

**JANUARY 4, 2016**

**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:00 A.M. All members, except Schultz present. Chairman Belt presiding.

**PLEDGE OF ALLEGIANCE**

Motion by Grobe, second by Houser, to approve the December 22, 2015, minutes as read. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Houser, to adjourn Sine Die. UNANIMOUS VOTE. Motion carried.

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Scott Belt, Chairman

ATTEST:

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Marilyn Jo Drake, County Auditor

**JANUARY 4, 2016****MET IN REGULAR SESSION**

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

**PLEDGE OF ALLEGIANCE**

Motion by Grobe, second by Belt, 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 2016. UNANIMOUS VOTE. Motion carried.

Drake announced nominations are now in order for the office of Chairman for 2016.

Lynn Grobe was nominated by Houser, second by Hanafan.

There being no further nominations, Marilyn Jo Drake, Temporary Chairman, declared it ceased. The Board proceeded to vote as follows:

Belt voted for Grobe;  
 Grobe voted for Grobe;  
 Houser voted for Grobe;  
 Hanafan voted for Grobe; and  
 Schultz did not vote, as he was absent.

Lynn Grobe was elected Chairman for 2016.

Drake announced nominations are now in order for the office of Chairperson Pro-Tem for 2016.

Tom Hanafan was nominated by Houser, second by Grobe.

There being no further nominations, Marilyn Jo Drake, Temporary Chairman, declared it ceased. The Board proceeded to vote as follows:

Belt voted for Hanafan;  
 Grobe voted for Hanafan;  
 Houser voted for Hanafan;  
 Hanafan voted for Hanafan; and  
 Schultz did not vote, as he was absent.

Tom Hanafan was elected Chairman Pro-Tem for 2016.

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

Motion by Belt, second by Hanafan, to approve funding request by West Central Community Action in the amount of \$15,000.00. Said funds to be paid out of Gaming Fund. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to open public hearing to consider disposal of property owned by the County, legally described as: Section 25-75-44 NE NE E5' E98' W398' S74' N1/2 S1/2 PT LT B, in the City of Council Bluffs, Pottawattamie County, Iowa.  
 Roll Call Vote: AYES: Grobe, Belt, Houser, Hanafan. Motion carried.

Motion by Belt, second by Houser, to close public hearing. Roll Call Vote: AYES: Grobe, Belt, Houser, Hanafan. Motion carried.

Motion by Houser, second by Belt, to approve and authorize Board to sign **Resolution No. 09-2016**, a resolution authorizing the disposal of an interest in county-owned property, legally described as: Section 25-75-44 NE NE E5' E98' W398' S74' N1/2 S1/2 PT LT B, in the City of

Council Bluffs, Pottawattamie County, Iowa. AMENDMENT: Said property will be disposed of once the repairs to the wall are completed. Roll Call Vote: AYES: Grobe, Belt, Houser, Hanafan. Motion carried.

Motion by Belt, second by Houser, to approve and authorize Board to sign **Resolution No. 06-2016**, a resolution authorizing County Engineer to close Secondary Road for Construction and/or Maintenance. Roll Call Vote: AYES: Grobe, Belt, Houser, Hanafan. Motion carried.

Motion by Hanafan, second by Belt, to approve and authorize Board to sign **Resolution No. 07-2016**, a resolution authorizing 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: Grobe, Belt, Houser, Hanafan. Motion carried.

Motion by Houser, second by Belt, to approve and authorize Board to sign **Resolution No. 08-2016**, a resolution authorizing 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: Grobe, Belt, Houser, Hanafan. Motion carried.

Motion by Houser, second by Hanafan, to approve 2015 Weed Commissioner Report. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Hanafan, to adopt Robert's Rules of Order as written, rules of parliamentary procedures for transaction of business in meetings, except when it conflict with the Code of Iowa. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Hanafan, to establish a policy that the Board of Supervisors' regular sessions will be held on the following day(s): Tuesday at 10:00 AM. It shall be the prerogative of the Chairman, with Board approval, to cancel or add a meeting day. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Belt, to approve and authorize Board to sign **Resolution No. 01-2016**, a resolution for payment of county bills. Roll Call Vote: AYES: Grobe, Belt, Houser, Hanafan. Motion carried.

Motion by Hanafan, second by Houser, to approve and authorize Board to sign **Resolution No. 02-2016**, a resolution to authorize the Auditor to destroy county vouchers and canceled county warrants which have been on file on or before January 1, 2006, per Code of Iowa, Section 331.323(e). Roll Call Vote: AYES: Grobe, Belt, Houser, Hanafan. Motion carried.

Motion by Belt, second by Hanafan, to approve and authorize Board to sign **Resolution No. 03-2016**, a resolution approving deputy appointments for the Auditor's Office, Attorney's Office, Recorder's Office, Treasurer's Office and Sheriff's Department for 2016. Roll Call Vote: AYES: Grobe, Belt, Houser, Hanafan. Motion carried.

Motion by Hanafan, second by Houser, to approve and authorize Board to sign **Resolution No. 04-2016**, a resolution ordering that the lengths of the mileage of the several railroad, telegraph, telephone, and express companies in Pottawattamie County, and the taxable value thereof, as fixed by the Department of Revenue, within the several townships, and school districts of Pottawattamie County be fixed according to schedule and the County Auditor is hereby ordered to publish and spread the same upon the taxes levied for said County for the Fiscal Year 2016-2017. RECAPITULATION – Telephone/Telegraph \$30,626,808.17, Railroads \$58,091,906.74, and Pipeline \$53,425,414.14. Total County \$142,144,129.05. Roll Call Vote: AYES: Grobe, Belt, Houser, Hanafan. Motion carried.

Motion by Houser, second by Belt, to approve and authorize Board to sign **Resolution No. 05-2016**, a Construction Evaluation Resolution for confinement feeding operation structures. Roll Call Vote: AYES: Grobe, Belt, Houser, Hanafan. Motion carried.

Motion by Hanafan, second by Belt, to approve the following newspapers as Official Newspapers for Pottawattamie County, Iowa for the 2016 year: The Herald-Oakland, Gazette Reporter-Neola; The Avoca Journal Herald-Avoca; and The Daily Nonpareil-Council Bluffs. Pay no more than Iowa Code allows. Roll Call Vote: AYES: Grobe, Belt, Houser, Hanafan. Motion carried. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Houser, to approve the Pottawattamie County Courthouse being closed on the following legal holidays in 2016, as per Code of Iowa, Section 33.1:

<b>NEW YEAR'S DAY</b>	<b>JANUARY 1, 2016</b>	<b>FRIDAY</b>
<b>MARTIN LUTHER KING, JR. DAY</b>	<b>JANUARY 18, 2016</b>	<b>MONDAY</b>
<b>PRESIDENT'S DAY</b>	<b>FEBRUARY 15, 2016</b>	<b>MONDAY</b>
<b>MEMORIAL DAY</b>	<b>MAY 30, 2016</b>	<b>MONDAY</b>
<b>INDEPENDENCE DAY</b>	<b>JULY 4, 2016</b>	<b>MONDAY</b>
<b>LABOR DAY</b>	<b>SEPTEMBER 5, 2016</b>	<b>MONDAY</b>
<b>VETERAN'S DAY</b>	<b>NOVEMBER 11, 2016</b>	<b>FRIDAY</b>
<b>THANKSGIVING DAY</b>	<b>NOVEMBER 24, 2016</b>	<b>THURSDAY</b>
<b>LIEU OF LINCOLN'S BIRTHDAY</b>	<b>NOVEMBER 25, 2016</b>	<b>FRIDAY</b>
<b>CHRISTMAS (observed)</b>	<b>DECEMBER 26, 2016</b>	<b>MONDAY</b>

UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Houser, to approve mileage rate for 2016 at 54 cents per mile for business miles driven, as issued by the Internal Revenue Service. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Houser, to approve employment of Jan Warnke as a full-time Clerk II with the County Attorney's Office, at \$14.82 per hour, effective December 21, 2015. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Belt, to approve job reclassification of Matt Wyant from Interim Director to Director, effective January 1, 2016. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to approve and authorize the Chairman to sign letter dated January 4, 2016, to Iowa State Association of Counties, wherein County has elected to withdrawal from the 28E Agreement with CMMHDS for technical assistance and training regarding case management effective July 1, 2016. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to approve the appointment of Melvyn Houser to Southwest Iowa Region Mental Health & Disability Services Board for 2016. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Belt, to approve and authorize Board to sign **Amended and Substituted Resolution No. 49-2015**, correcting scrivener's error of legal description of the road vacation as follows:

Vacate a 66 foot wide road (400<sup>th</sup> Street) on the East line of the SE<sub>1</sub>/<sub>4</sub> of the NE<sub>1</sub>/<sub>4</sub> of Section 3, Township 77 North, Range ~~38~~ 40 West of the 5<sup>th</sup> Principal Meridian, Pottawattamie County, Iowa described as follows:

Commencing at the Northeast Corner of the SE<sub>1</sub>/<sub>4</sub> NE<sub>1</sub>/<sub>4</sub> of said Section 3; thence running South along the East line of said SE<sub>1</sub>/<sub>4</sub> NE<sub>1</sub>/<sub>4</sub> approximately 1265 feet and terminating at the North right-of-way line of Interstate 80. This portion of road segment was originally established on January 3, 1873 by Petition No. 579 and

recorded in Pottawattamie County Road Calendar Book B, page 189, no width given. This road segment was later petitioned by Consent Petition No. 295 filed November 28, 1954 establishing the right-of-way at 66 feet wide. Length of road to be vacated is approximately 0.24 mile. (Pleasant Township)

Note: Utilities are granted a permanent and perpetual easement for the continuance of maintaining existing facilities for such construction, reconstruction, replacement, and repair thereof as may be deemed necessary by the utilities in the future (Iowa Code 306.22, 479.17, 479.24).

Roll Call Vote: AYES: Grobe, Belt, Houser, Hanafan. Motion carried.

Motion by Belt, second by Hanafan, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:10 AM.

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Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

APPROVED: 1/12/16  
PUBLISH: X

**JANUARY 12, 2016**

**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 A.M.. All members present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE**

Motion by Belt, second by Hanafan, to approve the January 4, 2016, minutes as read. UNANIMOUS VOTE. Motion carried.

Motion by Schultz, second by Hanafan, to approve request for installation of stoplight on Hwy 92. NAYS: Houser, Belt, Hanafan, Schultz, Grobe. Motion denied.

Motion by Belt, second by Houser, to approve and authorize Chairman to sign contract with Visiting Nurses Association of Pottawattamie County with an effective date of January 1, 2016, through December 31, 2016, for the amount of \$94,835.00; and to amend the contract July 1, 2016, for any budgetary increases. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Belt, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(1)(c) for discussion and/or decision on current litigation matter. Roll Call Vote - AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.

Motion by Belt, second by Hanafan, to go out of Executive Session. Roll Code Vote - AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.

Motion by Belt, second by Houser, to authorize settlement of litigation case for an amount up to \$1,000.00. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Hanafan, to approve and authorize Chairman to sign Fidler Technologies contract for the purpose of indexing and imaging documents electronically in Recorder’s Office, by using the Special Recorder’s Fund and Phase I, \$20,000.00 in FY2016, and \$20,000.00 in FY 2017 from Gaming Fund. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Hanafan, to approve the following Representative Appointments for 2016:

**BELT**

- Advance SW Iowa Corp.
- Airport Authority
- Animal Control
- Assessor
- Auditor
- CB Growth Alliance
- Courthouse Security
- East Pott Soil & Water Conservation District
- GIS
- Human Resources
- IT
- MAPA
- Pott County Development Corp.
- Promise Partners
- Risk Manager
- VNA-Board of Health
- West Pott Soil & Water Conservation District
- WIDA
- Mental Health Advocate

**GROBE**

- Advance SW Iowa Corp.
- Assessor
- Buildings & Grounds

(GROBE continued)

Conservation  
 East Pott. Soil & Water Conservation District  
 Fourth Judicial District  
 Hungry Canyons  
 Planning & Development / Transfer Station  
 Recorder  
 Secondary Roads  
 SWI Juvenile Services  
 SWIPCO/SWITA  
 Veteran's Affairs  
 West Central Community Action  
 WIDA

**HOUSER**

Auditor  
 E911  
 EMA  
 HMH/DD-DHS-GA  
 Planning & Development/Transfer Station  
 Promise Partners  
 Recorder  
 SWI Juvenile Services  
 Workforce Investment Board

**HANAFAN**

Attorney  
 E911  
 Fourth Judicial District  
 HMH/DD-DHS-GA  
 Human Resources  
 MAPA  
 Medical Examiner/County Burials  
 Risk Manager  
 Secondary Roads  
 Sheriff/Jail/Communications  
 VNA-Board of Health  
 West Central Community Action  
 Workforce Investment Board

**SCHULTZ**

Animal Control  
 Attorney  
 Buildings & Grounds  
 CB Growth Alliance  
 Conservation  
 Courthouse Security  
 EMA  
 GIS  
 IT  
 Medical Examiner/County Burials  
 Sheriff/Jail/Communications  
 SWIPCO/SWITA  
 Treasurer  
 Veteran's Affairs  
 West Pott. Soil & Water Conservation District

UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Hanafan, to appoint Lynn Grobe to the Loess Hills Development and Conservation Authority Board of Directors. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to appoint Mary Kramer to the Pottawattamie County Conservation Board for 2016 – 2020. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to re-appoint Steve Pierce to the Zoning Board of Adjustment for 2016 – 2020. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to approve for publication, the Claims Allowed for December 2015. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to approve for publication the Semi-Annual Report of Lea Voss, Pottawattamie County Treasurer, for the period from July 1, 2015 – December 31, 2015. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to approve Iowa Economic Development Authority funding of the Western Iowa Tourism Region in the amount of \$500.00 for Fiscal Year 2016-17. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to approve MAPA's appropriations for support of MAPA semi-annual payment in the amount of \$20,229.50, for the period of January 1, 2016, through June 30, 2016. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to approve funding commitment of \$2,000 to Loess Hills Alliance for FY 2016-2017. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Belt, to approve Southwest Iowa Planning Council (SWIPCO) membership dues in the amount of \$16,058.00 for FY 2016-2017. AYES: Houser, Belt, Grobe; NAYS: Hanafan, Schultz. Motion Carried.

Motion by Houser, second by Belt, to approve Southwest Iowa Transit Agency (SWITA) request for support of SWITA services for FY 2016-17, in the amount of \$6,000.00. UNANIMOUS VOTE. Motion carried.

Motion by Schultz, second by Hanafan, to approve job classification change of Brady DeYeager from Roadside Tech II, at \$22.23 per hour, to Engineer Tech II, at \$22.23 per hour, effective December 28, 2015. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to approve full-time employment of Jacob Ferro as Assistant Engineer with the Engineer's Office, at \$25.81 per hour, effective January 4, 2016. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to approve job classification change of Donald Henningsen from Sheriff's Deputy, at \$23.52 per hour, to a Detention Officer with the Jail, at \$27.91, effective December 26, 2015. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Schultz, to approve part-time employment of Dustin Peregrine as an Intern with the IT Department, at \$12.00 per hour, effective January 4, 2016. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz to support the Initiative Home Base Iowa. UNANIMOUS VOTE. Motion carried.



**RECEIVED AND FILED THE FOLLOWING:**

Recorder's Office – Fee Book for 11/1/2015 – 11/30/2015, and Fee Book 12/1/2015 – 12/31/2015.

Proposed Bluffs Vision Urban Renewal Plan for a Proposed Urban Renewal Area in the City of Council Bluffs.

Motion by Hanafan, second by Schultz, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 4:00 PM.

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Lynn Grobe, Chairman

ATTEST:

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Marilyn Jo Drake, County Auditor

APPROVED: 01/19/2016

PUBLISH: X

**JANUARY 19, 2016****MET IN REGULAR SESSION**

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

**PLEDGE OF ALLEGIANCE**

Motion by Schultz, second by Belt, to approve January 12, 2016, minutes as read. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to approve renewal of county property casualty insurance with ICAP (Iowa Communities Assurance Pool) for the amount of \$451,902.99. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to approve Proclamation designating February 3, 2016, as Iowa Puppy Mill Awareness Day in Pottawattamie County. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to approve request of Sheriff's Office for Reserve Officers Timothy R. Norris and Elizabeth A. Cleveland to carry weapons in the line of duty. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to approve and sign **Resolution No. 10-2016**, a resolution to support the Home Base Iowa Initiative, in an effort to match military veterans with jobs available across Iowa. Roll Call Vote: AYES: Belt, Grobe, Hanafan, Schultz. Motion carried.

