

# **Consent Agenda**

November 19, 2024

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. November 12, 2024, Minutes as read.
- B. November 13, 2024, Minutes as read.
- C. Jail – Employment of Misty Costello as a Registered Nurse.

UNANIMOUS VOTE. Motion carried.

2. SCHEDULED SESSIONS

Motion by Belt, second by Jorgensen, to canvass 2<sup>nd</sup> Tier Public Measures.  
UNANIMOUS VOTE. Motion carried.

Motion by Shea, second by Belt, to approve Board Chairperson to sign Validation of Correct Point of Contact for Public Assistance Recovery.  
UNANIMOUS VOTE. Motion carried.

Motion by Shea, second by Belt, to approve and sign Project plans for L-(WS31) – 73-78 and set bid opening for 10 A.M. on December 10, 2024.  
UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Jorgensen, to approve **Resolution No. 66-2024** to establish a stop sign on Aspen Road at the 240<sup>th</sup> Street Intersection.

**RESOLUTION NO. 66-2024**

**RESOLUTION FOR THE ESTABLISHMENT OF A STOP SIGN AT THE INTERSECTION OF 240<sup>TH</sup> STREET AND ASPEN ROAD**

**WHEREAS**, under the provisions of Section 321.255 and 321.236 (1.C.6) of 2021 Code of Iowa, the Board of Supervisors and County Engineer are empowered to designate the location and erection of stop signs.

**AND WHEREAS**, The County Board and County Engineer may designate certain roads as through roads and erect stop signs at specified locations to furnish access thereto or designate any intersection as a stop intersection and erect like signs at one or more locations of access to such intersections.

**AND WHEREAS**, there are currently no stop signs controlling traffic at the intersection.

**NOW THEREFORE BE IT RESOLVED**, that the Board of Supervisors of Pottawattamie County on this 19 day of November, 2024, recognize 240<sup>th</sup> Street as a through road and cause the erection of a stop sign on Aspen Road.

**Dated this 19th day of November, 2024.**

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Susan Miller, Chairperson	○	○	○	○
_____ Scott 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"/>
Brian Shea				

	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Jeff Jorgensen				

ATTEST: \_\_\_\_\_  
 Melvyn Houser, County Auditor

**Roll Call Vote: AYES: Miller, Belt, Wichman, Shea, Jorgensen. Motion Carried.**

Motion by Wichman, second by Shea, to approve to work with Snyder and Associates on a solution for the Courthouse Entrance.  
 UNANIMOUS VOTE. Motion carried.

**3. OTHER BUSINESS**

Motion by Wichman, second by Shea, to approve updated Acceptable Use Policy #804 of the Employee Handbook.  
 UNANIMOUS VOTE. Motion carried.

**4. COMMITTEE APPOINTMENTS**

Board discussed Committee meetings from the past week.

**5. RECEIVED/FILED**

- A. Salary Action (s):
  - 1) Crescent Ridge Ski Hill – Employment of Zachary Barnhart as a Chair Lift Operator.
  - 2) Crescent Ridge Ski Hill – Employment of Inga Jaffe as a Hospitality and Guest Services.
  - 3) Crescent Ridge Ski Hill – Employment of Cody Black as a Snowmaking Team Member.
  - 4) Crescent Ridge Ski Hill – Employment of Jonas Sauser as a Cleaning Support Team Member.
  - 5) Crescent Ridge Ski Hill – Employment of Jordan Borgaila, Drew Turgeon, Carter Grothe-Phippen, Gabriel Barajas, Jackson Cooper, Gavin McIntosh, Jackson Hathaway, and Aaron Kiley as a Rental Shop Team Members.
  - 6) Crescent Ridge Ski Hill – Employment of Elliott Schmitz, Nicole Craig, Konatsu Taira, Lauren Hargreaves, Clara Galvan, and Jacqueline Ericson as a Ski/Snowboard Instructors.
  - 7) Crescent Ridge Ski Hill – Employment of Cason Wickersham and Cynthia Blanchard as a Kitchen Staff Team Member.
  - 8) Jail – Payroll status change for Trevor Ceder and Ryan Hecker.
  - 9) Medical Examiner – Payroll status change for Felicia Luczek.
  - 10) Human Resources – Payroll status change for Heather Shafer.
  - 11) Jail – Payroll status change for Timothy McBride.

**6. PUBLIC COMMENTS**

No public comments.

**7. STUDY SESSIONS**

The Board held a Study Session on the Introductory Pay Policy.  
 Discussion only. No Action Taken.

**8. BUDGET STUDY SESSION**

Mitch Kay, Chief Financial Officer appeared before the Board for a Budget Study Session.  
 Discussion only. No Action Taken.

**9. CLOSED SESSION**

Motion by Shea, second by Jorgensen, 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: Miller, Belt, Wichman, Shea, Jorgensen. Motion Carried.

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

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

Motion by Shea, second by Jorgensen, 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: Miller, Belt, Wichman, Shea, Jorgensen. Motion Carried.

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

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

**10. ADJOURN**

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

UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:35 P.M.

