

JANUARY 2, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman King presiding.

PLEDGE OF ALLEGIANCE

Motion by Williams, second by Moats, to approve the December 30, 2002 minutes as read. Unanimous vote. Motion carried.

Motion by Williams, second by Moats, to adjourn Sine Die. Unanimous vote. Motion carried.

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

JANUARY 2, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairperson King presiding.

9:00 A.M. – Swearing in of Elected Officials: Loren T. Knauss, Lynn Leaders, Betty Moats, Judy Miller, John Sciortino and Matt Wilbur.

Motion by Moats, second by Houser, to appoint Marilyn Jo Drake, County Auditor, as Temporary Chairman for the election of a new Board Chairman and Chairman Pro-Tem for the year 2003. Unanimous vote. Motion carried.

Drake, announced nominations are now in order for the office of Chairman for 2003.

Houser nominated by Moats.

There being no further nominations, Marilyn Jo Drake, Temporary Chairman, declared it ceased. The Board proceeded to vote via roll call, as follows: Houser-Aye; King-Aye; Knauss-Aye; Leaders-Aye; Moats-Aye. Motion carried.

Houser was elected Chairman for 2003.

Drake announced nominations are now in order for the office of Chairperson Pro-Tem for 2003:

King nominated by Knauss.

There being no further nominations, Marilyn Jo Drake, Temporary Chairman, declared it ceased. The Board proceeded to vote via roll call, as follows: Houser-Aye; King-Aye; Knauss-Aye; Leaders-Aye; Moats-Aye. Motion carried.

King was elected Chairman Pro Tem for 2003.

Thereupon Marilyn Jo Drake, Temporary Chairman, turned the meeting over to Chairman Houser.

Motion by Moats, second by Knauss, to adopt Robert’s Rules of Order as written, rules of parliamentary procedures for transaction of business in meetings, except when it conflicts with the Code of Iowa. Unanimous vote. Motion carried.

Motion by King, second by Moats, to establish a policy that the Board of Supervisors’ regular sessions will be held on the following days: Mondays and Wednesdays. It shall be the prerogative of the Chairman, with Board approval, to cancel or add a meeting day. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to authorize Board to sign **Resolution No 1-2003**, a resolution for payment of county bills. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to authorize Board to sign **Resolution No. 2-2003**, to authorize the Auditor to destroy county vouchers and canceled county warrants, which have been on file on or before January 1, 1991, per Code of Iowa, Section 331.323(e). Unanimous vote. Motion carried.

Motion by King, second by Leaders, to authorize Board to sign **Resolution No. 3-2003**, a resolution approving deputy appointments for the Auditor’s Office, Attorney’s Office, Recorder’s Office, Treasurer’s Office and Sheriff’s Department for 2003. Unanimous vote. Motion carried.

Motion by King, second by Moats, to approve the Pottawattamie County Courthouse being closed on the following legal holidays in 2003-2004, as per Code of Iowa, Section 33.1:

**MARTIN LUTHER KING, JR’S
BIRTHDAY (OBSERVED)
PRESIDENT’S DAY
MEMORIAL DAY (OBSERVED)
INDEPENDENCE DAY
LABOR DAY
VETERAN’S DAY(OBSERVED)
THANKSGIVING DAY
LIEU OF LINCOLN’S BIRTHDAY
CHRISTMAS DAY
NEW YEAR’S DAY**

**MONDAY
MONDAY
MONDAY
FRIDAY
MONDAY
TUESDAY
THURSDAY
FRIDAY
THURSDAY
THURSDAY**

**JANUARY 20, 2003
FEBRUARY 17, 2003
MAY 26, 2003
JULY 4, 2003
SEPTEMBER 1, 2003
NOVEMBER 11, 2003
NOVEMBER 27, 2003
NOVEMBER 28, 2003
DECEMBER 25, 2003
JANUARY 1, 2004**

Unanimous vote. Motion carried.

Page 3
January 2, 2003

Motion by King, second by Leaders, to approve the following newspapers as Official Newspapers for Pottawattamie County, Iowa for the 2003 year: The Herald-Oakland, Gazette Reporter-Neola; The Avoca Journal Herald-Avoca; The Daily Nonpareil-Council Bluffs; Botna Valley Reporter-Carson; The Walnut Bureau-Walnut. Pay no more than Iowa Code allows. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to approve MAPA Dues for period of January 1, 2003 through June 30, 2003 in the amount of \$18,097.00. Unanimous vote. Motion carried.

Motion by Moats, second by King, to authorize Board to sign Engineer’s Resolution #03-1, authorizing the County Engineer to close Secondary Roads for construction and/or maintenance. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Knauss, to authorize Board to sign Engineer’s Resolution #03-2, to authorize Engineer to certify completion papers and make final acceptance of contract work on the Farm To Market and Federal Aid Systems. Roll Call Vote: Ayes-5. Motion carried.

Motion by Knauss, second by Leaders, to authorize Board to sign Engineer’s Resolution #03-3, to authorize the County Engineer to issue and sign special permits for the movement of vehicles of excessive size and weight upon Pottawattamie County Secondary Roads. Roll Call Vote: Ayes-5. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Salary Actions

Pottawattamie County Attorney’s Office – Resignation of Melissa Joslin effective 12/31/02.

The Board adjourned subject to call at 11:15 A.M.

Melvyn Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: JANUARY 6, 2003
PUBLISH: X

JANUARY 6, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Houser presiding.
PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of January 3, 2003 as written. Unanimous vote. Motion carried.

Motion by Leaders, second by King, to sign **Board Resolution No.4-2003** to appoint Robert Wichser as Health Insurance Portability and Accountability Act Compliance Officer. Roll Call Vote: Ayes-5. Motion carried.

Motion by Moats, second by King, to approve parking lot passes for 2003. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to approve employment of Julie Guyer as a Detention Officer in the Sheriff's Department/Jail at \$13.52 per hour to be effective January 2, 2003. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to sign **Board Resolution No. 5-2003**, to transfer \$5,074.00 from the Local Option Sales Tax Conservation East to LOST East DEA. Roll Call Vote: Ayes-5. Motion carried.

Motion by Knauss, second by King, to appoint Phyllis Reimer and Mark Shoemaker to the Loess Hills Alliance Board from January 1, 2003 through December 31, 2003. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve the following appointments for the County Attorney's Office: Jon Jacobmeier, Attorney III, Chief Deputy-\$70,014; Ken Tyler, Attorney III/Full-Time Prosecutor-\$70,014; Jeff TeKippe, Attorney II, Step 5-\$65,611; Chris Wilson, Attorney II, Step 5-\$65,611; Dan McGinn, Attorney II, Step 5-\$65,611; Marty Heinicke, Attorney II, Step 2-\$57,411; Bob Wichser, Attorney II, Step 1-\$54,676; Christine DeLorme, Attorney I, Step 3-\$49,209; Shelly Sedlak, Attorney I, Step 3-\$49,209; Joe Narmi, Attorney I, Step 2-\$46,476; Dawn Eimers, Attorney I, Step 1-\$43,813; Jeri Fisher, Legal Assistant, Grade 14, Step 7-\$30,364 and approve temporary employment of Kyle Jones as an Attorney I, Step 1 at \$43,813 annually. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve the following Representative Committee appointments for 2003:

KING

- Buildings and Grounds
- Conservation/REAP
- Construction
- County Burials
- Economic Development
- Fourth Judicial District
- Personnel
- Local Emergency Management
- Loess Hills Alliance
- Secondary Roads
- Soil Conservation
- Transfer Station
- Hungry Canyons
- SWIPCo/SWITA
- WIDA

HOUSER

- Auditor
- Conservation
- DeCategorization Planning Committee
- E911/Communications
- Economic Development
- Hungry Canyons
- Local Emergency Management
- Mental Health/Case Management
- Metropolitan Area Planning Agency
- Personnel
- Riverbend
- Secondary Roads
- Soil Conservation
- SWI Juvenile Emergency Services Board
- Western Iowa Development Association (WIDA)

MOATS

- County Burials
- DeCategorization Planning Committee
- Department of Human Services
- Economic Development
- Human Services Advisory Council
- Insurance (Health & Liability)
- Mental Health/Case Management
- Personnel
- Recorder
- Secondary Roads
- Visiting Nurse Association
- Airport Authority
- RWIB-CEO

KNAUSS

- Animal Control
- Attorney
- Board of Health
- County Property
- Economic Development
- General Relief
- Personnel
- Secondary Roads
- Sheriffs Department/Jail
- SWI Juvenile Emergency Services Board
- Treasurer
- Veteran Affairs

LEADERS

- Assessor
- Buildings and Grounds
- Construction
- County Property
- Economic Development
- Information Technology/Telephone System/GIS
- Personnel
- Planning & Development/Weed Control
- Pottawattamie County Development Corp.
- Recorder
- Riverbend-Land Management
- Secondary Roads

The Board adjourned subject to call at 11:00 A.M.

Melvyn Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: January 8, 2003
PUBLISH: X

January 8, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of January 6, 2003 as written. Unanimous vote. Motion carried.

Motion by King, second by Moats, to approve for publication the Claims Allowed for December 2002. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to approve six (6) month Cigarette Permit for Fill 'R Up, Council Bluffs, Iowa. Roll Call Vote: Ayes-4; Nays-Moats. Motion carried.

Motion by Knauss, second by Moats, to approve funding request from West Central Development Corporation in the amount of \$3,000.00. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:10 P.M.

Melvyn Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: January 13, 2003
PUBLISH: X

January 13, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of January 8, 2003 as written. Unanimous vote. Motion carried.

Motion by Leaders, second by Moats, to authorize Board to sign **Planning and Zoning Resolution No. 2003-01** to approve final plat of Bent Tree Estates, Phase 3. Roll Call Vote: Ayes-5. Motion carried.

Motion by Knauss, second by Leaders, to approve Class "C" Beer Permit/Sunday Sales Privilege for Fill-R-Up, Council Bluffs, Iowa. Roll Call Vote: Ayes-4. Nay-Moats. Motion carried.

The Board adjourned subject to call at 11:40 A.M.

Melvyn Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: January 27, 2003
PUBLISH: X

January 27, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 8:30 A.M., all members present. Chairman Houser presiding.
PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of January 13, 2003 as written. Unanimous vote. Motion carried.

10:00 Zoning Hearing:

CASE #SUB-2002-07: The request of Robert and Kathleen Willcuts for approval of a sketch plat application for a property split in Crescent Twp., Oak Valley Road, legally described as Oak Valley Subdivision, Lot 54.

Motion by King, second by Moats, to open the public hearing on Case #SUB-2002-07. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by King, second by Moats, to close the public hearing on Case #SUB-2002-07. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by Leaders, second by Moats, to approve the sketch plat application for a property split for Lot 54, Oak Valley Subdivision, as requested by Robert and Kathleen Willcuts and filed under Case #SUB-2002-07 and adopt **Planning and Zoning Resolution #2003-02**. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

CASE #ZMA-2002-25: The request of Douglass Blumer dba Doug's Auto Diesel, Inc., property owner Bruce Carlson, for a zoning map amendment to reclassify approximately 4.21 acres from a Class I-1 (Limited Industrial) District to a Class I-2 (General Industrial) District, located in Pleasant Township, 33300 385th Street, legally described as: 4-77-40 N1093' E404' S of I-80 NE SW.

Motion by Moats, second by Leaders, to open the public hearing on Case #ZMA-2002-25. Ayes - Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by Knauss, second by Moats, to close the public hearing on Case #ZMA-2002-25. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by King, second by Leaders, to approve first consideration of an ordinance to reclassify approximately 4.21 acres from a Class I-1 (Limited Industrial) District to a Class I-2 (General Industrial) District, as filed under Case #ZMA-2002-25, and to set second consideration for February 3, 2003 at 10:30 AM. Unanimous vote. Motion carried.

Motion by Leaders, second by Moats, to authorize Chairman to sign Iowa Department of Transportation Agreement No. 402-HBRRS-035, for Federal-Aid Highway Bridge Replacement and Rehabilitation (HBRR) Program Project No. BROS-CO78(134)- 8J-78. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to open public hearing on Keg Creek Shop for Secondary Roads Department. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Knauss, to close the public hearing and set bid opening for Tuesday, February 4, 2003 at 2:00 P.M. Unanimous vote. Motion carried.

Motion by Moats, second by King, to approve Law Enforcement Services Contract between City of Avoca, Iowa, and Pottawattamie County, Iowa, to provide law enforcement services in the amount of \$20,125 annually. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve ISAC Supervisors' Affiliate 2003 Dues in the amount of \$200. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to approve Richard Harris of Oakland and Gerald Waltrip of Carter Lake to the Judicial Magistrate Commission for a term of six (6) years to expire on December 31, 2008. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports

County Auditor's report of fees collected for quarter ending December 31, 2002.

Sheriff's Quarterly report of fees collected and disbursed for quarter ending December 31, 2002.

Salary Actions

Retirement of Lowell Hagar effective December 31, 2002.

The Board adjourned subject to call a 12:10 P.M.

Melvyn Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: January 29, 2003
PUBLISH: X

January 29, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 8:30 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of January 27, 2003 as written. Unanimous vote. Motion carried.

Motion by Moats, second by King, to approve Southwest Iowa Coalition 2003 Dues in the amount of \$500.00. Unanimous vote. Motion carried.

Motion by King, second by Moats, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c) – Union Negotiations. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Knauss, to go out of Executive Session. Roll Call Vote: Ayes-5. Motion carried.

Motion by Knauss, second by King, to authorize the Chairman to sign Assessment Agreement with Professional Healthcare Support Services Corporation to assist the county in accessing the impact of the HIPAA regulations. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports

Recorder’s quarterly report for period ending December 31, 2002.

The Board adjourned subject to call at 12:10 P.M.

Melvyn Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: January 30, 2003
PUBLISH: X

January 30, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 8:30 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Leaders, to approve the minutes of January 29, 2003 as written.

Unanimous vote. Motion carried.

Motion by King, second by Moats, to approve **Engineer's Resolution No. 03-4** for purchase of right-of-way for construction and maintenance of Secondary Road system as outlined in the Policy and Procedure Memorandum #03-1. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats.

Motion carried.

Motion by Knauss, second by Leaders to donate \$75,000 to the Underwood Memorial Building Association (UMBA), for their community building construction project. The \$75,000 will be donated from gaming funds, the first week of February, 2003, along with a letter of support for the project.

Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

The Board adjourned subject to call at 12:20 P.M.

Melvyn Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 3, 2003

PUBLISH: X

February 3, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 8:30 A.M., all members, except Leaders, present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of January 30, 2003 as written. Unanimous vote. Motion carried.

10:30 Second Consideration

CASE #ZMA-2002-25: The request of Douglass Blumer dba Doug’s Auto Diesel, Inc., property owner Bruce Carlson, for a zoning map amendment to reclassify approximately 4.21 acres from a Class I-1 (Limited Industrial) District to a Class I-2 (General Industrial) District, located in Pleasant Township, 33300 385th Street, legally described as: 4-77-40 N1093’ E404’ S of I-80 NE SW.

Motion by King, second by Knauss, to approve second consideration of an ordinance to reclassify approximately 4.21 acres from a Class I-1 (Limited Industrial) District to a Class I-2 (General Industrial) District, as filed under Case #ZMA-2002-25, and to adopt **Ordinance #2003-01**. Ayes-King, Knauss, Houser, Absent-Leaders, Moats. Motion carried.

Motion by Knauss, second by King, to approve contract and bond for BROS-CO78 (128), Bridge-Rockford 15. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve for publication the Treasurers Semi-Annual Report for July 1 through December 31, 2002. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to approve for the Sheriff’s Department/Jail the employment of Jahn Kirlin as a Detention Officer at \$13.52 per hour to be effective January 27, 2003 and Cory Hornbeck as a Detention Officer at \$13.52 per hour to be effective February 3, 2003. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:00 P.M.

Melvyn Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 5, 2003

PUBLISH: X

February 4, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members, except Leaders, present. Chairman Houser presiding.

Motion by King, second by Moats, to take the bids for the Pottawattamie County Maintenance Facility on East Highway 92 (Keg Creek Shop) under advisement and set the award date for Wednesday, February 12, 2003 at 10:15 AM. Unanimous vote. Motion carried.

The Board adjourned subject to call at 2:30 P.M.

Melvyn Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 10, 2003

PUBLISH: X

February 5, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 8:30 A.M., all members, except Leaders, present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of February 3, 2003 as written. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

East Pottawattamie County Agricultural Extension Council – Certificate of Organization

The Board adjourned subject to call at 1:40 P.M.

Melvyn Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 10, 2003

PUBLISH: X

February 10, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of February 4 , 2003 and February 5, 2003, as written. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to determine and set the following minimum amounts for the fixed assets/capital asset report: Buildings – \$25,000; Land – \$25,000; Infrastructure – \$50,000 and Machinery & Equipment – \$5,000. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to authorize the Chairman to sign a contract with Sidwell Company of Illinois to perform a real estate parcel clean-up project at a cost of \$122,344.00. Unanimous vote. Motion carried.

Motion by Moats, second by King, to approve for publication the Claims Allowed for the month of January 2003. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to authorize Chairman to sign “Order Accepting Acknowledgment/Settlement Agreement” regarding DeSoto Bend Mini Mart, Missouri Valley, Iowa. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:45 A.M.

Melvyn Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 12, 2003

PUBLISH: X

February 12, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Leaders, to approve the minutes of February 10, 2003, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to authorize AIG/Valic to provide Deferred Compensation services to Pottawattamie County. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to authorize Chairman to sign "Annual Contract For Services Between Pottawattamie County Board of Health, Pottawattamie County Board of Supervisors and The Visiting Nurse Association of Pottawattamie County" to provide services which are state mandated services for the Pottawattamie County Board of Health in the amount of \$90,307.20 annually. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to appoint Shawn Stevens as Weed Commissioner for Pottawattamie County for 2003-2004. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to appoint the following to the Planning and Zoning Commission as follows: Dawn Hess with term to expire December 30, 2003 and Frank Moran with term to expire December 30, 2007 and to appoint Tim White to the Zoning Board of Adjustment with term to expire December 30, 2007. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to adopt the **Construction Evaluation Resolution No. 7-2003**, relating to confinement feeding operation structures and the Master Matrix. Roll Call Vote: Ayes-5. Motion carried.

Motion by Moats, second by Leaders, to award bid and sign contract and bond with Prairie Construction Company for the construction of Keg Creek Shop in the amount of \$1,009,000.00 (this was the low bid). Unanimous vote. Motion carried.

Motion by King, second by Leaders, to sign contract and bond with A.M. Cohron & Son, Inc. of Atlantic, Iowa, in the amount of \$266,724.25, for BROS-CO78(129). Unanimous vote. Motion carried.

Motion by King, second by Leaders, to authorize Board to sign **Resolution No. 6-2003**, for the destruction of noxious weeds and notice to all property owners. Roll Call Vote: Ayes- 5. Motion carried.

Motion by King, second by Knauss, to appoint Lynn Leaders, as power of attorney to act on behalf of Pottawattamie County for the programs and transactions authorized under the Farm Security and Rural Investment Act and other FSA administered programs. Unanimous vote. Motion carried.

The Board adjourned subject to call at 3:00 P.M.