Motion by Hanafan, second by Belt, to approve Southwest Iowa Housing Trust Fund's allocation request in the amount of \$3,000.00 for FY 2016. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to approve and appoint Lynn Grobe as Pottawattamie County's representative on SWIPCO's Policy Council, and Justin Schultz, as the alternate representative, for 2016. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to approve renewal of Class C Liquor License (LC (Commercial) / Outdoor Service / Sunday Sales for Mile A Way Hall & Tavern, LLC d/b/a Mile A Way Hall & Tavern in Council Bluffs, Iowa. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Belt, to approve employment of Jill McAleer, as a full-time Legal Assistant in the County Attorney's Office, at \$17.51 per hour, effective January 11, 2016. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Belt, to approve employment of Sarah Jennings, as a full-time Assistant County Attorney in the County Attorney's Office, at \$30.23 per hour, effective January 12, 2016. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Belt, to approve amendment to the Loess Hills Development and Conservation Authority Board of Directors, from Lynn Grobe to Bernie Bolton. UNANIMOUS VOTE. Motion carried.

**RECEIVED AND FILED:**

1. Sheriff's Office - Report of Fees Collected and Disbursed for December, 2015.
2. Notice of Annexation Public Hearing - regarding application for voluntary annexation from two consenting property owners in the City of Neola.

Motion by Schultz, second by Hanafan, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:45 PM.

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Lynn Grobe, Chairman

ATTEST: 

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Marilyn Jo Drake, County Auditor

APPROVED: 1/26/2016

PUBLISH: X

**JANUARY 26, 2016**

**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 AM. All members present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE**

Motion by Schultz, second by Hanafan, to approve the January 19, 2016, minutes as read. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Houser, to approve funding request of Council Bluffs Housing Trust Fund in the amount of \$6,000.00. Monies to come from Gaming Fund. UNANIMOUS VOTE. Motion carried.

Motion by Schultz, second by Hanafan, to approve renewal of Class C Liquor License (LC (Commercial) / Outdoor Service / Sunday Sales for Stress Free LLC d/b/a Bent Tree Golf Course, Council Bluffs, Iowa. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Houser, to approve employment of Jeffrey Hutcheson, as a part-time, on-call Medical Examiner Investigator with the Medical Examiner’s Office, at \$18.00 per hour, effective January 15, 2016. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to **deny** tax suspension request for property located at 1544 Sunset Drive, Council Bluffs, Iowa. UNANIMOUS VOTE. Motion carried.

Motion by Schultz, second by Hanafan, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 3:15 PM.

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Lynn Grobe, Chairman

ATTEST:

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Marilyn Jo Drake, County Auditor

APPROVED: 2/4/2016

PUBLISH: X

**FEBRUARY 4, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 AM. All members present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE**

Motion by Hanafan, second by Schultz, to approve the January 26, 2016, minutes as read. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to approve: Job Reclassification of Heather Poore in the Sheriff's Office/ Jail from Detention Supervisor at \$31.85 per hour, to Detention Officer at \$28.31 per hour, effective January 19, 2016; Job Reclassification of Jolene Huerta in the Attorney's Office from Clerk II at \$18.33 per hour, to Legal Assistant at \$20.30 per hour, effective January 20, 2016; Employment of Malina Dobson in the Attorney's Office, as Attorney I at \$32.06 per hour, effective January 25, 2016; Employment of Jonathan Johnson in Engineer / Secondary Roads, as Truck Driver / Laborer at \$18.17 per hour, effective January 21, 2016; Reappointment of Donna Gray to the Civil Service Commission, for a six year term. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Hanafan, to approve and authorize Chairman to sign Omaha-Council Bluffs Metropolitan Area Planning Agency Agreement for Service, for MAPA to ensure successful execution of the Pottawattamie County Solid Waste and Recycling Task Force, to commence February 15, 2016, through July 15, 2016. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to set Public Hearing to amend the 2015-16 budget for Engineer/Secondary Roads for the 1<sup>st</sup> day of March, 2016, at 10:00 AM in the Board of Supervisors' Hearing Room, Second Floor, Courthouse, Council Bluffs, Iowa. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz to give approval for Pottawattamie County to work with City of Council Bluffs on the planning of the Ronald and Suzanne Mahoney First Responders Memorial. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:10 PM

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Lynn Grobe, Chairman

ATTEST:

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Marilyn Jo Drake, County Auditor

APPROVED: 2/9/2016

PUBLISH: X

**FEBRUARY 9, 2016**

**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 AM. All members, except Schultz present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE**

**CONSENT AGENDA:**

Motion by Houser, second by Hanafan, to:

1. Approve February 4, 2016, Minutes as read;
2. Approve for publication the Salary amounts paid in 2015;
3. Approve and authorize Chairman to sign Notices of Disallowance for Homestead Tax Credits and Military Service Tax Exemption;
4. Approve for publication, the Claims Allowed for January, 2016;
5. Appoint Lynn Grobe, Mark Shoemaker, and Cindy Thompson as Board Members, and Chad Kunze as an Alternate Board Member, to the Loess Hills Alliance Board, with the terms to expire December 31, 2016;
6. Approve Sheriff’s Department/Jail - Job Reclassification of Brian Snyder from Detention Supervisor to Detention Manager;
7. Approve Sheriff’s Department – Job Reclassification of James Harvey from Sgt.-Court Security, to Sgt.- Roads;
8. Approve Sheriff’s Department – Job Reclassification of Josh Kirlin from Sgt.-Roads, to Sgt.- Court Security; and
9. Approve County Recorder monthly report for January 2016.

UNANIMOUS VOTE. Motion Carried.

**APPOINTMENTS:**

Cindy Thompson and Mark Shoemaker / Conservation Department – Presentation of Pottawattamie County Conservation Board’s 2014-15 Annual Report.

Bill Kealy/Assessor, Maggie Popp-Reyes/Asst. County Attorney - Discussion on Application for Industrial Property Tax Exemption filed by Southwest Iowa Renewable Energy, LLC.

Motion by Houser, second by Hanafan, to approve renewal of health insurance with IGHCP for FY2015-16, not to exceed total premium rate for single \$654.14, and total premium rate for family \$1,531.69, constituting a 6.15% increase. UNANIMOUS VOTE. Motion carried.

Becky Belt, Finance / Auditor’s Office - Discussion of Pottawattamie County 2016-2017 Budget.

**ADJOURN:**

Motion by Hanafan, second by Houser, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 3:15 PM.

\_\_\_\_\_  
Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

APPROVED: 2/16/2016  
PUBLISH: X

**February 16, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 AM. All members present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA:**

Motion by Houser, second by Schultz, to approve:

1. February 9, 2016, minutes as read;
2. Job Reclassification of Nicole Mann from Telecommunication Operator with County Communications, to Clerk II with the County Attorney's Office, at \$15.98 per hour, effective February 1, 2016;
3. Renewal of Class C Liquor License (LC) (Commercial) Permit: Class C Liquor License (LC) (Commercial)/Outdoor Service/Sunday Sales for NW Pottawattamie County Golf, d/b/a Quail Run Country Club, Neola;
4. Renewal of Class B Native Wine Permit (WBN): Class B Native Wine Permit (WBN)/Sunday Sales for Olive Branch, Inc. d/b/a The Olive Branch, Inc., Council Bluffs;
5. Renewal of Class C Native Wine (WCN) Permit: Class C Native Wine (WCN)/Outdoor Service/Sunday Sales for Prairie Crossing Vineyard and Winery d/b/a Prairie Crossing Vineyard and Winery, Treynor;
6. And authorize Chairman to "Grant Award Letter of Agreement" with Iowa West Foundation for 2016 CITIES Program Re-Capitalization in the amount of \$836,850.00 (C3 2016(16)).

UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Hanafan to approve Mental Health and Substance Abuse Network funding request for FY2016-17 in the amount of \$20,000.00. UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS:**

Motion by Hanafan, second by Schultz, to set public hearing date on the Pottawattamie County FY 2016-2017 Budget for Tuesday, March 8, 2016, at 7:00 P.M., in the Board of Supervisors' Hearing Room; and to set public hearing date on Amendment to Pottawattamie County 2015-16 Budget for Tuesday, March 1, 2016, at 10:00 AM, in the Board of Supervisors' Hearing Room. UNANIMOUS VOTE. Motion carried.

**ADJOURN:**

Motion by Hanafan, second by Houser, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:15 PM.

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Lynn Grobe, Chairman

ATTEST:

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Marilyn Jo Drake, County Auditor

APPROVED: February 17, 2016

PUBLISH: X

**FEBRUARY 17, 2016**

## MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 1:00 PM. All members, except Belt present. Chairman Grobe presiding.

## PLEDGE OF ALLEGIANCE

Motion by Houser, second by Schultz, to approve February 16, 2016, minutes as read. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Hanafan, to approve and sign **Resolution No. 11-2016**, a resolution to transfer \$1,175,000.00 from Rural Services Fund to the Secondary Roads Fund. Roll Call Vote: AYES: Grobe, Houser, Hanafan, Schultz. Motion carried.

Motion by Schultz, second by Hanafan, to approve and sign **Resolution No. 12-2016**, a resolution to transfer \$3,000,000.00 from LOT Secondary Roads Fund to Secondary Roads Fund. Roll Call Vote: AYES: Grobe, Houser, Hanafan, Schultz. Motion carried.

Motion by Houser, Hanafan, to approve and sign **Resolution No. 13-2016**, a resolution authorizing the Partial Redemption of General Obligation Bonds, series 2014, dated September 23, 2014, approving the escrow and amended and substituted paying agent, bond registrar and transfer agent agreement, and levying a tax for fiscal year 2016-17 for the redemption of general obligation bonds, series 2014, dated September 23, 2014. Roll Call Vote: AYES: Grobe, Houser, Hanafan, Schultz. Motion carried.

Motion by Houser, second by Hanafan, to approve and authorize Chairman to sign Escrow and Amended and Substituted Paying Agent, Bond Registrar and Transfer Agent Agreement with respect to the Issuer's \$1,940,000 General Obligation Bonds, Series 2014, dated September 23, 2014. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to approve and sign **Resolution No. 14-2016**, a Resolution authorizing the Partial Redemption of General Obligation Bonds, Series 2013B, dated December 20, 2013, approving the escrow and amended and substituted paying agent, bond registrar and transfer agent agreement, and levying a tax for fiscal year 2016-17 for the redemption of general obligation bonds, series 2013b, dated December 20, 2013. Roll Call Vote: AYES: Grobe, Houser, Hanafan, Schultz. Motion carried.

Motion by Hanafan, second by Houser, to approve and authorize Chairman to sign Escrow and Amended and Substituted Paying Agent, Bond Registrar and Transfer Agent Agreement with respect to the Issuer's 1,290,000 General Obligation Bonds, Series 2013B, dated December 20, 2013. UNANIMOUS VOTE. Motion carried.

**ADJOURN:**

Motion by Schultz, second by Houser, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:55 PM.

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Lynn Grobe, Chairman

ATTEST:

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Marilyn Jo Drake, County Auditor

APPROVED: 3/1/2016

PUBLISH: X



**MARCH 1, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 AM. All members present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA:**

Motion by Schultz, second by Houser, to approve:

1. February 17, 2016, minutes as read.
2. Pottawattamie County Sheriff's Office report of fees collected/disbursed for January, 2016.
3. GIS – Job Reclassification of William Shrader from GIS Specialist at \$23.39 per hour, to GIS Analyst at \$26.11, effective March 2, 2016.
4. Sheriff/Jail – Job Reclassification of Dustin Ceder from Detention Officer at \$24.62 per hour, to Detention Supervisor at \$29.01 per hour, effective February 6, 2016.
5. Sheriff/Jail – Job reclassification of Jon Poore from Detention Officer at \$27.86 per hour, to Detention Supervisor at \$29.21 per hour, effective February 7, 2016.
6. Sheriff/Jail – Job reclassification of Rodney Oliver from Detention Officer at \$27.86 per hour, to Detention Supervisor at \$29.21 per hour, effective February 8, 2016.
7. Communications – Employment of Jonathan Thomas as a full-time Telecommunication Operator at \$18.57 per hour, effective February 19, 2016.
8. Communications – Employment of Marie Dollen as a full-time Telecommunications Operator at \$18.12 per hour, effective February 11, 2016.
9. Emergency Management – Employment of Anthony Eblen as a part-time Emergency Management Specialist at \$19.61 per hour, effective February 29, 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS:**

Motion by Houser, second by Schultz, to open public hearing to amend FY2015-16 Budget. Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.

Motion by Schultz, second by Houser, to close public hearing. Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.

Motion by Hanafan, second by Houser, to approve and sign **Resolution No. 16-2016**, a resolution to amend FY 2015-16 Budget. Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.

Motion by Hanafan, second by Schultz, to approve and sign **Resolution No. 17-2016**, a resolution to appropriate funds from budget amendment as follows: 02 – Auditor; 07 – Recorder; 20 – Secondary Roads; 21 – Veteran Affairs. Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.

Motion by Houser, second by Hanafan, to canvass Special City Election for City of Oakland, and to authorize Auditor to pay election costs. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to approve Right of Way Contract with Eileen K. Williams for Project No. BRS-CO78(189) – 60-78. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to approve Right of Way Contract with George and Sharon Oamek, for Project BRS-CO78(189) – 60-78. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to approve Right of Way Contract with Moran Beef, Inc. for Project BRS-CO78(189) – 60-78. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Schultz, to approve Construction Plans for Painted Pavement Markings, Project Number L-2016(1) – 78, and to set date for bid opening for March 22, 2016, at 10:00 AM.

UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Hanafan, to approve Construction Plans for L55 full depth reclamation and resurfacing, Project Number L-2016(2)—78, and set date of bid opening for March 22, 2016, at 10:00 A.M. UNANIMOUS VOTE. Motion carried.

Motion by Schultz, second by Hanafan, to approve Construction Plans for Old Lincoln Highway Bridge over Simon Run, Project Number BRS-CO78(189)—60-78. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Houser, to approve Construction Plans for HMA Resurfacing on County Road L36, Project Number STP-S-CO78(188)—5E-78. UNANIMOUS VOTE. Motion carried.

Motion by Schultz, second by Belt, to approve Construction Plans for Desoto Avenue paving, and to set date for bid opening for March 22, 2016, at 10:00 AM. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to approve Funding Agreement No. 40160STPS-11 with the Iowa DOT for Project Number STP-S-CO78(188) – 5E-78. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Schultz, to approve and sign **Resolution No. 15-2016**, a resolution for the Destruction of Noxious Weeds. Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.

Motion by Houser, second by Schultz, to approve revised Contract between Fidlar Technologies, Inc. and Pottawattamie County Recorder for purposes of indexing and imaging documents electronically in Recorder's Office. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Houser, to approve raising the GIS Intern salary to \$12.00 per hour.

UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Belt, to approve and sign **Resolution No. 18-2016**, a resolution Approving Public Measure for Placement on the November 8, 2016, General Election Ballot for Appointment of Township Officers. Roll Call Vote: AYES: Grobe, Houser, Belt; NAYS: Hanafan, Schultz. Motion carried.

### **OTHER BUSINESS:**

Motion by Houser, second by Belt, to approve Cost Advisory Services, Inc. FY2015 Cost Allocation Plan, and approval to pay invoice for said services in the amount of \$7,600.00. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Houser, to approve payment of ICAP Claim No. ICP043415A1 in the amount of \$4,257.74. UNANIMOUS VOTE. Motion carried.

### **RECEIVED/FILED:**

#### **Reports:**

- EBS monthly Receipt and Disbursement Report – through January, 2016.

#### **Salary Actions:**

- Jail – Payroll Status Change of Kandi Assman.
- Conservation – Employment of Jeff Franco.
- Conservation – Payroll Status Change of Dillon Manhart
- Conservation – Payroll Status Change of Jill Chapman.

**ADJOURN:**

Motion by Houser, second by Hanafan, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:45 AM.

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Lynn Grobe, Chairman

ATTEST:

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Marilyn Jo Drake, County Auditor

APPROVED: 3/8/2016

PUBLISH: X

**MARCH 8, 2016**

## MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 7:00 PM. All members present. Chairman Grobe presiding.

## PLEDGE OF ALLEGIANCE

**CONSENT AGENDA:**

Motion by Schultz, second by Houser, to approve:

1. March 1, 2016, minutes as read.
2. Claims allowed for February, 2016.
3. Employment of Lisa Jeska as Permit Tech with Planning Department, at \$21.58 per hour, effective March 14, 2016.
4. Employment of Jonathan Phillips as Detention Officer with the Sheriff's Office/Jail, at \$19.78 per hour, effective March 2, 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS:**

Motion by Houser, second by Hanafan, to open public hearing to discuss Pottawattamie County Compensation Board's recommendations for elected officials for FY 2016/2017. Roll Call Vote: AYES – Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.

