessor's Office: Homestead (171 recommend allowed, 8 recommend disallowed), Military (27 recommend allowed, 1 recommend disallowed), Disabled Veteran Homestead (11 recommend allowed, 0 recommend disallowed), Business Property Tax Credit (13 recommend allowed, 0 recommend disallowed), Family Farm (3 recommend allowed, 0 recommend disallowed).

UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a motion was made by Schultz, and second by Shea, to approve a Veteran Affairs Office Intern.

UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a motion was made by Shea, and second by Grobe, to approve Dr. Elliott's contract renewal.

UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Action(s):

- 1) Communications- Payroll Status Change for Michele Kemmish.
- 2) Conservation – Employment of Charles Foote as Park Ranger Intern – Arrowhead.
- 3) Conservation – Employment of Juelles Brenner as Park Ranger Intern – Arrowhead.

B. Out of State Travel Notification:

- 1) Attorney – Out of State Travel Notification for Matt Wilber.

5. PUBLIC COMMENTS

Eva Sandberg appeared before the Board to discuss the east end of Lime Kiln Rod and submitted pictures. Shawna Anderson appeared before the Board on United Today Stronger Tomorrow Coalition update for ARPA contact to present in the next week.

6. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:09 A.M.

Tim Wichman, Chairman

ATTEST: _____
Becky Lenihan, Finance & Tax Officer

APPROVED: June 21, 2022

PUBLISH: X

June 21, 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 Schultz, and second by Shea, to approve:

- A. June 14, 2022, Minutes as read.
- B. Amend June 9, 2022, Minutes as read.
- C. Renewal of Iowa Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for Desoto Bend Mini Mart, Missouri Valley.
- D. Renewal of Iowa Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for Taylor Oil Company, Inc., Council Bluffs.
- E. Renewal of Class E Liquor License (LE, granting privileges of Class B Wine Permit / Class C Beer Permit (Carryout Beer) / Class E Liquor License (LE) / Sunday Sales for Casey's Marketing Company d/b/a Casey's General Store #3205, Council Bluffs.
- F. County Treasurer – Employment of Sarah Ebke as Clerk II.
- G. Communications – Employment of Ryan Thomas as a Communications Technologist.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Schultz, second by Shea, to approve and authorize Chairman to sign Law Enforcement Services Contracts between Pottawattamie County and the following: City of Carson, City of Crescent, City of Hancock, City of Macedonia, City of McClelland, City of Minden, City of Neola, City of Oakland, City of Treynor, City of Underwood, and City of Walnut.

UNANIMOUS VOTE. Motion Carried.

Chairman Wichman stepped down as Chair. Chairman Pro-Tem Shea presumed the Chair. After discussion was held by the Board, a motion was made by Wichman, second by Grobe, to have Jail staff will work 40 hours per week to get paid for 40 hours and that hours will be 8 AM to 4:30 PM effective July 1, 2022.

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

Chairman Wichman resumed as Chair.

Motion by Shea, second by Belt, to approve and authorize Board to sign **Planning and Zoning Resolution NO. 2022-08** entitled: Final Plat of Schmidt's Creek Phase 1 and 2, a subdivision situated in Hazell Dell Township.

PLANNING AND ZONING RESOLUTION NO. 2022-08

WHEREAS, this Board had approved the preliminary plat of **Schmidt's Creek Phase 1 and 2**, residential subdivisions situated in **Hazel Dell Township**, by approval of Planning and Zoning Resolution No. **2022-03**, dated **February 14, 2022**; and

WHEREAS the final plat and supporting documents required by Chapter 9.10 of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa, has been filed with this Board for its study and consideration under **Case #SUB-2021-04**; and

WHEREAS, this Board has examined the final plats and have found they are in substantial compliance with the approved preliminary plats; and

WHEREAS, after careful study, and due consideration this Board has determined that the final plat and supporting documents conform to the requirements of Chapter 9.10 of the Pottawattamie County, Iowa, Code and Chapter 354, Code of Iowa, and it has deemed it to be in the best interest of Pottawattamie County, Iowa, to approve the final plats.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA: That the final plat of **Schmidt's Creek Phase 1 and 2**,

residential subdivisions in Pottawattamie County, Iowa, be, and the same is hereby approved as the final plats of said subdivisions.

And that the Chairman of the Board of Supervisors is hereby authorized to enter such approval upon said final plats.

PASSED AND APPROVED June 21, 2022.

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

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

RECORD: After Passage

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

Motion by Shea, second by Grobe, to approve and authorize Board to sign certificate of completion form 64003 to certify completion on the trail project and the segments from L34 to Weston including two bridge crossing over Mosquito Creek along Railroad Highway.
 UNANIMOUS VOTE. Motion Carried.

3. OTHER

Motion by Schultz, second by Belt, for approval of rate change for Federal Standard Mileage Rate for remainder of 2022, at 62.5¢ per mile.
 UNANIMOUS VOTE. Motion Carried.

Motion made by Schultz, second by Shea, to approve application for permit to display fireworks filed by Robert Caputo, on July 4th and if it rains to be postponed and rescheduled for the following weekend, at 22881 Three Bridge Road.
 UNANIMOUS VOTE. Motion Carried.

Jana Lemrick/ Director, Human Resources appeared before the board to discuss the Department Head Contracts. Discussion only. No action taken.

4. RECEIVED/FILED

A. Salary Action(s):

- 1) SWI Juvenile Detention Center – Employment of Kenneth VanDorn as a full time Youth Corrections Worker.
- 2) SWI Juvenile Detention Center – Employment of Jaydan Dooley as a part time Youth Corrections Worker.
- 3) Community Services – Payroll status change for Shelly Hovey.
- 4) Communications – Payroll status change for Kristen Ewer.

B. Reports:

- 1) Recorder Fee Book for May 2022.

5. PUBLIC COMMENTS

No comments.

6. ADJOURN

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

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:04 P.M.

Tim Wichman, Chairman

ATTEST: _____
Becky Lenihan, Finance & Tax Officer and Linda Swolley, Tax & Deed Specialist

APPROVED: June 28, 2022
PUBLISH: X

June 28, 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 Schultz, and second by Shea, to approve:

- A. June 21, 2022, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Schultz, second by Shea, to approve and authorize Chairman to sign Change Order #003 in the amount of \$23,228.99 for Sheriff’s Office Expansion.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve and authorize Board to sign Resolution No. 46-2022 entitled: Resolution for Transfer from Rural Services to Secondary Roads Fund.

RESOLUTION NO. 46-2022

RESOLUTION for Transfer from Rural Services Fund to Secondary Roads Fund

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

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

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

SECTION 1: The sum of \$1,303,750 is ordered to be transferred from Rural Services Fund to Secondary Roads Fund, and

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

Dated this 28th Day of June, 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 Houser, County Auditor

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

3. OTHER

After discussion was held by the Board, a motion was made by Shea, second by Belt, to approve Job Description for the Mechanical Operations and Maintenance Technician position.
UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a motion was made by Shea, second by Schultz, to approve pay for Jail Maintenance Superintendent position.
UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Belt, to approve and authorize Board Chairman to sign corrected Memorandum of Understanding Between Pottawattamie County and the American Federation of State, County and Municipal Employee (AFSCME) Local 2364-911 Agreement for the employees of the Pottawattamie County Communications Center, effective July 1, 2022, through June 30, 2023.
UNANIMOUS VOTE. Motion Carried.

Motion made by Schultz, second by Shea, to approve and authorize Chairman to sign Employment Agreements with Chief Information Officer David Bayer, Human Resources Director Jana Lemrick, Buildings and Grounds Director Jason Slack, Finance and Budget Director Mitch Kay, Planning and Development Director Matt Wyant, Community Services Director Suzanne Watson, Engineer John Rasmussen, Conservation Director Mark Shoemaker, Veteran Affairs Director Margarita Dooley, and GIS Coordinator Jamie Petersen.
UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Belt, to approve application for permit to display fireworks filed by Conor Gillaspie, on July 3rd, 2022, at 27538 Dogwood Rd., Treynor.
UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Action(s):

- 1) Secondary Roads – Payroll status change for Matt White.
- 2) Secondary Roads – Payroll status change for Tom Schneckloth.

B. Southwest Iowa Juvenile Detention Center:

- 1) Employment Agreement with Director Don Uhlig.
- 2) Pay increases for SWI Juvenile Detention Center Staff effective July 1, 2022.

C. Reports:

- 1) Sheriff's Report of Fees Disbursed and Collected for May 2022.
- 2) Appraisal of Commercial Properties in Pottawattamie County Completed by Mitchell & Associates, Inc. May 2022.

5. PUBLIC COMMENTS

No Public Comments.

6. CLOSED SESSION

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

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

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

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

Motion made by Shea, second by Grobe, to amend contract of Buildings & Grounds Director Jason Slack as discussed in closed session.

UNANIMOUS VOTE. Motion Carried.

7. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 10:51 A. M.

Tim Wichman, Chairman

ATTEST: _____
Becky Lenihan, Finance & Tax Officer

APPROVED: July 5, 2022

PUBLISH: X

July 5, 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

Motion by Schultz and second by Belt to remove item 4A3 from Received and Filed.
UNANIMOUS VOTE. Motion Carried.

1. CONSENT AGENDA

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

- A. June 28, 2022, Minutes as read.
- B. Communications – Employment of Taylor Winey as a Telecommunicator.
- C. Communications – Employment of Desiree Dale as a Telecommunicator.
- D. Veteran Affairs – Employment of Ella Bryant as an Intern.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Sam Arkfeld/Lieutenant, Communications appeared before the Board to give an update on the Radios.
Discussion only. No Action Taken.

After discussion was held by the Board, a motion was made by Shea, second by Schultz, to approve the updated End User Security Policy.

UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Schultz, to approve updated job description and exemption status for the Jail Office Coordinator position.

UNANIMOUS VOTE. Motion Carried.

Motion made by Schultz, second by Belt, to approve exemption status for the Sheriff's Office Coordinator position.

UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Belt, to approve increase for Lieutenants.

UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Belt, to extend agreement with Witt for FEMA reimbursement of COVID expenses.

UNANIMOUS VOTE. Motion Carried.

3. OTHER

Motion by Schultz, second by Shea, to approve and authorize Board to sign the Preliminary Official Statement for \$1,745,000 General Obligation Capital Loan Notes, Series 2022.

UNANIMOUS VOTE. Motion Carried.

Motion by Belt, second by Schultz, to approve and authorize Board to sign the Bond Counsel Engagement Agreement General Obligation Capital Loan Notes, Series 2022 (ECPs & GCPs).

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Belt, to approve and authorize Board to sign RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF \$1,745,000(DOLLAR AMOUNT SUBJECT TO CHANGE) GENERAL OBLIGATION CAPTIAL LOAN NOTES, SERIES 2022, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND OFFICIAL STATEMENT.

RESOLUTION NO. 48-2022

RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF \$1,745,000 (DOLLAR AMOUNT SUBJECT TO CHANGE) GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2022, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND OFFICIAL STATEMENT

WHEREAS, the Issuer is in need of funds to pay 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; (i) equipping and remodeling the Courthouse including new furniture for Planning, essential county purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$645,000 be authorized for said purpose(s); and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.443 of the Code of Iowa, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of the Notes, and the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, the Issuer is in need of funds to pay costs of peace officer communication equipment and other emergency services communication equipment and systems including a mobile command vehicle, essential county purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$245,000 be authorized for said purpose(s); and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.443 of the Code of Iowa, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of the Notes, and the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, the County is in need of funds to pay 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, general county purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$300,000 be authorized for said purpose(s); and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Notes for general county purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, the County is in need of funds to pay costs of acquiring and equipping the secondary roads department including mowing equipment, general county purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$300,000 be authorized for said purpose(s); and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Notes for general county purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, the County is in need of funds to pay costs of acquisition and development of land for a public park or other recreation or conservation purpose, including improving approximately nine sites and adding approximately ten full hookup sites at Arrowhead Park, general county purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$300,000 be authorized for said purpose(s); and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Notes for general county purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, the County is in need of funds to pay costs of acquisition and development of land for a public park or other recreation or conservation purpose, including improvement, reconstruction and equipping of existing camping cabins at Arrowhead Park, general county purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$120,000 be authorized for said purpose(s); and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Notes for general county purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, the County is in need of funds to pay costs of acquisition and development of land for a public park or other recreation or conservation purpose, including playground equipment at Hitchcock Park, general county purpose(s), and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$90,000 be authorized for said purpose(s); and

WHEREAS, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

WHEREAS, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Notes for general county purpose(s) in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose(s); and

WHEREAS, pursuant to Section 331.445 of the Code of Iowa, it is hereby found and determined that the various general obligation notes authorized as hereinabove described shall be combined for the purpose of issuance in a single issue of \$1,745,000 (Dollar Amount Subject to Change) General Obligation Capital Loan Notes as hereinafter set forth; and

WHEREAS, in conjunction with its Municipal Advisor, Speer Financial, Inc., the County has caused an Official Statement to be prepared outlining the details of the proposed sale of the Notes; and

WHEREAS, the Board has received information from its Municipal Advisor evaluating and recommending the procedure hereinafter described for electronic, facsimile and internet bidding to maintain the integrity and security of the competitive bidding process and to facilitate the delivery of bids by interested parties; and

WHEREAS, the Board deems it in the best interests of the County and the residents thereof to receive bids to purchase such Notes by means of both sealed and electronic internet communication. NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, STATE OF IOWA:

Section 1. That the receipt of electronic bids by facsimile machine and through the Speer Auction Competitive Bidding System described in the Terms of Offering and Official Statement are hereby found and determined to provide reasonable security and to maintain the integrity of the competitive bidding process, and to facilitate the delivery of bids by interested parties in connection with the offering at public sale.

Section 2. That General Obligation Capital Loan Notes, Series 2022, of Pottawattamie County, State of Iowa, in the amount of \$1,745,000 (Dollar Amount Subject to Change), to be issued as referred to in the preamble of this Resolution, to be dated August 17, 2022, be offered for sale pursuant to the published advertisement.

Section 3. That the preliminary Official Statement in the form presented to this meeting be and the same hereby is approved as to form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission, subject to such revisions, corrections or modifications as the Chairperson and

County Auditor, upon the advice of bond counsel, and the County's Municipal Advisor, shall determine to be appropriate, and is authorized to be distributed in connection with the offering of the Notes for sale.

Section 4. Bids for the sale of Notes of Pottawattamie County, State of Iowa, hereafter described, must be received at the office of the County Treasurer, Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa (the "Issuer") before 10:30 A.M., on the 19th day of July, 2022. The bids will then be publicly opened and referred for action to the meeting of the Board of Supervisors in conformity with the TERMS OF OFFERING.

Section 5. The Notes to be offered are the following:

GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2022, in the amount of \$1,745,000*, to be dated August 17, 2022 (the "Notes")

*Subject to principal adjustment pursuant to official Terms of Offering.

Section 6. Open bids will not be received. Bids will be received in any of the following methods:

- Sealed Bidding: Sealed bids may be submitted and will be received at the office of the County Treasurer at 227 South 6th Street, Council Bluffs, Iowa.
- Electronic Internet Bidding: Electronic internet bids will be received at the office of the County Treasurer at 227 South 6th Street, Council Bluffs, Iowa. The bids must be submitted through the SPEERAUCTION competitive bidding system.
- Electronic Facsimile Bidding: Electronic facsimile bids will be received at the County's Municipal Advisor, Speer Financial, Inc., Waterloo, Iowa (facsimile number: (319) 291-8628). Electronic facsimile bids will be treated as sealed bids.

Section 7. After the time for receipt of bids has passed, the close of sealed bids will be announced. Sealed bids will then be publicly opened and announced. Finally, electronic internet bids will be accessed and announced.

Section 8. The sale and award of the Notes will be held at the Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa at a meeting of the Board of Supervisors on the above date at 1:00 P.M.

Section 9. The Issuer has issued an Official Statement of information pertaining to the Notes to be offered, including a statement of the Terms of Offering and an Official Bid Form, which is incorporated by reference as a part of this notice. The Official Statement may be obtained by request addressed to the County Auditor, Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa or the Issuer's Municipal Advisor, Speer Financial, Inc., 531 Commercial Street, Suite 608, Waterloo, Iowa, 50701, Telephone: (319) 291-2077 and 230 West Monroe Street, Suite 2630, Chicago, Illinois, 60606, Telephone: (312) 346-3700.

Section 10. All bids shall be in conformity with and the sale shall be in accordance with the Terms of Offering as set forth in the Official Statement.

Section 11. The Notes will be sold subject to the opinion of Ahlers & Cooney, P.C., Attorneys of Des Moines, Iowa, as to the legality and their opinion will be furnished together with the printed Notes without cost to the purchaser and all bids will be so conditioned. Except to the extent necessary to issue their opinion as to the legality of the Notes, the attorneys will not examine or review or express any opinion with respect to the accuracy or completeness of documents, materials or statements made or furnished in connection with the sale, issuance or marketing of the Notes.

Section 12. The right is reserved to reject any or all bids, and to waive any irregularities as deemed to be in the best interests of the public.

PASSED AND APPROVED this 5th day of July, 2022.

ROLL CALL VOTE

| | | | | |
|--|-----|-----|---------|--------|
| | AYE | NAY | ABSTAIN | ABSENT |
|--|-----|-----|---------|--------|

| | | | | |
|-----------------------|---|---|---|---|
| _____ | ○ | ○ | ○ | ○ |
| Tim Wichman, Chairman | | | | |

| | | | | |
|------------|---|---|---|---|
| _____ | ○ | ○ | ○ | ○ |
| 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 | | | | |

ATTEST: _____
 Melvyn J. Houser, County Auditor

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

After discussion was held by the Board, a motion was made by Grobe, second by Shea, to approve funding request from Southwest Iowa Planning Council (SWIPCO) for FY 22/23 for the amount of \$11,610. UNANIMOUS VOTE. Motion Carried.

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

4. RECEIVED/FILED

- A. Salary Action(s):
 - 1) Buildings & Grounds - Payroll status change for Andrew Smith and Jeffrey Walker.
 - 2) Jail – Payroll status change for Roger Brannan and Chris Curtis.
 - 3) Secondary Roads – Payroll status change for Kristina Treantos and Mike Bonnet removed from received and filed.
 - 4) Conservation – Employment of Ben Beiermann as a Natural Areas Management Intern – Hitchcock.
- B. Out of State Travel Notification:
 - 1) Public Health – Out of State Travel Notification for Maria Torres, Maria Sieck, and Jason Kuehnhold.

5. PUBLIC COMMENTS

No Public Comments.

6. ADJOURN

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

THE BOARD ADJOURNED SUBJECT TO CALL AT 10:58 A.M.

 Tim Wichman, Chairman

ATTEST: _____
 Melvyn Houser, Pottawattamie County Auditor

APPROVED: July 12, 2022
 PUBLISH: X

July 12, 2022

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. July 5, 2022, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Brooke Bauer/Assistant, Conservation appeared before the board to introduce Laura Munson as the East and West Pottawattamie Education Coordinator. Discussion only. No Action Taken.

3. OTHER

Motion made by Shea, second by Grobe, to approve and authorize Chairman to sign contract between MAPA and Pottawattamie County GIS for FY22/23 GIS activities.

UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Belt, to approve application for permit to display fireworks filed by J & M Displays, Inc., for display on July 15, at Westfair Amphitheater.

UNANIMOUS VOTE. Motion Carried.

Douglas Irwin presented the Citizen Survey results to the Board. Discussion only. No Action Taken.

4. RECEIVED/FILED

A. Salary Action(s):

- 1) Secondary Roads – Payroll status change for Chad Hiller, Israel Rivera, Jeremy Wilber, Josh Dau, and John Walker.
- 2) Communications – Payroll status change for Rachel Bieghler, Torie Brummett, Alicia Cotton, Merissa Cox, Joshua Derrington, Abby Fredrich, Maria Graham, Rebecca Liston, Scott Moroney, Elizabeth Sanders, David Sands, Colleen Sylvis, Heather Townsend, and Eric Wallner.
- 3) Sheriff – Payroll status change for Robin Ambrose, Sam Arkfeld, Marc Freeman, and Taralee Mattox.
- 4) Jail – Payroll status change for Nina Hoang.

B. Reports:

- 1) Recorder Fee Book for June 2022.

C. Out of State Travel Notification:

- 1) Auditor – Out of State Travel Notification for Melvyn Houser.

5. PUBLIC COMMENTS

Geri Frederiksen support for Doug Irwin's presentation, and hopes the Board of Supervisors listens to the citizens.

Shawna Anderson thanks to the Board for listening to the voices of the County Public.

David Bushaw thanks to the Board for listening to the survey results.

6. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 10:50 A.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: July 19, 2022
PUBLISH: X

July 19, 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 Schultz, and second by Belt, to remove item 1G., entitled Secondary Roads – Payroll status change for Kristina Treantos, from the Consent Agenda.

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

- A. July 12, 2022, Minutes as read.
- B. June 2022 Vendor Publication Report.
- C. Secondary Roads – Employment of Scott Plumb as a Bridge Technician I.
- D. Sheriff – Employment of William Bates as a Deputy (Roads).
- E. Sheriff – Employment of Dane Molgaard as Front Entry Security Personnel.
- F. Secondary Roads – Payroll status change for Michael Bonnet.

2. SCHEDULED SESSIONS

Motion by Shea, second by Schultz, to open Public Hearing to Amend Future Land Use Map of the Pottawattamie County Comprehensive Plan 2030 in Lewis Township Sections 15, 16, 17, 20, 21, 22, 27, 28 and 29 from a River Ag Production to an Urban Transitional Classification and to adopt Planning and Zoning Resolution No. 2022-09.

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

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

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

Motion by Shea, second by Belt, to approve and authorize Board to sign Planning and Zoning **Resolution No. 2022-09.**

**PLANNING AND ZONING
RESOLUTION NO. 2022-09**

A RESOLUTION AMENDING FUTURE LAND USE DESIGNATIONS IN THE 2030 COMPREHENSIVE PLAN IN THE UNINCORPORATED AREAS OF POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, Pottawattamie County deems the development of a comprehensive land use plan for orderly growth and development in the unincorporated areas of Pottawattamie County, Iowa; and

WHEREAS, the Plan creates and delineates the Future Land Use of lands in the unincorporated areas of the County, and establishes levels of development with the various areas; and

WHEREAS, following public hearing on the amendment to the Future Land Use Map, the County Planning Commission recommended approval of the Future Land Use designations, as presented by Pottawattamie County; and

WHEREAS, after study and consideration the Board of Supervisors has determined it is in the best interest of the County to amend the Future Land Use Map, as presented.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA, that the Board of Supervisors of Pottawattamie County, Iowa, hereby adopt the amendment to the Future Land Use Map for the two-mile extraterritorial area of Council Bluffs.

PASSED AND APPROVED JULY 19, 2022.

| | R O L L | C A L L | V O T E | |
|--------------------------------|---------|---------|---------------|-------------|
| | A Y E | N A Y | A B S T A I N | A B S E N T |
| _____ Tim Wichman, Chairman | ○ | ○ | ○ | ○ |
| _____ Scott Belt | ○ | ○ | ○ | ○ |
| _____ Brian Shea | ○ | ○ | ○ | ○ |
| _____ Justin Schultz | ○ | ○ | ○ | ○ |
| _____ Lynn Grobe | ○ | ○ | ○ | ○ |

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

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

Motion by Schultz, second by Shea, to open Public Hearing and First 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 setting date for Second Consideration.
Roll Call Vote: AYES: Wichman, Belt, Grobe, Schultz, Shea. Motion Carried.

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

Motion by Schultz, second by Belt, to approve First 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 setting date for Second Consideration for July 26, 2022.
UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Belt, to open Public Hearing and First 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 setting date for Second Consideration.
Roll Call Vote: AYES: Wichman, Belt, Grobe, Schultz, Shea. Motion Carried.

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

Motion by Schultz, second by Shea, to approve First 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 setting date for Second Consideration for July 26, 2022.
UNANIMOUS VOTE. Motion Carried.

Study Session on Urban Chickens was held with Matt Wyant from the Planning Department. Discussion to add into Pottawattamie County Zoning Ordinance and Animal Control a permit process to allow for the keeping of chickens in the R3 district.
Discussion only. No Action Taken.

After discussion was held by the Board, a motion was made by Shea, and second by Grobe, to approve the Board Chairman to sign Cornerstone Commercial Contractors pay application no. 13 for Carson/Macedonia downtown rehab.
UNANIMOUS VOTE. Motion Carried.

3. OTHER

After discussion was held by the Board, a Motion was made by Belt, and second by Shea, to approve Pottawattamie County Treasurer's Semi- Annual Report for 1/1/2022 – 6/30/2022.
UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Schultz, and second by Belt, to approve purchasing of Amazon Prime in the amount of \$1,229.00/yr.
UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Schultz, and second by Belt, to approve Veteran Affairs relocation allocation and additional Awards up to \$25,000.00.
UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a motion was made by Shea, and second by Schultz, to approve Application for Use of Pottawattamie County Grounds for the Veteran Affairs Building for the VFW 11355 (FY23 Monthly Meetings), VFW 11355 (2022 Car Show), Iowa Veterans Foundation (FY23 Scheduled Meetings), and Council Bluffs Veteran Day Parade Foundation.
UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Belt, to approve the following applications made to the Assessor's Office: Homestead (314 recommend allowed, 1 recommend disallowed), Military (21 recommend allowed, 0 recommend disallowed), Disabled Veteran Homestead (6 recommend allowed, 0 recommend disallowed), Family Farm (4 recommend allowed, 0 recommend disallowed).
UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Belt, to approve ISACS Supervisors' Dues for FY22/23 in the amount of \$375.00.
UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Action(s):

- 1) Sheriff – Payroll status change for Linda Hensley, Jeremy Harker, and Tanner Miller.
- 2) Jail – Payroll status change for Dustin Ceder.
- 3) Animal Control – Payroll status change for Angela Rathbun.
- 4) IT – Payroll status change for Kelly Greer.
- 5) Conservation – Payroll status change for Steve Fox, Nicole Truax, Hannah Lollis, Andrew Larkin, Ben Beiermann, Noah Sundberg, Ashley Jonas, Katherine Williams, and Grace Kauffman.
- 6) SWI Juvenile Detention Center – Employment of Charles Lainson and Breanna Belt as a Part time Youth Corrections Worker.

5. PUBLIC COMMENTS

No Public Comments.

6. ADJOURN

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

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:13 A.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: July 26, 2022
PUBLISH: X

July 19, 2022

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 1:00 P.M. All members present. Chairman Wichman presiding.

PLEDGE OF ALLEGIANCE

1. SCHEDULED SESSIONS

Motion by Schultz, second by Belt, to approve and authorize Board to sign **Resolution No. 49-2022** entitled: RESOLUTION DIRECTING SALE OF \$1,745,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2022.

RESOLUTION NO. 49-2022

RESOLUTION DIRECTING SALE OF \$1,745,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2022

WHEREAS, bids have been received for the Notes described as follows and the best bid received (with permitted adjustments, if any) is determined to be the following:

\$1,745,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2022

Bidder: Hilltop Securities of Dallas, TX

The terms of award:

Final Par Amount as adjusted: \$1,745,000.00
 Purchase Price as adjusted: \$1,822,307.40
 True Interest Rate: 2.3490 %
 Net Interest Cost: \$ 119,757.00

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

Section 1. That the bid for the Notes as above set out is hereby determined to be the best and most favorable bid received and, the Notes are hereby awarded as described above.

Section 2. That the statement of information for Note bidders and the form of contract for the sale of the Notes are hereby approved and the Chairperson and Auditor are authorized to execute the same on behalf of the County.

Section 3. That all acts of the County Treasurer and other officials done in furtherance of the sale of the Notes are hereby ratified and approved.

Section 4. That the notice of the sale of the notes heretofore given and all acts of the Auditor done in furtherance of the sale of the notes are hereby ratified and approved.

Dated this 19th Day of July, 2022.

ROLL CALL VOTE

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

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.

| | <u>ROLL CALL VOTE</u> | | | |
|-----------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| | AYE | NAY | ABSTAIN | ABSENT |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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 | | | | |

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.

| | <u>ROLL CALL VOTE</u> | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| | AYE | NAY | ABSTAIN | ABSENT |
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 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

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

August 2, 2022

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M. all members present with Supervisor Shea attending via telephone. Chairman Wichman presiding.

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. July 26, 2022, Minutes as read.
- B. Jail – Employment of Billy Wilson as a Detention Officer.
- C. Amend Ownership/Renewal of Class E Liquor License (LE), granting privileges of Class B Wine Permit / Class C Beer Permit (Carryout Beer) / Class E Liquor (LE) / Sunday Sales to Casey’s Marketing Company d/b/a Casey’s General Store #3204, Minden.

2. SCHEDULED SESSIONS

Motion made by Schultz, second by Belt, to approve and authorize Board to sign **Resolution No. 53-2022** entitled: A RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN AN INTERLOCAL AGREEMENT BETWEEN THE COUNTY OF POTTAWATTAMIE AND CITY OF COUNCIL BLUFFS WITH RESPECT TO THE 2022 BYRNE JUSTICE ASSISTANCE GRANT PROGRAM AWARD.

RESOLUTION NO. 53-2022

A RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN AN INTERLOCAL AGREEMENT BETWEEN THE COUNTY OF POTTAWATTAMIE AND CITY OF COUNCIL BLUFFS WITH RESPECT TO THE 2022 BYRNE JUSTICE ASSISTANCE GRANT PROGRAM AWARD.

WHEREAS, the Justice Assistance Grant (JAG) Program has funds available to award the County and City; and

WHEREAS, the heads of both law enforcement agencies have determined the best way to utilize said funds and agree that the proposed use is in the best interest of the public.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Pottawattamie County, Iowa, that the Chairman of the Board is hereby authorized and directed to sign the Interlocal Agreement between the County and City for use of the 2022 JAG funds.

Dated this 2nd Day of August, 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 Houser, County Auditor

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

Motion by Schultz, second by Belt, to approve and authorize Board Chairman to sign amended General Accounting Expenditure no. 16 for 18-DTR-004.

Paula Hazelwood/Chief Executive Officer, Advance Southwest Iowa Corporation and Bethany Wilcoxon and Team/Senior Advisor, McClure appeared before the Board to give a presentation for project funding for Rural Pottawattamie County Infrastructure Collaboration (RPCIC). Discussion only. No action taken

Brenda Mainwaring, President & CEO of Iowa West Foundation appeared before the Board to provide an update and discuss the 2022 Award Cycle 2. Discussion only. No action taken.

Maria Sieck, Public Health Administrator appeared before the Board to provide an update and discuss the Public Health recognition awards.

Motion by Belt, second by Schultz, to approve and authorize Board to sign **Resolution No. 55-2022** entitled: APPROVAL OF TRAFFIC SAFETY IMPROVEMENT PROGRAM APPLICATION FOR TEMPORARY TRAFFIC SIGNALS.

RESOLUTION NO. 55-2022

APPROVAL OF TRAFFIC SAFETY IMPROVEMENT PROGRAM APPLICATION FOR TEMPORARY TRAFFIC SIGNALS.

WHEREAS, the Iowa Department of Transportation has adopted Administrative Rule 761-Chapter 164, which created the Traffic Safety Improvement Program (TSIP) to allow funding to be provided to local jurisdictions for eligible traffic safety improvement projects; and

WHEREAS, Pottawattamie County has determined that providing temporary traffic signals will aid in improving the safety of flaggers, road crews, and the traveling public during road maintenance activities; and

WHEREAS, portable temporary traffic signals are recognized as temporary traffic control devices in the Manual on Uniform Traffic Control Devices (MUTCD), 2009 edition; and

WHEREAS, the Pottawattamie County Engineer recommends a TSIP application be submitted to the Iowa Department of Transportation for possible safety funding of the above mentioned traffic control devices.

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

- 1.** Supports the application for Iowa Department of Transportation Traffic Safety Improvement Program Funding.
- 2.** Certifies that Pottawattamie County will provide continuous maintenance to these temporary traffic control signs.
- 3.** Authorize the Board of Supervisors Chairman to sign application and supporting documents in relation to the TSIP funding.

Dated this 2nd Day of August, 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 Houser, County Auditor

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

3. OTHER

Motion by Schultz, second by Belt, to approve and authorize Board to sign **Resolution No. 51-2022** entitled: Resolution for Transfer from MHDS Fund to MHDS Direct Expenses Fund.

RESOLUTION NO. 51-2022

RESOLUTION for Transfer from MHDS Fund to MHDS Direct Expenses Fund.

WHEREAS it is desired to transfer money from MHDS Fund to MHDS Direct Expenses Fund; and

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

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

SECTION 1: The sum of \$14,093.17 is ordered to be transferred from MHDS Fund to MHDS Direct Expenses Fund, and

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

Dated this 2nd Day of August, 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 Houser, County Auditor

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

Motion made by Belt, second by Schultz, to approve and authorize Board to sign **Resolution No. 52-2022** entitled: Resolution Appointing UMB BANK, N.A. of West Des Moines, Iowa, to serve as paying agent, not registrar, and transfer agent, approving the paying agent and note registrar and transfer agent agreement and authorizing the execution of the agreement.

RESOLUTION NO. 52-2022

RESOLUTION APPOINTING UMB BANK, N.A. OF WEST DES MOINES, IOWA, TO SERVE AS PAYING AGENT, NOTE REGISTRAR, AND TRANSFER AGENT, APPROVING THE PAYING AGENT AND NOTE REGISTRAR AND TRANSFER AGENT AGREEMENT AND AUTHORIZING THE EXECUTION OF THE AGREEMENT.

WHEREAS, \$1,745,000 General Obligation Capital Loan Notes, Series 2022, dated August 17, 2022, have been sold and action should now be taken to provide for the maintenance of records, registration of certificates and payment of principal and interest in connection with the issuance of the Notes; and

WHEREAS, this Board has deemed that the services offered by UMB Bank, N.A. of West Des Moines, Iowa, are necessary for compliance with rules, regulations, and requirements governing the registration, transfer and payment of registered notes; and

WHEREAS, a Paying Agent, Note Registrar and Transfer Agent Agreement (hereafter "Agreement") has been prepared to be entered into between the County and UMB Bank, N.A.

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

- 1. That UMB Bank, N.A. of West Des Moines, Iowa, is hereby appointed to serve as Paying Agent, Note Registrar and Transfer Agent in connection with the issuance of \$1,745,000 General Obligation Capital Loan Notes, Series 2022, dated August 17, 2022.
- 2. That the Agreement with UMB Bank, N.A. of West Des Moines, Iowa, is hereby approved and that the Chairperson and Auditor are authorized to sign the Agreement on behalf of the County.

PASSED AND APPROVED this 2nd day of August, 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 Houser, County Auditor

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

4. RECEIVED/FILED

- A. Salary Action(s):
 - 1) Veteran Affairs– Payroll status change for Randal Markell.
- B. Out of State Travel Notification:
 - 1) Medical Examiner – Out of State Travel Notification for Felicia Luczek and Kalen Knight.

5. PUBLIC COMMENTS

No public comments.

6. ADJOURN

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

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:45 A.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: August 9, 2022
PUBLISH: X

August 9, 2022

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M. All members, except Supervisor Schultz 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. August 2, 2022, Minutes as read.
- B. Public Health – Employment of Veronica Beck as a part time Health Educator.
- C. July 2022 Vendor Publication Report.

2. SCHEDULED SESSIONS

Motion by Shea, second by Belt, to approve setting time and place for public hearing on an amendment for the FY 2022/23 Budget for August 30, at 10:00 AM.

UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Belt, to deny change order #5; \$1,007.00 for site signage markings.

UNANIMOUS VOTE. Motion Carried.

Motion by Belt, second by Shea, to approve change order #6; credit -\$911.00 to delete Community Service door.

UNANIMOUS VOTE. Motion Carried.

Motion by Belt, second by Shea, to approve change order #7; \$98,458.00 for additional pavement.

UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Grobe, to approve and authorize Board to sign **Resolution No. 54-2022** entitled: RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF PROBABLE COST FOR THE POTTAWATTAMIE COUNTY SECONDARY ROADS OPERATIONS CENTER PUBLIC IMPROVEMENT PROJECT.

RESOLUTION NO. 54-2022

RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF PROBABLE COST FOR THE POTTAWATTAMIE COUNTY SECONDARY ROADS OPERATIONS CENTER PUBLIC IMPROVEMENT PROJECT.

WHEREAS, the existing Pottawattamie County Secondary Roads Department Annex was constructed in 1955, is beyond its useful design life and needs an estimated \$2,400,000 in renovations, and

WHEREAS, the existing Pottawattamie County Secondary Roads Fleet maintenance facility was constructed in 1977 and fails to provide adequate space for the volume of work and the size of the equipment of the Department's \$19,800,000 fleet, and

WHEREAS, the location of either building does not promote efficiency, communication, training, accessibility, or safety, and

WHEREAS, the estimated efficiencies created by the Secondary Roads Facility Plan provides for a 1.52 Return on Investment based on a 50 year design life of the new construction with the cost of the improvements recovered in approximately 34 years and an additional \$5,100,000 in estimated savings may be realized by the 50th year of the intended design life of the proposed buildings, and

WHEREAS, notice of hearing on plans, specifications, form of contract and estimate of cost for the public improvements was published as required by law, and

WHEREAS, the plans, specifications, form of contract and estimate of cost were approved following a public hearing by the Board of Supervisors for the construction of the public improvements described in general as the Pottawattamie County Secondary Roads Operations Center public improvement; and

WHEREAS, the project shall be let for construction with bids to be opened at 2:00 P.M. on September 13, 2022 at the office of the Architect, HGM Associates located at 640 5th Ave, Council Bluffs, IA 51501 with a recommendation for award at the September 20, 2022 Board of Supervisors meeting.

THEREFORE, BE IT RESOLVED BY THE POTTAWATTAMIE COUNTY BOARD OF SUPERVISORS, STATE OF IOWA: That the plans, specifications, form of contract and estimate of probable cost are hereby approved for the Pottawattamie County Secondary Roads Operations Center public improvement project.

Dated this 9th Day of August, 2022.

ROLL CALL VOTE

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

ATTEST: _____
 Melvyn Houser, County Auditor

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

3. OTHER

Motion by Shea, second by Belt, to approve policy revisions to the employee travel authorization and expense policy.
 UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

- A. Salary Action(s):
 - 1) SWI Juvenile Detention Center: - Employment of Allissa Schubert as a part time Youth Corrections Worker.
 - 2) Jail – Payroll status change for Chasity Christie.
- B. Reports
 - 1) Recorder Fee Book for July 2022.

5. PUBLIC COMMENTS

No Public Comments.

6. CLOSED SESSION

Motion by Shea, second by Belt, to go into Closed Session pursuant Iowa Code 21.5(1)(j) for discussion and/or decision on the purchase or sale of particular real estate.
Roll Call Vote: AYES: Wichman, Belt, Grobe, Shea. Motion Carried.

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

6. ADJOURN

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

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:25 A.M.

 Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: August 23, 2022

PUBLISH: X

August 23, 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 Grobe, and second by Schultz, to approve:

- A. August 9, 2022, Minutes as read.
- B. Renewal of Class B Beer (BB) (Includes Wine Coolers), granting privileges of Class B Beer (BB) (Includes Wine Coolers) / Class C Native Wine Permit (On-Premises) / Outdoor Service / Sunday Sales to Pioneer Trail Orchard and Pumpkin L.L.C. d/b/a Pioneer Trail Orchard and Pumpkin Patch L.L.C, Council Bluffs.
- C. Renewal of Class E Liquor License (LE, granting privileges of Class B Wine Permit, Class C Beer Permit (Carryout Beer), Class E Liquor License (LE), and Sunday Sales for Taylor Oil Enterprises, Limited d/b/a Taylor Quik Pik, Council Bluffs.
- D. Medical Examiner – Employment of Felica Luczek and Jacob Hardiman as on call Medical Examiner Investigators.
- E. Communications– Employment of Monica Brooks, Camsley Hovey, and Lacy Gillette as a Telecommunications Operators.

2. SCHEDULED SESSIONS

Drew Kamp and Alicia Frieze from the Council Bluffs Area Chamber of Commerce appeared before the Board to give a presentation on the Workforce Development efforts. Discussion only. No action taken.

Motion by Schultz, second by Shea, to approve the FY22/23 Workforce Contract for Workforce Development Services with the Council Bluffs Area Chamber of Commerce.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 47-2022** entitled: RESOLUTION AUTHORIZING AMENDED FORGIVABLE LOAN AGREEMENT WITH REGIONAL WATER.

