

Consent Agenda

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

Scheduled Sessions

**Matt Wyant/Director, Planning and
Development and/or Pam Kalstrup/Zoning
and Land Use Coordinator, Planning and
Development.**

Public Hearing and First Consideration of Ordinance No. 2022-01, and 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.

RECORDER'S COVER SHEET

Prepared by:

Pottawattamie County Office of Planning and Development
223 South 6th Street, Suite 4
Council Bluffs, IA 51501-4245
(712) 328-5792

Return Document to:

Pottawattamie County Office of Planning and Development
223 South 6th Street, Suite 4
Council Bluffs, IA 51501-4245
(712) 328-5792

Document Title:

Pottawattamie County
Ordinance #2022-01

**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

Justin Schultz

Lynn Grobe

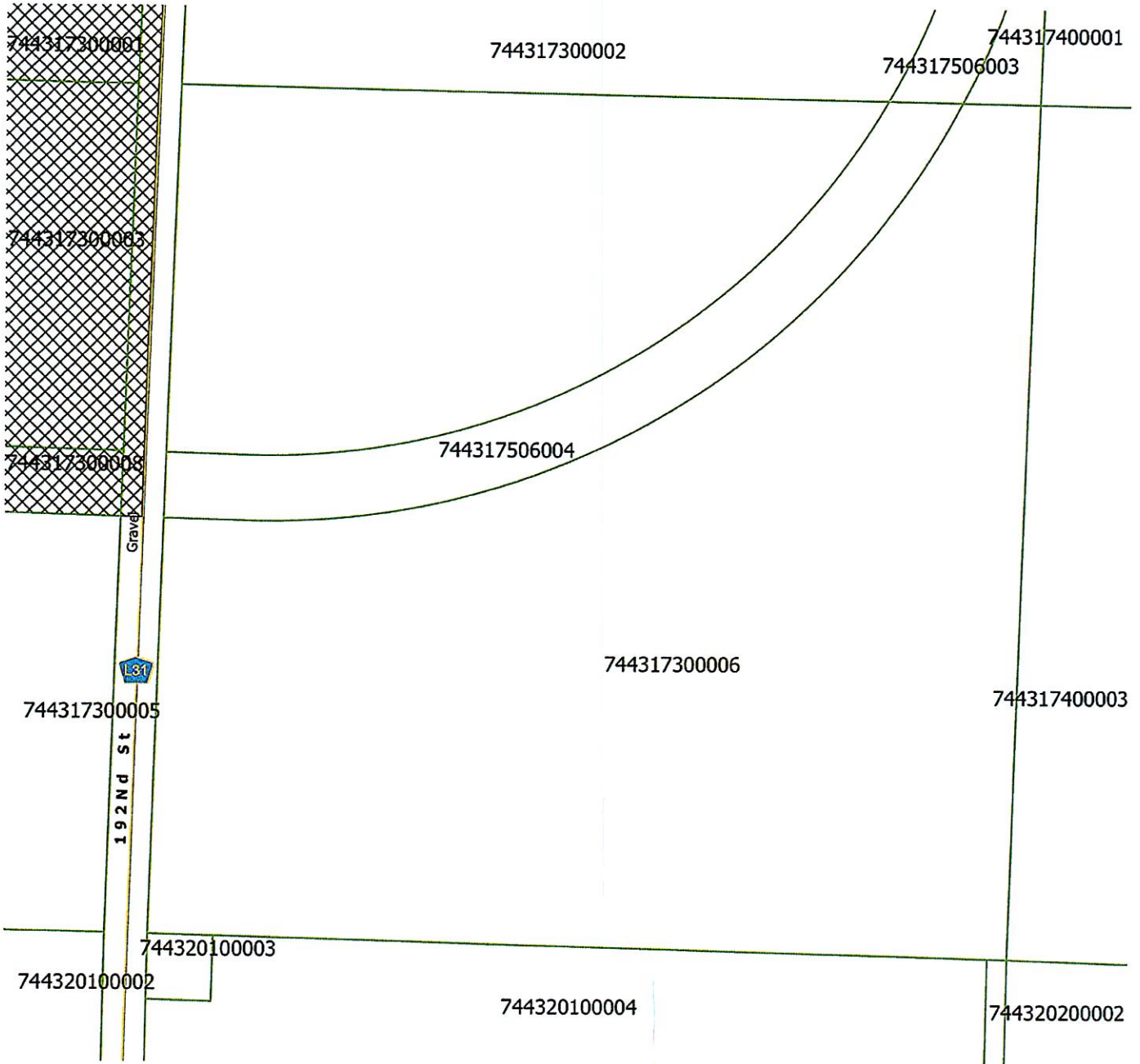
Brian Shea

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



TO: Board of Supervisors
FROM: Pam Kalstrup
DATE: February 3, 2022

RE: #ZMA-2022-01

REQUEST: Zoning Map Amendment to reclassify approximately 35.84 acres from a Class A-3 (Riverfront & Ag Production) to a Class I-1 (Limited Industrial).