Melvyn Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 19, 2003
PUBLISH: X

February 14, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Leaders, to authorize Board to sign **Resolution No. 8-2003** to transfer \$500,000 from the General Basic Fund to the General Supplemental Fund. Roll Call Vote: Ayes-5. Motion carried.

Motion by Leaders, second by King, to sign a contract with Emspace Company for web site development in the amount of \$22,575.00. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:30 A.M.

Melvyn Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 19, 2003
PUBLISH: X

February 19, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Knauss, to approve the minutes of February 12, 2003 and February 14, 2003, as written. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to approve the employment of Bryan Crawford as a Network Administrator in the Information Technology Services Department at \$37,000 annually to be effective 2/18/03. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve Class "C" Beer Renewal/Sunday Sales Privilege for Kum & Go #23, Neola, Iowa. Roll Call Vote: Ayes-4, Nay-Moats. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Bonds

Loren T. Knauss/Supervisor(1/1/03-1/1/07) - \$20,000; Lynn D. Leaders/Supervisor(1/1/03-1/1/07) - \$20,000 and Elizabeth J. Moats/ Supervisor(1/1/03-1/1/07) - \$20,000.

The Board adjourned subject to call at 1:25 P.M.

Melvyn Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 24, 2003

PUBLISH: X

February 24, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members, except Knauss, present.
Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Leaders, to approve the minutes of February 19, 2003, as written.
Unanimous vote. Motion carried.

Motion by Moats, second by King, to pledge \$16,000 to the Grow Iowa CHDO Rehab Project, for eastern Pottawattamie County, subject to awarding of the grant in June of 2003. Unanimous vote.
Motion carried.

The Board adjourned subject to call at 11:35 A.M.

Melvyn Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 26, 2003
PUBLISH: X

February 26, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Houser presiding.
PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of February 24, 2003, as written. Unanimous vote. Motion carried.

9:00 AM - Zoning Hearings:

CASE #ZMA-2003-01: The request of Lynn Leaders for zoning map amendment to reclassify approximately 13.041 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, located in Hazel Dell Township, Road L-34, legally described as: Parcel "A" W½ NW¼ 35-76-43.

AND

CASE #SUB-2003-01: The request of Lynn Leaders for a preliminary plat approval of Metropolis Acres in Hazel Dell Township, Road L-34, legally described as: Parcel "A" W½ NW¼ 35-76-43.

Motion by King, second by Moats, to open the public hearing on Case #ZMA-2003-01 and #SUB-2003-01. Ayes-Houser, Moats, King, Knauss. Motion carried.

Motion by Moats, second by King, to continue the public hearing and first consideration of Case #ZMA-2003-01 and #SUB-2003-01 and to tour the subject property on March 12, 2003 at 1:00 P.M. Ayes-Houser, Moats, King, Knauss. Motion carried.

Motion by Moats, second by Knauss, to set the time for continuation of the public hearing and first consideration of Case #ZMA-2003-01 and #SUB-2003-01 for March 17, 2003 at 10:00 A.M. Ayes-Houser, Moats, King, Knauss. Motion carried.

CASE #ZTA-2003-01: The request of the Pottawattamie County Office of Planning and Development for a zoning text amendment to amend Section 8.097.020 of the Zoning Ordinance by adding Subsection .03 to require the submittal of a pollution prevention plan having been approved by the appropriate soil and water conservation district office and submittal of a National Pollutant Discharge Elimination System (NPDES) Permit approved by the Iowa Department of Natural Resources, along with the zoning permit application for all parcels where the proposed construction event will result in one (1) acre or more of land to be disturbed.

Motion by King, second by Moats, to open the public hearing on Case #ZTA-2003-01. Ayes-Houser, Moats, King, Knauss. Motion carried.

Motion by King, second by Moats, to close the public hearing on Case #ZTA-2003-01. Ayes-Houser, Moats, King, Knauss. Motion carried.

Motion by King, second by Moats, to approve first consideration of an ordinance to amend Section 8.097.020 of the Zoning Ordinance by adding Subsection .03 to require the submittal of a pollution prevention plan having been approved by the appropriate soil and water conservation district office and submittal of a National Pollutant Discharge Elimination System (NPDES) Permit approved by the Iowa Department of Natural Resources, along with the zoning permit application for all parcels where the proposed construction event will result in one (1) acre or more of land to be disturbed and to set second consideration for March 17, 2003 at 10:00 A.M. Ayes-Houser, Moats, King, Knauss. Motion carried.

Motion by King, second by Knauss, to authorize Board to sign an easement with Carson. Motion withdrawn.

Motion by Moats, second by King, to authorize Board to sign a non-assignable lease agreement for a well-site with the City of Carson on property described as: "A part of the Southeast Quarter of the Southeast Quarter of Section 2, Township 74 North, Range 40 West of the 5th P.M., Pottawattamie County, Iowa", for the price of \$30,000. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to authorize Board to sign BROS Agreement BRS-CO78-(131) - - 60-78. Unanimous vote. Motion carried.

Motion by King, second by Moats, to appoint Carey Jensen to the Compensation Commission, which assesses damages to all property to be acquired on behalf of the State of Iowa. Unanimous vote. Motion carried.

The Board adjourned subject to call 12:15 P.M.

Melvyn Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: March 5, 2003
PUBLISH: X

March 5, 2003**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:30 A.M., all members present. Chairman Houser presiding.
PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of February 26, 2003, as written. Unanimous vote. Motion carried.

Motion by King, second by Moats, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c) for purposes of discussion of pending litigation. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Moats, to out of Executive Session. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Moats, to change job title from GIS Program Coordinator to GIS Director. Unanimous vote. Motion carried.

Motion by Leader, second by King, to authorize Treasurer of Pottawattamie County to process a deed to Dave and Sandy Carlson for property described as being: "Burns Addition, Lot 10, Block 15, Council Bluffs, Iowa." Unanimous vote. Motion carried.

Motion by King, second by Knauss, to authorize the following job classification changes retro-active to February 1, 2003: Auditor's Office: Audrey Chapin from Payroll Supervisor to Payroll/Benefit Specialist (G17S7) no salary change, Virginia Hatcher from Payroll Assistant (G15S7) to Payroll/Benefit Specialist (G17S7) at \$16.24 per hour, Board of Supervisors' Office: Cindy Kahoe from Secretary II (G10S7) to Board Secretary (G13S7) at \$14.09 per hour and Secondary Roads Department: Carroll Jensen from Engineering Assistant II to Assistant to the Engineer at \$23.24 per hour, Lori Hackett-Office Assistant to \$16.93 per hour, Michael Boehm-Road Foreman/East to \$21.87 per hour, John Hanson-Road Foreman/West to \$22.64 per hour, Donald Hansman from Bridge Foreman to Bridge/Shop Foreman at \$21.87 per hour, Kevin Crouse/Assistant Foreman and Terry Ring/Assistant Foreman to \$19.84 per hour. Unanimous vote. Motion carried.

Motion by Moats, second by King, to authorize Chairman to sign stop payment authorization form for warrant number 23519 and issue new warrant. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to authorize Chairman to sign 2003-Notice of Disallowances for Homestead Tax Credits and Military Credits. Unanimous vote. Motion carried.

Motion by King, second by Moats, to approve the employment of Kris Meyer as Help Desk Specialist in the Information Technology Department at \$31,500 annually, effective March 3, 2003. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to approve for publication the claims allowed for the month of February 2003. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:30 P.M.

Melvyn Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: March 10, 2003

PUBLISH: X

March 10, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members except Houser present.

Chairman Pro Tem King presiding.

PLEDGE OF ALLEGIANCE

Motion by Moats, second by Leaders, to approve the minutes of March 5, 2003, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to open the public hearing on an Ordinance to amend Chapter 1.50, Schedule of Fees, to increase various filing fees, Pottawattamie County, Iowa, Code. Roll Call Vote: Leaders-Aye; Moats-Aye; King-Aye; Knauss-Aye; Houser-Absent. Motion carried.

Motion by Leaders, second by Moats, to close the public hearing on an Ordinance to amend Chapter 1.50, Schedule of Fees, to increase various filing fees, Pottawattamie County, Iowa, Code. Roll Call Vote: Leaders - Aye; Moats-Aye; King-Aye; Knauss-Aye; Houser-Absent. Motion carried.

Motion by Leaders, second by Knauss, to approve first consideration of an Ordinance to amend Chapter 1.50, Schedule of Fees, to increase various filing fees, Pottawattamie County, Iowa, Code and to set second consideration for Monday, March 17, 2003 at 11:00 A.M. Ayes-4; Absent-Houser. Motion carried.

Motion by Moats, second by Leaders to sell the following property to Robert Page for \$100: Vergamini Addition, Part Lot 2, NE SE Part Lot 6 West of Trailridge South of Lot 25, City of Council Bluffs, Pottawattamie County, Iowa. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to approve the employment of Steven Starkey as a Detention Officer in the Sheriff's Department/Jail at \$13.52 per hour to be effective February 27, 2003. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:00 A.M.

Melvyn Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: March 12, 2003
PUBLISH: X

March 12, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:15 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of March 10, 2003, as written. Unanimous vote. Motion carried.

Motion by Leaders, second by Moats, to open Public Hearing on the 2003-2004 Pottawattamie County Budget. Roll Call Vote: Ayes-5. Motion carried.

Motion by Knauss, second by leaders, to close the public hearing. Roll Call Vote: Ayes-5. Motion carried.

Motion by Moats, second by King, to authorize Board to sign **Resolution No. 9-2003**, adopting the Fiscal Year 2003-2004 Pottawattamie County Budget and approving the Compensation Board’s recommendation of 3% for the following officials: Sheriff - \$73,243.00; Auditor - \$51,099.00; Treasurer - \$51,099.00; Recorder - \$49,870.00; Board of Supervisors - \$29,807.00. The County Attorney will remain at the current salary of \$79,929.00. Roll Call Vote: Ayes-5. Motion carried.

Motion by Knauss, second by King, to set aside the agenda as allowed by Code of Iowa, Chapter 21.4 and allow the Board to consider Resolution No. 10-2003 to approve the County Conversion of Accounting Numbers. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to authorize Board to sign **Resolution No. 10-2003**, to approve the conversion of the County Fiscal Year 2002-2003 Budget. Roll Call Vote: Ayes-5. Motion carried.

The Board adjourned subject to call at 12:00 P.M.

Melvyn Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: March 17, 2003
PUBLISH: X

March 17, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:15 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Leaders, to approve the minutes of March 12, 2003, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to accept all revisions to the Personnel Policy as of March 17, 2003. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to approve an agreement for professional services between Varion Systems – A Division of GeoAnalytics, Inc., and Pottawattamie County, Iowa, for P.V. Web and P.V. Web Public Implementation, for \$43,500.00. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to authorize Chairman to sign **Engineer Resolution No. 03-5**, to embargo seal coat roads. Roll Call Vote: Ayes-5. Motion carried.

10:00 Continuation of Public Hearing and First Consideration:

CASE #ZMA-2003-01: The request of Lynn Leaders for zoning map amendment to reclassify approximately 13.041 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, located in Hazel Dell Township, Road L-34, legally described as: Parcel "A" W½ NW¼ 35-76-43.

CASE #SUB-2003-01: The request of Lynn Leaders for a preliminary plat approval of Metropolis Acres in Hazel Dell Township, Road L-34, legally described as: Parcel "A" W½ NW¼ 35-76-43.

Motion by Moats, second by King, to close the public hearing on Case #ZMA-2003-02 and #SUB-2003-01. Ayes- Houser, Moats, King, Knauss. Motion carried.

Motion by Moats, second by King, to continue the first consideration of Case #ZMA-2003-01 and #SUB-2003-01 to April 2, 2003 at 10:00 A.M. Ayes-Houser, Moats, King, Knauss. Motion carried. See Minutes of March 24, 2003 for date change on first consideration.

CASE #ZTA-2003-01: The request of the Pottawattamie County Office of Planning and Development for a zoning text amendment to amend Section 8.097.020 of the Zoning Ordinance by adding Subsection .03 to require the submittal of a pollution prevention plan having been approved by the appropriate soil and water conservation district office and submittal of a National Pollutant Discharge Elimination System (NPDES) Permit approved by the Iowa Department of Natural Resources, along with the zoning permit application for all parcels where the proposed construction event will result in one (1) acre or more of land to be disturbed.

Motion by Leaders, second by Knauss, to approve second consideration of an ordinance to amend Section 8.097.020 of the Zoning Ordinance by Adding Subsection .03 to require the submittal of a pollution prevention plan having been approved by the appropriate soil and water conservation district office and submittal of a National Pollutant Discharge Elimination System (NPDES) Permit approved by the Iowa Department of Natural Resources, along with the zoning permit application for all parcels where the proposed construction event will result in one (1) acre or more of land to be disturbed and to adopt Ordinance #2003-2. Ayes-Houser, Moats, King, Knauss, Leaders. Motion carried.

CASE #ZMA-2003-02: The request of Richard and Fritrena Danielsen for a zoning map amendment to reclassify approximately 5.59 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-2 (Suburban Residential) District, located in Lewis Township, Highway 275, legally described as: "16-74-43 PT NE SW & PT SE NW Comm SW Cor SE NW TH N347.49' SE968.69' SW522.33' NW887.09' N17.25' to POB (Parcel A).

AND

CASE #SUB-2003-02: The request of Richard and Fritrena Danielsen for a preliminary plat approval of Heaven's Valley, Lewis Township, Highway 275, legally described as: "16-74-43 PT NE SW & PT SE NW Comm SW Cor SE NW TH N347.49' SE968.69' SW522.33' NW887.09' N17.25' to POB (Parcel A)."

Motion by King, second by Knauss, to open the public hearing on Case #ZMA-2003-02 and #SUB-2003-02. Ayes- Houser, Moats, King, Knauss, Leaders. Motion carried.

Motion by King, second by Knauss, to close the public hearing on Case #ZMA-2003-02 and #SUB-2003-02. Ayes-Houser, Moats, King, Knauss, Leaders. Motion carried.

Motion by Knauss, second by King, to approve first consideration of an ordinance to reclassify approximately 5.59 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-2 (Suburban Residential) District, as filed under Case #ZMA-2003-02, and to set second consideration for March 24, 2003 at 10:00 A.M. and to continue the consideration of the preliminary plat of Heaven's Valley to the same date and time. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to approve second consideration of an Ordinance to amend Chapter 1.50, Schedule of Fees, to increase various filing fees, Pottawattamie County, Iowa, Code and to adopt Ordinance #2003-3. Ayes-Houser, Moats, King, Knauss, Leaders. Motion carried.

Motion by King, second by Leaders, to approve Class "C" Liquor/Sunday Sales and Outdoor Privilege for Aeroplane Inn, Honey Creek, Iowa and Quail Run Country Club, Neola, Iowa. Roll Call Vote: Houser-Aye; King- Aye; Knauss-Aye; Leaders-Aye. Nay-Moats. Motion carried.

The Board adjourned subject to call at 11:45 A.M.

Melvyn Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: March 24, 2003

PUBLISH: X

March 24, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members, except Leaders, present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of March 17, 2003, as amended. Unanimous vote. Motion carried.

10:00 Second Consideration

CASE #ZMA-2003-02: The request of Richard and Fritrena Danielsen for a zoning map amendment to reclassify approximately 5.59 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-2 (Suburban Residential District, located in Lewis Township, Highway 275, legally described as: "16-74-43 PT NE SW & PT SE NW Comm SW Cor SE NW TH N347.49' SE968.69' SW522.33' NW887.09' N17.25' to POB (Parcel A)."

CASE #SUB-2003-02: The request of Richard and Fritrena Danielsen for a preliminary plat approval of Heaven's Valley, Lewis Township, Highway 275, legally described as: "16-74-43 PT NE SW & PT SE NW Commencing SW Corner SE NW TH N347.49' SE968.69' SW522.33' NW887.09' N17.25' to POB (Parcel A)."

Motion by Knauss, second by King, to approve second consideration of an ordinance to reclassify approximately 5.59 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-2 (Suburban Residential) District, as filed under Case #ZMA-2003-02, and to adopt **Ordinance #2003-4** and to approve the preliminary plat of Heaven's Valley and adopt **Planning and Zoning Resolution #2003-3**, containing conditions on the approval of the plat. Unanimous vote. Motion carried.

Motion by King, second by Moats, to authorize the Board to sign **Resolution No. 11-2003**, appointing Lori Holste to the Southern Iowa Regional Housing Authority Board to serve for three years respectively from the ninth day of April, 2003. Roll Call Vote: Ayes-Houser, King, Knauss, Moats. Motion carried.

Motion by Knauss, second by King, that Pottawattamie County will be applicant on behalf of Oakland Foods for an ESDA Grant. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to set a public hearing for an ESDA grant application for 11:00 AM on April 7, 2003. Unanimous vote. Motion carried.

Motion by Moats, second by King, to renew financing with U.S. Bank for property known as the Southwest Iowa Industrial Park, located south of Council Bluffs, between I-80 and the Missouri River, at a five year fixed rate of 5.89% (3.97% for tax-exempt), and authorize the Chairman to sign prepared documents on behalf of the county. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to approve the employment of Edward Freeman as a Detention Officer in the Jail at \$13.52 per hour, to be effective March 31, 2003. Unanimous vote. Motion carried.

Motion by Moats, second by King, to amend the minutes of March 17, 2003, changing the continuation of the first consideration of Case #ZMA-2003-02 and Case #SUB-2003-01 from April 2, 2003 to April 7, 2003, at 10:00 AM. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve Class "C" Liquor Renewal/Sunday Sales and Outdoor Privilege for Tammy's Club 92, Carson, Iowa. Roll Call Vote: Ayes-Houser, King, Knauss. Nay-Moats. Motion carried.

Motion by King, second by Moats, to approve employment of Scott Liddel as a Survey Party Chief in the Secondary Roads Department at \$22.00 per hour to be effective March 10, 2003. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to appoint Delbert King to the West Central Development Corporation Board to serve until December 31, 2004. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:10 P.M.

Melvyn Houser, Chairman

ATTEST: _____
Cheryl Ross, First Deputy Auditor's Office

APPROVED: March 26, 2003
PUBLISH: X

March 26, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by King, to approve the minutes of March 24, 2003, as written. Unanimous vote. Motion carried.

Motion by King, second by Moats, to open the public hearing for the Mental Health Services Management Strategic Plan for July 1, 2003 through June 30, 2006. Roll Call Vote: Houser-Aye; King-Aye; Knauss-Aye; Leaders-Aye; Moats-Aye. Motion carried.

Motion by King, second by Leaders, to close the public hearing. Roll Call Vote: Houser-Aye; King-Aye; Knauss-Aye; Leaders-Aye; Moats-Aye. Motion carried.

Motion by King, second by Leaders, to approve and sign the Mental Health Services Management Strategic Plan for Pottawattamie County to be effective July 12, 2003 through June 30, 2006. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to authorize Chairman to sign Mental Health Outpatient Services Agreement with Alegent Health. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to approve a change in the Account II position from grade 13 step 8 to grade 15, step 8, effective March 24, 2003. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to create a non-union motor vehicle manager position at grade 17, step 7, effective March 24, 2003. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:33 A.M.

Melvyn Houser, Chairman

ATTEST: _____
Cheryl Ross, First Deputy, Auditor's Office

APPROVED: March 31, 2003

PUBLISH: X

March 31, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of March 26, 2003, as written. Unanimous vote. Motion carried.