RESOLUTION NO. 47-2022

Resolution Authorizing Amended Forgivable Loan Agreement with Regional Water

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

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

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

WHEREAS, Regional Water has proposed to undertake certain improvements and extensions (the “Water Improvement Project”) to its water system in order to serve certain property (the “Development Property”) situated in Pottawattamie County, Iowa (the “County”); and

WHEREAS, the Water Improvement Project is necessary to provide water service to the Development Property and to promote the development of residential housing thereon (the “Housing Development Project”); and

WHEREAS, Regional Water has requested that the County provide financial assistance in the form of a forgivable loan (the “Forgivable Loan”) in order to pay for a portion of the costs of the Water Improvement Project; and

WHEREAS, the County and Regional Water have entered into a certain forgivable loan agreement (the “Original Forgivable Loan Agreement”) in connection with the Water Improvement Project and the Forgivable Loan; and

WHEREAS, it is now necessary to amend the Original Forgivable Loan Agreement in order to extend the completion date of the Water Improvement Project and to extend the maturity date of the Forgivable Loan; and

WHEREAS, an amended forgivable loan agreement (the “Amended Forgivable Loan Agreement”) has been prepared to set forth the new understanding between the County and Regional water; and

WHEREAS, it is now necessary to take action for the approval of the Amended Forgivable Loan Agreement and to make provision for the execution and delivery thereof;

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

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

- a) The Housing Development Project, including the Water Improvement Project, will add diversity and generate new opportunities for the Pottawattamie County and Iowa economies; and
- b) The Housing Development Project, including the Water Improvement Project, will generate public gains and benefits, particularly in the creation of new jobs, income and housing opportunities in the County, which are warranted in comparison to the amount of the proposed Forgivable Loan.

Section 2. The Board of Supervisors further finds and reaffirms that a public purpose will reasonably be accomplished by making the Forgivable Loan in connection with the Water Improvement Project.

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

Section 4. All resolutions or parts thereof in conflict herewith, are hereby repealed, to the extent of such conflict.

Passed and Approved this August 23, 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 Houser, County Auditor

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

Motion by Shea, second by Grobe, to approve and authorize Board Chairman to sign a RISE Grant Agreement application for Magnolia Road in Underwood.
 UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Grobe, to approve and authorize Board to sign **Resolution No. 62-2022** entitled: RESOLUTION DECLARING POTTAWATTAMIE COUNTY’S STANCE AGAINST THE USE OF EMINENT DOMAIN FOR THE CONSTRUCTION OF CARBON DIOXIDE TRANSMISSION PIPELINES.

RESOLUTION NO. 62-2022

RESOLUTION DECLARING POTTAWATTAMIE COUNTY’S STANCE AGAINST THE USE OF EMINENT DOMAIN FOR THE CONSTRUCTION OF CARBON DIOXIDE TRANSMISSION PIPELINES.

WHEREAS, Summit Carbon Solutions and Navigator Heartland Greenway intend to construct carbon dioxide pipelines across the state of Iowa, some of which pass through Pottawattamie County, IA.

WHEREAS, these pipelines are for the transmission of captured carbon dioxide gas from various ethanol facilities in Iowa to an underground storage location in North Dakota.

WHEREAS, the only beneficiary of these pipelines will be those producing the carbon dioxide, those transmitting it and those storing it with no contribution to the general public.

WHEREAS, the path needed to construct the pipelines can only be achieved by enforcing Eminent Domain granted by the Iowa Utilities Board across privately held land of opposed landowners.

NOW THEREFORE BE IT RESOLVED, that while Pottawattamie County encourages business growth and development and recognizes the importance of ethanol facilities to the local economy, this particular type of pipeline should not be considered a public utility. Pottawattamie County is opposed to the use of Eminent Domain laws against private landowners as there is no benefit to general public.

Dated this 23rd Day of August, 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 Houser, County Auditor

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

3. OTHER

Motion by Schultz, second by Shea, to approve and authorize funding for on-site employee blood draws up to \$5,000.
 UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

- A. Salary Action(s):
 - 1) Sheriff – Payroll status change for James Doty and Cassie Green.
 - 2) Jail – Payroll status change for Ryan Hecker, Jay Wilson, and Grant Gilliam.
 - 3) Secondary Roads – Payroll status change for Tyler Campbell.

5. PUBLIC COMMENTS

Lisa Lima appeared before the Board concerned about the Carbon Dioxide Pipeline. The County should draft ordinance that already exist.

6. CLOSED SESSION

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

Roll Call Vote: AYES: 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.

7. OPEN SESSION

After discussion was held by the Board on the Amendment of Bargaining Unit for the Pottawattamie County Deputy Sheriffs Association, a motion was made by Schultz, and second by Shea, to table and revisit after January 1st, 2023, for the new Board of Supervisors to weigh in on the decision.
UNANIMOUS VOTE. Motion Carried.

8. ADJOURN

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

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:56 A.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: August 30, 2022
PUBLISH: X

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

- A. August 23, 2022, Minutes as read.
- B. Secondary Roads – Employment of Brady Flemming as an Equipment Operator.
- C. Sheriff – Employment of Brandon Huebner and Jerrold Hallstrom as a part-time Entry Security Personnel.

2. SCHEDULED SESSIONS

Motion made by Shea, second by Schultz, to open Public Hearing on Pottawattamie County’s amendment to current county budget for FY2022-23.

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

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

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

Motion by Schultz, second by Grobe, to approve **Resolution No. 57 -2022** entitled: Resolution to Approve Pottawattamie County’s amendment to current county budget for FY 2022-23.

RESOLUTION NO. 57-2022

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

WHEREAS, the Board of Supervisors, County Attorney, Veteran Affairs, Conservation, Public Health, Unemployment, Human Resources, IT, Planning, GIS and Nondepartmental have exceeded their Budget due to said necessary expenditures; and

WHEREAS, the Amendment to the Fiscal Year 2022/23 Budget for the Board of Supervisors, County Attorney, Veteran Affairs, Conservation, Public Health, Unemployment, Human Resources, IT, Planning, GIS, and Nondepartmental shall be substantially as follows:

| DEPT # | Revenue Amount | Expense Amount |
|---------------------------|-----------------------|-----------------------|
| Board of Supervisors - 01 | \$ 2,550,000 | \$ 5,806,000 |
| Total | \$ 2,550,000 | \$ 5,806,000 |
| County Attorney - 04 | | \$ 200,000 |
| Total | \$ - | \$ 200,000 |
| Veteran Affairs - 21 | | \$ 34,400 |
| Total | \$ - | \$ 34,400 |
| Conservation - 22 | \$ 910,850 | \$ 832,850 |
| Total | \$ 910,850 | \$ 832,850 |
| Public Health - 23 | \$ 184,500 | \$ 56,500 |
| Total | \$ 184,500 | \$ 56,500 |
| Unemployment - 40 | \$ - | \$ 40,000 |
| Total | \$ - | \$ 40,000 |
| Human Resources (PR) - 50 | \$ - | \$ 8,000 |
| Total | \$ - | \$ 8,000 |
| IT - 52 | \$ - | \$ 174,300 |
| Total | \$ - | \$ 174,300 |

| | | |
|----------------------|---------------------|----------------------|
| Planning - 53 | \$ 255,000 | \$ 300,000 |
| Total | \$ 255,000 | \$ 300,000 |
| GIS - 54 | \$ 30,128 | \$ - |
| Total | \$ 30,128 | \$ - |
| Nondepartmental - 99 | \$ - | \$ 5,021,841 |
| Total | \$ - | \$ 5,021,841 |
| | \$ 3,930,478 | \$ 12,473,891 |

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

WHEREAS, the public had due notice of the Budget Amendment Hearing held on August 30, 2022, and at the hearing, due time was allowed for objections to any and all portions of the amended budget.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Pottawattamie County, hereby amends the Fiscal Year 2022/23 budget.

Dated this 30th day of August, 2022.

ROLL CALL VOTE

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

ATTEST: _____
 Melvyn J. Houser, County Auditor

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

Motion by Shea, second by Schultz, to approve and authorize Board to sign **Resolution No. 56-2022** entitled: RESOLUTION FOR TRANSFER FROM GENERAL FUND TO VETERAN AFFAIRS DONATIONS FUND.

RESOLUTION NO. 56-2022

RESOLUTION for Transfer from General Fund to Veteran Affairs Donations Fund

WHEREAS, it is desired to transfer money from General Fund to Veteran Affairs Donations Fund; and

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

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

SECTION 1: The sum of \$4,163.72 is ordered to be transferred from General Fund to Veterans Affairs Donations Fund, and

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

Dated this 30th Day of August, 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 Houser, County Auditor

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

Motion by Belt, second by Shea, to approve and authorize Board to sign **Resolution No. 58-2022** entitled: RESOLUTION transfers from Gaming Fund to West SWCD/Pottawattamie County Structures Fund and East SWCD/Pottawattamie County Structures Fund.

RESOLUTION NO. 58-2022

RESOLUTION FOR TRANSFERS FROM GAMING FUND TO WEST SWCD/POTT CO STRUCTURES FUND AND EAST SWCD/POTT CO STRUCTURES FUND.

WHEREAS, it is desired to transfer money from the Gaming Fund to West SWCD/Pott Co Structures Fund, and from the Gaming Fund to East SWCD/Pott Co Structures Fund; and

WHEREAS, said transfers are in accordance with Section 331.432, Code of Iowa.

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors authorizes the following transfers:

SECTION 1: The sum of \$15,000.00 is ordered to be transferred from the Gaming Fund to the West SWCD/Pott Co Structures Fund;

SECTION 2: The sum of \$10,000.00 is ordered to be transferred from the Gaming Fund to the East SWCD/Pott Co Structures Fund;

SECTION 3: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of these operating transfers.

Dated this 30th Day of August, 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 Houser, County Auditor

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

Motion by Schultz, second by Shea, to approve and authorize Board to sign Resolution No. 59-2022 entitled: RESOLUTION for transfer from General Basic to Secondary Roads Fund.

RESOLUTION NO. 59-2022

RESOLUTION FOR TRANSFER FROM GENERAL BASIC TO SECONDARY ROADS FUND.

WHEREAS, it is desired to transfer money from the General Basic Fund to Secondary Roads Fund; and

WHEREAS, said transfers are in accordance with Section 331.432, Code of Iowa.

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors authorizes the following transfers:

SECTION 1: The sum of \$115,582.00 is ordered to be transferred from the General Basic Fund to Secondary Roads Rund, and

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

Dated this 30th Day of August, 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 Houser, County Auditor

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

Motion by Belt, second by Schultz, to approve and authorize Board to sign Resolution No. 60-2022 entitled: RESOLUTION for transfer from General Fund to General Supplemental Fund.

RESOLUTION NO. 60-2022

RESOLUTION FOR TRANSFER FROM GENERAL FUND TO GENERAL SUPPLEMENTAL FUND.

WHEREAS, it is desired to transfer money from the General Basic Fund to General Supplemental Fund.

WHEREAS, said transfers are in accordance with Section 331.432, Code of Iowa.

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors authorizes the following transfers:

SECTION 1: The sum of \$385,337.00 is ordered to be transferred from the General Basic Fund to General Supplemental Fund, and

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

Dated this 30th Day of August, 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 Houser, County Auditor

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

Motion by Schultz, second by Belt, to approve and authorize Board to sign **Resolution No. 61-2022** entitled: RESOLUTION for transfer from Gaming Fund to Property Acquisition/Improvement Donations Fund.

RESOLUTION NO. 61-2022

RESOLUTION FOR TRANSFER FROM GAMING FUND TO PROPERTY ACQUISITION/IMPROVEMENT DONATIONS FUND.

WHEREAS, it is desired to transfer money from the Gaming Fund to Property Acquisition Improvement Donations Fund.

WHEREAS, said transfers are in accordance with Section 331.432, Code of Iowa.

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors authorizes the following transfers:

SECTION 1: The sum of \$1,200,000 is ordered to be transferred from the Gaming Fund to Property Acquisition/Improvement Donations Fund, and

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

Dated this 30th Day of August, 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 Houser, County Auditor

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

Chief Carmody/Council Bluffs Police Department and Jeff Theulen/Chief Deputy, Sheriff Office, updated the Board on the 100-yard shooting range and training center. Discussion only. No action taken.

Motion by Schultz, second by Shea, to approve the recommendation of Financial Allocation for Grant Writing Services to Accompany the RPCIC Initiative up to \$75,000 from Gaming.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 64-2022** entitled: Resolution by the Pottawattamie County Board of Supervisors, State of Iowa to Support and Allocate American Rescue Plan Act (ARPA) Funds to the Rural Pottawattamie County Infrastructure Collaborative (RPCIC).

RESOLUTION NO. 64-2022

A RESOLUTION BY THE POTTAWATTAMIE COUNTY BOARD OF SUPERVISORS, STATE OF IOWA TO SUPPORT AND ALLOCATE AMERICAN RESCUE PLAN ACT (ARPA) FUNDS TO THE RURAL POTTAWATTAMIE COUNTY INFRASTRUCTURE COLLABORATIVE (RPCIC).

WHEREAS, the Pottawattamie County Board of Supervisors, Iowa West Foundation, Advance Southwest Iowa Corporation and Golden Hills Resource Conservation & Development have partnered on the RPCIC initiative, and

WHEREAS, the RPCIC initiative is a county-wide collaborative that has identified current and future infrastructure/community projects in rural Pottawattamie County, and

WHEREAS, the RPCIC is at the pivotal stage to begin providing guidance and resources to those rural Pottawattamie County communities that have vetted infrastructure projects that will meet the deadline of 2026 to utilize ARPA and/or other grants/loans to complete their pending infrastructure projects, and

WHEREAS, the RPCIC is requesting an allocation of \$1,500,000 in ARPA funds from Pottawattamie County to be utilized as the match requirement for ARPA and/or other grant/loan applications that will be submitted by communities in rural Pottawattamie County, and

WHEREAS, Advance Southwest Iowa Corporation recommends McClure Engineering (the RPCIC’s current consultant) to provide rural Pottawattamie County communities assistance with the completion and submittal of competitive grant/loan applications, and

WHEREAS, Advance Southwest Iowa Corporation will continue to provide the Pottawattamie County Board of Supervisors on-going updates regarding the RPCIC initiative as well as ARPA and other infrastructure grants/loans pursuant to the before mentioned vetted infrastructure projects.

THEREFORE, BE IT RESOLVED BY THE POTTAWATTAMIE COUNTY BOARD OF SUPERVISORS, STATE OF IOWA: That the Pottawattamie County Board of Supervisors support the Rural Pottawattamie County Infrastructure Collaborative (RPCIC) and approve their request for \$1,500,000 in ARPA funds to be utilized for matching funds for infrastructure projects for communities in rural Pottawattamie County.

Dated this 30th Day of August, 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

○ ○ ○ ○

ATTEST: _____

Melvyn Houser, County Auditor

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

Kaylee Langrell/Turnkey Logistics, representing Summit Carbon Solutions appeared before the Board to give a presentation to the Board on the project update for Summit Carbon Solutions pipeline. Discussion only. No action taken.

Motion by Belt, second by Shea, to approve the Pottawattamie County Subaward Agreement Amendment to provide federal assistance from the HMGP 4421DR.

UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Belt, to approve/deny change order #9 RTU Steel Supports Pricing in the amount of \$4,647.

UNANIMOUS VOTE. Motion Carried.

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

UNANIMOUS VOTE. Motion Carried

After discussion was held by the Board, a motion was made by Shea, second by Belt, to terminate Farm Lease with Nick Hanson D/B/A Hanson Brothers Land & Livestock LLC for property legally described as: Commencing at the center of said Section 28; thence S8936'07"E 1099.49 ft. along the north line of said NW 1/4 SE 1/4; thence S22°11'50"W 112.44 ft.; thence southwesterly 614.43 ft. along a 768.51 ft. radius curve, concave northwesterly, and having a chord bearing S45°06'05"W 598.19 ft.; thence S68°00'20"W 681.74 ft. to a point on the west line of said NW 1/4 SE 1/4; thence N0°04'55"W 789.31 ft. along said west line to said center of Section 28, the Point of Beginning. Commonly referred to as Pheasants Forever Food Plot.

UNANIMOUS VOTE. Motion Carried.

3. OTHER

Motion by Belt, second by Shea, to approve and authorize Chairman to sign Law Enforcement Service Contract between Pottawattamie County and the City of Avoca.

UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a motion was made by Shea, second by Schultz, to approve the employee handbook updates to Sick Leave Donation Policy number 604 item (4).

UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a motion was made by Schultz, second by Grobe, to approve Hungry Canyons Alliance annual membership fee of \$4,750 for FY 22/23.

UNANIMOUS VOTE. Motion Carried.

Discussion was held on the Partnership support for the Western Iowa Tourism Region for FY 22/23 for \$500. Discussion only. No Action taken.

4. RECEIVED/FILED

A. Salary Action(s):

- 1) Environmental Health – Payroll status change for Steven Hanson.
- 2) Secondary Roads – Payroll status change for Travis Bauer.
- 3) Human Resources – Payroll status change for Jacob Head.
- 4) Mental Health – Payroll status change for Molly Brown.
- 5) Attorney – Payroll status change for Leanne Gifford.

B. Reports

- 1) Sheriff's Report of Fees Disbursed and Collected for July 2022.

5. PUBLIC COMMENTS

No Public Comments.

6. ADJOURN

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

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:50 A.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: September 6, 2022
PUBLISH: X

September 6, 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 Belt, and second by Shea, to approve:

- A. August 30, 2022, Minutes as read.
- B. August 2022 Vendor Publication Report.

2. SCHEDULED SESSIONS

Motion by Shea, second by Schultz, to approve and authorize Board Chairman to sign CDBG contract extension request letter addressed to Iowa Economic Development Authority.
UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Shea, and second by Belt, to have Board Chairman sign the 2022/2023 proposal for the Temporary ADA Ramp Enclosure.
UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Schultz, and second by Shea, to have Board Chairman sign the proposal for cemetery gates at Green Valley Cemetery in the amount of \$7,694 from gaming.
UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to approve and authorize Board Chairman to sign Memorandum of Understanding Between Pottawattamie County Division of Public Health and the Centro Latino, effective September 1, 2022, through December 31, 2022.
UNANIMOUS VOTE. Motion Carried.

3. OTHER

Discussion was held by the Board on the funding of Western Iowa Development Association in the amount of \$50,000 for FY 22/23. Discussion only. No action taken.

4. RECEIVED/FILED

- A. Salary Action(s):
 - 1) IT – Payroll status change for Rafael Rodriguez.
 - 2) Conservation – Employment of Mick Bressler as a seasonal Hawkwatch Counter.
- B. Out of State Travel Notification:
 - 1) Community Services – Out of State Travel Notification for Suzanne Watson.

5. PUBLIC COMMENTS

No Public Comments.

6. CLOSED SESSION

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

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

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

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

7. ADJOURN

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

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:07 P.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: September 13, 2022

PUBLISH: X

September 13, 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. September 6, 2022, Minutes as read.
- B. Buildings and Grounds – Employment of Jeffery Ohlinger as a Jail Maintenance Worker II.

2. SCHEDULED SESSIONS

Motion by Shea, second by Schultz, to open Public Hearing on Ordinance No. 2022-04, an ordinance to amend Chapter 3.50 “Animal Care and Control” of the Pottawattamie County, Iowa Code; and setting date of Second Consideration.

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

Mary Stanley, 23996 Dogwood, appeared before the Board to speak in support of chickens.

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

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

Motion by Schultz, second by Shea, to approve First Consideration of **Ordinance No. 2022-04**, an ordinance to amend Chapter 3.50 “Animal Care and Control” of the Pottawattamie County, Iowa Code; and setting date of Second Consideration for September 20, 2022.

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

Motion by Shea, second by Belt, to open Public Hearing on Ordinance No. 2022-05, an ordinance to amend Chapter 8 “Zoning Ordinance” of the Pottawattamie County, Iowa, Code; and setting date of Second Consideration.

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

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

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

Motion by Shea, second by Schultz, to approve First Consideration of **Ordinance No. 2022-05** an ordinance to amend Chapter 8 “Zoning Ordinance” of the Pottawattamie County, Iowa, Code; and setting date of Second Consideration for September 20, 2022.

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

Motion by Belt, second by Schultz, to approve Tax abatement for Myrtue Medical Center for property located at 510 N Elm St, Avoca (Parcel No. 773909332009).

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Belt, to approve tax abatement for County owned property located at 17026 Snowhill Ln (Parcel No. 764411400004), 17019 Snowhill Ln (Parcel No. 764412300008), and 17034 Snowhill Ln (Parcel No. 764412300006), Crescent.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Belt, to approve payment of taxes for County owned properties and drainage, totaling \$744.00.

UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Discussion was held by the Board with the City of Crescent, Walnut and Neola regarding small town needs. Discussion only. No action taken.

After discussion was held by the Board, a motion was made by Schultz, second by Shea, to approve the hiring of GIS Analyst II at a step 3 of the paygrade.

UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to approve Job Description of Snow Sports School Coordinator and Snowmaking Team Lead, and the posting of said positions.
UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

- A. Salary Action(s):
- 1) SWI Juvenile Detention Center – Employment of Sean Sahl and Jacob Muller as a part time Youth Corrections Worker.
 - 2) Sheriff– Payroll status change for Nick Amdor.
 - 3) Public Health – Payroll status change for Alexander McGee.
- B. Reports:
- 1) Recorder fee Book for August 2022.

5. PUBLIC COMMENTS

Gene McShannon appeared before the Board about Equestrian Trails on Ski hills.

6. CLOSED SESSION

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

Roll Call Vote: AYES: 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.

7. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:50 P.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: September 20, 2022

PUBLISH: X

September 20, 2022

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M. All members present, except Supervisor Shea appearing via teleconference, he later appeared in person. Chairman Wichman presiding.

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. September 13, 2022, Minutes as read.

2. SCHEDULED SESSIONS

Motion by Schultz, second by Belt, to canvass 2022 Lewis Central Election, and to authorize Auditor to pay election costs.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Belt, to approve Second Consideration of Ordinance No. 2022-04, an Ordinance to amend Chapter 3.50 “Animal Care and Control” of the Pottawattamie County, Iowa Code; and to adopt Ordinance No. 2022-04 in law. Said ordinance is laid out as follows:

**POTTAWATTAMIE COUNTY, IOWA
ORDINANCE NO. 2022-04**

AN ORDINANCE to amend the following in Chapter 3.50, of Pottawattamie County, Iowa Animal Care and Control Ordinance:

1. 3.50.005.23 Amend boarding to kennel to commercial kennel and amend Chapter 162.8 of the Code of Iowa to Zoning Ordinance of Pottawattamie County, Iowa.
2. 3.50.005.25 Add “excluding urban chickens (refer to section 3.50.035)
3. 3.50.005.32 Add “PASTURE: Land in the rear yard (as defined in Section 8.002.260.02 of the Pottawattamie County, Iowa Zoning Ordinance) covered with grass and other low plants suitable for grazing animals.”
4. 3.50.006.07 Delete “The fee for this procedure shall be as set forth in the schedule of fees (\$20.00)”
5. 3.50.007.09 Amend license to permit and by this Chapter to Chapter 8 – Pottawattamie County, IA Zoning Ordinance.
6. Add Section 3.50.035 Urban Chickens.

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

SECTION 1 - REPEAL OF CONFLICTING ORDINANCES: That section 3.50.005.23 is hereby repealed in its entirety. Furthermore all other Ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

SECTION 2 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding thereto the following new Section, to be codified as Section 3.50.005.23:

3.50.005.23 **KENNEL:** Any ‘commercial kennel’, as defined in Chapter 8 of the Zoning Ordinance of Pottawattamie County, Iowa.

SECTION 3 - REPEAL OF CONFLICTING ORDINANCES: That section 3.50.005.25 is hereby repealed in its entirety. Furthermore all other Ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

SECTION 4 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding thereto the following new Section, to be codified as Section 3.50.005.25:

3.50.005.25 **LIVESTOCK:** Farm animals, such as beef cattle, dairy cows, sheep, hogs, chickens and turkeys, excluding urban chickens (refer to section 3.50.035).

SECTION 5 - REPEAL OF CONFLICTING ORDINANCES: That section 3.50.005.32 is hereby repealed in its entirety. Furthermore all other Ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

SECTION 6 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding thereto the following new Section, to be codified as Section 3.50.005.32:

3.50.005.32 **PASTURE:** Land in the rear yard (as defined in Section 8.002.260.02 of the Pottawattamie County, Iowa Zoning Ordinance) covered with grass and other low plants suitable for grazing animals.

SECTION 7 - REPEAL OF CONFLICTING ORDINANCES: That section 3.50.006.07 is hereby repealed in its entirety. Furthermore all other Ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

SECTION 8 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding thereto the following new Section, to be codified as Section 3.50.006.07:

3.50.006.07 Any dog that has been impounded by the County shall have an identifying microchip inserted under its skin at its owner/custodian's expense prior to being released to the owner/custodian.

SECTION 9 - REPEAL OF CONFLICTING ORDINANCES: That section 3.50.007.09 is hereby repealed in its entirety. Furthermore all other Ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

SECTION 10 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding thereto the following new Section, to be codified as Section 3.50.007.09:

3.50.007.09 NUMBER RESTRICTED: It is unlawful for any person to own, keep or harbor at anytime more than four (4) dogs under this Chapter without the appropriate permitting, or as otherwise provided for by Chapter 8 – Pottawattamie County, IA Zoning Ordinance.

SECTION 11 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding thereto the following new Section, to be codified as Section 3.50.035:

3.50.035 URBAN CHICKENS:

- .01 Notwithstanding the provisions of this section, the keeping of domestic chickens (members of the subspecies of *Gallus gallus domesticus*) shall be permitted on properties with a single-family dwelling that have less than one acre of pasture and/or are in the R-3 (Urban Residential) Zoning District, so long as such keeping is in strict compliance with this subsection and all other applicable County ordinances unless, despite compliance with the following, the presence of any particular chickens endangers the health, safety, peace, quiet, comfort, enjoyment of, or otherwise becomes a public nuisance to nearby residents or occupants or places of business.
- A. No person shall keep chickens inside a single-family dwelling unit.
 - B. A tenant must obtain the landlord's written permission to keep chickens, which shall be submitted as part of the application for a permit.
 - C. Chickens must be confined in a coop or fowl house not less than 18 inches in height or, in the alternative, within a fenced pen area. Chickens must be kept within the coop, the fowl house, or the fenced pen area at all times unless removed for a temporary time for cleaning or for the safety of the chicken. Chickens must be housed in the coop from dusk until dawn.
 - D. The coop, the fowl house, or the fenced pen area shall be located in the rear yard only (as defined in Section 8.002.260.02 of the Pottawattamie County, Iowa Zoning Ordinance), must be of such a design to be reasonably expected to prevent entry by dogs, cats, or other animals, shall be completely enclosed (except fenced pen area), shall be well maintained, and shall be well drained so there is no accumulation of moisture.
 - E. The materials used in making a coop or fowl house (stationary or mobile) shall be uniform for each element of the structure such that the walls are made of the same material, the roof has the same shingles or other covering, and any windows or openings are constructed using the same materials. The use of scrap, waste board, sheet metal, or similar materials is prohibited.
 - F. Any coop, fowl house, or fenced pen area shall be kept clean, sanitary and free from accumulation of chicken excrement and objectionable odors. All droppings and body excretions shall be either placed in fly-proof containers and double-bagged in plastic bags or, in the alternative, used as fertilizer on the same property so long as the droppings and body excretions are spread and incorporated into the soil within twenty-four (24) hours.
 - G. Odors from chickens, chicken manure or other chicken related substances shall not be perceptible beyond the boundaries of the permitted tract of land. Noise from chickens shall not to disturb persons on adjoining properties or beyond based on an objective or reasonable person standard.
 - H. All chicken feed shall be stored in rodent-proof containers.
 - I. No more than twelve (12) chickens shall be kept or maintained per property.
 - J. All chickens shall have wings clipped at any given time so as to eliminate the possibility of flight from the permittee's property.
 - K. All such chickens must be hens; no roosters are permitted.
 - L. The County shall not be liable for injury or death of chickens caused by dogs, cats, or other animals, domestic or wild, whether such animals are licensed by the County or not. Further, injury or death of a chicken caused by an animal is not, in and of itself, sufficient grounds for Animal Control to determine that the animal is a dangerous/vicious animal pursuant to Section 3.50.010. Any dead chicken, not caused by slaughtering, shall be disposed of immediately upon discovering in a manner so as not to cause a nuisance pursuant to Chapter 8, Zoning Ordinance.
 - M. Any slaughter of chickens not regulated by state law or otherwise forbidden or regulated shall be done only in a humane and sanitary manner and shall not be done open to the view of any public area or adjacent property owned by another.

.02 No person shall keep any chickens unless they possess a Pottawattamie County, Iowa Urban Chicken (Hen) Permit issued by Animal Control.

- A. Animal Control shall provide an application form upon request, which shall include consent forms for landlords.
- B. The fees and associated costs shall be set by resolution.
- C. Permits will be granted for one (1) year valid from January 1 through December 31. Permits may be purchased at any time during the year but will be valid only through December 31.
- D. The applicant shall successfully complete an approved class in raising chickens in an urban setting prior to being issued a permit. Animal Control shall maintain a current list of such approved classes.
- E. By the granting of the permit to raise chickens and the application thereof, the permittee authorizes that the County or its agents have the right to go onto permittee's property any time and without prior notice for the limited purpose of inspection of the premises to ensure that all applicable conditions have been met.
- F. Within thirty (30) days after the expiration of any permit, the permittee shall apply for and secure a renewal of the permit in the manner provided for in this chapter. Failure to renew a permit within the time herein provided shall result in a delinquent fee, in addition to the regular permit fee, as set by the Pottawattamie County, Iowa Board of Supervisors. All applicants shall be furnished with permit rules and regulations at the time the application is made.
- G. The permit is a limited license for the activity, and no vested zoning rights arise from the permit being issued.
- H. The permit does not run with the land. Private restrictions on the use of the property shall remain enforceable and shall supersede the permit. The private restrictions include, but are not limited to, deed restrictions, neighborhood association bylaws, covenants and restrictions, and rental agreements. A permit issued to a person whose property is subject to private restrictions that prohibit keeping of chickens is void.

.03 In the event that an applicant or permittee does not fully and strictly comply with the requirements of this section, the application may be denied or the permit may be revoked. If an application is denied or a permit is revoked, the applicant or permittee shall be so informed in writing and also informed of the right to appeal said decision.

- A. In any instance where Animal Control has denied, revoked, suspended, or not renewed a permit, the applicant or permit holder may appeal the decision to the Pottawattamie County, Iowa Board of Health within ten (10) business days of receipt by the applicant or holder of the permit of the notice of the decision.
- B. When an application for a permit is denied or when a permit is revoked:
 - 1. The applicant may not re-apply for a new permit for a period of 1 year from the date of the denial or revocation unless the denial or revocation is due to administrative reasons only, as determined by Animal Control.
 - 2. Any chicken(s) shall be removed immediately.
 - 3. Any coop, fowl house, fencing or other structures shall be removed within ten (10) days of the date of the permit being denied or revoked.
- C. Animal Control shall issue a permit within 7 to 10 working days from receipt of application.

SECTION 12 - 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 13 - REPEAL OF CONFLICTING ORDINANCES: That all ordinance or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 14 - EFFECTIVE DATE: This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED AND APPROVED SEPTEMBER 20, 2022.

ROLL CALL VOTE

| | AYE | NAY | ABSTAIN | ABSENT |
|--------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| _____ Tim Wichman, Chairman | <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"/> |
| _____ Lynn Grobe | <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"/> |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Brian Shea

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

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

The Board discussed the Second Consideration of Ordinance No. 2022-05, an Ordinance to amend Chapter 8 “Zoning Ordinance” of the Pottawattamie County, Iowa, Code; and to adopt Ordinance No. 2022-05 into law. Discussion only. No Action Taken.

Motion by Schultz, second by Belt, to approve and authorize Board to sign **Resolution No. 63-2022** entitled: **RESOLUTION TO ESTABLISH A SCHEDULE OF FEES.**

**CHAPTER 1.50
 SCHEDULE OF FEES**

1.50.010PURPOSE: The purpose of this chapter is to set forth those fees and charges authorized to be charged by the County pursuant to specific authorization of the Board of Supervisors, as evidenced herein, or as authorized in other chapters of this Code. The provisions of this Chapter shall constitute authorization for the County Official designated by the respective Titles and/or Chapters within the Titles, to charge and collect the fees and charges set forth herein. If a fee or charge is authorized to be made or charged, such fee or charge is nonetheless authorized to be made or charged, the same as if it were set forth herein. *(Ordinance #2008-02/February 1, 2008)*

1.50.020 FEES SET BY RESOLUTION: Any fees not specifically set forth in this Chapter shall be set and amended by resolution by the Board of Supervisors. The schedule of fees shall be maintained and shall be available for inspection in the Office of Planning and Development. *(Ordinance #2008-02/February 1, 2008)*

1.50.030INVESTIGATION FOR WORK WITHOUT A PERMIT: Whenever any work for which a permit is required by the Pottawattamie County, Iowa, Code, has commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. *(Ordinance #2008-02/February 1, 2008)*

1.50.040INVESTIGATION FEE FOR WORK WITHOUT A PERMIT: An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be double the amount of the permit fee required by the Pottawattamie County, Iowa, Code or as set by resolution by the Board of Supervisors. In the event more than one permit is required prior to commencing said work, the investigation fee shall double the amount of all permit fees required. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of the Pottawattamie County, Iowa, Code, nor from any penalty prescribed by law. *(Ordinance #2008-02/February 1, 2008)*

1.50.050SITE EVALUATION FEE: In the event a site evaluation is required by the Pottawattamie County, Iowa, Code, in various chapters, a site evaluation fee shall be charged. The site evaluation fee shall be seventy-five (75) percent of the permit requiring the site evaluation. In the event a site evaluation involves multiple permits, the site evaluation fee shall be fifty (50) percent of the accumulatively total of all permits required. *(Ordinance #2008-02/February 1, 2008)*

1.50.060 FEE REFUND: Fees shall not be entitled to be refunded. *(Ordinance #2009-05/June 5, 2009)*

RESOLUTION NO. 63-2022

A RESOLUTION TO ESTABLISH A SCHEDULE OF FEES.

WHEREAS, Pottawattamie County, Iowa, has established the need for fees to cover the cost of administering various provisions of the Pottawattamie County, Iowa, Code; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA, that the Board of Supervisors of Pottawattamie County, Iowa, that the following Schedule of Fees be and the same is hereby amended and said amendments adopted.

| County Code Chapter 3.50-Animal Control Description of License, Fee or Permit | Charges |
|---|----------|
| Any animal | \$ 8.00 |
| Unspayed female or unneutered male | \$ 22.00 |
| Urban Chicken (Hen) Permit | \$ 75.00 |

| County Code Chapter 3.55-Sexually Oriented Businesses Description of License, Fee or Permit | Charges |
|---|-----------|
| Sexually Oriented Business License-Initial License | \$ 100.00 |
| Sexually Oriented Business License-Annual Renewal | \$ 50.00 |
| Sexually Oriented Business Employees License-Initial License | \$ 50.00 |

| | |
|---|--|
| Sexually Oriented Business Employees License-Annual Renewal | \$ 25.00 |
| | |
| County Code Chapter 5.50-Onsite Wastewater Treatment and Disposal Systems Description of License, Fee or Permit | Charges |
| Percolation Test | \$450.00 |
| Septic Permit & 1st Septic Inspection Fee | \$ 120.00 |
| Septic Permit Tank Only Permit and Inspection Fee | \$ 60.00 |
| Septic Inspection Fee 2nd & subsequent (Per Visit) | \$ 60.00 |
| Septic Variance | \$ 120.00 |
| Septic Installer's Commercial License | \$ 60.00 |
| Septic Pre-Installation Site Inspection | \$ 60.00 |
| Late Inspection Fee Per Hour (Inspections after 4:30 P.M. time calculated at job site plus drive time from job site to Courthouse) | \$ 75.00 |
| Site Evaluation Fee (% of Permit Fee) *50% of septic permit fee if multiple permits applied for at the same time | 75%* |
| Time of Transfer Waiver Agreement | \$150.00 |
| County Code Chapter 5.60-Private Water Well Description of License, Fee or Permit | Charges |
| Well Permit | \$ 120.00 |
| Well Pre-Installation Site Inspection | \$ 60.00 |
| Well Variance | \$ 120.00 |
| Site Evaluation Fee (% of Permit Fee) *50% of the well permit fee if multiple permits are applied for at the same time | 75%* |
| Late Inspection Fee Per Hour (Inspections after 4:30 P.M. time calculated at job site plus drive time from job site to Courthouse) | \$ 75.00 |
| County Code Chapter 5.05-Local Siting Description of License, Fee or Permit | Charges |
| Local Siting approval for projects outlined in Chapter 5.05 | \$5000.00 |
| Amendment to Local Siting approval for projects in Chapter 5.05 | \$2500.00 |
| County Code Chapter 5.30-Floodplain Development Description of License, Fee or Permit | Charges |
| Floodplain Development Permit | \$ 120.00 |
| Site Evaluation Fee (% of Permit Fee) *50% of Floodplain Development permit fee if multiple permits applied for at the same time | 75%* |
| Floodplain Development Variance | \$ 120.00 |
| County Code Chapter 7.30-Rural Addressing Description of License, Fee or Permit | Charges |
| Cost to change the name of a roadway | Actual Cost |
| County Code Title 8-Zoning Ordinance Description of License, Fee or Permit | Charges |
| Zoning Text Amendment | \$ 450.00 |
| Zoning Map Amendment – Any District** | \$ 400.00 |
| Development Plan Review Class R-5, R-6 and I-3 Districts/Per Plan Submittal | \$ 300.00 |
| Conditional Use Permit** | \$ 260.00 |
| Zoning Variance-Appeal of Administrative Decision** | \$ 140.00 |
| Zoning Permit for signs, home occupations and other issues not required to secure building permits | \$ 70.00 |
| Site Evaluation Fee (% of Permit Fee) *50% of the zoning permit fee if multiple permits are applied for at the same time | 75%* |
| Late Inspection Fee Per Hour (Inspections after 4:30 P.M. time calculated at job site plus drive time from job site to Courthouse) | \$ 75.00 |
| County Code Title 9-Subdivision Ordinance Description of License, Fee or Permit | Charges |
| Preliminary Plat-Minor Subdivision | \$ 165.00 |
| Preliminary Plat Major Subdivision | \$ 275.00 + \$5/lot |
| Final Plat - Minor Subdivision | \$ 165.00 |
| Final Plat - Major Subdivision | \$ 275.00 + \$5/lot |
| Subdivision Variance or Appeal/Per Issue | \$ 120.00 |
| Final Construction Plan Review | \$ 200.00 |
| Stop sign per public road intersection | \$ 100.00 |
| Intersection sign per public road intersection | \$ 210.00 |
| Sketch Plat Application per parcel (\$150 minimum) | \$ 75.00 |
| Sketch Plat Application for a minor or major subdivision | \$ 200.00 1 st 4 lots + \$5.00/lot >4 |

**County Code Title 10-Building Codes
BUILDING PERMIT FEE
(Table 3-A of the 1997 UBC Administrative)**

| TOTAL VALUATION | FEE |
|------------------------|--|
| \$1 to \$500 | \$ 23.50 |
| \$501 to 2,000 | \$ 23.50 for the first \$ 500.00 plus \$ 3.05 for each additional \$ 100.00, or fraction thereof, to and including \$ 2,000.00 |

| | |
|---|---|
| \$2,001 to \$25,000 | \$ 69.25 for the first \$ 2,000.00 plus \$ 14.00 for each additional \$ 1,000.00, or fraction thereof, to and including \$ 25,000.00 |
| \$25,001 to \$50,000 | \$ 391.75 for the first \$ 25,000.00 plus \$ 10.10 for each additional \$ 1,000.00, or fraction thereof, to and including \$ 50,000.00 |
| \$50,001 to \$100,000 | \$ 643.75 for the first \$ 50,000.00 plus \$ 7.00 for each additional \$ 1,000.00, or fraction thereof, to and including \$ 100,000.00 |
| \$100,001 to \$500,000 | \$ 993.75 for the first \$ 100,000.00 plus \$ 5.60 for each additional \$ 1,000.00, or fraction thereof, to and including \$ 500,000.00 |
| \$500,001 to \$1,000,000 | \$ 3,233.75 for the first \$ 500,000.00 plus \$ 4.75 for each additional \$ 1,000.00, or fraction thereof, to and including \$ 1,000,000.00 |
| \$1,000,001 and up | \$ 5,608.75 for the first \$ 1,000,000.00 plus \$ 3.15 for each additional \$ 1,000.00, or fraction thereof |
| Other Inspections and Fees: 1. Inspections outside of normal business hours (minimum charge-two hours) \$75.00 per hr* 2. Reinspection fees assessed under provisions of Building Official \$75.00 per hr* 3. Inspections for which no fee is specifically indicated (minimum charge-1/2 hour) \$75.00 per hr* 4. Additional plan review required by changes, additions or revisions to plans. (Minimum charge is 1/2 hour) \$75.00 per hr* 5. For use of outside consultants for plan checking and inspections, or both...Actual costs** | |

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

**Actual costs include administrative and overhead costs.

Construction valuations shall include total value of work including materials and labor for which the permit is being issued such as electrical, gas, mechanical, plumbing equipment and permanent systems. The determination of value or valuation for new construction per square foot under any of the provisions of the adopted Codes shall be as currently published in the International Code Council "Building Safety" Journal. For residential one and two family, the square foot construction cost shall be 76% of the table valuation, effective September 1, 2007. Annually, in June, the Board of Supervisors may review the this percentage to determine if the fees collected are adequate to cover expenses incurred in the operation of the Building and Safety Division. If, in the opinion of the Building Official, the valuation is underestimated on the application for remodeling, the Building Official shall require the applicant can show detailed estimates to meet the approval of the Building Official. Final building permit valuation shall be set by the Building Official.

| <i>BUILDING VALUATION OF:</i> | <i>PER SQUARE FOOT</i> |
|--|------------------------|
| Dwelling – Habitable Living Area | \$ 71.50 |
| Dwelling – Remodel/Finish Existing Area into Habitable Living Area | \$ 36.50 |
| Dwelling – Pre-Manufactured Home – Habitable Living Area | \$ 35.75 |
| Basement – Finished Habitable Living Area | \$ 36.50 |
| Basement – Unfinished Non-Habitable Area | \$ 18.25 |
| Basement – Finish Existing Unfinished Area into Habitable Living Area | \$ 28.50 |
| Garage – Attached or Detached Area | \$ 28.00 |
| Storage Shed/Pole Barn Area (Post & Truss Design) | \$ 10.75 |
| Carport – Attached or Detached Area | \$ 12.50 |
| Porch – Enclosed Habitable Area | \$ 29.50 |
| Porch – With Roof Area | \$ 14.75 |
| Porch – Deck Only Area | \$ 8.25 |
| <i>BUILDING VALUATION OF:</i> | <i>PER SQUARE FOOT</i> |
| Block or CMU fence over six (6) feet in height | \$ 8.25 |
| Retaining walls over four (4) feet in height | \$ 8.25 |
| <i>TYPES OF PERMITS:</i> | <i>FLAT FEE</i> |
| Reshingle-Existing Structure | \$100.00 |
| Windows and Door Replacement* | \$100.00 |
| Combination of 2: Reshingle or Windows & Doors* | \$ 75.00 |
| Demolition of Principal Structure, per structure (Issued in conjunction with other permit on the same property there is No Charge) | \$ 75.00 |
| Demolition of Accessory Structure, per structure (Issued in conjunction with other permit on the same property there is No Charge) | \$75.00 |
| Interior Commercial Alteration before Remodeling | \$150.00 |
| Residential Tornado Shelter | \$ 56.25 |

- Window replacement: size for size or smaller installation of new windows in an existing structure for every permitted project.

