

July 27, 2021

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M. All members, except Supervisor Schultz present with Supervisor Grobe appearing via teleconference. Chairman Belt presiding.

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. July 20, 2021, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Wichman, second by Shea, to open Public Hearing on disposal of county-owned property under Iowa Code Section 331.361, legally described as: Lot 2 and the South 2 feet of Lot 1, Block 12 of Jacksons Addition, all located in Council Bluffs, Pottawattamie County, Iowa (commonly referred to as 706 South 3rd Street).

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

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

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

Motion by Wichman, second by Shea, to approve and authorize Board to sign Resolution No. 72-2021 to authorize disposal of county-owned property under Iowa Code Section 331.361, legally described as: Lot 2 and the South 2 feet of Lot 1, Block 12 of Jacksons Addition, all located in Council Bluffs, Pottawattamie County, Iowa (commonly referred to as 706 South 3rd Street).

RESOLUTION NO. 72-2021

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, on March 18, 2021, Pottawattamie County, Iowa acquired the property by tax sale deed; and

WHEREAS, the Pottawattamie County Development Corporation d/b/a The 712 Initiative has expressed interest in obtaining title and ownership of said property from Pottawattamie County, Iowa, for rehabilitation of the property and creation of owner-occupied housing; and

WHEREAS, the assessed value of said property in 2019 was found to be \$46,829 and the 712 Initiative 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 706 South 3rd Street, and legally described as follows:

Lot 2 and the South 2 feet of Lot 1, Block 12 of Jacksons Addition, all located in Council Bluffs, Pottawattamie County, Iowa.

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized, empowered and directed to cause a Quit Claim Deed to be prepared, duly executed, and recorded along with this Resolution and the Proof of Publication of the “Notice of Public Hearing”.

Dated this 27th Day of July, 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, Shea. Motion Carried.

Motion made by Shea, second by Wichman, to open Public Hearing on disposal of county-owned property under Iowa Code Section 331.361, legally described as: Lot 7 and the East 13 1/3’ of Lot 8, Block 5 of Squires Addition, all located in Council Bluffs, Pottawattamie County, Iowa (commonly referred to as 2117 5th Avenue).

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

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

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

Motion by Wichman, second by Shea, to approve and authorizing Board to sign **Resolution No. 73-2021** to authorize disposal of county-owned property under Iowa Code Section 331.361, legally described as: Lot 7 and the East 13 1/3’ of Lot 8, Block 5 of Squires Addition, all located in Council Bluffs, Pottawattamie County, Iowa (commonly referred to as 2117 5th Avenue);

RESOLUTION NO. 73-2021

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, on March 18, 2021, Pottawattamie County, Iowa acquired the property by tax sale deed; and

WHEREAS, the Pottawattamie County Development Corporation d/b/a The 712 Initiative has expressed interest in obtaining title and ownership of said property from Pottawattamie County, Iowa, for rehabilitation of the property and creation of owner-occupied housing; and

WHEREAS, the assessed value of said property in 2019 was found to be \$23,200 and the 712 Initiative 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 2117 5th Avenue, and legally described as follows:

Lot 7 and the East 13 1/3’ of Lot 8, Block 5 of Squires Addition, all located in Council Bluffs, Pottawattamie County, Iowa.

BE IT FURTHER RESOLVED that the County Auditor be and is hereby authorized, empowered and directed to cause a Quit Claim Deed to be prepared, duly executed, and recorded along with this Resolution and the Proof of Publication of the “Notice of Public Hearing”.

Dated this 27th Day of July, 2021.

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

Motion made by Shea, second by Wichman, to approve and authorize Chairman to sign CDBG contract extension letter addressed to the Iowa Economic Development Authority. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve tax suspension pursuant to Iowa Code Section 427.9, for property located at 2809 Summner Dr, Council Bluffs, Iowa. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve Application for Use of Pottawattamie County Grounds for the Bible Reading Marathon on September 9th -11th. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Wichman, to approve Sheriff’s Office Expansion Project COR-001, Change from Trusses to Beams. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve Courthouse Addition Project CRC 002 – Master Schedule Modifications. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve Final plat of Bond Subdivision, a subdivision situated in Lewis Township; and sign **Planning and Zoning Resolution 2021-02**.