Motion by Houser, second by Hanafan, to close public hearing. Roll Call Vote: AYES – Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.

Motion by Houser, second by Schultz, to approve and sign **Resolution No. 19-2016**, a resolution to approve Compensation Board's recommendation of 4% for elected officials for FY 2016/2017, as follows: Auditor - \$77,186.00; County Attorney - \$125,345.00; Recorder – \$77,186.00; Sheriff - \$118,804.00; Supervisors - \$42,853.00; and Treasurer - \$77,186.00. Roll Call Vote: AYES – Houser, Belt, Hanafan, Schultz; NAYS – Grobe. Motion carried.

Motion by Belt, second by Schultz, to open public hearing to discuss Pottawattamie County Budget for FY 2016/2017. Roll Call Vote: AYES – Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.

Motion by Hanafan, second by Houser, to close public hearing. Roll Call Vote: AYES – Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.

Motion by Hanafan, second by Houser, to approve and sign **Resolution No. 20-2016**, a resolution to approve Pottawattamie County Budget for FY 2016/2017. Roll Call Vote: AYES – Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.

Motion by Schultz, second by Hanafan, to approve and authorize Chairman to sign a **Farm Lease with Craig Hotze**, to farm County property legally described as: Tract #1: The North Half of the Northeast Quarter (N ½ NE ¼) and the North Half of the Northwest Quarter (N ½ of the NW ¼) of Section 14, Township 76 North, Range 39 West of the 5<sup>th</sup> P.M, of Pottawattamie County, Iowa; AND Tract 2: The South Half of the Southeast Quarter (S ½ SE ¼) of Section 11, Township 74 North, Range 39 West of the 5<sup>th</sup> PM, Pottawattamie County, Iowa; containing 75.5 acres for a term of one (1) year, to commence March 1, 2016, and end on March 1, 2017, at an annual cash rent of \$21,593.00; and to approve and authorize Chairman to sign a **Farm Lease with Randy Witt**, to farm County property legally described as: Parcel #1: Crescent Township 1-76-44 PT W ½ SW & PT SE SE 2-76-44 COMM SE COR SECTION 2 TH WLY 240.75' NLY 441.5' ELY 533.5' NE 273.3' E 44' N 775.9' E 302.09' NE 273.1' NW 562' NE 236.5' SE 41.6' STO SE COR SW SW SECTION 1 W TO POB; Parcel 2: Crescent Township 1-76-44 SE SW EXC E 33' & EXC COMM 300' W S ¼ COR TH W 85' NW 405' NE 259' E 117.3' SLY 373.6' SW 103.6' TO POB; and PARCEL 3: Crescent Township 12-76-44, NW NW EXC

S 330' & PT NE NW COMM 658.18' S NE COR TH NWLY 781.48' W 945.85' S 1319.79' E 379.61' NW 348.24' E 474.22" N 144.98' NELY 213.45' E 78.39' SE 114.53' NE 22.21' SE 162.32' N 132.42' TO POB (INCLUDES PARCEL C NE NW), Pottawattamie County, Iowa; containing 60 acres, for a term of one (1) year, to commence March 1, 2016, and end on March 1, 2017, at an annual cash rent of \$12,000.00. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED:**

**Salary Actions:**

- Communication – Payroll Status Change of Jacob Hardiman.
- Southwest Iowa Juvenile Detention Center – Employment of Ronald Hansen.
- Jail – Payroll Status Change of Lewis Davids.
- Jail – Payroll Status Change of Tanya Williams.
- Jail – Payroll Status Change of Sonja Wehrli.
- Jail – Payroll Status Change of Tricia Jones.

**ADJOURN:**

Motion by Hanafan, second by Schultz, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 7:30 PM.

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Lynn Grobe, Chairman

ATTEST:

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Marilyn Jo Drake, County Auditor

APPROVED: 3/15/2016

PUBLISH: X

**MARCH 15, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 AM. All members present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

Motion by Hanafan, second by Schultz, to approve:

1. March 8, 2016, minutes as read.
2. Recorder's monthly report for February, 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Belt, second by Hanafan, to approve Metropolitan Area Planning Agency's FY17 appropriation request in the amount of \$42,482.00. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Belt, to approve and authorize Chairman to sign Contract with E.D. Bellis, for the assistance with the federally mandated reporting to the IRS of the 1094 and 1095-C Forms for the Affordable Care Act, for the regulatory management and retainer option of \$1,150.00 per month, for a contract period of one year. The initial payment shall equal three monthly installments, or \$3,450.00, with the remainder of the contract payments being made on a monthly basis in the amount of \$1,150.00. Said monies to be paid from the Insurance Partial Self Fund. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to approve and sign **Resolution No. 21-2016**, a resolution Establishing Official Bituminous Roads. Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan. NAYS: Schultz. Motion carried.

Motion by Hanafan, second by Belt, to approve and authorize Chairman to sign Contract with Online Solutions, LLC, for the Online Permitting System with CitizenServe, for a one year term, beginning April 1, 2016, and ending March 31, 2017, for an annual fee of \$23,100.00. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Belt, to approve and authorize Chairman to sign Contract with Security Equipment, Inc. (SEi), a contract for monthly services, to include software support and maintenance, for the cameras at the Veteran Affairs Office. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED****Salary Actions**

- Sheriff's Office – Payroll Status Change of Aaron Soucie.
- Sheriff's Office – Payroll Status Change of Steve Maguire.

**ADJOURN:**

Motion by Schultz, second by Houser, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:00 PM.

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Lynn Grobe, Chairman

ATTEST:

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Marilyn Jo Drake, County Auditor

APPROVED: 3/22/16

PUBLISH: X

**MARCH 22, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 A.M. All members present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

Motion by Hanafan, second by Houser, to approve:

1. March 15, 2016, Minutes as read.
2. Sheriff's Office - Report of Fees Collected and Disbursed for February, 2016.
3. Medical Examiner's Office – Authorize Chairman to sign Service Agreement (grant award) for Medicolegal Death Investigator Training with Iowa Department of Public Health.
4. Conservation Office – Request for out of state travel for Kody Wohlers to attend training in Hutchison, Kansas from March 20 - 26, 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Houser, second by Hanafan, to open bids for Construction Plans for L55 full depth reclamation and resurfacing, Project Number L-2016(2)—78; and for Construction Plans for Desoto Avenue paving; AND to set date to award bids for Tuesday, March 29, 2016, at 10:15 AM, in the Board of Supervisors' Hearing Room, Second Floor, Courthouse, Council Bluffs, Iowa. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to approve MAPA's funding request in the amount of \$2,000.00, for support of the Heartland 2050 Regional Vision Project for FY 2016/2017. Said amount to be paid from Gaming Fund. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Houser, to support Iowa State University Extension and Outreach's funding request for the Ready Set Know Program in the amount of \$30,000.00 for FY 2016/2017, upon approval by the Pottawattamie County Attorney and Pottawattamie County Sheriff. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Hanafan, to sign **Resolution No. 22-2016**, as follows:

**RESOLUTION NO. 22-2016****PROPOSED ROAD VACATION, IOWA CODE SECTION 306.**

**WHEREAS**, a request has been filed with the Pottawattamie County Board of Supervisors asking that action be taken to vacate and clear the record of a section of Pottawattamie County Road, described as follows:

A 66 foot wide county road (Aspen Road) in Section 30-T74N-R39W of the 5<sup>th</sup> P.M., Pottawattamie County, Iowa, described as follows:

Commencing at the Southwest corner of the NW1/4 SE1/4 of said Section 30; thence East 420 feet to the east side of a field entrance and the Point of Beginning for this vacation; thence continuing East along the South line of said NW1/4 SE1/4 and along a portion of the South line of the NE1/4 SE1/4 of said Section 30 a distance of 1085 feet and terminating at the center of Jordan Creek. The road segment vacated was petitioned for as Frankfort Road, Petition No. 685 and approved by the Board of Supervisors, March 8, 1870 and recorded in Pottawattamie County Road Calendar Book B, Page 69. Length of road to be vacated is approximately 0.205 mile. (Grove Township)

Note: Utilities are granted a permanent and perpetual easement for the continuance of maintaining existing facilities for such construction,

reconstruction, replacement, and repair thereof as may be deemed necessary by the utilities in the future (Iowa Code 306.22, 479.17, 479.24).

**NOW, THEREFORE BE IT RESOLVED**, that a hearing on the proposed vacation will be held at the Board of Supervisors Hearing Room at 226 South 6<sup>TH</sup> Street, Council Bluffs, Iowa on **April 5, 2016, at 10:00 AM**, in accordance with Iowa Code Chapter 306.

**DATED THIS 22<sup>nd</sup> day of March, 2016.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

Recommended: \_\_\_\_\_  
John A. Rasmussen, Pottawattamie County Engineer

And to set a public hearing date on said Resolution for Tuesday, April 5, 2016, at 10:00 AM, in the Board of Supervisors' Hearing Room, Second Floor, Courthouse, Council Bluffs, Iowa. Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.

**RECEIVED/FILED**

**Salary Actions**

- Communications Dept. – Christine Rethmeier; Mallory Totusek.
- Case Management – Kristin Schneckloth.
- Conservation – William Gress; Katherine Simmons; Sean Mahoney.
- Sheriff's Office – Christopher McCoy; Brian Loomis; Jon Hiltz; Richard Hiatt; Kurt Ferguson; Nate Brensel.
- Jail – Mike Eckmann; Nathaniel Kennedy; Randie Hardiman; Anthony McCartney.

**ADJOURN:**

Motion by Hanafan, second by Schultz, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:20 PM.

\_\_\_\_\_  
Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

APPROVED: 3/29/2016  
PUBLISH: X



**MARCH 29, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 AM. All members present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

Motion by Hanafan, second by Schultz, to approve:

1. March 22, 2016, minutes as read.
2. Engineer's Office – Job Reclassification of Jeff Sowers, from Inventory Tech III, at \$26.48 per hour, to Tractor/Trailer Operator, at \$24.16 per hour, effective March 14, 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Belt, second by Hanafan, to approve and authorize the signing of termination letter regarding IT services for Carter Lake. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to award bid on Construction Plans for L55 full depth reclamation and resurfacing, Project Number L-2016(2) – 78 to Western Engineering, Company, Inc. for \$203,586.18; and to approve and authorize Chairman to sign the contracts and bonds of Western Engineering Company, Inc. of Harlan, Iowa. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to award bid on Construction Plans for Desoto Avenue Paving, Project Number L-2016(3) – 78, to Bluffs Paving & Utility Company, Inc., of Crescent, Iowa \$403,285.84; and to approve and authorize Chairman to sign the contracts and bonds of Bluffs Paving & Utility Company, Inc. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Belt, to set bid opening for Painted Pavement Markings, Project Number L-2016(1)—78 for Tuesday, April 12, 2016, at 10:00 AM. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Houser, to approve and authorize Chairman to sign Agreement with Board of Library Trustees, Town of Avoca; Board of Library Trustees, Town of Carter Lake; Board of Library Trustees, City of Council Bluffs; Board of Library Trustees, Town of Oakland; and Board of Library Trustees, Town of Walnut, for FY 2016-17 funding in a sum equal to \$.1717353 per thousand dollars of assessed value on taxable property, which is \$294,726.00. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to approve and authorize Chairman to sign Notices of Allowances and/or Disallowances for Business Property Tax Credits. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Schultz, to approve tax suspension request of Murray Keen for the property located at 3207 11<sup>th</sup> Avenue, Council Bluffs, Iowa. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Houser, to approve the creation of a County Insurance Committee, to name the following persons to serve on the Committee: Mark Shoemaker, Mary Davis, John Reynolds, Lea Voss, Suzanne Watson, Matt Wyant, and to identify and set out the functions of the Committee. UNANIMOUS VOTE. Motion carried.

**RECEIVED/REVIEWED**

**Salary Actions**

- Jail – Andrew Smith; Jason Slack; Jeffrey Walker
- Planning – Shawn Stevens
- Communications – Marie Dollen
- Recorder – Myra Nixon
- Emergency Management – Scott Manz
- WIC – Blanca Perez; Jordan Morse

**ADJOURN**

Motion by Schultz, second by Hanafan, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:15 PM.

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Lynn Grobe, Chairman

ATTEST:

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Becky Belt, Finance, Auditor’s Office

APPROVED: 4/5/2016

PUBLISH: X

**APRIL 5, 2016****MET IN REGULAR SESSION**

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

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

Motion by Houser, second by Belt, to approve:

1. March 29, 2016, Minutes as read.
2. Sheriff's Office – Job Reclassification of Samantha McKern from Jail – Detention Officer, to Sheriff – Road Deputy.
3. Sheriff's Office – Job Reclassification of Jon Barnes from Deputy – Road, to Corporal – Road.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Houser, second by Belt, to open public hearing on proposed road vacation of A 66 foot wide road (Aspen Road) in Section 30, Township 74 North, Range 39 West of the 5<sup>th</sup> PM, Pottawattamie County, Iowa. Roll Call Vote: Houser, Belt, Grobe, Hanafan. Motion carried.

Motion by Houser, second by Belt, to close public hearing. Roll Call Vote: Houser, Belt, Grobe, Hanafan. Motion carried.

Motion by Houser, second by Belt, to approve and sign **Resolution No. 23-2016**, as follows:

**RESOLUTION NO. 23-2016**

**WHEREAS**, the following described road has a very low volume of traffic; and

**WHEREAS**, budget and liability constraints dictate the secondary roads system be reduced; and

**WHEREAS**, it is in the best interest of Pottawattamie County to vacate the road right-of-way described below.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County in session this April 5, 2016, that the following described road easement be vacated:

A 66 foot wide county road (Aspen Road) in Section 30-T74N-R39W of the 5<sup>th</sup> P.M., Pottawattamie County, Iowa, described as follows:

Commencing at the Southwest corner of the NW1/4 SE1/4 of said Section 30; thence East 420 feet to the east side of a field entrance and the Point of Beginning for this vacation; thence continuing East along the South line of said NW1/4 SE1/4 and along a portion of the South line of the NE1/4 SE1/4 of said Section 30 a distance of 1085 feet and terminating at the center of Jordan Creek. The road segment vacated was petitioned for as Frankfort Road, Petition No. 685 and approved by the Board of Supervisors, March 8, 1870 and recorded in Pottawattamie County Road Calendar Book B, Page 69. Length of road to be vacated is approximately 0.205 mile. (Grove Township)

Note: Utilities are granted a permanent and perpetual easement for the continuance of maintaining existing facilities for such construction, reconstruction, replacement, and repair thereof as may be deemed necessary by the utilities in the future (Iowa Code 306.22, 479.17, 479.24).

**DATED THIS 5<sup>th</sup> DAY OF APRIL, 2016.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

Recommended: \_\_\_\_\_  
John A. Rasmussen, Pottawattamie County Engineer

Roll Call Vote: Houser, Belt, Grobe, Hanafan. Motion carried.

Motion by Hanafan, second by Belt, to approve and authorize Chairman to sign a Farm Lease with Craig Hotze, to farm County-owned property, legally described as: GROVE TWP 17-74-39 PT SE SE & 20-74-39 PT NE NE Comm 138.85' SE COR SEC 17 TH SW 669.08' N283.91' W 364.92' S307.35' SW276.37' SE 270.43' SW442.07' N 1934.4' E1327.46' S818.15' TO POB (INCLUDES PARCEL A SE SE PARCELS B & C NE NE), Pottawattamie County, Iowa, commonly referred to as Wheeler Grove Conservation Area. Said parcel contains 23.4 acres, and the Farm Lease is for a two (2) year term, to commence March 1, 2016, and end March 1, 2018, at an annual cash rent of \$6,435.00, per year. UNANIMOUS VOTE. Motion carried.

**RECEIVED/REVIEWED**

**Salary Actions:**

- Sheriff – Nick Amdor; John Wilson; Megan Wirt
- IT – Randy Thompson
- Conservation: Employment of Ryan Penny as Park Ranger, at \$21.03 per hour, effective April 1, 2016.

**Reports:**

EBS monthly Receipt and Disbursement Report, through January, 2016.

**ADJOURN:**

Motion by Hanafan, second by Belt, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:30 PM.