ELECTRICAL PERMIT FEES
(Table 3-B of the 1997 UBC Administrative)
Permit Issuance

| | | |
|----|---|---------|
| 1. | For the issuance of each electrical permit | \$23.50 |
| 2. | For the issuing of each supplemental permit for which the original permit has not expired, been canceled, or finale | \$7.25 |

System Fee Schedule (Note: The following do not include permit-issuing fee.)

| | | |
|----|--|---------|
| 1. | New Residential Buildings The following fees shall include all wiring and electrical equipment in or on each building, or other electrical equipment on the same premises constructed at the same time. | |
| | Multifamily: For new multifamily buildings (apartments and condominiums) having three or more dwelling units constructed at the same time, not including the area of garages, carports and accessory buildings, per square foot (0.09 m ²) | \$0.050 |
| | Single and Two family: For new single- and two-family residential buildings constructed at the same time and not including the area of garages, carports and accessory buildings, per square foot (0.09 m ²) | \$0.056 |
| 2. | Private Swimming Pools For new private, in ground swimming pools for single-family and multifamily occupancies, including a complete system of necessary branch circuit wiring, bonding, grounding, underwater lighting, water pumping and other similar electrical equipment directly related to the operation of a swimming pool, each pool | \$49.50 |
| 3. | Carnivals and Circuses Carnivals, circuses, or other traveling shows or exhibitions utilizing transportable-type rides, booths, displays and attractions. | |
| | For electrical generators and electrically driven rides, each | \$23.50 |
| | For mechanically driven rides and walk-through attractions or displays having electric lighting, each | \$7.25 |
| | For a system of area and booth lighting, each | \$7.25 |
| | For permanently installed rides, booths, displays and attractions, use the Unit Fee Schedule. | |
| 4. | Temporary Power Service | |
| | For a temporary service pole or pedestal, including all pole or pedestal-mounted receptacle outlets and appurtenances each | \$23.50 |
| | For a temporary distribution system and temporary lighting and receptacle outlets for construction sites, decorative lights, Christmas tree sale lots, fireworks stand, etc. each | \$12.30 |

Unit Fee Schedule (Note: The following do not include permit-issuing fee.)

| | | |
|----|--|---------|
| 1. | Receptacle, Switch and Light Outlets For receptacle, switch, light or other outlets at which current is used or controlled, except services, feeders and meters: | |
| | First 20 fixtures, each | \$1.10 |
| | Additional fixtures, each (Note: For multi-outlet assemblies, each 5 feet (1524 mm) or fraction thereof may be considered as one outlet.) | \$0.73 |
| 2. | Lighting Fixtures For lighting fixtures, sockets or other lamp-holding devices: | |
| | First 20 fixtures, each | \$1.10 |
| | Additional fixtures, each | \$0.73 |
| | For pole or platform-mounted lighting fixtures, each | \$1.10 |
| | For theatrical-type lighting fixtures or assemblies, each | \$1.10 |
| 3. | Residential Appliances For fixed residential appliances or receptacle outlets for same, including wall-mounted electric ovens; counter-mounted cooking tops; electric ranges; self-contained room; console or through-wall air conditioners; space heaters; food waste grinders; dishwaters; washing machine; water heaters; clothes dryers; or other motor-operated appliances not exceeding 1 horsepower (HP) (746 W) in rating, each (Note: For other types of air conditioners and other motor-driven appliances having larger electrical ratings, see Power apparatus.) | \$4.75 |
| 4. | Nonresidential Appliances For nonresidential appliances and self-contained factory-wired, nonresidential appliances not exceeding 1 horsepower (HP), kilowatt (kW) or kilovolt-ampere (kVA), in rating, including medical and dental devices; food, beverage and ice cream cabinets; illuminated show cases; drinking fountains; vending machines; laundry machines; or other similar types of equipment, each (Note: For other types of air conditioners and other motor-driven appliances having larger electrical ratings, see Power apparatus.) | \$4.75 |
| 5. | Power Apparatus For motors, generators, transformers, rectifiers, synchronous converters, capacitors, industrial heating, air conditioners and heat pumps, cooking or baking equipment and other apparatus, as follows: | |
| | Rating in horsepower (HP), kilowatts (kW), kilovolt-amperes (kVA) or kilovolt-amperes-reactive (kVAR): | |
| | Up to and including 1, each | \$4.75 |
| | Over 1 and not over 10, each | \$12.30 |
| | Over 10 and not over 50, each | \$24.60 |
| | Over 50 and not over 100, each | \$49.50 |

| | | |
|----|--|----------|
| | Over 100, each | \$74.50 |
| | <i>Notes:</i> | |
| | 1. For equipment or appliances having more than one motor, transformer, heater, etc. the sum of the combined ratings may be used. | |
| | 2. These fees include all switches, circuit breakers, contractors, thermostats, relays and other directly related control equipment. | |
| 6. | Busways For trolley and plug-in-type busways, each 100 feet (30 480 mm) or fraction thereof (<i>Note: An additional fee is required for lighting fixtures, motors and other appliances that are connected to trolley and plug-in-type busyways. A fee is not required for portable tools.</i>) | \$7.25 |
| 7. | Signs, Outline Lighting and Marquees For signs, outline lighting systems or marquees supplied from one branch circuit, each | \$24.60 |
| | For additional branch circuits within the same sign, outline lighting system or marquee, each | \$4.75 |
| 8. | Services For services of 600 volts or less and not over 200 amperes in rating, each | \$30.50 |
| | For services of 600 volts or less and over 200 amperes to 1,000 amperes, each | \$62.15 |
| | For services over 600 volts or over 1,000 amperes in rating, each | \$124.30 |
| 9. | Miscellaneous Apparatus, Conduits and Conductors For electrical apparatus, conduits and conductors for which a permit is required but for which no fee is herein set forth (<i>Note: This fee is not applicable when a fee is paid for one or more services, outlets, fixtures, appliances, power apparatus, busways, signs or other equipment.</i>) | \$18.20 |

Other Inspections and Fees

| | | |
|----|---|----------|
| 1. | Inspections outside of normal business hours, per hour (minimum charge-two hours) | \$75.00* |
| 2. | Reinspection fees assessed under provisions of Section 10.01.700.08 per inspection | \$75.00* |
| 3. | Inspections for which no fee is specifically indicated, per hour (minimum charge-one half hour) | \$75.00* |
| 4. | Additional plan review required by changes, additions or revisions to plans or to plans for which an initial review has been completed (minimum charge-one half hour) | \$75.00* |

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

MECHANICAL PERMIT FEES (Table 3-C of the 1997 UBC Administrative)

Permit Issuance and Heaters

| | | |
|----|---|---------|
| 1. | For the issuance of each mechanical permit | \$23.50 |
| 2. | For issuing each supplemental permit for which the original permit has not expired, been canceled or finale | \$7.25 |

Unit Fee Schedule (*Note: The following do not include permit-issuing fee.*)

| | | |
|----|--|---------|
| 1. | For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliances, up to and including 100,000 Btu/h (29.3) | \$14.80 |
| | For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h (29.3) | \$18.20 |
| | For the installation or relocation of each floor furnace, including vent | \$14.80 |
| | For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater | \$14.80 |
| 2. | Appliance Vents | |
| | For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit | \$7.25 |
| 3. | Repairs or Additions | |
| | For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code | \$13.70 |
| 4. | Boilers, Compressors and Absorption Systems | |
| | For the installation or relocation of each boiler or compressor to and including 3 horsepower (10.6 kW), or each absorption system to and including 100,000 Btu/h (29.3 kW) | \$14.70 |
| | For the installation or relocation of each boiler or compressor over 3 horsepower (10.6 kW) to and including 15 horsepower (52.7 kW), or each absorption system over 100,000 Btu/h (29.3 kW) to and including 500,000 Btu/h (146.6 kW) | \$27.15 |
| | For the installation or relocation of each boiler or compressor over 15 horsepower (52.7 kW) to and including 30 horsepower (105.5 kW), or each absorption system over 500,000 Btu/h (146.6 kW) to and including 1,000,000 Btu/h (293.1 kW). | \$37.25 |

| | | |
|----|---|---------|
| | For the installation or relocation of each boiler or compressor over 30 horsepower (105.5 kW) to and including 50 horsepower (176 kW), or each absorption system over 1,000,000 Btu/h (293.1 kW) to and including 1,750,000 Btu/h (512.9 kW). | \$55.45 |
| | For the installation or relocation of each boiler or compressor over 50 horsepower (176 kW), or each absorption system over 1,750,000 Btu/h (512.9 kW) | \$92.65 |
| 5. | Air Handlers | |
| | For each air-handling unit to and including 10,000 cubic feet per minute (cfm) (4719 L/s), including ducts attached thereto <i>(Note: This fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code.)</i> | \$10.65 |
| | For each air-handling unit over 10,000 cfm (4719 L/s) | \$18.10 |
| 6. | Evaporative Coolers | |
| | For each evaporative cooler other than portable type | \$10.65 |
| 7. | Ventilation and Exhaust | |
| | For each ventilation fan connected to a single duct | \$7.25 |
| | For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit | \$10.65 |
| | For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood | \$10.65 |
| 8. | Incinerators | |
| | For the installation or relocation of each domestic-type incinerator | \$18.20 |
| | For the installation or relocation of each commercial or industrial-type incinerator | \$14.50 |
| 9. | Miscellaneous | |
| | For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which their fee is listed in the table | \$10.65 |

Other Inspections and Fees

| | | |
|----|---|----------|
| 1. | Inspections outside of normal business hours, per hour (minimum charge-two hours) | \$75.00* |
| 2. | Reinspection fees assessed under provisions of Section 10.01.700.08 per inspection | \$75.00* |
| 3. | Inspections for which no fee is specifically indicated, per hour (minimum charge-one half hour) | \$75.00* |
| 4. | Additional plan review required by changes, additions or revisions to plans or to plans for which an initial review has been completed (minimum charge-one half hour) | \$75.00* |

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

PLUMBING PERMIT FEES
(Table 3-D of the 1997 UBC Administrative)

Permit Issuance

| | | |
|----|---|---------|
| 1. | For the issuance of each plumbing permit | \$23.50 |
| 2. | For issuing each supplemental permit for which the original permit has not expired, been canceled or finale | \$7.25 |

Unit Fee Schedule *(Note: The following do not include permit-issuing fee.)*

| | | |
|----|--|---------|
| 1. | Fixtures and Vents | |
| | For each plumbing fixture or trap or set of fixtures on one trap (including water, drainage piping and backflow protection thereof) | \$9.80 |
| | For repair or alteration of drainage or vent piping, each fixture | \$4.75 |
| 2. | Sewers, Disposal Systems and Interceptors | |
| | For each building sewer and each trailer park sewer | \$24.65 |
| | For each private sewage disposal system (See Title 5 fees above) | |
| | For each industrial waste pretreatment interceptor, including its trap and vent, excepting kitchen-type grease interceptors functioning as fixture traps | \$19.90 |
| | Rainwater Systems-per drain (inside building) | \$9.80 |
| 3. | Wells | |
| | For each private water well (See Title 5 fees above) | |
| 4. | Water Piping and Water Heaters | |
| | For installation, alteration, or repair of water piping or water-treating equipment, or both, each | \$4.75 |
| | For each water heater including vent | \$12.30 |
| | For vents only, see Table 3-C | |
| 5. | Gas Piping Systems | |
| | For each gas piping system of one to five outlets | \$6.15 |
| | For each additional outlet over five, each | \$1.10 |

| | | |
|----|---|---------|
| 6. | Lawn Sprinklers, Vacuum Breakers and Backflow Protection Devices | |
| | For each lawn sprinkler system on any one meter, including backflow protection devices thereof | \$14.80 |
| | For atmospheric-type vacuum breakers or backflow protection devices not included in Item 1: | |
| | 1 to 5 devices | \$12.30 |
| | Over 5 devices, each | \$2.25 |
| | For each backflow-protection device other than atmospheric-type vacuum breakers: | |
| | 2 inches (50.8 mm) and smaller | \$12.30 |
| | Over 2 inches (50.8 mm) | \$24.65 |
| 7. | Swimming Pools For each swimming pool or spa: | |
| | Public pool | \$91.25 |
| | Public spa | \$60.75 |
| | Private pool, over 5,000 gallons in ground or above ground. 1 square foot = 7.48 gallons | \$60.75 |
| | Private spa | \$30.25 |
| 8. | Miscellaneous | |
| | For each appliance or piece of equipment regulated by the Plumbing Code but not classed in other appliance categories, or for which no other fee is listed in this code | \$9.80 |

Other Inspections and Fees

| | | |
|----|---|----------|
| 1. | Inspections outside of normal business hours, per hour (minimum charge-two hours) | \$75.00* |
| 2. | Reinspection fees assessed under provisions of Section 10.01.700.08 per inspection | \$75.00* |
| 3. | Inspections for which no fee is specifically indicated, per hour (minimum charge-one half hour) | \$75.00* |
| 4. | Additional plan review required by changes, additions or revisions to plans or to plans for which an initial review has been completed (minimum charge-one half hour) | \$75.00* |

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

PROPERTY MAINTENANCE CODE

| | | |
|----|---|----------|
| 1. | Inspections of property to determine abatement work to be completed and post abatement inspection and cleanup work, per hour (minimum charge-two hours) | \$75.00* |
|----|---|----------|

GRADING PERMIT FEES

Permit Issuance

| | | |
|----|---|---------|
| 1. | For the issuance of each grading permit | \$23.50 |
|----|---|---------|

Unit Fee Schedule (Note: The following do not include permit-issuing fee.)

| | | PER CUBIC YARD: |
|----|---|-----------------|
| 1. | Excavation and Fill-all Relocated On-site | .02 |
| 2. | Fill Brought in from Off-site | .06 |
| 3. | Excavation Removed from On-site | .06 |

ALL-TERRAIN AND OFF-ROAD VEHICLE LICENSES

| | |
|---|----------|
| County Code Chapter 12-All-Terrain and Off-Road Vehicle Licensing | Charges |
| For each All-Terrain and/or Off-Road Vehicle License | \$ 50.00 |

PASSED AND APPROVED SEPTEMBER 20, 2022

| | ROLL CALL VOTE | | | |
|-----------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| | AYE | NAY | ABSTAIN | ABSENT |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Tim Wichman, Chairman | | | | |
| _____ | <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"/> |
| Lynn Grobe | | | | |
| _____ | <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"/> |
| Brian Shea | | | | |

Attest: _____

Melvyn Houser, County Auditor
Pottawattamie County, Iowa

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

Matt Wyant/Director, Planning and Development, Maria Sieck/Administrator, Public Health and Kris Wood/Administrator, WIC appeared before the Board to provide an update on Regionalization of Public Health Services by Iowa Department of Health and Human Services (DPH). Discussion only. No Action Taken.

Motion by Schultz, second by Belt, to approve and authorize Board Chairman to sign the proposal for Independent Third-Party Commission on Three Courthouse Projects Pertaining to the HVAC upgrades in the amount of \$79,500.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Belt, to approve and authorize Board Chairman to sign CO #5, Contract Adjustment for Approved Change Orders.

UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Motion by Belt, second by Schultz, to approve the quote for Microsoft 365 3-year licensing.

UNANIMOUS VOTE. Motion Carried.

Motion by Belt, second by Schultz, to approve and authorize Board Chairman to sign Cox agreement for Phone and Internet Service.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Belt, to approve the following applications made to the Assessor's Office: Homestead (125 recommend allowed, 6 recommend disallowed), Military (13 recommend allowed, 2 recommend disallowed), Disabled Veteran Homestead (5 recommend allowed, 0 recommend disallowed), Family Farm (4 recommend allowed, 1 recommend disallowed).

UNANIMOUS VOTE. Motion Carried.

Discussion was held by the Board with the City of Underwood, Treynor, McClelland, and Oakland regarding small town needs. Discussion only. No Action Taken.

4. RECEIVED/FILED

A. Salary Action(s):

- 1) Communications – Payroll status change for Becky Hermanson.

5. PUBLIC COMMENTS

No Public Comments.

6. CLOSED SESSION

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

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

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

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

7. BUDGET STUDY SESSION

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

8. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:45 P.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: September 27, 2022

PUBLISH: X

September 27, 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. September 20, 2022, Minutes as read.
- B. GIS – Employment of Christopher Nelsen as a GIS Analyst II.

2. SCHEDULED SESSIONS

Motion by Shea, second by Belt, to approve Application for Use of Pottawattamie County Grounds for the National Adoption Day Celebration on Saturday, November 19, 2022.

UNANIMOUS VOTE. Motion Carried.

Discussion was held by the Board with the City of Carson and Minden regarding small town needs. Discussion only. No Action Taken.

John Rasmussen appeared before the Board to discuss the bid for the Pottawattamie County Roads Operation Center. After discussion, the Board will discuss further at the October 4 meeting. Discussion only. No Action Taken.

3. RECEIVED/FILED

- A. Salary Action(s):
 - 1) Communications – Payroll status change for Heather Townsend, Lacy Gillette, and Camsley Hovey.
 - 2) WIC – Employment of Robyn Wahling as a Support Staff.
- B. Reports:
 - 1) Sheriff’s Report of Fees Disbursed and Collected for August 2022.

4. PUBLIC COMMENTS

No Public Comments.

5. CLOSED SESSION

Motion by Schultz, second by Belt, to go into Closed Session pursuant Iowa Code 21.5(1)(c) for discussion and/or decision on pending or possible litigation.

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

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

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

6. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:50 P.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: October 4, 2022

PUBLISH: X

October 4, 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 Schultz, to approve:

- A. September 27, 2022, Minutes as read.
- B. Communications – Employment of Makenzie Ayers as a Telecommunicator.
- C. Jail – Employment of Tanya Brannan as a Secretary.

