

May 11, 2021

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 Shea, and second by Schultz to approve:

- A. May 4, 2021, Minutes as read.
- B. 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.
- C. 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.
- D. Public Health – Employment of Jeffry Peterson as Part Time Recycle Center Attendant.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Wichman, second by Shea, to approve and authorize Chairman to sign Tower Lease Agreement with Omaha Cellular Telephone Company d/b/a Verizon Wireless.

UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Schultz, to approve Lockton Consulting Agreement.

UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Schultz, to approve funding request for planning for American Rescue Plan and/or any other available state or federal funding for Pottawattamie County and Communities not to exceed \$35,000 to be paid from the Gaming Fund UNANIMOUS VOTE. Motion Carried.

Discussion was held with Planning Director Matt Wyant regarding a services agreement with Field Day Development. Discussion only. No action taken.

Motion made by Wichman, second by Schultz, to approve and authorize Chairman to sign contract with Mecco-Henne Contracting for the Courthouse Addition Project.

UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Schultz, to approve HGM's proposal for Courthouse Parking Feasibility Study in the amount of \$9,200 to be taken from the gaming fund.

UNANIMOUS VOTE. Motion Carried.

Discussion was held regarding Resolution No. 96-2020. Discussion only. No action taken.

3. OTHER BUSINESS

Motion made by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 34-2021** entitled: RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSAL TO REALLOCATE CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2020A, OF POTTAWATTAMIE COUNTY, IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF with Public Hearing to be held June 1st, 2021 at 10:00 A.M.

RESOLUTION NO. 34-2021**RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSAL TO REALLOCATE CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2020A, OF POTTAWATTAMIE COUNTY, IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF**

WHEREAS, the Board of Supervisors of Pottawattamie County, Iowa has previously issued its General Obligation Capital Loan Notes, Series 2020A, in the aggregate principal amount of \$4,610,000 (the "Series 2020A Notes"), for costs of:

- a) equipping, remodeling, or reconstruction of public buildings including equipping the Courthouse with a fiber network;
- b) equipping, remodeling, or reconstruction of public buildings including software and card readers for doors on multiple public buildings;
- c) equipping of public buildings including software for the County Attorney's office;
- d) peace officer communication equipment and other emergency services communication equipment and systems including a vehicle for emergency response situations;
- e) a vehicle for the use of risk management which is necessary for the operation of the county;
- f) sheriff vehicles which are necessary for the operation of the county or the health and welfare of its citizens;
- g) acquisition and development of land for a public park or other recreation or conservation purpose including a maintenance building and shower facility at Botna Bend Park;
- h) acquisition and development of land for a public park or other recreation or conservation purpose, including a new dock and asphalt parking at Narrows Park;
- i) acquisition and development of land for a public park or other recreation or conservation purpose, including RV hook-ups and hard surface roads at Old Towne Park;
- j) acquisition and development of land for a public park or other recreation or conservation purpose, including a shower facility at Arrowhead Park;
- k) acquisition and development of land for a public park or other recreation or conservation purpose, including entrance renovation, a 3 lane entry and additional parking at Hitchcock Park;
- l) acquisition and development of land for a public park or other recreation or conservation purpose, including road resurfacing at County Parks;
- m) equipping, remodeling, or reconstruction of public buildings including equipping jail with programmable logic control upgrades;
- n) equipping, remodeling, or reconstruction of public buildings including equipping the Courthouse with access control and video surveillance and the jail with camera upgrades; and

WHEREAS, certain proceeds of the Series 2020A Notes remain unspent, and County staff has recommended that not to exceed \$100,000 of such unspent proceeds originally related to the Series 2020A Notes (hereinafter referred to as the "Unspent Proceeds") be applied for the acquisition and equipping of a sheriff vehicle and trailer which are necessary for the operation of the county or the health and welfare of its citizens; and

WHEREAS, there being no procedure specified under Iowa law for consideration or approval of such a reallocation, it is hereby determined, pursuant to Section 331.301(5) of the Code of Iowa, that the procedure set forth in Section 331.442 should apply and that a hearing be held upon the proposal to reallocate the Unspent Proceeds to provide funds for paying costs of the acquisition and equipping of a sheriff vehicle and trailer which are necessary for the operation of the county or the health and welfare of its citizens.

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 1st day of June, 2021, for the purpose of taking action on the matter of the proposed reallocation of certain Unspent Proceeds of the Series 2020A Notes to provide funds for paying costs of the acquisition and equipping of a sheriff vehicle and trailer which are necessary for the operation of the county or the health and welfare of its citizens.

Section 2. That the Auditor is hereby directed to cause one publication to be made of notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in said City, said publication to be not less than ten nor more than twenty clear days before the date of said public meeting.

Section 3. The notice of the proposed action shall be in substantially the following form:

(To be published between May 12, 2021 and May 22, 2021, inclusive)

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, STATE OF IOWA, ON THE MATTER OF THE PROPOSED REALLOCATION OF CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2020A, OF POTTAWATTAMIE COUNTY, IOWA, AND THE PUBLIC HEARING THEREON

PUBLIC NOTICE is hereby given that the Board of Supervisors of Pottawattamie County, State of Iowa, will hold a public hearing on the 1st day of June, 2021, 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 reallocation of Unspent Proceeds of the General Obligation Capital Loan Notes, Series 2020A (the "Series 2020A Notes") of Pottawattamie County, Iowa, in the aggregate amount of not to exceed \$100,000, in order to provide funds to pay costs of the acquisition and equipping of a sheriff vehicle and trailer which are necessary for the operation of the county or the health and welfare of its citizens.