\_\_\_\_\_  
Susan Miller, Chair

ATTEST:

\_\_\_\_\_  
Melvyn Houser, Auditor

APPROVED: November 26, 2024

PUBLISH: X

# **Scheduled Sessions**

**John Rasmussen/Engineer and**  
**Brandon Burmeister/Assistant**  
**Engineer, Secondary Roads**

**Public Hearing and first consideration of Ordinance No. 2024-08, an Ordinance to amend Chapter 7.50; Winter Parking Restrictions; and set date for Second Consideration.**

## **RECORDER'S COVER SHEET**

Prepared by:

Pottawattamie County Office of Planning and Development  
227 South 6<sup>th</sup> Street, Suite 157  
Council Bluffs, IA 51501  
(712) 328-5792

Return Document to:

Pottawattamie County Office of Planning and Development  
227 South 6<sup>th</sup> Street, Suite 157  
Council Bluffs, IA 51501  
(712) 328-5792

Document Title:

Pottawattamie County  
Ordinance #2024-08

**POTTAWATTAMIE COUNTY, IOWA**  
**ORDINANCE NO. 2024-08**

**AN ORDINANCE** to amend the following Chapter 7.50, Pottawattamie County, Iowa Winter Parking Restrictions Ordinance:

- Repeal Section 7.50.030.01 APPROPRIATE PUBLIC MEDIA: A public announcement by means of broadcasts of telecasts from radio stations such as, but not limited to, KFAB or WOW.

and replace with Section 7.50.030.01 APPROPRIATE PUBLIC MEDIA: A public announcement by means of public broadcasts, to include radio, television, and other electronic communication outlets.

- Repeal Section 7.50.60 DECLARATION OF EMERGENCY PARKING REGULATIONS: When it becomes necessary for the County to cause snow or ice to be plowed or removed from its public roadways due to the accumulation thereon causing a hindrance to traffic and safety requiring the same to be plowed or removed, the County Engineer, road foreman, or their designated representative shall be “appropriate public media” declare the commencement of such emergency situation and the enforcement of emergency snow parking regulations as hereafter set forth, which regulations shall remain in force and effect for forty-eight (48) hours, except that any public roadway which has become cleared of snow or ice for the entire length of the roadway shall automatically terminate the emergency parking regulations.

For the purpose of this Chapter, the accumulation of snow and/or ice on any public roadway deemed sufficient for the application of emergency parking regulations is hereby defined as being such accumulation thereof which hinders the safe movement of vehicular traffic in general thereon, or which impedes the ability of emergency and public transportation vehicles to travel safely and expeditiously along, over and across the same.

and replace with Section 7.50.60 DECLARATION OF EMERGENCY PARKING REGULATIONS: When it becomes necessary for the County to clear snow or ice from its public roadways due to the accumulation thereon causing a hindrance to traffic, the County Engineer, road foreman, or their designated representative shall notify “appropriate public media” to declare the commencement of such emergency situation and the enforcement of emergency snow parking regulations as hereafter set forth, which regulations shall remain in force and effect for forty-eight (48) hours.

- Repeal Section 7.50.070 EMERGENCY SNOW ROUTES ESTABLISHED:
  - (a) The following are hereby designated as the emergency snow routes:
    - Birdsley Road
    - Bobby Lane
    - Cathy Lane
    - Chestnut Road
    - Cloverdale Drive



Coit Road  
Covena Circle  
Dayan Drive  
Devonwood Drive  
Douglas Circle  
Garner Avenue  
Grand Avenue  
Greenview Road  
Hawthorne Avenue  
James Drive  
Kathy Circle  
Jennings Road  
Kathy Circle  
Knollwood Drive  
Lawrence Circle  
Linden Road East  
Linden Road West  
Longview Loop  
Meadow Lane  
Mudhollow Road between Evergreen Lane and Honeysuckle Road  
North Line Drive  
Oak Valley Road  
Overland Trail  
Parkview Drive  
Perry Road  
Pheasant Drive  
Redbud Lane  
Ridge Road  
Ridgewood Drive  
Rosebud Lane  
School Hill Road  
State Orchard Road  
Steven Lane  
Stubblefield Drive  
Sunnydale Road  
Tammy Circle  
Timber Drive  
Virginia Hills Road  
Vista Lane  
Wildwood Road  
230th Street south of Iowa Highway 92

and replace with Section 7.50.070 EMERGENCY SNOW ROUTES ESTABLISHED:

(a) The following are hereby designated as the emergency snow routes:

Ashley Lane  
Bent Tree Ridge  
Birdsley Road  
Bobby Lane

Breckmans Road  
Bret Loop  
Cathy Lane  
Cloverdale Drive  
Coit Road  
Covena Circle  
Dayan Drive  
Devonwood Drive  
Douglas Circle  
Garner Avenue  
Grand Avenue  
Greenview Road  
Hawthorne Avenue  
Hearthstone Drive  
James Drive  
Jaylen Drive  
Jennings Road  
Kathy Circle  
Knollwood Drive  
Lawrence Circle  
Linden Road West  
Lochland Ridge  
Longview Loop  
Meadow Lane  
Murphy Lane  
Newberry Circle  
Norman Drive  
North Line Drive  
Oak Valley Road  
Overland Trail  
Parkview Drive  
Pebblestone Drive  
Perry Road  
Pheasant Drive  
Redbud Lane  
Ridge Road  
Ridgewood Drive  
Rosebud Lane  
School Hill Road  
Stafford Drive  
State Orchard Road  
Stonegate Lane  
Stoneybrook Drive  
Stubblefield Drive  
Sunnydale Road  
Sunshine Lane  
Tammy Circle  
Taylor Lane  
Three Bridge Road  
Timber Drive