LOCATION: Lewis Township

192nd St

17-74-43 SE SW EXC RR

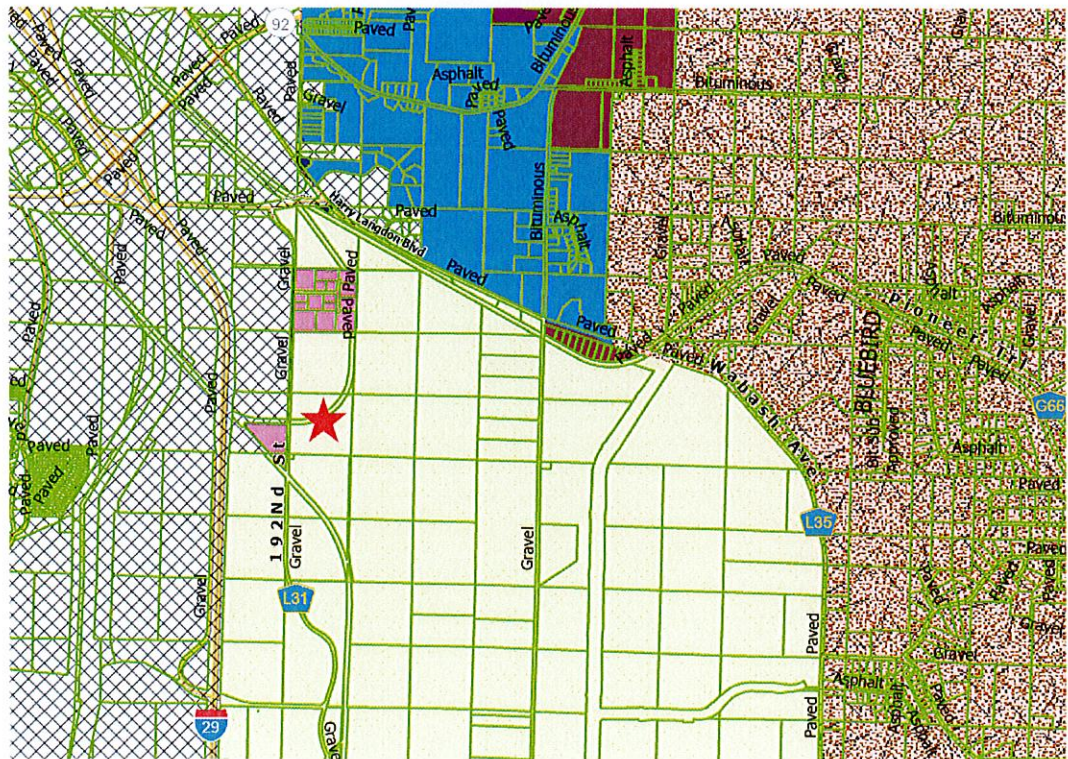
The subject property is located adjacent to the city limits of Council Bluffs on 192nd St.



PROPERTY OWNER: John – Katy Cox

GENERAL INFORMATION: The applicant has requested that approximately 35.84 acres, which are currently zoned A-3 (River Front & Agricultural Production) District, be rezoned to I-1 (Limited Industrial).

SITE & AREA REVIEW: The properties in the immediate area are a mixture of agricultural ground and industrial properties I-29 and the railroad are in close proximity.



- 4 Zoning (Pottawattamie County, IA)
 -  A1 Open Space and Conservation
 -  A2 Agricultural Production
 -  A3 River Front and Ag Production
 -  A4 Loess Hills Landform
 -  C1 Highway Commercial
 -  C2 General Commercial
 -  C3 Commercial Recreational
 -  I1 Limited Industrial
 -  I2 General Industrial
 -  R1 Agricultural-Urban Transitional
 -  R2 Urban Transitional
 -  R3 Urban Residential
 -  R5 Planned Residential

SITE REVIEW: The parcel is currently ag ground.

LAND USE PLAN: This proposed Zoning Map Amendment aligns with the Comprehensive and Land Use Plan.

INDUSTRIAL AREAS

Future industrial usage is encouraged to locate in close proximity to major transportation routes within the 2-mile limit of Council Bluffs and ½-mile of each of the other communities or in specific rural areas such as along railroad or highway corridors. The types of industries that should be encouraged in these areas should include "light manufacturing" and "general industrial" types, such as high tech or agriculture related industries. These types of industries are typically clean and efficient in operation and provide varied classifications of employment opportunities.

ROADS & TRAFFIC: Access to the subject property is gained from 192nd Street, a gravel county road. The 2016 Iowa Department of Transportation Traffic Flow Map indicated an average traffic flow of 430 vehicles per day.

COMMISSION

RECOMMENDATION: On January 24, 2022 the Planning Commission conducted their public hearing on this request and made the following recommendation:

Motion: to recommend that the request of John – Katy Cox, as filed under Case #ZMA-2022-01, be approved as submitted.

Motion by: Leaders.

Second by: Silkworth.

Vote: Ayes –Silkworth, Leaders, B. Larson. Motion Carried

Pam Kalstrup

From: Christopher Gibbons <cgibbons@councilbluffs-ia.gov>
Sent: Friday, January 7, 2022 1:28 PM
To: Pam Kalstrup; Brandon Garrett
Subject: RE: Cox property

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Pam,

Thank you for sending us this notification. Can you let us know what they plan to do on this property?

Here are some comments about the request:

The subject property is located immediately east of the City's corporate limits. There is CB public water along this section of S. 192nd Street and any connection into said water line must be approved by Council Bluffs Water Works. City sanitary sewer and storm sewers are not available to this property to support an intensive industrial user.

The property is located within the proposed City Growth Area 1B, which means any future subdivision action will require annexation. This requirement will go into effect once the City/County update their 2-mile agreement later this winter.

At this time I don't have any specific comments for site improvements (e.g., paving and setbacks) as that is all currently regulated by County zoning. Once we develop a set of joint unified development standards for properties in the two-mile area, I'll provide comments on building setbacks, lot coverage, off-street parking, etc. for future rezoning requests.

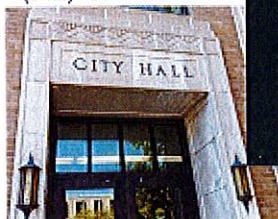
Again, thank you for sharing this information and asking for our comments on this request.

Have a great weekend!

Christopher N. Gibbons, AICP

Planning Manager
Community Development Department
City of Council Bluffs
209 Pearl Street
Council Bluffs, IA 51503
Office: 712-890-5358

CITY HALL
LOWER LEVEL
209 PEARL ST
(712) 890-5350



YES,
WE'RE
OPEN!



PLEASE CONTINUE
TO CALL OR EMAIL
WITH QUESTIONS
WHEN POSSIBLE

[Visit Council Bluffs Online](#)

**Matt Wyant/Director, Planning and
Development and/or Maria Sieck/Public
Health Admin and Representatives from
Field Day Development and Alley Poyner
Macchietto Architecture.**

Update on Public Health Building Project.

Tom Kallman / Manager, Regional Water

Update on rural water extension to Pioneer Trail.