Motion by King, second by Leaders to approve the canvas of the March 25, 2003 Special Treynor School Bond Election and authorize the auditor to pay claims for the special elections and bill the school district for all costs. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to authorize Board to sign **Engineer’s Resolution No. 03-05**, to set public hearing for a road vacation in Silver Creek Township, Sections 9 and 16 for Wednesday, April 9, 2003 at 10:00 A.M. in the Board of Supervisors’ Hearing Room, Second Floor, Courthouse, Council Bluffs, Iowa. Roll Call Vote: Houser-Aye; King-Aye; Knauss-Aye; Leaders-Aye; Moats-Aye. Motion carried.

Motion by King, second by Leaders, to approve for the Sheriff’s Department the promotion of Andrew Brown from Detention Officer to Deputy, at \$15.85 per hour to be effective 3/24/03. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:20 A.M.

Melvyn Houser, Chairman

ATTEST: _____
Cheryl Ross, First Deputy, Auditor’s Office

APPROVED: April 7, 2003

PUBLISH: X

April 7, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of March 31, 2003, as written. Unanimous vote. Motion carried.

10:00 Continuation of First Consideration:

CASE #ZMA-2003-01: The request of Lynn Leaders for a zoning map amendment to reclassify approximately 13.041 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, located in Hazel Dell Township, Road L-34, legally described as: Parcel "A" W½ NW¼ 35-76-43.

CASE #SUB-2003-01: The request of Lynn Leaders for a preliminary plat approval of Metropolis Acres in Hazel Dell Township, Road L-34, legally described as: Parcel "A" W½ NW¼ 35-76-43.

Motion by Moats, second by King, to remand Case #ZMA-2003-01 and #SUB-2003-01 back to the Planning and Zoning Commission for further review and recommendation after receipt of the amended Pollution Prevention Plan, the amended NPDES Permit and information relative to water runoff. Ayes-4; Absent-Leaders. Motion carried.

Motion by King, second by Leaders, to open the Public Hearing on the Economic Development Set-Aside Grant Application. Roll Call Vote: Ayes- Houser, King, Knauss, Leaders, Moats. Motion carried.

11:00 A.M.: PUBLIC HEARING INFORMATION ON EDSA GRANT APPLICAION FOR OAKLAND FOODS:

(A) HOW THE NEEDS FOR THE PROPOSED ACTIVITIES WERE IDENTIFIED

Due to several market opportunities, production capacity at the Oakland plant needs to be increased. The current expansion phase includes installation of an additional microwave line to process fully-cooked bacon. The new line will be installed next to the two lines currently in operation. This expansion is necessary for the company to meet increased consumer demand. An additional production line will be installed within the next twelve months to provide the firm with additional processing capacity.

(B) HOW THE PROPOSED ACTIVITIES WILL BE FUNDED AND SOURCES OF FUNDS

The total cost of the project is estimated to be \$4,010,000. Pottawattamie County will apply for \$260,000 in Economic Development Set-Aside funds from the Iowa Department of Economic Development for the project on behalf of Oakland Foods, and the remaining funds for the project will come from the company, who will use current cash flow and lease agreements with local lenders to finance the equipment purchases.

(C) DATE APPLICATION WILL BE SUBMITTED

April 2003

(D) REQUESTED AMOUNT OF CDBG FUNDS

Oakland Foods is requesting \$260,000 in EDSA funds. \$130,000 of the funds will be in the form of a five-year forgivable loan and \$130,000 will be in the form of repayable loan with terms of five years and 0% interest.

(E) ESTIMATED PORTION OF THE CDBG FUNDS REQUESTED THAT WILL BENEFIT PERSONS OF LOW AND MODERATE INCOME

At least 51 percent of the 90 permanent, full-time jobs created or retained by the proposed project will be taken by or made available through first consideration activities to persons from low-and moderate-income families.

(F) WHERE THE PROPOSED ACTIVITIES WILL BE CONDUCTED

The project will take place at the Oakland Foods production facility, located at 21876 North Highway 59, Oakland, IA 51560.

(G) PLANS TO MINIMIZE DISPLACEMENT OF PERSONS AND BUSINESSES AS A RESULT OF FUNDED ACTIVITIES

No displacement of persons or businesses will occur.

(H) PLANS TO ASSIST PERSONS ACTUALLY DISPLACED.

No displacement of persons or businesses will occur.

(I) THE NATURE OF THE PROPOSED ACTIVITIES.

The proposed project consists of the purchase and installation of two additional production lines at Oakland Foods. One of the lines would be specifically for producing fully-cooked microwave bacon, and the second line would be for producing other fully-cooked meat products. Completion of this project will result in the creation of 90 new full-time jobs at the company.

Motion by King, second by Knauss, to close the Public Hearing on the Economic Development Set-Aside Grant Application. No comments were received. Roll Call Vote: Ayes- Houser, King, Knauss, Leaders, Moats. Motion carried.

COMMUNITY DEVELOPMENT AND HOUSING NEEDS ASSESSMENT

Community Development and Housing Needs of Low and Moderate Income Persons

- 1. Increase availability of affordable housing in the County.
- 2. Increase availability of senior housing in the County.
- 3. Increase availability of licensed day care in the County.

Other Community Development and Housing Needs

- 1. Provide/encourage development of infrastructure in rural subdivisions.
- 2. Improve traffic flow through County, particularly on Interstate systems.

Planned or Potential Activities to Address Housing and Community Needs

- 1. Conduct a county-wide study of day care needs and availability.
- 2. Pursue funding for owner-occupied housing rehabilitation for LMI households.
- 3. Explore feasibility of HUD programs in County that provide housing alternatives for senior citizens.
- 4. Complete traffic flow studies currently in progress in County.
- 5. Review existing subdivision ordinances and determine if and modifications can be made to provide infrastructure in new and existing subdivisions.

This assessment was prepared at a Pottawattamie County Board of Supervisors Meeting on April 7, 2003. Thirteen (13) local residents were present.

Motion by King, second by Knauss, to authorize Chairman to sign EDSA grant application for Oakland Foods. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve for publication the claims allowed for the month of March 2003. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to authorize Board to sign **Board Resolution No. 12-2003**, "Designation of Applicants Authorized Representative" and **Board Resolution No. 13-2003**, "Local Match for the Pre-disaster Mitigation Grant Program. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports

Sheriff's quarterly report of fees collected and disbursed for quarter ending March 31, 2003.

The Board adjourned subject to call at 12:30 P.M.

Melvyn Houser, Chairman

ATTEST: _____
Gary Herman, First Deputy, Auditor's Office

APPROVED: April 9, 2003
PUBLISH: X

April 9, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Knauss, to approve the minutes of April 7, 2003, as written. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve and authorize Chairman to sign 04 RFA for EMS System Development Grant. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to open the public hearing on the road vacation in Sections 9 and 16, of Silver Creek Township. Roll Call Vote: Ayes-Houser, King, Leaders, Moats. Absent-Knauss. Motion carried.

Motion by King, second by Leaders, to close the public hearing and set a continuation of the public hearing after the survey crew has time to meet with the landowners on the proposed road vacation. Roll Call Vote: Ayes-Houser, King, Leaders, Moats. Absent-Knauss. Motion carried.

Motion by King, second by Moats, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c) for discussion of personnel issues. Roll Call Vote: Ayes-Houser, Knauss, King, Leaders, Moats. Motion carried.

Motion by King, second by Leaders, to go out of Executive Session. Roll Call Vote: Ayes-Houser, Knauss, King, Leaders, Moats. Motion carried.

Motion by Moats, second by King, to pay \$5,576.01 for remainder of retention to AIG Insurance. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Salary Actions

Pottawattamie County Conservation Board – Chad Kunze to \$28,000 effective April 5, 2003.

Pottawattamie County Sheriff’s Department/Jail – Resignation of Ted Rummel effective 4/3/03.

Pottawattamie County Information Technologies Department – Resignation of Brian Crawford effective April 7, 2003.

The Board adjourned subject to call at 11:48 A.M.

Melvyn Houser, Chairman

ATTEST: _____
Cheryll Ross, First Deputy, Auditor’s Office

APPROVED: April 14, 2003

PUBLISH: X

April 14, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Leaders, to approve the minutes of April 9, 2003, as written. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c), pending litigation. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by King, second by Moats, to go out of Executive Session. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve the purchase of 2 back-up generators for Simms Avenue Tower and McClelland Tower Emergency Generators from High Plains Power Systems with the county to pay \$15,815.25 and authorize Andrea Schaffer, Director of Communication to negotiate with the City of Council Bluffs for remainder of cost, which is \$5,271.75. Unanimous vote. Motion carried. (Note: Total actual cost to county was \$10,543.50 instead of \$15,815.25).

Motion by Leaders, second by Moats, to appoint Karen Anderson to the Compensation/Condemnation Commission. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to approve stop payment on warrant number 25139 and issue new warrant. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to approve application for Iowa Retail Cigarette Permit for Hilltop Food and Fuel, Minden, Iowa. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to approve Class "C" Liquor Permit/Sunday Sales Privilege for I-80 Lounge, Underwood, Iowa. Ayes-4. Nay-Moats. Motion carried.

Motion by Leaders, second by King, to approve fireworks permit for Underwood Memorial Building Association, Underwood, Iowa for July 4, 2003. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports

County Auditor's Report of Fees Collected for quarter ending March 31, 2003.

The Board adjourned subject to call at 11:55 A.M.

Melvyn Houser, Chairman

ATTEST: _____
Cindy L. Kahoe, Board Secretary

APPROVED: April 23, 2003

PUBLISH: X

April 23, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Leaders, to approve the minutes of April 14, 2003, as written. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to authorize Board to sign **Resolution No. 14-2003**, regarding the issuance, in two or more series, of not to exceed \$14,000,000 aggregate principal amount of Industrial Development Revenue Bonds (Plumrose USA, Inc. Project), of Pottawattamie County, Iowa, directing publication of a notice of intention to issue, and set a public hearing on the proposal to issue said Bonds, and declaring an official intent to reimburse for Wednesday, May 28, 2003 at 10:00 A.M., in the Board of Supervisors' Hearing Room, Second Floor, Courthouse, Council Bluffs, Iowa. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Moats, second by King, to approve bid from Sheppard's Business Interiors in the amount of \$9,303.10 for 3rd & 4th floor lobby seating, to be paid for from gaming funds. Unanimous vote. Motion carried.

Motion by King, second by Knauss to approve bid from Electronic Sound Incorporated in the amount of \$4,020.00 for installation of intercom speakers on fifth floor. Unanimous vote. Motion carried.

Motion by King, second by Knauss to approve bid from ADT Security Services, Inc. in the amount of \$4,570.00 to install call buttons in the Courthouse Courtrooms. To be paid out of gaming funds. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve employment of Stacey Robertson as Animal Control Officer to be effective April 9, 2003 at an annual salary of \$15,000. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve Class "C" Liquor License/Sunday Sales Privilege and Outdoor Service Permit for Aeroplane Inn, Honey Creek, Iowa. Roll Call Vote: Ayes – King, Knauss, Leaders. Nay-Moats. Motion carried.

Motion by King, second by Leaders, to authorize Chairman to sign Alltel Service Agreement for Pottawattamie County Courthouse in the amount of \$4,560.00 and Pottawattamie County Human Services in the amount of \$1,749.90 for a term of 12 months commencing 4/24/03 and ending 4/23/04. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:03 P.M.

Melvyn Houser, Chairman

ATTEST: _____
Cheryll Ross, First Deputy Auditor's Office

APPROVED: April 28, 2003
PUBLISH: X

April 24, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 1:30 P.M., all members, except Knauss, present.
Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by Moats, second by Leaders, to go into Executive Session, as allowed by Code of Iowa, Chapter 21.5(c) – Union Negotiations. Roll Call Vote: Ayes-Houser, King, Leaders, Moats. Absent-Knauss.
Motion carried.

Motion by Leaders, second by King, to go out of Executive Session. Roll Call Vote: Ayes-Houser, King, Leaders, Moats. Absent-Knauss. Motion carried.

The Board adjourned subject to call at 2:22 P.M.

Melvyn Houser, Chairman

ATTEST: _____
Cindy L. Kahoe, Board Secretary

APPROVED: April 28, 2003
PUBLISH: X

April 28, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of April 23, 2003 and April 24, 2003, as amended. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to approve the employment of Anthony Kava as Network Administrator at \$40,000 annually, to be effective May 13, 2003. Unanimous vote. Motion carried.

Motion by King, second by Moats, to authorize Chairman to sign contract with GeoAnalytics for database services in the amount of \$26,600. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to sign **Engineer’s Resolution No. 2003-06** for detour of county road L19. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

The Board adjourned subject to call at 11:45 A.M.

Melvyn Houser, Chairman

ATTEST: _____
Cheryll Ross, First Deputy, Auditor’s Office

APPROVED: May 7, 2003

PUBLISH: X

May 7, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members, except King, present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Knauss, to approve the minutes of April 28, 2003, as written. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve Class “C” Beer Renewal/Sunday Sales Privilege for Fill & Food, Minden, Iowa. Roll Call Vote: Ayes-Houser, Knauss, Leaders. Nays-Moats. Motion carried.

Motion by Knauss, second by Leaders, to approve setting zero salvage value at the end of straight line depreciation for fixed assets. Unanimous vote. Motion carried.

Motion by Knauss second by Leaders, to approve Class “B” Beer Permit/Sunday Sales Privilege and Outdoor Permit for Westfair for four (4) stands for 6 months. Roll Call Vote: Ayes-Houser, Knauss, Leaders. Nays-Moats. Motion carried.

Motion by Moats, second by Leaders, to approve “Telecommunications Facilities License Agreement between Cox Communications, Inc., and Pottawattamie County Board of Supervisors. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to go into Executive Session, as allowed by Code of Iowa, Chapter 21.5(c) – Pending Litigation. Roll Call Vote: Ayes-Houser, Knauss, Leaders, Moats. Motion carried.

Motion by Knauss, second by Leaders, to go out of Executive Session. Roll Call Vote: Ayes-Houser, Knauss, Leaders, Moats. Motion carried.

Motion by Leaders, second by Moats, to authorize Chairman to sign contract and bond for BROS-CO78(130)- - 8J – 78 with Cunningham-Reis Company in the amount of \$595,566.40 for new bridge in Silver Creek Township, Section 19. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to set aside the agenda, as allowed by the Code of Iowa, Chapter 21.4, due to time constraint, and approve Resolution No. 15-2003, regarding Senate File 453. Roll Call Vote: Ayes-Houser, Knauss, Leaders, Moats. Motion carried.

Motion by Knauss, second by Leaders, to approve **Resolution No. 15-2003**, as requested by the Iowa State Association of Counties, regarding Senate File 453, the “Reinventing Government” bill. Roll Call Vote: Ayes-Houser, Knauss, Leaders, Moats. Motion carried.

The Board adjourned subject to call at 12:10 P.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Gary Herman, First Deputy, Auditor’s Office

APPROVED: MAY 12, 2003
PUBLISH: X

May 12, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by Knauss, second by Moats, to approve the minutes of May 7, 2003, as written. Unanimous vote. Motion carried.

Motion by King, second by Moats, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c) for purposes of Union Negotiations. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by King, second by Leaders, to go out of Executive Session. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by King, second by Leaders, to certify the results of the A-H-S-T school bond election and authorize payment of related expenses. Unanimous vote. Motion carried.

10:00 Public Hearings:

Case #ZMA-2003-03: The request of Michael H. and Mary Jo Hughes for a zoning map amendment to reclassify approximately 27.16 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-2 (Suburban Residential) District, located in Lewis Township, Highway 275, legally described as: "A parcel of land located in the SW1/4 of Section 15, Township 74N, Range 43W of the 5th P.M."

AND

Case #SUB-2003-03: The request of Michael H. and Mary Jo Hughes for a preliminary plat approval of Skyline Estates, Phase II, Lewis Township, Highway 275, legally described as: "A parcel of land located in the SW1/4 of Section 15, Twp 74N, Range 43W of the 5th P.M."

Motion by Knauss, second by Moats, to open the public hearing on Case #ZMA-2003-03 and #SUB-2003-03. Unanimous vote. Motion carried.

Motion by King, second by Moats, to continue the public hearing on Case #ZMA-2003-03 and #SUB-2003-03 to Wednesday, May 21, 2003 at 9:30 AM, with the Board touring said property at 10:00 AM on May 19 2003. Unanimous vote. Motion carried.

Case #SUB-2003-04: The request of Sekots Enterprises for a preliminary plat approval of Whitetail Hollow, Rockford Township, 31586 170th Street, 31708 170th Street, 31760 170th Street, legally described as: "Lot 3, Auditor's Subdivision S½ NE¼ NE¼ and replat of Lot 1, Auditor's Subdivision NW¼, Section 14, Township 77N, Range 44W of the 5th P.M."

Motion by King, second by Moats, to open the public hearing on Case #SUB-2003-04. Unanimous vote. Motion carried.

Motion by King, second by Moats, to close the public hearing on Case #SUB-2003-04. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve the preliminary plat of Whitetail Hollow and to adopt **Planning and Zoning Resolution #2003-4**. Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

CASE #ZMA-2003-01: The request of Lynn Leaders for zoning map amendment to reclassify approximately 13.041 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, located in Hazel Dell Township, Road L-34, legally described as: Parcel "A" W½ NW¼ 35-76-43.

AND

CASE #SUB-2003-01: The request of Lynn Leaders for a preliminary plat approval of Metropolis Acres in Hazel Dell Township, Road L-34, legally described as: Parcel "A" W½ NW¼ 35-76-43.

Motion by King, second by Knauss, to open the public hearing on Case #ZMA-2003-01 and #SUB-2003-01. Ayes-4; Absent-Leaders. Motion carried.

Motion by King, second by Moats, to close the public hearing on Case #ZMA-2003-01 and #SUB-2003-01. Ayes-4; Absent-Leaders. Motion carried.

Motion by Knauss, second by Moats, to approve first consideration of an ordinance to reclassify approximately 13.041 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, as filed under Case #ZMA-2003-01, and to set second consideration for May 21, 2003 at 9:00 AM and to continue the consideration of the preliminary plat of Metropolis Acres to the same date and time. Ayes-Houser, Knauss, Moats; Nays-King; Absent-Leaders. Motion carried.

Motion by King, second by Leaders, to approve Class "B" Beer Permit/Sunday Sales Privilege and Outdoor Permit for Frank's Concessions (Westfair Amphitheatre, Council Bluffs) for six months. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders. Nay-Moats. Motion carried.

Motion by King, second by Leaders, to award bid to asphalt areas of the south employee parking lot to Asphalt Sealcoating Company, Inc., in the amount of \$13,360.00 and authorize Chairman to sign contract. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING:

Pottawattamie County Conservation Board – Employment of Jacob Graham as Hitchcock Nature Area Ranger Intern, effective May 12, 2003 at \$8.00 per hour.

The Board adjourned subject to call at 12:45 P.M.

