

April 19, 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 Shea, to approve:

- A. April 12, 2022, Minutes as read.
- B. Sheriff's Office – Employment of Tanner Miller as a Deputy (Road).

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

10:00 A.M. South Noble Lake Drainage District minutes done by Drainage Levy.

Paula Hazelwood/Executive Director and Shalimar Mazetis/Manager Entrepreneurial Development from Advance Southwest Iowa Corporation and Clint Sloss from McClure and Representative from Rural Pottawattamie County Infrastructure Coalition (RPCIC) appeared before the Board to discuss and present funding request for RPCIC projects. Discussion only. No Action Taken.

Motion by Shea, and second by Schultz, to approve and authorize Board to sign **Resolution No. 32-2022** entitled: A Resolution Endorsing an Application for RISE Program Funding to Reconstruct Portions of Magnolia Road to Support the Link Snacks Inc Expansion Project in the City of Underwood.

RESOLUTION NO. 32-2022

A RESOLUTION ENDORSING AN APPLICATION FOR RISE PROGRAM FUNDING TO RECONSTRUCT PORTIONS OF MAGNOLIA ROAD TO SUPPORT THE LINK SNACKS INC EXPANSION PROJECT IN THE CITY OF UNDERWOOD, 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 and the City of Underwood have concurrent jurisdiction of a portion of Magnolia Road and Resolution 30-2022 designates Pottawattamie County as the lead agency for this project; and

WHEREAS, the City of Underwood and Pottawattamie County desires to improve Magnolia Road with a two – way left turn lane (TWLTL); and the Railroad Highway Intersection to improve visibility and provide for safe turning movements; and

WHEREAS, the improvements to Magnolia Road, Railroad Highway Intersection, and the Mosquito Creek Bridge are estimated to cost \$4,520,400 (“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 \$2,260,200 for the Project; and

WHEREAS, the RISE Program requires matching funds in the amount of \$2,260,200 which will be guaranteed by Pottawattamie County; and

WHEREAS, the Project will support traffic for 161-acres of land for immediate industrial development for Link Snacks Inc. to include a \$55 million warehouse expansion project, as well as, support and encourage the future development of 94.71 acres of land North of Magnolia Road; and

WHEREAS, the road improvements are dedicated to public use; and,

WHEREAS, the road improvements constructed under this project will be the jurisdictional responsibility of Pottawattamie County and the City of Underwood as provided for in Iowa Code Section 306; 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 May 13, 2022 to fund the improvements to Magnolia Road.

Dated this 19 day of April, 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"/> |
| Justin Schultz | | | | |
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Brian Shea | | | | |
| ATTEST: _____ | | | | |
| Melvyn Houser, County Auditor | | | | |

RECOMMENDED: _____
John Rasmussen, Engineer

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

After discussion was held by the Board, a motion was made by Shea, and second by Grobe, to approve draft Special Assessment policy to facilitate a uniform and consistent petition process as amended.
UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a motion was made by Belt, and second by Schultz, to approve and authorize Board to sign State of Iowa GAX and to request for payment under 2019 CDBG-DR.
UNANIMOUS VOTE. Motion Carried.

Motion by Shea, and second by Schultz, to approve and authorize Board to sign Planning and Zoning Resolution No. 2022-06 entitled: Final Plat of Liston Subdivision, a subdivision situated in Lake Township.

**PLANNING AND ZONING
RESOLUTION NO. 2022-06**

WHEREAS, this Board had approved the preliminary plat of **Liston Subdivision**, a residential subdivision situated in **Lake Township**, by approval of Planning and Zoning Resolution No. **2022-05**, dated **March 15, 2022**; 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-2022-02**; 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 **Liston 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.

PASSED AND APPROVED April 19, 2022

| | ROLL CALL VOTE | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| | AYE | NAY | ABSTAIN | ABSENT |
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 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"/> |
| Justin Schultz | | | | |
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Brian Shea | | | | |

Attest: _____
 Melvyn Houser, County Auditor
 Pottawattamie County, Iowa

RECORD: After Passage

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

Motion by Shea, and second by Belt, to approve and authorize Board to sign Planning and Zoning **Resolution No. 2022-02** entitled: Final Plat of Huneke Subdivision, a subdivision situated in Norwalk Township.