John Rasmussen / Engineer

**Receive and open bids for the Roads
Operation Center Facilities.**

Grant Anderson / MAPA

**Discussion and/or decision to approve
Cornerstone Commercial Contractors pay
application no. 08 for Carson/Macedonia
downtown rehab.**

PAYMENT APPLICATION

TO: Pottawattamie County, Iowa 227 South 6th St Council Bluffs, IA 51501	PROJECT NAME AND LOCATION: Carson Macedonia Façade CDBG Pottawattamie County, Iowa Façade Re various locations Macedonia, Iowa and Carson, Iowa	APPLICATION # 8 PERIOD THRU: 01/28/2022 PROJECT #s: Pott County Façade	Distribution to: <input type="checkbox"/> OWNER <input type="checkbox"/> ARCHITECT <input type="checkbox"/> CONTRACTOR <input type="checkbox"/>
FROM: Cornerstone Commercial Contractors, Inc. 401 7th St Corning, Iowa 50841	ARCHITECT: The Franks Design Group 410 First Street Glenwood, Iowa 51534	DATE OF CONTRACT: 03/10/2021	
FOR: façade rehabilitation			

CONTRACTOR'S SUMMARY OF WORK

Application is made for payment as shown below.
Continuation Page is attached.

1. CONTRACT AMOUNT	\$464,670.00
2. SUM OF ALL CHANGE ORDERS	\$102,035.00
3. CURRENT CONTRACT AMOUNT (Line 1 +/- 2)	\$566,705.00
4. TOTAL COMPLETED AND STORED (Column G on Continuation Page)	\$404,112.50
5. RETAINAGE:	
a. 5.00% of Completed Work (Columns D + E on Continuation Page)	\$19,301.08
b. 5.00% of Material Stored (Column F on Continuation Page)	\$904.55
Total Retainage (Line 5a + 5b or Column I on Continuation Page)	\$20,205.63
6. TOTAL COMPLETED AND STORED LESS RETAINAGE (Line 4 minus Line 5 Total)	\$383,906.87
7. LESS PREVIOUS PAYMENT APPLICATIONS	\$369,865.49
8. PAYMENT DUE	\$14,041.38
9. BALANCE TO COMPLETION (Line 3 minus Line 6)	\$182,798.13

SUMMARY OF CHANGE ORDERS	ADDITIONS	DEDUCTIONS
Total changes approved in previous months	\$152,033.00	(\$49,998.00)
Total approved this month	\$0.00	\$0.00
TOTALS	\$152,033.00	(\$49,998.00)
NET CHANGES	\$102,035.00	

Contractor's signature below is his assurance to Owner, concerning the payment herein applied for, that: (1) the Work has been performed as required in the Contract Documents, (2) all sums previously paid to Contractor under the Contract have been used to pay Contractor's costs for labor, materials and other obligations under the Contract for Work previously paid for, and (3) Contractor is legally entitled to this payment.

CONTRACTOR: Cornerstone Commercial Contractors, Inc.

By: _____ Date: _____

Jason Kentner, owner

State of: Iowa

County of: Adams

Subscribed and sworn to before

me this 28th day of January 2022

Jason Kentner
Digitally signed by Jason Kentner
Date: 2022.01.28 15:18:14 -06'00'

Notary Public: Jaime Johnston

My Commission Expires: 01-19-2025

ARCHITECT'S CERTIFICATION

Architect's signature below is his assurance to Owner, concerning the payment herein applied for, that: (1) Architect has inspected the Work represented by this Application, (2) such Work has been completed to the extent indicated in this Application, and the quality of workmanship and materials conforms with the Contract Documents, (3) this Application for Payment accurately states the amount of Work completed and payment due therefor, and (4) Architect knows of no reason why payment should not be made.

CERTIFIED AMOUNT..... \$14,041.38

(If the certified amount is different from the payment due, you should attach an explanation. Initial all the figures that are changed to match the certified amount.)

ARCHITECT:  Peter G. Franks, AIA, NCARB

By: _____ Date: 2/4/22

Neither this Application nor payment applied for herein is assignable or negotiable. Payment shall be made only to Contractor, and is without prejudice to any rights of Owner or Contractor under the Contract Documents or otherwise.

CONTINUATION PAGE

PROJECT: Carson Macedonia Façade APPLICATION #: 8
 CDBG Pottawattamie County, Iowa Façade DATE OF APPLICATION: 01/28/2022
 Rehab Project-Macedonia and Carson, Iowa PERIOD THRU: 01/28/2022
 PROJECT #s: Pott County Façade

Payment Application containing Contractor's signature is attached.