Melvyn J. Houser, Chairman

ATTEST: _____

Gary Herman, First Deputy, Auditor's Office

APPROVED: May 14, 2003

PUBLISH: X

May 14, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members, except King and Leaders were present. King and Leaders were absent due to other county business. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by Knauss, second by Moats, to approve the minutes of May 12, 2003, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to set public hearing to provide information on the status of funded activities for the Pottawattamie County Emergency Back-Up Generator Project 98-DF-012, for Wednesday, May 21, 2003 at 10:00 A.M. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:38 P.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Cheryll Ross, First Deputy, Auditor's Office

APPROVED: May 21, 2003
PUBLISH: X

May 21, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by Moats, second by Knauss, to approve the minutes of May 14, 2003, as written. Unanimous vote. Motion carried.

9:00 A.M. - Second Consideration:

CASE #ZMA-2003-01: The request of Lynn Leaders for zoning map amendment to reclassify approximately 13.041 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, located in Hazel Dell Township, Road L-34, legally described as: Parcel "A" W $\frac{1}{2}$ NW $\frac{1}{4}$ 35-76-43.

CASE #SUB-2003-01: The request of Lynn Leaders for a preliminary plat approval of Metropolis Acres in Hazel Dell Township, Road L-34, legally described as: Parcel "A" W $\frac{1}{2}$ NW $\frac{1}{4}$ 35-76-43.

Motion by Knauss, second by King, to concur with the Planning and Zoning Commission's recommendation and approve second consideration of an ordinance to reclassify approximately 13.041 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, as requested by Lynn Leaders, under Case #ZMA-2003-01, and to adopt **Ordinance #2003-5** and to approve the preliminary plat of Metropolis Acres, as filed under Case #SUB-2003-01 and adopt **Planning and Zoning Resolution #2003-6**, based on the following findings:

1. The Land Use Plan designates that country estate subdivisions are permitted in this area of the County subject to policies and ordinances adopted by the Board. The Plan also states that where rural non-farm dwellings are allowed, sufficient building and development standards should be required, which will allow adequate on-site utilities. The Plan further stipulates that scatteration of rural non-farm dwellings throughout the County should be avoided.

The Board has adopted a Zoning Ordinance. The R-1 District is intended to provide the limited opportunity for development of non-farm dwellings on land in the unincorporated area of the County lying beyond two (2) miles of the corporate limits of any municipality. The Board has likewise adopted a Subdivision Ordinance that stipulates that all subdivisions shall have direct access onto hard surfaced streets. By imposing the hard surfaced street requirement, the Board has restricted the scatteration of rural non farm dwellings throughout the County.

The subject property is located beyond two (2) miles of a municipality, is not prime agricultural land, is located adjacent to a hard surfaced road, is serviced by rural water and by the nature of the soils in the area is suitable for septic system construction.

2. It is convenient for the public to provide limited opportunities for rural housing.

Subject to the following conditions:

1. The developer shall be responsible for the construction of all retention and detention facilities shown on the NRCS approved Pollution Prevention Plan. Subsequent property owners of the subject lots shall be responsible for retaining and maintaining said structures.
2. No outbuildings shall be constructed on Lots 1, 2 or 3 unless they are constructed in the areas shown as "proposed buildable area" on the Pollution Prevention Plan, unless the Pollution Prevention Plan is amended to show the proposed outbuilding buildable area and the outbuildings are accessed visa via a ridgeline and the terraces shall not be topped to provide access. Outbuildings constructed on Lots 4 and 5 shall be accessed visa via the ridgelines and the terraces shall not be topped to provide access.
3. All lots in Metropolis Acres shall be connected to the rural water system.
4. No private water wells shall be constructed in Metropolis Acres.
5. No cluster mailbox receptacle servicing all lots in Metropolis Acres shall be installed within the subdivision and outside of the road right-of-way. Alternatively, a cluster mailbox for Metropolis Acres may be combined with the cluster boxes for Country Ridge Subdivision, subject to the approval of Mortgage Homes of America and the US Postmaster.
6. The final plat shall be accompanied by a Septic Corridor Map, approved by the Planning Director, delineating an area 10,000 square foot in size per lot that will solely be dedicated for the construction of septic systems.

Ayes-Moats, King, Knauss, Houser. Motion carried.

9:30 A.M. - Continuation of Public Hearing:

Case #ZMA-2003-03: The request of Michael H. and Mary Jo Hughes for a zoning map amendment to reclassify approximately 27.16 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-2 (Suburban Residential) District, located in Lewis Township, Highway 275, legally described as: "A parcel of land located in the SW $\frac{1}{4}$ of Section 15, Township 74N, Range 43W of the 5th P.M."

Case #SUB-2003-03: The request of Michael H. and Mary Jo Hughes for a preliminary plat approval of Skyline Estates, Phase II, Lewis Township, Highway 275, legally described as: "A parcel of land located in the SW $\frac{1}{4}$ of Section 15, Twp 74N, Range 43W of the 5th P.M."

Mocha informed the Board that the Hughes have withdrawn these requests.

Motion by King, second by Moats, to authorize the Chairman to sign Intergovernmental Agreement between the Iowa Department of Natural Resources and the County empowering the County to issue State Water Well Permits, effective July 1, 2003 to June 30, 2008. Unanimous vote. Motion carried.

Case #SUB-2003-04: The request of Sekots Enterprises for a final plat approval of Whitetail Hollow, Rockford Township, 31586 170th Street, 31708 170th Street, 31760 170th Street, legally described as: "Lot 3, Auditor's Subdivision S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and replat of Lot 1, Auditor's Subdivision NW $\frac{1}{4}$, Section 14, Township 77N, Range 44W of the 5th P.M."

Motion by Knauss, second by Leaders, to approve the Final Plat of Whitetail Hollow and to adopt Planning and Zoning Resolution #2003-5. Ayes-King, Leaders, Knauss, Moats, Houser. Motion carried.

Motion by King, second by Knauss, to open public hearing on Pottawattamie County Emergency Back-up Generator Project. Roll Call Vote: Ayes-5. Motion carried.

No public present. A total review of this CDBG Project No. 98-DF-012 was presented by Jake Hansen of MAPA.

10:00 A.M. – Public Hearing – Emergency Back-Up Generator Project:

(F) A GENERAL DESCRIPTION OF ACCOMPLISHMENTS TO DATE

Permanent backup generators have been purchased and installed in various critical facilities in the communities of Glenwood, Minden, Neola, Silver City, and Carter Lake. A total of eleven generators were purchased and installed, and buildings to accommodate the new generators were constructed and/or modified in Minden and Neola.

(G) A SUMMARY OF ALL EXPENDITURES TO DATE

To date, the County and the project sub-recipients have expended \$128,922 in CDBG funds and \$56,688 in local funds on the project. Of the funds expended, \$176,361 was used for construction and equipment purchases, and \$9,249 was spent for general administration of the project.

(H) A GENERAL DESCRIPTION OF ALL REMAINING WORK

All of the construction and equipment purchases for the project have been completed. Once the administration of the project is wrapped up, the project will be closed out. The program is currently scheduled to end on May 31, 2003.

(I) A GENERAL DESCRIPTION OF CHANGES MADE TO THE CDBG PROJECT BUDGET, PERFORMANCE TARGETS, ACTIVITY SCHEDULES, PROJECT SCOPE, LOCATION, OBJECTIVES, OR BENEFICIARIES

To date, the County has requested and received five contract amendments for this project. Four of the contract amendments provided time extensions to allow for completion of the project, and one contract amendment provided increased CDBG funding for the projects in Silver City and Carter Lake. In addition, purchase and installation of two more generators, one in Glenwood and one at the Southwest Iowa Juvenile Detention Center, were omitted from the project due to lack of sufficient local funds for those projects.

Motion by King, second by Knauss, to go out of public hearing. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders Moats. Motion carried.

Motion by King, second by Knauss, to approve project #6 amendment for CDBG Project No. 98-DF-012 Emergency Back-up Generator Project. This will allow the cities of Neola and Minden to receive their reimbursement. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve and authorize Chairman to sign Pre-Disaster Mitigation (PDM) Planning Grant Agreement between Pottawattamie County and IEMD and approve and authorize Chairman to sign Pre-Disaster Mitigation (PDM) Planning Services Contract between Pottawattamie County and MAPA. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to authorize Chairman to sign **Engineer Resolution #03-07**, "Road Right-Of-Way Vacation", per Iowa Code Section 306. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Moats, second by King, to approve **Resolution No. 16-2003** to transfer \$188,255 from the General Basic Fund to the General Supplemental Fund. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by King, second by Knauss, to approve **Resolution No. 17-2003** to transfer \$300,000 from the Gaming Fund to the General Supplemental Fund. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by King, second by Moats, to approve for publication the claims allowed for April 2003. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve class "C" Liquor License, Sunday Sales Privilege and Outdoor Permit for Bent Tree Golf Club, Council Bluffs. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders. Nay-Moats. Motion carried.

Motion by King, second by Moats, to authorize Chairman to sign "Rural Transit System Joint Participation Agreement" between the Southwest Iowa Planning Council (SWIPCo) and Pottawattamie County in the amount of \$5,000, to provide for the operation of a rural transit system for use by the general public within designated geographical areas. Unanimous vote. Motion carried.

Motion by King, second by Moats, to concur with the Pottawattamie County Development Corporation and waive future tax payments on the former J & R Mini-mart property at 107 South 8th Street, Council Bluffs, Iowa and the former Alibi property, N.W. corner of East Broadway and Frank Street, Council Bluffs Iowa. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:50 A.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: May 28, 2003
PUBLISH: X

May 28, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members, except Houser, present. Chairman Pro-Tem King presiding.

PLEDGE OF ALLEGIANCE

Motion by Moats, second by Leaders, to approve the minutes of May 21, 2003, as written. Unanimous vote. Motion carried.

Motion by Leaders, second by Moats, to approve the following fireworks permits: Stage & Effects Engineering, Inc., of Valencia, California for the Westfair Amphitheater for June 6, 2003; Bill Bracker for July 3, 2003 at 28949 Road L-34, Underwood, Iowa; Frank McNeal, Sr. for July 5, 2003 at 30487 174th Street, Honey Creek, Iowa; and Kevin Fick for July 4, 2003 at 27194 Pioneer Trail, Silver City, Iowa. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to authorize Chairman to sign "Agreement To Provide Professional Consulting Services" by and between MAXIMUS, Inc. and Pottawattamie County to assist in developing cost allocation plans at a cost of \$10,400. Unanimous vote. Motion carried.

Motion by Leaders, second by Moats, to open a public hearing to issue and sell industrial development revenue bonds for Plumrose USA, Inc. of Pottawattamie County, Iowa. Roll Call Vote: Ayes-3. Motion carried.

Motion by Moats, second by Leaders, to close public hearing. Roll Call Vote: Ayes-3. Motion carried.

Motion by Moats, second by Leaders, to approve **Resolution No. 18-2003**, proceeding with the issuance and sale, in two or more series of not to exceed \$14,000,000 aggregate principal amount of industrial development revenue bonds (Plumrose USA, Inc. Project) of Pottawattamie County, Iowa. Roll Call Vote: Ayes-King, Leaders, Moats. Motion carried.

Motion by Leaders, second by Moats, to authorize Chairman to sign "Certificate of Substantial Completion" for the renovation of 3rd and 4th floors with W. Boyd Jones Construction. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to set the public hearing to amend the FY 2002-2003 County Budget for Monday, June 16, 2003 at 9:00 A.M. in the Board of Supervisors Hearing Room, Second Floor, Courthouse, Council Bluffs, Iowa. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:00 P.M.

Delbert E. King, Chairman Pro-Tem

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: June 4, 2003
PUBLISH: X

June 4, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of May 28, 2003, as written. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to approve Fireworks Permit for Underwood Community School District for July 6, 2003. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve **Resolution No. 19-2003**, to transfer \$25,020 from the General Basic Fund to the Flood & Erosion Fund. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by King, second by Leaders, to approve Change Order Number three (3) with W. Boyd Jones for Pottawattamie County Courthouse 2002 Improvements. Unanimous vote. Motion carried.

Motion by Leaders, second by Moats, to authorize Chairman to sign **Engineer's Resolution #03-09**, to consider vacating excess road right-of-way in Section 2, Lake Township and set public hearing for Wednesday, June 25, 2003 at 10:00 AM, in the Board of Supervisors' Hearing Room, Second Floor, Courthouse, 227 S 6th Street, Council Bluffs, Iowa. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Leaders, second by Knauss, to authorize Chairman to sign **Engineer's Resolution #03-08**, to establish parking restrictions on State Orchard Road. No parking will be allowed on the west side of State Orchard Road from the Intersection with McPherson Avenue southeasterly to Cedar Lane, all in Sections 28 and 33 of Garner Township. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Knauss, second by King, to authorize the GIS Department to advertise for an employee, Grade 23, with a projected employment date of July 1, 2003. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:35 P.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: June 9, 2003
PUBLISH: X

June 9, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Leaders, to approve the minutes of June 4, 2003, as written. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve Fireworks Permit for Caputo Enterprises d/b/a Mother Goose Child Care & Preschool, Council Bluffs, for July 4, 2003. Roll Call Vote: Ayes-4. Nays-Moats. Motion carried.

Motion by Knauss, second by King, to authorize Chairman to sign Service Agreement between Pottawattamie County, Iowa and Council Bluffs Area Chamber of Commerce d/b/a Pottawattamie County Growth Alliance for the sum of \$75,000.00, effective July 1, 2003 through June 30, 2004. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:00 A.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: June 16, 2003
PUBLISH: X

June 16, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members, except Leaders, present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of June 9, 2003, as written. Unanimous vote. Motion carried.

Motion by King, second by Moats, to open the public hearing to amend the Pottawattamie County Budget for Fiscal Year 2002-2003. Roll Call Vote: Ayes-4. Motion carried.

Motion by King, second by Moats, to close the public hearing. Roll Call Vote: Ayes-4. Motion carried.

Motion by Moats, second by King, to authorize Board to sign **Resolution No. 20-2003**, to amend the Fiscal Year 2002-2003 budget. Unanimous vote. Motion carried.

Motion by King, second by Moats, to authorize Board to sign **Resolution No. 21-2003**, to amend Appropriations Resolution No. 20-2002. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to authorize Board to sign **Resolution No. 22-2003**, to transfer \$1,200,000 from the Rural Services Basic Fund to the Secondary Road Fund. Unanimous vote. Motion carried.

Motion by King, second by Moats, to authorize Chairman to sign “Notices of Disallowance for Homestead Tax Credit” and “Notices of Disallowance for Military Service Tax Exemption.”. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve “Applications for Homestead Tax Credit” and “Applications for Military Exemptions” for 2003. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to approve Class “C” Liquor Renewal License and Sunday Sales Privilege for Iowa Feed & Grain, Crescent, Iowa. Ayes-3. Nays-Moats. Motion carried.

Motion by King, second by Knauss, to approve for the Sheriff’s Department/Jail the employment of Keevan Buckingham as a Detention Officer at \$13.52 per hour, effective May 31, 2003. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve for publication the claims allowed for May 2003. Unanimous vote. Motion carried.

Motion by King, second by Moats, to authorize Chairman to sign Iowa West Foundation Grant Award Agreement in the amount of \$30,000, for GIS Project. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to re-appoint Andrew Trautman, of Council Bluffs to serve as a Commissioner on the Pottawattamie County Veteran Affairs Commission for the term of 7/1/03 through 6/30/06. Unanimous vote. Motion carried.

Motion by King, second by Moats, to authorize Chairman to sign contract with SWITA for Mental Health Department. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to authorize Chairman to sign contract with New Hope Village for Mental Health Department. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:05 P.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: June 25, 2003
PUBLISH: X

June 23, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 12:30 P.M., all members, except Knauss, present. Chairman Houser presiding.

The Board discussed items as posted on the agenda and no action was taken.

The Board adjourned subject to call at 1:00 P.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: June 25, 2003
PUBLISH: X

June 25, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 8:30 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by King, to approve the minutes of June 16, 2003, and June 23, 2003 as written. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to authorize Chairman to sign "Electric Easement Under and Above Ground" between Pottawattamie County and MidAmerican Energy Company. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Moats, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5 (i) for purposes of contract review. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Leaders, to go out of Executive Session. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Moats, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5 (i) for purposes of contract review. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Moats, to go out of Executive Session. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Moats, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5 (i) for purposes of contract review. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Knauss, to go out of Executive Session. Roll Call Vote: Ayes-5. Motion carried.

Motion by Moats, second by Knauss, to authorize Board to sign **Resolution No. 23-2003**, designating Terrance Hummel, Emergency Management Coordinator, to execute on behalf of Pottawattamie County the Pre-Disaster Mitigation Grant Program and file it with the Iowa Emergency Management Division for purpose of obtaining financial assistance. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Leaders, to authorize Board to sign **Resolution No. 24-2003**, regarding the Pre-Disaster Mitigation Grant Program in the amount of \$24,000 to develop a local hazard mitigation plan. Roll Call Vote: Ayes-5. Motion carried.

Motion by Leaders, second by Knauss, to open public hearing on Hillsboro Lane North. Roll Call Vote: Ayes-5. Motion carried.

Motion by Leaders, second by King, to continue the public hearing on Hillsboro Lane North to Monday, June 30, 2003 at 10:45 A.M., in the Board of Supervisors Hearing Room, Second Floor, Courthouse, Council Bluffs. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Knauss, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5 (i) for purposes of contract review. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Moats, to go out of Executive Session. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Moats, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5 (i) for purposes of contract review. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Leaders, to go out of Executive Session. Roll Call Vote: Ayes-5. Motion carried.

Motion by Knauss, second by King, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5 (i) for purposes of contract review. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Leaders to go out of Executive Session. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Leaders, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5 (c) – pending litigation. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Leaders, to go out of Executive Session. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Knauss, to approve Fireworks Permit for James Murray of Treynor, to shoot and display fireworks on the 4th day of July, 2003. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve WIDA Dues in the amount of \$30,100 for Fiscal Year 2003-2004. Unanimous vote. Motion carried.

Motion by Moats, second by King, to approve **Resolution No. 25-2003**, to transfer \$12,523, from the East Pottawattamie County Soil & Water Conservation District to the East Pottawattamie DEA Fund. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Moats, to approve stop payment on Warrant Number 27798 and issue new warrant. Unanimous vote. Motion carried.

The Board adjourned subject to call at 2:45 P.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: June 30, 2003
PUBLISH: X

June 30, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:45 A.M., all members, present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by Moats, second by King, to approve the minutes of June 25, 2003, as written. Unanimous vote. Motion carried.

Continuation of Public Hearing

Board viewed the property of Hillsboro Lane North at 9:30 A.M. today.

Motion by King, second by Moats, to continue the public hearing on Hillsboro Lane North to Wednesday, July 16, 2003 at 10:00 A.M., in the Board of Supervisors Hearing Room, Second Floor, Courthouse, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to approve "Special Class C Liquor License (Beer/Wine)/Sunday Sales Privilege and Outdoor Service for Mt. Crescent Ski Area, Crescent, Iowa. Roll Call Vote: Ayes-4. Nays-Moats. Motion carried.

Motion by King, second by Moats, to approve **Resolution No. 26-2003** to appropriate funds for each of the different officers and departments for Fiscal Year 2003-2004. Roll Call Vote: Ayes-5. Motion carried.