2. SCHEDULED SESSIONS

Motion by Schultz, second by Shea, to approve Second Consideration of Ordinance No. 2022-05, an Ordinance to amend Chapter 8 “Zoning Ordinance” of the Pottawattamie County, Iowa, Code; and to adopt Ordinance No. 2022-05 into law. Said ordinance is laid out as follows:

**POTTAWATTAMIE COUNTY, IOWA
ORDINANCE NO. 2022-05**

AN ORDINANCE to amend the following in Chapter 8, of Pottawattamie County, Iowa Zoning Ordinance:

- A. 8.004.085.15 Add “to include corrals and other portable structures”
- B. 8.004.085.15 Remove “and other structures”
- C. 8.004.085.15 Add “Notwithstanding the provisions of this section, the keeping of domestic chickens (members of the subspecies of *Gallus gallus domesticus*) shall be permitted on properties with a single-family dwelling that have less than one acre of pasture and/or are in the R-3 (Urban Residential) Zoning District, so long as such keeping is in strict compliance with this subsection and all other applicable County ordinances unless, despite compliance with the following, the presence of any particular chickens endangers the health, safety, peace, quiet, comfort, enjoyment of, or otherwise becomes a public nuisance to nearby residents or occupants or places of business.”

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

SECTION 1 - REPEAL OF CONFLICTING ORDINANCES: That section 8.004.085.15 is hereby repealed in its entirety. Furthermore all other Ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

SECTION 2 - AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding thereto the following new Section, to be codified as Section 8.004.085.15:

8.004.085.15 *Private stables* and other *structures* for raising and keeping animals and fowl, provided that not more than one (1) *animal unit* per acre of pasture shall be permitted and further provided that no such *structure* (to include corrals and other similar portable structures) shall be located closer than fifty (50) feet to any property line, nor shall the animals be kept or pastured closer than twenty-five (25) feet to any *dwelling* on the site. The area devoted to such uses shall be kept in a clean and sanitary condition, and shall be maintained so as drainage will not affect the health and safety of adjacent property owners. Private stables shall not be permitted in the R-3 and R-5 Districts. Notwithstanding the provisions of this section, the keeping of domestic chickens (members of the subspecies of *Gallus gallus domesticus*) shall be permitted on properties with a single-family dwelling that have less than one acre of pasture and/or are in the R-3 (Urban Residential) Zoning District, so long as such keeping is in strict compliance with this subsection and all other applicable County ordinances unless, despite compliance with the following, the presence of any particular chickens endangers the health, safety, peace, quiet, comfort, enjoyment of, or otherwise becomes a public nuisance to nearby residents or occupants or places of business.

SECTION 3 - SEVERABILITY: That should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not effect that validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 4 - REPEAL OF CONFLICTING ORDINANCES: That all ordinance or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5 - EFFECTIVE DATE: This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED AND APPROVED OCTOBER 4, 2022.

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

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 publication of County’s Annual Financial Report for Fiscal Year ending June 30,2022.
 UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to approve and authorize Chairman to sign final voucher for project BRS-SWAP-C078(199)—FF-78.
 UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

After discussion was held by the Board, a motion was made by Shea, and second by Schultz, to approve the hiring of Mechanical Operations and Maintenance Technician at a Step 9 of the paygrade.
 UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

- A. Salary Action(s):
 - 1) Secondary Roads – Payroll status change for Adam Ring, Kyle Arnold, and Jody Marsh.
 - 2) Sheriff – Payroll status change for Will Bates.
 - 3) Conservation – Employment of Colby Laughhunn as a Snow Sports School Coordinator.
 - 4) Jail – Payroll status change for Mark Smith and Greg Brougham.

5. PUBLIC COMMENTS

Jack Elsnes appeared before the board to discuss Apex Clean Energy.

6. CLOSED SESSION

Motion by Schultz, second by Shea, to go into Closed Session pursuant to Iowa Code §21.5(1)(i), for discussion and/or decision on personnel matters.
Roll Call Vote: AYES: Wichman, Belt, Grobe, Schultz, Shea. Motion Carried,

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

7. OPEN SESSION

Motion by Belt, second by Schultz, to approve updated job description for Maintenance Superintendent and change position to exempt status.
UNANIMOUS VOTE. Motion Carried.

8. BUDGET STUDY SESSION

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

9. ADJOURN

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

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:36 P.M.

Tim Wichman, Chairman

ATTEST: _____
Becky Lenihan, Finance & Tax Officer

APPROVED: October 11, 2022
PUBLISH: X

October 11, 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

Motion by Shea, second by Belt, to set Public Hearing for a new levee district for November 17 to be held at the Rand Center in Missouri Valley at 11:00 A.M.

UNANIMOUS VOTE. Motion Carried.

1. CONSENT AGENDA

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

- A. October 4, 2022, Minutes as read.
- B. New Class C Native Wine Permit (On-Premises), granting privileges of Class C Wine / Sunday Sales to Besch Enterprises d/b/a Honey Creek Vinery.
- C. September 2022 Vendor Publication Report.

2. SCHEDULED SESSIONS

Motion by Shea, second by Belt, to open Public Hearing on disposal of county-owned property under Iowa Code Section 331.361, legally described as: A parcel of land located in Lots 2, 3, 4, 5 and 6 of Block 12 of Hyatt's Subdivision, and also a part of closed 8th Avenue, all in Council Bluffs, Iowa, more particularly described as follows: Beginning at the NE corner of Lot 1, Block 15 of said Hyatt's Subdivision, thence S90°00'W 76.8 ft. along the north line of said Lot 1, thence N10°20 ½'E 107.1 ft. to a point on the north line of Lot 6 of said Block 12, then N19°21'E 169.6 ft. to a point on the east line of Lot 2 of said Block 12, thence S0°17 1.2'E 265.3 ft. along the east lines of said Lots 2, 3, 4, 5 and 6 to the NE corner of Lot 1 of said Block 15, the Point of Beginning, said parcel contains 11,604 sq. ft., more or less all located in Pottawattamie County, Iowa (commonly referred to as 600 9th Ave)

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

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

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

Motion by Shea, second by Schultz, to approve and authorize Board to sign **Resolution No. 65-2022** to authorize disposal of county-owned property under Iowa Code Section 331.361, legally described as: A parcel of land located in Lots 2, 3, 4, 5 and 6 of Block 12 of Hyatt's Subdivision, and also a part of closed 8th Avenue, all in Council Bluffs, Iowa, more particularly described as follows: Beginning at the NE corner of Lot 1, Block 15 of said Hyatt's Subdivision, thence S90°00'W 76.8 ft. along the north line of said Lot 1, thence N10°20 ½'E 107.1 ft. to a point on the north line of Lot 6 of said Block 12, then N19°21'E 169.6 ft. to a point on the east line of Lot 2 of said Block 12, thence S0°17 1.2'E 265.3 ft. along the east lines of said Lots 2, 3, 4, 5 and 6 to the NE corner of Lot 1 of said Block 15, the Point of Beginning, said parcel contains 11,604 sq. ft., more or less all located in Pottawattamie County, Iowa (commonly referred to as 600 9th Ave).

RESOLUTION NO. 65-2022

A RESOLUTION AUTHORIZING DISPOSAL OF AN INTEREST IN COUNTY-OWNED PROPERTY AS PROVIDED UNDER IOWA CODE SECTION 331.361

WHEREAS, the Board of Supervisors has provided legal notice of and set a public hearing for the disposal of an interest in county-owned property described below; and

WHEREAS, the Board of Supervisors believes it to be in the best interests of Pottawattamie County to dispose of certain county-owned property and to allow the property to be transferred; and

WHEREAS, Pottawattamie County, Iowa acquired title to the property by virtue of a state land grant dated March 22, 1985 and filed for record in the Pottawattamie County Recorder's Office in Book 85, Page 18015; and

WHEREAS, Heartland Family Service has been occupying the property for purposes of providing transitional housing for individuals with a mental illness either leaving incarceration or experiencing homelessness; and

WHEREAS, mental illness and street homelessness are serious issues facing Pottawattamie County; and

WHEREAS, the provision of transitional housing to these individuals serves an important public purpose; and

WHEREAS, the property is nearing the end of its useful life; and

WHEREAS, the property will soon require substantial renovation and repair expenses at an estimated cost of \$2,381,604; and

WHEREAS, Heartland Family Service has expressed interest in obtaining title and ownership of said property from Pottawattamie County, Iowa, for rehabilitation of the property and continued use of the property for transitional housing; and

WHEREAS, the assessed value of said property in 2021 was found to be \$410,900 and Heartland Family Service is willing to purchase said property for that sum with a forgivable promissory note.

NOW THEREFORE BE IT RESOLVED, by the Board of Supervisors of Pottawattamie County, Iowa, that the Board of Supervisors does hereby authorize the disposal of Pottawattamie County, Iowa’s interest in the property commonly referred to as 600 9th Avenue, and legally described as follows:

A parcel of land located in Lots 2, 3, 4, 5 and 6 of Block 12 of Hyatt’s Subdivision, and also a part of closed 8th Avenue, all in Council Bluffs, Iowa, more particularly described as follows:

Beginning at the NE corner of Lot 1, Block 15 of said Hyatt’s Subdivision, thence S90°00’W 76.8 ft. along the north line of said Lot 1, thence N10°20 ½’E 107.1 ft. to a point on the north line of Lot 6 of said Block 12, then N19°21’E 169.6 ft. to a point on the east line of Lot 2 of said Block 12, thence S0°17 1.2’E 265.3 ft. along the east lines of said Lots 2, 3, 4, 5 and 6 to the NE corner of Lot 1 of said Block 15, the Point of Beginning, said parcel contains 11,604 sq. ft., more or less.

BE IT FURTHER RESOLVED that the terms of the disposal are as set forth above.

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized, empowered and directed to cause all appropriate legal documents to be prepared, duly executed, and recorded along with this Resolution and the Proof of Publication of the “Notice of Public Hearing”.

Dated this 11th day of October, 2022.

ROLL CALL VOTE

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

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion by Schultz, second by Shea, to approve and authorize Board to sign Amendment to Agreement for Service between MAPA and Pottawattamie County for flood property acquisitions.
UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Grobe, to approve and authorize Board to sign **Resolution No. 66-2022** entitled: **ASBESTOS SURVEY AND MONITORING OF ABATEMENT 2019 FLOOD.**

RESOLUTION 66-2022
ASBESTOS SURVEY AND MONITORING OF ABATEMENT
2019 FLOOD

WHEREAS, as a result of the flooding of 2019, Pottawattamie County has applied to FEMA under its §403 Essential Assistance Program for funding of demolition work. Funding is anticipated from FEMA, the State of Iowa and the County.

WHEREAS, the County requires asbestos removal to be performed for the purpose of preparing structures for demolition in connection with the above identified project; and

WHEREAS, the County requires an asbestos survey identifying asbestos containing material (ACM) and monitoring of asbestos removal; and

WHEREAS, Terracon Consultants, Inc. (contractor) certifies to be an individual licensed by, or an entity permitted by Iowa Workforce Development to perform asbestos surveys, is an Iowa registered Contractor, is qualified and willing to perform the work required in accordance with standards and criteria hereinafter set forth, and pursuant to the terms provisions and conditions hereof, and

WHEREAS, Request for Bids (RFB) Notice to Bidders was published in the The Nonpareil on September 2, 2022 and individual written RFB Notice to Bidders were mailed on August 31, 2022 to various asbestos survey and monitoring companies licensed by the State of Iowa from the region surrounding the County, and

WHEREAS, said bids were required to be submitted to Pottawattamie County, Iowa, on or before September 30, 2022, and

WHEREAS, Pottawattamie County received three (3) quotes, and have opened said quotes on October 3, 2022, and

WHEREAS, the County has determined that Terracon Consultants, Inc. has submitted the lowest and most responsive and responsible submittal and who has best met the submittal criteria as set out in the RFB, and

WHEREAS, Pottawattamie County, Iowa, is interested in continuing forward and having the work described in said RFB completed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA that the Board of Supervisors that the contract to perform the said Asbestos Surveying and Monitoring of Abatement work for Pottawattamie County, Iowa, as outlined in the said RFB is hereby awarded to Terracon Consultants, Inc. in the total amount of \$6,400.00, and that the Board is authorized to execute said Contract with this contractor and that the contractor is hereby given "Notice to Proceed", after having submitted the Certificate of Insurance required by the RFB to the County through the Planning Director.

Dated this 11 day of October 2022.

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

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 and authorize Board to sign **Resolution No. 67-2022** entitled: **REAL ESTATE ACQUISITION LEGAL SERVICES 2019 FLOOD.**

**RESOLUTION 67-2022
REAL ESTATE ACQUISITION LEGAL SERVICES
2019 FLOOD**

WHEREAS, as a result of the flooding of 2019, Pottawattamie County has applied to FEMA under its §403 Essential Assistance Program for funding of demolition work. Funding is anticipated from FEMA, the State of Iowa and the County.

WHEREAS, the County requires legal services to be performed for the purpose of preparing structures for demolition in connection with the above identified project; and

WHEREAS, Petersen Law PLLC (contractor) certifies to be permitted to practice law in Iowa as established in Chapter 31 of the Iowa Court Rules, is qualified and willing to perform the work required in accordance with standards and criteria hereinafter set forth, and pursuant to the terms provisions and conditions hereof, and

WHEREAS, Request for Bids (RFB) Notice to Bidders was published in the The Nonpareil on September 2, 2022 and individual written RFB Notice to Bidders were mailed on August 31, 2022 to law firms permitted to practice law in Iowa from the region surrounding the County, and

WHEREAS, said bids were required to be submitted to Pottawattamie County, Iowa, on or before September 30, 2022, and

WHEREAS, Pottawattamie County received two (2) quotes, and have opened said quotes on September 30, 2022, and

WHEREAS, the County has determined that Petersen Law PLLC has submitted the lowest and most responsive and responsible submittal and who has best met the submittal criteria as set out in the RFB, and

WHEREAS, Pottawattamie County, Iowa, is interested in continuing forward and having the work described in said RFB completed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA that the Board of Supervisors that the contract to perform the said Legal Services work for Pottawattamie County, Iowa, as outlined in the said RFB is hereby awarded to Petersen Law PLLC in the total amount of \$22,700.00, and that the Board is authorized to execute said Contract with this contractor and that the contractor is hereby given "Notice to Proceed", after having submitted the Certificate of Insurance required by the RFB to the County through the Planning Director.

Dated this 11 day of October, 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 Houser, County Auditor
Pottawattamie County, Iowa

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

Motion by Shea, second by Grobe, to award bid to Prairie Construction Company for construction of the Pottawattamie County Roads Operation Center in the amount of \$8,896,000.
UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Melvyn Houser/Auditor appeared before the Board to discuss what date to Canvass for the General Election date shall be November 15 at 9:00 A.M.

Discussion only. No Action taken.

Motion by Shea, second by Belt, to approve Job Description for Front Office Manager, and the posting of said position.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve Job Description for Hospitality and Guest Services, and the posting of said position.

UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to approve Job Description for Cleaning and Support Team Member, and the posting of said position.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Belt, to approve Job Description for Kitchen Manager, and the posting of said position.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Belt, to approve Job Description for Kitchen Staff Team, and the posting of said position.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve Job Description for Kitchen Staff Team Member, and the posting of said position.

UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to approve Job Description for Rental Shop Manager, and the posting of said position.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Belt, to approve Job Description for Rental Shop Team Lead, and the posting of said position.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve Job Description for Rental Shop Team Member, and the posting of said position.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Belt, to approve Job Description for Ticket Agent, and the posting of said position.

UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to approve Job Description for Snowmaking Team Lead, and the posting of said position.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve Job Description for Snowmaking Team Member, and the posting of said position.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve Job Description for Chair Lift Operator, and the posting of said position.

UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Action(s):

- 1) SWI Juvenile Detention Center – Payroll status change for Sean Sahl.

B. Out of State Travel Notification:

- 1) Jail – Out of State Travel Notification for Steve Winchell, Kayla Smeal, Megan Albers, and Shannon Holman.

C. Reports:

- 1) Recorder Fee Book for September 2022.

5. PUBLIC COMMENTS

No Public Comments.

6. CLOSED SESSION

Motion by Shea, second by Schultz, to go into Closed Session pursuant to Iowa Code §21.5(1)(c), for discussion and/or decision on pending or potential litigation.

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

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

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

Motion by Shea, second by Schultz, to go into Closed Session pursuant to Iowa Code §21.5(3), for discussion and/or decision on labor negotiations/collective bargaining.

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.

7. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:50 P.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: October 18, 2022

PUBLISH: X

October 18, 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 Schultz, to approve:

- A. October 11, 2022, Minutes as read.
- B. Jail – Employment of Andrew Krueger and Joseph McElroy as Detention Officers.

2. SCHEDULED SESSIONS

Motion by Shea, second by Schultz, to open Public Hearing on First Consideration of **Ordinance No. 2022-06**, an Ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa by changing the district designation of approximately 12.92 acres from a Class A-2 (Agricultural Production) to a Class C-2 (General Commercial) District and setting date for Second Consideration.

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

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

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

Motion by Shea, second by Schultz, to approve First Consideration of **Ordinance No. 2022-06**, an Ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa by changing the district designation of approximately 12.92 acres from a Class A-2 (Agricultural Production) to a Class C-2 (General Commercial) District and setting date for Second Consideration for October 25, 2022.

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

Discussion was held by the Board with the City of Macedonia and Hancock regarding small town needs. Discussion only. No Action Taken

3. OTHER BUSINESS

Motion by Shea, second by Schultz, to approve County funding for flu shots for part-time employees. UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

- A. Salary Action(s):
 - 1) Buildings & Grounds – Payroll status change for Benjamin Shudak.
 - 2) Jail – Payroll status change for Dan Weatherill.
 - 3) Conservation – Employment of Dan Borgaila as a Mechanical Operations and Maintenance Technician.
 - 4) Conservation – Employment of Terry Friis as a Snowmaking Team Member.

5. PUBLIC COMMENTS

No Public Comments.

6. CLOSED SESSION

Motion by Schultz, second by Belt, to go into Closed Session pursuant to Iowa Code §21.5(1)(c), for discussion and/or decision on pending or potential litigation.

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

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

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

7. BUDGET STUDY SESSION

Budget Study Session postponed until October 25, 2022.

8. ADJOURN

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

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:57 A.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: October 25, 2022
PUBLISH: X

October 25, 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 Schultz, and second by Shea, to approve:

- A. October 18, 2022, Minutes as read.

2. SCHEDULED SESSIONS

Motion by Shea, second by Schultz, to approve and authorize Board to sign lease renewal with the City of Avoca and Newtown Avoca Historical Society for the Avoca Courthouse 2-year lease at \$15,000 per year.

UNANIMOUS VOTE. Motion Carried.

Discussion was held by the Board with the City of Carter Lake regarding small town needs. Discussion only. No action taken.

Oscar Duran/Executive Director, Municipal Housing Agency appeared before the Board to give an update on housing challenges in our community. Discussion only. No action taken.

Motion by Shea, second by Grobe, to approve Second Consideration of Ordinance No. 2022-06, an Ordinance to amend the Official Zoning Map of Pottawattamie County, Iowa by changing the district designation of approximately 12.92 acres from a Class A-2 (Agricultural Production) to a Class C-2 (General Commercial) District; and to adopt Ordinance No. 2022-06 into law. Said Ordinance is laid out as follows:

POTTAWATTAMIE COUNTY, IOWA
ORDINANCE NO. 2022-06

AN ORDINANCE to amend the Official Zoning Map of Pottawattamie County, Iowa, by changing the district designation of approximately 12.92 acres from a Class A-2 (Agricultural Production) 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 A-2 (Agricultural Production) 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:

21-77-39 S 1/2 NW NE EXC W4.9' AC & EXC HWY

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"/> |
| Scott Belt | | | | |
| _____ | <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"/> |
| Justin Schultz | | | | |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Brian Shea | | | | |

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

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

3. OTHER BUSINESS

Motion by Schultz, second by Shea, to approve and authorize Board to sign the EBS Group Renewal effective January 1, 2023, through December 31, 2023, with a change to the Section 125 IRS maximum from \$2,850 to \$3,050 for medical annual contribution.
 UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

- A. Salary Action(s):
 - 1) SWI Juvenile Detention Center – Payroll status change for Jacklyn Moore.

5. PUBLIC COMMENTS

No Public Comments.

6. CLOSED SESSION

Motion by Belt, second by Schultz, to go into Closed Session pursuant to Iowa Code §21.5(1)(c), for discussion and/or decision on pending or 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.

7. BUDGET STUDY SESSION

- A. Mitch Kay/Director, Finance and Budget – Budget Study Session.

8. ADJOURN

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

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:20 P.M.

 Tim Wichman, Chairman

ATTEST: _____
 Melvyn Houser, Pottawattamie County Auditor

APPROVED: November 1, 2022
 PUBLISH: X

November 1, 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 Grobe, and second by Schultz, to approve:

- A. October 25, 2022, Minutes as read.
- B. Treasurer – Employment of Jennifer Duff as Clerk II.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Belt, second by Schultz, to approve and authorize Board to sign **Resolution No. 69-2022** entitled: RESOLUTION SUPPORTING OPERATION GREEN LIGHT FOR VETERANS.