A ITEM #	B WORK DESCRIPTION	C SCHEDULED AMOUNT	D COMPLETED WORK		F STORED MATERIALS (NOT IN D OR E)	G TOTAL COMPLETED AND STORED (D + E + F)	H % COMP. (G / C)	I BALANCE TO COMPLETION (C-G)	J RETAINAGE (If Variable)
			AMOUNT PREVIOUS PERIODS	AMOUNT THIS PERIOD					
→ 1	The Painted Camel 320 Main St	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	
1a	Carpentry	\$4,500.00	\$4,500.00	\$0.00	\$0.00	\$4,500.00	100%	\$0.00	
1b	Aluminum storefront	\$8,952.00	\$8,952.00	\$0.00	\$0.00	\$8,952.00	100%	\$0.00	
1c	Paint	\$2,694.00	\$2,694.00	\$0.00	\$0.00	\$2,694.00	100%	\$0.00	
1d	Misc materials	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
1e	Performance bond	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
1f	General conditions, overhead and	\$4,161.00	\$4,161.00	\$0.00	\$0.00	\$4,161.00	100%	\$0.00	
1g	Allowance #1	\$8,000.00	\$8,000.00	\$0.00	\$0.00	\$8,000.00	100%	\$0.00	
1h	CO #1 additional carpentry at	\$1,711.00	\$1,711.00	\$0.00	\$0.00	\$1,711.00	100%	\$0.00	
→ 2	Pioneer Trail Museum Annex 318	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	
2a	Masonry	\$5,882.00	\$5,882.00	\$0.00	\$0.00	\$5,882.00	100%	\$0.00	
2b	Carpentry	\$3,500.00	\$3,500.00	\$0.00	\$0.00	\$3,500.00	100%	\$0.00	
2c	Aluminum storefront	\$8,200.00	\$8,200.00	\$0.00	\$0.00	\$8,200.00	100%	\$0.00	
2d	Paint	\$2,679.00	\$2,679.00	\$0.00	\$0.00	\$2,679.00	100%	\$0.00	
2e	Misc materials	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
2f	Performance bond	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
2g	General conditons, overhead and	\$4,984.00	\$4,984.00	\$0.00	\$0.00	\$4,984.00	100%	\$0.00	
2h	CO #1 replace rotten wood	\$682.00	\$682.00	\$0.00	\$0.00	\$682.00	100%	\$0.00	
2i	CO #1 add cornice to building	\$10,518.00	\$0.00	\$3,155.40	\$0.00	\$3,155.40	30%	\$7,362.60	
→ 3	Pioneer Trail Museum Storage	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	
3a	Carpentry	\$2,000.00	\$2,000.00	\$0.00	\$0.00	\$2,000.00	100%	\$0.00	
3b	Paint	\$3,579.00	\$3,579.00	\$0.00	\$0.00	\$3,579.00	100%	\$0.00	
3c	Door Rehab	\$900.00	\$900.00	\$0.00	\$0.00	\$900.00	100%	\$0.00	
3d	Misc materials	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
3e	Performance bond	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
3f	General conditons, overhead and	\$2,227.00	\$2,227.00	\$0.00	\$0.00	\$2,227.00	100%	\$0.00	
3g	CO #1 replace rotten wood	\$682.00	\$682.00	\$0.00	\$0.00	\$682.00	100%	\$0.00	
→ 4	314 Bulding 314 Main St	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	
4a	Masonry	\$8,640.00	\$8,640.00	\$0.00	\$0.00	\$8,640.00	100%	\$0.00	
SUB-TOTALS		\$90,491.00	\$79,973.00	\$3,155.40	\$0.00	\$83,128.40	92%	\$7,362.60	

PROJECT: Carson Macedonia Façade APPLICATION #: 8
 CDBG Pottawattamie County, Iowa Façade DATE OF APPLICATION: 01/28/2022
 Rehab Project-Macedonia and Carson, Iowa PERIOD THRU: 01/28/2022
 PROJECT #s: Pott County Façade

Payment Application containing Contractor's signature is attached.

A ITEM #	B WORK DESCRIPTION	C SCHEDULED AMOUNT	D COMPLETED WORK		F STORED MATERIALS (NOT IN D OR E)	G		H BALANCE TO COMPLETION (C-G)	I RETAINAGE (If Variable)
			AMOUNT PREVIOUS PERIODS	AMOUNT THIS PERIOD		TOTAL COMPLETED AND STORED (D + E + F)	% COMP. (G / C)		
4b	Carpentry	\$3,500.00	\$700.00	\$0.00	\$0.00	\$700.00	20%	\$2,800.00	
4c	Paint	\$4,739.00	\$3,554.25	\$0.00	\$0.00	\$3,554.25	75%	\$1,184.75	
4d	Storm windows	\$2,700.00	\$0.00	\$0.00	\$2,700.00	\$2,700.00	100%	\$0.00	
4e	Misc materials	\$1,000.00	\$500.00	\$0.00	\$0.00	\$500.00	50%	\$500.00	
4f	Performance bond	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
4g	General conditons, overhead and	\$4,847.00	\$3,877.60	\$0.00	\$0.00	\$3,877.60	80%	\$969.40	
4h	CO #1 change to combination	\$1,523.00	\$0.00	\$0.00	\$1,523.00	\$1,523.00	100%	\$0.00	
→ 5	312 Building 312 Main St	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	
5a	Masonry	\$13,680.00	\$13,680.00	\$0.00	\$0.00	\$13,680.00	100%	\$0.00	
5b	Carpentry	\$3,500.00	\$700.00	\$0.00	\$0.00	\$700.00	20%	\$2,800.00	
5c	Paint	\$4,739.00	\$1,658.65	\$0.00	\$0.00	\$1,658.65	35%	\$3,080.35	
5d	Storm windows	\$2,700.00	\$0.00	\$0.00	\$2,700.00	\$2,700.00	100%	\$0.00	
5e	Glazing	\$400.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$400.00	
5f	Misc materials	\$1,000.00	\$500.00	\$0.00	\$0.00	\$500.00	50%	\$500.00	
5g	Performance bond	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
5h	General conditons, overhead and	\$5,935.00	\$3,857.75	\$0.00	\$0.00	\$3,857.75	65%	\$2,077.25	
5i	CO #1 change to combination	\$1,523.00	\$0.00	\$0.00	\$1,523.00	\$1,523.00	100%	\$0.00	
← 6	Treynor State Bank 310 Main St	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	
6a	Masonry	\$9,240.00	\$9,240.00	\$0.00	\$0.00	\$9,240.00	100%	\$0.00	
6b	Carpentry	\$500.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$500.00	
6c	Paint	\$2,719.00	\$2,719.00	\$0.00	\$0.00	\$2,719.00	100%	\$0.00	
6d	Misc materials	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
6e	Performance bond	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
6f	General conditons, overhead and	\$3,423.00	\$3,080.70	\$0.00	\$0.00	\$3,080.70	90%	\$342.30	
← 7	Stempl Bird Museum 311 Main St	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	
7a	Masonry	\$6,800.00	\$6,800.00	\$0.00	\$0.00	\$6,800.00	100%	\$0.00	
7b	Window rehab	\$600.00	\$600.00	\$0.00	\$0.00	\$600.00	100%	\$0.00	
7c	Door rehab	\$900.00	\$900.00	\$0.00	\$0.00	\$900.00	100%	\$0.00	
7d	Paint	\$1,241.00	\$1,241.00	\$0.00	\$0.00	\$1,241.00	100%	\$0.00	
SUB-TOTALS		\$171,700.00	\$137,581.95	\$3,155.40	\$8,446.00	\$149,183.35	87%	\$22,516.65	

CONTINUATION PAGE

PROJECT: Carson Macedonia Façade
 CDBG Pottawattamie County, Iowa Façade
 Rehab Project-Macedonia and Carson, Iowa

APPLICATION #: 8
 DATE OF APPLICATION: 01/28/2022
 PERIOD THRU: 01/28/2022
 PROJECT #s: Pott County Façade

Payment Application containing Contractor's signature is attached.

