

JANUARY 2, 2004

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 Moats, second by King, to approve the December 29, 2003 minutes as read. Unanimous vote. Motion carried.

Motion by King, second by Knauss, to adjourn Sine Die. Unanimous vote. Motion carried.

Melvyn J. Houser, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

JANUARY 2, 2004

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. Leaders present at 10:20 A.M.

Motion by Knauss, second by Moats, to appoint Marilyn Jo Drake, County Auditor, as Temporary Chairperson for the election of a new Board Chairman and Chairman Pro-Tem for the year 2004. Unanimous vote. Motion carried.

Drake, announced nominations are now in order for the office of Chairman for 2004.

King nominated by Knauss.

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

King was elected Chairman for 2004.

Drake announced nominations are now in order for the office of Chairperson Pro-Tem for 2004.

Houser nominated by Moats.

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

Houser was elected Chairman Pro Tem for 2004.

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

Motion by Houser, 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 Knauss, 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 Moats, second by Knauss, to authorize Board to sign **Resolution No 1-2004**, a resolution for payment of county bills. Roll Call Vote: Ayes-5. Motion carried.

Motion by Moats, second by Knauss to authorize Board to sign **Resolution No. 2-2004**, to authorize the Auditor to destroy county vouchers and canceled county warrants, which have been on file on or before January 1, 1994, per Code of Iowa, Section 331.323(e). Roll Call Vote: Ayes-5. Motion carried.

Motion by Leaders, second by Houser, to authorize Board to sign **Resolution No. 3-2004**, a resolution approving deputy appointments for the Auditor's Office, Attorney's Office, Recorder's Office, Treasurer's Office and Sheriff's Department for 2004. Roll Call Vote: Ayes-5. Motion carried.

Motion by Houser, second by Knauss, to authorize Board to sign **Resolution No. 4-2004**, a "Depository Resolution". Roll Call Vote: Ayes-5. Motion carried.

Motion by Houser, second by Moats, to approve the Pottawattamie County Courthouse being closed on the following legal holidays in 2004-2005, as per Code of Iowa, Section 33.1:

MARTIN LUTHER KING, JR. DAY	MONDAY	JANUARY 19, 2004
PRESIDENT'S DAY	MONDAY	FEBRUARY 16, 2004
MEMORIAL DAY (OBSERVED)	MONDAY	MAY 31, 2004
INDEPENDENCE DAY(OBSERVED)	MONDAY	JULY 5, 2004
LABOR DAY	MONDAY	SEPTEMBER 6, 2004
VETERAN'S DAY	THURSDAY	NOVEMBER 11, 2004
THANKSGIVING DAY	THURSDAY	NOVEMBER 25, 2004
LIEU OF LINCOLN'S BIRTHDAY	FRIDAY	NOVEMBER 26, 2004
CHRISTMAS DAY(OBSERVED)	FRIDAY	DECEMBER 24, 2004
NEW YEAR'S DAY(OBSERVED)	FRIDAY	DECEMBER 31, 2004

Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to approve the following newspapers as Official Newspapers for Pottawattamie County, Iowa for the 2004 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 Houser, second by Knauss, to approve for the Information Technologies Department the promotion of Tony Kava from Network Administrator to Senior Network Administrator at \$23.38 per hour, to be effective January 1, 2004. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to approve the following Representative Appointments for 2004.

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
Community Services Department
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)
Community Services Department
Personnel
Recorder
Secondary Roads
Visiting Nurse Association
Airport Authority
RWIB-CEO

KNAUSS

Animal Control
Attorney
Board of Health
County Property
Economic Development
Personnel
Secondary Roads
Sheriff's 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

Unanimous vote. Motion carried.

The Board adjourned subject to call at 10:45 P.M.

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: JANUARY 5, 2004
PUBLISH: X

January 5, 2004

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 Houser, second by Knauss, to approve the minutes of January 2, 2004, as written. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to give a one time grant of \$20,000 to the Pottawattamie County Fair, to be taken out of gaming funds. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve **Board Resolution No. 5-2004**, 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-King, Houser, Knauss, Leaders, Moats. Motion carried.

Motion by Knauss, second by Moats, that the form of Tax Exemption Certificate be place on file and approved. Roll Call Vote: Ayes-King, Houser, Knauss, Leaders, Moats. Motion carried.

Motion by Houser, second by Leaders, that the form of Continuing Disclosure Certificate be placed on file and approved. Roll Call Vote: Ayes-King, Houser, Knauss, Leaders, Moats. Motion carried.

Motion by Houser, second by Knauss, to approve **Board Resolution No. 6-2004**, authorizing the issuance of General Obligation Refunding Bonds, Series 2004, in the amount of \$9,140,000 and Levying a Tax for the Payment Thereof. Roll Call Vote: Ayes-King, Houser, Knauss, Leaders, Moats. Motion carried.

Motion by Houser, second by Knauss, to approve **Engineer's Resolution No. 04-1**, authorizing the County Engineer to close Secondary Roads for Construction ad/or maintenance. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to approve **Engineer's Resolution No. 04-2**, authorizing the County Engineer to certify completion papers and make final acceptance of contract work on the Farm To Market and Federal Aid Systems. Unanimous vote. Motion carried.

Motion by Leaders, second by Moats, to approve **Engineer's Resolution No. 04-3**, authorizing the County Engineer to issue and sign special permits for the movement of vehicles of excessive size and weight upon Pottawattamie County Secondary Roads. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, authorizing the Chairman to sign the Hungry Canyons Alliance Project Agreement No. HC03-8-F. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to authorize payment of Hungry Canyons Alliance Membership Dues in the amount of \$2,500, for July 1, 2004 to June 30, 2005. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders to approve \$3,000 in funding to West Central Development for Fiscal Year 2005. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to approve the following appointments to the Compensation/ Condemnation Commission for 2004: Robert Leaders-Neola; Duane Nielsen-Avoca; Frank Moran-Honey Creek; Bryce Leighton-Griswold; Orville Krueger-Walnut; Gary Larson-Underwood; David Wagner-Oakland; Harry Crawl-Council Bluffs; Karen Anderson-Council Bluffs; Maxine Klahn-McClelland; David Niemann-Avoca; Carey Jensen-Council Bluffs; George Collins-Council Bluffs; Earl Williams-Oakland; Robert Martens-Walnut; Gerald Forristall-Treynor; Wayne Rodenburg-Underwood; Bill Smith-Council Bluffs; Delores Lindgren-Council Bluffs; Richard Graves-Carson; Warren Goos-Carson; Cletis Gress-Hancock; Russell Haney-Council Bluffs; Robert Pingel-Underwood; Shoan McCready-Macedonia; Edward Leazenby-Crescent; Kenneth Moore-Oakland. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to authorize Chairman to sign Notice of Disallowance for a Homestead Tax Credit for 2004. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve payment of MAPA dues for January 1, 2004 to June 30, 2004 in the amount of \$16,260.50. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:13 P.M.

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: January 12, 2004

PUBLISH: X

January 12, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Moats, second by Leaders, to approve the minutes of January 5, 2004, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to increase the coverage on Pottawattamie County properties to \$858,728.00 per the ICAP report presented by Insurance Representative Mark Abel. This will cost approximately \$800.00 per year for premium. Unanimous vote. Motion carried.

10:30 Public Hearing

Case#ZMA-2003-08: The request of Word Center Ministries, Inc., for a zoning map amendment to reclassify approximately 35.511 acres from a Class A-2 (Exclusive Agricultural) District, located in Lewis Township, Pioneer Trail, legally described as: "A parcel of land located in the SW¼ of Section 14, Township 74N, Range 43W of the 5th P.M."

Case #SUB-2003-10: The request of Word Center Ministries, Inc. for a preliminary plat approval of Evidence Point Subdivision, located in Lewis Township, Pioneer Trail, legally described as: "A parcel of land located in the SW¼ of Section 14, Township 74N, Range 43W of the 5th P.M." Motion by Knauss, second by Houser, to open the public hearing on Case #ZMA-2003-08 and #SUB-2003-10. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Houser, second by Knauss, to close the public hearing on Case #ZMA-2003-08 and #SUB-2003-10. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Leaders, second by Houser, to approve first consideration of an ordinance to reclassify approximately 35.511 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, as requested by Word Center Ministries, Inc. and filed under Case #ZMA-2003-08, and to set second consideration for Monday, January 26, 2004 at 10:00 A.M. and to continue the Board's consideration of the preliminary plat of Evidence Point Subdivision to said date and time. Ayes-Leaders, King, Houser, Knauss. Nays-Moats. Motion carried.

Case #ZMA-2003-09: The request of Martha McKlveen and Sally Sandblom for Hearthstone Estates Inc., for a zoning map amendment to reclassify approximately 63.26 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, located in Keg Creek Township, Highway 92, legally described as: "S½ SW¼, Section 6, Township 74N, Range 42W of the 5th P.M."

Case #SUB-2003-11: The request of Martha McKlveen and Sally Sandblom for Hearthstone Estates Inc., for a preliminary plat approval of Hearthstone Estates Subdivision, located in Keg Creek Township, Highway 92, legally described as: "S½ SW¼, Section 6, Township 74N, Range 42W of the 5th P.M."

Motion by Knauss, second by Leaders, to open the public hearing on Case #ZMA-2003-09 and #SUB-2003-11. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Knauss, second by Leaders, to close the public hearing on Case #ZMA-2003-09 and #SUB-2003-11. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Case #SUB-2003-12: The request of Donald D. Hoffman, for preliminary plat approval of Delmar Lane Subdivision, a replat of Lot 3, Handke Subdivision, located in Crescent Township, Old Lincoln Highway, legally described as: "Lot 3, Handke Subdivision."

Motion by Leaders, second by Houser, to open the public hearing on Case #SUB-2003-12. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Moats, second by Leaders, to close the public hearing on Case #SUB-2003-12. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Knauss, second by Moats, to approve the preliminary plat of Delmar Lane Subdivision and to adopt **Planning and Zoning Resolution #2004-01**. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Case #ZTA-2003-03: The request of Pottawattamie County for a zoning text amendment to amend the Pottawattamie County, Iowa, Zoning Ordinance Chapter 8.002, definition of "commercial kennel" as keeping or maintaining more than 4 dogs and "private kennel" to be limited to no more than 4 dogs.

Motion by Knauss, second by leaders, to open the public hearing on Case #ZTA-2003-03. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Leaders, second by Knauss, to close the public hearing on Case #ZTA-2003-03. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Knauss, second by Leaders, to approve first consideration of an ordinance to amend the Pottawattamie County, Iowa, Zoning Ordinance Chapter 8.002, definition of "commercial kennel" as keeping or maintaining more than 4 dogs and "private kennel" to be limited to no more than 4 dogs, as filed under Case #ZTA-2003-03 and to set second consideration for Monday, January 26, 2004 at 10:00 A.M. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Moats, second by Knauss, to authorize the Board to sign **Board Resolution No. 8-2004**, adopting the Construction Evaluation Resolution pursuant to Iowa Code Section 455B.200E (Matrix). Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Knauss, second by Houser, to appoint Shawn Stevens and Doug Hess as Weed Commissioners for 2004. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to appoint Jeanette Genereux, Honey Creek and Randall Hotze, Carson, to the Board of Adjustment and Dawn Hess, to the Planning and Zoning Commission, with terms expiring December 31, 2008. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve Class "C" Beer Renewal/Sunday Sales Permit for Fill'R Up, 14151 Highway 275, Council Bluffs, Iowa. Roll Call Vote: Ayes: Houser, King, Knauss, Leaders. Nays-Moats. Motion carried.

Motion by Moats, second by Knauss, to appoint Delbert King as a representative to the Fourth Judicial District Department of Correctional Services Board of Directors for 2004. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to approve **Board Resolution No. 7-2004**, to transfer \$300,000.00 from the Rural Services Basic Fund to the Secondary Road Fund. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Houser, second by Knauss, to approve for publication the "Notice to Lease County-Owned Farmland" Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve for the Sheriff's Department/Jail the employment of Rodney Oliver as a Detention Officer at \$14.35 per hour to be effective January 7, 2004. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to approve for the Conservation Board the reappointment of Cathy Temeyer to the Conservation Board for a 5-year term to expire on December 31, 2008. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve for publication the Claims Allowed for December 31, 2003. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to approve for the Treasurer's Office the promotion of DeAnna McDermott to First Deputy at \$40,879.20 annually and Deborah Allmon to Second Deputy at \$38,324.25 annually, both to be effective January 1, 2004. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to approve for publication the Treasurers Semi-Annual Report for the period from July 1, 2003 through December 31, 2003. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports

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

Sheriff's Report of Fees Collected for quarter ending December 31, 2003.

Salary Actions

Treasurer's Office – Revocation of Deputy Status for Kathy Harold effective 12/31/03.

The Board adjourned subject to call at 1:30 P.M., due to Leadership Council Bluffs luncheon at library..

Delbert E. King, Chairman

ATTEST:

Marilyn Jo Drake, County Auditor

APPROVED: January 26, 2004

PUBLISH: X

January 26, 2004

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 Moats, second by Knauss, to approve the minutes of January 12, 2004, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to authorize Chairman to sign Engineer's Resolution #04-05, to vacate a 66 feet wide road (210th Street) on the east line of the NE¼ Section 4-T77N-R43 in Boomer Township. Roll Call Vote: Ayes-5. Motion carried.

10:00 Second Considerations

Case#ZMA-2003-08: The request of Word Center Ministries, Inc., for a zoning map amendment to reclassify approximately 35.511 acres from a Class A-2 (Exclusive Agricultural) District, located in Lewis Township, Pioneer Trail, legally described as: "A parcel of land located in the SW¼ of Section 14, Township 74N, Range 43W of the 5th P.M."

Case #SUB-2003-10: The request of Word Center Ministries, Inc. for a preliminary plat approval of Evidence Point Subdivision, located in Lewis Township, Pioneer Trail, legally described as: "A parcel of land located in the SW¼ of Section 14, Township 74N, Range 43W of the 5th P.M."

Motion by Houser, second by Leaders, to approve second consideration of an ordinance to reclassify approximately 35.511 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, as requested by Word Center Ministries, Inc., and filed under Case #ZMA-2003-08, and to adopt **Ordinance #2004-01** and to approve the preliminary plat of Evidence Point Subdivision, as requested by Word Ministries and filed under Case #SUB-2003-10 and to adopt **Planning and Zoning Resolution #2004-02**. Ayes-Leaders, King, Houser, Knauss, Moats. Motion carried.

Case #ZMA-2003-09: The request of Martha McKlveen and Sally Sandblom for Hearthstone Estates Inc., for a zoning map amendment to reclassify approximately 63.26 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, located in Keg Creek Township, Highway 92, legally described as: "S½ SW¼, Section 6, Township 74N, Range 42W of the 5th P.M."

Case #SUB-2003-11: The request of Martha McKlveen and Sally Sandblom for Hearthstone Estates Inc., for a preliminary plat approval of Hearthstone Estates Subdivision, located in Keg Creek Township, Highway 92, legally described as: "S½ SW¼, Section 6, Township 74N, Range 42W of the 5th P.M."

Motion by Knauss, second by Leaders, to approve second consideration of an ordinance to reclassify approximately 63.26 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, as requested by Hearthstone Estates Inc., and filed under Case #ZMA-2003-09, and to adopt **Ordinance #2004-02** and to approve the preliminary plat of Hearthstone Estates Subdivision, as requested by Hearthstone Estates Inc. and filed under Case #SUB-2003-11 and to adopt **Planning and Zoning Resolution #2004-03**. Ayes-Leaders, King, Houser, Knauss, Moats. Motion carried.

Case #ZTA-2003-03: The request of Pottawattamie County for a zoning text amendment to amend the Pottawattamie County, Iowa, Zoning Ordinance Chapter 8.002, definition of "commercial kennel" as keeping or maintaining more than 4 dogs and "private kennel" to be limited to no more than 4 dogs.

Motion by Leaders, second by Moats, to approve second consideration of an ordinance to amend the Pottawattamie County, Iowa, Zoning Ordinance Chapter 8.002, definition of "commercial kennel" as keeping or maintaining more than four (4) dogs and "private kennel" to be limited to no more than 4 dogs, as filed under Case #ZTA-2003-03 and to adopt **Ordinance #2004-03**. Roll Call Vote: Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Houser, second by Knauss, to approve Notice of Disallowance for Homestead Tax Credits and Notice of Disallowance for Military Service Tax Exemptions for 2004. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to approve Applications for Homestead Tax Credits and Applications for Military Exemptions. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to approve stop payment on warrant no. 34491 and issue new warrant. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to reappoint John Innes to the Civil Service Commission for a term of six (6) years, with the term to expire August 15, 2009. Unanimous vote. Motion carried.

Motion by Leaders, second by Moats, to approve for the Information Technologies Department the employment of Steven Carter as an Information Technologies Network Administrator at \$21.00 per hour to be effective February 9, 2004. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to authorize Chairman to sign agreement for communication services with Alltel, to provide point-to-point communication between the courthouse and Honey Creek. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:27 P.M.

Delbert E. King, Chairman

ATTEST:

Marilyn Jo Drake, County Auditor

APPROVED: February 2, 2004

PUBLISH: X

January 27, 2004

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members except Moats, present. Leaders present at 11:05 A.M. Chairman King presiding.

PLEDGE OF ALLEGIANCE

At 10:00 A.M., Assistant County Attorney, Maggie Popp-Reyes, Attorney John Burns and County Engineer Jerry Hare were present for discussion on upgrading County Road L43. John Burns represents the Council Bluffs Airport Authority. He is working with the FAA and the County Engineer, they have a proposed 28E Agreement between the Council Bluffs Airport Authority and Pottawattamie County for hard surfacing of L43. That would be the counties contribution to the project. One million dollars with Secondary Roads contributing \$400,000 of that figure beginning in 2006. County would oversee the construction to insure the road is built to county specks. County will begin payments to the Airport Authority beginning 2006. The counties share with pay Engineering costs, land acquisition and road construction. The 28E will be placed on a future agenda.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 2, 2004

PUBLISH: X

January 28, 2004

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 Leaders, second by Knauss, to accept bids for the lease of county-owned farm ground and set awarding for Monday, February 2, 2004 at 10:00 A.M.. Two bids were received prior to the 10:00 A.M. deadline. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to set aside the agenda as allowed by Code of Iowa, Chapter 21.4, to consider an Engineer’s resolution to seek a grant for development. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to authorize Board to sign **Engineer’s Resolution #04-04** approving the Joint Application (Mills/Pottawattamie) for RISE funding for the construction upgrading to an asphalt road of 189th Street from US 370 North 1.75 miles. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:41 A.M.