\_\_\_\_\_  
Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

APPROVED: 4/12/2016

PUBLISH: X

**APRIL 12, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 A.M. All members, except Hanafan present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

Motion by Houser, second by Schultz, to approve:

1. April 5, 2016, minutes as read.
2. Attorney's Office – Employment of Brianna Shriver, as Attorney I, at \$30.23 per hour, effective March 31, 2016.
3. Claims Allowed for March, 2016.
4. Authorization for Chairman to sign Notice of Disallowance for Homestead Tax Credits and Military Service Tax Exemptions.
5. Engineer's Office – Job Reclassification of Shawn Hedegaard from Administrative Assistant at \$22.58 per hour, to Office Managers at \$24.28 per hour, effective April 5, 2015.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS:+**

Motion by Schultz, second by Houser, to approve opening bids for Painted Pavement Markings, Project Number L-2016(1) – 78; and to set date to award bid for Tuesday, April 19, 2016, at 10:00 AM. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Belt, to approve Five Year Secondary Roads' Construction Budget and Program for DOT submittal. UNANIMOUS VOTE. Motion carried.

Motion by Schultz, second by Belt, to approve SW IA MHDS Region Jail Based Case Manager position and duties, and assigning employee of record on behalf of the region. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Belt, to approve and sign **Resolution No. 24-2016**, a Resolution entitled: RESOLUTION FIXING DATE FOR MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$800,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF. Said Resolution is set out as follows:

**RESOLUTION NO. 24- 2016**

**RESOLUTION FIXING DATE FOR MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$800,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF.**

**WHEREAS**, it is deemed necessary and advisable that Pottawattamie County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$800,000, as authorized by Section 331.402 and 331.443, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential county purpose projects as hereinafter described; and

**WHEREAS**, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

**WHEREAS**, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes issued to evidence the obligation of the County thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the authorization of the Loan Agreement and Notes, and to receive oral and/or written objections from any resident or property owner of the County to such action.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County, State of Iowa, as follows:

Section 1. That this Board meet in the Board of Supervisors' Hearing Room, Second Floor, Pottawattamie County Courthouse, 227 South Sixth Street, Council Bluffs, Iowa at 10:00 AM, on the 26<sup>th</sup> day of April, 2016, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$800,000 General Obligation Capital Loan Notes, for essential county purposes, the proceeds of which notes will be used to provide funds to pay the costs of improvements and equipment to the Pottawattamie County Recorder, Auditor, and Information Technology Offices.

Section 2. The Pottawattamie County Auditor is authorized and directed to proceed on behalf of Pottawattamie County with the negotiation of terms of a Loan Agreement, and the issuance of General Obligation Capital Loan Notes, evidencing Pottawattamie County's obligations to a principal amount of not to exceed \$800,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of Pottawattamie County and the Pottawattamie County Board of Supervisors, and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to Pottawattamie County, and acceptable to the Pottawattamie County Board of Supervisors.

Section 3. That the Pottawattamie County Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation to Pottawattamie County. The publication to be not less than four clear days, nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS  
OF POTTAWATTAMIE COUNTY, STATE OF IOWA, ON THE  
MATTER OF THE PROPOSED AUTHORIZATION OF  
A LOAN AGREEMENT, AND THE ISSUANCE OF NOT  
TO EXCEED \$800,000 GENERAL OBLIGATION CAPITAL  
LOAN NOTES OF THE COUNTY (FOR ESSENTIAL COUNTY PURPOSES),  
AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Pottawattamie County, State of Iowa, will hold a public hearing on the **26<sup>th</sup> day of April, 2016, at 10:00 AM**, in the Board of Supervisors' Hearing Room, Second Floor, Pottawattamie County Courthouse, 227 South Sixth Street, Council Bluffs, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$800,000 General Obligation Capital Loan Notes, for essential county purposes, to provide funds to pay the costs of improvements and equipment for the Pottawattamie County Recorder, Auditor and Information Technology Offices. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At the above meeting, the Board of Supervisors shall receive oral or written objections from any resident or property owner of Pottawattamie County to the above action. After all objections have been received and considered, the Board of Supervisors will, at the meeting, or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of Pottawattamie County thereunder, or will abandon the proposal to issue said Notes.

This Notice is given by order of the Board of Supervisors of Pottawattamie County, State of Iowa, as provided by Sections 331.402 and 331.443 of the Code of Iowa.

Dated this 12<sup>th</sup> day of April, 2016.

\_\_\_\_\_  
Lynn Grobe, Chairman Board of Supervisors  
Pottawattamie County, Iowa

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

(End of Notice)

**DATED THIS 12<sup>th</sup> DAY OF APRIL, 2016.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

**Roll Call Vote: AYES: Houser, Belt, Grobe, Schultz. Motion carried.**

Motion by Schultz, second by Belt, to approve and sign **Resolution No. 25-2016**, a Resolution entitled: RESOLUTION FIXING DATE FOR MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$900,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF. Said Resolution is set out as follows:

**RESOLUTION NO. 25- 2016**

**RESOLUTION FIXING DATE FOR MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$900,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF.**

**WHEREAS**, it is deemed necessary and advisable that Pottawattamie County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$900,000, as authorized by Section 331.402 and 331.443, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential county purpose projects as hereinafter described; and

**WHEREAS**, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

**WHEREAS**, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes issued to evidence the obligation of the County thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board

proposes to take action for the authorization of the Loan Agreement and Notes, and to receive oral and/or written objections from any resident or property owner of the County to such action.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County, State of Iowa, as follows:

Section 1. That this Board meet in the Board of Supervisors’ Hearing Room, Second Floor, Pottawattamie County Courthouse, 227 South Sixth Street, Council Bluffs, Iowa at 10:00 AM, on the 26<sup>th</sup> day of April, 2016, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$900,000 General Obligation Capital Loan Notes, for essential county purposes, the proceeds of which notes will be used to provide funds to pay the costs of improvements to the sprinkler system on the Second Floor of the Pottawattamie County Courthouse.

Section 2. The Pottawattamie County Auditor is authorized and directed to proceed on behalf of Pottawattamie County with the negotiation of terms of a Loan Agreement, and the issuance of General Obligation Capital Loan Notes, evidencing Pottawattamie County’s obligations to a principal amount of not to exceed \$900,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of Pottawattamie County and the Pottawattamie County Board of Supervisors, and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to Pottawattamie County, and acceptable to the Pottawattamie County Board of Supervisors.

Section 3. That the Pottawattamie County Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation to Pottawattamie County. The publication to be not less than four clear days, nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

NOTICE OF MEETNG OF THE BOARD OF SUPERVISORS  
OF POTTAWATTAMIE COUNTY, STATE OF IOWA, ON THE  
MATTER OF THE PROPOSED AUTHORIZATION OF  
A LOAN AGREEMENT, AND THE ISSUANCE OF NOT  
TO EXCEED \$900,000 GENERAL OBLIGATION CAPITAL  
LOAN NOTES OF THE COUNTY (FOR ESSENTIAL COUNTY PURPOSES),  
AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Pottawattamie County, State of Iowa, will hold a public hearing on the **26<sup>th</sup> day of April, 2016, at 10:00 AM**, in the Board of Supervisors’ Hearing Room, Second Floor, Pottawattamie County Courthouse, 227 South Sixth Street, Council Bluffs, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$900,000 General Obligation Capital Loan Notes, for essential county purposes, to provide funds to pay the costs of improvements to the sprinkler system on the 2<sup>nd</sup> floor of the Pottawattamie County Courthouse. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At the above meeting, the Board of Supervisors shall receive oral or written objections from any resident or property owner of Pottawattamie County to the above action. After all objections have been received and considered, the Board of Supervisors will, at the meeting, or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of Pottawattamie County thereunder, or will abandon the proposal to issue said Notes.

This Notice is given by order of the Board of Supervisors of Pottawattamie County, State of Iowa, as provided by Sections 331.402 and 331.443 of the Code of Iowa.

Dated this 12<sup>th</sup> day of April, 2016.

\_\_\_\_\_  
Lynn Grobe, Chairman Board of Supervisors  
Pottawattamie County, Iowa



ATTEST: Marilyn Jo Drake, County Auditor

(End of Notice)

DATED THIS 12<sup>th</sup> DAY OF APRIL, 2016.

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
<u>Lynn G. Grobe, Chairman</u>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<u>Scott A. Belt</u>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<u>Tom Hanafan</u>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<u>Melvyn J. Houser</u>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<u>Justin Schultz</u>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: Marilyn Jo Drake, County Auditor

Roll Call Vote: **AYES: Houser, Belt, Grobe, Schultz. Motion carried.**

Motion by Schultz, second by Houser, to approve and sign Resolution No. 26-2016, a Resolution entitled: RESOLUTION FIXING DATE FOR MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$150,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF. Said Resolution is set out as follows:

**RESOLUTION NO. 26- 2016**

**RESOLUTION FIXING DATE FOR MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$150,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF.**

**WHEREAS**, it is deemed necessary and advisable that Pottawattamie County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$150,000, as authorized by Section 331.402 and 331.443, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential county purpose projects as hereinafter described; and

**WHEREAS**, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

**WHEREAS**, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes issued to evidence the obligation of the County thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the authorization of the Loan Agreement and Notes, and to receive oral and/or written objections from any resident or property owner of the County to such action.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County, State of Iowa, as follows:

Section 1. That this Board meet in the Board of Supervisors’ Hearing Room, Second Floor, Pottawattamie County Courthouse, 227 South Sixth Street, Council Bluffs, Iowa at 10:00 AM, on the 26<sup>th</sup> day of April, 2016, for the purpose of taking action on the matter of

the authorization of a Loan Agreement and issuance of not to exceed \$150,000 General Obligation Capital Loan Notes, for essential county purposes, the proceeds of which notes will be used to provide funds to pay the costs of improvements, equipping and repair of the Pottawattamie County Jail.

Section 2. The Pottawattamie County Auditor is authorized and directed to proceed on behalf of Pottawattamie County with the negotiation of terms of a Loan Agreement, and the issuance of General Obligation Capital Loan Notes, evidencing Pottawattamie County’s obligations to a principal amount of not to exceed \$150,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of Pottawattamie County and the Pottawattamie County Board of Supervisors, and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to Pottawattamie County, and acceptable to the Pottawattamie County Board of Supervisors.

Section 3. That the Pottawattamie County Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation to Pottawattamie County. The publication to be not less than four clear days, nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

NOTICE OF MEETNG OF THE BOARD OF SUPERVISORS  
OF POTTAWATTAMIE COUNTY, STATE OF IOWA, ON THE  
MATTER OF THE PROPOSED AUTHORIZATION OF  
A LOAN AGREEMENT, AND THE ISSUANCE OF NOT  
TO EXCEED \$150,000 GENERAL OBLIGATION CAPITAL  
LOAN NOTES OF THE COUNTY (FOR ESSENTIAL COUNTY PURPOSES),  
AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Pottawattamie County, State of Iowa, will hold a public hearing on the **26<sup>th</sup> day of April, 2016, at 10:00 AM**, in the Board of Supervisors’ Hearing Room, Second Floor, Pottawattamie County Courthouse, 227 South Sixth Street, Council Bluffs, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$150,000 General Obligation Capital Loan Notes, for essential county purposes, to provide funds to pay the costs of improvements, equipping and repair of the Pottawattamie County Jail. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At the above meeting, the Board of Supervisors shall receive oral or written objections from any resident or property owner of Pottawattamie County to the above action. After all objections have been received and considered, the Board of Supervisors will, at the meeting, or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of Pottawattamie County thereunder, or will abandon the proposal to issue said Notes.

This Notice is given by order of the Board of Supervisors of Pottawattamie County, State of Iowa, as provided by Sections 331.402 and 331.443 of the Code of Iowa.

Dated this 12<sup>th</sup> day of April, 2016.

\_\_\_\_\_  
Lynn Grobe, Chairman Board of Supervisors  
Pottawattamie County, Iowa

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

(End of Notice)

**DATED THIS 12<sup>th</sup> DAY OF APRIL, 2016.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

_____	○	○	○	○
Scott A. Belt				
_____	○	○	○	○
Tom Hanafan				
_____	○	○	○	○
Melvyn J. Houser				
_____	○	○	○	○
Justin Schultz				

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

Roll Call Vote: **AYES: Houser, Belt, Grobe, Schultz. Motion carried.**

Motion by Houser, second by Schultz, to approve and sign Resolution No. 27-2016, a Resolution entitled: RESOLUTION FIXING DATE FOR MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF. Said Resolution is set out as follows:

**RESOLUTION NO. 27- 2016**

**RESOLUTION FIXING DATE FOR MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF.**

**WHEREAS**, it is deemed necessary and advisable that Pottawattamie County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$300,000, as authorized by Section 331.402 and 331.442, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general county purpose projects as hereinafter described; and

**WHEREAS**, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

**WHEREAS**, Pottawattamie County has a population in excess of 50,000 and the amount of the bond issue is not more than \$300,000; and

**WHEREAS**, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes issued to evidence the obligation of the County thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the authorization of the Loan Agreement and Notes, and to receive oral and/or written objections from any resident or property owner of the County to such action; and

**WHEREAS**, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 331 of the Code of Iowa, and to publish a notice of the proposal to issue such notes and the right to petition for an election.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County, State of Iowa, as follows:

Section 1. That this Board meet in the Board of Supervisors’ Hearing Room, Second Floor, Pottawattamie County Courthouse, 227 South Sixth Street, Council Bluffs, Iowa at 10:00 AM, on the 26<sup>th</sup> day of April, 2016, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$300,000 General Obligation Capital Loan Notes, for a general county purpose, the proceeds of which notes will be used to provide funds to pay the costs of body cameras for the Pottawattamie County Sheriff’s Office, and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. The Pottawattamie County Auditor is authorized and directed to proceed on behalf of Pottawattamie County with the negotiation of terms of a Loan Agreement, and the issuance of General Obligation Capital Loan Notes, evidencing Pottawattamie County’s obligations to a principal amount of not to exceed \$300,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of Pottawattamie County and the Pottawattamie County Board of Supervisors, and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to Pottawattamie County, and acceptable to the Pottawattamie County Board of Supervisors.

Section 3. That the Pottawattamie County Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation to Pottawattamie County. The publication to be not less than ten clear days, nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

NOTICE OF MEETNG OF THE BOARD OF SUPERVISORS  
 OF POTTAWATTAMIE COUNTY, STATE OF IOWA, ON THE  
 MATTER OF THE PROPOSED AUTHORIZATION OF  
 A LOAN AGREEMENT, AND THE ISSUANCE OF NOT  
 TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL  
 LOAN NOTES OF THE COUNTY (FOR GENERAL COUNTY PURPOSES),  
 AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Pottawattamie County, State of Iowa, will hold a public hearing on the **26<sup>th</sup> day of April, 2016, at 10:00 AM**, in the Board of Supervisors’ Hearing Room, Second Floor, Pottawattamie County Courthouse, 227 South Sixth Street, Council Bluffs, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$300,000 General Obligation Capital Loan Notes, for general county purposes, bearing interest at a rate of not to exceed nine per centum (9%) per annum, the Notes to be issued to provide funds to pay the costs of body cameras for the Pottawattamie County Sheriff’s Office. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of Pottawattamie County, may be filed with the Pottawattamie County Auditor, in the manner provided by Section 331.306 of the Code of Iowa, pursuant to the provisions of Section 331.402 and 331.442 of the Code of Iowa.

At the above meeting, the Board of Supervisors shall receive oral or written objections from any resident or property owner of Pottawattamie County to the above action. After all objections have been received and considered, the Board of Supervisors will, at the meeting, or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of Pottawattamie County thereunder, or will abandon the proposal to issue said Notes.

This Notice is given by order of the Board of Supervisors of Pottawattamie County, State of Iowa, as provided by Sections 331.402 and 331.442 of the Code of Iowa.

Dated this 12<sup>th</sup> day of April, 2016.

(End of Notice)

<b>DATED THIS 12<sup>th</sup> DAY OF APRIL, 2016.</b>	<b><u>ROLL CALL VOTE</u></b>			
	AYE	NAY	ABSTAIN	ABSENT
_____	○	○	○	○
Lynn G. Grobe, Chairman				
_____	○	○	○	○
Scott A. Belt				
_____	○	○	○	○
Tom Hanafan				

	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Melvyn J. Houser				
	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Justin Schultz				

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

\_\_\_\_\_  
Lynn Grobe, Chairman Board of Supervisors  
Pottawattamie County, Iowa

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

**Roll Call Vote: AYES: Houser, Belt, Grobe, Schultz. Motion carried.**

Motion by Belt, second by Houser, to approve and sign Resolution No. 28-2016, a Resolution entitled: RESOLUTION FIXING DATE FOR MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF. Said Resolution is set out as follows:

**RESOLUTION NO. 28- 2016**

**RESOLUTION FIXING DATE FOR MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR GENERAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF.**

**WHEREAS**, it is deemed necessary and advisable that Pottawattamie County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$300,000, as authorized by Section 331.402 and 331.442, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general county purpose projects as hereinafter described; and

**WHEREAS**, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

**WHEREAS**, Pottawattamie County has a population in excess of 50,000 and the amount of the bond issue is not more than \$300,000; and

**WHEREAS**, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes issued to evidence the obligation of the County thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the authorization of the Loan Agreement and Notes, and to receive oral and/or written objections from any resident or property owner of the County to such action; and

**WHEREAS**, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 331 of the Code of Iowa, and to publish a notice of the proposal to issue such notes and the right to petition for an election.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County, State of Iowa, as follows:

Section 1. That this Board meet in the Board of Supervisors’ Hearing Room, Second Floor, Pottawattamie County Courthouse, 227 South Sixth Street, Council Bluffs, Iowa at 10:00 AM, on the 26<sup>th</sup> day of April, 2016, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$300,000 General Obligation Capital Loan Notes, for a general county purpose, the proceeds of which notes will be used to provide funds to pay the costs of vehicles for the Pottawattamie County

Sheriff's Office, and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. The Pottawattamie County Auditor is authorized and directed to proceed on behalf of Pottawattamie County with the negotiation of terms of a Loan Agreement, and the issuance of General Obligation Capital Loan Notes, evidencing Pottawattamie County's obligations to a principal amount of not to exceed \$300,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of Pottawattamie County and the Pottawattamie County Board of Supervisors, and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to Pottawattamie County, and acceptable to the Pottawattamie County Board of Supervisors.