ITEM #	WORK DESCRIPTION	SCHEDULED AMOUNT	COMPLETED WORK		STORED MATERIALS (NOT IN D OR E)	TOTAL COMPLETED AND STORED (D + E + F)	% COMP. (G / C)	BALANCE TO COMPLETION (C-G)	RETAINAGE (If Variable)
			AMOUNT PREVIOUS PERIODS	AMOUNT THIS PERIOD					
7e	Carpentry	\$500.00	\$500.00	\$0.00	\$0.00	\$500.00	100%	\$0.00	
7f	Misc materials	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
7g	Performance bond	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
7h	General condtions, overhead and	\$2,940.00	\$2,940.00	\$0.00	\$0.00	\$2,940.00	100%	\$0.00	
8	The Barn 106-110 Broadway St	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	
8a	Masonry	\$20,934.00	\$20,934.00	\$0.00	\$0.00	\$20,934.00	100%	\$0.00	
8b	Carpentry	\$7,500.00	\$7,500.00	\$0.00	\$0.00	\$7,500.00	100%	\$0.00	
8c	Aluminum storefront/door	\$12,000.00	\$12,000.00	\$0.00	\$0.00	\$12,000.00	100%	\$0.00	
8d	Paint	\$1,419.00	\$1,419.00	\$0.00	\$0.00	\$1,419.00	100%	\$0.00	
8e	Misc materials	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
8f	Performance bond	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
8g	General condtions, overhead and	\$9,302.00	\$9,302.00	\$0.00	\$0.00	\$9,302.00	100%	\$0.00	
8h	Alternate #1	\$2,804.00	\$2,804.00	\$0.00	\$0.00	\$2,804.00	100%	\$0.00	
8i	CO #1 prep and paint existing lap	\$924.00	\$924.00	\$0.00	\$0.00	\$924.00	100%	\$0.00	
8j	CO #1 new glass at return walls	\$3,229.00	\$3,229.00	\$0.00	\$0.00	\$3,229.00	100%	\$0.00	
9	124 Cenpro 124 Broadway St	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	
9a	Masonry	\$13,080.00	\$13,080.00	\$0.00	\$0.00	\$13,080.00	100%	\$0.00	
9b	Aluminum storefront	\$10,329.00	\$10,329.00	\$0.00	\$0.00	\$10,329.00	100%	\$0.00	
9c	Carpentry	\$4,500.00	\$4,500.00	\$0.00	\$0.00	\$4,500.00	100%	\$0.00	
9d	Paint	\$1,164.00	\$1,164.00	\$0.00	\$0.00	\$1,164.00	100%	\$0.00	
9e	Misc materials	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
9f	Performance bond	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
9g	General condtions, overhead and	\$6,746.00	\$6,746.00	\$0.00	\$0.00	\$6,746.00	100%	\$0.00	
9h	CO #1 change to spandrel glass at	\$555.00	\$555.00	\$0.00	\$0.00	\$555.00	100%	\$0.00	
10	The Lodge 126 Broadway St	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	
10a	Painting	\$1,779.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$1,779.00	
10b	Misc materials	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
10c	Performance bond	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
10d	General condtions, overhead and	\$1,287.00	\$257.40	\$0.00	\$0.00	\$257.40	20%	\$1,029.60	
SUB-TOTALS		\$280,692.00	\$243,765.35	\$3,155.40	\$8,446.00	\$255,366.75	91%	\$25,325.25	

CONTINUATION PAGE

PROJECT: Carson Macedonia Façade
 CDBG Pottawattamie County, Iowa Façade
 Rehab Project-Macedonia and Carson, Iowa

APPLICATION #: 8
 DATE OF APPLICATION: 01/28/2022
 PERIOD THRU: 01/28/2022
 PROJECT #s: Pott County Façade

Payment Application containing Contractor's signature is attached.

A ITEM #	B WORK DESCRIPTION	C SCHEDULED AMOUNT	D COMPLETED WORK		F STORED MATERIALS (NOT IN D OR E)	G TOTAL COMPLETED AND STORED (D + E + F)	% COMP. (G / C)	H BALANCE TO COMPLETION (C-G)	I RETAINAGE (If Variable)
			AMOUNT PREVIOUS PERIODS	AMOUNT THIS PERIOD					
10e	Allowance #2	\$46,500.00	\$34,875.00	\$11,625.00	\$0.00	\$46,500.00	100%	\$0.00	
10f	Allowance #3	\$3,650.00	\$3,650.00	\$0.00	\$0.00	\$3,650.00	100%	\$0.00	
10g	Alternate #2	\$3,800.00	\$3,800.00	\$0.00	\$0.00	\$3,800.00	100%	\$0.00	
10h	CO #1 structural issues remove	\$126,835.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$126,835.00	
11	126 Building East 126 Broadway	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	
11a	Masonry	\$48,960.00	\$48,960.00	\$0.00	\$0.00	\$48,960.00	100%	\$0.00	
11b	Carpentry	\$3,750.00	\$2,812.50	\$0.00	\$0.00	\$2,812.50	75%	\$937.50	
11c	Paint	\$1,619.00	\$1,619.00	\$0.00	\$0.00	\$1,619.00	100%	\$0.00	
11d	Wood windows	\$9,645.00	\$0.00	\$0.00	\$9,645.00	\$9,645.00	100%	\$0.00	
11e	Wood door	\$3,426.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$3,426.00	
11f	Door rehab	\$900.00	\$900.00	\$0.00	\$0.00	\$900.00	100%	\$0.00	
11g	Misc materials	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
11h	Performance Bond	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
11i	General conditons, overhead and	\$14,785.00	\$12,567.25	\$0.00	\$0.00	\$12,567.25	85%	\$2,217.75	
11j	CO #1 double hung windows in	\$3,851.00	\$0.00	\$0.00	\$0.00	\$0.00	0%	\$3,851.00	
12	US Bank 113 Broadway St	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	
12a	Masonry	\$9,840.00	\$9,840.00	\$0.00	\$0.00	\$9,840.00	100%	\$0.00	
12b	Glass	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
12c	Misc materials	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
12d	Performance bond	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
12e	General conditons, overhead and	\$2,452.00	\$2,452.00	\$0.00	\$0.00	\$2,452.00	100%	\$0.00	
13	119 Building 119 Broadway St	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	
13a	Masonry	\$16,200.00	\$16,200.00	\$0.00	\$0.00	\$16,200.00	100%	\$0.00	
13b	Aluminum storefront/door	\$12,400.00	\$12,400.00	\$0.00	\$0.00	\$12,400.00	100%	\$0.00	
13c	Carpentry	\$8,500.00	\$8,500.00	\$0.00	\$0.00	\$8,500.00	100%	\$0.00	
13d	Paint	\$3,199.00	\$3,199.00	\$0.00	\$0.00	\$3,199.00	100%	\$0.00	
13e	Misc materials	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
13f	Performance bond	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100%	\$0.00	
13g	General conditons, overhead and	\$8,699.00	\$8,699.00	\$0.00	\$0.00	\$8,699.00	100%	\$0.00	
SUB-TOTALS		\$616,703.00	\$421,239.10	\$14,780.40	\$18,091.00	\$454,110.50	74%	\$162,592.50	