RESOLUTION NO. 69 -2022

Supporting Operation Green Light for Veterans

WHEREAS, the residents of Pottawattamie County have great respect, admiration, and the utmost gratitude for all of the men and women who have selflessly served our country and this community in the Armed Forces; and

WHEREAS, the contributions and sacrifices of the men and women who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, Pottawattamie County seeks to honor these individuals who have paid the high price for freedom by placing themselves in harm's way for the good of all; and

WHEREAS, Veterans continue to serve our community in the American Legion, Veterans of Foreign Wars, religious groups, civil service, and by functioning as County Veteran Service Officers in 29 states to help fellow former service members access more than \$52 billion in federal health, disability and compensation benefits each year; and

WHEREAS, Approximately 200,000 service members transition to civilian communities annually; and

WHEREAS, an estimated 20 percent increase of service members will transition to civilian life in the near future; and

WHEREAS, studies indicate that 44-72 percent of service members experience high levels of stress during transition from military to civilian life; and

WHEREAS, Active Military Service Members transitioning from military service are at a high risk for suicide during their first year after military service; and

WHEREAS, the National Association of Counties encourages all counties, parishes and boroughs to recognize Operation Green Light for Veterans; and

WHEREAS, the Pottawattamie County appreciates the sacrifices of our United State Military Personnel and believes specific recognition should be granted; therefore be it

RESOLVED, with designation as a Green Light for Veterans County, Pottawattamie County hereby declares from October through Veterans Day, November 11th, 2022, a time to salute and honor the service and sacrifice of our men and women in uniform transitioning from Active Service; therefore, be it further

RESOLVED, that in observance of Operation Green Light, Pottawattamie County encourages its citizens in patriotic tradition to recognize the importance of honoring all those who made immeasurable sacrifices to preserve freedom by displaying a green light in a window of their place of business or residence.

Dated this 1st Day of November, 2022.

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

ATTEST: _____
Melvyn Houser, County Auditor

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

Discussion was held by the Board with the City of Avoca regarding small town needs. Discussion only. No Action Taken.

Motion by Shea, second by Grobe, to set and Public Hearing for November 15, 2022, at 10:00 A.M. on the disposal of county property.
UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to approve and authorize Board to sign Agreement for Service between MAPA and Pottawattamie County flood property acquisitions.
UNANIMOUS VOTE. Motion Carried.

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

3. OTHER BUSINESS

Motion by Shea, second by Grobe, to approve 2022 Weed Commissioner's Report.
UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to approve funding for Multi-Factor Authentication (MFA) solution to meet insurance requirements.
UNANIMOUS VOTE. Motion Carried.

Discussion was held with Jana Lemrick/Director, Human Resources and Sam Arkfeld/Captain, 911 on Memorandum of Understanding between Pottawattamie County and the American Federation of State, County and Municipal Employees (AFSCME) Local 2364-911. It was decided to discuss further at the November 8 meeting. Discussion only. No Action Taken

4. RECEIVED/FILED

- A. Salary Action(s):
 - 1) IT – Payroll status change for Dustin Peregrine.
 - 2) Communications – Payroll status change for Desiree Dale and Rachel Bieghler.
 - 3) Sheriff – Payroll status change for Jennifer Geronimo and Sam Arkfeld.
 - 4) Conservation – Employment of Dustin Clayton as a Naturalist.

B. Reports:

- 1) Sheriff's Report of Fees Disbursed and Collected for September 2022.

5. PUBLIC COMMENTS

No Public Comments.

6. CLOSED SESSION

Motion by Belt, second by Schultz, to go into Closed Session pursuant to Iowa Code §21.5(1)(c), for discussion and/or decision on pending or potential litigation.

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

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

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

7. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:10 P.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: November 8, 2022

PUBLISH: X

November 8, 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 Schultz, to approve:

- A. November 1, 2022, Minutes as read.
- B. October 2022 Vendor Publication Report.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Belt, second by Grobe, to approve tax suspension pursuant to Iowa Code Section 427.9, for property located at 1822 4th Ave., Council Bluffs, Iowa.

UNANIMOUS VOTE. Motion Carried.

Motion by Belt, second by Shea, to approve transitioning the Jail Custodian position to a Jail Maintenance position.

UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Motion by Schultz, second by Shea, to approve and authorize Board Chairman to sign Addendum to the July 1st, 2022, Memorandum of Understanding between Pottawattamie County and the American Federation of State, County and Municipal Employees (AFSCME) Local 2364-911.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Grobe, to approve and authorize Board to accept resignation of, and sign release agreement with Veteran Affairs Director Rita Dooley.

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

4. RECEIVED/FILED

A. Salary Action(s):

- 1) Conservation – Employment of Steven Leland as a seasonal Kitchen Manager.
- 2) Conservation - Employment of Howard Roorda as a seasonal Chair Lift Operator.
- 3) Conservation – Employment of Riah Leland, Christian Leland, and Maximillian Leland as a seasonal Kitchen Staff Team Members.
- 4) Conservation – Employment of Bryan Hunt and Charles Starkovich as a seasonal Snowmaking Team Members.
- 5) Conservation – Employment of Christopher Getsfred as a seasonal Snowmaking Team Lead.
- 6) SWI Juvenile Detention - Employment of Madeline Buman as a part-time Youth Corrections Worker.
- 7) Jail – Payroll status change for Josh Unruh.

B. Out of State Travel Notification (s):

- 1) Sheriff – Out of State Notification for Joshua Kirlin and Jason LeMaster.

5. PUBLIC COMMENTS

No Public Comments.

6. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 10:15 A.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: November 15, 2022

PUBLISH: X

November 15, 2022

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 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 Grobe, and second by Schultz, to approve:

- A. November 8, 2022, Minutes as read.
- B. New Class C Liquor License, granting privileges of Class C Liquor License/Outdoor Service/Sunday Service for Pottawattamie County Conservation Board d/b/a Crescent Ridge Ski and Recreation Area, Honey Creek.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Schultz, second by Belt, to canvass General Election 2022, and to authorize Auditor to pay election costs.

UNANIMOUS VOTE. Motion Carried.

District Court Judge Maggie Popp Reyes appeared to swear in Elected Official Andrew Moats, Recorder.

Motion by Shea, second by Schultz, to open Public Hearing on disposal of county property. The public hearing will remain open until November 22, 2022.

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

Motion by Shea, second by Belt, to approve and authorize Board to sign **Resolution No. 70-2022** entitled: A RESOLUTION FOR CONSTRUCTION AGREEMENT BETWEEN THE CITY OF UNDERWOOD AND POTTAWATTAMIE COUNTY FOR A SECONDARY ROAD EXTENSION PROJECT.

RESOLUTION NO. 70-2022

A RESOLUTION FOR CONSTRUCTION AGREEMENT BETWEEN THE CITY OF UNDERWOOD AND POTTAWATTAMIE COUNTY FOR A SECONDARY ROAD EXTENSION PROJECT.

Consenting to and approving the plans for the improvement of the extension of Secondary Road G30 (Magnolia Road) and the Mosquito Creek Bridge within the Corporate Limits of the City of Underwood, Iowa ("City").

WHEREAS, Pottawattamie County proposes to improve Magnolia Road within the City of Underwood, Iowa in accordance with plans filed in the office of the Clerk of said City as follows:

Remove and replace pavement and reconstruct the Mosquito Creek Bridge to support turn lanes as necessitated by the current and future developments ("Project") and,

WHEREAS, the City has informed itself as to the proposed improvements and,

WHEREAS, the City recognizes the County will develop the project and the City supports the proposed improvements, the Jack Links Expansion, and grant applications made by the County for this project and,

WHEREAS, the City will receive City Bridge Funds for the Mosquito Creek Bridge (FHWA #288730) and those funds will be incorporated into the Project as applicable by the grant requirements and conditions and,

WHEREAS, either the City or the County may apply for and receive grant funding for the Project and those funds are to be utilized by the County as the lead agency insofar as these funds meet the intent and purpose of the proposed Project.

NOW, THEREFORE, BE IT RESOLVED by the said Council of the City of Underwood and Pottawattamie County hereby agree to approve the plans for the said project and consents to the proposed Project with the County as the Lead Agency. The City agrees that:

1. The City will take such legal steps and procedures to a conclusion such legal action and/or proceedings as are now or may hereafter be required.
2. To legally establish the grade lines of the street in accordance with and as shown by the Project plans, and to cause any damage accruing there from to be determined and paid pursuant to Iowa Code Section 364.15.
3. To take such steps as may be necessary to secure the consent to the removal of any trees that may interfere with the construction of the Project.

4. To remove existing and prevent future encroachments and obstructions upon streets or highways covered by the Project.
5. To remove or cause to be removed without expense to the County all water hydrants, curb boxes, electric cables, poles parking meters, traffic signals, and any other facilities or obstructions which interfere with the construction of the Project.
6. All above ground utilities shall be placed as close to the right of way line as practical.
7. Since this project may be partly financed with Federal-aid funds, the grant of which requires that he Iowa Department of Transportation (Iowa DOT) and the County comply with federal laws and regulations with respect thereto, the City agrees to take such action as may be necessary to comply with such federal laws and regulations. (Approval of the plans by the City satisfies the requirements of this paragraph.)
8. The City further agrees that within the limits of the proposed surfacing and for one foot outside thereof where the City or utility companies may be digging ditches prior to the proposed surfacing, the City will require that all backfilling and compaction of ditches shall be made in accordance with the Iowa DOT’s current Standard Specifications. The work will be subject to the approval of the County.
9. The City will, by ordinance, prohibit or restrict diagonal parking throughout the Project.

Upon completion of the Project, the City agrees that:

1. Any changes in the physical features of the Project will be authorized only after approval has been secured from the County.
2. The City will furnish and erect all traffic signage and signaling in accordance with the current Manual on Uniform Traffic Control Devices.
3. All traffic signage and signaling shall be approved by the County before placement.

Dated this 15 day of November 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 Houser, County Auditor

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

Dated this 8 day of November, 2022.

ROLL CALL VOTE

| | AYE | NAY | ABSTAIN | ABSENT |
|----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| _____ Robert Dose | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Jim Pingel | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Josh Madsen

| | | | | |
|---------------|-----------------------|-----------------------|-----------------------|-----------------------|
| | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Royce Forbush | | | | |

| | | | | |
|-----------|-----------------------|-----------------------|-----------------------|-----------------------|
| | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| JW Tiarks | | | | |

SIGNATURE: _____

Dennis Bardsley, Mayor

ATTEST: _____

Cindy Sorlien, City Administrator/Clerk

Roll Call Vote: **AYES: Dose, Pingel, Madsen, Tiarks. ABSENT: Forbush. Motion Carried.**

Motion by Shea, second by Grobe, to approve and authorize Board to sign **Resolution No. 71-2022** entitled: A RESOLUTION ENDORSING AN APPLICATION FOR RISE PROGRAM FUNDING TO SUPPORT APPLICABLE LOCAL DEVELOPMENT BY RECONSTRUCT PORTIONS OF MAGNOLIA ROAD WITHIN THE CITY AND COUNTY JURISDICTIONS.

RESOLUTION NO. 71 – 2022

A RESOLUTION ENDORSING AN APPLICATION FOR RISE PROGRAM FUNDING TO SUPPORT APPLICABLE LOCAL DEVELOPMENT BY RECONSTRUCT PORTIONS OF MAGNOLIA ROAD WITHIN THE CITY AND COUNTY JURISDICTIONS.

WHEREAS, the Iowa Department of Transportation (“DOT”) sponsors a program called Revitalize Iowa’s Sound Economy (“RISE”) which was created to promote economic development in Iowa through the establishment, construction, improvement and maintenance of roads and streets; and

WHEREAS, Pottawattamie County and the City of Underwood have concurrent jurisdiction of portions of Magnolia Road and Resolution XX-XXXX designates Pottawattamie County as the lead agency for this project; and

WHEREAS, the City of Underwood and Pottawattamie County desires to improve Magnolia Road with a two way left turn lane (TWLTL); and Railroad Highway Intersection to improve truck turning movements, visibility and safety; and

WHEREAS, the improvements to Magnolia Road, Railroad Highway Intersection and the Mosquito Creek Bridge are estimated to cost \$5,500,000 and qualify in whole or in part as an eligible expense under the DOT RISE Program; and

WHEREAS, Pottawattamie County will request RISE funds from the DOT in an amount of \$2,750,000; and

WHEREAS, the RISE Program requires matching funds in the amount of \$2,750,000 of which will be guaranteed in whole or part by Pottawattamie County after the application of the City of Underwood’s City Bridge Fund Grant award for the Mosquito Creek Bridge; and

WHEREAS, the Project will support traffic and future expansion of 161 acres of land for industrial development for Link Snacks Inc., as well as support and encourage the future development of 94.71 acres of land North of Magnolia Road; and

WHEREAS, the proposed improvements on Magnolia Road will continue to be dedicated to public use and adequately maintained after the improvements are made; and

WHEREAS, the road improvements constructed under this project will be the jurisdictional responsibility of Pottawattamie County and the City of Underwood as provided for in Iowa Code Section 306; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF UNDERWOOD to hereby endorse the RISE application to fund the improvements on Magnolia Road.

Dated this 15 day of November 2022.

ROLL CALL VOTE

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

ATTEST: _____
Melvyn Houser, County Auditor

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

Dated this 8 day of November, 2022.

ROLL CALL VOTE

| | AYE | NAY | ABSTAIN | ABSENT |
|---------------|-----------------------|-----------------------|-----------------------|-----------------------|
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Robert Dose | | | | |
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Jim Pingel | | | | |
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Josh Madsen | | | | |
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Royce Forbush | | | | |
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| JW Tiarks | | | | |

SIGNATURE: _____
Dennis Bardsley, Mayor

ATTEST: _____
Cindy Sorlien, City Administrator/Clerk

Roll Call Vote: **AYES: Dose, Pingel, Madsen, Tiarks. ABSENT: Forbush. Motion Carried.**

3. OTHER BUSINESS

Motion by Schultz, second by Shea, to approve the following applications made to the Assessor’s Office: Homestead (154 recommend allowed, 0 recommend disallowed), Military (21 recommend allowed, 0 recommend disallowed), Disabled Veteran Homestead (4 recommend allowed, 1 recommend disallowed), Family Farm (9 recommend allowed, 0 recommend disallowed).
UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

- A. Salary Action(s):
 - 1) Recorder – Payroll status change for Andrew Moats and Marilyn Hebing.
 - 2) Sheriff – Payroll status change for Jennifer Geronimo.
 - 3) Conservation – Employment of Addison Huegli as a Hospitality and Guest Services worker.
- B. Report(s):
 - 1) Recorder Fee Book for October 2022.

5. PUBLIC COMMENTS

No Public Comments.

6. CLOSED SESSION

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

7. ADJOURN

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

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:04 A.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: November 22, 2022
PUBLISH: X

November 21, 2022

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 8:45 A.M. All members, except Supervisor Wichman present. Chairman Pro-Tem Shea presiding.

PLEDGE OF ALLEGIANCE

1. SCHEDULED SESSIONS

Motion by Shea, second by Belt, to have Pottawattamie County Commissioner of Election to recount House District 20 election results from November 8, 2022, the canvass was done by the Board of Supervisors on November 15, 2022.

UNANIMOUS VOTE. Motion Carried.

2. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 8:53 A. M.

Brian Shea, Chairman Pro-Tem

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: November 22, 2022

PUBLISH: X

November 22, 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. November 15, 2022, Minutes as read.
- B. November 21, 2022, Minutes as read.
- C. Jail – Employment of Carrie Savage and Daniel Faircloth as a Detention Officers.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

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

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

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 75-2022** entitled: A RESOLUTION AUTHORIZING DISPOSAL OF AN INTEREST IN COUNTY – OWNED PROPERTY AS PROVIDED UNDER IOWA CODE SECTION 331.361.

RESOLUTION NO. 75-2022

A RESOLUTION AUTHORIZING DISPOSAL OF AN INTEREST IN COUNTY-OWNED PROPERTY AS PROVIDED UNDER IOWA CODE SECTION 331.361

WHEREAS, the Board of Supervisors has provided legal notice of and set a public hearing for the disposal of an interest in county-owned property described below:

Avoca Shop; 358 Elm Street, Avoca, Iowa

Legal Description: Lots 1,2,3 in Block 19 Original town of Avoca, Pottawattamie County, Iowa

Caledonia Shop; 15021 490th Street, Griswold, Iowa

Legal Description: A parcel of land located in part of the SW1/4 SW1/4 of Section 5, Township 74 North, Range 38 West of the 5th Principal Meridian, Pottawattamie County, Iowa, said parcel being more fully as follows: Commencing at the Southwest Corner of said Section 5; thence S88°43'34"E along the South line of said SW1/4 SW1/4 a distance of 162.00 feet to the Point of Beginning; thence continuing S88°43'34"E along said South Line a distance of 153.00 feet; thence N00°22'55"E a distance of 185.00 feet; thence N88°43'34"W a distance of 285.30 feet; thence S00°22'55"W a distance of 155.00 feet; thence S88°43'34"E a distance of 132.00 feet; thence S00°22'55"W a distance of 30 feet to the Point of Beginning.

Hancock Shop; 217 North Main Street, Hancock, Iowa

Legal Description: The North 10 feet of Lot 6, all of Lots 7, 8, and 9 in Block 2, Original Plat to the Town of Hancock, Iowa.

Lewis Shop; 15484 State Orchard Road, Council Bluffs, Iowa

Legal Description: Lewis Twp 4-74-43 Tri Lt SW Intersection Greenview Dr & State Orchard Rd NW SE N & W of Rd.

Walnut Shop; 705 Oak Street, Walnut, Iowa

Legal Description: A part of the S1/2 S1/2 NW1/4 NE1/4 SW1/4, Section 9, Township 77 North, Range 38 West of the 5th Principal Meridian, in the Town of Walnut in Pottawattamie County, Iowa and more particularly described as follows:

Commencing at the West 1/4 Corner of said Section 9 and running thence due east on the 1/4 section line a distance of 1317.81 feet to the North 1/4 Corner of the SW1/4 of Section 9; thence S0°28'E on the 1/4 1/4 section line a distance of 495.28 feet; thence N89°56'E a distance of 25.00 feet to the easterly right-of-way line of Oak Street as the True Point of Beginning; thence continuing N89°56'E a distance of 382.88 feet; thence S0°21'30"E a distance of 164.85 feet; thence S89°56'W a

distance of 382.59 feet to the easterly right-of-way line of Oak Street; thence N0°28’W on the said right-of-way line a distance of 164.90 feet to the Point of Beginning. Said parcel contains 1.449 acres, more or less, exclusive of the present established Oak Street.

and,

WHEREAS, the Board of Supervisors believes it to be in the best interests of Pottawattamie County to dispose of these county-owned parcels and to allow the property to be disposed; and

WHEREAS, the Secondary Roads Facility plan has consolidated shops to reduce operating costs; and

WHEREAS, these properties are nearing the end of their useful life; and

WHEREAS, these properties no longer serve the needs of the Secondary Roads Department functions; and

WHEREAS, these properties will be listed and sold by Real Estate Agent to private buyers; or be gifted, or be sold to an Iowa Governmental Subdivision at the appraised value as determined by the Board. The expenses incurred by any sale will be at the buyer’s cost.

WHEREAS, the cumulative appraised value of said properties was found to be \$552,500 and **NOW THEREFORE BE IT RESOLVED**, by the Board of Supervisors of Pottawattamie County, Iowa, that the Board of Supervisors does hereby authorize the disposal of Pottawattamie County, Iowa’s interest in the aforementioned properties

BE IT FURTHER RESOLVED that the terms of the disposal are as set forth above.

BE IT FURTHER RESOLVED that the County Engineer be and is hereby authorized, empowered and directed to cause all appropriate legal documents to be prepared, duly executed, and recorded along with this Resolution and the Proof of Publication of the “Notice of Public Hearing”.

Dated this 22nd Day of November, 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 Houser, County Auditor

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

Motion by Belt, second by Schultz, to approve and authorize Board to sign the FY2024 City Bridge Funding Agreement for the Mosquito Creek Bridge on Magnolia Road. UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve and authorize Board to sign conditional offer to purchase real estate and acceptance of seven parcels owned by the Estate of Doris J. Ferguson. UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Motion by Shea, second by Belt, to approve and authorize Board to sign **Resolution No. 72-2022** entitled: RESOLUTION FOR TRANSFER FROM LOST SECONDARY ROADS FUND TO BOND SERIES 2020B DEBT FUND.