Section 3. That the Pottawattamie County Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation to Pottawattamie County. The publication to be not less than ten clear days, nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

NOTICE OF MEETNG OF THE BOARD OF SUPERVISORS  
OF POTTAWATTAMIE COUNTY, STATE OF IOWA, ON THE  
MATTER OF THE PROPOSED AUTHORIZATION OF  
A LOAN AGREEMENT, AND THE ISSUANCE OF NOT  
TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL  
LOAN NOTES OF THE COUNTY (FOR GENERAL COUNTY PURPOSES),  
AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Pottawattamie County, State of Iowa, will hold a public hearing on the **26<sup>th</sup> day of April, 2016, at 10:00 AM**, in the Board of Supervisors' Hearing Room, Second Floor, Pottawattamie County Courthouse, 227 South Sixth Street, Council Bluffs, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$300,000 General Obligation Capital Loan Notes, for general county purposes, bearing interest at a rate of not to exceed nine per centum (9%) per annum, the Notes to be issued to provide funds to pay the costs of vehicles for the Pottawattamie County Sheriff's Office. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of Pottawattamie County, may be filed with the Pottawattamie County Auditor, in the manner provided by Section 331.306 of the Code of Iowa, pursuant to the provisions of Section 331.402 and 331.442 of the Code of Iowa.

At the above meeting, the Board of Supervisors shall receive oral or written objections from any resident or property owner of Pottawattamie County to the above action. After all objections have been received and considered, the Board of Supervisors will, at the meeting, or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of Pottawattamie County thereunder, or will abandon the proposal to issue said Notes.

This Notice is given by order of the Board of Supervisors of Pottawattamie County, State of Iowa, as provided by Sections 331.402 and 331.442 of the Code of Iowa.

Dated this 12<sup>th</sup> day of April, 2016.

\_\_\_\_\_  
Lynn Grobe, Chairman Board of Supervisors  
Pottawattamie County, Iowa

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

(End of Notice)

**ROLL CALL VOTE**

**DATED THIS 12<sup>th</sup> DAY OF APRIL, 2016.**

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

Roll Call Vote: **AYES: Houser, Belt, Grobe, Schultz. Motion carried.**

Motion by Houser, second by Schultz, to approve and sign Resolution No. 29-2016, a Resolution entitled: RESOLUTION FIXING DATE FOR MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$2,500,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF. Said Resolution is set out as follows:

**RESOLUTION NO. 29- 2016**

**RESOLUTION FIXING DATE FOR MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$2,500,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF POTTAWATTAMIE COUNTY, STATE OF IOWA (FOR ESSENTIAL COUNTY PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF.**

**WHEREAS**, it is deemed necessary and advisable that Pottawattamie County, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$2,500,000, as authorized by Section 331.402 and 331.443, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential county purpose projects as hereinafter described; and

**WHEREAS**, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

**WHEREAS**, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes issued to evidence the obligation of the County thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Board proposes to take action for the authorization of the Loan Agreement and Notes, and to receive oral and/or written objections from any resident or property owner of the County to such action.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County, State of Iowa, as follows:

Section 1. That this Board meet in the Board of Supervisors’ Hearing Room, Second Floor, Pottawattamie County Courthouse, 227 South Sixth Street, Council Bluffs, Iowa at 10:00 AM, on the 26<sup>th</sup> day of April, 2016, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$2,500,000 General Obligation Capital Loan Notes, for essential county purposes, the proceeds of which notes

will be used to provide funds to pay the costs of funding or refunding outstanding indebtedness exceeding five thousand dollars on the first day of June, 2016.

Section 2. The Pottawattamie County Auditor is authorized and directed to proceed on behalf of Pottawattamie County with the negotiation of terms of a Loan Agreement, and the issuance of General Obligation Capital Loan Notes, evidencing Pottawattamie County's obligations to a principal amount of not to exceed \$2,500,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of Pottawattamie County and the Pottawattamie County Board of Supervisors, and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to Pottawattamie County, and acceptable to the Pottawattamie County Board of Supervisors.

Section 3. That the Pottawattamie County Auditor is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation to Pottawattamie County. The publication to be not less than four clear days, nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

NOTICE OF MEETING OF THE BOARD OF SUPERVISORS  
OF POTTAWATTAMIE COUNTY, STATE OF IOWA, ON THE  
MATTER OF THE PROPOSED AUTHORIZATION OF  
A LOAN AGREEMENT, AND THE ISSUANCE OF NOT  
TO EXCEED \$2,500,000 GENERAL OBLIGATION CAPITAL  
LOAN NOTES OF THE COUNTY (FOR ESSENTIAL COUNTY PURPOSES),  
AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the Board of Supervisors of Pottawattamie County, State of Iowa, will hold a public hearing on the **26<sup>th</sup> day of April, 2016, at 10:00 AM**, in the Board of Supervisors' Hearing Room, Second Floor, Pottawattamie County Courthouse, 227 South Sixth Street, Council Bluffs, Iowa, at which meeting the Board proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$2,500,000 General Obligation Capital Loan Notes, for essential county purposes, to provide funds to pay the costs of funding or refunding outstanding indebtedness exceeding five thousand dollars on the first day of June, 2016. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At the above meeting, the Board of Supervisors shall receive oral or written objections from any resident or property owner of Pottawattamie County to the above action. After all objections have been received and considered, the Board of Supervisors will, at the meeting, or at any adjournment thereof, take addition action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of Pottawattamie County thereunder, or will abandon the proposal to issue said Notes.

This Notice is given by order of the Board of Supervisors of Pottawattamie County, State of Iowa, as provided by Sections 331.402 and 331.443 of the Code of Iowa.

Dated this 12<sup>th</sup> day of April, 2016.

\_\_\_\_\_  
Lynn Grobe, Chairman Board of Supervisors  
Pottawattamie County, Iowa

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

(End of Notice)

**DATED THIS 12<sup>th</sup> DAY OF APRIL, 2016.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
Lynn G. Grobe, Chairman	○	○	○	○



_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Scott A. Belt				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tom Hanafan				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Melvyn J. Houser				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Justin Schultz				

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

**Roll Call Vote: AYES: Houser, Belt, Grobe, Schultz. Motion carried.**

Motion by Houser, second by Schultz, to authorize Chairman to sign Engagement Agreement between Ahlers and Cooney, P.C., and Pottawattamie County, Iowa in connection with the issuance of General Obligation Capital Loan Notes, in the amount Not to Exceed \$4,950,000 (the "Bonds"). UNANIMOUS VOTE. Motion carried.

**OTHER BUSINESS:**

Motion by Houser, second by Belt, to approve and sign **Resolution No. 30-2016**, a resolution entitled: RESOLUTION FOR THIRD QUARTER 2015-2016 TRANSFER TO SECONDARY ROADS FUND. Said Resolution is set as follows:

**RESOLUTION NO. 30-2016**

**RESOLUTION FOR THIRD QUARTER 2015-2016 TRANSFER TO SECONDARY ROADS FUND**

**WHEREAS**, it is desired to transfer money from the Rural Services Fund to the Secondary Roads Fund, and

**WHEREAS**, said transfer is in accordance with Section 331.432, Code of Iowa.

**NOW, THEREFORE BE IT RESOLVED**, by the Pottawattamie County Board of Supervisors as follows:

**SECTION 1:** The sum of \$1,175,000.00 is ordered to be transferred from the Rural Services Fund to the Secondary Road Fund, and

**SECTION 2:** The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

**DATED THIS 12<sup>th</sup> DAY OF APRIL, 2016.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lynn G. Grobe, Chairman				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Scott A. Belt				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tom Hanafan				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Melvyn J. Houser				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Justin Schultz				

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

**Roll Call Vote: AYES: Houser, Belt, Grobe, Schultz. Motion carried.**

Motion by Belt, second by Houser, to authorize Chairman to sign Lease Agreement between Pottawattamie County Board of Supervisors and State of Iowa, Department of Human Services, for purpose of using ICN Room at a rental sum of \$6,300.00 per year (\$525.00 per month at \$9.00 per square foot) from July 1, 2016, through June 30, 2019. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED:**

**Salary Actions:**

- Conservation – Employment of Cole Harder as a part-time Seasonal Park Ranger.
- Conservation – Employment of Kristin Haynes as a full-time Naturalist.
- Engineer/Secondary Roads – Payroll Status Change of Tom Schneckloth.

**Reports:**

- Recorder’s Fee Book for 3/1/2016 – 3/31/2016.

**ADJOURN:**

Motion by Schultz, second by Belt, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:15 AM.

\_\_\_\_\_  
Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

APPROVED: 4/19/2016  
PUBLISH: X

**APRIL 19, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 AM. All members present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

Motion by Hanafan, second by Schultz, to approve:

1. April 12, 2016, Minutes as read.
2. Engineer/Secondary Roads – Employment of Devan Feigenbutz as Roadside Technician I, at \$18.36 per hour, effective 4/11/2016.
3. Engineer/Secondary Roads – Job Reclassification of Kevin Sampson from Equipment Operator at \$24.58 per hour, to Culvert Crew Leader at \$26.23 per hour, effective March 23, 2015.
4. Five (5) Day Class B Beer (BB) (Includes Wine Coolers) Liquor License Application, to grant privileges for Class B Beer (BB) (Includes Wine Coolers) / Outdoor Service to B.E.S.T. Catering & Concessions d/b/a Westfair Fairgrounds.
5. Five (5) Day Special Class C Liquor License (BW) (Beer/Wine) Application, to grant privileges for Outdoor Service / Special Class C Liquor License (BW) (Beer/Wine) to Joyce Mendoza d/b/a Zachary Patrick Mendoza Scholarship Benefit.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Houser, second by Hanafan, to approve bid award and authorize Chairman to sign contracts and bonds of VOGEL TRAFFIC SERVICES, INC., of ORANGE CITY, IA, for Painted Pavement Markings project, L-2016(1) it the amount of \$143,723.03. UNANIMOUS VOTE. Motion carried.

**OTHER BUSINESS**

Motion by Houser, second by Hanafan, to approve and authorize Chairman to sign Purchase Order – Lease, Premium Service Agreement Terms and Conditions, and Addendum thereto, with Mail Finance, Inc., and Claritus, Inc., for a term of five years, at \$517.73 per month, for an upgraded postage machine and folding machine. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED****Salary Actions:**

- Jail – Payroll Status Change of Jessica Barlow.
- Sheriff's Office – Payroll Status Change of Tanner Frain.
- SW Iowa Juvenile Detention Center – Employment of Matthew Owen as a full-time Youth Corrections Worker.
- SW Iowa Juvenile Detention Center – Employment of Blair L. Thomas as a full-time Youth Corrections Worker.

**Reports:**

- Sheriff's Office - Report of Fees Collected and Disbursed for March, 2016.

**ADJOURN:**

Motion by Hanafan, second by Schultz, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:20 AM.

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Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

APPROVED: 4/26/2016  
PUBLISH: X

**APRIL 26, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 AM. All members present, except for Tom Hanafan who appeared at 10:10 AM. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

Motion by Houser, second by Schultz, to approve:

1. April 19, 2016, Minutes as read.
2. Class C Native Wine (WCN) Liquor License Renewal Application, to grant privileges of Class C Native Wine (WCN) / Outdoor Service / Sunday Sales to Breezy Hills Winery, LLC d/b/a Breezy Hills Vineyard, Minden, Iowa.
3. Animal Control – Employment of Amber Julesgaard, as Part-Time Shelter Attendant, at \$13.81 per hour, effective April 18, 2016.
4. Animal Control – Employment of Taylor Bishop, as Part-Time Shelter Attendant, at \$13.81 per hour, effective April 19, 2016.
5. Animal Control – Job Reclassification of Candra Dumas from On-Call Shelter Attendant, at \$13.00 per hour, to Part-Time Shelter Attendant, at \$13.81 per hour, effective April 16, 2016.

UNANIMOUS VOTE (Houser, Belt, Grobe, Schultz). Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Houser, second by Schultz, to open hearing to consider the authorization of a Loan Agreement, and the issuance of General Obligation Capital Loan Notes (Bonds) not to exceed the sum of \$800,000 for an essential county purpose: to provide funding for, and to pay for improvements and equipment for the Offices of Recorder, Auditor, and Information Technology.

**Roll Call Vote: AYES: Houser, Belt, Grobe, Schultz. Motion carried.**

Motion by Houser, second by Schultz, to close public hearing. **Roll Call Vote: AYES: Houser, Belt, Grobe, Schultz. Motion carried.**

Motion by Houser, second by Schultz, to approve the authorization of a Loan Agreement, and the issuance of General Obligation Capital Loan Notes (Bonds) not to exceed the sum of \$800,000 for an essential county purpose: to provide funding for, and to pay for improvements and equipment for the Offices of Recorder, Auditor, and Information Technology; and sign **Resolution No. 31-2016**, instituting proceedings to take additional action as follows:

**RESOLUTION NO. 31-2016****RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$800,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (BONDS).**

**WHEREAS**, pursuant to notice published as required by law, the Pottawattamie County Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$800,000 General Obligation Capital Loan Notes, for the essential county purposes, in order to provide funds to pay the costs of improvements and equipment for the Recorder's, Auditor's and Information Technology offices at a total cost not to exceed \$800,000, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and following action is now considered to be in the best interests of Pottawattamie County and residents thereof.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County, State of Iowa, as follows:

Section 1. That the Pottawattamie County Board of Supervisors does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$800,000 General Obligation Capital Loan Notes, for the foregoing essential county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

Section 3. The Treasurer is authorized and directed to proceed on behalf of Pottawattamie County with the sale of the bonds, to select a date for the sale thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of Pottawattamie County and the Pottawattamie County Board of Supervisors, and otherwise to take all action necessary to permit the sale of bonds on a basis favorable to Pottawattamie County and acceptable to the Pottawattamie County Board of Supervisors.

**DATED THIS 26<sup>th</sup> DAY OF APRIL, 2016.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

**Roll Call Vote: AYES: Houser, Belt, Grobe, Schultz. Motion carried.**

Motion by Schultz, second by Houser, to open hearing to consider the authorization of a Loan Agreement, and the issuance of General Obligation Capital Loan Notes (Bonds) not to exceed the sum of \$900,000, for an essential county purpose: to provide funding for, and to pay for improvements to the sprinkler system on the Second Floor of the Pottawattamie County Courthouse. **Roll Call Vote: Houser, Belt, Grobe, Schultz. Motion carried.**

Motion by Belt, second by Houser, to close public hearing. **Roll Call Vote: AYES: Houser, Belt, Grobe, Schultz. Motion carried.**

Motion by Belt, second by Houser, to approve the authorization of a Loan Agreement, and the issuance of General Obligation Capital Loan Notes (Bonds) not to exceed the sum of \$900,000, for an essential county purpose: to provide funding for, and to pay for improvements to the

sprinkler system on the Second Floor of the Pottawattamie County Courthouse; and sign **Resolution No. 32-2016**, instituting proceedings to take additional action as follows:

**RESOLUTION NO. 32-2016**

**RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$900,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (BONDS).**

**WHEREAS**, pursuant to notice published as required by law, the Pottawattamie County Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$900,000 General Obligation Capital Loan Notes, for the essential county purposes, in order to provide funds to pay the costs of improvements to the sprinkler system on the 2nd floor of the Courthouse, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and following action is now considered to be in the best interests of Pottawattamie County and residents thereof.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County, State of Iowa, as follows:

Section 1. That the Pottawattamie County Board of Supervisors does hereby institute proceedings and take additional action for the sale and issuance in the manner required by law of not to exceed \$900,000 in General Obligation Capital Loan Notes (Bonds) for the foregoing essential county purpose.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2, and shall be maintained on file as a public record of such intent. It is reasonably expected that moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Bonds. The amounts so advanced shall be reimbursed from the proceeds of the Bonds not later than eighteen months after the initial payment of the capital expenditures, or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution, unless the same are for preliminary expenditures, or unless another declaration of intention is adopted.

