

January 7, 2020

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. January 2, 2020, Minutes as read.
- B. Publication of Claims Allowed for December 2019.
- C. Engineer/Secondary Roads – Job Reclassification of Brady DeYeager from Engineering Tech II, to Engineering Tech III.

UNANIMOUS VOTE. Motion carried.

2. SCHEDULED SESSIONS

Motion by Belt, second by Wichman, to open public hearing on proposed preliminary plat of I-29/I-80 Industrial Park, a subdivision situated in Lewis Township. **Roll Call Vote: AYES: Drake, Belt, Schultz, Wichman, Grobe. Motion carried.**

Motion by Belt, second by Drake, to close public hearing. **Roll Call Vote: AYES: Drake, Belt, Schultz, Wichman, Grobe. Motion carried.**

Motion by Drake, second by Belt, to approve and authorize Board to sign **Planning and Zoning Resolution No. 2020-01**. Said Resolution is set out as follows:

**PLANNING AND ZONING
RESOLUTION NO. 2020-01**

WHEREAS, the proposed preliminary plat, variance and supporting documents for **I-29/I-80 Industrial Park**, a subdivision situated in **Lewis Township**, has been filed with the Pottawattamie County Planning and Zoning Commission for its study and recommendation under **Case #SUB-2019-09**; and

WHEREAS, said Commission conducted a public hearing on December 16, 2019, 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 7, 2020 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 **I-29/I-80 Industrial Park**, be, and the same is hereby approved as the preliminary plat of said subdivision, subject to the following conditions.

1. The Road Agreement shall be submitted.
2. The Developer's Agreement shall be submitted.

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 it's consideration.

PASSED AND APPROVED January 7, 2020.

ROLL CALL VOTE

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

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion by Belt, second by Drake, to approve and authorize Board to sign **Planning and Zoning Resolution No. 2020-02**. Said Resolution is set out as follows:

**PLANNING AND ZONING
RESOLUTION NO. 2020-02**

WHEREAS, this Board had approved the preliminary plat of **Oliver Acres**, a residential subdivision situated in **Hardin Township**, by approval of Planning and Zoning Resolution No. **2019-08**, dated **September 24, 2019**; 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-2019-04**; 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 **Oliver Acres**, 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 January 7, 2020.

ROLL CALL VOTE

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

_____	○	○	○	○
Scott Belt				
_____	○	○	○	○
Marilyn Jo Drake				
_____	○	○	○	○
Lynn Grobe				

ATTEST: _____
 Melvyn Houser, County Auditor

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

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Belt, to approve the reappointments of Lynn Leaders and Nelson Bingham to the Pottawattamie County Planning and Zoning Commission. Said appointments will be five year terms, from January 1, 2020, and expiring December 31, 2024. UNANIMOUS VOTE. Motion carried.

After discussion was held by the Board, a Motion was made by Belt, and seconded by Drake, to approve the appointment of Lynn Leaders to the Pottawattamie County Zoning Board of Adjustment. Said appointment will be a five year term, from January 1, 2020, and expiring December 31, 2024. UNANIMOUS VOTE. Motion carried.

After discussion was held by the Board, a Motion was made by Belt, and seconded by Drake, to approve the reappointment of Bob Mings to the Appeal Board. Said appointment will be a five year term, beginning January 1, 2020, and expiring December 31, 2024. UNANIMOUS VOTE. Motion carried.

Motion by Drake second by Wichman, to approve and authorize Board to sign **Resolution No. 09-2020**, a Resolution entitled: Resolution Endorsing an Application for RISE Program Funding to Reconstruct Portions of 192nd Street and Construct Internal Roads for a 26-Acre Industrial Development in Pottawattamie County. Said Resolution is set out as follows:

RESOLUTION NO. 09-2020

A RESOLUTION ENDORSING AN APPLICATION FOR RISE PROGRAM FUNDING TO RECONSTRUCT PORTIONS OF 192nd STREET AND CONSTRUCT INTERNAL ROADS FOR A 26-ACRE INDUSTRIAL DEVELOPMENT IN 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 is responsible for the maintenance and construction of secondary roads in Pottawattamie County; and

WHEREAS, Pottawattamie County desires to improve 192nd Street south of the City of Council Bluffs and to construct a new road into the 26-acre industrial development known as “I-80 Industrial Park”; and

WHEREAS, the improvements to 192nd Street and the internal road into the I-80 Industrial Park are estimated to cost \$1,186,404 (“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 \$593,202 for the Project; and

WHEREAS, the RISE Program requires matching funds in the amount of \$593,202 which will be guaranteed jointly by Pottawattamie County and Armstrong Investments LLC; and

WHEREAS, the Project will provide 26-acres of land for immediate industrial development in Pottawattamie County as well as open up additional industrial development along 192nd Street; 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 February 1, 2020 to fund the improvements to 192nd Street and new roadway into the I-80 Industrial Park.

BE IT FURTHER RESOLVED that the road improvements will be dedicated to public use; and

BE IT FURTHER RESOLVED that the road improvements constructed and reconstructed under this project will be the jurisdictional responsibility of Pottawattamie County and will be adequately maintained by this entity.

Dated this 7th day of January, 2020.

ROLL CALL VOTE

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

ATTEST: _____
Melvyn Houser, County Auditor

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

Pottawattamie County resident Jill Mowery came before the Board to discuss damage on her property at Mynster Springs Road. Said damage was the result of trees being removed on property adjacent to her property, of which Charlie Nelsen is the owner of said property. This was a discussion only. No action was taken.

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Drake, to approve to combine six of the Courthouse renovation projects into one project; and authorization for Chairman to sign HGM Associates, Inc.’s letter form agreement, setting out the combined six projects. UNANIMOUS VOTE. Motion carried.

After discussion was held by the Board, a Motion was made by Belt, and seconded by Grobe, to approve the content of AIA Document B101 – 2017, Standard Form of Agreement Between Pottawattamie County Board of Supervisors and DLR Group, Inc. for the expansion at the Sheriff’s Office; Additions and Deletions Report for AIA Document B101 -2017; AIA Document A201 – 2017, General Conditions of the Contract for Construction; Additions and Deletions Report for AIA Document A201-2017; DLR Group Hourly Billing Rates; AIA Document E203–2013, Building Information Modeling and Digital Date Exhibit; and Additions and Deletions Report for AIA Document E203-2013. UNANIMOUS VOTE. Motion carried.

Motion by Wichman, second by Belt, to close meeting pursuant to Iowa Code Section 20.17(3) which exempts meetings to discuss strategies in collective bargaining from the provision of Iowa Code Chapter 21 (Open Meetings). **Roll Call Vote: AYES: Drake, Belt, Schultz, Wichman, Grobe. Motion carried.**

Motion by Belt, Wichman, to convene in open session. **Roll Call Vote: AYES: Drake, Belt, Schultz, Wichman, Grobe. Motion carried.**

3. RECEIVED/FILED

A. Salary Actions:

- 1) WIC – Payroll Status Change of Blanca Ponce-Dominguez, and Wei Kay Eng.

4. ADJOURN

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

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:50 AM.

Justin Schultz, Chairman

ATTEST: _____
Melvyn Houser, County Auditor

APPROVED: January 14, 2020
PUBLISH: X