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 2, 2004

PUBLISH: X

February 2, 2004

MET IN REGULAR SESSION

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

Chairman King presiding.

PLEDGE OF ALLEGIANCE

Motion by Knauss, second by Leaders, to approve minutes of January 26, January 27 and January 28, 2004, as written. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to award bid for lease of county-owned farm ground as follows: 233 acres to Ken Root/Hawkeye Farming, Inc. for \$100.00 per acre, with a 2 year lease and 200 acres to Paul Thieschafer for \$125.00 per acre, with a 2 year lease. Unanimous vote. Motion carried.

Motion by Leaders, second by Moats, to approve National Watershed Coalition Membership Dues in the amount of \$50.00. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to table decision on approval of amendment to the Pottawattamie County Communications Center Commission Joint 28E Agreement. Roll Call Vote: Ayes-Leaders, Moats, Knauss, King, Houser(via telephone communications). Motion carried.

The Board adjourned subject to call at 12:25 P.M.

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 4, 2004

PUBLISH: X

February 4, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Houser, second by Leaders, to approve minutes of February 2, 2004, as written. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to authorize the Chairman to sign Grants to Counties Well Program Application Form for FY 2005, in the amount of \$13,130. Ayes-Houser, Leaders, King. Absent-Knauss, Moats. Motion carried.

Motion by Moats, second by Leaders, to sign Mental Health Outpatient Service Agreement with Alegent Psychiatric Associates in the amount of \$200,000. The term of this Agreement shall be for one (1) year commencing on the 1st day of July, 2003, and terminating on the 30th day of June, 2004. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to sell 1997 Plymouth Van Grand Voyager and 1998 Grand Voyager S.E. Van to MOSAIC, Inc. for \$4,500 each. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to accept the recommendation of the Compensation Board of a 5% salary increase for the following officials for Fiscal Year 2004-2005: Jeff Danker/ County Sheriff - \$76,905.00; Marilyn Jo Drake/County Auditor - \$53,654.00; Judy A. Miller/County Treasurer - \$53,654.00; John Sciortino/County Recorder - \$52,364.00; Melvyn Houser, Delbert King, Loren Knauss, Lynn Leaders, Betty Moats/Board of Supervisors-\$31,297.00; Matt Wilber/County Attorney - \$83,925.00. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 9, 2004

PUBLISH: X

February 9, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Knauss, to approve minutes of February 4, 2004, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to take bids for Secondary Roads project #HC-2002(4) under advisement and set Tuesday, February 10, 2004, at 11:00 A.M. to award bid. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to approve First Amendment to the Pottawattamie County Communications Center Commission Joint 28E Agreement between Pottawattamie County and the City of Council Bluffs, Iowa. Effective July 1, 2004 the City does hereby agree to contribute an amount equal to 55% of the Communications Center budget and the County does hereby agree to contribute an amount equal to 45% of the Communications Center budget. Representatives of the City and County shall meet to determine the appropriate rate of contributions toward the Center’s budget for future fiscal years. The initial meeting regarding this matter shall occur no later than July 1, 2004. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to sign an agreement between the Omaha-Council Bluffs Metropolitan Area Planning Agency and Pottawattamie County, Iowa to obtain digital map products for the region. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports

Recorder’s Office – Quarterly report for 7/1/03 to 9/30/03.

Salary Actions

Telecommunications – Andrea Schaffer/Director of Operations – Contract increase to \$27.35 per hour.

The Board adjourned subject to call at 3:10 P.M.

Melvyn J. Houser, Chairman Pro Tem

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 10, 2004

PUBLISH: X

February 10, 2004

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:30 A.M., all members present. Chairman King presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Moats, to approve minutes of February 9, 2004, as written. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to authorize Chairman to sign contract and bond with L.A. Carlson Contracting of Merrill, Iowa in the amount of \$71,910.70, for project #HC-2002(4). Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

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

APPROVED: February 11, 2004
PUBLISH: X

February 11, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Knauss, second by Houser, to approve minutes of February 10, 2004, as written. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to authorize Board to sign **Resolution No. 9-2004**, setting Wednesday, February 25, 2004, at 10:00 A.M., for a meeting on the proposition of the issuance of not to exceed \$600,000 Taxable General Obligation Bonds (for an essential county purpose) and providing for publication of notice thereof. Roll Call Vote: Ayes-Houser, King, Knauss, Moats. Motion carried. The Board decided not to bond for this project, funding will come out of gaming.

Motion by Houser, second by Knauss, to authorize Board to sign **Resolution No. 10-2004**, to transfer \$240,235 from the General Basic Fund to the General Supplemental Fund. Roll Call Vote: Ayes-Houser, King, Knauss, Moats. Motion carried.

Motion by Houser, second by Moats, to authorize Board to sign **Resolution No. 11-2004**, to transfer \$300,000 from the Gaming Fund to the General Supplemental Fund. Roll Call Vote: Ayes-Houser, King, Knauss, Moats. Motion carried.

Motion by Houser, second by Knauss, to authorize Chairman to sign request from AOI Corporation for an extension of fourteen (14) calendar days to be added to construction schedule, no additional costs. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to authorize Chairman to sign a contract for services with Visiting Nurse Association of Pottawattamie County for Fiscal Year 2004-2005. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: February 18, 2004
PUBLISH: X

February 18, 2004

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 Moats, second by Houser, to approve minutes of February 11, 2004, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, that we provide prepaid postage for absentee ballots mailed for the November, 2004 General Election. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to authorize Chairman to sign Iowa Communities Assurance Pool State of Values, Schedule of Electronic Data Processing, Schedule of Misc. Property and Schedule of Covered Automobiles. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to open the public hearing on a road vacation in Section 4-T77N-R43W in Boomer Township. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Knauss, second by Houser, to close the public hearing for road vacation in Boomer Township. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Knauss, second by Houser, to approve Engineer's Resolution No. 04-06, to vacate a 66 feet wide road (210th Street) on the east line of the NE¼ Section 4-T77N-R43W in Boomer Township. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Moats, second by Houser, to approve **Board Resolution No. 12-2004**, to transfer \$150,000 from Conservation LOT Fund 0007 to Gaming Fund 0003. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Leaders, second by Houser, to approve **Board Resolution No. 13-2004**, for an interfund loan of \$800,000 from the LOT Fund 0035 to the Secondary Road Fund 0020. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Leaders, second by Moats, to approve for publication the Claims Allowed for January 2004. Unanimous vote. Motion carried.

Motion by Moats, to deny a Class "B" Beer Permit/Sunday Sales privilege for Honey Creek Campground, Crescent, Iowa. Motion died for lack of a second.

The Board adjourned subject to call at 2:10 P.M.

Delbert E. King, Chairman

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

APPROVED: February 23, 2004

PUBLISH: X

February 23, 2004

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 Houser, second by Moats, to approve minutes of February 18, 2004, as written. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to authorize Chairman to sign Agreement No. 2004-16-069, between the State of Iowa, Iowa Department of Transportation (DOT) Highway Division, the City of Crescent and the Pottawattamie County Board of Supervisors for Project No. STP-183-0(24)- - 2C-78 for construction of a culvert under Crescent Creek bridge. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to sign Agreement No. 403-SBRS-039, between Pottawattamie County, Iowa and the Iowa Department of Transportation for Project No. SBRFM-CO78(138)- - 5D-78, for funding the County Bridge Construction Program for bridge replacement on County Road G37/L19 over Pigeon Creek and Union Pacific Railroad approximately 1.214 miles east of I-29. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to approve tax suspension for property located at 21 N 36th Street, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to approve for the Sheriff's Department/Jail the employment of Jennifer Birkhofer as a Detention Officer at \$14.35 per hour, to be effective 2/18/04. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to authorize Chairman to sign agreement with Cloud Cartographics, Inc for 3,000 copies of full county highway maps and 400 copies of county road atlas's for approximately \$14,200. Unanimous vote. Motion carried.

10:00 A.M. - Public Hearings:

Case #ZMA-2004-04: The request of Terry J. Maguire for a zoning map amendment to reclassify approximately 4.15 acres from a Class R-3 (Urban Residential) District to a Class C-2 (General Commercial) District, located in Lewis Township, 19965 Virginia Hills Road, Lot 3, Maguire Subdivision.

Motion by Houser, second by Moats, to open the public hearing on Case #ZMA-2004-04. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Houser, second by Leaders, to close the public hearing on Case #ZMA-2004-04. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Leaders, second by Houser, to approve first consideration of an ordinance to reclassify approximately 4.15 acres from a Class R-3 (Urban Residential) District to a Class C-2 (General Commercial) District, as filed under Case #ZMA-2004-04, and to set second consideration for March 10, 2004 at 10:00 A.M. Unanimous vote. Motion carried.

Case #MIS-2004-01: The request of Pottawattamie County for an amendment to the Pottawattamie County, Iowa, Comprehensive Land Use Plan.

Planning and Zoning Resolution #2004-04:

Per the Planning and Zoning Commission a moratorium prohibiting the processing of any further applications for subdivisions, including parcel splits, property line adjustments, minor subdivisions and major subdivisions, that are filed after March 1, 2004 that do not meet with the overall policies established by the Pottawattamie County, Iowa, Comprehensive Plan 2013. Said moratorium would expire July 1, 2004 or upon the adoption of zoning and subdivision regulations implementing the goals and policies of the aforementioned Land Use Plan, which ever comes first.

Motion by Houser, second by Moats to open the public hearing on Case #MIS-2004-01, Comprehensive Land Use Plan and on the proposed moratorium. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Leaders, second by Moats, to close the public hearing on Case #MIS-2004-01, Comprehensive Land Use Plan and on the proposed moratorium. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Moats, second by Houser, to adopt **Planning and Zoning Resolution #2004-04**, adopting the Comprehensive Plan 2013, as recommended by the Planning and Zoning Commission, with the exception that the minimum lot size in the Urban Transitional Zone be changed to read 1 acre within ½ mile of the effected communities. Ayes-Moats, King, Houser, Knauss. Nays-Leaders. Motion carried.

Motion by Houser, second by Moats, to adopt **Planning and Zoning Resolution #2004-05**, a resolution establishing a moratorium prohibiting the process of any further applications for subdivisions, including parcel splits, property line adjustments, minor subdivisions and major subdivisions, that are filed after March 1, 2004, that do not meet with the overall policies established by the Pottawattamie County, Iowa, Comprehensive Plan 2013. Said moratorium would expire July 1, 2004 or upon the adoption of zoning and subdivision regulations implementing the goals and policies of the aforementioned Land Use Plan, which ever comes first. Ayes-Moats, King, Houser. Nays-Knauss, Leaders. Motion carried.

Motion by Moats, second by Knauss, to authorize Chairman to sign a Memorandum of Agreement between Pottawattamie County and the Council Bluffs Airport Authority, a 28E Agreement to upgrade County Road L43, between Greenview Road and County Road G60, to a Portland Cement Concrete surface. Roll Call Vote: Ayes-5. Motion carried.
The Board adjourned subject to call at 12:30 P.M.

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: March 4, 2004

PUBLISH: X

February 24, 2004

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 Moats, second by Houser, to publish the Fiscal Year 2004-2005 budget and set the public hearing for Monday, March 15, 2004 at 10:00 A.M., in the Board of Supervisors' Hearing Room, Second Floor, Courthouse, 227 South 6th Street, Council Bluffs, Iowa. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:27 A.M.

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: March 4, 2004

PUBLISH: X

March 4, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Moats, to approve minutes of February 23, 2004, and February 24, 2004, as written. Unanimous vote. Motion carried.

Motion by Leaders, second by Moats, to purchase property at 514 South 6th Street and 520 South 6th Street, Council Bluffs, Iowa, for a sum of \$155,715.00. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to grant the amount of \$15,000 to The Western Iowa Grape Growers Association to help fund the Viticulture Technician position. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to sign **Engineer's Resolution No. 04-07**, to embargo seal coat roads. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: March 8, 2004
PUBLISH: X

March 8, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Moats, second by Leaders, to approve minutes of March 4, 2004, as written. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to sign contract of employment with Mary Davis as the Director of Human Resources at a bi-weekly salary of \$1,335.88 for the period beginning January 26, 2004 through June 30, 2004. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve for publication the claims allowed for February 2004. Unanimous vote. Motion carried.

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

Motion by Knauss, second by Moats, to set aside the agenda as allowed by the Code of Iowa, Chapter 21.4, for Secondary Road purposes. Unanimous vote. Motion carried.

Motion by Knauss, second by leaders, to authorize Chairman to sign Project Agreement No. STP-S-CO78 (137)- -5E-78 for Weston Bridge in Hazel Dell Township. Iowa DOT Agreement No: 404-STPS-008. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: March 10, 2004
PUBLISH: X

March 10, 2004

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., at the Natural Resources Conservation Service Field Office, 305 McKenzie Avenue, Council Bluffs, Iowa, all members present. Chairman King presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Moats, to approve minutes of March 8, 2004, as written. Unanimous vote. Motion carried.

10:00 Second Consideration:

Case #ZMA-2004-04: The request of Terry J. Maguire for a zoning map amendment to reclassify approximately 4.15 acres from a Class R-3 (Urban Residential) District to a Class C-2 (General Commercial) District, located in Lewis Township, 19965 Virginia Hills Road, Lot 3, Maguire Subdivision.

Motion by Leaders, second by Houser, to authorize the amendment to the Council Bluffs/Pottawattamie County Two-Mile Limit Land Use Plan to designate the future land use of Maguire Subdivision as commercial and to adopt **Planning and Zoning Resolution #2004-07** to reflect same and to approve second consideration of an ordinance to reclassify approximately 4.15 acres from a Class R-3 (Urban Residential) District to a Class C-2 (General Commercial) District and to adopt **Ordinance #2004-04**. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Case #SUB-2003-06:

Motion by Leaders, second by Knauss, to approve the final plat of Collins Acres Subdivision, as filed under Case #SUB-2003-06, and to adopt **Planning and Zoning Resolution #2004-06**. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: March 15, 2004

PUBLISH: X

March 15, 2004

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 Houser, second by Leaders, to approve minutes of March 10, 2004, as written. Unanimous vote. Motion carried.

9:00 A.M. - Zoning Hearings

Case #ZMA-2004-02: The request of Yvonne F. Vorthmann Trust for a zoning map amendment to reclassify approximately 11.61 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-2 (Suburban Residential) District, located in Keg Creek Township, 290th Street, legally described as the west 250' of the W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 13, Twp 74N, Range 42W of the 5th P.M.

Case #SUB-2004-02: The request of Yvonne F. Vorthmann Trust for a preliminary plat approval of High Country Estates, located in Keg Creek Township, 290th Street, legally described as the west 250' of the W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 13, Township 74N, Range 42W of the 5th P.M.

Mocha advised the Board that Yvonne Vorthmann Trust had withdrawn its requests.

Case #ZMA-2004-03: The request of Bracker West Farm Corp for a zoning map amendment to reclassify approximately 99.04 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, located in Hazel Dell/Boomer Township, Road L-34, legally described as part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35, Township 77N, Range 43W of the 5th P.M. and part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 2, Township 76N, Range 43W of the 5th P.M.

Case #SUB-2004-03: The request of Bracker West Farm Corp for a preliminary plat approval of Winfield Acres located in Hazel Dell/Boomer Twp, Road L-34, legally described as part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35, Township 77N, Range 43W of the 5th P.M. & part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 2, Township 76N, Range 43W of the 5th P.M.

Motion by Moats, second by Houser, to open the public hearing on Case #ZMA-2004-03 and #SUB-2004-03. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by Leaders, second by Moats, to close the public hearing on Case #ZMA-2004-03 and #SUB-2004-03. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by Knauss, second by Houser, to remand Case #ZMA-2004-03 and #SUB-2004-03 back to the Planning and Zoning Commission. Ayes-Moats, Houser, King, Knauss; Nays-Leaders. Motion carried.

Case #ZMA-2004-05: The request of N. Lucille Justen, represented by Terry Minahan, for a zoning map amendment to reclassify approximately 7.0 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-2 (Suburban Residential) District, located in Minden Township, 31630 335th Street, legally described as N363' E882.3' S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 15, Township 77N, Range 41 West of the 5th P.M.

Case #SUB-2004-04: The request of N. Lucille Justen, represented by Terry Minahan, for a preliminary plat approval of Justen Acres Subdivision, located in Minden Township, 31630 335th Street, legally described as N363' E882.3' S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 15, Township 77N, Range 41 West of the 5th P.M.

Motion by Houser, second by Moats, to open the public hearing on Case #ZMA-2004-04 and #SUB-2004-04. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by Houser, second by Moats, to close the public hearing on Case #ZMA-2004-05 and #SUB-2004-04. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by Leaders, second by Knauss, to approve first consideration of an ordinance to reclassify approximately 7.0 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-2 (Suburban Residential) District, as filed under Case #ZMA-2004-05, and to set second consideration of said ordinance for March 22, 2004 at 9:00 A.M., and to continue the Board's consideration of the preliminary plat of Justen Acres Subdivision to said date and time. Unanimous vote. Motion carried.

Case #ZMA-2004-07: The request of Pottawattamie County for a zoning map amendment to reclassify approximately .93 acres from a Class R-3 (Urban Residential) District to a Class C-2 (General Commercial) District, located in Lewis Township, 15484 State Orchard Road, legally described as a triangular lot at the SW intersection of Greenview Road and State Orchard Road, NW $\frac{1}{4}$ SE $\frac{1}{4}$ north and west of road, Section 4, Township 74N, Range 43W of the 5th P.M.

Motion by Leaders, second by Moats, to open the public hearing on Case #ZMA-2004-07. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by Moats, second by Knauss, to close the public hearing on Case #ZMA-2004-07. Ayes-Leaders, Moats, Houser, King, Knauss. Motion carried.

Motion by Moats, second by Houser, to approve first consideration of an ordinance to reclassify approximately .93 acres from a Class R-3 (Urban Residential) District to a Class C-2 (General Commercial) District, as filed under Case #ZMA-2004-07, subject to the conditions recommended by the Planning and Zoning Commission, and to set second consideration of said ordinance for March 22, 2004 at 9:00 A.M. Unanimous vote. Motion carried.

Motion by Leaders, second by Moats, to open the public hearing on the Proposed Pottawattamie County Fiscal Year 2004-2005 Budget. Roll Call Vote: Ayes-5. Motion carried.