Section 3. The Treasurer is authorized and directed to proceed on behalf of Pottawattamie County with the sale of the bonds, to select a date for the sale thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of Pottawattamie County and the Pottawattamie County Board of Supervisors, and otherwise to take all action necessary to permit the sale of bonds on a basis favorable to Pottawattamie County and acceptable to the Pottawattamie County Board of Supervisors.

**DATED THIS 26<sup>th</sup> DAY OF APRIL, 2016.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	○	○	○	○
_____ Scott A. Belt	○	○	○	○
_____ Tom Hanafan	○	○	○	○

	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Melvyn J. Houser				

	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Justin Schultz				

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

**Roll Call Vote: AYES: Houser, Belt, Grobe, Schultz. Motion carried.**

Motion by Schultz, second by Houser, to open hearing to consider the authorization of a Loan Agreement, and the issuance of General Obligation Capital Loan Notes (Bonds) not to exceed the sum of \$150,000, for an essential county purpose: to provide funding for, and pay for the improvements, equipping and repair of the Pottawattamie County Jail. **Roll Call Vote: AYES: Houser, Belt, Grobe, Houser, Schultz. Motion carried.**

Motion by Schultz, second by Houser, to close public hearing. **Roll Call Vote: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Houser, second by Schultz, to approve authorization of a Loan Agreement, and the issuance of General Obligation Capital Loan Notes (Bonds) not to exceed the sum of \$150,000, for an essential county purpose: to provide funding for, and pay for the improvements, equipping and repair of the Pottawattamie County Jail; and sign **Resolution No. 33-2016**, instituting proceedings to take additional action, as follows:

**RESOLUTION NO. 33-2016**

**RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$150,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (BONDS).**

**WHEREAS**, pursuant to notice published as required by law, the Pottawattamie County Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$150,000 General Obligation Capital Loan Notes, for the essential county purposes, in order to provide funds to pay the costs of improvement, equipping and repair of the Pottawattamie County Jail, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and following action is now considered to be in the best interests of Pottawattamie County and residents thereof.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County, State of Iowa, as follows:

Section 1. That the Pottawattamie County Board of Supervisors does hereby institute proceedings and take additional action for the sale and issuance in the manner required by law of not to exceed \$150,000 in General Obligation Capital Loan Notes (Bonds) for the foregoing essential county purpose.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2, and shall be maintained on file as a public record of such intent. It is reasonably expected that moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Bonds. The amounts so advanced shall be reimbursed from the proceeds of the Bonds not later than eighteen months after the initial payment of the capital expenditures, or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution, unless the same are for preliminary expenditures, or unless another declaration of intention is adopted.

Section 3. The Treasurer is authorized and directed to proceed on behalf of Pottawattamie County with the sale of the bonds, to select a date for the sale thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of



Pottawattamie County and the Pottawattamie County Board of Supervisors, and otherwise to take all action necessary to permit the sale of bonds on a basis favorable to Pottawattamie County and acceptable to the Pottawattamie County Board of Supervisors.

DATED THIS 26<sup>th</sup> DAY OF APRIL, 2016.

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

**Roll Call Vote: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Schultz, second by Houser, to open hearing to consider the authorization of a Loan Agreement, and the issuance of General Obligation Capital Loan Notes (Bonds) not to exceed the sum of \$300,000, for a general county purpose: to provide funding, and pay for the acquisition and equipping of body cameras for the Pottawattamie County Sheriff's Office. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Schultz, second by Houser, to close public hearing. **Roll Call Vote: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Houser, second by Schultz, to approve authorization of a Loan Agreement, and the issuance of General Obligation Capital Loan Notes (Bonds) not to exceed the sum of \$300,000, for a general county purpose: to provide funding, and pay for the acquisition and equipping of body cameras for the Pottawattamie County Sheriff's Office; and sign **Resolution No. 34-2016**, instituting proceedings to take additional action, as follows:

**RESOLUTION NO. 34-2016**

**RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (BONDS).**

**WHEREAS**, pursuant to notice published as required by law, the Pottawattamie County Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$300,000 General Obligation Capital Loan Notes, for the general county purposes, in order to provide funds to pay the costs of body cameras for the Pottawattamie County Sheriff's Department, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of Pottawattamie County and residents thereof.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County, State of Iowa, as follows:

- Section 1. That the Pottawattamie County Board of Supervisors does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$300,000

General Obligation Capital Loan Notes, for the foregoing general county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

Section 3. The Treasurer is authorized and directed to proceed on behalf of Pottawattamie County with the sale of the bonds, to select a date for the sale thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of Pottawattamie County and the Pottawattamie County Board of Supervisors, and otherwise to take all action necessary to permit the sale of bonds on a basis favorable to Pottawattamie County and acceptable to the Pottawattamie County Board of Supervisors.

**DATED THIS 26<sup>th</sup> DAY OF APRIL, 2016.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

**Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Schultz, second by Houser, to open hearing to consider the authorization of a Loan Agreement, and the issuance of General Obligation Capital Loan Notes (Bonds) not to exceed the sum of \$300,000, for a general county purpose: to provide funding for, and pay for the acquisition and equipping of vehicles for the Pottawattamie County Sheriff’s Office.

**Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Schultz, second by Houser, to close public hearing. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Houser, second by Belt, to approve authorization of a Loan Agreement, and the issuance of General Obligation Capital Loan Notes (Bonds) not to exceed the sum of \$300,000, for a general county purpose: to provide funding for, and pay for the acquisition and equipping of vehicles for the Pottawattamie County Sheriff’s Office; and sign Resolution No. 35-2016, instituting proceedings to take additional action, as follows:

**RESOLUTION NO. 35-2016**

**RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (BONDS).**

**WHEREAS**, pursuant to notice published as required by law, the Pottawattamie County Board of Supervisors has held a public meeting and hearing upon the proposal to institute proceedings for the authorization of a Loan Agreement and the issuance of not to exceed \$300,000 General Obligation Capital Loan Notes, for the general county purposes, in order to provide funds to pay the costs of vehicles for the Pottawattamie County Sheriff's Department, and has considered the extent of objections received from residents or property owners as to the proposed issuance of Notes; and no petition was filed calling for a referendum thereon. The following action is now considered to be in the best interests of Pottawattamie County and residents thereof.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County, State of Iowa, as follows:

Section 1. That the Pottawattamie County Board of Supervisors does hereby institute proceedings and take additional action for the authorization and issuance in the manner required by law of not to exceed \$300,000 General Obligation Capital Loan Notes, for the foregoing general county purposes.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2 and shall be maintained on file as a public record of such intent. It is reasonably expected that the general fund moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Notes. The amounts so advanced shall be reimbursed from the proceeds of the Notes not later than eighteen months after the initial payment of the capital expenditures or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution unless the same are for preliminary expenditures or unless another declaration of intention is adopted.

Section 3. The Treasurer is authorized and directed to proceed on behalf of Pottawattamie County with the sale of the bonds, to select a date for the sale thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of Pottawattamie County and the Pottawattamie County Board of Supervisors, and otherwise to take all action necessary to permit the sale of bonds on a basis favorable to Pottawattamie County and acceptable to the Pottawattamie County Board of Supervisors.

**DATED THIS 26<sup>th</sup> DAY OF APRIL, 2016.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

Roll Call Vote: **AYES: Houser, Belt, Grobe, Schultz; NAYS: Hanafan. Motion carried.**

Motion by Schultz, second by Houser, to open hearing to consider the authorization of a Loan Agreement, and the issuance of General Obligation Capital Loan Notes (Bonds) not to exceed the sum of \$2,500,000, for an essential county purpose: to provide funding or refunding, and pay for outstanding indebtedness exceeding \$5,000 on the 1st day of June, 2016. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Schultz, second by Houser, to close public hearing. **Roll Call Vote: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Belt, second by Schultz, to approve the authorization of a Loan Agreement, and the issuance of General Obligation Capital Loan Notes (Bonds) not to exceed the sum of \$2,500,000, for an essential county purpose: to provide funding or refunding, and pay for outstanding indebtedness exceeding \$5,000 on the 1st day of June, 2016; and sign **Resolution No. 36-2016**, instituting proceedings to take additional action, as follows:

**RESOLUTION NO. 36-2016**

**RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$2,500,000 GENERAL OBLIGATION CAPITAL LOAN NOTES (BONDS).**

**WHEREAS**, pursuant to notice published as required by law, the Pottawattamie County Board of Supervisors has held a public meeting, and hearing upon the proposal to institute proceedings for the issuance of not to exceed \$2,500,000 in General Obligation Capital Loan Notes (Bonds), for an essential county purpose: to provide funding or refunding, and pay for outstanding indebtedness exceeding \$5,000 on the 1st day of June, 2016, and has considered the extent of objections received from residents or property owners as to the proposed issuance of bonds; and, accordingly the following action is now considered to be in the best interests of Pottawattamie County, and residents thereof:

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County, State of Iowa, as follows:

Section 1. That the Pottawattamie County Board of Supervisors does hereby institute proceedings and take additional action for the sale and issuance in the manner required by law of not to exceed \$2,500,000 in General Obligation Capital Loan Notes (Bonds) for the foregoing essential county purpose.

Section 2. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2, and shall be maintained on file as a public record of such intent. It is reasonably expected that moneys may be advanced from time to time for capital expenditures which are to be paid from the proceeds of the above Bonds. The amounts so advanced shall be reimbursed from the proceeds of the Bonds not later than eighteen months after the initial payment of the capital expenditures, or eighteen months after the property is placed in service. Such advancements shall not exceed the amount authorized in this Resolution, unless the same are for preliminary expenditures, or unless another declaration of intention is adopted.

Section 3. The Treasurer is authorized and directed to proceed on behalf of Pottawattamie County with the sale of the bonds, to select a date for the sale thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of Pottawattamie County and the Pottawattamie County Board of Supervisors, and otherwise to take all action necessary to permit the sale of bonds on a basis favorable to Pottawattamie County and acceptable to the Pottawattamie County Board of Supervisors.

**DATED THIS 26<sup>th</sup> DAY OF APRIL, 2016.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tom Hanafan				
	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Melvyn J. Houser				
	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Justin Schultz				

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

**Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Belt, second by Houser, to approve Preliminary Official Statement regarding General Obligation Capital Loan Notes (Bonds), Series 2016-A; and sign **Resolution No. 37-2016**, directing the advertisement for sale and approving electronic bidding procedures, as follows:

**RESOLUTION NO. 37-2016**

**RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF \$4,670,000 (DOLLAR AMOUNT SUBJECT TO CHANGE) GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2016, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND OFFICIAL STATEMENT.**

**WHEREAS**, the Issuer is in need of funds to pay costs of improvements and equipment for the Recorder’s, Auditor’s and Information Technology offices , essential county purposes, and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$800,000 be authorized for said purposes; and

**WHEREAS**, pursuant to notice published as required by Sections 331.402 and 331.443 of the Code of Iowa, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of the Notes, and the Board is therefore now authorized to proceed with the issuance of said Notes for such purposes; and

**WHEREAS**, the Issuer is also in need of funds to pay costs of improvements to the sprinkler system on the 2nd floor of the Courthouse, an essential county purposes, and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$900,000 be authorized for said purposes; and

**WHEREAS**, pursuant to notice published as required by Sections 331.402 and 331.443 of the Code of Iowa, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of the Notes, and the Board is therefore now authorized to proceed with the issuance of said Notes for such purposes; and

**WHEREAS**, the Issuer is also in need of funds to pay costs of improvement, equipping and repair of the County Jail, essential county purposes, and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$150,000 be authorized for said purposes; and

**WHEREAS**, pursuant to notice published as required by Sections 331.402 and 331.443 of the Code of Iowa, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of the Notes, and the Board is therefore now authorized to proceed with the issuance of said Notes for such purposes; and

**WHEREAS**, the Issuer is also in need of funds to pay costs of funding or refunding outstanding indebtedness exceeding five thousand dollars on the first day of June, 2016, an essential county purposes, and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$2,500,000 be authorized for said purposes; and

**WHEREAS**, pursuant to notice published as required by Sections 331.402 and 331.443 of the Code of Iowa, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of the Notes, and the Board is therefore now authorized to proceed with the issuance of said Notes for such purposes; and

**WHEREAS**, the Issuer is also in need of funds to pay costs of body cameras for the Sheriff's Department, a general county purpose, and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$300,000 be authorized for said purpose; and

**WHEREAS**, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

**WHEREAS**, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Notes for a general county purpose in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose; and

**WHEREAS**, the Issuer is also in need of funds to pay costs of vehicles for the Sheriff's Department, a general county purpose, and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$300,000 be authorized for said purpose; and

**WHEREAS**, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

**WHEREAS**, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Notes for a general county purpose in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose; and

**WHEREAS**, pursuant to Section 331.445 of the Code of Iowa, it is hereby found and determined that the various general obligation notes authorized as hereinabove described shall be combined for the purpose of issuance in a single issue of \$4,670,000 (dollar amount subject to change) General Obligation Capital Loan Notes as hereinafter set forth; and

**WHEREAS**, in conjunction with its Municipal Advisor, Speer Financial, the County has caused a Preliminary Official Statement to be prepared outlining the details of the proposed sale of the Notes; and

**WHEREAS**, the Board has received information from its Municipal Advisor evaluating and recommending the procedure hereinafter described for electronic, facsimile and internet bidding to maintain the integrity and security of the competitive bidding process and to facilitate the delivery of bids by interested parties; and

**WHEREAS**, the Board deems it in the best interests of the County and the residents thereof to receive bids to purchase such Notes by means of both sealed and electronic internet communication.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County, State of Iowa:

Section 1. That the receipt of electronic bids by facsimile machine and through the Speer Auction Competitive Bidding System described in the Notice of Sale and Official Statement are hereby found and determined to provide reasonable security and to maintain the integrity of the competitive bidding process, and to facilitate the delivery of bids by interested parties in connection with the offering at public sale.

Section 2. That General Obligation Capital Loan Notes, Series 2016, of Pottawattamie County, State of Iowa, in the amount of \$4,670,000 (dollar amount subject to change), to be issued as referred to in the preamble of this Resolution, to be dated June 7, 2016, be offered for sale pursuant to the published advertisement.

Section 3. That the preliminary Official Statement in the form presented to this meeting be and the same hereby is approved as to form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission, subject to such revisions, corrections or modifications as the Chairperson and County Auditor, upon the advice of bond counsel and the County's

Financial Advisor, shall determine to be appropriate, and is authorized to be distributed in connection with the offering of the Notes for sale.

Section 4. Bids for the sale of Notes of Pottawattamie County, State of Iowa, hereafter described, must be received at the office of the County Treasurer, Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa (the "Issuer") before 10:30 A.M., on the 11th day of May, 2016. The bids will then be publicly opened and referred for action to the meeting of the Board of Supervisors in conformity with the TERMS OF OFFERING.

Section 5. The Notes to be offered are the following:

**GENERAL OBLIGATION CAPITAL LOAN NOTES,  
SERIES 2016, in the amount of \$4,670,000\*  
to be dated June 7, 2016 (the "Notes")**

\*Subject to principal adjustment pursuant to official Terms of Offering.

Section 6. Open bids will not be received. Bids will be received in any of the following methods:

- Sealed Bidding: Sealed bids may be submitted and will be received at the office of the County Treasurer at Board Room, County Courthouse, 227 South 6Th Street, Council Bluffs, Iowa.
- Electronic Internet Bidding: Electronic internet bids will be received at the office of the County Treasurer at Board Room, County Courthouse, 227 South 6Th Street, Council Bluffs, Iowa. The bids must be submitted through the SPEERAUCTION competitive bidding system.
- Electronic Facsimile Bidding: Electronic facsimile bids will be received at the office of the County Treasurer at Board Room, County Courthouse, 227 South 6Th Street, Council Bluffs, Iowa (facsimile number: 712-328-5700). Electronic facsimile bids will be treated as sealed bids.

Section 7. After the time for receipt of bids has passed, the close of sealed bids will be announced. Sealed bids will then be publicly opened and announced. Finally, electronic internet bids will be accessed and announced.

Section 8. The sale and award of the Notes will be held at the Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa at a meeting of the Board of Supervisors on the above date at \_\_\_\_\_M.