CONTINUATION PAGE

PROJECT: Carson Macedonia Façade
 CDBG Pottawattamie County, Iowa Façade
 Rehab Project-Macedonia and Carson, Iowa

APPLICATION #: 8
 DATE OF APPLICATION: 01/28/2022
 PERIOD THRU: 01/28/2022
 PROJECT #s: Pott County Façade

Payment Application containing Contractor's signature is attached.

A ITEM #	B WORK DESCRIPTION	C SCHEDULED AMOUNT	D COMPLETED WORK		F STORED MATERIALS (NOT IN D OR E)	G TOTAL COMPLETED AND STORED (D + E + F)		H BALANCE TO COMPLETION (C-G)	I RETAINAGE (If Variable)
			D AMOUNT PREVIOUS PERIODS	E AMOUNT THIS PERIOD		G %	G COMP. (G / C)		
13h	CO #1 remove building from	(\$49,998.00)	(\$49,998.00)	\$0.00	\$0.00	(\$49,998.00)	100%	\$0.00	
TOTALS		\$566,705.00	\$371,241.10	\$14,780.40	\$18,091.00	\$404,112.50	71%	\$162,592.50	

Attach supporting documentation to the back of this form

STATE OF IOWA

GAX

BUDGET FY 2022		General Accounting Expenditure								DOCUMENT NUMBER 1						
		DATE				ACCTG PERIOD (mm/yy) 02/222										
VENDOR CODE						AGENCY NAME										
VENDOR NAME AND ADDRESS Pottawattamie County 227 South 6th Street Council Bluffs, IA 51501						BILL TO ADDRESS (ORDERING AGENCY) Iowa Economic Development Authority 1963 Bell Avenue, Suite 200 Des Moines, Iowa 50315				SHIP TO ADDRESS						
TERMS		FOB		ORDER APPROVED BY						GOODS RECEIVED/SERVICES PERFORMED						
										DATE		INITIALS				
QUANTITY		VENDOR'S INVOICE NUMBER														
ORDERED	RECEIVED	UNIT OF MEASURE							UNIT PRICE	TOTAL PRICE						
			Request for CDBG-DTR Funds Contract Number: 18-DTR-004													
			18-DTR-004-116 Cornerstone Commercial Contractors pay application no. 08							8,204.00						
			18-DTR-004-181													
DOCUMENT TOTAL									\$ 8,204.00							
CLAIMANT'S CERTIFICATION						AGENCY CERTIFICATION										
I CERTIFY THAT THE ITEMS FOR WHICH PAYMENT IS CLAIMED WERE FURNISHED FOR STATE BUSINESS UNDER THE AUTHORITY OF THE LAW AND THAT THE CHARGES ARE REASONABLE, PROPER, AND CORRECT, AND NO PART OF THIS CLAIM HAS BEEN PAID.						I CERTIFY THAT THE ABOVE EXPENSE WERE INCURRED AND THE AMOUNTS ARE CORRECT AND SHOULD BE PAID FROM THE FUNDS APPROPRIATED BY:										
DATE						CODE OR CHAPTER SECTION(S)										
TITLE																
CLAIMANT'S SIGNATURE						AUTHORIZED SIGNATURE										
THE FOLLOWING FIELDS ARE FOR STATE ACCOUNTING USE ONLY																
DOC TYPE (GAX) GAX		DOC NUMBER 1		DOC DATE		ACCTG PRD	BUDGET FY 22	ACTION NEW/MOD	PO SHIP INSTR	GAX TYPE	INT IND	INT SELLER FUND	INT SELLER AGCY			
VENDOR CODE 2130029		ADDR OVERRIDE	F/A INDICATOR	EFT IND	TEXT -po's only (Y/N) Y			TEXT (po's only)								
REF DOC TYPE		REF DOC NUMBER		REF DOC LINE		COM LN	VEND INVOICE #		COMMODITY CODE		GS CONTRACT					
LINE	FUND	AGCY	ORG	SUB ORG	ACTV	FUNC	OBJT	SUB OBJT	JOB NUMBER	REP CAT	QUANTITY / UNITS	I/D	DESCRIPTION	AMOUNT	I/D	P/F
01	0001	269	5000				4125							\$ 8,204.00		
02																
03																
04																
05																
06																
07																
DOCUMENT TOTAL												\$ 8,204.00				