**PLANNING AND ZONING
RESOLUTION NO. 2021-02**

WHEREAS, this Board had approved the preliminary plat of **Bond Subdivision**, a residential subdivision situated in **Lewis Township**, by approval of Planning and Zoning Resolution No. **2021-01**, dated **July 13, 2021**; 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-2021-01**; 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 plat of **Bond 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.

Dated this 27th Day of July, 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, Shea. Motion Carried.

3. OTHER BUSINESS

Motion made by Wichman, second by Shea, to approve and authorize Chairman to sign contract between MAPA and Pottawattamie County GIS for FY22 GIS Activities. UNANIMOUS VOTE. Motion Carried.

Motion made by Shea, second by Wichman, to approve and authorize Board to sign **Resolution No. 74-2021** entitled: RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSAL TO REALLOCATE CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2018, OF POTTAWATTAMIE COUNTY, IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF.

RESOLUTION NO. 74-2021

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSAL TO REALLOCATE CERTAIN UNSPENT PROCEEDS OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2018, 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 2018, in the aggregate principal amount of \$5,260,000 (the "Series 2018 Notes"), for costs of:

- a) equipping public buildings with computers and software from the Zuercher Suite pertaining to document management, storage and retrieval, in an amount not to exceed \$550,000;
- b) peace officer communication equipment and other emergency services communication equipment and system provided in the Zuercher Suite, radio upgrades and improvements to the Carson Tower, in an amount not to exceed \$1,300,000;
- c) equipping, remodeling and reconstruction of the Sheriff's Department and the Jail, in an amount not to exceed \$520,000;
- d) works and facilities useful for the collection and disposal of solid waste, including vehicles and buildings used for recycling, in an amount not to exceed \$370,000;
- e) equipping of public buildings including the digitalization of records in the County Recorder's office, in an amount not to exceed \$120,000;
- f) equipping, remodeling and reconstructing the Courthouse basement, in an amount not to exceed \$300,000;
- g) equipping, remodeling and reconstructing the first floor of the Courthouse, in an amount not to exceed \$900,000;
- h) architectural and engineering studies, plans and designs for the future equipping, remodeling, reconstruction and extension of the current Law Enforcement Center building, in an amount not to exceed \$900,000;
- i) vehicles for the Sheriff's Department; and

WHEREAS, certain proceeds of the Series 2018 Notes remain unspent, and County staff has recommended that not to exceed \$389,021.42 of such unspent proceeds originally related to the Series 2018 Notes (hereinafter referred to as the "Unspent Proceeds") be applied for the equipping, remodeling, or reconstruction of public buildings; 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 331.443 should apply and that a hearing be held upon the proposal to reallocate the Unspent Proceeds to provide funds for paying costs of the equipping, remodeling, or reconstruction of public buildings.

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 10th day of August, 2021, for the purpose of taking action on the matter of the proposed reallocation of certain Unspent Proceeds of the Series 2018 Notes to provide funds for paying costs of the equipping, remodeling, or reconstruction of public buildings.

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 on or before: August 6, 2021)

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 2018, 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 10th day of August, 2021, at 10:00A.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 2018 (the "Series 2018 Notes") of Pottawattamie County, Iowa, in the aggregate amount of not to exceed \$389,021.42, in order to provide funds to pay costs of the equipping, remodeling, or reconstruction of public buildings.

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 2018 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 331.443 of the Code of Iowa, as amended.

Dated this 27th day of July, 2021.

County Auditor, Pottawattamie County, State of Iowa

(End of Notice)

Dated this 27th Day of July, 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, Shea. Motion Carried.

4. RECEIVED/FILED

A. Salary Actions

- 1) Planning – Payroll Status Change for Matthew Wyant, Deborah Miller
- 2) Juvenile Detention – Payroll Status Change for Zachary Matthews, Logan Pruitt as Part-Time Youth Corrections Worker
- 3) Conservation – Payroll Status Change for Sarah Fleenor, Ashley Jonas
- 4) Attorney – Payroll Status Change for Patrick Eppler, Dawn Brockman
- 5) EMA – Payroll Status Change for Douglas Reed
- 6) Conservation – Employment of Dana Kruse as Volunteer and Facilities Coordinator.

5. ADJOURN

Motion by Wichman, second by Shea, to adjourn meeting. UNANIMOUS VOTE. Motion Carried. THE BOARD ADJOURNED SUBJECT TO CALL AT 11:21 A.M.

Scott A. Belt, Chairman

ATTEST: _____
Melvyn Houser, Pottawattamie County Auditor

APPROVED: August 3, 2021
PUBLISH: X