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

Motion by Knauss, second by Leaders, to authorize Board to sign **Resolution No. 14-2004**, adopting the Fiscal Year 2004-2005 Pottawattamie County Budget and approve the Compensation Board's recommendation of 5% for the following elected officials: Jeff Danker/County Sheriff - \$76,905.00; Marilyn Jo Drake/County Auditor - \$53,654.00; Judy A. Miller/County Treasurer - \$53,654.00; John Sciortino/County Recorder - \$52,364.00; Melvyn Houser, Delbert King, Loren Knauss, Lynn Leaders, Betty Moats/Board of Supervisors-\$31,297.00; Matt Wilber/County Attorney - \$83,925.00. Roll Call Vote: Houser-Aye; King-Aye; Knauss-Aye Leaders-Aye; Moats-Aye. Motion carried.

Motion by Houser, second by Knauss, to approve Class "C" Liquor License/Sunday Sales Privilege and Outdoor Service for Quail Run Country Club in Neola, Iowa. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders. Nays-Moats. Motion carried.

Motion by Moats, second by Knauss, to authorize Chairman to sign stop payment request on warrant number 36705 and issue new warrant.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: March 22, 2004
PUBLISH: X

March 22, 2004

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 Houser, second by Moats, to approve minutes of March 15, 2004, as written. Unanimous vote. Motion carried.

9:00 Second Considerations:

Case #ZMA-2004-05: The request of N. Lucille Justen, represented by Terry Minahan, for a zoning map amendment to reclassify approximately 7.0 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-2 (Suburban Residential) District, located in Minden Township, 31630 335th Street, legally described as N363' E882.3' S½ S½ NW¼ Section 15, Township 77N, Range 41 West of the 5th P.M.

Case #SUB-2004-04: The request of N. Lucille Justen, represented by Terry Minahan, for a preliminary plat approval of Justen Acres Subdivision, located in Minden Township, 31630 335th Street, legally described as N363' E882.3' S½ S½ NW¼ Section 15, Township 77N, Range 41 West of the 5th P.M.

Motion by Houser, second by Moats, to approve second consideration of an ordinance to reclassify approximately 7.0 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-2 (Suburban Residential) District, as filed under Case #ZMA-2004-05, and to adopt **Ordinance #2004-05**; and to approve the preliminary plat of Justen Acres Subdivision, as filed under Case #SUB-2004-04, and to adopt **Planning and Zoning Resolution #2004-08**. Ayes-King, Moats, Houser, Leaders. Motion carried.

Case #ZMA-2004-07: The request of Pottawattamie County for a zoning map amendment to reclassify approximately .93 acres from a Class R-3 (Urban Residential) District to a Class C-2 (General Commercial) District, located in Lewis Township, 15484 State Orchard Road, legally described as a triangular lot at the SW intersection of Greenview Road and State Orchard Road, NW¼ SE¼ north and west of road, Section 4, Township 74N, Range 43W of the 5th P.M.

Motion by Moats, second by Houser, to approve second consideration of an ordinance to reclassify approximately .93 acres from a Class R-3 (Urban Residential) District to a Class C-2 (General Commercial) District, as filed under Case #ZMA-2004-07, and to adopt **Ordinance #2004-06**. Ayes-King, Moats, Houser, Leaders. Motion carried.

Case #SUB-2003-10: The request of Word Center Ministries, Inc. for a preliminary plat approval of Evidence Point Subdivision, located in Lewis Township, Pioneer Trail, legally described as: "A parcel of land located in the SW¼ of Section 14, Township 74N, Range 43W of the 5th P.M."

Motion by Houser, second by Moats, to approve the final plat of Evidence Point Subdivision and adopt **Planning and Zoning Resolution #2004-09**. Ayes-King, Moats, Houser, Leaders. Motion carried.

Motion by Houser, second by Leaders, to authorize Chairman to sign "Notice of Disallowances for Homestead Tax Credits" and "Notice of Disallowances for Military Service Tax Exemptions". Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: March 31, 2004

PUBLISH: X

March 31, 2004

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 Leaders, second by Moats, to approve minutes of March 22, 2004, as written. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to authorize the Auditor to conduct payroll direct deposit through internet website facility with American National Bank of Omaha. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to accept bid in the amount of \$7,352.00 from Bushman Carpets to carpet lobby on the second floor. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to do business with Concentra for Workers' Compensation and random drug testing for Pottawattamie County until June 30, 2004. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to authorize Chairman to sign Iowa Department of Transportation Agreement for Highway 48 detour onto M47. Unanimous vote. Motion carried.

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

Motion by Knauss, second by Leaders, to implement the Information Technologies, Policies, Procedures and Guidelines Manual as of March 31, 2004. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: April 5, 2004

PUBLISH: X

April 5, 2004

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 Leaders, second by Moats, to approve minutes of March 31, 2004, as written. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to certify the Walnut City Utility Election and authorize Auditor to pay the costs of the election to be reimbursed by the City of Walnut. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to authorize the Board to sign **Resolution No. 16-2004**, Resolution for the Destruction of Noxious Weeds. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Houser, second by Moats, to approve the final plat of Delmar Lane Subdivision, as filed under Case #SUB-2003-12, and to adopt **Planning and Zoning Resolution #2004-10**. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Moats, second by Knauss, to approve the final plat of Hearthstone Estates Subdivision, Phase 1, as filed under Case #SUB-2003-11, and to adopt **Planning and Zoning Resolution #2004-11**. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Leaders, second by Moats, to authorize the GIS Department to issue call for bids on quarter corner locations for Pottawattamie County. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to authorize Chairman to sign Project Agreement between Pottawattamie County, Hungry Canyons and Northern Natural Gas Company for Project #HC-03-13. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to approve Class "C" Liquor Renewal/Sunday Sales Permit for I-80 Lounge, Underwood, Iowa. Roll Call Vote: Ayes-4. Nays-Moats. Motion carried.

Motion by Houser, second by Leaders, to set aside the agenda as allowed by Code of Iowa, Chapter 21.4, to approve a six-month Class "B" Beer Permit, Outdoor Service and Sunday Sales Privilege for Westfair Association, dba Westfair, 22984 Highway 6, Council Bluffs, Iowa. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders. Nays-Moats. Motion carried.

Motion by Houser, second by Knauss, to stop payment on warrant number 36910 and issue new warrant. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to sign **Board Resolution No. 15-2004**, to accept deed from the Iowa Natural Heritage Foundation to Pottawattamie County, Iowa. Roll Call Vote: Ayes-5. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Salary Actions – Pottawattamie County WIC Program – Employment of Luz Collins as part-time Clerk II at \$10.64 per hour, to be effective April 12, 2004.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: April 14, 2004

PUBLISH: X

April 14, 2004

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 Moats, second by Houser, to approve minutes of April 5, 2004, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to approve for the Sheriff’s Department/Jail the employment of Benjamin Heath as a Detention Officer at \$14.35 per hour effective April 2, 2004. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to approve for publication the claims allowed for the month of March 2004. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to approve special Class “C” Liquor License/ Sunday Sales privilege and Outdoor Sales for Aeroplane Inn, Honey Creek, Iowa. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders. Nays-Moats. Motion carried.

Motion by Moats, second by Knauss, to authorize Board to sign **Resolution No. 17-2004**, to transfer \$500,000 from the Rural Services Basic to the Secondary Road Fund. Roll Call Vote: Ayes-5. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports

Sheriff’s Department – Report of fees collected and disbursed for quarter ending 3/31/04.

Salary Actions

Sheriff’s Department – Resignation of Danette Neumann effective 4/2/04.

The Board adjourned subject to call at 11:47 A.M.

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: April 19, 2004

PUBLISH: X

April 19, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Houser, second by Moats, to approve minutes of April 14, 2004, as written. Unanimous vote. Motion carried.

10:00 Zoning Hearings:

CASE #ZMA-2004-01: The request of Freddie G. and Connie L. Rogers for a zoning map amendment to reclassify approximately 11.46 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-2 (Rural Residential) District, in Lewis Township, 23106 Pioneer Trail legally described as part of Lots 12 and 13, Longview Farms.

CASE #SUB-2004-01: The request of Freddie G. and Connie L. Rogers for a preliminary plat approval of Rogers Subdivision, in Lewis Township, 23106 Pioneer Trail, legally described as part of Lots 12 and 13, Longview Farms.

Motion by Houser, second by Leaders, to open the public hearing on Case #ZMA-2004-01 and #SUB-2004-01. Ayes-Houser, Leaders, Moats, King. Motion carried.

Motion by Leaders, second by Moats, to close the public hearing on Case #ZMA-2004-01 and #SUB-2004-01. Ayes-Houser, Leaders, Moats, King. Motion carried.

Motion by Leaders, second by Moats, to approve first consideration of an ordinance to reclassify approximately 11.46 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District and to set second consideration for April 26, 2004 at 10:00 A.M. and to continue the consideration of Roger's Subdivision preliminary plat to said date and time. Ayes-Houser, Leaders, Moats, King. Motion carried.

CASE #ZMA-2004-06: The request of Ed and Sandy Bourg for a zoning map amendment to reclassify approximately 6.881 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-2 (Suburban Residential) District, in Lewis Township, Wabash Avenue, legally described as parcels "A" and parcels "C" of part NE1/4 SW1/4 and part SE1/4 NW1/4 and part NW1/4 SE1/4 commencing 1065.48' east of the SW corner SE1/4 NW1/4 thence N44.3' ELY1220.35' thence west along the Wabash Trail 1367.32' NLY496.19' to the point of beginning, Section 16, Township 74N, Range 43W of the 5th P.M.

CASE #SUB-2004-05: The request of Ed and Sandy Bourg for a preliminary plat approval of Paradise Point in Lewis Township, Wabash Avenue, legally described as parcels "A" and parcels "C" of part NE1/4 SW1/4 and part SE1/4 NW1/4 and part NW1/4 SE1/4 commencing 1065.48' east of the SW corner SE1/4 NW1/4 thence N44.3' ELY1220.35' thence west along the Wabash Trail 1367.32' NLY496.19' to the point of beginning, Section 16, Twp 74N, Range 43W of the 5th P.M.

Motion by Moats, second by Leaders, to continue the Board's first consideration of Case#ZMA-2004-06 and #SUB-2004-05 to April 26, 2004 at 10:00 A.M. Ayes-Houser, Leaders, Moats, King. Motion carried.

CASE #SUB-97-01: The request of Robert J. and Kathleen L. Mings, for a preliminary plat approval of Stoneybrook Subdivision, Phase III, in Lewis Township, Highway 92, legally described as part of the S1/2 SW1/4, Section 2, Township 74N, Range 43W of the 5th P.M.

Motion by Moats, second by Houser, to approve the preliminary plat Stoneybrook Subdivision, Phase III and to adopt **Planning and Zoning Resolution #2004-12**. Ayes-Houser, Leaders, Moats, King. Motion carried.

CASE #ZTA-2004-01: The request of the Council Bluffs Airport Authority, for a zoning text amendment to amend the Pottawattamie County, Iowa, Code by adding Chapter 8.067, entitled "Airport Hazard Zone" to the Pottawattamie County, Iowa, Zoning Ordinance to regulate the construction of potential obstructions near the Council Bluffs and Eppley Airfields.

Motion by Houser, second by Moats, to open the public hearing on Case #ZTA-2004-01. Ayes-Houser, Leaders, Moats, King. Motion carried.

Motion by Moats, second by Houser, to close the public hearing on Case #ZTA-2004-01. Ayes-Houser, Leaders, Moats, King. Motion carried.

Motion by Houser, second by Moats, to approve first consideration of an ordinance to amend the Pottawattamie County, Iowa Code by adding Chapter 8.067, entitled "Airport Hazard Zone" to the Pottawattamie County, Iowa, Zoning Ordinance to regulate the construction of potential obstructions near the Council Bluffs and Eppley Airfields and to set second consideration for Monday, April 26, 2004 at 10:00 A.M. Ayes-Houser, Leaders, Moats, King. Motion carried.

Motion by Houser, second by Moats, to set Wednesday, May 19, 2004 at 11:00 A.M. for bid opening and Monday, May 24, 2004 at 11:00 A.M. for bid awarding for construction of the Information Technologies Offices and the Sheriff's Mezzanine Area, in the Pottawattamie County Courthouse, and approve for publication the "Notice To Bidders." Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to authorize Chairman to sign a six (6) month Service Agreement with Alltel for the Pottawattamie County Courthouse at \$7,536.00 and Department of Human Services for one year at a cost of \$6,999.60. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to authorize Buildings and Grounds personnel to remove signs designated for the Treasurer's Office customers. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to appoint Terry Oswald as a Director and Betty Moats as an Alternate to the Loess Hills Alliance Board for a term of three (3) years to expire December 31, 2006. Unanimous vote. Motion carried.

The Board adjourned subject to call at 11:56 A.M.

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: April 26, 2004

PUBLISH: X

April 21, 2004

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 Knauss, second by Leaders, to begin process of forming a committee to look into reorganizing our county government. Names to be submitted to Chairman for committee. Roll Call Vote: Ayes-King, Leaders, Knauss. Nays-Houser, Moats. Motion carried.

Motion by Houser, second by Leaders, to sign **Engineer's Resolution #04-08** for temporary closure of portions of County Road L34 and designate the official detour route for L34 using Teakwood Road, 270th Street, and Sumac Road. Roll Call Vote: Ayes-5. Motion carried.

Motion by Houser, second by Leaders, to sign **Engineer's Resolution #04-09**, for the establishment of stop signs at Ski Hill Loop and the entrance to Hitchcock Park. Roll Call Vote: Ayes-5. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: April 26, 2004

PUBLISH: X

April 26, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Moats, second by Leaders, to approve minutes of April 19, 2004, and April 21, 2004, as written. Unanimous vote. Motion carried.

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

10:00 Second Considerations

CASE #ZMA-2004-01: The request of Freddie G. and Connie L. Rogers for a zoning map amendment to reclassify approximately 11.46 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-2 (Rural Residential) District, in Lewis Township, 23106 Pioneer Trail legally described as part of Lots 12 and 13, Longview Farms.

CASE #SUB-2004-01: The request of Freddie G. and Connie L. Rogers for a preliminary plat approval of Rogers Subdivision, in Lewis Township, 23106 Pioneer Trail, legally described as part of Lots 12 and 13, Longview Farms.

Motion by Leaders, second by Houser, to approve second consideration of an ordinance to reclassify approximately 11.46 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, as filed under Case #ZMA-2004-01 and to adopt **Ordinance #2004-7**; and to approve the preliminary plat of Rogers Subdivision and adopt **Planning and Zoning Resolution #2004-13**. Ayes-Leaders, Moats, King, Houser; Absent-Knauss. Motion carried.

CASE #ZTA-2004-01: The request of the Council Bluffs Airport Authority, for a zoning text amendment to amend the Pottawattamie County, Iowa, Code by adding Chapter 8.067, entitled "Airport Hazard Zone" to the Pottawattamie County, Iowa, Zoning Ordinance to regulate the construction of potential obstructions near the Council Bluffs and Eppley Airfields.

Motion by Leaders, second by Moats, to approve second consideration of an ordinance to amend the Pottawattamie County, Iowa, Zoning Ordinance to regulate the construction of potential obstructions near the Council Bluffs and Eppley Airfields and to adopt **Ordinance #2004-8**. Ayes-Leaders, Moats, King, Houser; Absent-Knauss. Motion carried.

Continuation of First Consideration:

CASE #ZMA-2004-06: The request of Ed and Sandy Bourg for a zoning map amendment to reclassify approximately 6.881 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-2 (Suburban Residential) District, in Lewis Township, Wabash Avenue, legally described as parcels "A" and parcels "C" of part NE1/4 SW1/4 and part SE1/4 NW1/4 and part NW1/4 SE1/4 commencing 1065.48' east of the SW corner SE1/4 NW1/4 thence N44.3' ELY1220.35' thence west along the Wabash Trail 1367.32' NLY496.19' to the point of beginning, Section 16, Township 74N, Range 43W of the 5th P.M.

CASE #SUB-2004-05: The request of Ed and Sandy Bourg for a preliminary plat approval of Paradise Point in Lewis Township, Wabash Avenue, legally described as parcels "A" and parcels "C" of part NE1/4 SW1/4 and part SE1/4 NW1/4 and part NW1/4 SE1/4 commencing 1065.48' east of the SW corner SE1/4 NW1/4 thence N44.3' ELY1220.35' thence west along the Wabash Trail 1367.32' NLY496.19' to the point of beginning, Section 16, Twp 74N, Range 43W of the 5th P.M.

Motion by Houser, second by Moats, to open the public hearing on Case #ZMA-2004-06 and #SUB-2004-05. Ayes-Leaders, Moats, King, Houser; Absent-Knauss. Motion carried.

Motion by Leaders, second by Moats, to close the public hearing on Case #ZMA-2004-06 and #SUB-2004-05. Ayes-Leaders, Moats, King, Houser; Absent-Knauss. Motion carried.

Motion by Leaders, second by Houser, to approve first consideration of an ordinance to reclassify approximately 6.881 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-2 (Suburban Residential) District, as filed under Case #ZMA-2004-06, and to set second consideration for May 3, 2004 at 10:30 A.M. and to continue the Board's deliberation of Case #SUB-2004-05, preliminary plat of Paradise Point, to said date and time. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to discontinue issuance of fireworks permits, effective April 26, 2004. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

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

APPROVED: May 3, 2004

PUBLISH: X

May 3, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Moats, to approve minutes of April 26, 2004, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to support the new Secondary Road Fund Distribution Advisory Committee in regard to suggested formula for Road Use Tax.. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to authorize Board to sign "Letter of Understanding Regarding the Development of an Economic Development GIS Website Between Pottawattamie County and Council Bluffs Area Chamber of Commerce d/b/a Pottawattamie County Growth Alliance." Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve class "C" Beer Permit/Sunday Sales Privilege for Fill & Food, Minden, Iowa. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders. Nays-Moats. Motion carried.

10:30 Second Consideration:

CASE #ZMA-2004-06: The request of Ed and Sandy Bourg for a zoning map amendment to reclassify approximately 6.881 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-2 (Suburban Residential) District, in Lewis Township, Wabash Avenue, legally described as parcels "A" and parcels "C" of part NE1/4 SW1/4 and part SE1/4 NW1/4 and part NW1/4 SE1/4 commencing 1065.48' east of the SW corner SE1/4 NW1/4 thence N44.3' ELY1220.35' thence west along the Wabash Trail 1367.32' NLY496.19' to the point of beginning, Section 16, Township 74N, Range 43W of the 5th P.M.