GAX

WARRANT #

AUDITED BY

PAID DATE

**Carson-Macedonia Downtown Storefront Rehabilitation
Project Funds and Costs
(Current through 02/05/2022)**

Current Obligations by Activity

Activity	Total	Carson	Macedonia
Construction	\$ 566,705.00	\$ 387,431.00	\$ 179,274.00
Architecture	\$ 135,000.00	\$ 67,500.00	\$ 67,500.00
Asbestos Inspections	\$ 2,350.00	\$ 2,350.00	\$ -
Asbestos Abatement	\$ 20,040.00	\$ 13,226.00	\$ 6,814.00
TOTAL	\$ 724,095.00	\$ 470,507.00	\$ 253,588.00

Costs to Date by Activity

Activity	Total	Carson	Macedonia
Construction	\$ 383,906.87	\$ 231,969.36	\$ 151,937.51
Architecture	\$ 93,096.06	\$ 46,548.03	\$ 46,548.03
Asbestos Inspections	\$ 2,350.00	\$ 2,350.00	\$ -
Asbestos Abatement	\$ -	\$ -	\$ -
TOTAL	\$ 479,352.93	\$ 280,867.39	\$ 198,485.54


Remaining Costs by Activity

Activity	Total	Carson	Macedonia
Construction	\$ 182,798.13	\$ 155,461.64	\$ 27,336.49
Architecture	\$ 41,903.94	\$ 20,951.97	\$ 20,951.97
Asbestos Inspections	\$ -	\$ -	\$ -
Asbestos Abatement	\$ 20,040.00	\$ 13,226.00	\$ 6,814.00
TOTAL	\$ 244,742.07	\$ 189,639.61	\$ 55,102.46

Anticipated Funding Distribution of Remaining Expenditures

	Expenditures	CDBG	CITIES	Owners
Construction	\$ 182,798.13	\$ 67,806.90	\$ 74,947.23	\$ 40,044.00
Architecture	\$ 41,903.94	\$ 20,951.97	\$ 20,951.97	\$ -
Other	\$ 20,040.00	\$ 11,823.60	\$ 8,216.40	\$ -
TOTAL	\$ 244,742.07	\$ 100,582.47	\$ 104,115.60	\$ 40,044.00

Status of CDBG Disbursement Requests


lowaGrants.gov

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Back | Print | Add | Delete | Edit | Save

Grant/Project Tracking

Grant/Project: 18-DTR-004 - Pottawattamie County - 2018

Status: Underway

Program Area: CDBG

Grantee Organization: Omaha-Council Bluffs Metropolitan Area Planning Agency

Program Officer: Ed Peter Basch

Awarded Amount: \$500,000.00

Last Site Visit: 01/31/2022

Claims [Copy Existing Claim](#) | [Return to Components](#)

ID	Type	Status	Date Submitted	Date Paid	Date From-To	Claim Amount
18-DTR-004 - 001	Reimbursement	Paid	08/16/2019	10/01/2019	08/12/2019 - 08/12/2019	\$46,221.00
18-DTR-004 - 002	Reimbursement	Paid	07/24/2020	09/24/2020	07/24/2020 - 07/24/2020	\$44,623.00
18-DTR-004 - 003	Reimbursement	Paid	02/10/2021	07/12/2021	02/10/2021 - 02/10/2021	\$32,444.00
18-DTR-004 - 004	Reimbursement	Paid	07/15/2021	08/11/2021	07/15/2021 - 07/15/2021	\$33,576.00
18-DTR-004 - 005	Reimbursement	Paid	08/16/2021	09/16/2021	08/16/2021 - 08/16/2021	\$16,639.00
18-DTR-004 - 006	Reimbursement	Paid	10/07/2021	10/21/2021	10/06/2021 - 10/06/2021	\$46,044.00
18-DTR-004 - 007	Reimbursement	Paid	11/17/2021	01/07/2022	09/22/2021 - 10/31/2021	\$25,092.00
18-DTR-004 - 008	Reimbursement	Paid	12/16/2021	02/02/2022	12/16/2021 - 12/16/2021	\$22,739.00
Submitted Amount						\$0.00
Approved Amount						\$0.00
Paid Total						\$267,378.00
Total						\$267,378.00

Last Edited By:

Note: The total CDBG award is \$500,000: \$470,000 is for project implementation and \$30,000 is for general admin.

David Bayer/Chief Information Officer

Discussion and/or decision to approve and authorize Chairman to sign Network Services Agreement with the City of Council Bluffs.

Network Services Agreement

THIS AGREEMENT is made this 20th of January, (2022) by and between the City of Council Bluffs (“Company”) and (Pottawattamie County) (“Customer”).

In consideration of the mutual covenants set forth in this Agreement, Company and Customer hereby agree as follows:

Terms

Subject to the terms and conditions of the Agreement, Company will provide Network services for Customer, subject to the following terms:

Length of Service and Service Start Date. Customer agrees to a one year contractual term of service (“Term”) beginning on (February 1, 2022) and ending on (January 31, 2023) consisting of providing 1 Gbps lit fiber service from Pottawattamie County 227 S. 6th St Council Bluffs, IA to Pottawattamie County Jail 1400 Big Lake Rd Council Bluffs, IA.

Renewals

This agreement will automatically renew for a 3 year term unless canceled in writing by Customer at least 30 days prior to end of Term renewal date.

Renewal of service by Customer indicates agreement to any contract revisions and price changes. The Company will notify Customer 90 days prior to end of term renewal if any fee changes will occur and Customer will notify Company at least 60 days prior to end of term renewal if fee changes are agreeable.

After receipt of Customers agreement to fee changes, Company shall provide to Customer an executed Addendum to this agreement establishing the new term for the agreement, the rates for the services for the new term along with any other amendments deemed necessary by Company. Customer shall return the fully executed Addendum to Company at least 30 days prior to the end of the current term. All subsequent renewals shall be handled in the same fashion.

In the situation where the Customer desires a change in connection speed, a new agreement will be created at that time that will supersede this agreement.

End User Pricing

End User pricing shall be set at \$750 per month and are subject to change during renewal period by the Company.

Terms of Payment

Terms of payment are net 30 days upon receipt of invoice. Company reserves the right to revoke services if payments are in arrears more than 90 days.

General Agreements:

Proprietary Information

Proprietary information exchanged hereunder shall be treated as such by Customer. Customer further agrees to not decompose, disassemble, decode or reverse engineer any Company program, code or technology delivered to Customer or any portion thereof.