Motion by Moats, second by Leaders, to approve **Resolution No. 27-2003**, to transfer \$125,000 from the Rural Services Basic Fund to the Secondary Roads Department. Roll Call Vote: Ayes-5. Motion carried.

Motion by Knauss, second by Leaders, to approve Cigarette Permits for 2003-2004 for the following: DeSoto Bend Mini Mart-Missouri Valley; Double Bar Seven-Council Bluffs; Fill & Food #10, Council Bluffs; Fill & Food #7-Minden; Fill 'R Up-Council Bluffs; Hilltop Food & Fuel-Minden; Honey Creek Campground-Crescent; Iowa Feed and Grain-Crescent; I-80 Lounge-Underwood; K C Mart-Underwood; Kum & Go-Neola; Quail Run (NW Pottawattamie County Golf Association)-Neola and Tammy's Club 92-Carson. Unanimous vote. Motion carried.

Motion by Moats, second by King, to approve fireworks permit for Bruce Dietrich/Double Bar Seven, Council Bluffs, Iowa. Roll Call Vote: Ayes-4. Nays-Knauss. Motion carried.

Motion by Moats, second by Leaders, to issue fireworks permit for Don Jones, Underwood, Iowa. Unanimous vote. Motion carried.

Motion by Leaders, second by King, to issue fireworks permit to Loren Nusser of Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to authorize Chairman to sign Memorandum of Understanding for Fiscal Year 2004 Grants to County's Well Program. Unanimous vote. Motion carried.

Motion by Moats, second by King, to abate the Real Estate taxes on city owned property in the amount of \$3,230.00. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to go into Executive Session as allowed by Code of Iowa Chapter 21.5(i) for contract review. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Moats, to go out of Executive Session. Roll Call Vote: Ayes-5. Motion carried.

The Board adjourned subject to call at 12:22 P.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: July 2, 2003
PUBLISH: X

July 2, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members, present. Chairman Houser presiding.
PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of June 30, 2003, as written. Unanimous vote.
Motion carried.

Motion by Moats, second by Knauss, to concur with the County Attorney Wilbur and approve the employment of John Sullivan as an Assistant County Attorney II effective July 2, 2003 at \$54,676.00 annually. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to merge the General Assistance Office (General Relief) with the Mental Health Department as of August 1, 2003. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Leaders, to eliminate the position of Receptionist in the Office of General Relief. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to approve fireworks permit for Double Bar Seven (Mile-A-Way) for July 6, 2003. Roll Call Vote: Ayes – Houser, King, Leaders. Nays-Moats, Knauss. Motion carried.

Motion by Knauss, second by Leaders, to authorize Board to sign **Planning and Zoning Resolution No. 2003-7**, a resolution to change the name designations of the state highways converted to county roads. Roll Call Vote: Ayes-5. Motion carried.

Motion by Knauss, second by Leaders, to authorize Chairman to sign **Planning and Zoning Resolution No. 2003-8**, a resolution establishing the name designations on several private lanes. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Moats, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5 (c) – pending litigation. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Knauss, to go out of Executive Session. Roll Call Vote: Ayes-5. Motion carried.

Motion by Knauss, second by Moats, to approve **Resolution No. 28-2003** to transfer \$150,000 from the General Basic Fund to the General Supplemental Fund. Roll Call Vote: Ayes-5. Motion carried.

Motion by Knauss, second by Leaders, to table the decision on the issuance of a liquor license for the Double Bar Seven until 10:00 A.M. on July 16, 2003. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to approve Class “C” Beer/Sunday Sales Renewal for Fill & Food #10, Council Bluffs. Roll Call Vote: Ayes-4. Nay-Moats. Motion carried.

Motion by Knauss, second by King, to approve Cash Counts for the following departments for Fiscal Year ending June 30, 2003: Pottawattamie County Auditor’s Office, Civil Department, Planning Department, Recorder’s Office and Treasurer’s Office. Unanimous vote. Motion carried.

Motion by Leaders, second by Moats, to approve the following Department Head salaries to be effective July 1, 2003: Jerry Hare/County Engineer - \$82,000; Thomas Broniecki/Information Technologies Director - \$65,000; Mike Schonlau/GIS Director - \$60,000; Suzanne Watson/Mental Health Director - \$54,000; Kay Mocha/County Planning Director - \$45,240; Jim Yochum/Buildings and Grounds Director - \$47,000 and Darlene McMartin/Veteran’s Affairs Director - \$35,360. Unanimous vote. Motion carried. (Stacey Robertson-Animal Control Officer - \$15,000 for FY 2003-2004). Darlene McMartin’s contract was renegotiated and signed on 7/28/03.

Motion by King, second by Moats, to approve salary changes for non-union, non-elected employees as follows: 2% increase effective July 1, 2003 and 2% increase January 1, 2004. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:30 P.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: July 16, 2003

July 7, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members, except King and Knauss, present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by Moats, second by Leaders, to award bid and authorize Chairman to sign project and bond for Project Number LOT04(1) - - 73 – 78 with R.D. Blue Construction in the amount of \$89,682.30. Unanimous vote. Motion carried.

Motion by Leaders, second by Moats, to award bid for the replacement of sidewalks at the Annex Building to the low bidder, MFT Construction, at a cost of \$4,853.00. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:30 A.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: July 16, 2003

PUBLISH: X

July 16, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members, except Moats, present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Knauss, to approve the minutes of July 2, 2003, and July 7, 2003, as written. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to authorize Chairman to sign the following contracts for Fiscal Years 2003-2004 and 2004-2005 between Pottawattamie County and Local 2364, American Federation of State, County, and Municipal Employees (Secondary Roads Department); Pottawattamie County Courthouse Employees AFSCME/Iowa Council 61 and General Drivers and Helpers Union Local No. 554 Affiliate of the International Brotherhood of Teamsters (Detention Officers Union). Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to set aside the agenda and go into Executive Session, as allowed by Code of Iowa, Chapter 21.4(2) for discussion of union contracts. Roll Call Vote: Ayes-4. Motion carried.

Motion by Knauss, second by Leaders, to go into Executive Session as per Code of Iowa, Chapter 21.5(c). Roll Call Vote: Ayes-4. Motion carried.

Motion by King, second by Leaders, to go out of Executive Session. Roll Call Vote: Ayes-4. Motion carried.

Motion by Knauss, second by King, to comply with the State Legislators and pass the loss on Homestead, Military and Elderly credits to property owners. Roll Call Vote: Ayes-4. Motion carried.

Motion by Knauss, second by King, to authorize Chairman to approve draft agreement between Pottawattamie County, Hungry Canyons Alliance and Northern Natural Gas Structure for Hungry Canyons Project, on Walnut Creek. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to approve for publication the Claims Allowed for June 2003. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve for the Sheriff's Department the employment of Aaron Pattee as a Deputy at \$15.85 per hour to be effective July 10, 2003. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve tax suspension for property located at: 2117 5th Avenue, Council Bluffs, Iowa. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports

County Auditor's Report of Fees Collected for quarter ending March 31, 2003.

Sheriff's Department Report of Fees Collected for quarter ending June 30, 2003.

Salary Actions

Pottawattamie County Conservation Board Contracts and Agreements for Employment: Jonathan Fenner/Park Ranger-\$31,400; David Fischer/Park Ranger-\$33,150; Brett Ford/Operations Supervisor-\$33,150; Chad Graeve/ Land Manager-\$31,650; Chad Kunze/Park Ranger-\$28,950; Tina Popson/Program Manager-\$28,950; Mark Shoemaker/ Executive Director-\$41,450; Cynthia Thompson/Administrative Director-\$32,150 and Carol Young/Outreach Manager-\$38,000.

The Board adjourned subject to call at 11:50 A.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: July 21, 2003

PUBLISH: X

July 21, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members, except Knauss and Leaders, present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of July 16, 2003, as written. Unanimous vote. Motion carried.

10:00 Zoning Hearing:

CASE #ZMA-2003-04: The request of Edward Murphy Revocable Trust by L & W Development LLC for a zoning map amendment to reclassify approximately 33.407 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, located in Garner Township, McPherson Avenue and 235th Street, legally described as SW1/4 NE1/4, except Parcel "A", Section 25, Twp 75N, R 43W of the 5th P.M.

CASE #SUB-2003-05: The request of Edward Murphy Revocable Trust by L & W Development LLC, for a preliminary plat approval of Grandfield Estates Subdivision, located in Garner Township, McPherson Avenue and 235th Street, legally described as SW1/4 NE1/4, except Parcel "A", Section 25, Township 75N, Range 43W of the 5th P.M.

Motion by King, second by Moats, to open the public hearings on Case #ZMA-2003-04 and #SUB-2003-05. Ayes-King, Moats, Houser. Absent-Knauss, Leaders. Motion carried.

Motion by King, second by Moats, to close the public hearings on Case #ZMA-2003-04 and #SUB-2003-05. Ayes-King, Moats, Houser. Absent-Knauss, Leaders. Motion carried.

Motion by King, second by Moats, to approve first consideration of an ordinance to reclassify approximately 33.407 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, as filed under Case #ZMA-2003-04, and to set second consideration for July 28, 2003 at 9:30 A.M. and to continue the consideration of the preliminary plat of Grandfield Estates Subdivision to the same date and time. Ayes-King, Moats, Houser. Absent-Knauss, Leaders. Motion carried.

CASE #ZMA-2003-05: The request of Michael Collins for a zoning map amendment to reclassify approximately 5.85 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District located in Hardin Township, 24417 McPherson Avenue, legally described as NE1/4 NW1/4 commencing at the NE corner W W652.02' S381.59' SELY107.44' E552.49' N427.68' to the point of beginning, Section 30, Township 75N, Range 42W of the 5th P.M.

CASE #SUB-2003-06: The request of Michael Collins for a preliminary plat approval of Collins Acres Subdivision, located in Hardin Township, 24417 McPherson Avenue, legally described as NE1/4 NW1/4 commencing at the NE corner W W652.02' S381.59' SELY107.44' E552.49' N427.68' to the point of beginning, Section 30, Township 75N, Range 42W of the 5th P.M.

Motion by King, second by Moats, to open the public hearings on Case #ZMA-2003-05 and #SUB-2003-06. Ayes-King, Moats, Houser. Absent-Knauss, Leaders. Motion carried.

Motion by King, second by Moats, to close the public hearings on Case #ZMA-2003-05 and #SUB-2003-06. Ayes-King, Moats, Houser. Absent-Knauss, Leaders. Motion carried.

Motion by King, second by Moats, to approve first consideration of an ordinance to reclassify approximately 5.85 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) district, as filed under Case #ZMA-2003-05, and to set second consideration for July 28, 2003 at 9:30 A.M. and to continue the consideration of the preliminary plat of Collins Acres Subdivision to the same date and time. Ayes-King, Moats, Houser. Absent-Knauss, Leaders. Motion carried.

The Board adjourned subject to call at 11:00 A.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: July 23, 2003
PUBLISH: X

July 23, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members, except Leaders, present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Knauss, to approve the minutes of July 21, 2003, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to approve the promotion of Pam Danzer from GIS Mapper/Auditor’s Office to GIS Technician/GIS Department at \$18.48 per hour to be effective July 28, 2003. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to authorize detention supervisors, assistant jail administrator and Sheriff Sergeants and Lieutenants to be allowed the same salary increases as their respective unions. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve County Library Contracts for Fiscal Year 2003-2004 between the Board of Supervisors of Pottawattamie County, Iowa and Board of Library Trustees for the Town of Avoca, Town of Carter Lake, City of Council Bluffs, Town of Oakland and Town of Walnut. Unanimous vote. Motion carried.

Motion by King, second by Moats, to approve proposal from American Bank Equipment of Omaha, Nebraska, for purchase of microphones for 3rd, 4th and 5th floor work stations of the Courthouse, in the amount of \$15,232. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Salary Actions

Sheriff’s Department/Jail – Resignation of Charles Jones effective July 10, 2003 and retirement of Charles Hodges, effective July 4, 2003.

The Board adjourned subject to call at 12:30 P.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: July 28, 2003
PUBLISH: X

July 28, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 8:45 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of July 23, 2003, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, at the recommendation of the Emergency Management Director, to approve and sign Amendment #2 to agreement with MAPA to extend completion for contract #511-300 to December 31, 2003. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve Class "C" Liquor License/Sunday Sales Privilege and Outdoor Service Permit for Double Bar Seven, Council Bluffs, Iowa, with stipulation they shut down August 20-26, 2003. Roll Call Vote: Ayes-Houser, King, Leaders, Knauss. Nays-Moats. Motion carried.

9:30 A.M. – Second Consideration

CASE #ZMA-2003-04: The request of Edward Murphy Revocable Trust by L & W Development LLC for a zoning map amendment to reclassify approximately 33.407 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, located in Garner Township, McPherson Avenue and 235th Street, legally described as SW1/4 NE1/4, except Parcel "A", Section 25, Twp 75N, Range 43W of the 5th P.M.

CASE #SUB-2003-05: The request of Edward Murphy Revocable Trust by L & W Development LLC, for a preliminary plat approval of Grandfield Estates Subdivision, located in Garner Township, McPherson Avenue and 235th Street, legally described as SW1/4 NE1/4, except Parcel "A", Section 25, Township 75N, Range 43W of the 5th P.M.

Motion by King, second by Moats, to approve second consideration of an ordinance to reclassify approximately 33.407 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, as filed under Case #ZMA-2003-04, and to adopt Ordinance #2003-6 and to approve the preliminary plat of Grandfield Estates Subdivision, as filed under Case #SUB-2003-05, and to adopt Planning and Zoning Resolution #2003-9. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

CASE #ZMA-2003-05: The request of Michael Collins for a zoning map amendment to reclassify approximately 5.85 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District located in Hardin Township, 24417 McPherson Avenue, legally described as NE1/4 NW1/4 commencing at the NE corner W W652.02' S381.59' SELY107.44' E552.49' N427.68' to the point of beginning, Section 30, Township 75N, Range 42W of the 5th P.M.

CASE #SUB-2003-06: The request of Michael Collins for a preliminary plat approval of Collins Acres Subdivision, located in Hardin Township, 24417 McPherson Avenue, legally described as NE1/4 NW1/4 commencing at the NE corner W W652.02' S381.59' SELY107.44' E552.49' N427.68' to the point of beginning, Section 30, Township 75N, Range 42W of the 5th P.M.

Motion by Leaders, second by Moats, to approve second consideration of an ordinance to reclassify approximately 5.85 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, as filed under Case #ZMA-2003-05, and to adopt Ordinance #2003-7 and to approve the preliminary plat of Collins Acres Subdivision, as filed under Case #SUB-2003-06, and to adopt Planning and Zoning Resolution #2003-10. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by Moats, second by Knauss, to open the public hearing on Ordinance #2003-8, an ordinance to amend the Pottawattamie County, Iowa, Code by adding Chapter 3.55, entitled "Sexually Oriented Businesses Ordinance" which provides for the licensing and regulation of sexually oriented businesses and employees, and Ordinance #2003-9, an Ordinance to amend Chapter 1.50, Schedule of Fees, to provide fees for Sexually Oriented Businesses, Chapter 3.55, Pottawattamie County, Iowa, Code. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by King, second by Moats, to close the public hearing on Ordinance #2003-8, an ordinance to amend the Pottawattamie County, Iowa, Code by adding Chapter 3.55, entitled "Sexually Oriented Businesses Ordinance" which provides for the licensing and regulation of sexually oriented businesses and employees, and Ordinance #2003-9, an Ordinance to amend Chapter 1.50, Schedule of Fees, to provide fees for Sexually Oriented Businesses, Chapter 3.55, Pottawattamie County, Iowa, Code. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by Knauss, second by Leaders, to approve first consideration of Ordinance #2003-8, an ordinance to amend the Pottawattamie County, Iowa, Code by adding Chapter 3.55, entitled "Sexually Oriented Businesses Ordinance" which provides for the licensing and regulation of sexually oriented businesses and employees, and Ordinance #2003-9, an Ordinance to amend Chapter 1.50, Schedule of Fees, to provide fees for Sexually Oriented Businesses, Chapter 3.55, Pottawattamie County, Iowa, Code and to set second consideration for Wednesday, July 30, 2003 at 10:00 A.M. Unanimous vote. Motion carried.

Motion by Moats, second by King, to approve for publication the Treasurer's Semi-Annual Report for January 1, 2003 through June 30, 2003. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to approve contract of employment with Darlene McMartin/ Administrator, Veterans Affairs in the amount of \$38,000.00 to be effective 7/1/03-6/30/04. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to approve the Jail Pay Scale Recommendation of Troutman and Associates after a study of salaries, and this would remove the Jail Maintenance Supervisor and Detention Supervisors from the Sheriff's non-union pay scale. Unanimous vote. Motion carried.

Motion by Moats, second by King, to approve the longevity pay recommendation for Non-union employees as of July 1, 2003. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to approve for the Auditor's Office a salary increase for Gina Hatcher and Audrey Chapin/ Payroll/Benefits Specialists from a Grade 17, Step 7 to Grade 18, Step 7 at \$17.20 per hour, to be effective July 1, 2003. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to approve for the Auditor's Office the promotion of Carolyn Stender from Election Clerk to Secretary/ Election Clerk, at a Grade 9, Step 5, at \$11.65 per hour, to be effective July 1, 2003. Unanimous vote. Motion carried.

Motion by Moats, second by King, to approve for the Treasurer's Office a salary increase for Lea Voss/Property Manager and Motor Vehicle Manager to a Grade 18, Step 7, at \$17.20 per hour, to be effective July 1, 2003. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:50 P.M.

Melvyn J. Houser, Chairman

ATTEST: _____

Marilyn Jo Drake, County Auditor

APPROVED: July 30, 2003

July 30, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members except Houser, present.
Chairman Pro Tem King presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Knauss, to approve the minutes of July 28, 2003, as written. Unanimous vote.
Motion carried.

Motion by Knauss, second by Leaders, to approve second consideration of Ordinance #2003-8, an ordinance to amend the Pottawattamie County, Iowa, Code by adding Chapter 3.55, entitled "Sexually Oriented Businesses Ordinance" which provides for the licensing and regulation of sexually oriented businesses and employees and of Ordinance #2003-9, and to amend Chapter 1.50, Schedule of Fees, to provide fees for Sexually Oriented Businesses, Chapter 3.55, Pottawattamie County, Iowa, Code and to adopt said Ordinance #2003-8 and #2003-9 into law. Roll Call Vote: Ayes-Leaders, Moats, King, Knauss. Absent-Houser.
Motion carried.

Motion by Knauss, second by Leaders, to authorize Chairman to sign contract for services between Pottawattamie County Board of Supervisors and Justrite Janitorial Services for period beginning June 2, 2003 through June 1, 2004. Unanimous vote. Motion carried.

The Board adjourned subject to call at 10:25 A.M.

Delbert E. King, Chairman Pro Tem

ATTEST: _____
Cindy L Kahoe, Board Secretary

APPROVED: August 4, 2003
PUBLISH: X

August 4, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:45 A.M., all members present. Chairman Houser presiding.
PLEDGE OF ALLEGIANCE

Motion by King, second by Knauss, to approve the minutes of July 30, 2003, as written. Unanimous vote. Motion carried.