Section 9. The Issuer has issued an Official Statement of information pertaining to the Notes to be offered, including a statement of the Terms of Offering and an Official Bid Form, which is incorporated by reference as a part of this notice. The Official Statement may be obtained by request addressed to the County Auditor, Board Room, County Courthouse, 227 South 6th Street, Council Bluffs, Iowa or the Issuer's Municipal Advisor, Speer Financial, 531 Commercial Street, Waterloo, Iowa, 50703; Telephone: 319-219-2077, or

Section 10. All bids shall be in conformity with and the sale shall be in accord with the Terms of Offering as set forth in the Official Statement.

Section 11. The Notes will be sold subject to the opinion of Ahlers & Cooney, P.C., Attorneys of Des Moines, Iowa, as to the legality and their opinion will be furnished together with the printed Notes without cost to the purchaser and all bids will be so conditioned. Except to the extent necessary to issue their opinion as to the legality of the Notes, the attorneys will not examine or review or express any opinion with respect to the accuracy or completeness of documents, materials or statements made or furnished in connection with the sale, issuance or marketing of the Notes.

Section 12. The right is reserved to reject any or all bids, and to waive any irregularities as deemed to be in the best interests of the public.



DATED THIS 26<sup>th</sup> DAY OF APRIL, 2016.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.

Motion by Schultz, second by Houser, to approve Final Payment Voucher for Project FM-CO78(181) – 55-78. UNANIMOUS VOTE. Motion carried.

Motion by Schultz, second by Houser, to approve Final Payment Voucher for Project FM-CO78(182) – 55-78. UNANIMOUS VOTE. Motion carried.

RECEIVED/FILED

**Salary Actions:**

- Auditor – Payroll Status Change of Jodie Beckman.
- Auditor – Payroll Status Change of Andrew Moats.
- WIC – Payroll Status Change of Luz Collins.

ADJOURN

Motion by Schultz, second by Houser, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:15 PM.

\_\_\_\_\_  
Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

APPROVED: 5/3/2016  
PUBLISH: X



**MAY 3, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 11:00 AM. All members, except Hanafan and Schultz present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

Motion by Houser, second by Belt, to approve:

1. April 26, 2016, minutes as read.
2. Treasurer's Office – Employment of Edward Kalick as Clerk II, at \$15.04 per hour, effective May 3, 2016.
3. Class C Native Wine (WCN) Liquor License Renewal Application, to grant privileges of Class C Native Wine (WCN) / Outdoor Service / Sunday Sales to Lyle Ditmars, d/b/a Ditmars Orchard, Council Bluffs.
4. Class E (LE) Liquor License Renewal Application, to grant privileges of Class B Wine Permit / Class C Beer Permit (Carryout Beer) / Class E Liquor License (LE) / Sunday Sales to Kum & Go LC d/b/a Kum & Go #23, Neola.
5. Sheriff's Office – Job Reclassification of James Harvey from Sergeant – Road at \$35.83 per hour, to Deputy – Road at \$31.65 per hour, effective April 28, 2016.
6. GIS – Employment of Bruce DeWitt as a part-time GIS Intern, at \$12.00 per hour, effective May 2, 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Houser, second by Belt, to open public hearing on Ordinance #2016-02. **Roll Call Vote: AYES: Houser, Belt, Grobe. Motion carried.**

Motion by Houser second by Belt, to close public hearing on Ordinance # 2016-02.  
**Roll Call Vote: AYES: Houser, Belt, Grobe. Motion carried.**

Motion by Houser, second by Belt, to approve first consideration of Ordinance #2016-02: AN ORDINANCE to add the following Conditional Use to the A-4 District, Section 8.014.030:

.17 Private light plane landing strips and helipads, including crop dusting strips, when laid out and operated in accordance with all applicable regulations of the Federal Aviation Agency, and when situated on a site containing not less than thirty (30) acres;

And to set second consideration for May 10, 2016, at 10:45 AM. **Roll Call Vote: AYES: Houser, Belt, Grobe. Motion carried.**

Motion by Houser, second by Belt, to open public hearing on Ordinance #2016-03. **Roll Call Roll Call Vote: AYES: Houser, Belt, Grobe. Motion carried.**

Motion by Houser, second by Belt, to close public hearing on Ordinance # 2016-03. **Roll Call Vote: AYES: Houser, Belt, Grobe. Motion carried.**

Motion by Houser, second by Belt, to approve first consideration of Ordinance #2016-3, AN ORDINANCE to add the following Conditional Uses to the R-2 District, Section 8.020.030:

- .12 Commercial activities, similar in scope to the following, provided the property shall be located along or have direct access to an Official Bituminous Road designated by the County Board in a Resolution:
- A. Antique/Used Furniture Shops.
  - B. Art shops and galleries.
  - C. Bakery.
  - D. Bicycle Stores, sales, rental and repair.
  - E. Indoor recreational activities.
  - F. Book, flower and gift shops.
  - G. Health Clubs, Gymnasiums.
  - H. Miniature golf and small recreational establishments.
  - I. Museums.
  - J. Offices, business and professional.
  - K. Restaurants, with a bar, lounge or tavern attached thereto provided that the tavern shall occupy no more than 25% of the total floor area of the total building dedicated to both uses.
  - L. Outdoor recreational complexes, excluding off-highway vehicle parks;

And to set second consideration for May 10, 2016, at 11:00 AM. **Roll Call Vote: AYES: Houser, Belt, Grobe. Motion carried.**

Motion by Belt, second by Houser, to approve the contractor to apply the joint sealant for the new employee concrete parking lot at the Veteran Affairs Building, at the cost of \$6,961.50. UNANIMOUS VOTE. Motion carried.

Mark Brandenburg / Recorder – Provided the following update on the Recorder’s Office: The first month of operation for the passports was very successful. For the month of April 2016, \$4,980.00 in revenue was generated for the County’s General Fund. Cross-training in the Recorder’s Office is almost complete. Boat license renewal was just completed and \$7,258.75 in revenue was generated for the County.

### **RECEIVED/FILED**

#### **Salary Actions:**

- SW Iowa Juvenile Detention Center – Employment of: Amy Ryan as part-time Youth Corrections Worker; and Logan Kampschnieder as part-time Youth Corrections Worker.
- Communications – Payroll Status Change of: Marie Dollen, Jacob Hardiman, Brianna Jones, Elizabeth Cleveland, and Abby Fredich.
- Sheriff’s Office – Payroll Status Change of Mark Burbridge.
- Recorder’s Office – Payroll Status Change of Paul Nelson.

### **ADJOURN:**

Motion by Houser, second by Belt, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:55 AM.

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Lynn Grobe, Chairman

ATTEST:

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Marilyn Jo Drake, County Auditor

APPROVED: 5/5/2016

PUBLISH: X

**MAY 5, 2016**

**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:30 AM. All members, except Schultz present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE**

**CONSENT AGENDA**

Motion by Houser, second by Belt, to approve:

- 1. May 3, 2016, minutes as read.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Hanafan, second by xxxxx, to hire an outside consultant to advise the Board on Pottawattamie County’s Risk Management Department; and to create a job description for a Safety Coordinator for Board review. Motion died for lack of second.

Motion by Belt, second by Houser, to approve repairs completed on retaining wall located on county-owned property located between 412 Fuller Avenue and 416 Fuller Avenue, legally described as: That part of the N ½ S ½ NE ¼ NE ¼ of Section 25, Township 75, Range 44, described as follows: Commencing at the Southwest corner of Lot 31 Hillcrest Annex, running thence West along the North line of Fuller Avenue 5.0 feet, then North 74.0 feet, thence East 5.0 feet, thence 74.0 feet to the place of beginning, in Pottawattamie County, Iowa; and authorize payment be made to Wohlerscape, Inc. for said repairs in the amount of \$8,430.00, with said funds to be paid from the Gaming Fund. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to approve and authorize Chairman to sign documents conveying property legally described as: That part of the N ½ S ½ NE ¼ NE ¼ of Section 25, Township 75, Range 44, described as follows: Commencing at the Southwest corner of Lot 31 Hillcrest Annex, running thence West along the North line of Fuller Avenue 5.0 feet, then North 74.0 feet, thence East 5.0 feet, thence 74.0 feet to the place of beginning, in Pottawattamie County, Iowa, to Kyle and Meredith Sulentic, as set out in Resolution No. 09-2016, dated January 4, 2016. UNANIMOUS VOTE. Motion carried.

**ADJOURN:**

Motion by Belt, second by Hanafan, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:50 A.M.

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Lynn Grobe, Chairman

ATTEST:

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Marilyn Jo Drake, County Auditor

APPROVED: 5/10/2016

PUBLISH: X

**May 10, 2016**

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M. All members present. Chairman Grobe presiding.

PLEDGE OF ALLEGIANCE

**CONSENT AGENDA**

Motion by Schultz, second by Belt, to approve:

1. May 5, 2016, minutes as read.
2. Publication of Claims Allowed for April 2016.

UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Hanafan, to canvass Special City Election for City of Council Bluffs, and to authorize Auditor to pay election costs. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to approve and authorize Chairman to sign Agreement between Pottawattamie County and MAPA for Administration of the CITIES Program for Project Number 16POTT03. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to open public hearing on Ordinance #2016-01. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Belt, second by Houser, to close public hearing on Ordinance #2016-01 **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Belt, second by Schultz, to approve first consideration of Ordinance #2016-01, **AN ORDINANCE** to add Chapter 11, Industrial Property Tax Value Added Exemption, as follows:

- 11.01 Title
- 11.02 Definitions
- 11.03 Purpose
- 11.04 Period and Amount of Partial Exemption
- 11.05 Application for Exemption
- 11.06 Exemption May be Repealed
- 11.07 Severability

**CHAPTER 11.01  
Industrial Property Tax Value Added Exemption**

- 11.01 **TITLE:** This Chapter may be known and cited as the “Industrial Property Tax Value Added Exemption” of the County of Pottawattamie, Iowa.
- 11.02 **Definitions:** For the purposes of this chapter, certain terms or words are hereby defined:
  - A. **Actual value added:** The actual value added in industrial development through “new construction” as of the first year for which the exemption is received, except that actual value added by improvements to machinery and equipment means the actual value as determined by the assessor as of January 1 of each year for which the exemption is received.
  - B. **Distribution Center:** A building or structure used primarily for the storage of goods which are intended for subsequent shipment to retail outlets. “Distribution center” does not mean a building or structure used primarily to store raw agricultural products, used primarily by a manufacturer to store goods to be used in the manufacturing process, used primarily for the storage of petroleum products, or used for the retail sale of goods.
  - C. **New Construction:** New buildings or structures and includes new buildings and structures which are constructed as additions to existing building and structures. “New construction” does not include reconstruction of an existing building or structure which does not constitute complete replacement of an existing building or structure or

refitting of an existing building or structure, unless the reconstruction of an existing building or structure is required due to economic obsolescence and the reconstruction is necessary to implement recognized industry standards for the manufacturing and processing of specific products and the reconstruction is required for the owner of the building or structure to continue to competitively manufacture or process those products which determination shall receive prior approval from the Pottawattamie County Board of Supervisors upon the recommendation of the Iowa Department of Economic Development. The exemption shall also apply to new machinery and equipment assessed as real estate pursuant to Section 427A.1, subsection 1, paragraph "e", 1989 Code of Iowa, unless the machinery or equipment is part of the normal replacement or operating process to maintain or expand the existing operational status.

- D. Research-service Facilities: A building or group of buildings devoted primarily to research and development activities, including, but not limited to, the design and production or manufacture or prototype products for experimental use, and corporate-research services which do not have a primary purpose of providing on-site services to the public.
- E. Warehouse: A building or structure used as a public warehouse for the storage of goods pursuant to Chapter 554, article 7, 1989 Code of Iowa, except that it does not mean a building or structure used primarily to store raw agricultural products or from which goods are sold at retail.

- 11.03 Purpose: The Pottawattamie County Board of Supervisors hereby provides a partial exemption from property taxation of the actual value added to industrial real estate by the construction of industrial real estate, research-service facilities, warehouses, distribution centers and the acquisition of our improvements to machinery and equipment assessed as real estate pursuant to Section 427A.1, subsection 1, paragraph "e", 1989 Code of Iowa.

The purpose is to provide a tax incentive for new or expanding industrial development in the unincorporated area of Pottawattamie County which will diversify our economy and add new jobs.

- 11.04 Period and Amount of Partial Exemption: The actual value added to industrial real estate for reasons specified in Section 11.03 is eligible to receive a partial exemption from taxation for a period of five years. However, if the property ceases to be classified as industrial real estate or ceases to be used as a distribution center, research-service facility, or warehouse, the partial exemption for the value added shall not be allowed for subsequent assessment years.

The amount of actual value added which is eligible to be exempt from taxation shall be as follows:

1. For the first year, seventy-five percent (75%)
2. For the second year, sixty percent (60%)
3. For the third year, forty-five percent (45%)
4. For the fourth year, thirty percent (30%)
5. For the fifth year, fifteen percent (15%)

However, the granting of this exemption under this section for new construction constituting complete replacement of an existing building or structure shall not result in the assessed value of the industrial real estate being reduced below the assessed value of the industrial real estate before the state of the new construction added.

- 11.05 Application for Exemption: An application shall be filled for each project resulting in actual value added for which an exemption is claimed. The application for exemption shall be filled by the owner of the property with the county assessor by February 1 of the assessment year in which the value added is first assessed for taxation.

A person or firm may submit a proposal to the Development Director to begin the process of receiving prior approval for eligibility for a partial tax exemption for new construction. The Director will establish a public hearing date and location with the concurrence of the Board of Supervisors in conformance with the hearing requirements of chapter 21 and Section 331.305, 1989 Code of Iowa. After the public hearing, the Board of Supervisors may pass a resolution granting prior approval if the new construction conforms with the purpose of this Chapter

and the Pottawattamie County Zoning Ordinance. Prior approval does not entitle the owner to exemption from taxation until the new construction has been completed and found to be qualified real estate. However, if the tax exemption for new construction is not approved, the person or firm may submit an amended proposal to the Board of Supervisors to approve or reject.

- 11.06 Exemption may be Repealed: When in the opinion of the Board of Supervisors continuation of the exemption granted by this chapter ceases to be of benefit to the County, the Board of Supervisors may repeal this Ordinance, but all existing exemptions shall continue until their expiration.
- 11.07 Severability Clause: If any of the provisions of this Ordinance are for any reason illegal or void, then the lawful provisions of the Ordinance, which are separate from said unlawful provisions shall be and remain in full force and effect, the same as if the Ordinance contained no illegal or void provisions.

And to set second consideration for May 17, 2016 at 10:00 AM. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Hanafan, second by Belt, to approve second consideration of Ordinance #2016-02, AN ORDINANCE to add the following Conditional Use to the A-4 District, Section 8.014.030:

.17 Private light plane landing strips and helipads, including crop dusting strips, when laid out and operated in accordance with all applicable regulations of the Federal Aviation Agency, and when situated on a site containing not less than thirty (30) acres;

and to adopt said Ordinance #2016-02 into law. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Hanafan, second by Houser, to approve second consideration of Ordinance #2016-03, AN ORDINANCE to add the following Conditional Uses to the R-2 District, Section 8.020.030:

- .12 Commercial activities, similar in scope to the following, provided the property shall be located along or have direct access to an Official Bituminous Road designated by the County Board in a Resolution:
- A. Antique/Used Furniture Shops.
  - B. Art shops and galleries.
  - C. Bakery.
  - D. Bicycle Stores, sales, rental and repair.
  - E. Indoor recreational activities.
  - F. Book, flower and gift shops.
  - G. Health Clubs, Gymnasiums.
  - H. Miniature golf and small recreational establishments.
  - I. Museums.
  - J. Offices, business and professional.
  - K. Restaurants, with a bar, lounge or tavern attached thereto provided that the tavern shall occupy no more than 25% of the total floor area of the total building dedicated to both uses.
  - L. Outdoor recreational complexes, excluding off-highway vehicle parks;

and to adopt said Ordinance #2016-03 into law. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Houser, second by Hanafan, to approve and sign **Resolution No. 38-2016**, a resolution to set public hearing for May 24, 2016, at 10:00 AM, in the Board of Supervisors'

Hearing Room, Second Floor, Courthouse, Council Bluffs, Iowa, on a proposed road vacation for property legally described as:

A 50 foot wide road (Cottonwood Road) on the South line of the SW1/4 SE1/4 of Section 32, Township 75 North, Range 38 West of the 5<sup>th</sup> Principal Meridian, Pottawattamie County, Iowa described as follows:

Beginning at the S1/4 Corner of said Section 32; thence running East 1320 feet and terminating at the Southeast corner of said SW1/4 SE1/4. The road described to be vacated was established on June 17, 1881 by Original Petition No. 103 and recorded in County Road Calendar Book C, Page 248 establishing the right-of-way at 50 feet north of the above described line. Length of road to be vacated is 1320 feet (0.25 mile).

also,

A 50 foot wide road (Cottonwood Road) on the North line of Section 5, Township 74 North, Range 38 West of the 5<sup>th</sup> Principal Meridian, Pottawattamie County, Iowa described as follows:

Commencing at the NW Corner of said Section 5; thence running East along the North line of said Section 5 approximately 0.48 mile to the Point of Beginning; thence continuing East approximately 0.02 mile and terminating at the N1/4 Corner of said Section 5. The road described to be vacated was established on June 17, 1881 by Original Petition No. 103 and recorded in County Road Calendar Book C, Page 248 establishing the right-of-way at 25 feet north and south of the above described line. Length of road to be vacated is approximately 0.02 mile.  
(Waveland and Wright Townships)

**Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Houser, second by Hanafan, to approve the construction of the North Parking Lot. AYES: Houser; NAYS: Schultz, Hanafan, Grobe. Motion denied.