Censorship

Company will exercise no control whatsoever over the content of the information passing through the network, email or systems.

Warranties

Company makes no warranties or representations of any kind, whether expressed or implied, for the service it is providing. Company also disclaims any warranty of merchantability or fitness for any particular purpose and will not be responsible for any damages that may be suffered by Customer, including loss of data resulting from delays, non-deliveries or service interruptions by any cause or errors or omissions of Customer. Use of any information obtained by way of Company is at Customer's own risk, and Company specifically denies any responsibility for the accuracy or quality of information obtained through its services.

Connection speed represents the speed of an end-to-end connection. Company does not represent guarantees of speed or availability of end-to-end connections. In the event of non-accessibility time or other downtime for an extended period of time equal to or greater than 24 hours, Company agrees that monthly charges will be pro-rated for the duration of such outage. Customer agrees that Company is not responsible for any other damages arising as a consequence of such unavailability.

Trademarks and Copyrighted Material

Customer warrants that it has the right to use any applicable trademarks or copyrighted material used in connection with this service.

Transfer of Agreement

Customer may not assign or transfer this Agreement, in whole or in part, without the prior written consent of Company.

Termination

The Company reserves the right to cancel services with one year written notice to the Customer and agrees to work with Customer to transfer/migrate their systems/applications accordingly. Once systems/applications are migrated, billing will cease accordingly.

Company may also terminate this Agreement at its sole discretion upon the occurrence of one or more of the following events: 1) failure to comply with any provisions of the Agreement upon receipt of written notice from Company of said failure, 2) appointment of Receiver or upon the filing of any application by Customer seeking relief from creditors, 3) upon mutual agreement in writing of Company and Customer.

Disputes

If legal proceedings are commenced to resolve a dispute arising out of or relating to this Agreement, each party will be responsible for payment of its own costs, legal fees, and expert witness fees as well as any costs or legal fees in connection with any appeals.

Indemnification

Customer shall indemnify and hold Company harmless from and against any and all claims, judgments, awards, costs, expenses, damages and liabilities (including reasonable attorney fees) of whatsoever kind and nature that may be asserted, granted or imposed against Company directly or indirectly arising from or in connection with Customer's marketing or support services of the product or services, or the unauthorized representation of the product and services, or any breach of this Agreement by Customer.

Enforceability

If any provision of this Agreement is held to be unenforceable, the enforceability of the remaining provisions shall in no way be affected or impaired thereby. This Agreement shall be governed by and construed in accordance with the laws of the State of Iowa. Exclusive jurisdiction and venue shall be in the county of Pottawattamie, State Superior Court.

A failure by any party to exercise or delay in exercising a right or power conferred upon it in this Agreement shall not operate as a waiver of any such right or power.

Each party represents and warrants that, on the dates first written above, it is authorized to enter into this Agreement in its entirety and duly bind its respective principals by its signature below:

	Company		Customer
Signature:	_____	Signature:	_____
Printed Name:	_____	Printed Name:	_____
Title:	_____	Title:	_____
Date:	_____	Date:	_____

Other Business

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

Discussion and/or decision on setting public hearing on Pottawattamie County's Maximum Property Tax Levy for Fiscal Year ending June 30, 2023, and approve publication request.

NOTICE OF PUBLIC HEARING -PROPOSED PROPERTY TAX LEVY
Fiscal Year July 1, 2022 - June 30, 2023
County Name: POTTAWATTAMIE COUNTY County Number: 78

The County Board of Supervisors will conduct a public hearing on the proposed Fiscal Year County budget as follows:

Meeting Date: 3/8/2022 Meeting Time: 10:00 AM Meeting Location: Pottawattamie County Board of Supervisors Hearing Room 227 S 6th St Council Bluffs IA 51501

Contact Person: Board Chair Contact Phone Number: (712) 328-5644

At the public hearing any resident or taxpayer may present objections to, or arguments in favor of the proposed tax levy. After adoption of the proposed tax levy, the Board will publish notice and hold a hearing on the proposed county budget.

County Website (if available)
<https://pottcounty-ia.gov>

County Telephone Number
 (712) 328-5644

		Current Year Certified Property Tax FY 2021/2022	Budget Year Effective Property Tax FY 2022/2023	Budget Year Proposed Maximum Property Tax FY 2022/2023	Proposed Percentage Change
Taxable Valuations-General Services	1	5,448,621,327	5,779,077,898	5,779,077,898	
Requested Tax Dollars-General Basic	2	20,214,386		21,440,407	
Requested Tax Dollars-General Supplemental	3	17,893,820		18,979,098	
Requested Tax Dollars-General Services Total	4	38,108,206	38,108,206	40,419,505	6.07
Estimated Tax Rate-General Services	5	6.99410	6.59417	6.99411	
Taxable Valuations-Rural Services	6	1,885,797,708	1,964,697,328	1,964,697,328	
Requested Tax Dollars-Rural Basic	7	6,354,158		6,620,018	
Requested Tax Dollars-Rural Supplemental	8				
Requested Tax Dollars-Rural Services Total	9	6,354,158	6,354,158	6,620,018	4.18
Estimated Tax Rate-Rural Services	10	3.36948	3.23417	3.36948	

Explanation of increases in the budget:

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If applicable, the above notice is also available online at:
<https://www.pottcounty-ia.gov/departments/auditor/finance/>

The above tax rates do not include county voted levies, mental health and disabilities services levy, debt service levy and the rates of other local jurisdictions. Regarding proposed maximum dollars, the Board of Supervisors cannot adopt a higher tax asking for these levies following the public hearing. Budget year effective property tax rate is the rate that would be assessed for these levies if the dollars requested is not changed in the coming year.

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

**Discussion and/or decision to approve
funding request for county libraries in the
amount of \$343,390.**

**Jana Lemrick / Director, Human Resources;
Michael Williams and Jim Garbina / FNIC
Group**

**Update / discussion on FY 21/22 employee
health insurance.**

Received/Filed

Closed Session

BUDGET DISCUSSION

Discussion only