CASE #SUB-2004-05: The request of Ed and Sandy Bourg for a preliminary plat approval of Paradise Point in Lewis Township, Wabash Avenue, legally described as parcels "A" and parcels "C" of part NE1/4 SW1/4 and part SE1/4 NW1/4 and part NW1/4 SE1/4 commencing 1065.48' east of the SW corner SE1/4 NW1/4 thence N44.3' ELY1220.35' thence west along the Wabash Trail 1367.32' NLY496.19' to the point of beginning, Section 16, Twp 74N, Range 43W of the 5th P.M.

Motion by Houser, second by Moats, to approve second consideration of an ordinance to reclassify approximately 6.881 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-2 (Suburban Residential) District, as filed under Case #ZMA-2004-06, and to adopt **Ordinance #2004-09** and to approve the preliminary plat of Paradise Point Subdivision, as filed under Case #SUB-2004-05, and to adopt **Planning and Zoning Resolution #2004-14**. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

CASE #SUB-2004-04: The request of N. Lucille Justen, represented by Terry Minahan, for a final plat approval of Justen Acres Subdivision located in Minden Township, 31630 335th Street, legally described as "N363' E882.3' S½ ½ NW¼, Section 15, Township 77N, Range 41W of the 5th P.M.

Motion by Leaders, second by Houser, to approve the final plat of Justen Acres Subdivision, as filed under Case #SUB-2004-04, and to adopt **Planning and Zoning Resolution #2004-015**. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Knauss, second by Leaders, to authorize Chairman to sign State of Iowa Lease Agreement between Pottawattamie County Board of Supervisors and the State of Iowa Department of Human Services for 700 square feet on the lower floor of the County Office Building for purposes of ICN conference room at \$525 per month, until June 30, 2006. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: May 10, 2004

PUBLISH: X

May 10, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Houser, second by Moats, to approve minutes of May 3, 2004, as written. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to certify the results of the A-H-S-T School Bond Election of May 4, 2004. The issues failed for lack of 60% approval. The Auditor is authorized to pay the costs of the election, to be reimbursed by A-H-S-T School District. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to approve County Auditor's report of fees collected for quarter ending March 31, 2004. Unanimous vote. Motion carried.

10:30 Public Hearing:

CASE #SUB-99-002: The request of Bluffs Development for a preliminary plat approval of Bent Tree Estates, Phase IV, as amended, located in Garner Township, Collier Circle, Breckman's Road, Garrett Circle, legally described as proposed lots 107-134, Bent Tree Estates, also known as part of the NW¼ of Section 25, Township 75N, Range 43W of the 5th P.M.

Motion by Houser, second by Moats, to open the public hearing on Case #SUB-99-002. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Knauss, second by Leaders, to close the public hearing on Case #SUB-99-002. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Knauss, second by Houser, to approve the preliminary plat of Bent Tree Estates, Phase IV, as amended, and to adopt Planning and Zoning Resolution #2004-16. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Leaders, second by Moats, to authorize Chairman to sign contracts for purchase of property located at 514 South 6th Street for \$97,376.00 and 520 South 6th Street for \$58,339.00, both in Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to sign **Engineer's Resolution #04-10** to set Friday, May 21, 2004, at 10:30 A.M., to auction the Treynor Shop Building located on Highway 92 in Treynor, and miscellaneous equipment, at Menke Auction Warehouse – Hwy 92 East, Treynor, Iowa. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to set aside the agenda as allowed by Code of Iowa, Chapter 21.4, to authorize republishing the "Notice to Bidders" for renovation of existing spaces (mezzanine) and the construction of a new floor structure within the existing county courthouse. The following sentence will be deleted from the amended publication. "Miller Electric has been selected as the electrical subcontractor to be retained by the prime contractor." Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWINGSalary Actions

Pottawattamie County WIC Program – Resignation of Fanny Villarreal as WIC clerk, effective 4/27/04.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: May 12, 2004

PUBLISH: X

May 12, 2004

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 Moats, second by Houser, to approve minutes of May 10, 2004, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to hire an additional full-time animal control officer at a Grade 12. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve application for a three month Iowa Retail Cigarette Permit for Aeroplane Inn, Honey Creek, Iowa. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: May 17, 2004

PUBLISH: X

May 17, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Moats, second by Houser, to approve minutes of May 12, 2004, as written. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve an additional fifty cents an hour for Maintenance and Custodial employees who work in the secured areas of the jail. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to approve Engineer's Resolution No. 04-11, to establish a stop sign at Old Lincoln Highway and Sheila Lane. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

10:00 Public Hearing

Case #ZMA-2004-08: The request of Dennis and Connie Beckman, represented by Tom Allmon, for a zoning map amendment to reclassify approximately 4.997 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, located in Lake Township, 21330 Old Lincoln Highway, legally described as part of the NW1/4 SE1/4, Section 1, Township 75N, Range 44W of the 5th P.M.

Case #SUB-2004-06: The request of Dennis and Connie Beckman, represented by Tom Allmon, for a preliminary plat approval of Hilltop Acres Subdivision, located in Lake Township, 21330 Old Lincoln Highway, legally described as part of the NW1/4 SE1/4, Section 1, Township 75N, Range 44W of the 5th P.M.

Motion by Houser, second by Leaders, to open the public hearing on Case #ZMA-2004-08 and #SUB-2004-06. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Moats, second by Houser, to close the public hearing on Case #ZMA-2004-08 and #SUB-2004-06. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Knauss, second by Leaders, to approve first consideration of an ordinance to reclassify approximately 4.997 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-2 (Suburban Residential) District, as filed under Case #ZMA-2004-08, and to set second consideration for **Monday, May 24, 2004 at 9:30 A.M.** and to continue the Board's consideration of the preliminary plat of Hilltop Acres Subdivision to said date and time. Unanimous vote. Motion carried.

Case #ZMA-2004-09: The request of Michael Collins for a zoning map amendment to reclassify approximately 18.73 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, located in Hardin Township, Highway 6, legally described as SE1/4 NE1/4, except Parcel "A", Section 19, Township 75N, Range 42W of the 5th P.M.

Case #SUB-2004-07: The request of Michael Collins for a preliminary plat approval of Mollee Acres Subdivision located in Hardin Township, Highway 6, legally described as SE1/4 NE1/4, except Parcel "A", Section 19, Township 75N, Range 42W of the 5th P.M.

Motion by Leaders, second by Houser, to open the public hearing on Case #ZMA-2004-09 and #SUB-2004-07. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Moats, second by Knauss, to close the public hearing on Case #ZMA-2004-09 and #SUB-2004-07. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Leaders, second by Knauss, to approve first consideration of an ordinance to reclassify approximately 18.73 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-2 (Suburban Residential) District, as filed under Case #ZMA-2004-09, and to set second consideration for **Monday, May 24, 2004 at 9:30 A.M.** and to continue the Board's consideration of the preliminary plat of Mollee Acres Subdivision to said date and time. Unanimous vote. Motion carried.

Case #ZMA-2004-03: The request of Bracker West Farm Corp., for a zoning map amendment to reclassify approximately 6.24 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, located in Hazel Dell/Boomer Township, Road L-34 and part of the NE1/4 NW1/4, Part of the NW1/4 NE1/4 and part of the SW1/4 NE1/4, Section 2, Township 76N, Range 43W of the 5th P.M. (Proposed Lots 1,2 and 5, Winfield Acres).

Case #SUB-2004-03: The request of Bracker West Farm Corp. for a preliminary plat approval of Winfield Acres, located in Hazel Dell/Boomer Township, Road L-34 and part of the NE1/4 NW1/4, Part of the NW1/4 NE1/4 and part of the SW1/4 NE1/4, Section 2, Township 76N, Range 43W of the 5th P.M. (Proposed Lots 1,2 and 5, Winfield Acres).

Motion by Knauss, second by Leaders, to open the public hearing on Case #ZMA-2004-03 and #SUB-2004-03. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Moats, second by Leaders, to close the public hearing on Case #ZMA-2004-03 and #SUB-2004-03. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Moats, second by Knauss, to approve first consideration of an ordinance to reclassify approximately 6.24 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, as filed under Case #ZMA-2004-03, and to set second consideration for May 24, 2004 at 9:30 AM and to continue the Board's consideration of the preliminary plat of Winfield Acres Subdivision to said date and time. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Houser, second by Knauss, to approve **Board Resolution No. 18-2004**, to transfer \$834,675.00 from the Rural Services Basic Fund to the Secondary Road Fund. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Houser, second by Knauss, to approve **Board Resolution No. 19-2004**, to transfer \$100,000 from the Gaming Resources Fund to the Rural Services Basic Fund. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Houser, second by Leaders, to approve for the Secondary Roads Department the employment of Brian Manhart as a Truck Driver I at \$13.49 per hour, effective May 3, 2004 and Timothy Husz as Motor Grader Driver at \$14.41 per hour, effective May 10, 2004. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to approve for the Community Services-General Assistance Department the employment of Stephanie Bess as a General Assistance Specialist at \$14.66 per hour, to be effective May 4, 2004. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST:

Marilyn Jo Drake, County Auditor

APPROVED: May 24, 2004

PUBLISH: X

May 19, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Houser, second by Moats, to authorize Chairman to sign six "Notice of Disallowances-Homestead Tax Credits" and two "Notice of Disallowance-Military Service Tax Exemptions". Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to approve tax suspension on property located at 1218 Dorene Blvd., Carter Lake, Iowa. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to accept and open bids for Mezzanine Improvements in the Pottawattamie County Courthouse and for the Pottawattamie County Parking Lot Addition, both located in Council Bluffs, Iowa, and set Monday, May 24, 2004 at 11:00 A.M. in the Board of Supervisors Hearing Room, Second Floor, Pottawattamie County Courthouse, 227 South 6th Street, Council Bluffs, Iowa, to award bid. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to approve for Pottawattamie County WIC Program the employment of Julie Hough part-time Data Entry Clerk with a starting salary of \$10.64 per hour, to be effective June 7, 2004. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to award bid for truck for Animal Control to McMullen Ford for a 2004 Ford Super Duty 4x4 Chassis in the amount of \$24,816.84. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING:

Salary Actions

Pottawattamie County WIC Program – Employment of Julie Hough as part-time Data Entry Clerk at \$10.64 per hour, effective June 7, 2004.

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

Delbert E. King, Chairman

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

APPROVED: May 24, 2004

PUBLISH: X

May 24, 2004

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 Leaders, second by Houser, to approve the minutes of May 17, 2004 and May 19, 2004, as written. Unanimous vote. Motion carried.

9:30 - Second Considerations

Case #ZMA-2004-08: The request of Dennis and Connie Beckman, represented by Tom Allmon, for a zoning map amendment to reclassify approximately 4.997 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, located in Lake Township, 21330 Old Lincoln Highway, legally described as part of the NW1/4 SE1/4, Section 1, Township 75N, Range 44W of the 5th P.M.

Case #SUB-2004-06: The request of Dennis and Connie Beckman, represented by Tom Allmon, for a preliminary plat approval of Hilltop Acres Subdivision, located in Lake Township, 21330 Old Lincoln Highway, legally described as part of the NW1/4 SE1/4, Section 1, Township 75N, Range 44W of the 5th P.M.

Motion by Houser, second by Knauss, to approve second consideration of an ordinance to reclassify approximately 4.997 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-2 (Suburban Residential) District, as filed under Case #ZMA-2004-08 and to adopt Ordinance #2004-10 and to approve the preliminary plat of Hilltop Acres Subdivision and adopt **Planning and Zoning Resolution #2004-17**. Ayes- Leaders, Moats, King, Houser, Knauss. Motion carried.

Case #ZMA-2004-09: The request of Michael Collins for a zoning map amendment to reclassify approximately 18.73 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, located in Hardin Township, Highway 6, legally described as SE1/4 NE1/4, except Parcel "A", Section 19, Township 75N, Range 42W of the 5th P.M.

Case #SUB-2004-07: The request of Michael Collins for a preliminary plat approval of Mollee Acres Subdivision located in Hardin Township, Highway 6, legally described as SE1/4 NE1/4, except Parcel "A", Section 19, Township 75N, Range 42W of the 5th P.M.

Motion by Leaders, second by Houser, to approve second consideration of an ordinance to reclassify approximately 18.73 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-2 (Suburban Residential) District, as filed under Case #ZMA-2004-09, and adopt Ordinance #2004-11 and to approve the preliminary plat of Mollee Acres Subdivision and adopt Planning and Zoning Resolution #2004-18. Ayes- Leaders, Moats, King, Houser, Knauss. Motion carried.

Case #ZMA-2004-03: The request of Bracker West Farm Corp., for a zoning map amendment to reclassify approximately 6.24 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, located in Hazel Dell/Boomer Township, Road L-34 and part of the NE1/4 NW1/4, Part of the NW1/4 NE1/4 and part of the SW1/4 NE1/4, Section 2, Township 76N, Range 43W of the 5th P.M. (Proposed Lots 1,2 and 5, Winfield Acres).

Case #SUB-2004-03: The request of Bracker West Farm Corp. for a preliminary plat approval of Winfield Acres, located in Hazel Dell/Boomer Township, Road L-34 and part of the NE1/4 NW1/4, Part of the NW1/4 NE1/4 and part of the SW1/4 NE1/4, Section 2, Township 76N, Range 43W of the 5th P.M. (Proposed Lots 1,2 and 5, Winfield Acres).

Motion by Houser, second by Knauss, to approve second consideration of an ordinance to reclassify approximately 6.24 acres from a Class A-2 (Exclusive Agricultural) District to a Class R-1 (Rural Residential) District, as filed under Case #ZMA-2004-03, and to adopt **Ordinance #2004-12** and to approve the preliminary plat of Winfield Acres Subdivision and to adopt **Planning and Zoning Resolution #2004-19**. Ayes- Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Leaders, second by Moats, to award the bid for the Pottawattamie County parking lot addition to MFT Construction, Inc of Council Bluffs, Iowa, in the amount of \$45,172.75. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to award the bid for mezzanine improvements in the Pottawattamie County Courthouse to Barry Larson & Son, Inc., Omaha, Nebraska, in the amount of \$198,500. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to set aside the agenda as allowed by Code of Iowa, Chapter 21.4, and go into executive session as requested by client requesting appeal. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Knauss, second by Leaders, to deny the appeal of a case from Community Services' Department. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Houser, second by Moats, to approve for publication the claims allowed for April 2004. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:25 P.M.

Delbert E. King, Chairman

ATTEST:

Marilyn Jo Drake, County Auditor

APPROVED: June 1, 2004

PUBLISH: X

June 1, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Moats, second by Houser, to approve the minutes of May 24, 2004, as written. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to stop payment on warrant number 38915 and issue new warrant. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to authorize Chairman to sign four (4) "Notice of Disallowance-Homestead Tax Credit" forms. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve class "C" Beer Permit/Sunday Sales Privilege and Outdoor Service Permit for Bent Tree Gold Club, Council Bluffs, Iowa. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders. Nays-Moats. Motion carried.

Motion by Houser, second by Moats, to open public hearing for the Amendment to the Budget for Pottawattamie County for Fiscal Year 2003-2004. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Houser, second by Moats, to close public hearing. Roll Call Vote: Ayes: Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Houser, second by Knauss, to approve **Board Resolution No. 20-2004**, amending the Fiscal Year 2003-2004 budget. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Moats, second by Houser, to approve **Board Resolution No. 21-2004**, to appropriate funds per budget amendment for Fiscal Year 2003-2004. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Houser, second by Moats, to pledge \$75,000 to the City of Carson for a community building. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to promote Paula Glade from Second Deputy Auditor to First Deputy Auditor position and Cheryl Ross from First Deputy Auditor to Finance Officer for the Pottawattamie County Auditor's Office, to be effective June 1, 2004. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: June 7, 2004

PUBLISH: X

June 7, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Houser, second by Moats, to, approve the minutes of June 1, 2004, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve Service Agreement between Pottawattamie County, Iowa, and Council Bluffs Area Chamber of Commerce d/b/a Pottawattamie County Growth Alliance, for \$75,000 per year from July 1, 2004 through June 30, 2008, for services that will facilitate the creation and retention of quality jobs, increase the area's tax base, stimulate economic growth and improve quality of life and authorize Chairman to sign same. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve and sign contract and bond for Secondary Roads bridge replacement project STP-5-CO78(137) - - 5E-78, with Iverson-Smith of Ida Grove for \$797,009, a federally funded project. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to authorize Chairman to sign contract with Mosaic for a lease renewal of building at 9th Avenue and Sixth Street. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to authorize Chairman to sign contract with Barry Larson & Son for Mezzanine Improvements in the Pottawattamie County Courthouse in the amount of \$198,500.00. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve change order number one(1) for the temperature control system for the mezzanine, in the amount of \$12,212.00. Unanimous vote. Motion carried.

Motion by King, second by Moats, to authorize Chairman to sign agreement with MFT Construction for "Pottawattamie County Parking Lot Addition, Council Bluffs, Iowa", in the amount of \$45,172.75. Unanimous vote. Motion carried.

10:00 Public Hearing:

Case #ZMA-2004-10: The request of Pottawattamie County, property owner David and Donnetta Perkins for a zoning map amendment to reclassify approximately .83 acres from a Class C-2 (General Commercial) District to a Class A-2 (Exclusive Agricultural) District, located in Belknap Township, 19468 Highway 59, legally described as 14-75-40 COMM 2203'N & 40'W of SE COR TH W201" N146" E11" N34" E183" S188" TO POB.

Motion by Houser, second by Moats, to open the public hearing on Case #ZMA-2004-10. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Houser, second by Moats, to close the public hearing on Case #ZMA-2004-10. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Houser, second by Leaders, to approve first consideration of an ordinance to reclassify approximately .83 acres from a Class C-2 (General Commercial) District to a Class A-12(Exclusive Agricultural) District, as filed under Case #ZMA-2004-10, and to **set second consideration for Monday, June 14, 2004 at 10:15 A.M.** Unanimous vote. Motion carried.