**PLANNING AND ZONING
 RESOLUTION NO. 2022-02**

WHEREAS, this Board had approved the preliminary plat of **Huneke Subdivision**, a residential subdivision situated in **Norwalk Township**, by approval of Planning and Zoning Resolution No. **2022-01**, dated **January 11, 2022**; 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-2021-03**; 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 **Huneke 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.

PASSED AND APPROVED April 19, 2022

| | ROLL CALL VOTE | | | |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| | AYE | NAY | ABSTAIN | ABSENT |
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 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"/> |
| Justin Schultz | | | | |
| _____ | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Brian Shea | | | | |

Attest: _____
 Melvyn Houser, County Auditor
 Pottawattamie County, Iowa

RECORD: After Passage

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

After discussion was held by the Board, a motion was made by Schultz, and second by Shea, to approve and award RFP for general contracting services for Public Health Building to Boyd-Jones.
UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a motion was made by Belt, and second by Schultz, to approve the Rules and Application for Use of Pottawattamie County Property updates.
UNANIMOUS VOTE. Motion Carried.

Rita Dooley/Director, Veteran Affairs appeared before the Board to give an update on the Veteran Affairs Department progress and State Conference. Discussion only. No action taken.

3. OTHER

Matt Wilber/Attorney discussed a Closed Session that was held on December 21 to correct minutes, Matt Wilber asked Chairman Wichman to state that the minutes were approved as corrected from December 21, 2021, and to get signatures from former Chairman Belt, and Melvyn Houser to sign corrected minutes from December 21, 2021.

Motion by Shea, and second by Belt, to approve and authorize Board Chairman to sign 2022-2023 Wage Increase between Pottawattamie County and the Pottawattamie County Deputy Sheriff's Association, effective July 1, 2022, through June 30, 2023.
UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a motion was made by Schultz, and second by Shea, to approve Job Description of Site Manager, and Job Description of Mechanical Operations & Maintenance Manager.
UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a Motion was made by Schultz, and second by Belt, to remove 1-year waiting period for new employees to earn wellness incentive.
UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, and second by Shea, to approve and authorize Board Chairman to sign Internet Service Agreement with Lumen.
UNANIMOUS VOTE. Motion Carried.

Motion by Belt, and second by Shea, to approve and authorize Board Chairman to sign EPL Service agreement with Great Plains Communications.
UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, a motion was made by Schultz, and second by Shea, to approve Application for Use of Pottawattamie County Grounds for the Bible Reading Marathon on July 14th – 16th.
UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

- A. Salary Action(s):
 - 1) Conservation - Payroll Status Change for Cory Thomas.
 - 2) Attorney – Payroll Status Change for Sara Thomsen.
 - 3) Attorney – Payroll Status Change for Rhonda Blair.
 - 4) Conservation – Employment of Ashley Jones as Environmental Education Intern – Hitchcock.

5. PUBLIC COMMENTS

Fran Mierzwa spoke and is disappointed in Sunshine Laws in Chapter 20 – Ski Hill purchase was not done openly and just in Closed Session only.

Shawna Anderson spoke and is concerned about ARPA Funds. Board of Supervisors need to attend Town Hall meeting in Oakland at 7:30 P.M.

Tim Kealy spoke concerning Policy on Road Paving and Petition for paving, contribution of Public is not equal per landowner.

6. 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 purchase or sale of particular real estate.

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

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

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

Motion by Shea, second by Grobe, to go into Closed Session pursuant to Iowa Code §21.5(1)(c) - discussion on pending litigation.

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

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

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

7. BUDGET SESION

8. ADJOURN

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

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 2:32 P. M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Auditor

APPROVED: April 26, 2022

PUBLISH: X