RESOLUTION NO. 72-2022

RESOLUTION FOR TRANSFER FROM LOST SECONDARY ROADS FUND TO BOND SERIES 2020B DEBT FUND.

WHEREAS, it is desired to transfer money from the LOST Secondary Roads Fund to Bond Series 2020B Debt Fund; and

WHEREAS, said transfers are in accordance with Section 331.432, Code of Iowa.

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors authorizes the following transfers:

SECTION 1: The sum of \$8,600 is ordered to be transferred from the LOST Secondary Roads Fund to Bond Series 2020B Debt fund, and

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

Dated this 22nd Day of November, 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 Houser, County Auditor

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

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 73-2022** entitled: RESOLUTION FOR TRANSFER FROM SECONDARY ROADS FUND TO BOND SERIES 2021C DEBT FUND.

RESOLUTION NO. 73-2022

RESOLUTION FOR TRANSFER FROM LOST SECONDARY ROADS FUND TO BOND SERIES 2021C DEBT FUND.

WHEREAS, it is desired to transfer money from the LOST Secondary Roads Fund to Bond Series 2021C Debt Fund; and

WHEREAS, said transfers are in accordance with Section 331.432, Code of Iowa.

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors authorizes the following transfers:

SECTION 1: The sum of \$56,600 is ordered to be transferred from the LOST Secondary Roads Fund to Bond Series 2021C Debt fund, and

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

Dated this 22nd Day of November, 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 Houser, County Auditor

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

Motion by Schultz, second by Belt, to approve and authorize Board to sign **Resolution No. 74-2022** entitled: RESOLUTION FOR TRANSFER FROM RURAL SERVICES FUND TO SECONDARY ROADS FUND.

RESOLUTION NO. 74-2022

RESOLUTION FOR TRANSFER FROM RURAL SERVICES FUND TO SECONDARY ROADS FUND.

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

WHEREAS, said transfers are in accordance with Section 331.432, Code of Iowa.

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors authorizes the following transfers:

SECTION 1: The sum of \$1,325,000 is ordered to be transferred from Rural Services Fund to Secondary Roads Fund, and

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

Dated this 22nd Day of November, 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 Houser, County Auditor

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

Motion by Shea, second by Schultz, to approve the updated End User Security policy in the Employee Handbook, #805 (Appendix A – Multi-Factor Authentication).
UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Grobe, to approve the updated Sick Leave policy, #603.
UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to approve the Job Description of Ski/Snowboard Instructor.
UNANIMOUS VOTE. Motion Carried.

Motion by Belt, second by Schutz, to canvass the recount of House District 20.
UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Action(s):

- 1) Sheriff – Payroll status change for Brandon Allen and Hadley Mikovec.
- 2) SWI Juvenile Detention – Employment of Ashly Capistrant, Teagan Brown, and Rafael Jenkins as a Part time Youth Corrections Worker.
- 3) Conservation – Employment of Sterling Smith and Jordyn Reimer as Rental Shop Team Members.
- 4) Conservation – Employment of Emma Jedlicka and Peyton Bell as a Hospitality and Guest Services members.
- 5) Conservation – Employment of Gia Stang as a Chair Lift Operator.
- 6) Conservation – Employment of Kodie Donovan, Jace Thomason, Evan Wham and Elliott Coziahr as Rental Shop Team Members.
- 7) Conservation – Employment of Bradley Kenealy as a Cleaning and Support Team Member.

5. PUBLIC COMMENTS

Mary Stanley appeared before the Board and indicated she went to the Planning & Zoning meeting and wants to know why her property is a R1.

6. CLOSED SESSION

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

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

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

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

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

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

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

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

7. STUDY SESSION

Discussion and/or decision on selection process for Veterans Commission members. Discussion only.
No action taken.

8. ADJOURN

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

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:42 P. M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Auditor

APPROVED: November 29, 2022

PUBLISH: X

November 29, 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 Grobe, and second by Schultz, to approve:

- A. November 22, 2022, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Brenda Mainwaring/President & CEO, Iowa West Foundation appeared before the Board to provide an update and discuss the 2022 Award Cycle 3.

Kristine Sorensen/Executive Director, Western Iowa Development Association appeared before the Board to discuss the funding of \$70,000 for FY 23/24. Discussion only. No action.

Board approved the WIDA FY 22/23 invoice for \$50,000 which was budgeted. Invoice will be paid. Discussion only. No action taken.

Linda Swolley/Tax & Deed Specialist appeared before the Board to discuss the commissioner's rate for the new levee district with Harrison County. The Board would like a meeting with Harrison County on who oversees the commissioner's rate. Discussion only. No action taken.

Jeff Franco/Deputy Director, Conservation and Mark Shoemaker/Director, Conservation appeared before the Board to answer questions regarding the Ski Instructor position to be an employee versus a contractor. Discussion only. No action taken.

Motion by Shea, second by Schultz, to approve the job description of Marketing Coordinator Seasonal Intern for Conservation.

UNANIMOUS VOTE. Motion Carried.

3. RECEIVED/FILED

- A. Salary Action(s):
 - 1) Conservation – Employment of Hollie Larson as a Hospitality and Guest Services worker.
 - 2) Conservation – Employment of Jada Larsen, Nate Jensen, and Taylor Hills as Rental Shop Team Members.
 - 3) Conservation – Employment of Samuel Raine as a Snowmaking Team Member.
 - 4) Conservation – Payroll status change for Nicole Truax.
- B. Reports:
 - 1) Sheriff's Report of Fees Disbursed and Collected for October 2022.

4. PUBLIC COMMENTS

No Public Comments.

5. CLOSED SESSION

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

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

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

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

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

Roll Call Vote: AYES: 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.

6. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:05 P. M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Auditor

APPROVED: December 6, 2022

PUBLISH: X

December 6, 2022

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M. All members present. Chairman Wichman presiding.

PLEDGE OF ALLEGIANCE

9:00 A.M. Closed Session

Motion by Shea, second by Schultz, to go into Closed Session pursuant to Iowa Code §21.5(1)(j) for discussion and/or decision on pending or potential litigation.

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

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

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

10:00 A.M. Regular Meeting

1. CONSENT AGENDA

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

- A. November 29, 2022, Minutes as read.
- B. Buildings and Grounds – Employment of Nolan Pitt as an Electrician.
- C. Buildings and Grounds – Employment of Pete Lenihan as a Maintenance Worker.
- D. November 2022 Vendor Publication Report.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Schultz, second by Shea, to approve replacing the seating on the 5th Floor from gaming funds.
UNANIMOUS VOTE. Motion Carried.

Wendy Mueller/Executive Director, West Central Community Action appeared before the Board to give them an update on West Central Community Action and to discuss funding . After discussion a motion by Shea, second by Grobe, to approve funding request of \$15,000 from gaming funds.
UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to deny Change Order 10R for Exterior Gate for Treasurer’s Loading Dock.

UNANIMOUS VOTE. Motion Carried.

3. RECEIVED/FILED

- A. Salary Action(s):
 - 1) Conservation – Employment of Madeline Leland, Chloe Orr, and Kallie Larson as Hospitality and Guest Services workers.
 - 2) Conservation – Employment of Jacqueline Aguilar, Charles McGovern, Jake Reimer, and Quintin Ahmann as a Rental Shop Team Members.
 - 3) Conservation – Employment of Jill Torkelson and Logan Laughhunn as a Kitchen Staff Team Leads.
 - 4) Conservation – Employment of Saul Rodriguez, Sarah Schonberner, and William Borgaila as Chair Lift Operators.
 - 5) Conservation – Employment of Clayton Bohnenkamp as a Cleaning and Support Team Members.
 - 6) Conservation – Employment of Nathan Carver as a Kitchen Staff Team Member.
 - 7) Conservation – Employment of Matthew Smith as a Rental Shop Team Lead.
 - 8) Conservation – Employment of Lance Brisbois as a Snowmaking Team Member.
 - 9) Conservation – Employment of Tanner Sasse and Gordon Sepich as a Ski/Snowboard Instructors.
 - 10) Veteran Affairs – Payroll status change for Samuel Pettit.
 - 11) Communications – Payroll status change for Elizabeth Sanders and Torie Brummett.
 - 12) Jail – Payroll status change for Robert Awe.

4. PUBLIC COMMENTS

No Public Comments.

5. ADJOURN

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

THE BOARD ADJOURNED SUBJECT TO CALL AT 10:30 A. M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Auditor

APPROVED: December 13, 2022
PUBLISH: X

December 13, 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 Grobe, and second by Shea, to approve:

- A. December 6, 2022, Minutes as read.
- B. Renewal of Class C Beer Permit (BC) License by Donald Rief d/b/a Desoto Bend Mini Mart, with privileges of Class C Beer Permit (BC) / Sunday Sales.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Dixie Wilson/Assistant Finance & Tax Officer appeared before the Board to discuss the Township Trustee Clerk Compensation. Discussion only. No Action Taken.

Matt Wyant/Director, Planning and Development and Regional Water appeared before the Board to give an update on the water line. Discussion only. No Action taken.

Motion by Shea, second by Schultz, to approve and authorize Board to sign **Resolution No. 77-2022** entitled: Hazard Mitigation Property Acquisition Asbestos Abatement and Demolition of Flood Damaged Properties in Pottawattamie County, Iowa.

RESOLUTION NO. 77-2022
Hazard Mitigation Property Acquisition
Asbestos Abatement and Demolition of Flood Damaged Properties in
Pottawattamie County, Iowa

WHEREAS, as a result of the flooding of 2019, Pottawattamie County has applied to FEMA under its Hazard Mitigation Property Acquisition Program for funding of demolition work. Funding may be anticipated from FEMA, the State of Iowa, and the County. The exact work for which the County is seeking competitive bids is described at Special Terms and Conditions, A. Scope of Work, Request for Bids for Asbestos Abatement and Demolitions, and

WHEREAS, Request for Bids were sent to various demolition contractors, and

WHEREAS, Notice to Bidders was published in the Council Bluffs Nonpareil on September 2nd and 30th, 2022.

WHEREAS, said bids were required to be submitted to Pottawattamie County, Iowa, on or before December 2, 2022, and

WHEREAS, Pottawattamie County received 2 bids, and have opened said bids at the Pottawattamie County Planning Department Offices on December 5, 2022, and

WHEREAS, the County has determined that Cox Contracting Co., Inc. has submitted the lowest bid, and

WHEREAS, Pottawattamie County, Iowa, is interested in continuing forward and having the work described in said Request for Bids completed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERISORS OF POTTAWATTAMIE COUNTY, IOWA that the contract to perform the said Asbestos Abatement and Demolition Work is hereby awarded to Cox Contracting Co., Inc. in the total amount of \$142,000.00, and that the Chairman is authorized to execute said Contract by signing the Letter of Engagement with this contractor.

PASSED AND APPROVED DECEMBER 13, 2022.

| | <u>ROLL CALL VOTE</u> | | | |
|--------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| | AYE | NAY | ABSTAIN | ABSENT |
| _____ Tim Wichman, Board Chairman | <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"/> |
| _____ Brian Shea | <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"/> |
| _____ Justin Schultz | <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.**

3. OTHER

Motion by Shea, second by Belt, to approve the following appointment to the Compensation Board:
Recorder – George Farrage.
UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to review the open commission appointments for posting and to use NeoGov to post open appointments. Appointments will be posted in November to review in December and to appoint in January.
UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Action(s):

1. Conservation – Employment of Aiden Chattin, Noah Kiley, and Keegan Happe as a Rental Shop Team Members.
2. Conservation – Employment of Joey Eisan as a Kitchen Staff Team Member.
3. Conservation – Employment of Cody Black as a Snowmaking Team Member.
4. Conservation – Employment of Kennedy Cogswell, Richard Womack, Tyler Cruise, Scott Vanarsdale, Kristen Weis, Baden Luna, Shane Shea, and Edward Schaefer as Ski/Snowboard Instructors.
5. Conservation – Employment of Kallie Larson as a Front Office Manager.
6. Conservation – Employment of James Rauch as a Chair Lift Operator.
7. Communications – Payroll status change for Monica Brooks and Camsley Hovey.

B. Report (s):

1. Recorder Fee Book for November 2022.

5. PUBLIC COMMENTS

Mary Stanley appeared before the Board to discuss R3 zoning, has not received letter regarding zoning.

Geri Frederiksen appeared before the Board to discuss the Summit Carbon Pipeline and the potential danger, urging Pottawattamie County to do research.

6. CLOSED SESSION

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

Roll Call Vote: **AYES: 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.**

7. BUDGET STUDY SESSION

Mitch Kay/Director, Finance and Budget appeared before the Board for a Budget Study Session. Discussion only. No Action Taken.

8. ADJOURN

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

THE BOARD ADJOURNED SUBJECT TO CALL AT 2:05 P. M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Auditor

APPROVED: December 20, 2022

PUBLISH: X

December 20, 2022

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. December 13, 2022, Minutes as read.

UNANIMOUS VOTE . Motion Carried.

2. SCHEDULED SESSIONS

Motion by Shea, second by Schultz, to open Public Hearing on proposed preliminary plat of RMP 87 Development LLC, a subdivision situated in Hardin Township; and to approve and authorize Board to sign **Planning and Zoning Resolution No. 2022-10.**

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

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

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

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Planning and Zoning Resolution No. 2022-10.**

PLANNING AND ZONING RESOLUTION NO. 2022-10

WHEREAS, the proposed preliminary plat and supporting documents for **RMP 87 DEVELOPMENT LLC**, a subdivision situated in **Hardin Township**, has been filed with the Pottawattamie County Planning and Zoning Commission for its study and recommendation under **Case #SUB-2022-03**; and

WHEREAS, said Commission conducted a public hearing on **November 21, 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 **December 20, 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 **RMP 87 DEVELOPMENT LLC and cul-de-sac length variance**, 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 December 20, 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 | | | | |

Attest: _____
 Becky Lenihan, Finance & Tax Officer
 Pottawattamie County, Iowa

RECORD: After Passage

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

Matt Wyant/Director, Planning and Zoning and/or Maria Sieck/Administrator, Public Health and Representatives from Field Day Development and Alley Poyner Macchietto Architecture appeared before the Board to give an update on the status of Public Health Building Project.
 Discussion only. No action taken.

Kami Willet and Bernie Bolton, Board members for the East Pottawattamie Soil and Water Conservation appeared before the Board to discuss the beaver issue in the county.
 Discussion only. No Action Taken.

Motion by Belt, second by Shea, to approve and authorize Board to sign **Resolution No. 76-2022** entitled: TOWNSHIP TRUSTEE AND CLERK COMPENSATION.

**RESOLUTION NO. 76-2022
 TOWNSHIP TRUSTEE AND CLERK COMPENSATION**

WHEREAS, the Pottawattamie County Board of Supervisors currently authorizes that all Township Trustees and Clerks be compensated at the rate of \$40.00 per meeting, and
WHEREAS, all Trustees are expected to attend a minimum of three (3) meetings per fiscal year (Budget, Pre-budget, and Financial Report). The number of county paid meetings may only be exceeded in any particular fiscal year by prior approval of the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED that the Pottawattamie County Board of Supervisors authorized the following Compensation and number of meetings effective January 1, 2023:

1. All Township Trustees will be compensated \$40.00 for each official meeting they attend. Trustees are expected to attend a minimum of three (3) meetings per fiscal year (Budget, Pre-budget, and Financial Report). The number of county paid meetings may only be exceeded in any particular fiscal year by prior approval of the Board of Supervisors.
2. All Township Clerks will be compensated \$40.00 per meeting they attend. Clerks are expected to conduct one work session per month at which they updated township receipts, disbursements, and other official records. Only Township Clerks will be compensated for said work sessions and said sessions are limited to twelve (12) per fiscal year. All Township Clerks will also be compensated for up to an additional three (3) official meetings per year (Pre-budget, Budget and Financial Report). Said compensation shall not exceed \$600.00 per fiscal year.
3. All Township Trustees and Clerks shall turn in their completed timesheets to the County auditor’s Office. Payment shall be made at the end of each quarter for meetings attended during that quarter.

Approved this 20th day of December 2022.

| | | ROLL CALL VOTE | | |
|-----------------------|----------|----------------|----------|----------|
| | AYE | NAY | ABSTAIN | ABSENT |
| Tim Wichman, Chairman | O | O | O | O |
| Scott Belt | O | O | O | O |
| Lynn Grobe | O | O | O | O |
| Justin Schultz | O | O | O | O |
| Brian Shea | O | O | O | O |

ATTEST: _____

Becky Lenihan, Finance & Tax Officer

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

3. OTHER BUSINESS

Motion by Schultz, second by Shea, to approve the policy on Leave Balance Payout for Elected Officials. UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve ARPA funds for Small Town Projects as follows: \$125,000 to each town.

UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Action(s):

- 1) Conservation– Employment of Coy Wiederholt, Charles Menefee, Brett Zarontonello, Toni Henderson, Kevin Hess, Gabor Czako, Dennis Schaeppi and Jacqueline Ericson as Ski/Snowboard Instructors.
- 2) Conservation – Employment of Troy Parra as a Snowmaking Team Member.
- 3) Conservation – Employment of Warren Summers as a Rental Shop Team Member.
- 4) SWI Juvenile Detention Center – Employment of Armando Chavez as a part-time Youth Correction Worker.
- 5) Sheriff – Payroll status change for John Cool.
- 6) Jail – Payroll status changes for Brad Perdue, Garrett Lembke, Hunter Dysart, Bailey Ceder, Joseph McElroy, and Andrew Krueger.

B. Report (s):

- 1) Capital Plan 2022-2023 Summary.

C. Out of State Travel Notification:

- 1) GIS – Out of State Travel Notification for Jamie Petersen.

5. PUBLIC COMMENTS

No Public Comments

6. CLOSED SESSION

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

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

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

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

7. BUDGET STUDY SESSION

Mitch Kay/Director, Finance and Budget appeared before the Board for a Budget Study Session. Discussion only. No Action Taken.

8. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

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

Tim Wichman, Chairman

ATTEST: _____

Becky Lenihan, Finance & Tax Officer

APPROVED: December 27, 2022

PUBLISH: X

December 27, 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 Grobe, and second by Belt, to approve:

- A. December 20, 2022, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Shea, second by Grobe, to approve the Board to sign the Tyler Termination Agreement for Executive Project.

UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Belt, to approve the funding for quote for replacement Timeclocks in the amount of \$25,352.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Grobe, to approve project plans for FM-C078(207)- - 55-78; reconstructing L66 from Tamarack Road North 0.41 miles.

UNANIMOUS VOTE. Motion Carried.

3. OTHER

Jana Lemrick/Director, Human Resources and Matt Wyant/Director, Planning and Development appeared before the Board to discuss employee recognition for completing NACO High Performance Leadership Academy. Discussion only. No Action Taken.

4. RECEIVED/FILED

A. Salary Action(s):

- 1) Conservation – Employment of Hallie Uhlig, Lauren Hargreaves, Ted Duitsman, Dale Ostrander, Ryan Grieb, Dylan Reimer and Jacob Boaz as Ski/Snowboard Instructors.
- 2) Conservation – Employment of Amy Graeve and Mary Graeve as Ticket Agents.
- 3) Conservation – Employment of Fiona Bryant and Meleia Hetzel as Hospitality and Guest Services workers.
- 4) Conservation – Employment of Bryce McIntosh as a Cleaning and Support Team Member.
- 5) Sheriff – Payroll status change for Zach Norman.
- 6) Communications – Payroll status change for Taylor Winey.

B. Out of State Travel Notification:

- 1) Secondary Roads – Out of State Travel Notification for John Rasmussen.

C. Report(s):

- 1) Sheriff's Report of Fees Disbursed and Collected for November 2022.

5. PUBLIC COMMENTS

Lisa Lima and Susan Miller both wanted to Thank the Board for everything they have done in 2022.

6. CLOSED SESSION

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

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

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

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

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

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

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

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

Motion by Schultz, second by Grobe set aside agenda to pay Lea Voss her sick leave, per policy in the amount of \$5,895.32.

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

Motion by Schultz, second by Shea, to go into Closed Session pursuant to Iowa Code §21.5(1)(c), for pending or 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 Schultz, second by Belt, to have County Ttorney move forward with settlement agreement as discussed in Closed Session.

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

7. BUDGET STUDY SESSION

Mitch Kay/Director, Finance and Budget appeared before the Board for a Budget Study Session. Discussion only. No Action Taken.

8. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:15 P. M.

Tim Wichman, Chairman

ATTEST: _____

Melvyn Houser, Auditor

APPROVED: January 3, 2023

PUBLISH: X