Case #ZTA-2004-02: The request of Pottawattamie County for text amendments to the Pottawattamie County, Iowa, Zoning Ordinance, by changing the following: **1.** General typographical error corrections. **2.** Reference to Chapter 358A to 335, Code of Iowa. **3.** Modified (m) or add (a) definitions for the following: Agriculture (m), Attached Building (a), Family Home (a), Farm (m), Inoperable Motor Vehicle (m), Junk Yard (m), Flag Lot (m), Manufactured Home (a), Mobile Home (m), Manufactured Home Converted to Real Estate (a), Permanent Foundation (m), Recreational Vehicle (m), and Roadside Stand (m). **4.** Establish that the minimum lot size for single-family dwellings on well and septic system is 2.0 acres in all districts where allowed. **5.** Modify regulations relative to accessory structures and buildings. **6.** Clarify that providing for a caretaker's quarters does not allow for 2 dwellings on a parcel. **7.** Modify regulations relative to Home Occupations and Home Professional Offices. **8.** Establish regulations relative to Rural Enterprise Businesses. **9.** Clarify that camping units cannot be situated in RV park for more than 180 days. **10.** Establish threshold for submittal of Erosion and Sediment Control Plans and Storm Water Control Plans for Grading and Excavating when land areas disturbed exceed 1 acre on slopes up to 14%; 5000 square foot for slopes 14 to 30%; and 1000 square foot for slopes 30 to 50%. **11.** Establish regulations for tower and antenna placement. **12.** Establish that grading and excavating when land areas disturbed exceed 5000 square foot for slopes 14 to 30%; and 1000 square foot for slopes 30 to 50% is a conditional use in all zoning districts. **13.** Modify the Open Space and Conservation (A-1) District to stipulate that the maximum density of single-family dwellings is 1 per quarter-quarter section; the public and private recreational areas are principal uses and that forest and projection of woodland products and as a conditional use. **14.** Modify the Exclusive Agricultural District (A-2) to be named as Agricultural Production District. Establish the maximum density of single-family dwellings as two (2) per quarter-quarter section. Establish commercial composting facilities as a conditional use and to clarify the language on commercial stables, riding academies and clubs. To make outdoor advertising signs an accessory use rather than a conditional use in the A-2 and "C" and "I" District, establish rural enterprise businesses as a conditional use. Establish limitation on number of animals in private stables and kennels. **15.** Establish a Riverfront and Agricultural Production District (A-3), as a new district to limit development on the Missouri River bottomlands. **16.** Establish a Loess Hills District (A-4), as a new district to preserve the unique natural and environmental characteristics of the Loess Hills. **17.** Modify the Rural Residential District (R-1) to be named as the Agricultural-Urban Transitional District. Allows for 3 single-family dwellings per quarter-quarter section, clarify the language on commercial stables, riding academies and clubs, establish rural enterprise businesses as a conditional use. Establish limitation on number of animals in commercial stables, riding academies and clubs. **18.** Modify the Suburban Residential District (R-2) to allow for 3 single-family dwellings per quarter-quarter section and family homes as principal uses and establish rural enterprise businesses as a conditional use. **19.** Modify the Urban Residential District (R-3) to allow for family homes as a principal use. Delete private stables as a conditional use. **20.** Delete the Multi-Family Residential District (R-4). **21.** Establish grading and excavating criteria in the Planned Residential District (R-5) and Mobile Home Residential District (R-6). **22.** Modify the conditions for granting of a variance and conditional use permit by the Board of Adjustment. Text amendments to the Pottawattamie County, Iowa, Subdivision Ordinance, by changing the following: **1.** Modify the definition of "subdivision" to clarify that it is the division of a quarter-quarter section rather than a tract; of "minor subdivision" to stipulate that such a subdivision shall not create more than 4 lots. **2.** Require that property taxes and special assessments must be paid before a property split or property line adjustment can be approved. **3.** Stipulate that a property line adjustment or property split approval is voided if a deed or contract is not recorded within one (1) year. **4.** Require cul-de-sacs, frontage roads or interior streets when a subdivision contains more than four (4) lots.

Motion by Houser, second by Knauss, to open the public hearing on Case #ZTA-2004-02. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Houser, second by Leaders, to close the public hearing on Case #ZTA-2004-02. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Moats, second by Knauss, to approve first consideration of an ordinance to approve various amendments to the Zoning and Subdivision Ordinance, as listed above and filed under Case #ZTA-2004-02, and to **set second consideration for Monday, June 14, 2004 at 10:15 AM.** Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to approve tax suspension for property at 2125 Avenue M, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to appoint Amy Hoffman to the Board of Health to be effective June 8, 2004. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve for the Pottawattamie County WIC Program the employment of Kim Tidball as a part time Nutrition Educator at \$16.87 per hour, effective June 7, 2004. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve **Board Resolution No. 22-2004**, appointing Deloitte & Touche certified public accounting firm to conduct the annual audit of certain licensed gambling establishments in Pottawattamie County per Iowa Code 99D.20(2003). Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Knauss, second by Leaders, to approve **Board Resolution No. 23-2004**, appointing Deloitte & Touche certified public accounting firm to conduct the annual audit of certain licensed gambling establishments in Pottawattamie County per Iowa Code 99F.13(2003). Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

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

ATTEST: _____
Marilyn Jo Drake, County Auditor

Delbert E. King, Chairman

APPROVED: June 9, 2004

PUBLISH: X

June 9, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Moats, to, approve the minutes of June 7, 2004, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, 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-Houser, King, Knauss, Leaders, Moats. Motion carried.

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

Motion by Houser, second by Moats, to set budget amendment hearing for Monday, June 28, 2004 at 10:00 A.M. in the Board of Supervisors Hearing Room, Second Floor, Pottawattamie County Courthouse, 227 South 6th Street, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to authorize the utilization of Mercy Hospital for Workers Compensation purposes. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to approve the updated policy and procedure manual for Veteran Affairs. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: June 14, 2004
PUBLISH: X

June 14, 2004

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 Houser, second by Moats, to approve the minutes of June 9, 2004, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to reappoint Michel G. Carter as Commissioner to the Pottawattamie County Commission of Veteran Affairs. Unanimous vote. Motion carried.

Motion by Leaders, second by Moats, to certify the results of the June 8, 2004, primary election and authorize the Auditor to pay the costs of the election. Unanimous vote. Motion carried.

10:15 - Second Considerations:

Case #ZMA-2004-10: The request of Pottawattamie County, property owner David and Donnetta Perkins for a zoning map amendment to reclassify approximately .83 acres from a Class C-2 (General Commercial) District to a Class A-2 (Exclusive Agricultural) District, located in Belknap Township, 19468 Highway 59, legally described as 14-75-40 COMM 2203'N & 40'W of SE COR TH W201" N146" E11" N34" E183" S188" TO POB.

Motion by Knauss, second by Houser, to approve second consideration of an ordinance to reclassify approximately .83 acres from a Class C-2 (General Commercial) District to a Class A-2 (Exclusive Agricultural) District, as filed under Case #ZMA-2004-10, and to adopt **Ordinance #2004-13**. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Case #ZTA-2004-02: The request of Pottawattamie County for text amendments to the Pottawattamie County, Iowa, Zoning Ordinance, by changing the following: **1.** General typographical error corrections. **2.** Reference to Chapter 358A to 335, Code of Iowa. **3.** Modified (m) or add (a) definitions for the following: Agriculture (m), Attached Building (a), Family Home (a), Farm (m), Inoperable Motor Vehicle (m), Junk Yard (m), Flag Lot (m), Manufactured Home (a), Mobile Home (m), Manufactured Home Converted to Real Estate (a), Permanent Foundation (m), Recreational Vehicle (m), and Roadside Stand (m). **4.** Establish that the minimum lot size for single-family dwellings on well and septic system is 2.0 acres in all districts where allowed. **5.** Modify regulations relative to accessory structures and buildings. **6.** Clarify that providing for a caretaker's quarters does not allow for 2 dwellings on a parcel. **7.** Modify regulations relative to Home Occupations and Home Professional Offices. **8.** Establish regulations relative to Rural Enterprise Businesses. **9.** Clarify that camping units cannot be situated in RV park for more than 180 days. **10.** Establish threshold for submittal of Erosion and Sediment Control Plans and Storm Water Control Plans for Grading and Excavating when land areas disturbed exceed 1 acre on slopes up to 14%; 5000 square foot for slopes 14 to 30%; and 1000 square foot for slopes 30 to 50%. **11.** Establish regulations for tower and antenna placement. **12.** Establish that grading and excavating grading and excavating when land areas disturbed exceed 5000 square foot for slopes 14 to 30%; and 1000 square foot for slopes 30 to 50% is a conditional use in all zoning districts. **13.** Modify the Open Space and Conservation (A-1) District to stipulate that the maximum density of single-family dwellings is 1 per quarter-quarter section; the public and private recreational areas are principal uses and that forest and projection of woodland products and as a conditional use. **14.** Modify the Exclusive Agricultural District (A-2) to be named as Agricultural Production District. Establish the maximum density of single-family dwellings as two (2) per quarter-quarter section. Establish commercial composting facilities as a conditional use and to clarify the language on commercial stables, riding academies and clubs. To make outdoor advertising signs an accessory use rather than a conditional use in the A-2 and "C" and "I" District, establish rural enterprise businesses as a conditional use. Establish limitation on number of animals in private stables and kennels. **15.** Establish a Riverfront and Agricultural Production District (A-3), as a new district to limit develop on the Missouri River bottomlands. **16.** Establish a Loess Hills District (A-4), as a new district to preserve the unique natural and environmental characteristics of the Loess Hills. **17.** Modify the Rural Residential District (R-1) to be named as the Agricultural-Urban Transitional District. Allows for 3 single-family dwellings per quarter-quarter section, clarify the language on commercial stables, riding academies and clubs, establish rural enterprise businesses as a conditional use. Establish limitation on number of animals in commercial stables, riding academies and clubs. **18.** Modify the Suburban Residential District (R-2) to allows for 3 single-family dwellings per quarter-quarter section and family homes as principal uses and establish rural enterprise businesses as a conditional use. **19.** Modify the Urban Residential District (R-3) to allow for family homes as a principal use. Delete private stables as a conditional use. **20.** Delete the Multi-Family Residential District (R-4). **21.** Establish grading and excavating criteria in the Planned Residential District (R-5) and Mobile Home Residential District (R-6). **22.** Modify the conditions for granting of a variance and conditional use permit by the Board of Adjustment. Text amendments to the Pottawattamie County, Iowa, Subdivision Ordinance, by changing the following: **1.** Modify the definition of "subdivision" to clarify that it is the division of a quarter-quarter section rather than a tract; of "minor subdivision" to stipulate that such a subdivision shall not create more than 4 lots. **2.** Require that property taxes and special assessments must be paid before a property split or property line adjustment can be approved. **3.** Stipulate that a property line adjustment or property split approval is voided if a deed or contract is not recorded within one (1) year. **4.** Require cul-de-sacs, frontage roads or interior streets when a subdivision contains more than four (4) lots.

Motion by Knauss, second by Moats, to approve second consideration of an ordinance to approve various amendments to the Zoning and Subdivision Ordinance, as listed above and filed under Case #ZTA-2004-02, and to adopt **Ordinance #2004-14**. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Knauss, second by Houser, to approve agreement with Steamatic Of Omaha, Inc., to clean ducts at Department of Human Services Building at a cost of \$10,375.00. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to set aside the agenda as allowed by Code of Iowa, Chapter 21.4 to consider a grant to the Southwest Iowa Domestic Violence Council in the amount of \$2,500. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to grant \$2,500 to the Southwest Iowa Domestic Violence Council. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: June 21, 2004

PUBLISH: X

June 21, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Houser to, approve the minutes of June 14, 2004, as written.
Unanimous vote. Motion carried.

Motion by Moats, second by Leaders to approve Order #0446 to apportion the taxes on lots 134-138, Belmont Addition to the City of Council Bluffs. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to authorize Chairman to sign **Engineer's Resolution #04-12** for temporary closure of county road L43 and detour designation. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to authorize Chairman to sign contract with Sundquist Engineering for design of project HC-2004(1) grade and control structures on Walnut Creek in Section 27-76-38. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to authorize Chairman King to sign Memorandum of Understanding for grants to counties for Well Program. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to approve for the Sheriff's Department/Jail the employment of Carolyn Landstrom as a Secretary at \$11.84 per hour, to be effective June 7, 2004. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to approve for publication the claims allowed for May 2004. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to approve the employment of Melinda Brink as an Animal Control Officer at \$12.24 per hour to be effective July 12, 2004. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve Class "C" Liquor License/Sunday Sales Permit for Iowa Feed and Grain, Crescent, Iowa. Roll Call Vote: Ayes-Houser, King, Leaders. Nay-Moats. Motion carried.

Motion by Moats, second by Houser, to authorize Chairman to sign two (2) "Notice of Disallowance-Homestead Tax Credit" forms. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports – Recorder's quarterly report for period ending December 31, 2003.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: June 23, 2004

PUBLISH: X

June 23, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Moats, second by Houser, to approve the minutes of June 21, 2004, as written. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to sign **Engineer’s Resolution No.04-13**, for temporary closure of County Road G36 in Hazel Dell Township and designate detour route. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Moats, second by Knauss, to authorize a three (3%) percent increase to the salaries of non-union, non-elected, non-department head employees to be effective July 1, 2004. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve credit of \$147.45 on 2003 taxes payable 2004-2005 on parcel number 049-016-026-015547-000-000. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve class “B” Beer Renewal/Sunday Sales Privilege and Outdoor Service for Mt. Crescent Ski Area, Crescent, Iowa. Roll Call Vote: Ayes-King, Knauss, Leaders, Houser. Nays-Moats. Motion carried.

Motion by Houser, second by Moats, to sign contract with Barry Larson & Son, Inc. for the Pottawattamie County Courthouse Mezzanine project in the amount of \$198,500.00. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve tax suspension request for property at 198 18th Avenue, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to authorize Chairman to sign letter in regards to FM extensions in towns. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: June 28, 2004
PUBLISH: X

June 28, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Houser, second by Moats, to approve the minutes of June 23, 2004, as written. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to enter into a public hearing for purposes of amending the Fiscal Year 2003-2004 budget for Pottawattamie County. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

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

Motion by Houser, second by Leaders, to approve **Board Resolution No. 24-2004** to amend the Fiscal Year 2003-2004 budget. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders Moats. Motion carried.

Motion by Houser, second by Moats, to approve **Board Resolution No. 25-2004** to appropriate funds for Fiscal Year 2003-2004. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Moats, second by Leaders, to approve **Board Resolution No. 26-2004** to transfer \$106,111 from Mental Health Fund to General Basic Fund. This is an indirect cost payment for Fiscal Year 1997 to Fiscal Year 2003. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Knauss, second by Houser, to approve **Board Resolution No. 27-2004** to appropriate funds for Fiscal Year 2004-2005. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Knauss, second by Leaders, to sign contracts between Pottawattamie County and REM Council Bluffs, REM Leadway and Alegent Health Psychiatric Associates and approve the service rates. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to pay Iowa Drainage District Association annual dues for Fiscal Year 2004-2005 in the amount of \$1,250.00. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: June 30, 2004

PUBLISH: X

June 30, 2004

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 Houser, second by Moats, to approve the minutes of June 28, 2004, as written. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve the following Cigarette Permits for Fiscal Year 2004-2005: Aeroplane Inn-Honey Creek; DeSoto Bend Mini Mart-Missouri Valley; Double Bar Seven-Council Bluffs, Fill & Food-Council Bluffs, Fill & Food-Minden; Fill 'R Up-Council Bluffs, I-80 Lounge-Underwood; K-C Mart-Underwood; Kum & Go-Neola and Tammy's Club 92-Carson. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to authorize Chairman to sign one (1) Disallowance for Military Exemption and approve applications for 2004 Military Exemptions and Homestead Tax Credits. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to authorize the abatements for delinquent taxes on city owned properties and equipment as presented by the County Treasurer Judy Miller. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to authorize Board to sign **Resolution No. 28-2004**, from County Attorney Matt Wilbur to authorize Chairman Delbert King to execute his signature on contracts for Economic Development in reference to Bass Pro Outdoor World. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Leaders, second by Houser, to authorize Delbert King, Chairman, Board of Supervisors to sign the Agreement for Economic Development for Bass Pro Outdoor World. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders. Nays-Moats. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: July 7, 2004
PUBLISH: X

July 7, 2004

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members except Knauss, who is absent due to jury duty, present. Chairman King presiding.

PLEDGE OF ALLEGIANCE

Motion by Houser, second by Leaders to, approve the minutes of June 30, 2004, as written. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to provide a space for CASA Office. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to approve the contract format for department head contracts. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, authorizing the Chairman to sign an agreement with Snyder and Associates for the Section Corner Project following review of the contract. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to set aside agenda as allowed by Code of Iowa, Chapter 21.4, to consider a request from West Pottawattamie Soil and Water Conservation District. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to authorize the Chairperson to sign "Application for Assistance-Rehabilitation of Aging Watershed Dams" for Indian Creek Site Number 2. Unanimous vote. Motion carried.

Motion by Leaders, second by Moats, to authorize Pottawattamie County to be the fiscal agent for the federally funded Family Team Facilitator position. This position will be under Community Services, but will have it's own budget. It will not be funded by mental health dollars. Pottawattamie County will be reimbursed for all costs for the position including a 3% fiscal agent fee. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, that the county enter into a contract for a Sale of Service Agreement between Pottawattamie County Mental Health and SWIPCo. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to authorize Board to sign **Resolution No. 29-2004**, establishing a \$5.00 (five dollar) County Enforcement Surcharge to be assessed by the Clerk of Court for a citation issued by the Sheriff "for each applicable violation in addition to any fine, forfeiture or other surcharge." These funds will be deposited in the Sheriff's Department, General Fund. Roll Call Vote: Ayes-4. Motion carried.

Motion by Houser, second by Leaders, to approve tax suspension request for property at 914 7th Avenue, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Leaders, second by Moats, to approve Cash Count taken June 30, 2004 of the following departments: Pottawattamie County Auditor's Office, Recorder's Office and Treasurer's Office. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to approve "Rural Transit System Joint Participation Agreement" between Pottawattamie County and Southwest Iowa Planning Council, to provided for the operation of a rural transit system for use by the general public within the designated geographical area, to be effective July 1, 2004 through June 30, 2005. Pottawattamie County will contribute \$5,000 to the operation of this project. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to approve County Auditor's Report of fees collected for quarter ending June 30, 2004. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING**Salary Actions**

Pottawattamie County WIC employees cost of living increases: Lois Chandler, Program Coordinator to \$25.75 per hour; Lynn Davis, Dietitian/Nutritionist to \$22.05 per hour; Peggy Brouillard, Dietitian/ Nutritionist to \$20.95 per hour; Kimberly Tidball, Nutrition Educator to \$17.37 per hour; Katharyn Freeman, Nurse to \$20.95 per hour; Diana Rehn, LPN to \$13.59 per hour; Karen Olsen, Administrative Assistant to \$15.70 per hour; Linda Hand, Clerk to \$13.11 per hour, Donna Lapel, Clerk to \$12.66 per hour; Luz Collins, Clerk II to \$10.96 per hour, Cleo Croson, Clerk to \$10.96 per hour and Julie Hough, Clerk to \$9.56 per hour.