Traceview Loop  
Turnberry Ridge  
Virginia Hills Road  
Vista Lane  
Weston Avenue  
Whitetail Avenue  
Wildwood Road

- Repeal Section 7.50.050.150 PUSHING SNOW INTO ROADWAY: Except during private snow removal operations, it is unlawful for any individual to deposit snow or ice on a public roadway in quantities adequate to hinder utilization of the roadway by the travelling public. Such deposits shall be removed as part of the private snow removal operations and before such operations cease.
- and replace with Section 7.50.050.150 PUSHING SNOW INTO ROADWAY: It is unlawful for any individual to deposit snow or ice on a public roadway in quantities adequate to hinder utilization of the roadway by the travelling public. Such deposits shall be removed as part of the private snow removal operations and before such operations cease.

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

**SECTION 1a – REPEAL OF CONFLICTING ORDINANCES:** That Section 7.50.030.01 APPROPRIATE PUBLIC MEDIA 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 1b - 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 7.50.030.01, as follows:

Section 7.50.030.01 APPROPRIATE PUBLIC MEDIA: A public announcement by means of public broadcasts, to include radio, television, and other electronic communication outlets.

**SECTION 2a – REPEAL OF CONFLICTING ORDINANCES:** That Section 7.50.60 DECLARATION OF EMERGENCY PARKING REGULATIONS 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 2b - 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 7.50.60, as follows:

DECLARATION OF EMERGENCY PARKING REGULATIONS: When it becomes necessary for the County to clear snow or ice from its public

roadways due to the accumulation thereon causing a hindrance to traffic, the County Engineer, road foreman, or their designated representative shall notify “appropriate public media” to declare the commencement of such emergency situation and the enforcement of emergency snow parking regulations as hereafter set forth, which regulations shall remain in force and effect for forty-eight (48) hours.

**SECTION 3a – REPEAL OF CONFLICTING ORDINANCES:** That Section 7.50.070 EMERGENCY SNOW ROUTES ESTABLISHED 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 3b - 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 7.50.070 EMERGENCY SNOW ROUTES ESTABLISHED, as follows:

(a) The following are hereby designated as the emergency snow routes:

- Ashley Lane
- Bent Tree Ridge
- Birdsley Road
- Bobby Lane
- Breckmans Road
- Bret Loop
- Cathy Lane
- Cloverdale Drive
- Coit Road
- Covena Circle
- Dayan Drive
- Devonwood Drive
- Douglas Circle
- Garner Avenue
- Grand Avenue
- Greenview Road
- Hawthorne Avenue
- Hearthstone Drive
- James Drive
- Jaylen Drive
- Jennings Road
- Kathy Circle
- Knollwood Drive
- Lawrence Circle
- Linden Road West
- Lochland Ridge
- Longview Loop
- Meadow Lane
- Murphy Lane
- Newberry Circle
- Norman Drive
- North Line Drive
- Oak Valley Road

Overland Trail  
Parkview Drive  
Pebblestone Drive  
Perry Road  
Pheasant Drive  
Redbud Lane  
Ridge Road  
Ridgewood Drive  
Rosebud Lane  
School Hill Road  
Stafford Drive  
State Orchard Road  
Stonegate Lane  
Stoneybrook Drive  
Stubblefield Drive  
Sunnydale Road  
Sunshine Lane  
Tammy Circle  
Taylor Lane  
Three Bridge Road  
Timber Drive  
Traceview Loop  
Turnberry Ridge  
Virginia Hills Road  
Vista Lane  
Weston Avenue  
Whitetail Avenue  
Wildwood Road

**SECTION 4a – REPEAL OF CONFLICTING ORDINANCES:** That Section 7.50.050.150 PUSHING SNOW INTO ROADWAY 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 4b - 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 7.50.150, as follows:

Section 7.50.150 PUSHING SNOW INTO ROADWAY: It is unlawful for any individual to deposit snow or ice on a public roadway in quantities adequate to hinder utilization of the roadway by the travelling public. Such deposits shall be removed as part of the private snow removal operations and before such operations cease.