Motion by Leaders, second by Moats, to authorize Chairman to sign a Provider Agreement with WESCO Industries to provide services for the Mental Health Department. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to change the name of the Mental Health Department to Community Services and to change the title of the Director to Community Services Director/CPC with an increase of \$4,000 per year for additional duties. This change will be effective August 1, 2003. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to approve **Engineer’s Resolution #03-11**, authorizing Chairman to sign Iowa Department of Transportation RISE Funding Agreement 2003-R-015 for RISE Funding of 225th Street. Roll Call Vote: Ayes-5. Motion carried.

Motion by Leaders, second by Moats, to approve **Engineer’s Resolution #03-10**, authorizing Chairman to sign Joint Project Agreement For Construction of 225th Street From U.S. Highway 6 South to Cedar Lane. The City of Council Bluffs and Pottawattamie County have agreed to equally share the required 50% local funding match. Roll Call Vote: Ayes-5. Motion carried.

Motion by Leaders, second by Knauss, to approve for the Planning Department the employment of Douglas Hess as a Zoning & Health Assistant at \$10.95 per hour, to be effective August 11, 2003. Unanimous vote. Motion carried.

Motion by King, second by Moats, to approve for the Mental Health Department the promotion of Sandra Fox from Secretary 2 to Administrative Assistant at \$14.18 per hour and Connie Perrine from Case Worker to General Assistance Specialist at \$14.37 per hour, both to be effective August 1, 2003. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to authorize Chairman to sign Law Enforcement Services Contracts between Pottawattamie County, Iowa and the City of Carson, City of Crescent, City of Hancock, City of Macedonia, City of McClelland, City of Minden, City of Neola, City of Oakland, City of Treynor, City of Underwood and the City of Walnut. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Salary Actions

General Relief – Resignation of Julie Bates effective July 25, 2003.

The Board adjourned subject to call at 12:12 P.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: August 7, 2003
PUBLISH: X

August 7, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 11:00 A.M., all members present. Chairman Houser presiding.
PLEDGE OF ALLEGIANCE

Motion by King, second by Leaders, to approve the minutes of August 4, 2003, as written. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to fully insure contractors equipment from \$3,149,000 to \$5,319,054 at an annual additional cost of \$3,449.00. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to authorize Chairman to sign stop payment on warrant number 24926 and issue new warrant. Unanimous vote. Motion carried.

Motion by Moats, second by King, to approve tax suspension on property at 907 Birch, Council Bluffs. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to change the voluntary closing for Mile-A-Way Hall/Double Bar Seven from August 20-26 to September 8-14. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss to certify the results of the August 5, 2003, House of Representative District #100 elections and authorize the Auditor to pay the bills. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Salary Actions

Pottawattamie County WIC Program – Resignation of Rachel Esser effective July, 2003.

The Board adjourned subject to call at 1:30 P.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: August 11, 2003

PUBLISH: X

August 11, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of August 7, 2003, as written. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to authorize Chairman to sign a letter of support for a Southern Hills Welcome Center, Inc., to be located at Highway 2 and I-29. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to approve the policy and procedure change to the "Shelter Benefits" Section of the Veteran Affairs Policy and Procedure Manual, to be effective July 1, 2003 and approve Veterans Affairs Department, Planning Department, Conservation Department and Information Technologies Department to utilize the former General Relief Offices for storage. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to sign Agreement between Pottawattamie County, Iowa and Pottawattamie County Deputy Sheriff's Association for a term of two (2) years to end on June 30, 2005. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to authorize Board to sign Engineer's Resolution #03-12, for road vacation in Lake Township (Hillsboro Lane North). Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by King, second by Moats, to authorize Chairman to sign Easement for Lake Township, Hillsboro Lane North. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to authorize Chairman to sign final draw request in the amount of \$69,034.00, for the Emergency Back-Up Generator Project. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:50 A.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: August 18, 2003
PUBLISH: X

August 18, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of August 11, 2003, as written. Unanimous vote. Motion carried.

10:00 Zoning Hearing

CASE #SUB-2003-07: The request of Wayne B. and Jacqueline L. Henry; Albert Lee and Lois Carol Graybill and Jeffery A. and Linda S. Nelson for vacation of a portion of Hillcrest Road lying north of Hillside Lane in Countryside Acres Subdivision in Lewis Township, Hillcrest Road lying north of Hillside Lane, legally described as a portion of Hillcrest Road lying north of Hillside Lane, Countryside Acres Subdivision.

Motion by King, second by Knauss, to open the public hearing on Case #SUB-2003-07. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by King, second by Knauss, to close the public hearing on Case #SUB-2003-07. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by King, second by Knauss, to authorize the Board to sign Planning and Zoning Resolution #2003-11, to vacate a portion of the plat of Countryside Acres Subdivision, described as a portion of Hillcrest Road lying north of Hillside Lane. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by King, second by Knauss, to authorize purchase of a Chevy Silverado 2500HD extended cab truck from Tim O'Neil Chevrolet, to replace a truck for Buildings and Grounds, in the amount of \$30,000.00, with a trade in allowance of \$7,000.00. Unanimous vote. Motion carried.

Motion by King, second by Moats, to approve The Schemmer Associates proposal for Courthouse East Entry Concept Plan at a cost of \$4,900. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to authorize Board to sign **Resolution No. 29-2003** to transfer \$150,000 from the Gaming Fund to the Conservation Fund, as a temporary loan, to be repaid within the fiscal year. Roll Call Vote: Ayes-5. Motion carried.

Motion by Moats, second by King, to approve for the Sheriff's Department the employment of Rodney Oliver as a Detention Officer at \$13.93 per hour, to be effective 8/18/03. Unanimous vote. Motion carried.

Motion by Moats, second by King, to approve the transfer of Glenda Mackland from the General Relief Department to the County Attorney's Office as a Receptionist at \$11.29 per hour to be effective August 1, 2003. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve for the County Attorney's Office the employment of Margaret Reyes as an Attorney II, at \$54,676 annually, to be effective August 6, 2003, and authorize Chairman to sign "Certificate of Appointment of Deputy or Assistant". Unanimous vote. Motion carried.

Motion by Moats, second by King, to approve for publication the "Claims Allowed" for July 2003. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:40 A.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: August 20, 2003

PUBLISH: X

August 20, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members, except Houser and Leaders, present. Chairman Pro-Tem King presiding. Leaders joined at 9:07 A.M. and Houser at 9:35 A.M.

PLEDGE OF ALLEGIANCE

Motion by Knauss, second by Moats, to approve the minutes of August 18, 2003, as written. Ayes-3. Absent-2. Motion carried.

Motion by Leaders, second by Knauss, to approve contract with Invision in the amount of \$150,405.00, and approve Software Maintenance Agreement with Incode in the amount of \$48,845.00. Ayes-4. Motion carried.

Motion by Leaders, second by Knauss, to approve the Information Technologies Mission Statement as presented. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve the low bid of \$116,858.32 from Paricom for network equipment, to be paid for from gaming fund. Unanimous vote. Motion carried.

Motion by King, second by Moats, to approve a contract between Pottawattamie County and Paricom for internet access. The contract costs are \$1,150 per month, for 24 months and \$850.00 for equipment, to be effective September 1, 2003. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:25 A.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: August 25, 2003

PUBLISH: X

August 25, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Leaders, to approve the minutes of August 20 2003, as written. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to authorize Chairman to sign contract and bond with A.M. Cohron and Son for Project #BRS-CO78(131) - - 60 – 78 for Pigeon Creek Bridge on L34 at a cost of \$525,206.40. Unanimous vote. Motion carried.

Motion by King, second by Moats, to authorize the Chairman to sign an agreement with the City of Council Bluffs for FY 03-04 for the Household Hazardous Waste Collection Program for the unincorporated areas of the County, in the amount of \$24,975.00. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to authorize the Chairman to sign a White Goods Demanufacturing Contract with Environmental Services office at the rate of \$12.00 per white good. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to authorize the Board to sign **Resolution No. 30-2003**, to adopt the Iowa Waste Systems Association 2003 Solid Waste Comprehensive Plan Update as the Solid Waste Comprehensive Plan for Pottawattamie County. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by Knauss, second by King, to authorize the Chairman to sign an Agreement with the City of Council Bluffs for FY 04-05 for the Household Hazardous Waste Collection Program for the entire County, in the amount of \$87,704.00. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve for the Sheriff’s Department the promotion of Chad Freeberg from Detention Officer to Deputy at \$16.48 per hour, to be effective 8/18/03 and Brian Eyberg from Detention Officer to Deputy at \$16.48 per hour, to be effective 8/19/03. Unanimous vote. Motion carried.

Motion by Moats, second by King, to approve agreement between Pottawattamie County and Nebraska Humane Society to accept animals of a domestic nature from the County, for a term of one year commencing on May 5, 2003 and ending May 5, 2004 and shall thereafter automatically renew for thirty day periods until terminated by either party. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:00 A.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: September 3, 2003
PUBLISH: X

September 3, 2003**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:30 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of August 25, 2003, as written. Unanimous vote. Motion carried.

Motion by King, second by Moats, to open the public hearing on Ordinance #2003-10, an ordinance to amend Section 5A.70.020.03 of the Pottawattamie County, Iowa, Onsite Wastewater Treatment and Disposal Systems Ordinance, by amending the requirements for submittals on percolation test information. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by King, second by Moats, to close the public hearing on Ordinance #2003-10, an ordinance to amend Section 5A.70.020.03 of the Pottawattamie County, Iowa, Onsite Wastewater Treatment and Disposal Systems Ordinance, by amending the requirements for submittals on percolation test information. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by Moats, second by Leaders, to approve first consideration of Ordinance #2003-10, an ordinance to amend Section 5A.70.020.03 of the Pottawattamie County, Iowa, Onsite Wastewater Treatment and Disposal Systems Ordinance, by amending the requirements for submittals on percolation test information and to set second consideration of said Ordinance for September 10, 2003 at 10:00 A.M. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to open the public hearing on Ordinance #2003-11, an ordinance to amend the Pottawattamie County, Iowa, Code by adding Chapter 5.40, Illegal Dumping Ordinance, an ordinance to control illegally dumped materials in public places and on private property within the unincorporated areas of Pottawattamie County, Iowa and to promote health, safety and general welfare in the unincorporated areas of Pottawattamie County, Iowa. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by Moats, second by Knauss, to close the public hearing on Ordinance #2003-11, an ordinance to amend the Pottawattamie County, Iowa, Code by adding Chapter 5.40, Illegal Dumping Ordinance, an ordinance to control illegally dumped materials in public places and on private property within the unincorporated areas of Pottawattamie County, Iowa and to promote health, safety and general welfare in the unincorporated areas of Pottawattamie County, Iowa. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by Knauss, second by King, to approve first consideration of Ordinance #2003-11, an ordinance to amend the Pottawattamie County, Iowa, Code by adding Chapter 5.40, Illegal Dumping Ordinance, an ordinance to control illegally dumped materials in public places and on private property within the unincorporated areas of Pottawattamie County, Iowa and to promote health, safety and general welfare in the unincorporated areas of Pottawattamie County, Iowa and to set second consideration of said Ordinance for September 10, 2003 at 10:00 A.M. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve the lateral transfer of Cindy Knauss from the Auditor's Office to the G.I.S. Department, to be effective September 3, 2003. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to set aside the agenda as allowed by Code of Iowa, Chapter 21.4 to allow necessary action for Secondary Roads. Roll Call Vote: Ayes-5. Motion carried.

Motion by Knauss, second by Leaders to authorize Board to sign **Engineer Resolution #03-13**, Temporary Closure of County Road G16 and Detour Designation. Roll Call Vote: Ayes-5. Motion carried.

Motion by Moats, second by King, to approve stop payment on Warrant Number 29421 and issue new warrant. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to sign Pottawattamie County Cost Allocation Plan Statement with MAXIMUS. This plan will be used to recover indirect costs applicable to Social Services administration in FY 2004. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to approve Applications for Homestead Tax Credit and Applications for Military Exemptions. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to sign Notices of Disallowance for Homestead Tax for Military Exemptions. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING**Salary Actions**

Recorder's Office – Resignation of Sarah Newcomb effective 9/12/03.

The Board adjourned subject to call at 12:10 P.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: September 10, 2003
PUBLISH: X

September 10, 2003**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Knauss, to approve the minutes of September 3, 2003, as written. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to authorize the Community Services Department to sign a contract with Dr. James Severa for services. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to appoint Duane Nielsen of Avoca, Iowa, and Kenneth Moore of Oakland, Iowa, to the Condemnation Commission for a term of one year to expire December 31, 2003. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve second consideration of Ordinance #2003-10, an ordinance to amend Section 5A.70.020.03 of the Pottawattamie County, Iowa, Onsite Wastewater Treatment and Disposal Systems Ordinance, by amending the requirements for submittals on percolation test information and to adopt said Ordinance #2003-10 into law. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by King, second by Moats, to approve second consideration of Ordinance #2003-11, an ordinance to amend the Pottawattamie County, Iowa, Code by adding Chapter 5.40, Illegal Dumping Ordinance, an ordinance to control illegally dumped materials in public places and on private property within the unincorporated areas of Pottawattamie County, Iowa and to promote health, safety and general welfare in the unincorporated areas of Pottawattamie County, Iowa and to adopt said Ordinance #2003-11 into law. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by King, second by Moats, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c), for discussion of pending litigation. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by King, second by Knauss, to go out of Executive Session. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by King, second by Knauss, to turn down the offer of settlement on Claims #ICAPH005636. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to install 1" Clear Lexgard MP1000 in the Information Technologies Room on the second floor of the Courthouse. Unanimous vote. Motion carried.

Motion by King, second by Moats, to abate the taxes on Parcel #04301043065040012046001002, Myrtue Memorial Hospital in Avoca, Iowa, due to "Exempt Status". Unanimous vote. Motion carried.

Motion by King, second by Moats, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c) for discussion of litigation. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Knauss, second by Leaders, to go out of Executive Session. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by King, second by Leaders, to approve Class "C" Liquor License for Rolla Rena Skating Center, Inc., Council Bluffs, IA. Unanimous vote. Motion carried.

Motion by King, second by Moats, to approve for publication the Claims Allowed for August 2003. Unanimous vote. Motion carried.

Motion by King, second by Moats, to approve MAPA Dues in the amount of \$16,260.50 for the period of July 1, 2003 through December 31, 2003. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve SWIPCo Dues in the amount of \$11,356.00 for the 2003-04 fiscal year. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING**Reports**

Recorder's Quarterly report ending March 2003.

Salary Actions

Pottawattamie County Sheriff's Department/Jail – Resignation of George Schabloske effective 8/23/03.

Pottawattamie County WIC Program – Resignation of Kelly Kleckner-Ceballos effective 9/26/03.

The Board adjourned subject to call at 12:40 P.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: September 15, 2003

September 12, 2003

MET IN ADJOURNED SESSION

The Board of Supervisors met in adjourned session as a Board of Canvassers at 11:00 A.M., all members, except Houser, present. Chairman Pro-Tem King presiding.

Motion by Leaders, second by Moats, to certify the results of the September 9, 2003 school election, and authorize the Auditor to pay the costs of the election, to be reimbursed by the school districts. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:20 A.M.

Delbert E. King, Chairman Pro-Tem

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: September 22, 2003

PUBLISH: X

September 15, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Houser presiding.
PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of September 10, 2003, as written. Unanimous vote.
Motion carried.

Motion by King, second by Knauss, to authorize Chairman to sign the updated General Assistance Manual.
Unanimous vote. Motion carried.

10:00 Public Hearing:

CASE #ZTA-2003-01: The request of Pottawattamie County for a zoning text amendment to amend the Pottawattamie County, Iowa, Zoning Ordinance, by adding the principal use of “sexually oriented businesses” to the C-1 (Limited Commercial), C-2 (General Commercial), C-3 (Commercial Recreational), I-1 (Limited Industrial), I-2 (General Industrial) and I-3 (Planned Mixed Use Area Development) districts, to read as follows: “Sexually oriented businesses, subject to the terms of Chapter 3.55, Sexually Oriented Businesses Ordinance, Pottawattamie County, Iowa.

Motion by King, second by Knauss, to open the public hearing on Case #ZTA-2003-001, an ordinance to amend the Pottawattamie County, Iowa, Zoning Ordinance, by adding the principal use of “sexually oriented businesses” to the C-1 (Limited Commercial), C-2 (General Commercial), C-3 (Commercial Recreational), I-1 (Limited Industrial), I-2 (General Industrial) and I-3 (Planned Mixed Use Area Development) Districts. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by Knauss, second by King, to close the public hearing on Case #ZTA-2003-001, an ordinance to amend the Pottawattamie County, Iowa, Zoning Ordinance, by adding the principal use of “sexually oriented businesses” to the C-1 (Limited Commercial), C-2 (General Commercial), C-3 (Commercial Recreational), I-1 (Limited Industrial), I-2 (General Industrial) and I-3 (Planned Mixed Use Area Development) Districts. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by Knauss, second by Leaders, to approve first consideration of an ordinance to amend the Pottawattamie County, Iowa, Zoning Ordinance, by adding the principal use of “sexually oriented businesses” to the C-1 (Limited Commercial), C-2 (General Commercial), C-3 (Commercial Recreational), I-1 (Limited Industrial), I-2 (General Industrial) and I-3 (Planned Mixed Use Area Development) Districts and to set second consideration for Monday, September 22, 2003 at 9:45 AM. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve “Public Safety Information and Technology Agreement” between the City of Council Bluffs and Pottawattamie County, Iowa to create, supervise, and fund a Public Safety Information and Technology Agency (PSITA) that will be overseen by the Pottawattamie County Communication Center Commission (PCCCC). One individual (Bill Carpenter) will staff PSITA and will be overseen by the PCCCC. The County shall administer the benefits and salary of this person; however, the city shall reimburse the county one-half (50%) of the total compensation package. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to approve tax suspension requests for property located at 2404 4th Avenue, Council Bluffs, Iowa and 213 15th Avenue, Council Bluffs, Iowa. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:00 P.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: September 22, 2003

PUBLISH: X

September 22, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:15 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Knauss, to approve the minutes of September 12, 2003, and September 15, 2003, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to authorize Chairman to sign agreement between Pottawattamie County and Loess Hills Area Education Agency 13 for a fence line agreement for Secondary Roads Keg Creek Shop. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to authorize Chairman to sign a Water Easement Agreement between Pottawattamie County, Iowa and the Loess Hills Area Education Agency 13 for Secondary Roads Keg Creek Shop. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to authorize Board to sign Engineer’s Resolution #03-14, to set a Public Hearing for October 9, 2003 at 10:00 A.M. for a road vacation in Silver Creek Township. Roll Call Vote: Ayes-5. Motion carried.

10:00 Second Consideration:

CASE #ZTA-2003-01: The request of Pottawattamie County for a zoning text amendment to amend the Pottawattamie County, Iowa, Zoning Ordinance, by adding the principal use of “sexually oriented businesses” to the C-1 (Limited Commercial), C-2 (General Commercial), C-3 (Commercial Recreational), I-1 (Limited Industrial), I-2 (General Industrial) and I-3 (Planned Mixed Use Area Development) districts, to read as follows: “Sexually oriented businesses, subject to the terms of Chapter 3.55, Sexually Oriented Businesses Ordinance, Pottawattamie County, Iowa.”