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

Delbert E. King, Chairman

ATTEST: _____

Cheryll Ross, Financial Officer
Auditor's Office

APPROVED: July 12, 2004

PUBLISH: X

July 12, , 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Houser, second by Leaders, to, approve the minutes of July 7, 2004, as written. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to take bids for projects LOT-2005(3) and LOT-CR-2002(6), under advisement and set Wednesday, July 14, 2004 at 9:15 A.M., in the Board of Supervisors Hearing Room, Second Floor, Courthouse, Council Bluffs, Iowa, to award bids. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to approve a two year contract with Kay Mocha, Director of Planning and Development. Salary for Fiscal Year 2004-2005 will be \$50,945.00 and salary for Fiscal Year 2005-2006 will be \$56,650.00 Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve contracts of employment with Mary Davis, Director of Human Resources in the amount of \$37,000, James Yochum, Director, Buildings and Grounds in the amount of \$48,500 and Michael Schonlau, GIS Director in the amount of \$64,500, all to be effective July 1, 2004. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to concur with County Attorney's recommendation that the Assistant County Attorneys follow the non-union salary increases yearly. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to approve for publication the Claims Allowed for June 2004. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports

Sheriff's Quarterly report for quarter ending June 30, 2004.

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

Delbert E. King, Chairman

ATTEST: _____
Cheryll Ross, Financial Officer
Auditor's Office

APPROVED: July 14, 2004
PUBLISH: X

July 14, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Moats, second by Knauss, to approve the minutes of July 12, 2004, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to approve contracts between Pottawattamie County and Alegent Health – Bergan Mercy Health System d/b/a Alegent Health – Mercy Hospital, Council Bluffs, Iowa for involuntary admission services, and with New Hope Village of Carroll, Iowa, and with Country View Estates, Inc. of Guthrie Center, Iowa, for services. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to award bid for Project No. LOT-CR-2002(6) a culvert rehab project in the amount of \$202,399.16, and Project No. LOT-2005(3), a pipe culvert project in the amount of \$88,576.57, to Gus Construction Company, Inc. of Casey, Iowa. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to approve Employment Agreement between Pottawattamie County and Suzanne Watson, Community Services Director/C.P.C. for an annual salary of \$60,000.00, to be effective July 1, 2004 through June 30, 2005. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to approve Employment Agreement between Pottawattamie County and Darlene McMartin, Administrator, Veteran Affairs, for an annual salary of \$42,000.00, to be effective July 1, 2004 through June 30, 2005. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWINGSalary Actions

Pottawattamie County Conservation Board Employment Agreements for period beginning July 1, 2004 through June 30, 2005: Mark Shoemaker, Executive Director-\$43,000.00; Cynthia Thompson, Administrative Director-\$36,000.00; David Fischer, Park Ranger-\$34,100.00; Jon Fenner, Park Ranger-\$32,350.00; Chad Graeve, Park Ranger/Land Manager-33,000.00; Brett Ford, Park Ranger/Operations Supervisor-\$34,150.00; Tina Popson, Program Manager-\$33,000.00; Chad Kunze, Park Ranger-\$29,850.00.

Pottawattamie County Sheriff's Department – Resignation of Quinn Kelly, effective July 7, 2004.

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

Delbert E. King, Chairman

ATTEST: _____
Cheryll Ross, Financial Officer
Auditor's Office

APPROVED: July 19, 2004
PUBLISH: X

July 21, 2004

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 King presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Houser, to approve the minutes of July 14, 2004, as written. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to approve Employment Agreement between Pottawattamie County and Stacey Robertson, Animal Control Supervisor for an annual salary of \$39,000 for period of July 1, 2004 through June 30, 2005. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve a three percent (3%) increase for Bill Carpenter, Public Safety Information and Technology Administrator, for an annual salary of \$51,500.00, for fiscal year 2004-2005, half of salary increase to be reimbursed by the City of Council Bluffs. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to authorize Board to sign **Engineer's Resolution No 04-14**, to set public hearing for proposed road vacation in Crescent Township, a 66 feet wide County Road (Rosewood Road) on the north line of Section 4-T76N-R44W, for Tuesday, August 3, 2004 at 10:00 A.M., in the Board of Supervisors Office, Second Floor, Courthouse, Council Bluffs, Iowa. Roll Call Vote: Ayes-Houser, King, Leaders. Motion carried.

Motion by Houser, second by Leaders, to authorize Chairman to sign Easement Agreement Right of Way for a part of Section 21 and 22 in T76N R43W of the 5th P.M.; in Pottawattamie County, Iowa. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to set aside agenda as allowed by Code of Iowa, Chapter 21.4, to approve Liquor Renewal and Beer Permit. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to approve Class "C" Liquor Renewal/Sunday Sales/Outdoor Services for Double Bar Seven Inc., Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve Class "C" Beer Permit/Sunday Sales Privilege for Fill & Food, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to authorize Chairman to sign agreement between Pottawattamie County and Alegent Health Psychiatric Associates to purchase Covered Services for the benefit of Pottawattamie County Individuals. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to approve for publication the Treasurer's Semi-Annual report for period from January 1, 2004 through June 30, 2004. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to authorize Chairman to approve stop payment on warrant number 37989 and issue new warrant. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
 Lois J. Haines, Executive Secretary
 To The Board

APPROVED: July 28, 2004
 PUBLISH: X

July 28, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Knauss, to approve the minutes of July 21, 2004, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve contract between Pottawattamie County Board of Supervisors and Justrite Janitorial Services, Inc. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to authorize Chairman to sign contract with Hills Science Diet Company for free dog food for the Pottawattamie County Animal Shelter, for a term of two years, to be effective July 21, 2004. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve Library Contracts for the year 2004-2005, between Pottawattamie County Board of Supervisors and 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 Leaders, second by Knauss, to deny Class "C" Beer Permit/Sunday Sales Privilege and Cigarette Permit to Honey Creek Campground, Crescent, Iowa. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: August 3, 2004

PUBLISH: X

August 3, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Moats, to approve the minutes of July 28, 2004, as written. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to open public hearing on road vacation in Crescent Township. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

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

Motion by Houser, second by Knauss, to authorize Chairman to sign **Engineer's Resolution #04-15** to vacate a 66 feet wide County road on the north line of Section 4-T76N-R44W located in Crescent Township. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Leaders, second by Moats, to authorize Chairman to sign contract and bonds for project LOT-2005(3) and project LOT-CR-2002(6). Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to authorize Chairman to sign RISE Agreement Number #2005R003 concerning the proposed road into MidAmerican Energy Company. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: August 11, 2004

PUBLISH: X

August 11, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Houser, second by Moats, to approve the minutes of August 3, 2004, as written. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to allow Assistant County Attorney Maggie Popp-Reyes extended time to work on request from Bartlett and Company for a refund of grain handling tax. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to authorize Chairman to sign nine "Notices of Disallowances for Homestead Tax Credits and Military Service Tax Exemptions." Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to approve Applications for Homestead Tax Credits for 2004. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to approve stop payment on warrant number 39358 and issued a new warrant. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to approve for publication the Claims Allowed for the month of July 2004. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to authorize Chairman to sign Iowa West Foundation Grant Application-Fall 2004 for mobile data computers for Sheriff's patrol units from RACOM Critical Communications. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to sign **Planning and Zoning Resolution No. 2004-20**, approving the preliminary plat of Hilltop Acres Subdivision. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to authorize Chairman to sign **Engineer's Resolution # 04-16** for temporary closure of County Road L 55 and designate the official detour route for L 55 using Beechnut Road, 300th Street, and Pioneer Trail. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to authorize Chairman to sign **Engineer's Resolution #04-17**, for temporary closure of County Road M 47 and designate the official detour route for M 47 using Mahogany Road, 500th Street, and Sumac Road. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to authorize Chairman to sign **Engineer's Resolution #04-18**, for temporary closure of County Road L 66 and designate the official detour route for L 66 using Magnolia Road, 330th Street, and Lombardy Road. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWINGReports

Recorder's Quarterly for period ending March 31, 2004.

Salary Actions

Pottawattamie County WIC Program – Resignation of Julie Hough effective June 28, 2004.

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

Delbert E. King, Chairman

ATTEST: _____
 Lois J. Haines, Executive Secretary
 To The Board

APPROVED: August 16, 2004
 PUBLISH: X

August 16, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Moats, to approve the minutes of August 11, 2004, as written. Unanimous vote. Motion carried.

Motion by Leaders, second by Moats, to authorize Chairman to sign **Board Resolution No. 30-2004** authorizing Board to approve Cox Cable Agreement for a term ending May 2024. Roll Call Vote: Houser-Aye; King-Aye; Leaders-Aye; Moats-Aye. Motion carried.

Motion by Houser, second by Moats, to approve request from Information Technologies Director to hire an Interface Specialist for the IT Department at \$38,500. Unanimous vote. Motion carried.

10:00 A.M. – Public Hearing:

CASE #SUB-2004-08: The request of Justin L. James for approval of a sketch plat application for a property split, located in Garner Township, 23026 McPherson Avenue, legally described as Bent Tree Estates, Phase II, Lot 115.

Motion by Houser, second by Leaders, to open the public hearing on Case #SUB-2004-08. Ayes-Leaders, Moats, King, Houser; Absent-Knauss. Motion carried.

Motion by Moats, second by Houser, to close the public hearing on Case #SUB-2004-08. Ayes-Leaders, Moats, King, Houser; Absent-Knauss. Motion carried.

Motion by Houser, second by Leaders, to approve the sketch plat application of Justin James for a property split of Lot 115, Bent Tree Estates, Phase II as filed under Case #SUB-2004-08 and to adopt **Planning and Zoning Resolution #2004-21**. Ayes-Leaders, Moats, King, Houser; Absent-Knauss. Motion carried.

CASE #ZTA-2004-03: The request of Ben and Tracy Plum for a zoning text amendment to amend the Pottawattamie Zoning Ordinance by adding subsection .09 as a conditional use in the C-2 (General Commercial) District, in Section 8.050.030 as follows: **Outdoor entertainment and recreational uses, but only in conjunction with a principal use of entertainment and recreation as listed in 8.050.020.33.**

Motion by Leaders, second by Moats, to open the public hearing on Case #ZTA-2004-03. Ayes-Leaders, Moats, King, Houser; Absent-Knauss. Motion carried.

Motion by Moats, second by Leaders, to close the public hearing on Case #ZTA-2004-03. Ayes-Leaders, Moats, King, Houser; Absent-Knauss. Motion carried.

Motion by Houser, second by Moats, to approve first consideration of an ordinance to amend the Pottawattamie County, Iowa, Zoning Ordinance by adding subsection .09 as a conditional use in the C-2 (General Commercial) District, in Section 8.050.030, as follows: **Outdoor entertainment and recreational uses, but only in conjunction with a principal use of entertainment and recreation as listed in 8.050.020.33** and to set second consideration for Monday, August 23, 2004 at 11:00 A.M. Unanimous vote. Motion carried.

CASE#ZMA-2004-11/Pottawattamie County request for zoning map amendment to the majority of the County to conform to the Land Use Plan designations as follows:

Missouri River east to the Loess Hills Landform:

- ◆ all properties currently classified A-2 will be reclassified to A-3 (Riverfront and Agricultural Production), except as noted below;
- ◆ all properties located in Section 11 and 14, Township 75N, Range 44W of the 5th P.M. of Lake Township currently classified as A-1 will be reclassified to A-3 (Riverfront and Agricultural Production);
- ◆ an existing parcel in Section 33, Township 77N, Range 44W of the 5th P.M. of Rockford Township currently utilized as the Honey Creek Campground, currently classified as A-1/C-3 will be reclassified to C-3 (Commercial Recreational);
- ◆ the unincorporated area of Loveland, Iowa east of Old Lincoln Highway will be reclassified from C-2 and R-3 to A-4 (Loess Hills).
- ◆ all properties designated as C-1 (Highway Commercial); C-2 (General Commercial), I-1 (Limited Industrial) and I-2 (General Industrial) will remain classified the same.

Loess Hills Landform:

- ◆ all properties currently classified as A-2 will be reclassified to A-4 (Loess Hills), except as noted below;
- ◆ all properties currently classified as R-1 (Rural Residential) and R-2 (Suburban Residential) will be reclassified to A-4 (Loess Hills), except those parcels located within the 2-mile limit of Council Bluffs, which will retain their existing residential classification of either R-2 or R-3;
- ◆ an existing parcel located in Sections 11 and 12, Township 76N, Range 44W of the 5th P.M. of Crescent Township currently utilized as the Crescent Ski Hills currently classified as A-1/C-3 will be reclassified to C-3 (Commercial Recreational);
- ◆ all parcels under current ownership by the City of Council Bluffs/Airport Authority will be classified as A-1 (Open Space and Conservation);
- ◆ all parcels designated R-4 will be reclassified to R-3 (Urban Residential) as the R-4 district was obliterated
- ◆ all properties designated as R-5 (Planned Residential), C-2 (Highway Commercial); C-2 (General Commercial), A-2 (Open Space/Conservation); C-3 (Commercial Recreational), I-1 (Limited Industrial) and I-2 (General Industrial) will remain classified the same.

The areas of Keg Creek, Norwalk and Hardin Townships, beyond ½ mile of any communities and west to the Loess Hills Landform will primarily be reclassified to a Class R-1 (Agricultural-Urban Residential) District, except for a portion within the 2-mile limit of Council Bluffs, will be reclassified to R-2 (Urban Transitional).

Properties within ½ mile of all communities except Crescent and Council Bluffs that are currently classified a A-2, R-2, or R-3 will be reclassified to R-2 (Urban Transitional). All properties designated as C-1 (Highway Commercial); C-2 (General Commercial); I-1 (Limited Industrial) and I-2 (General Industrial) will remain classified the same.

Boomer Township, east of the Loess Hills Landform, Neola, Minden, Pleasant, Knox, Layton, Valley, James, York, Washington, Belknap, Carson, Center, Wright, Silver Creek, Macedonia, Grove and Waveland Townships, beyond the ½ mile of the communities that are currently classified A-2 or R-1 will be reclassified to A-2 (Agricultural Production). In these townships, all properties designated as C-1 (Highway Commercial); C-2 (General Commercial), A-1 (Open Space/Conservation); C-3 (Commercial Recreational), I-1 (Limited Industrial) and I-2 (General Industrial) will remain classified the same.

Motion by Houser, second by Moats, to open the public hearing on Case #ZMA-2004-11. Ayes-Leaders, Moats, King, Houser; Absent-Knauss. Motion carried.

Motion by Moats, second by Houser, to close the public hearing on Case #ZMA-2004-11. Ayes-Leaders, Moats, King, Houser; Absent-Knauss. Motion carried.

Motion by Leaders, second by Moats, to approve first consideration of a Zoning Map Amendment to the majority of the County to conform with the Land Use Plan designations, as filed under Case #ZMA-2004-11 and described above and to set second consideration for Monday, August 23, 2004 at 11:00 A.M. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST:

Lois J. Haines, Executive Secretary
To The Board

APPROVED: August 18, 2004

PUBLISH: X

August 18, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Moats, second by Houser, to approve the minutes of August 16, 2004, as written. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to extend a "Conditional Offer of Employment" to John Rasmussen for the position of Pottawattamie County Engineer. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to authorize Chairman to sign Change Order No. 1 regarding the Pottawattamie County Parking Lot Project, which will increase the project by \$2,406. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to approve tax suspension request for property at 508 Eagle Lane, Underwood, Iowa. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: August 23, 2004

PUBLISH: X

August 23, 2004

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 Houser, second by Moats, to approve the minutes of August 18, 2004, as written. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to authorize Chairman to sign contract between Pottawattamie County and Alegent Health-Bergan Mercy Health System d/b/a Alegent Health-Mercy Hospital, Council Bluffs, Iowa to provide Covered Services for the benefit of Pottawattamie County individuals. The initial term of this agreement shall be for a period of one (1) year, and shall automatically renew on a year to year basis on the same terms and conditions. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to sign contract for Family Team Meetings Facilitation between the Iowa Department of Human Services and the Pottawattamie County Board of Supervisors for the purpose of retaining the Contractor to provide local fiscal agent services for the Family Team Meetings for Promoting Safe and Stable Families monies. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to approve for the Sheriff's Department the employment of Lindsay Elrod, as a Detention Officer at \$14.78 per hour, to be effective August 18, 2004. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(i) for purposes of personnel issues. 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 Houser, second by leaders to authorize Board to sign grant application to the Iowa West Foundation requesting \$6,000,000 for CITIES project. Unanimous vote. Motion carried.

Motion by Houser, second by leaders, to authorize Board to sign grant application form to the Iowa West Foundation for remodeling of front east entryway of Courthouse, in the amount of \$98,500. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to authorize Chairman to sign letter requesting a grant application for to Iowa West Foundation for demolition and parking lot construction. Unanimous vote. Motion carried.