**SECTION 5 - 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.



# **Chapter 7.50**

## **Winter Parking Restrictions Ordinance**

### **Proposed Clean Version**

**CHAPTER 7.50  
WINTER PARKING RESTRICTIONS ORDINANCE**

SECTIONS:

7.50.010	<u>TITLE</u>
7.50.020	<u>PURPOSE</u>
7.50.30	<u>DEFINITIONS</u>
7.50.040	<u>JURISDICTION</u>
7.50.050	<u>PARKING RESTRICTIONS</u>
7.50.060	<u>DECLARATION OF EMERGENCY PARKING REGULATIONS</u>
7.50.070	<u>EMERGENCY SNOW ROUTES ESTABLISHED</u>
7.50.080	<u>SNOW PARKING REGULATIONS</u>
7.50.090	<u>ENFORCEMENT OF REGULATIONS</u>
7.50.100	<u>VEHICLE DECLARED NUISANCE</u>
7.50.110	<u>NOTICE OF TOWING OR REMOVAL</u>
7.50.120	<u>COST OF TOWING OR REMOVAL</u>
7.50.130	<u>FALSE REPORT OF EMERGENCY</u>
7.50.140	<u>EFFECTIVE TIRES</u>
7.50.150	<u>PUSHING SNOW INTO ROADWAY</u>
7.50.160	<u>PENALTY FOR VIOLATION</u>

**7.50.010** **TITLE:** This Chapter shall be known and may be cited and referred to as the "Winter Parking Restrictions Ordinance" of Pottawattamie County, Iowa. (ORDINANCE #98-12/JANUARY 4, 1999)

**7.50.020** **PURPOSE:** The purpose of this Ordinance is to provide a process to establish emergency snow routes, to require that any vehicles parked along said routes shall be removed in a snow and/or ice event so that roads can be adequately cleared to provide a safe driving surface and to establish a penalty for failure to remove said vehicles in a snow and/or ice event. (ORDINANCE #98-12/JANUARY 4, 1999)

**7.50.030** **DEFINITIONS:** For the purpose of this Ordinance, certain terms or words used herein shall be defined as follows: (ORDINANCE #98-12/JANUARY 4, 1999)

**.01 APPROPRIATE PUBLIC MEDIA:** A public announcement by means of public broadcasts, to include radio, television, and other electronic communication outlets. (ORDINANCE #2024-08/DECEMBER 13, 2024)

**.02 COUNTY:** Pottawattamie County, Iowa. (ORDINANCE #98-12/JANUARY 4, 1999)

**.03 COUNTY ENGINEER:** The County Engineer of Pottawattamie County, Iowa. (ORDINANCE #98-12/JANUARY 4, 1999)

**.04 COUNTY SHERIFF:** The Sheriff of Pottawattamie County, Iowa. (ORDINANCE #98-12/JANUARY 4, 1999)

**7.50.040** **JURISDICTION:** The provisions of this Ordinance shall apply to all of the unincorporated territory of Pottawattamie County, Iowa. (ORDINANCE #98-12/JANUARY 4, 1999)

**7.50.050** **PARKING RESTRICTIONS:** It shall be unlawful for any vehicle to be parked on or along any public roadway in the County in such a manner as to interfere with the plowing or removal of snow and/or ice from the same. (ORDINANCE #98-12/JANUARY 4, 1999)

**7.50.60** **DECLARATION OF EMERGENCY PARKING REGULATIONS:** When it becomes necessary for the County to clear snow or ice from its public roadways due to the accumulation thereon causing a hindrance to traffic, the County Engineer, road foreman, or their designated representative shall notify "appropriate public media" to declare the commencement of such emergency situation and the



enforcement of emergency snow parking regulations as hereafter set forth, which regulations shall remain in force and effect for forty-eight (48) hours. (ORDINANCE #2024-08/DECEMBER 13, 2024)

**7.50.070**

**EMERGENCY SNOW ROUTES ESTABLISHED:**

(a) The following are hereby designated as the emergency snow routes:

Ashley Lane  
Bent Tree Ridge  
Birdsley Road  
Bobby Lane  
Breckmans Road  
Bret Loop  
Cathy Lane  
Cloverdale Drive  
Coit Road  
Covena Circle  
Dayan Drive  
Devonwood Drive  
Douglas Circle  
Garner Avenue  
Grand Avenue  
Greenview Road  
Hawthorne Avenue  
Hearthstone Drive  
James Drive  
Jaylen Drive  
Jennings Road  
Kathy Circle  
Knollwood Drive  
Lawrence Circle  
Linden Road West  
Lochland Ridge  
Longview Loop  
Meadow Lane  
Murphy Lane  
Newberry Circle  
Norman Drive  
North Line Drive  
Oak Valley Road  
Overland Trail  
Parkview Drive  
Pebblestone Drive  
Perry Road  
Pheasant Drive  
Redbud Lane  
Ridge Road  
Ridgewood Drive  
Rosebud Lane  
School Hill Road  
Stafford Drive  
State Orchard Road  
Stonegate Lane  
Stoneybrook Drive  
Stubblefield Drive  
Sunnydale Road  
Sunshine Lane

Tammy Circle  
Taylor Lane  
Three Bridge Road  
Timber Drive  
Traceview Loop  
Turnberry Ridge  
Virginia Hills Road  
Vista Lane  
Weston Avenue  
Whitetail Avenue  
Wildwood Road  
(ORDINANCE #2024-08/DECEMBER 13, 2024)