Motion by Leaders, second by Knauss, to approve second consideration of an ordinance to amend the Pottawattamie County, Iowa, Zoning Ordinance, by adding the principal use of “sexually oriented businesses” to the C-1 (Limited Commercial), C-2 (General Commercial), C-3 (Commercial Recreational), I-1 (Limited Industrial), I-2 (General Industrial) and I-3 (Planned Mixed Use Area Development) Districts and to adopt Ordinance #2003-12 into law. Ayes-Knauss, King, Moats, Houser, Leaders. Motion carried.

Motion by King, second by Knauss, to approve agreement between HGM Associates Inc. and Pottawattamie County in the amount of \$10,000.00, for engineering, architecture, and surveying services for a temporary animal shelter. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to authorize Board to sign “Letter of Support” for Grow Iowa Foundation CHDO East Pottawattamie Rehab Project. Unanimous vote. Motion carried.

Motion by Moats, second by King, to approve “Notice of Disallowances for Homestead Tax Credits” and “Notice of Disallowances for Military Tax Credits”. Unanimous vote. Motion carried.

Chairman Houser stepped down to attend a meeting at City Hall and Chairman Pro-Tem King resumed the Chairman’s seat.

Motion by Knauss, second by Leaders, to authorize Chairman to sign contract with HGM Associates Inc., in the amount of \$5,500.00, for design of parking lot south of Services Building, adjacent to Pearl Street. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:35 A.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: September 29, 2003

PUBLISH: X

September 29, 2003**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 A.M., all members except Knauss and Moats, present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Leaders, to approve the minutes of September 22, 2003, as written. Unanimous vote. Motion carried.

Motion by King, second by leaders, to certify the results of the Iowa Western Merged Area XIII school election, and authorize the Auditor to pay the costs of the election, to be reimbursed by the school. Unanimous vote. Motion carried.

Motion by Leaders, second by King, to approve a request of Bluffs Development Inc. for the extension on final plat submittal date of Bent Tree Subdivision, Phase IV, to, on or before January 1, 2005. Ayes-Leaders, King, Houser. Absent-Moats, Knauss. Motion carried. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to authorize Chairman to sign "County Agreement" Iowa DOT Agreement Number 2004-C-003, Project No. BRF-988-0(6)- - 38-78, between the State of Iowa, Iowa Department of Transportation Highway Division and the Pottawattamie County Board of Supervisors to develop and construct a new bridge and approaches for Iowa 988 Pigeon Creek Bridge replacement. (Old Morman Bridge Road). Unanimous vote. Motion carried.

Motion by Leaders, second by King, to authorize County Engineer, Jerry Hare to sign 225th Street RISE Project Contract in the amount of \$114,580.00, with the State to pay 50%, City-25% and County-25%. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to authorize Chairman to sign a contract between Pottawattamie County and Easter Seals to provide supported employment services for the benefit of Pottawattamie County individuals. Unanimous vote. Motion carried.

Motion by King, second by leaders, to authorize Chairman to sign a 28E Agreement with ISAC regarding HIPPA. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to hire Public Financial Management (PMF) to be the Financial managers for Pottawattamie County in regard to sale of bonds and SEC reporting. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to approve **Board Resolution No. 31-2003** in support of the formation of an Economic Development District (EDD) in the MAPA Region. Roll Call Vote: Ayes-3 Motion carried.

Motion by Leaders, second by King, to ratify the appointment of Jerry F. Duggan, James M. Duggan, and Kathleen M. Guinan as trustees for the Hills of Cedar Creek Real Estate improvement District. Unanimous vote. Motion carried.

Motion by Leaders, second by King, to approve tax suspension request for property located at 1359 McPherson Avenue, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to approve for the County Attorney's Office a 2% salary increase for the First Deputy and the Assistant County Attorney's to be effective July 1, 2003 and 2% to be effective January 1, 2004. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING**Salary Actions**

Sheriff's Department/Jail – Resignation of Jill Hoy effective 9/9/03.

The Board adjourned subject to call at 11:50 A.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: October 9, 2003

PUBLISH: X

October 9, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Leaders, to approve the minutes of September 29, 2003, as written. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to authorize Chairman to sign "Notice of Disallowances for Homestead Tax Credits. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to open the public hearing regarding a proposed road vacation in Silver Creek Township, Section 30. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Knauss, to close the public hearing on the proposed road vacation in Silver Creek Township, Section 30. Roll Call Vote: Ayes-5. Motion carried.

Motion by Knauss, second by Leaders to approve Resolution No. 03-15, to vacate a 66' wide road on the north line of SW¼ SE¼ Section 30-T74N-R41W located in Silver Creek Township, Section 30. Roll Call Vote: Ayes-5. Motion carried.

Motion by Moats, second by King, to authorize the Chairman to sign contract and bond with Henningsen Construction, Inc., of Atlantic in the amount of \$1,113,762.24 for project FM-CO78(13) - - 55-78 for resurfacing of McPherson Avenue. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders to approve Resolution No. 03-16 for temporary closure of County Road G 18 and designate the official detour route as 385th Street (M 16), Interstate 80, and U.S. Highway 59. Roll Call Vote: Ayes 5. Motion carried.

Motion by King, second by Knauss, to approve the canvass of all votes cast at the October 7, 2003 city primary elections in all precincts of Pottawattamie County. Unanimous vote. Absent: Leaders/Moats. Motion carried.

Motion by King, second by Knauss, that at the request of county personnel, to go into closed session at 1:29 P.M. under Code of Iowa, Chapter 21.5(i) for discussion of personnel matters. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to go out of closed session at 2:05 P.M. Unanimous vote. Motion carried.

Motion by King, second by Moats, to approve the hiring of Fanny Villarreal as a part-time clerk at \$8.49 per hour, in the Pottawattamie County WIC Office effective 10/6/03. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports

Sheriff's quarterly report of fees collected and disbursed for quarter ending September 30, 2003.

The Board adjourned subject to call at 2:25 P.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: October 15, 2003
PUBLISH: X

October 15, 2003**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:00 A.M., all members except Leaders, present.

Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of October 9, 2003, as written. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c). Roll Call Vote: Ayes-4. Motion carried.

Motion by King, second by Moats, to go out of Executive Session. Roll Call Vote: Ayes-4. Motion carried.

Motion by Knauss, second by Moats, to sign **Resolution No. 32-2003**, to set a public hearing for Wednesday, October 29, 2003, at 10:00 A.M. on the proposition to issue not to exceed \$1,600,000 General Obligation Refund Bonds (Urban Renewal), for TIF areas, effective 10/22/03. This hearing will be held in the Pottawattamie County Board of Supervisors' Hearing Room, Second Floor, Courthouse, 227 South 6th Street, Council Bluffs, Iowa. Roll Call Vote: Ayes-4. Motion carried.

Motion by Knauss, second by Moats, to upgrade Stacey Robertson, Animal Control Officer position to full-time at \$30,000 annually, to be effective October 13, 2003, and sign contract. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve for publication the Claims Allowed for September 2003. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:45 A.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: October 20, 2003

PUBLISH: X

October 20, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of October 9, 2003, as written. Unanimous vote. Motion carried.

10:00 Zoning Hearing:

CASE #ZMA-2003-06: The request of Greg and Vicki Goos for a zoning map amendment to reclassify approximately 2.842 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, located in Hardin Township, 300th Street, parcel "C" NE¹/₄ NE¹/₄, Section 25, Township 75N, Range 42W of the 5th P.M.

AND

CASE #SUB-2003-08: The request of Greg and Vicki Goos, for a preliminary plat approval of Goos Crossing Subdivision located in Hardin Township, 300th Street, parcel "C" NE¹/₄ NE¹/₄, Section 25, Township 75N, Range 42W of the 5th P.M.

Motion by King, second by Leaders, to open the public hearing on Cases #ZMA-2003-06 and #SUB-2003-08. Ayes-Knauss, King, Houser, Moats, Leaders. Motion carried.

Motion by Leaders, second by Moats, to close the public hearing on Cases #ZMA-2003-06 and #SUB-2003-08. Ayes-Knauss, King, Houser, Moats, Leaders. Motion carried.

Motion by Leaders, second by Knauss, to approve first consideration of an ordinance to reclassify approximately 2.842 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, as filed under Case #ZMA-2003-06, and to set second consideration of said ordinance for October 29, 2003 at 11:30 AM and to continue the consideration of preliminary plat of Goos Crossing Subdivision to said date and time. Unanimous vote. Motion carried.

Motion by King, second by Moats, to approve for the Sheriff's Department the employment of Mike Schleimer as a Detention Officer at \$13.93 per hour, to be effective October 13, 2003. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports

County Auditor's Report of Fees Collected for quarter ending September 30, 2003.

The Board adjourned subject to call at 11:55 A.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Cheryll Ross, First Deputy, Auditor's Office

APPROVED: October 27, 2003

PUBLISH: X

October 27, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Leaders, to approve the minutes of October 20, 2003, as written. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve and sign the FY04 EMS System Development Grant. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to uphold the decision of Suzanne Watson, Community Services Director, CPC in the personnel hearing held October 9, 2003.

The Board adjourned subject to call at 10:50 A.M., to tour Keg Creek Shop.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: October 29, 2003

PUBLISH: X

October 29, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Knauss, to approve the minutes of October 27, 2003, as written. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c), for purpose of discussing current litigation. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Knauss, to go out of Executive Session. Roll Call Vote: Ayes-5. Motion carried.

Motion by Knauss, second by King, to deny paying a claim on Case # LACV081234 to ask County to pay \$5,000 for jail related medical problem. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to authorize Chairman to sign **Engineer's Resolution #03-18** "Farm to Market Review Board Application." Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Leaders, to authorize Board to sign **Engineer's Resolution #03-17**, for temporary closure of County Road L 34 and detour designation. Roll Call Vote: Ayes-5. Motion carried.

Motion by Knauss, second by Moats, to add the following to job descriptions in Engineer's Department: 1) Inventory & Yard Assistant – reports to Shop Foreman-Pay Grade 8; 2) Mechanic-reports to Shop Leadman-Pay Grade 9; 3) Construction Inspector II – reports to Engineering Technician I, Chief Inspector-Pay Grade 10. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to hire a part-time Human Resources position and advertise for same. Unanimous vote. Motion carried.

Motion by King, second by Moats, to approve **Board Resolution No. 33-2003**, to transfer \$75,000 from the General Basic Fund to the Flood and Erosion Fund. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Moats, to approve **Board Resolution No. 34-2003**, to transfer \$287,600 from the General Basic Fund to the Secondary Road Fund. Roll Call Vote: Ayes – 5. Motion carried.

Motion by King, second by Moats, to open Public Hearing for the purpose of taking action on the issuance of not to exceed \$1,560,000 of General Obligation Refunding Bonds (Urban Renewal). Roll call Vote: Ayes-5. Motion carried.

Motion by King, second by Knauss, to close Public Hearing. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Moats, to authorize Chairman to sign **Resolution No. 35-2003**, "Instituting Proceedings to take Additional Action for the Issuance of not to exceed \$1,600,000 General Obligation Refunding Bonds (urban Renewal). Roll Call Vote: Ayes-5. Motion carried.

Motion by Leaders, second by King, to authorize the Chairman to sign **Resolution No. 36-2003**, to "Direct the Advertisement for Sales of \$1,575,000 General Obligation Refunding Bonds (Urban Renewal). Roll Call Vote: Ayes-5. Motion carried.

Motion by Knauss, second by Moats, to take the bids for the Sheriff's cars under advisement and set bid letting for Monday, November 3, 2003 at 10:00 AM, in the Board of Supervisors Hearing Room, Second Floor, Courthouse, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by King, second by Moats, to expend \$500.00 toward the Crime Stoppers Program. Unanimous vote. Motion carried.

11:30 Second Consideration

CASE #ZMA-2003-06: The request of Greg and Vicki Goos for a zoning map amendment to reclassify approximately 2.842 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, located in Hardin Township, 300th Street, parcel "C" NE¼ NE¼ Section 25, Township 75N, Range 42W of the 5th P.M.

AND

CASE #SUB-2003-08: The request of Greg and Vicki Goos, for a preliminary plat approval of Goos Crossing Subdivision located in Hardin Township, 300th Street, parcel "C" NE¼ NE¼, Section 25, Township 75N, Range 42W of the 5th P.M.

Motion by Leaders, second by Knauss, to approve second consideration of an ordinance to reclassify approximately 2.842 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, as filed under Case #ZMA-2003-06, and to adopt **Ordinance #2003-13** and to approve the preliminary plat of Goos Crossing Subdivision and adopt **Planning and Zoning Resolution #2003-12**. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by Leaders, second by Knauss, to issue a RFP for a parcel mapping project of Pottawattamie County under the GIS Department. Unanimous vote. Motion carried. **Motion rescinded by December 8, 2003 minutes.**

Motion by Knauss, second by Leaders, to set a public hearing for Wednesday, November 19, 2003 at 10:00 A.M., to consider construction of a Pottawattamie County Animal Shelter. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Knauss, to deny the request for a tax suspension for property located at 21 North 36th Street, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Moats, second by King, to approve Weed Commissioner's Report for 2003. Unanimous vote. Motion carried.

Motion by King, second by Moats, to authorize Chairman to sign "Notice of Disallowance for Homestead Tax Credits" and "Notice of Disallowance for Military Service Tax Exemptions". Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Salary Actions

Sheriff's Department/Jail – Resignation of Stephan Winn effective 9/12/03.

The Board adjourned subject to call at 12:20 P.M.

Melvyn J. Houser, Chairman

ATTEST: _____

Marilyn Jo Drake, County Auditor

APPROVED: November 3, 2003

November 3, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present. Chairman Houser presiding.
PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of October 29, 2003, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to award bids on Sheriff cars as follows: 1) Five (5) Ford Crown Victoria's to McMullen Ford in the amount of \$114,856.80 and 2) One (1) Special Services Expedition to McMullen Ford in the amount of \$26,844. Unanimous vote. Motion carried.

10:30 Public Hearing:

Ordinance #2003-14: An Ordinance to amend the Pottawattamie County, Iowa, Code by adding Chapter 3.50, Animal Control.

Motion by King, second by Moats, to open the public hearing on Ordinance #2003-14.. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Knauss, to close the public hearing on Ordinance #2003-14. Roll Call Vote: Ayes-5. Motion carried.

Motion by Knauss, second by King, to amend Ordinance #2003-14, Chapter 3.50, Animal Control, Section 3.50.007.09, Owners Duties, to read “.09 Number Restricted. It is unlawful for any person to own, keep or harbor at anytime more than (4) four dogs under this Chapter without the appropriate license” and to continue the public hearing to Monday, November 17, 2003 at 10:30 AM, in the Board of Supervisors Hearing Room, Second Floor, Courthouse, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Ordinance #2003-15: An Ordinance to amend the Pottawattamie County, Iowa, Code by adding Chapter 1.95, Tax Sale Certificate.

Motion by King, second by Moats, to open the public hearing on Ordinance #2003-15. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Knauss, to close the public hearing on Ordinance #2003-15. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Moats, to approve first consideration of Ordinance #2003-15, Tax Sale Certificate and to set second consideration for Thursday, November 6, 2003 at 10:30 AM in the Board of Supervisors Hearing Room, Second Floor, Courthouse, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Leaders, second by King, to approve final plat of Wilson's Landing Subdivision and to approve **Planning and Zoning Resolution #2003-13**. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Knauss, to deny request for tax suspension on property located at 604 South 29th Street, Council Bluffs, Iowa, until additional information is obtained. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to approve for the Sheriff's Department the employment of Tim Adland as a Detention Officer at \$13.93 per hour, to be effective October 29, 2003 and Kalon Fancher as a Detention Officer at \$13.93 per hour, to be effective October 22, 2003. Unanimous vote. Motion carried.

Motion by King, second by Moats, to purchase two ADT card key locks for the third and fourth floors. Unanimous vote. Motion carried.

Motion by King, second by Moats, to approve Snow Removal Agreement between Pottawattamie County and Mike Murray/Snowfighter Removal Service for one year. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Salary Actions

Pottawattamie County WIC Program – Resignation of Gerri Bonnemeir effective October 28, 2003.

The Board adjourned subject to call at 11:45 A.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: November 6, 2003

PUBLISH: X

November 6, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:30 A.M., all members, except Knauss and Leaders, present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of November 3, 2003, as written. Unanimous vote. Motion carried.

10:30 Second Consideration:

Ordinance #2003-15: An Ordinance to amend the Pottawattamie County, Iowa, Code by adding Chapter 1.95, Tax Sale Certificate.

Motion by Moats, second by King, to approve second consideration of Ordinance #2003-15, an ordinance to amend the Pottawattamie County, Iowa, Code by adding Chapter 1.95, Tax Sale Certificate and to adopt said Ordinance #2003-15. Ayes-King, Moats, Houser; Absent-Leaders, Knauss. Motion carried.

Motion King, second by Moats, to approve the request of L & W Development LLC to establish an escrow account for the paving of 235th Street in relation to Grandfield Estate Subdivision platting. Unanimous vote. Motion carried.

Motion by King, second by Moats, to approve for publication the Claims Allowed for October 2003. Unanimous vote. Motion carried.

Motion by Moats, second by King, to approve Tax Suspension for property at 508 Eagle Lane, Underwood, Iowa. Unanimous vote. Motion carried.

Motion by King, second by Moats, to approve for publication the "Notice To Bidders" for construction of the Pottawattamie County Animal Shelter. Unanimous vote. Motion carried.

Motion by King, second by Moats, to certify the results of the Avoca and Hancock City elections and authorize payment of associated bills. Unanimous vote. Motion carried.

Motion by King, second by Moats, to go into Executive Session as allowed by the Code of Iowa, Chapter 21.5(c) for purposes of discussing pending litigation. Roll Call Vote: Ayes-3. Motion carried.

Motion by King, second by Moats, to go out of Executive Session. Roll Call Vote: Ayes-3. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Salary Actions

East Pottawattamie County Soil & Water Conservation District – Resignation of Michelle Zimmerman, Pottawattamie County Resource Planner, effective 11/14/03.

The Board adjourned subject to call at 2:00 P.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: November 12, 2003

PUBLISH: X

November 12, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members, except Leaders, present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Knauss, to approve the minutes of November 6, 2003, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to approve the results of the November 4, 2003 City General Election and authorize the Auditor to pay bills for same. Unanimous vote. Motion carried.

Motion by King, second by Moats, to open the public hearing on construction of a County Animal Shelter. Roll Call Vote: Ayes-Houser, King, Knauss, Moats. Motion carried.

Motion by Knauss, second by King, to close the public hearing on construction of a County Animal Shelter. Roll Call Vote: Ayes-Houser, King, Knauss, Moats. Motion carried.

Motion by Knauss, second by King, to set Wednesday, November 19, 2003 at 10:00 A.M. for bid opening for the construction of a County Animal Shelter. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to lengthen the time limit on meters in the east parking lot to two hours. Unanimous vote. Motion carried.

Motion by Moats, second by King, to enter into Executive session under Code of Iowa, Chapter 21.5(c) for purposes of discussing pending litigation. Roll Call Vote: Ayes-4. Motion carried.

Motion by Moats, second by King, to go out of Executive Session. Roll Call Vote: Ayes-4. Motion carried.