11:00 Second Considerations:

CASE #ZTA-2004-03: The request of Ben and Tracy Plum for a zoning text amendment to amend the Pottawattamie Zoning Ordinance by adding subsection .09 as a conditional use in the C-2 (General Commercial) District, in Section 8.050.030 as follows: ***Outdoor entertainment and recreational uses, but only in conjunction with a principal use of entertainment and recreation as listed in 8.050.020.33.***

Motion by Houser, second by Knauss, to approve second consideration of an ordinance to amend the Pottawattamie County, Iowa, Zoning Ordinance by adding subsection .09 as a conditional use in the C-2 (General Commercial) District, in Section 8.050.030, as follows: ***Outdoor entertainment and recreational uses, but only in conjunction with principal use of entertainment and recreation as listed in 8.050.020.33*** and to adopt **Ordinance #2004-15**. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

CASE#ZMA-2004-11/Pottawattamie County request for zoning map amendment to the majority of the County to conform to the Land Use Plan designations as follows:

Missouri River east to the Loess Hills Landform:

- ◆ all properties currently classified A-2 will be reclassified to A-3 (Riverfront and Agricultural Production), except as noted below;
- ◆ all properties located in Section 11 and 14, Township 75N, Range 44W of the 5th P.M. of Lake Township currently classified as A-1 will be reclassified to A-3 (Riverfront and Agricultural Production);
- ◆ an existing parcel in Section 33, Township 77N, Range 44W of the 5th P.M. of Rockford Township currently utilized as the Honey Creek Campground, currently classified as A-1/C-3 will be reclassified to C-3 (Commercial Recreational);
- ◆ the unincorporated area of Loveland, Iowa east of Old Lincoln Highway will be reclassified from C-2 and R-3 to A-4 (Loess Hills).
- ◆ all properties designated as C-1 (Highway Commercial); C-2 (General Commercial), I-1 (Limited Industrial) and I-2 (General Industrial) will remain classified the same.

Loess Hills Landform:

- ◆ all properties currently classified as A-2 will be reclassified to A-4 (Loess Hills), except as noted below;
- ◆ all properties currently classified as R-1 (Rural Residential) and R-2 (Suburban Residential) will be reclassified to A-4 (Loess Hills), except those parcels located within the 2-mile limit of Council Bluffs, which will retain their existing residential classification of either R-2 or R-3;
- ◆ an existing parcel located in Sections 11 and 12, Township 76N, Range44W of the 5th P.M. of Crescent Township currently utilized as the Crescent Ski Hills currently classified as A-1/C-3 will be reclassified to C-3 (Commercial Recreational);
- ◆ all parcels under current ownership by the City of Council Bluffs/Airport Authority will be classified as A-1 (Open Space and Conservation);
- ◆ all parcels designated R-4 will be reclassified to R-3 (Urban Residential) as the R-4 district was obliterated
- ◆ all properties designated as R-5 (Planned Residential), C-2 (Highway Commercial); C-2 (General Commercial), A-2 (Open Space/Conservation); C-3 (Commercial Recreational), I-1 (Limited Industrial) and I-2 (General Industrial) will remain classified the same.

The areas of Keg Creek, Norwalk and Hardin Townships, beyond ½ mile of any communities and west to the Loess Hills Landform will primarily be reclassified to a Class R-1 (Agricultural-Urban Residential) District, except for a portion within the 2-mile limit of Council Bluffs, will be reclassified to R-2 (Urban Transitional).

Properties within ½ mile of all communities except Crescent and Council Bluffs that are currently classified a A-2, R-2, or R-3 will be reclassified to R-2 (Urban Transitional). All properties designated as C-1 (Highway Commercial); C-2 (General Commercial); I-1 (Limited Industrial) and I-2 (General Industrial) will remain classified the same.

Boomer Township, east of the Loess Hills Landform, Neola, Minden, Pleasant, Knox, Layton, Valley, James, York, Washington, Belknap, Carson, Center, Wright, Silver Creek, Macedonia, Grove and Waveland Townships, beyond the ½ mile of the communities that are currently classified A-2 or R-1 will be reclassified to A-2 (Agricultural Production). In these townships, all properties designated as C-1 (Highway Commercial); C-2 (General Commercial), A-1 (Open Space/Conservation); C-3 (Commercial Recreational), I-1 (Limited Industrial) and I-2 (General Industrial) will remain classified the same.

Motion by Leaders, second by Moats, to approve second consideration of a Zoning Map Amendment to the majority of the County to conform with the Land Use Plan designations, as filed under Case #ZMA-2004-11 and to adopt **Ordinance #2004-16**. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Moats, second by Houser, to grant \$500 to Visiting Nurse Association of Pottawattamie County for a Hospice Benefit Luncheon. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to authorize Chairman to sign "Special Project Agreement" between the Council Bluffs Betterment Foundation and Pottawattamie County, to contribute and grant CBF the sum of \$200,000, to fund and support its efforts in directing, managing and supervising the construction of the Bass Pro Store. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: August 25, 2004

PUBLISH: X

August 25, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Moats, to approve the minutes of August 23, 2004, as written. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to approve employment agreement with John Rasmussen, for position of County Engineer to be effective September 27, 2004 at an annual salary of \$78,000. Unanimous vote. Motion carried.

Motion by Leaders, second by Moats, to approve and authorize Chairman to sign Varion Systems contract for software and implementation services in the amount of \$74,280.00. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve MAPA funding for period July 1, 2004 to December 31, 2004 in the amount of \$16,586.00. Unanimous vote. Motion carried.

The Board adjourned subject to call at 10:50 A.M.

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: August 30, 2004

PUBLISH: X

August 30, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Moats, to approve the minutes of August 25, 2004, as written. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to authorize Chairman to sign Iowa West Foundation Grant Application, requesting funds for house demolition and parking lot expansion. Unanimous vote. Motion carried.

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

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

Motion by Knauss, second by Moats, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(i) for purpose of personnel issues. Roll Call Vote: Ayes-5. Motion carried.

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

Motion by Moats, second by Houser, to authorize Board to sign Proclamation declaring Monday, September 27, 2004 as "Family Day". Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: September 1, 2004

PUBLISH: X

September 1, 2004

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 1:00 P.M., all members, present. Chairman King presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Moats, to approve the minutes of August 30, 2004, as written. Unanimous vote. Motion carried.

Motion by Leaders, second by Moats, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c) for purpose of discussing personnel matters. Roll Call Vote: Ayes-5. Motion carried.

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

Motion by Knauss, second by Leaders, to authorize a pre-payment of \$210,000.00 for a Mobile Command Vehicle to be shared 50/50 with the City of Council Bluffs, to be reimbursed by a grant from State Homeland Security. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: September 8, 2004

PUBLISH: X

September 8, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Moats, to approve the minutes of September 1, 2004, as written. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to pay a past due bill of \$3,395.85, to AIG Insurance Division for settlement. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to stop payment on warrant number 41822 in the amount of \$219.47 and issue new warrant. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to set aside agenda as allowed by Code of Iowa, Chapter 21.4, to allow for consideration of a resolution authorizing Southwest Iowa Planning Council to apply for housing assistance funds from the Federal Home Loan Bank. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to sign **Board Resolution No. 31-2004**, authorizing Southwest Iowa Planning Council to apply for housing assistance funds from the Federal Home Loan Bank. Pottawattamie County will waive recording fees for liens associated with the Federal Home Loan Bank Project. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried. See Minutes of September 27, 2004 for amending this motion.

Motion by Moats, second by Leaders, to authorize Chairman to sign agreements between Pottawattamie County, Iowa and the Iowa Department of Transportation for Highway Bridge Replacement and Rehabilitation Program Project No: BRS-CO78(1541)- -60-78 and Surface Transportation Program Project No: STP-S-CO78(139)- -5E-78. Unanimous vote. Motion carried.

Motion by Leaders, second by Moats, to approve the final plat of Grandfield Estates Subdivision and to sign Planning and Zoning Resolution #2004-22. Roll Call Vote: Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

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

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

Motion by Houser, second by Leaders, to authorize John Rasmussen the new County Engineer to begin his duties on Monday, September 13, 2004. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: September 13, 2004

PUBLISH: X

September 13, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Moats, to approve the minutes of September 8, 2004, as written. Unanimous vote. Motion carried.

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

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

Motion by Leaders, second by Moats, to offer an employment agreement to Thomas Broniecki, Director of Information Technologies in the amount of \$67,000 per year for Fiscal Year 2004-2005. Roll Call Vote: Ayes: Houser, Leaders, Moats. Nays: King, Knauss. Motion carried.

Motion by Leaders, second by Knauss, to take bids for Sheriff's cars under advisement and set bid awarding for Friday, September 17, 2004 at 11:00 A.M., in the Board of Supervisors' Hearing Room, Second Floor, Courthouse, 227 South 6th Street, Council Bluffs, Iowa. Unanimous vote. Motion carried.

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

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

Motion by Moats, second by Houser, to authorize Chairman to sign "Certificate Of Substantial Completion" for the Pottawattamie County Animal Shelter. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve for publication the Claims Allowed for August 2004. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to authorize Chairman to sign "Certification of Cost Allocation Plan" with MAXIMUS, to recover indirect costs applicable to Social Services administration in Fiscal Year 2005. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING**Salary Actions**

Engineer's Office – Resignation of Jerry Hare/County Engineer, effective August 13, 2004.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: September 17, 2004

PUBLISH: X

September 17, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Moats, second by Leaders, to approve the minutes of September 13, 2004, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to certify the results of the September 14, 2004, School Election and authorize the Auditor to pay the costs of the election, to be reimbursed by the school districts. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to authorize Chairman to sign a letter of invitation in regard to Indian Creek Watershed #2. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to authorize Chairman to sign **Engineer Resolution #04-19**, to "Authorize County 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 Leaders, second by Moats, to authorize Chairman to sign **Engineer Resolution #04-20**, to "Authorize 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.

Motion by Houser, second by Moats, to sign amended employment agreement with John Rasmussen, County Engineer. This amendment changes the start of employment date only. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to employ Thomas Crimmins as an Interface Specialist for the Information Technologies Department at Grade 22, Step 2, which is \$17.40 per hour, beginning September 20, 2004. This is a non-union position. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to approve new Class "C" Liquor License/Outdoor and Sunday Sales Permit and Cigarette Permit for Deuces, Council Bluffs, Iowa. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders. Nay-Moats. Motion carried.

Motion by Houser, second by Moats, to stop payment on warrant number 40699 and issue a new warrant. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve Animal Control Services Agreement between Pottawattamie County, Iowa and the City of McClelland to be effective September 17, 2004 until June 30, 2005. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING**Salary Actions**

Pottawattamie County Attorney's Office – Resignation of Jeri Fisher effective August 20, 2004.

Pottawattamie County Conservation Board – Kelly Herek from part-time to full time as a Naturalist/Environmental Educator at an annual salary of \$25,000.

Pottawattamie County Sheriff's Department – Resignation of Charmaine Sulley to be effective September 1, 2004.

The Board adjourned subject to call at 11:37 A.M.

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: September 20, 2004

PUBLISH: X

September 20, 2004

MET IN REGULAR SESSION

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

Motion by Moats, second by Houser, to approve the minutes of September 17, 2004, as written. Unanimous vote.
Motion carried.

10:00 A.M. - Final Sketch Plat Approval.

CASE #SUB-2004-09: The request of Rodney and Phyllis Reimer, Rick Reimer and Lori Wilkey for a sketch plat application for a property line adjustment located in Crescent Township, 25103 Old Lincoln Highway, 25125 Old Lincoln Highway, legally described as Lot 1, Reimer's Subdivision, Lot 2, Reimer's Subdivision.

Motion by Leaders, second by Knauss, to open the public hearing on Case #SUB-2004-09. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Knauss, second by Houser, to close the public hearing on Case #SUB-2004-09. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Knauss, second by Houser, to approve a sketch plat application for a property line adjustment, as presented by Rodney and Phyllis Reimer and Rick Reimer and Lori Wilkey under Case #SUB-2004-09, and to adopt **Planning and Zoning Resolution #2004-23**. Ayes-Leaders, Moats, King, Houser, Knauss. Motion carried.

Motion by Leaders, second by Knauss, that at the recommendation of Sheriff Danker, to approve the purchase of three Ford Crown Victoria's from McMullen Ford at \$23,136 each and one two-wheel drive Chevy Tahoe at \$27,293.18. They are rejecting all 4x4 bids and will rebid with new spec's. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to authorize Chairman to sign Animal Control Services Agreement and City-County 28E Intergovernmental Cooperation Agreement with City of Crescent for animal control services. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to authorize Chairman to sign amended contract with REM-Leadway. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to authorize Chairman to sign contract with ResCare, Inc., to purchase covered services for the benefit of Pottawattamie County Individuals. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to authorize Chairman to sign contracts with Omaha Psychiatric Associates, Heartland Family Service and Institute for Therapy and Psychological Solutions, LLC (ITPS). Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:07 P.M.

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: September 22, 2004

PUBLISH: X

September 22, 2004

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 1:00 P.M., all members, present. Chairman King presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Moats, to approve the minutes of September 20, 2004, as written. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to authorize Chairman to sign "Letter of Agreement Acknowledgement" between Omaha Public Power District (Fort Calhoun Station) and Pottawattamie County Board of Supervisors. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to approve for the County Attorney's Office the promotion of Michele Cozad from Legal Assistant-Trial Information to Legal Assistant to the County Attorney at \$16.34 per hour to be effective September 13, 2004. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to authorize Chairman to sign Animal Control Services Agreement between Pottawattamie County and the City of Minden, Iowa. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to approve **Board Resolution No. 32-2004**, to transfer \$100,000 from the General Basic Fund to the Secondary Road Fund. Roll Call Vote: Ayes – Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Houser, second by Moats, to approve **Board Resolution No. 33-2004**, to transfer \$200,000 from the Rural Services Basic Fund to the Secondary Road Fund. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Houser, second by Leaders, to approve **Board Resolution No. 34-2004**, to transfer \$7,205.65 from the LOST East Fund 0037 to the LOST East District Enhancement Areas Fund 0038. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Moats, second by Houser, to approve the transfer of Mike Williams from Detention Officer to Jail Maintenance Worker II at \$15.24 per hour to be effective 9/7/04. Unanimous vote. Motion carried.

The Board adjourned subject to call at 1:50 P.M.

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: September 27, 2004

PUBLISH: X

September 27, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Moats, to approve the minutes of September 22, 2004, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to table discussion of Farm Creek Public Wildlife Area until October 11, 2004, in regard to road access. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Leaders, second by Moats, to authorize Chairman to sign **Engineer's Resolution No. 04-21**, a resolution in support for a method of Secondary Road and Farm-to-Market Road Use Tax allocation as proposed by the Secondary Road Fund Distribution Advisory Committee per Section 312.3C of the Code of Iowa. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Knauss, second by Moats, to allow an expenditure of \$6,000.00 to Friends of CASA to allow the ability to open the CASA program as of September 27, 2004. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to certify the results of the Area 13 School election held September 14, 2004. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to grant \$15,000.00 to the City of Oakland Park Board, to use as match money to complete Phase II of Chautauqua Recreational Park. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to amend the minutes of September 8, 2004, by adding the following sentence to the following motion: "Motion by Houser, Second by Leaders, to sign Board Resolution No. 31-2004, authorizing Southwest Iowa Planning Council to apply for housing assistance funds from the Federal Home Loan Bank. "Pottawattamie County will waive recording fees for liens associated with the Federal Home Loan Bank Project". Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried." Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to authorize Chairman to sign Law Enforcement Agreements with the following cities: Carson, Crescent, Hancock, Macedonia, McClelland, Minden, Neola, Oakland, Treynor, Underwood and Walnut. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWINGSalary Actions

Pottawattamie County Conservation–Employment of Craig Forsythe as a seasonal Park Aide at \$7.50 per hour, effective 9/23/04.

Pottawattamie County Sheriff's Department – Resignation of Mike Williams effective 9/17/04.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: September 29, 2004

PUBLISH: X

September 29, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Moats, second by Leaders, to approve the minutes of September 27, 2004, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to refund an overpayment of grain handling tax to Bartlett Grain for 2001. Unanimous vote. Motion carried.

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

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

Motion by Moats, second by Houser, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(i), for discussion of personnel issue. 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.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: October 6, 2004

PUBLISH: X

October 6, 2004

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:30 A.M., all members, present. Chairman King presiding.

PLEDGE OF ALLEGIANCE

Motion by Moats, second by Leaders, to approve the minutes of September 29, 2004, as written. Unanimous vote. Motion carried.

Motion by Moats, to grant Loess Hills Alliance \$2,000. Motion failed for lack of a second.

Motion by Houser, second by Moats, to grant Loess Hills Alliance \$4,000, to allow them to hire a part-time secretary. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve for the Pottawattamie County Attorney’s Office the employment of Carrie Brinkman as a Legal Assistant, Trial Information at \$13.80 per hour (G14S5), to be effective October 1, 2004. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to approve for publication the Claims Allowed for September 2004. Unanimous vote. Motion carried.

The Board adjourned subject to call at 12:25 P.M.

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: October 11, 2004
PUBLISH: X

October 11, 2004

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 Moats, second by Houser, to approve the minutes of October 6, 2004, as written. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve "Animal Control Services Agreement" between Pottawattamie County, Iowa and Neola, Iowa. This is a \$50.00 per call agreement. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to authorize Chairman to sign 28E Agreement with the Iowa Department of Management for Local Government Innovation Fund Grant, 2004-10 R2 in the amount of \$60,000 for Permit Processing. Unanimous vote. Motion carried.

Motion Knauss, second by Houser, to award bid to Western Engineering in the amount of \$465,976.58, for the paving of 189th Street (Mid America Energy Project). This was the low bid. Unanimous vote. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports

Sheriff's Quarterly report of fees collected and disbursed for the 3rd Quarter ending September 30, 2004.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: October 18, 2004

PUBLISH: X

October 18, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Moats, second by Houser, to approve the minutes of October 11, 2004, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to award bid for windows and frames for the Care Facility to Omaha Door for \$15,538.00. Buildings and Grounds budget to be amended. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to approve Class "B" Beer Permit/Sunday Sales Privilege and Cigarette Permit for Honeycreek Campground in Crescent, Iowa. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders. Nay-Moats. Motion carried.

The Board adjourned subject to call at 12:10

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: October 20, 2004

PUBLISH: X

October 20, 2004

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M., all members, present. Chairman King presiding. Leaders absent until 10:30 A.M. Knauss absent until 10:45 A.M.

PLEDGE OF ALLEGIANCE

Motion by Moats, second by Houser, to approve the minutes of October 18, 2004, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve Commercial Service Agreement between Cox Business Services and Pottawattamie County to provide dual entrance fiber based services in an amount not to exceed \$32,032 plus tax and franchise fees. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to approve Animal Control Services Agreement between Pottawattamie County, Iowa and the City of Walnut, Iowa. This is a per capita agreement. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to approve **Board Resolution No. 36-2004**, to transfer \$800,000 from the Rural Services Basic Fund to the Secondary Road Fund. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to authorize Chairman to sign contract for paving 189th Street with Western Engineering Company, Inc., of Harlan, Iowa, to be paid for by Mills County and Mid-American Energy as a joint Mills/Pottawattamie County RISE Project. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Houser, second by Moats, to release Bluffs Development from the Minimum Assessment Agreement for the Bent Tree TIF, with expenses for attorney fees, etc., to be borne by Bob McCarthy, as Bluffs Development LLC. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: November 4, 2004
PUBLISH: X

November 4, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Moats, second by Knauss, to approve the minutes of October 20, 2004, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to approve stop payment on warrant #41702 and issue a new warrant. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to approve tax suspension for property at 412 South 22nd Street, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to approve for the Sheriff's Department/Jail the employment of Matthew Brokman as a Maintenance Worker II at \$12.01 per hour to be effective October 25, 2004. Unanimous vote. Motion carried.