(b) The County Engineer is authorized, empowered and directed to cause signs to be erected on the emergency snow routes to designate such streets as "Emergency Snow Routes". When an emergency situation commences, as hereinbefore provided, parking will be prohibited on these public roadways for the period of such emergency. (ORDINANCE #98-12/JANUARY 4, 1999)

- 7.50.080**      **SNOW PARKING REGULATIONS:** No parking shall be permitted on the designated emergency snow routes for the duration of the emergency. (ORDINANCE #98-12/JANUARY 4, 1999)
- 7.50.090**      **ENFORCEMENT OF REGULATIONS:** The provisions of Section 7.50.070 and 7.50.080 shall supersede all other parking regulations in force and effect on any such county roadway during such emergency situation and shall not require posting of the emergency situation. (ORDINANCE #98-12/JANUARY 4, 1999)
- 7.50.100**      **VEHICLE DECLARED NUISANCE:** Any vehicle located or parked within the limits of any roadway in the county in violation of any of the provisions of this chapter is a nuisance and shall be towed or removed by or under the direction of the County Sheriff. (ORDINANCE #98-12/JANUARY 4, 1999)
- 7.50.110**      **NOTICE OF TOWING OR REMOVAL:** In the event the County Sheriff or his/her designated subordinate, shall direct the towing or removal of any vehicle in accordance with Section 7.50.090 or Section 7.50.100 he/she shall make a record thereof and shall within twenty-four hours thereafter give written notice to the owner at his or her last known address, if known, and if the owner be unknown, on the first business day following the day of such towing or removal publish such notice at least once in a newspaper having general circulation in the county. Such notice shall include a statement of the time of towing or removal, the place of storage, a description of the vehicle, and the registration number, if any. (ORDINANCE #98-12/JANUARY 4, 1999)
- 7.50.120**      **COST OF TOWING OR REMOVAL.** The cost of towing or removal of any vehicle in accordance with this chapter and the storage charges, if any, shall be paid by the owner of such vehicle, but any charges shall not be considered a fine, penalty or forfeiture. (ORDINANCE #98-12/JANUARY 4, 1999)
- 7.50.130**      **FALSE REPORT OF EMERGENCY:** It shall be unlawful for any person to make a false report of an "emergency" to an officer, official, or employee of Pottawattamie County or who causes a false report to be made. (ORDINANCE #98-12/JANUARY 4, 1999)
- 7.50.140**      **EFFECTIVE TIRES:** It is unlawful for any person to operate any vehicle on the roadways of Pottawattamie County without effective tires when snow, sleet or freezing rain cause slippery or hazardous conditions and such operation impedes or obstructs traffic. (ORDINANCE #98-12/JANUARY 4, 1999)
- 7.50.150**      **PUSHING SNOW INTO ROADWAY:** It is unlawful for any individual to deposit snow or ice on a public roadway in quantities adequate to hinder utilization of the roadway by the travelling public. Such deposits shall be removed as part of the private snow removal operations and before such operations cease. (ORDINANCE #2024-08/DECEMBER 13, 2024)

**7.50.160**

**PENALTY FOR VIOLATION:** The penalty for violating the provisions of this Chapter shall be as set forth in Chapter 1.75, except that the schedule of civil penalties shall be modified as follows:

- A. First Offenses \$ 50.00
- B. Second Offense and Subsequent Offenses \$100.00

*(ORDINANCE #98-12/JANUARY 4, 1999)*

# **Chapter 7.50**

## **Winter Parking Restrictions Ordinance**

### **Marked Up Version**

**CHAPTER 7.50  
WINTER PARKING RESTRICTIONS ORDINANCE**

**SECTIONS:**

7.50.010	<u>TITLE</u>
7.50.020	<u>PURPOSE</u>
7.50.30	<u>DEFINITIONS</u>
7.50.040	<u>JURISDICTION</u>
7.50.050	<u>PARKING RESTRICTIONS</u>
7.50.060	<u>DECLARATION OF EMERGENCY PARKING REGULATIONS</u>
7.50.070	<u>EMERGENCY SNOW ROUTES ESTABLISHED</u>
7.50.080	<u>SNOW PARKING REGULATIONS</u>
7.50.090	<u>ENFORCEMENT OF REGULATIONS</u>
7.50.100	<u>VEHICLE DECLARED NUISANCE</u>
7.50.110	<u>NOTICE OF TOWING OR REMOVAL</u>
7.50.120	<u>COST OF TOWING OR REMOVAL</u>
7.50.130	<u>FALSE REPORT OF EMERGENCY</u>
7.50.140	<u>EFFECTIVE TIRES</u>
7.50.150	<u>PUSHING SNOW INTO ROADWAY</u>
7.50.160	<u>PENALTY FOR VIOLATION</u>

**7.50.010** **TITLE:** This Chapter shall be known and may be cited and referred to as the "Winter Parking Restrictions Ordinance" of Pottawattamie County, Iowa. (ORDINANCE #98-12/JANUARY 4, 1999)