Motion by King, second by Knauss, to approve new Native Wine/Sunday Sales Permit for The Gift Gallery, Council Bluffs, Iowa. Roll Call Vote: Ayes-3. Absent-Moats. Motion carried.

Motion by Knauss, second by Moats, to approve contract for on-call Animal Control Officer effective November 12, 2003 through June 30, 2004. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reimbursement

Pottawattamie County WIC Program – Reimbursement of unspent funds in the amount of \$3,450.00 for rent support for FY 2003.

The Board adjourned subject to call at 12:10 P.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Cheryll Ross, First Deputy, Auditor’s Office

APPROVED: November 17, 2003

PUBLISH: X

November 17, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members, except Knauss, present. Chairman Houser presiding. Knauss present at 10:02 A.M.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of November 12, 2003, as written. Unanimous vote. Motion carried.

Motion by King, second by Moats, to close the public hearing on Ordinance #2003-14. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by Knauss, second by King, to approve first consideration of Ordinance #2003-14, with the modification to Section 3.50.007.09 to read "It is unlawful for any person to own, keep or harbor at anytime more than four (4) dogs under this Chapter without the appropriate license" and to set second consideration for Monday, November 24, 2003 at 9:45 A.M. Unanimous vote. Motion carried.

Motion by King, second by Moats, to authorize Chairman to sign Contract Number 03-ED-004, a Community Development Block Grant (CDBG) Contract between the Iowa Department of Economic Development and the Pottawattamie County Board of Supervisors for Oakland Food, LLC with an award amount of \$160,000 and a Forgivable Loan Amount of \$150,000 with an effective date of September 11, 2003 and ending date of August 31, 2005. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to concur with the County Recorder and approve appointment of Marilyn Kelsay as 2nd Deputy County Recorder, to be effective November 17, 2003 at an annual salary of \$37,402.50 Unanimous vote. Motion carried.

Motion by King, second by Leaders, to authorize Chairman to sign "Notice of Disallowances for-Homestead Tax Credits" and "Notice of Disallowances for Military Tax Credits". Unanimous vote. Motion carried.

Motion by Moats, second by King, to approve **Board Resolution No. 37-2003**, to transfer \$1,000,000 from the Rural Services Basic Fund to the Secondary Roads Fund. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Moats, to set aside the agenda as allowed by Code of Iowa, Chapter 21.4, for Jerry Hare, County Engineer, for discussion of a resolution regarding County Road H 10 (formerly Iowa Highway 370), beginning at formerly U.S. Highway 275 and connecting to formerly Iowa Highway 935 in Mills County for a total mileage of .84 Unanimous vote. Motion carried.

Motion by Knauss, second by King, to approve **Engineer's Resolution No. 03-19**, a resolution requesting that the Farm to Market Review Board approve the above modification to it farm to market system. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Knauss, to support the proposal from the Communications Commission regarding the 28E Agreement between the city and county for FY05. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve **Board Resolution No. 38-2003**, directing the sale of \$1,575,000 General Obligation Refunding Bonds (Urban Renewal). Roll Call Vote: Ayes-5. Motion carried.

Motion by Knauss, second by King, to approve **Board Resolution No. 39-2003**, authorizing the Redemption of Outstanding Urban Renewal Revenue Capital Loan Notes, Series 2000, of the County of Pottawattamie, State of Iowa, Dated March 1, 2000, and directing mailing of notice. Roll Call Vote: Ayes-5. Motion carried.

The Board adjourned subject to call at 1:45 P.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Cheryll Ross, First Deputy, Auditor's Office

APPROVED: November 24, 2003

PUBLISH: X

November 24, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of November 17, 2003, as written. Unanimous vote. Motion carried.

Motion by Moats, second by King, to authorize Board to sign **Resolution No. 41-2003** to set public hearing for Monday, December 22, 2003, at 10:30 A.M., to consider and/or sell county owned property described as: "Northerly Fifty (50) feet of Lot Two (2), in Re-arrangement of Smith Sunset Subdivision to the City of Council Bluffs, Iowa", to Curt Ahrens for the amount of \$1.00. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Moats, to approve Fireworks Permit for the City of Walnut, giving them the right to shoot and display fireworks on November 28, 2003. Unanimous vote. Motion carried.

Motion by King, second by Moats, to authorize Chairman to sign letter for Public Financial Management to structure escrow for 2004 refunding. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve Class "C" Beer Renewal/Sunday Sales Permit for K.C. Mart, Underwood, Iowa. Unanimous vote. Motion carried.

Motion by Moats, second by King, to approve Southwest Iowa Coalition 2004 Dues in the amount of \$500.00. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to authorize Chairman to sign Release-14Q25575 arising out of an accident that occurred on or about November 16, 2002 at or around Griswold, Iowa. Unanimous vote. Motion carried. (Grove Township Bridge 8-Duane Laughlin).

Motion by Moats, second by Knauss, to authorize Chairman to sign "Certificate of Appointment of Deputy or Assistant." for Marilyn Kelsay in the Recorder's Office. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve **Resolution No. 40-2003**, setting a public hearing for December 4, 2003 at 10:00 A.M. in the Pottawattamie County Courthouse, Board of Supervisors' Hearing Room, Second Floor, 227 South 6th Street, Council Bluffs, Iowa, for the purpose of taking action on the matter of the issuance of not to exceed \$9,260,000 General Obligation Bonds. Roll Call Vote: Ayes-5. Motion carried.

Motion by Knauss, second by Leaders, to approve second consideration of Ordinance #2003-14, with the modification to Section 3.50.007.09 to read "It is unlawful for any person to own, keep or harbor at anytime more than four (4) dogs under this Chapter without the appropriate license" and to adopt said **Ordinance #2003-14** into law. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by Knauss, second by King, to award bid for construction of a Pottawattamie County Animal Shelter to AOI of Omaha in the amount of \$126,000. Unanimous vote. Motion carried.

10:00 Zoning Hearings:

CASE #ZMA-2003-07: Request of Michael H. and Mary Jo Hughes for a zoning map amendment to reclassify approximately 34.43 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-2 (Suburban Residential) District located in Lewis Township, Highway 275, legally described as: "A parcel of land located in the SW¼ of Section 15, Range 43W of the 5th P.M.

CASE #SUB-2003-09: The request of Michael H. and Mary Jo Hughes for a preliminary plat approval of Skyline Estates, Phase II, located in Lewis Township, Highway 275, legally described as: "A parcel of land located in the SW¼ of Section 15, Township 74N, Range 43W of the 5th P.M.

Motion by Leaders, second by Knauss, to open the public hearing on Case #ZMA-2003-07 and #SUB-2003-09. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by Leaders, second by Moats, to close the public hearing on Case #ZMA-2003-07 and #SUB-2003-09. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by King, second by Knauss, to continue the Board deliberation on Case #ZMA-2003-07 and #SUB-2003-09 to December 8, 2003 at 10:00 A.M. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to authorize the Chairman to sign the 2003 Tax Increment Debt Certificate for the Tax Increment Areas: Pottawattamie County/Oakland OSI Urban Renewal \$1,470,000 and for Airport/Bent Tree Urban Renewal \$1,825,000. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to authorize Chairman to sign Subrecipient Agreement between Pottawattamie County and Oakland Foods, LLC. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to authorize Chairman to sign a Lease Agreement with Martin Luther Homes in the amount of \$1,496.25 per month for former Pottawattamie County Care Facility Building for October 1, 2003 through October 1, 2004. Unanimous vote. Motion carried.

Motion by Moats, second by leaders, to authorize Chairman to sign letter of denial on Community Services Appeal #2003-01. Unanimous vote. Motion carried.

Motion by King, second by Moats, to go into Executive Session, as allowed by Code of Iowa, Chapter 21.5(c) for purposes of discussing pending litigation. Roll Call Vote: Ayes-5. Motion carried.

Motion by Knauss, second by King, to go out of Executive Session. Roll Call Vote: Ayes-5. Motion carried.

The Board adjourned subject to call at 12:00 P.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: December 4, 2003

PUBLISH: X

December 1, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by Moats, second by King, to approve the slate of nominations to the Iowa Wescorp Board. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:45 A.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: December 4, 2003

PUBLISH: X

December 4, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:45 A.M. all members except, Leaders and Moats, present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Knauss, to approve the minutes of November 24, 2003 and December 1, 2003, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to authorize Chairman to sign contract with AOI Corporation in the amount of \$125,900 for the construction of a Pottawattamie County Animal Shelter. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to authorize Chairman to sign contract with MAPA for CDBG Administration regarding Oakland Foods, LLC, forgivable loan. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve **Board Resolution No. 42-2003**, for policy on Residential Anti-Displacement and Relocation Assistance Plan Under Section 104(d) of the Housing and Community Development Act of 1974, as amended. Roll Call Vote: Ayes-3. Motion carried.

Motion by King, second by Knauss, to open the public hearing on the matter of the issuance of not to exceed \$9,260,000 General Obligation Refunding Bonds, Series 2004, in order to provide funds to pay costs of refunding General Obligation Refunding Bonds, Series 1996A (Jail Bonds). Roll Call Vote: Ayes-3. Motion carried.

Motion by King, second by Knauss, to close the public hearing. Roll Call Vote: Ayes-3. Motion carried.

Motion by King, second by Knauss, to approve **Board Resolution No. 43-2003**, instituting proceedings to take additional action for the Issuance of not to exceed \$9,260,000 General Obligation Refunding Bonds, Series 2004. Roll Call Vote: Ayes-3. Motion carried.

Motion by Knauss, second by King, to approve **Board Resolution No. 44-2003**, directing the advertisement for sale of not to exceed \$9,260,000 General Obligation Refunding Bonds, Series 2004 for December 17, 2003. Sealed bids will be received at the Office of the County Treasurer at 11:00 A.M., and the sale and award of the bonds will be held at the Board of Supervisors' Hearing Room, Pottawattamie County Courthouse, 227 South 6th Street, Council Bluffs, Iowa at 1:00 P.M. on the above date. Roll Call Vote: Ayes-3. Motion carried.

Motion by King, second by Knauss, to contract with Midlands Benefits Administrators for the Flex-Med Plan, Section 125, and set \$3,000 for the maximum deductible. Unanimous vote. Motion carried.

Motion by Knauss, second by King, to approve the final plat of Metropolis Acres and to adopt **Planning and Zoning Resolution #2003-14**. Ayes-Knauss, King, Houser; Absent-Leaders, Moats. Motion carried.

Motion by King, second by Knauss, to approve the final plat of Heaven's Valley Subdivision and to adopt **Planning and Zoning Resolution #2003-15**. Ayes-Knauss, King, Houser. Absent-Leaders, Moats. Motion carried.

The Board adjourned subject to call at 11:30 A.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: December 8, 2003

PUBLISH: X

December 8, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:15 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Leaders, to approve the minutes of December 4, 2003, as written. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to rescind motion made on minutes of October 29, 2003 as follows: "Motion by Leaders, second by Knauss, to issue an RFP for a parcel mapping project of Pottawattamie County under the GIS Department", due to the stipulations in the Sidwell Contract. Pottawattamie County will not issue an RFP on cadastral mapping. Unanimous vote. Motion carried.

Motion by Moats, second by King, to approve **Board Resolution No. 45-2003**, appointing Wells Fargo Bank Iowa, N.A. Of Des Moines, Iowa, to serve as Paying Agent, Bond Registrar, and Transfer Agent, Approving the Paying Agent and Bond Registrar and Transfer Agent Agreement and Authorizing the Execution of the Agreement. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by King, second by Moats, to approve **Board Resolution No. 46-2003**, authorizing the issuance of General Obligation Refunding Bonds (Urban Renewal) in the amount of \$1,575,000 and Levying a Tax for the payment thereof. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by King, second by Moats, to authorize Board to sign the Tax Exemption Certificate and the Continuing Disclosure Certificate, Delivery Certificate, Transcript Certificate, Authentication Order, County Auditor's Certificate, and Form 8038G for the Sale of Refunding Bonds on 1996A Jail Bond Series. Unanimous vote. Motion carried.

10:00 Continuation of Zoning Hearings:

CASE #ZMA-2003-07: Request of Michael H. and Mary Jo Hughes for a zoning map amendment to reclassify approximately 34.43 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-2 (Suburban Residential) District located in Lewis Township, Highway 275, legally described as: "A parcel of land located in the SW¼ of Section 15, Range 43W of the 5th P.M.

AND

CASE #SUB-2003-09: The request of Michael H. and Mary Jo Hughes for a preliminary plat approval of Skyline Estates, Phase II, located in Lewis Township, Highway 275, legally described as: "A parcel of land located in the SW¼ of Section 15, Township 74N, Range 43W of the 5th P.M.

Motion by Moats, second by King, to deny the requests of Michael H. and Mary Jo Hughes for a zoning map amendment and for preliminary plat approval of Skyline Estates, Phase II, as filed under Case #ZMA-2003-07 and #SUB-2003-09, upon the determination that the subject property was too steep for a development. Roll Call Vote: Ayes-Moats, Knauss, King, Houser. Nays-Leaders. Motion carried.

Motion by Knauss, second by Moats, to authorize Board to sign **Engineer's Resolution #03-20**, to set public hearing for December 29, 2003, at 10:30 A.M., for consideration of selling county-owned land, buildings, and equipment. Roll Call Vote: Ayes- 5. Motion carried.

The Board adjourned subject to call at 11:25 A.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: December 10, 2003

PUBLISH: X

December 10, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:30 A.M., all members, except Leaders, present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of December 8, 2003, as written. Unanimous vote. Motion carried.

Motion by King, second by Moats, to approve employment of Rachel McIntosh for the East Pottawattamie County Resource Planner position at \$12.93 per hour, to be effective December 7, 2003. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve \$5,000 for cooperative advertising with the Western Iowa Tourism Region. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve and sign Pre-Disaster Mitigation Planning Grant Agreement with Iowa Homeland Security and Emergency Management Division Agreement #PDM-2003-0034 and approve and sign Pre-Disaster Mitigation Planning Agreement between MAPA and Pottawattamie County. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:30 A.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: December 15, 2003

PUBLISH: X

December 15, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members, except Knauss, present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of December 10, 2003, as written. Unanimous vote. Motion carried.

Motion by Leaders, second by King, to approve the certification of the Underwood School Election of December 9, 2003, which did not pass. The costs of the election are to be paid by the Auditor and reimbursed by the Underwood School District. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to approve change order number one (1) in the amount of \$1,209.75 with AOI Corporation for Animal Shelter washer and dryer hook-ups. Unanimous vote. Motion carried.

Motion by Moats, second by King, to approve letter withdrawing objection to the Council Bluffs to Grimes electric line proposed by MidAmerican Energy Company. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:00 A.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: December 17, 2003
PUBLISH: X

December 17, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 11:00 A.M., all members, except Houser and King, present. Chairperson Pro-Tem Moats presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Knauss, to approve the minutes of December 15, 2003, as written. Unanimous vote. Motion carried.

11:00 A.M. - Receipt of sealed bids for the sale of General Obligation Refunding Bonds, Series 2004 in an amount not to exceed \$9,600,000 of the County of Pottawattamie, State of Iowa, in regard to the 1996A Jail Bond Series, were received in the Board of Supervisors' Hearing Room, Second Floor, Courthouse, 227 South 6th Street, Council Bluffs, Iowa.

Motion by Leaders, second by Knauss, to adjourn the meeting until 1:00 P.M., this date. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to resume the meeting at 1:00 P.M. for the purpose of approving Resolution directing sale of General Obligation Bonds for Refunding the 1996A Jail Bond Series. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve **Board Resolution No. 47-2003**, directing the sale of not to exceed \$9,600,000, General Obligation Refunding Bonds, Series 2004, in regard to the 1996A Jail Bond Series. Roll Call Vote: Ayes-Knauss, Leaders, Moats. Motion carried.

The Board adjourned subject to call at 1:20 P.M.

Betty J. Moats, Chairperson Pro-Tem

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: December 22, 2003

PUBLISH: X

December 22, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by Moats, second by Leaders, to approve the minutes of December 17, 2003, as written. Unanimous vote. Motion carried.

Motion by King, second by Moats, to authorize a \$10,000 grant to the Special Deputies for assistance in purchasing a vehicle for law enforcement work. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve the GIS Product and Service Pricing Guide and GIS Information Systems Agreement for use of GIS Information and Aerial Photography guidelines as set out per attached. Unanimous vote. Motion carried.

Motion by King, second by Moats, to sign the contract addendum with the Sidwell Company of Illinois for Pottawattamie County parcel work. Unanimous vote. Motion carried.

Motion by Moats, second by King, to certify the results of the Iowa Western Community College election of December 16, 2003 and authorize the Auditor to pay the costs of the election to be reimbursed to the Auditor. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to deed a parcel of land described as being a portion of right-of-way known as Ehrig Avenue contiguous to Treynor, Iowa, from Pottawattamie County, to the City of Treynor, Iowa. Unanimous vote. Motion carried.

Motion by King, second by Leaders, to approve for the Auditor's Office moving LaVonne Feller from part-time to full-time employment at \$12.60 per hour (G10S7), as of December 26, 2003. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to open public hearing on disposal of county-owned property. Roll call vote: Ayes-5. Motion carried.

Motion by Knauss, second by King, to close the public hearing. Roll Call Vote: Ayes-5. Motion carried.

Motion by Knauss, second by King, to approve **Board Resolution No. 48-2003**, to sell property described as: "Northerly Fifty (50) feet of Lot Two (2), in Re-arrangement of Smith Sunset Subdivision to the City of Council Bluffs, Iowa" to Curt Ahrens for \$1.00. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Leaders, to approve adding additional Grade's (28-40) to the County's Non-Union Step and Grade. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve class "C" Beer Renewal/Sunday Sales Privilege for DeSoto Bend Mini Mart, Missouri Valley, Iowa. Roll Call Vote: Ayes-Houser, King, Leaders. Nays-Moats. Motion carried.

Motion by King, second by Moats, to approve **Board Resolution No. 49-2003**, to transfer \$264,298.95 from the 2110 Bent Tree Reserve Fund to the 2100 Bent Tree Sinking Fund. Unanimous vote. Motion carried.

Motion by King, second by Moats, to approve the 911 expense of \$45,000 for enhanced radio coverage for Pottawattamie County. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:15 P.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: December 29, 2003

PUBLISH: X

December 29, 2003

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:45 A.M., all members present. Chairman Houser presiding.

PLEDGE OF ALLEGIANCE

Motion by King, second by Moats, to approve the minutes of December 22, 2003, as written.

Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to certify the results of the Iowa Western Community College Bond Issue held on December 16, 2003. Unanimous vote. Motion carried.

Motion by King, second by Moats, to approve for publication the Claims Allowed for November 2003. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to approve for publication the salaries paid to Pottawattamie County employees in 2003. Unanimous vote. Motion carried.

Motion by King, second by Moats, to open public hearing on sale of county-owned property described as being Lewis Township Shop and Treynor Shop. Roll Call Vote: Ayes-5. Motion carried.

Motion by King, second by Knauss, to close public hearing on sale of county-owned property. The consensus of the Board is to sell the properties by auction. Auction sale dates will be set by a resolution at a later date. Roll Call Vote: Ayes-5. Motion carried.

The Board adjourned subject to call at 11:15 A.M.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: JANUARY 2, 2004

PUBLISH: X