Motion by Moats, second by Knauss, to accept check from SWI Juvenile Emergency Services in the amount \$208,653.27. This is Pottawattamie County's share of the liquidation of the Capital Account. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to approve the final plat of Paradise Point Subdivision and adopt **Planning and Zoning Resolution #2004-24**. Ayes-King, Knauss, Moats; Absent-Houser, Leaders. Motion carried.

Motion by Knauss, second by Moats, to authorize Chairman to sign snow removal agreement for the Courthouse parking lots and Animal Control Shelter lot, with Snow Fighter Removal for Winter Season of 2004-2005. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to authorize Board to sign six month Service Agreement with Alltel for phone services for the Courthouse. Unanimous vote. Motion carried.

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

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

RECEIVED AND FILED THE FOLLOWINGSalary Actions

Sheriff's Department – Retirement of Shirley Smith to be effective 10/25/04.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: November 9, 2004

PUBLISH: X

November 9, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Moats, second by Knauss, to approve the minutes of November 4, 2004, as written. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve tax suspension for property at 21497 Hillsboro Lane N, Crescent, Iowa. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve Hungry Canyons project HC-2004(1) and set bid opening date for November 22, 2004 at 10:00 A.M. in the Board of Supervisors' Hearing Room, Second Floor, Courthouse, Council Bluffs, Iowa. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to approve project FM-CO78(143)-55-78 for painted pavement markings. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to authorize Stu DeLaCastro to spend approximately \$20,000 from the Pay To Stay Program for walkie-talkies, batteries and chargers. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to certify the results of the November 2, 2004 General Election and authorize and authorize the Auditor to pay the costs of the election. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: November 18, 2004

PUBLISH: X

November 18, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Moats, second by Leaders, to approve the minutes of November 9, 2004, as written. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to authorize Chairman to sign "Termination of Bent Tree Minimum Assessment Agreement.", costs to be borne by Jerkovich and McCarthy. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to approve the final plat of Bent Tree Estates, Phase 4, and to adopt Planning and Zoning Resolution #2004-25. Ayes-King, Leaders, Moats, Knauss; Absent-Houser. Motion carried.

10:00 A.M. - Public Hearing:

CASE #ZMA-2004-12: The request of Pottawattamie County, for Billy and Babetta Lucke for a zoning map amendment to reclassify approximately 4.81 acres from a Class C-1 (Highway Commercial) District to a Class A-2 (Ag. Production) District, located in Minden Township, 335th Street and Interstate 80, legally described as 3-77-41 Part SW NE Commencing NW Corner SW NE S203.63" E40" S190.63" E255.20' SELY168.66' S688.08' E50.02 Thence Northerly 1202.24" W467.43" to pob.

Motion by Leaders, second by Moats, to open the public hearing on Case #ZMA-2004-12. Ayes-King, Leaders, Moats, Knauss; Absent-Houser. Motion carried.

Motion by Moats, second by Leaders, to close the public hearing on Case #ZMA-2004-12. Ayes-King, Leaders, Moats, Knauss; Absent-Houser. Motion carried.

Motion by Leaders, second by Moats, to approve first consideration of an ordinance to reclassify approximately 4.81 acres from a Class C-1 (Highway Commercial) District to a Class A-2 (Agricultural Production) District, as filed under Case #ZMA-2004-12, and to set second consideration for Wednesday, November 24, 2004 at 11:30 A.M. Unanimous vote. Motion carried.

10:15 Public Hearing

Ordinance #2004-17: An Ordinance to amend the Pottawattamie County, Iowa, Code by Chapter 7.05, Courthouse Parking, by modifying the provisions for enforcement and to increase the penalty for violation of overtime parking and other violations to \$15.00 if the ticket is paid within 30 days.

Motion by Leaders, second by Moats, to open the public hearing on Ordinance #2004-17. Ayes-King, Leaders, Moats, Knauss; Absent-Houser. Motion Carried.

Motion by Leaders, second by Moats, to close the public hearing on Ordinance #2004-17. Ayes-King, Leaders, Moats, Knauss; Absent-Houser. Motion Carried.

Motion by Knauss, second by Moats, to approve first consideration on Ordinance #2004-17 and to set second consideration for Wednesday, November 24, 2004 at 11:30 A.M. Unanimous vote. Motion carried.

Ordinance #2004-18: An Ordinance to amend the Pottawattamie County, Iowa, Code by Chapter 1.75 to provide that the penalty for a county infraction is \$750 for the first offense and \$1000 for second and subsequent offenses.

Motion by Knauss, second by Leaders, to open the public hearing on Ordinance #2004-18. Ayes-King, Leaders, Moats, Knauss; Absent-Houser. Motion Carried.

Motion by Knauss, second by Moats, to close the public hearing on Ordinance #2004-18. Ayes-King, Leaders, Moats, Knauss; Absent-Houser. Motion Carried.

Motion by Leaders, second by Moats, to approve first consideration on Ordinance #2004-18 and to set second consideration for Wednesday, November 24, 2004 at 11:30 A.M. Unanimous vote. Motion carried.

Motion by Leaders, second by Knauss, to approve **Board Resolution No. 37-2004**, authorizing participation in the Southwest Iowa Planning Council Regional Down Payment Assistance Program. Roll Call Vote: King-Aye; Knauss-Aye; Leaders-Aye; Moats-Aye; Houser-Absent. Motion carried.

Motion by Knauss, second by Leaders, to approve for the Sheriff's Department/Jail the employment of Stephen Winchell as a Detention Officer at \$14.78 per hour, to be effective November 6, 2004. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve stop payment on warrant number 44563 and issue new warrant. Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to approve for publication the Claims Allowed for October 2004. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: November 22, 2004

PUBLISH: X

November 22, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Houser, to approve the minutes of November 18, 2004, as written. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to authorize Chairman to sign Animal Control Services Agreement and City-County 28E Intergovernmental Cooperation Agreement between Pottawattamie County and the City of Underwood, Iowa. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to take bids from Anderson & Company in the amount of \$33,427.55 and Cohron of Atlantic in the amount of \$384,580.90, for Hungry Canyons project HC-2004(1), under advisement and set bid awarding for Wednesday, November 24, 2004 at 10:30 A.M., to award bid. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to sign **Engineer’s Resolution No. 04-22**, to set public hearing for proposed road vacation in Knox Township, for Monday, December 13, 2004, at 10:00 A.M., in the Board of Supervisors’ Hearing Room, Second Floor, Courthouse. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders. Motion carried.

Motion by Knauss, second by Leaders, to authorize Chairman to sign Injury On Duty (IOD) Policy for the Sheriff’s Department/Jail, to supplement workers compensation check up to full salary. This will be retroactive to November 10, 2004. Roll Call Vote: Ayes-4. Motion carried.

RECEIVED AND FILED THE FOLLOWING:

Salary Actions – Retirement of Karen Olsen to be effective December 31, 2004.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: November 24, 2004

PUBLISH: X

November 24, 2004

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M., all members, except Moats, present. Moats is absent on county business. Chairman King presiding.

PLEDGE OF ALLEGIANCE

Motion by Houser, second by Knauss, to approve the minutes of November 22, 2004, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to authorize Chairman to sign Animal Control Transportation Services Agreement between Pottawattamie County and Silver City, Iowa. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to authorize Chairman to sign contract with Varion Systems for Council Bluffs Permitting Project in the amount of \$46,000, to be paid for with grant monies. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to sign **Engineer's Resolution No. 04-23** to set a public hearing for Monday, December 20, 2004 at 10:30 A.M. for proposed road vacation for McPherson Avenue. Roll Call Vote: Ayes-4. Motion carried.

Motion by Knauss, second by Houser, to authorize Chairman to sign contract and bond with Anderson and Company of Mapleton, for low bid on Hungry Canyon Project HC-2004(1) in the amount of \$330,427.55. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve Federal Aid Highway Bridge Replacement and Rehabilitation Funds for Walnut Creek bridge replacement on Whippoorwill Road on the North Line of Section 10-77-38. Unanimous vote. Motion carried.

11:30 Second Considerations:

CASE #ZMA-2004-12: The request of Pottawattamie County, for Billy and Babetta Lucke for a zoning map amendment to reclassify approximately 4.81 acres from a Class C-1 (Highway Commercial) District to a Class A-2 (Ag. Production) District, located in Minden Township, 335th Street and Interstate 80, legally described as 3-77-41 Part SW NE Commencing NW Corner SW NE S203.63" E40" S190.63" E255.20' SELY168.66' S688.08' E50.02 Thence Northerly 1202.24" W467.43" to point of beginning.

Motion by Leaders, second by Houser, to approve second consideration of an ordinance to reclassify approximately 4.81 acres from a Class C-1 (Highway Commercial) District to a Class A-2 (Agricultural Production) District, as filed under Case #ZMA-2004-12, and to adopt Ordinance #2004-19 into law. Ayes-Leaders, King, Houser, Knauss; Absent-Moats. Motion carried.

Ordinance #2004-17: An Ordinance to amend the Pottawattamie County, Iowa, Code by Chapter 7.05, Courthouse Parking, by modifying the provisions for enforcement and to increase the penalty for violation of overtime parking and other violations to \$15.00 if the ticket is paid within 30 days.

Motion by Houser, second by Knauss, to approve second consideration of and adopt Ordinance #2004-17 into law. Ayes-Leaders, King, Houser, Knauss; Absent-Moats. Motion carried.

Ordinance #2004-18: An Ordinance to amend the Pottawattamie County, Iowa, Code by Chapter 1.75 to provide that the penalty for a county infraction is \$750 for the first offense and \$1000 for second and subsequent offenses.

Motion by Knauss, second by Leaders, to approve second consideration of and adopt Ordinance #2004-18 into law. Ayes-Leaders, King, Houser, Knauss; Absent-Moats. Motion carried.

Motion by Knauss, second by Leaders, to authorize Chairman to sign Amendment #1 to the FY 2005 Grants to Counties Well Program, increasing the allocation from \$13,130 to \$19,942. Ayes-3; Absent-Houser, Moats. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: November 29, 2004
PUBLISH: X

November 29, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Moats, to approve the minutes of November 24, 2004, as written. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to authorize Chairman to sign contract with The Willow Group. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to authorize Chairman to sign the 2004 Tax Increment Debt Certification for the Pottawattamie County/Oakland OSI Urban Renewal and the Airport/Bent Tree Urban Renewal and to authorize same to be filed with the County Auditor. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to approve for Community Services Department the employment of Tami Divis as a Social Worker at \$15.10 per hour to be effective November 1, 2004.. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: December 8, 2004
PUBLISH: X

December 8, 2004

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M., all members, present. Houser joined the session at 10:00 A.M. Chairman King presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Moats, to approve the minutes of November 29, 2004, as written. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve the final plat of Mollee Acres, as filed under Case #SUB-2004-07, and to adopt Planning and Zoning Resolution #2004-26. Ayes-Leaders, Moats, King, Knauss; Absent-Houser. Motion carried.

Motion by Leaders, second by Knauss, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(c), for purposes of discussing Union Negotiations. 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 Leaders, second by Houser, to authorize Chairperson to sign amendment to CLEC Sales Agreement between Alltel and Pottawattamie County for long distance service. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to approve Class "C" Beer Renewal/Sunday Sales for K.C. Mart, Inc. Underwood, Iowa. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders; Nay-Moats. Motion carried.

Motion by Moats, second by Knauss, to approve for publication the Claims Allowed for the month of November 2004. Unanimous vote. Motion carried.

Motion by Leaders, second by Moats, to approve **Board Resolution No. 38-2004**, to transfer \$300,000 from Rural Services Basic Fund to the Secondary Road Fund. Roll Call Vote: Ayes: Houser, King, Knauss, Leaders, Moats. Motion Carried.

Motion by Knauss, second by Leaders, to approve **Board Resolution No. 39-2004**, to transfer \$200,000 from the General Basic Fund to the Secondary Road Fund. Roll Call Vote: Ayes: Houser, King, Knauss, Leaders, Moats. Motion carried.

RECEIVED AND FILED THE FOLLOWING

Reports

County Auditor's report of fees collected for the quarter ending September 30, 2004.

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

Delbert E. King, Chairman

ATTEST: _____
Cheryl Ross, Financial Officer

APPROVED: December 13, 2004

PUBLISH: X

December 10, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Knauss, second by Leaders, to certify the results of the December 7, 2004, AHST School Bond election and authorize the Auditor to pay costs. Unanimous vote. Motion carried.

The Board adjourned subject to call at 10:30 A.M.

Betty Moats, Chairperson Pro Tem

ATTEST: _____
Cheryl Ross, Financial Officer

APPROVED: December 13, 2004

PUBLISH: X

December 13, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Moats, second by Leaders, to approve the minutes of December 8, 2004 and December 10, 2004 as written. Unanimous vote. Motion carried.

Motion by Moats, second by Houser, to sign contract between the Pottawattamie County Board of Supervisors, the Pottawattamie County Board of Health and the Visiting Nurse Association for 2005. Unanimous vote. Motion carried.

Motion by Leaders, second by Houser, to certify the results of the Underwood School Bond Election of December 7, 2004. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to open a public hearing for Secondary Roads for a road vacation in Knox Township, 15-T77N-R39W. Roll Call Vote: Ayes-4. Motion carried.

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

Motion by Leaders, second by Houser, to authorize Board to sign **Engineer's Resolution No. 04-24**, a final order on road vacation in Knox Township, 15-T77N-R39W per Iowa Code Section 306.16. Roll Call Vote: Ayes-4. Motion carried.

Motion by Moats, second by Leaders, to authorize Chairman to sign Notices of Disallowance for unqualified Homestead Tax Credits and Notices of Disallowance for unqualified Military Service Tax Exemptions. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to authorize Chairman to sign Grant Award Agreement between Iowa West Foundation and the Pottawattamie County Board of Supervisors for a matching grant of \$1,000,000 for Community Improvements to Increase Economic Stability (C.I.T.I.E.S.) Unanimous vote. Motion carried.

Motion by Moats, second by Leaders, to authorize Chairman to sign 2004 Weed Commissioners Report.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: December 15, 2004
PUBLISH: X

December 15, 2004

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:45 A.M., all members, except Moats, present. Chairman King presiding.

PLEDGE OF ALLEGIANCE

Motion by Houser, second by Leaders, to approve the minutes of December 13, 2004 as written. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to approve Case Management Policy and Procedure Manual and Performance Improvement Plan. Unanimous vote. Motion carried.

Motion by Knauss, second by Houser, to approve **Board Resolution No. 40-2004**, transferring \$400,000 from the Rural Services Basic Fund to the Secondary Road Fund. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders. Motion carried.

Motion by Houser, second by Knauss, to authorize Board to sign **Board Resolution No. 41-2004**, a resolution to authorize county acceptance of a C.O.P.S. Interoperability Grant in connection with a new county-wide radio system. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: December 20, 2004
PUBLISH: X

December 20, 2004

MET IN REGULAR SESSION

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

Chairman King presiding.

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Houser, to approve the minutes of December 15, 2004 as written. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to open public hearing on a resolution adopting a Pre-Disaster Mitigation Plan for Pottawattamie County. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders. Motion carried.

Motion by Houser, second by Leaders, to close the public hearing. No written objections were received. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders. Motion carried.

Motion by Knauss, second by Houser, to approve **Board Resolution No. 42-2004**, adopting a Pre-Disaster Mitigation Plan for Pottawattamie County. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders. Motion carried.

Motion by Knauss, second by Leaders, to open public hearing on McPherson Avenue Road Vacation. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders. Motion carried.

Motion by Knauss, second by Leaders, to close public hearing and table resolution to vacate a portion of McPherson Avenue until spring. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders. Motion carried.

Motion by Houser, second by Knauss, to sign final voucher for A.M. Cochran & Son for project BRS-CO78(131)-60-78. Unanimous vote. Motion carried.

Motion by Houser, second by Knauss, to nominate Mick Gutttau, Paul Koch and Tom Howard, as a member to Iowa West's Council of Members. Unanimous vote. Motion carried.

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

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

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: December 22, 2004
PUBLISH: X

December 22, 2004

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

Motion by Leaders, second by Moats, to approve the minutes of December 20, 2004 as written. Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve Metropolitan Area Planning Agency (MAPA) appropriation for support of MAPA for January 1, 2005 to June 30, 2005 in the amount of \$16,586.00. Unanimous vote. Motion carried.

Motion by Knauss, second by Moats, to approve **Board Resolution No. 43-2004**, in support of Pottawattamie County Conservation Board's Community Attraction and Tourism (CAT) Grant Application. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

The Board adjourned subject to call at 10:45 A.M.

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: December 30, 2004
PUBLISH: X

December 30, 2004

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 Houser, second by Moats, to approve the minutes of December 22, 2004 as written. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to sign contract with the Institute for Therapy and Physiological Services (I.T.P.S.). Unanimous vote. Motion carried.

Motion by Houser, second by Leaders, to approve final payment voucher for Painted Pavement Markings, FM(CO78(132) - - 55-78 to All Iowa Contracting of Waterloo, Iowa. Unanimous vote. Motion carried.

Motion by Houser, second by Moats, to approve **Engineer's Resolution No. 4-25**, to authorize land acquisition for 225th Street from Highway 6 to McPherson Avenue. Roll Call Vote: Ayes-Houser, King, Knauss, Leaders, Moats. Motion carried.

Motion by Houser, second by Leaders, to appoint Richard Torneten to the Pottawattamie County Conservation Board for a term of five (5) years, which will expire December 31, 2009. Unanimous vote. Motion carried.

Motion by Knauss, second by Leaders, to adopt federal mileage guidelines of 40.5 cents per mile, to be effective January 1, 2005. Unanimous vote. Motion carried.

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

Delbert E. King, Chairman

ATTEST: _____
Marilyn Jo Drake, County Auditor

APPROVED: January 3, 2005

PUBLISH: X