**7.50.020** **PURPOSE:** The purpose of this Ordinance is to provide a process to establish emergency snow routes, to require that any vehicles parked along said routes shall be removed in a snow and/or ice event so that roads can be adequately cleared to provide a safe driving surface and to establish a penalty for failure to remove said vehicles in a snow and/or ice event. (ORDINANCE #98-12/JANUARY 4, 1999)

**7.50.030** **DEFINITIONS:** For the purpose of this Ordinance, certain terms or words used herein shall be defined as follows: (ORDINANCE #98-12/JANUARY 4, 1999)

**.01 APPROPRIATE PUBLIC MEDIA:** A public announcement by means ~~of public broadcasts, of~~ telecasts from radio stations such as, but not limited to, KFAB or WOW to include radio, television, and other electronic communication outlets. (ORDINANCE #98-12/JANUARY 4, 1999)

**.02 COUNTY:** Pottawattamie County, Iowa. (ORDINANCE #98-12/JANUARY 4, 1999)

**.03 COUNTY ENGINEER:** The County Engineer of Pottawattamie County, Iowa. (ORDINANCE #98-12/JANUARY 4, 1999)

**.04 COUNTY SHERIFF:** The Sheriff of Pottawattamie County, Iowa. (ORDINANCE #98-12/JANUARY 4, 1999)

**7.50.040** **JURISDICTION:** The provisions of this Ordinance shall apply to all of the unincorporated territory of Pottawattamie County, Iowa. (ORDINANCE #98-12/JANUARY 4, 1999)

**7.50.050** **PARKING RESTRICTIONS:** It shall be unlawful for any vehicle to be parked on or along any public roadway in the County in such a manner as to interfere with the plowing or removal of snow and/or ice from the same. (ORDINANCE #98-12/JANUARY 4, 1999)

**7.50.60** **DECLARATION OF EMERGENCY PARKING REGULATIONS:** When it becomes necessary for the County to ~~cause clear~~ snow or ice ~~to be plowed or removed~~ from its public roadways due to the accumulation thereon causing a hindrance to traffic ~~and safety requiring the same to be plowed or removed~~, the County Engineer, road foreman, or their designated representative shall ~~be notify~~ "appropriate public media" to declare the commencement of such emergency situation and the

enforcement of emergency snow parking regulations as hereafter set forth, which regulations shall remain in force and effect for forty-eight (48) hours, ~~except that any public roadway which has become cleared of snow or ice for the entire length of the roadway shall automatically terminate the emergency parking regulations.~~ (ORDINANCE #98-12/JANUARY 4, 1999)

~~For the purpose of this Chapter, the accumulation of snow and/or ice on any public roadway deemed sufficient for the application of emergency parking regulations is hereby defined as being such accumulation thereof which hinders the safe movement of vehicular traffic in general thereon, or which impedes the ability of emergency and public transportation vehicles to travel safely and expeditiously along, over and across the same. (ORDINANCE #98-12/JANUARY 4, 1999)~~

7.50.070

**EMERGENCY SNOW ROUTES ESTABLISHED:**

(a) The following are hereby designated as the emergency snow routes: Lane

Ashley

Bent Tree Ridge

Birdsley Road

Bobby Lane

Breckmans Road

Bret Loop

Cathy Lane

Chestnut Road

Cloverdale Drive

Coit Road

Covena Circle

Dayan Drive

Devonwood Drive

Douglas Circle

Garner Avenue

Grand Avenue

Greenview Road

Hawthorne Avenue

Hearthstone Drive

James Drive

Jaylen Drive

Kathy Circle

Jennings Road

Kathy Circle

Knollwood Drive

Lawrence Circle

Linden Road East

Linden Road West

Lochland Ridge

Longview Loop

Meadow Lane

Murphy Lane

Newberry Circle

Norman Drive

Mudhollow Road between Evergreen Lane and Honeysuckle Road

North Line Drive

Oak Valley Road

Overland Trail

Parkview Drive

Pebblestone Drive

Perry Road

Pheasant Drive

Redbud Lane

Commented [KT1]: Can we delete this paragraph, ice may have not much accumulation but would still be dangerous.

Commented [JR2R1]: I agree, if we enact the emergency we don't need anything that may contradict or complicate that decision.

Ridge Road  
Ridgewood Drive  
Rosebud Lane  
School Hill Road  
[Stafford Drive](#)  
State Orchard Road  
[Stonegate Lane](#)[Steven Lane](#)  
[Stoneybrook Drive](#)  
Stubblefield Drive  
Sunnydale Road  
[Sunshine Lane](#)  
Tammy Circle  
[Taylor Lane](#)  
[Three Bridge Road](#)  
Timber Drive  
[Traceview Loop](#)  
[Turnberry Ridge](#)  
Virginia Hills Road  
Vista Lane  
[Weston Avenue](#)  
[Whitetail Avenue](#)  
Wildwood Road  
[230th Street south of Iowa Highway 92](#)  
(ORDINANCE #2002-04/FEBRUARY 22, 2002)

(b) The County Engineer is authorized, empowered and directed to cause signs to be erected on the emergency snow routes to designate such streets as "Emergency Snow Routes". When an emergency situation commences, as hereinbefore provided, parking will be prohibited on these public roadways for the period of such emergency. (ORDINANCE #98-12/JANUARY 4, 1999)