At any time before the date of the meeting, a petition, asking that the reallocation 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.

Any person interested may appear at the public hearing, either orally or in writing, and be heard as to the reallocation of said proceeds of the Series 2020A Notes for the above purposes.

This notice is given by order of the Board of Supervisors of Pottawattamie County, State of Iowa, as provided by Sections 331.301(5) and 331.442 of the Code of Iowa, as amended.

Dated this 11th day of May, 2021.

County Auditor, Pottawattamie County, State of Iowa

(End of Notice)

Dated this 11th day of May, 2021.

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

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion made by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 35-2021** entitled: RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSAL TO REALLOCATE CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2020A, OF POTTAWATTAMIE COUNTY, IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF with Public Hearing to be held June 1st, 2021 at 10:00 A.M.

RESOLUTION NO. 35-2021

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSAL TO REALLOCATE CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2020A, OF POTTAWATTAMIE COUNTY, IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, the Board of Supervisors of Pottawattamie County, Iowa has previously issued its General Obligation Capital Loan Notes, Series 2020A, in the aggregate principal amount of \$4,610,000 (the "Series 2020A Notes"), for costs of:

- a) equipping, remodeling, or reconstruction of public buildings including equipping the Courthouse with a fiber network;
- b) equipping, remodeling, or reconstruction of public buildings including software and card readers for doors on multiple public buildings;
- c) equipping of public buildings including software for the County Attorney's office;

- d) peace officer communication equipment and other emergency services communication equipment and systems including a vehicle for emergency response situations;
- e) a vehicle for the use of risk management which is necessary for the operation of the county;
- f) sheriff vehicles which are necessary for the operation of the county or the health and welfare of its citizens;
- g) acquisition and development of land for a public park or other recreation or conservation purpose including a maintenance building and shower facility at Botna Bend Park;
- h) acquisition and development of land for a public park or other recreation or conservation purpose, including a new dock and asphalt parking at Narrows Park;
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- m) equipping, remodeling, or reconstruction of public buildings including equipping jail with programmable logic control upgrades;
- n) equipping, remodeling, or reconstruction of public buildings including equipping the Courthouse with access control and video surveillance and the jail with camera upgrades; and

WHEREAS, certain proceeds of the Series 2020A Notes remain unspent, and County staff has recommended that not to exceed \$300,000 of such unspent proceeds originally related to the Series 2020A Notes (hereinafter referred to as the "Unspent Proceeds") be applied for the acquisition and equipping of a critical incident multipurpose vehicle for use in emergencies, natural disasters and other purposes which are necessary for the operation of the county or the health and welfare of its citizens; and

WHEREAS, there being no procedure specified under Iowa law for consideration or approval of such a reallocation, it is hereby determined, pursuant to Section 331.301(5) of the Code of Iowa, that the procedure set forth in Section 331.442 should apply and that a hearing be held upon the proposal to reallocate the Unspent Proceeds to provide funds for paying costs of the acquisition and equipping of a critical incident multipurpose vehicle for use in emergencies, natural disasters and other purposes which are necessary for the operation of the county or the health and welfare of its citizens.

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 1st day of June, 2021, for the purpose of taking action on the matter of the proposed reallocation of certain Unspent Proceeds of the Series 2020A Notes to provide funds for paying costs of the acquisition and equipping of a critical incident multipurpose vehicle for use in emergencies, natural disasters and other purposes which are necessary for the operation of the county or the health and welfare of its citizens.

Section 2. That the Auditor is hereby directed to cause one publication to be made of notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in said City, said publication to be not less than ten nor more than twenty clear days before the date of said public meeting.

Section 3. The notice of the proposed action shall be in substantially the following form:

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At any time before the date of the meeting, a petition, asking that the reallocation 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.

Any person interested may appear at the public hearing, either orally or in writing, and be heard as to the reallocation of said proceeds of the Series 2020A Notes for the above purposes.

This notice is given by order of the Board of Supervisors of Pottawattamie County, State of Iowa, as provided by Sections 331.301(5) and 331.442 of the Code of Iowa, as amended.

Dated this 11th day of May, 2021.

County Auditor, Pottawattamie County, State of Iowa

(End of Notice)

Dated this 11th day of May, 2021.

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

ATTEST: _____
Melvyn Houser, County Auditor

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

Motion made by Shea, second by Wichman, to approve HR Director Jana Lemrick to proceed with planning for an Elected Official/Department Head retreat. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve job description for Volunteer and Facilities Coordinator. UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Actions

- 1) Sheriff- Payroll Status Change for Trey Carstens, Jeremy Harker, Rikayla Redding
- 2) Auditor – Payroll Status Change for Becky Lenihan
- 3) Conservation – Employment of Ashley Jones and Sarah Fleenor as Seasonal EE Intern, Isaac Heilman and Kaden McDermott as Seasonal AH Park Ranger Intern.
- 4) Public Health – Payroll Status Change for Candy Heyer
- 5) Jail – Payroll Status Change for Kenny Loghry

B. Reports

- 1) Recorder’s Fee Book for April 2021

5. CLOSED SESSION

Motion by Wichman, 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: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried.

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

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

Motion by Motion by Wichman, 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: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried.

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

Roll Call Vote: AYES: Belt, Wichman, 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 12:58 P.M.

Scott A. Belt, Chairman

ATTEST:

Melvyn Houser, Pottawattamie County Auditor

APPROVED: May 18, 2021
PUBLISH: X