- 7.50.080 **SNOW PARKING REGULATIONS:** No parking shall be permitted on the designated emergency snow routes for the duration of the emergency. (ORDINANCE #98-12/JANUARY 4, 1999)
- 7.50.090 **ENFORCEMENT OF REGULATIONS:** The provisions of Section 7.50.070 and 7.50.080 shall supersede all other parking regulations in force and effect on any such county roadway during such emergency situation and shall not require posting of the emergency situation. (ORDINANCE #98-12/JANUARY 4, 1999)
- 7.50.100 **VEHICLE DECLARED NUISANCE:** Any vehicle located or parked within the limits of any roadway in the county in violation of any of the provisions of this chapter is a nuisance and shall be towed or removed by or under the direction of the County Sheriff. (ORDINANCE #98-12/JANUARY 4, 1999)
- 7.50.110 **NOTICE OF TOWING OR REMOVAL:** In the event the County Sheriff or his/her designated subordinate, shall direct the towing or removal of any vehicle in accordance with Section 7.50.090 or Section 7.50.100 he/she shall make a record thereof and shall within twenty-four hours thereafter give written notice to the owner at his or her last known address, if known, and if the owner be unknown, on the first business day following the day of such towing or removal publish such notice at least once in a newspaper having general circulation in the county. Such notice shall include a statement of the time of towing or removal, the place of storage, a description of the vehicle, and the registration number, if any. (ORDINANCE #98-12/JANUARY 4, 1999)
- 7.50.120 **COST OF TOWING OR REMOVAL.** The cost of towing or removal of any vehicle in accordance with this chapter and the storage charges, if any, shall be paid by the owner of such vehicle, but any charges shall not be considered a fine, penalty or forfeiture. (ORDINANCE #98-12/JANUARY 4, 1999)

7.50.130 **FALSE REPORT OF EMERGENCY:** It shall be unlawful for any person to make a false report of an "emergency" to an officer, official, or employee of Pottawattamie County or who causes a false report to be made. (ORDINANCE #98-12/JANUARY 4, 1999)

7.50.140 **EFFECTIVE TIRES:** It is unlawful for any person to operate any vehicle on the roadways of Pottawattamie County without effective tires when snow, sleet or freezing rain cause slippery or hazardous conditions and such operation impedes or obstructs traffic. (ORDINANCE #98-12/JANUARY 4, 1999)

7.50.150 **PUSHING SNOW INTO ROADWAY:** ~~Except during private snow removal operations,~~ It is unlawful for any individual to deposit snow or ice on a public roadway in quantities adequate to hinder utilization of the roadway by the travelling public. Such deposits shall be removed as part of the private snow removal operations and before such operations cease. (ORDINANCE #98-12/JANUARY 4, 1999)

7.50.160 **PENALTY FOR VIOLATION:** The penalty for violating the provisions of this Chapter shall be as set forth in Chapter 1.75, except that the schedule of civil penalties shall be modified as follows:

A. First Offenses	\$ 50.00
B. Second Offense and Subsequent Offenses	\$100.00

(ORDINANCE #98-12/JANUARY 4, 1999)

Commented [JR3]: This phrase confuses me.

Commented [JR4R3]: The deletion makes more sense.

DRAFT

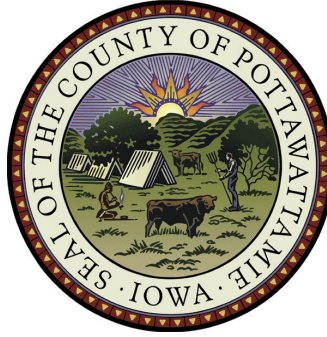


**Other Business**

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

Discussion and/or decision to approve and authorize  
Board to sign: Resolution No. 67-2024 entitled:  
Resolution for Transfer from Pott County Industrial Park  
Fund to Impact Fund.

**MELVYN HOUSER**  
**POTTAWATTAMIE COUNTY AUDITOR**  
**AND ELECTION COMMISSIONER**  
227 S. 6<sup>th</sup> St, Room 243  
P. O. BOX 649  
COUNCIL BLUFFS, IOWA 51502-0649



Phone (712) 328-5700  
FAX (712) 328-4740

November 26, 2024

Reso No. 67-2024

To: Heather Ausdemore

RE: Transfer from General Basic Fund to Impact Fund

As per board authorization of November 26, 2024, please transfer as follows:

\$ 101,740.49 **FROM:** 0053-99-0300-000-81400-000 (Pott County Industrial Park Fund)  
\$ 101,740.49 **TO:** 0049-0-99-0300-904000-000 (Impact Fund)

For transfer of funds from the Pott County Industrial Park Fund to the Impact Fund. Repayment of TIF funds to Impact Fund.

Thank You

Becky Lenihan  
Finance and Tax Officer

**RESOLUTION NO. 67-2024**

**RESOLUTION FOR TRANSFER FROM POTT COUNTY INDUSTRIAL PARK FUND TO IMPACT FUND**

**WHEREAS**, it is desired to transfer money from the Pott County Industrial Park Fund to the Impact 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 \$101,740.49 is ordered to be transferred from Pott County Industrial Park Fund to Impact Fund;

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

**Dated this 26th Day of November 2024.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____ Susan Miller, Chairperson	<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"/>
_____ Tim Wichman	<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"/>
_____ Jeff Jorgensen	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Melvyn Houser, County Auditor

**Jessica Rohrs/Executive  
Director, Family Crisis Center-  
Western Iowa Survivors of  
Homicide Unit and Matt  
Wilber/County Attorney –**

**Discussion and/or decision on  
request for funding.**

# Committee Appointments

Update from Board members on Committee meetings from the past week.

**Received/Filed**

GAAP SUMMARY

**ANNUAL FINANCIAL REPORT**  
**Statement of Revenues, Expenditures, and Changes in Fund Balance -- Actual and Budget**  
**For the fiscal year ended June 30, 2024**  
**County Name: POTTAWATTAMIE COUNTY County Number: 78**  
**FY 2023/2024 ANNUAL FINANCIAL REPORT**

Reporting Accounting Basics:	General	Special Revenue	Capital Projects	Debt Service	Permanent	Actual Totals	
<b>Revenues &amp; Other Financing Sources</b>							
Taxes Levied on Property	1 37,697,345	6,246,242		2,717,444		46,661,031	1
Less: Uncollected Delinquent Taxes - Levy Year	2					0	2
Less: Credits to Taxpayers	3					0	3
Net Current Property Taxes	4 37,697,345	6,246,242		2,717,444		46,661,031	4
Delinquent Property Tax Revenue	5 7,984	1,032		558		9,574	5
Penalties, Interest & Costs on Taxes	6 361,150					361,150	6
Other County Taxes/TIF Tax Revenues	7 4,322,121	5,568,978		148,448		10,039,547	7
Intergovernmental	8 24,673,226	9,026,390	8,603	169,512		33,877,731	8
Licenses & Permits	9 250	335,416				335,666	9
Charges for Service	10 3,550,424	52,628				3,603,052	10
Use of Money & Property	11 4,017,713	37,241	119,006	140,381		4,314,341	11
Miscellaneous	12 760,556	1,578,232	200,000			2,538,788	12
Subtotal Revenues	13 75,390,769	22,846,159	327,609	3,176,343	0	101,740,880	13
Other Financing Sources:							
General Long-Term Debt Proceeds	14					0	14
Operating Transfers In	15 3,645,000	9,124,301	232,516	602,800		13,604,617	15
Proceeds of Capital Asset Sales	16	83,768				83,768	16
<b>Total Revenues &amp; Other Sources</b>	17 79,035,769	32,054,228	560,125	3,779,143	0	115,429,265	17
<b>Expenditures &amp; Other Financial Sources</b>							
<b>Operating:</b>							
Public Safety and Legal Services	18 38,218,364	630,399				38,848,763	18
Physical Health Social Services	19 5,146,814	282,904				5,429,718	19
Mental Health, ID & DD (Polk County only)	20					0	20
County Environment and Education	21 8,708,910	2,502,652				11,211,562	21
Roads & Transportation	22 496	15,740,360				15,740,856	22
Government Services to Residents	23 2,415,669	16,720				2,432,389	23
Administration	24 15,735,252	659				15,735,911	24
Nonprogram Current	25					0	25
Debt Service	26			3,541,704		3,541,704	26
Capital Projects	27	765,749	7,007,427			7,773,176	27
<b>Subtotal Expenditures</b>	28 70,225,505	19,939,443	7,007,427	3,541,704	0	100,714,079	28
<b>Other Financing Uses:</b>							
Operating Transfers Out	29 5,762,726	9,609,375		232,516		15,604,617	29
Refunded Debt/Payments to Escrow	30					0	30
<b>Total Expenditures &amp; Other Uses</b>	31 75,988,231	29,548,818	7,007,427	3,774,220	0	116,318,696	31
<b>Excess of Revenues &amp; Other Sources</b>							
<b>Over (Under) Expenditures &amp; Other Uses</b>	32 3,047,538	2,505,410	-6,447,302	4,923	0	-889,431	32
Beginning Fund Balance - July 1, 2023	33 44,257,131	18,123,688	7,810,611	878,283		71,069,713	33
Increase (Decrease) in Reserves	34					0	34
Fund Balance - Nonspendable	35 876,433	1,545,581				2,422,014	35
Fund Balance - Restricted	36 10,538,316	19,623,517	1,363,309	883,206		32,408,348	36
Fund Balance - Committed	37					0	37
Fund Balance - Assigned	38 7,872,921					7,872,921	38
Fund Balance - Unassigned	39 28,016,999	-540,000				27,476,999	39
<b>Total Ending Fund Balance - June 30, 2024</b>	40 47,304,669	20,629,098	1,363,309	883,206	0	70,180,282	40



# Public Comments

# **Scheduled Sessions**

**Discussion and/or decision on Introductory Pay.**

# **Steve Noecker**

**Discussion and/or decision on grievance and personnel matters.**

**Closed Session**