Motion by Houser, second by Schultz, to approve the posting and hiring of a Safety Coordinator. UNANIMOUS VOTE. Motion carried.

Motion by Schultz, second by Houser, to approve the development of the position with Human Resources. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to approve the hiring of a consultant to conduct an independent review of the Safety Program. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to approve the reversal of the tax suspension previously approved on March 29, 2016, for property located at 3207 11th Avenue, Council Bluffs. UNANIMOUS VOTE. Motion carried.

### **RECEIVED/FILED**

#### **Salary Actions:**

- Engineer / Secondary Roads - Payroll Status Change of Rachel Portrey, Josh Dau, Shawna Hedegaard
- Attorney – Payroll Status Change of Kerrie Snyder
- Jail – Kenny Loghry, Garrett Lembke

**Reports:**

- Recorder's Fee Book for 4/1/2016 – 4/30/2016

**ADJOURN:**

Motion by Schultz, second by Hanafan, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:30 PM.

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Lynn Grobe, Chairman

ATTEST:

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Marilyn Jo Drake, County Auditor  
Becky Belt, Finance, Auditor's Office

APPROVED: 5/11/2016

PUBLISH: X



**MAY 11, 2016**

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 3:00 P.M. All members present. Chairman Grobe presiding.

PLEDGE OF ALLEGIANCE

**CONSENT AGENDA**

Motion by Houser, second by Hanafan, to approve:

- 1. May 10, 2016, minutes as read.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Belt, second by Schultz, to approve and sign **Resolution No. 39-2016**, a Resolution directing the sale of \$,670,000 General Obligation Capital Loan Notes, Series 2016-A, as follows:

**RESOLUTION NO. 39-2016**

**RESOLUTION DIRECTING SALE OF \$4,670,000.00 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2016-A**

**WHEREAS**, bids have been received for the Notes described as follows and the best bid received (with permitted adjustments, if any) is determined to be the following:

\$4,670,000.00 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2016-A

Bidder: Country Club Bank of Kansas City, Missouri.

The terms of award:

Final Par Amount as adjusted: \$4,670,000.00

Purchase Price as adjusted: \$4,810,333.50

True Interest Rate: 1.153362%

Net Interest Cost: \$192,760.25

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County, State of Iowa:

That the bid for the Notes as above set out is hereby determined to be the best and most favorable bid received and, the Notes are hereby awarded as described above.

Section 1. That the statement of information for Note bidders and the form of contract for the sale of the Notes are hereby approved and the Chairperson and Auditor are authorized to execute the same on behalf of the County.

That all acts of the County Treasurer and other officials done in furtherance of the sale of the Notes are hereby ratified and approved.

**DATED THIS 11<sup>th</sup> DAY OF MAY, 2016.**

**ROLL CALL VOTE**

AYE	NAY	ABSTAIN	ABSENT
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○	○	○	○
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\_\_\_\_\_  
Lynn G. Grobe, Chairman

_____	○	○	○	○
Scott A. Belt				
_____	○	○	○	○
Tom Hanafan				
_____	○	○	○	○
Melvyn J. Houser				
_____	○	○	○	○
Justin Schultz				

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

Roll Call Vote: **AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Belt, second by Hanafan, to approve and sign **Resolution No. 40-2016**, a Resolution Authorizing the Redemption of Outstanding General Obligation Taxable Bonds, Series 2009 (Build American Bonds – Direct Pay), dated October 27, 2009, as follows:

**RESOLUTION NO. 40-2016**

**RESOLUTION AUTHORIZING THE REDEMPTION OF OUTSTANDING GENERAL OBLIGATION TAXABLE BONDS, SERIES 2009 (BUILD AMERICA BONDS - DIRECT PAY), OF POTTAWATTAMIE COUNTY, STATE OF IOWA, DATED OCTOBER 27, 2009, AND DIRECTING NOTICE BE GIVEN.**

**WHEREAS**, the County did by resolution dated October 19, 2009, authorize the issuance of \$5,000,000 General Obligation Taxable Bonds, Series 2009 (Build America Bonds - Direct Pay), (the "Bonds") dated October 27, 2009; and

**WHEREAS**, the Bonds are redeemable in any order of their numbering on June 1, 2016 or any date thereafter upon giving notice in the manner provided in the resolution authorizing the issuance of the Bonds; and

**WHEREAS**, it is deemed necessary and advisable that \$2,215,000 be so redeemed on June 13, 2016, and notice of redemption be given according to the terms of the resolution authorizing issuance of the Bonds.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County, Iowa:

That outstanding General Obligation Taxable Bonds, dated October 27, 2009, in the principal amount of \$2,215,000, be and the same are hereby redeemed as of June 13, 2016.

The Registrar and Paying Agent, Bankers Trust Company, Des Moines, Iowa, is hereby authorized and directed to cause notice of such redemption be given not less than thirty (30) days prior to the redemption date and to cause notice of redemption to be mailed to the registered owners of the Bonds by registered mail, and to notify DTC.

The County Treasurer is hereby authorized and directed to cause to be deposited in a separate fund sum sufficient to pay all principal and interest on the redeemed Bonds to the date of redemption and to notify the County's dissemination agent to post the Notice of Redemption to the MSRB's website (EMMA) in searchable PDF format for the refunded Bonds in accordance with the Continuing Disclosure Certificate for the Bonds.

That the form of such notice be substantially as follows:

**NOTICE OF THE CALL OF BONDS FOR REDEMPTION TO THE HOLDERS OF THE FOLLOWING DESCRIBED BONDS:**

Please take notice that the Bonds described below have been called for redemption. Owners of the Bonds should present their Bonds for payment on the redemption date.

Issuer: Pottawattamie County, State of Iowa

Original Issue Amount: \$5,000,000

Bond Issue: General Obligation Taxable Bonds, Series 2009 (Build America Bonds – Direct Pay)

Dated Date: October 27, 2009

Redemption Date: June 13, 2016

Redemption Price: At par, plus accrued interest

Bonds Called for Redemption

<u>CUSIP Numbers</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Maturity June 1st</u>
737875 FA7	\$515,000	4.20%	2017
737875 FB5	\$540,000	4.40%	2018
737875 FC3	\$565,000	4.60%	2019
737875 FD1	\$595,000	4.75%	2020

No representation is made as to the accuracy of the CUSIP numbers printed herein or on the Bonds.

The above Bonds should be presented to Bankers Trust Company, Des Moines, Iowa. This represents a full call of the outstanding obligations. All interest will cease to accrue on the Redemption Date.

BANKERS TRUST COMPANY, Des Moines, Iowa

\_\_\_\_\_  
Registrar

(End of Notice)

**DATED THIS 11<sup>th</sup> DAY OF MAY, 2016.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.

**ADJOURN:**

Motion by Hanafan, second by Schultz, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 3:40 PM.

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Lynn Grobe, Chairman

ATTEST:

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Marilyn Jo Drake, County Auditor

APPROVED: 5/17/2016

PUBLISH: X

**MAY 17, 2016**

**MET IN REGULAR SESSION**

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

**PLEDGE OF ALLEGIANCE**

**CONSENT AGENDA**

Motion by Hanafan, second by Belt, to approve:

1. May 11, 2016, Minutes as read.
2. Conservation – Employment of Collin Alferts as Seasonal, part-time Ranger Intern, at \$9.00 per hour, effective May 9, 2016.
3. Engineer –Employment of Lisa Keierleber as full-time Assistant Engineer, at \$25.81 per hour, effective May 9, 2016.
4. Jail – Employment of Kyle Hackett as a full-time Detention Officer, at \$19.78 per hour, effective May 9, 2016.
5. Jail – Employment of Jeremy Warren as a full-time Detention Officer, at \$19.78 per hour, effective May 9, 2016.
6. Jail – Employment of Aaron Culver as a full-time Detention Officer, at \$19.78 per hour, effective May 9, 2016.
7. Jail – Employment of Allison Head as a full-time Detention Officer, at \$19.78 per hour, effective May 9, 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Houser, second by Hanafan, to approve Second Consideration of Ordinance #2016-01, **AN ORDINANCE** to add Chapter 11, Industrial Property Tax Value Added Exemption, as follows:

- 11.01 Title
- 11.02 Definitions
- 11.03 Purpose
- 11.04 Period and Amount of Partial Exemption
- 11.05 Application for Exemption
- 11.06 Exemption May be Repealed
- 11.07 Severability

**CHAPTER 11.01  
Industrial Property Tax Value Added Exemption**

11.01 TITLE: This Chapter may be known and cited as the “Industrial Property Tax Value Added Exemption” of the County of Pottawattamie, Iowa.

11.02 Definitions: For the purposes of this chapter, certain terms or words are hereby defined:

- A. Actual value added: The actual value added in industrial development through “new construction” as of the first year for which the exemption is received, except that actual value added by improvements to machinery and equipment means the actual value as determined by the assessor as of January 1 of each year for which the exemption is received.
- B. Distribution Center: A building or structure used primarily for the storage of goods which are intended for subsequent shipment to retail outlets. “Distribution center” does not mean a building or structure used primarily to store raw agricultural products, used primarily by a manufacturer to store goods to be used in the manufacturing process, used primarily for the storage of petroleum products, or used for the retail sale of goods.
- C. New Construction: New buildings or structures and includes new buildings and structures which are constructed as additions to existing building and structures. “New construction” does not include reconstruction of an existing building or structure which does not constitute complete replacement of an existing building or structure or

refitting of an existing building or structure, unless the reconstruction of an existing building or structure is required due to economic obsolescence and the reconstruction is necessary to implement recognized industry standards for the manufacturing and processing of specific products and the reconstruction is required for the owner of the building or structure to continue to competitively manufacture or process those products which determination shall receive prior approval from the Pottawattamie County Board of Supervisors upon the recommendation of the Iowa Department of Economic Development. The exemption shall also apply to new machinery and equipment assessed as real estate pursuant to Section 427A.1, subsection 1, paragraph "e", 1989 Code of Iowa, unless the machinery or equipment is part of the normal replacement or operating process to maintain or expand the existing operational status.

- D. Research-service Facilities: A building or group of buildings devoted primarily to research and development activities, including, but not limited to, the design and production or manufacture or prototype products for experimental use, and corporate-research services which do not have a primary purpose of providing on-site services to the public.
- E. Warehouse: A building or structure used as a public warehouse for the storage of goods pursuant to Chapter 554, article 7, 1989 Code of Iowa, except that it does not mean a building or structure used primarily to store raw agricultural products or from which goods are sold at retail.

- 11.03 Purpose: The Pottawattamie County Board of Supervisors hereby provides a partial exemption from property taxation of the actual value added to industrial real estate by the construction of industrial real estate, research-service facilities, warehouses, distribution centers and the acquisition of our improvements to machinery and equipment assessed as real estate pursuant to Section 427A.1, subsection 1, paragraph "e", 1989 Code of Iowa.

The purpose is to provide a tax incentive for new or expanding industrial development in the unincorporated area of Pottawattamie County which will diversify our economy and add new jobs.

- 11.04 Period and Amount of Partial Exemption: The actual value added to industrial real estate for reasons specified in Section 11.03 is eligible to receive a partial exemption from taxation for a period of five years. However, if the property ceases to be classified as industrial real estate or ceases to be used as a distribution center, research-service facility, or warehouse, the partial exemption for the value added shall not be allowed for subsequent assessment years.

The amount of actual value added which is eligible to be exempt from taxation shall be as follows:

1. For the first year, seventy-five percent (75%)
2. For the second year, sixty percent (60%)
3. For the third year, forty-five percent (45%)
4. For the fourth year, thirty percent (30%)
5. For the fifth year, fifteen percent (15%)

However, the granting of this exemption under this section for new construction constituting complete replacement of an existing building or structure shall not result in the assessed value of the industrial real estate being reduced below the assessed value of the industrial real estate before the state of the new construction added.

- 11.05 Application for Exemption: An application shall be filled for each project resulting in actual value added for which an exemption is claimed. The application for exemption shall be filled by the owner of the property with the county assessor by February 1 of the assessment year in which the value added is first assessed for taxation.

A person or firm may submit a proposal to the Development Director to begin the process of receiving prior approval for eligibility for a partial tax exemption for new construction. The Director will establish a public hearing date and location with the concurrence of the Board of Supervisors in conformance with the hearing requirements of chapter 21 and Section 331.305, 1989 Code of Iowa. After the public hearing, the Board of Supervisors may pass a resolution granting prior approval if the new construction conforms with the purpose of this Chapter and the Pottawattamie County Zoning Ordinance. Prior approval does not entitle the owner to exemption from taxation until the new construction has been completed and found to be qualified real estate. However, if the tax exemption for new construction is not approved, the person or firm may submit an amended proposal to the Board of Supervisors to approve or reject.

- 11.06 Exemption may be Repealed: When in the opinion of the Board of Supervisors continuation of the exemption granted by this chapter ceases to be of benefit to the County, the Board of Supervisors may repeal this Ordinance, but all existing exemptions shall continue until their expiration.
- 11.07 Severability Clause: If any of the provisions of this Ordinance are for any reason illegal or void, then the lawful provisions of the Ordinance, which are separate from said unlawful provisions shall be and remain in full force and effect, the same as if the Ordinance contained no illegal or void provisions.

And to adopt said Ordinance #2016-01 into law. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan. Motion carried.**

Motion by Houser, second by Hanafan, to set public hearing date on Amendment to Pottawattamie County 2015-16 Budget for Tuesday, June 7, 2016, at 10:00 AM, in the Board of Supervisors’ Hearing Room. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Houser, to approve the re-appropriation of funds from District Court (Department 31) to Juvenile Court (Department 63) in the amount of \$5,000.00, and to sign **Resolution No. 41-2016**, a resolution to re-appropriate \$5,000.00 from District Court (Department 63) to Juvenile Probation (Department 63), as follows:

**RESOLUTION NO. 41 – 2016**

**RESOLUTION FOR RE-APPROPRIATION BETWEEN DEPARTMENTS**

**WHEREAS**, it is desired to re-appropriate money from the District Court (Department 31) to Juvenile Probation (Department 63), and . . .

**WHEREAS**, said re-appropriation is in accordance with Section 331.434(6), Code of Iowa, and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County, Iowa, as follows:

**SECTION 1:** The sum of **\$5,000.00** is ordered to be re-appropriated from District Court (Department 31) to Juvenile Probation (Department 63); and

**SECTION 2:** The Auditor is directed to correct his/her books accordingly and to notify the Treasurer of this operating re-appropriation.

**DATED THIS 17<sup>th</sup> DAY OF MAY, 2016.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

**Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan. Motion carried.**

**OTHER BUSINESS**

Motion by Hanafan, second by Belt, to approve re-appointment of Robert Jorgensen to the Pottawattamie County Veteran Affairs Commission for a three year term, from July 1, 2016 – June 30, 2019. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to approve and authorize Chairman to sign Law Enforcement Contracts between Pottawattamie County and the Cities/Towns of: Avoca, Carson, Crescent, Hancock, Macedonia, McClelland, Minden, Neola, Oakland, Treynor, Underwood and Walnut. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED**

**Salary Actions:**

- Communications – Payroll Status Change of Marie Dollen
- Treasurer – Payroll Status Change of Heather Ausdemore
- Sheriff – Payroll Status Change of Rikayla Redding
- Planning – Payroll Status Change of Maria Sieck
- Veteran Affairs – Payroll Status Change of Suzanne Tanner
- Recorder – Payroll Status Change of Jeannie Pfeiffer
- IT – Payroll Status Change of: Todd Butterbaugh, Anthony Kava, Jordan Powell, Timothy Norris

**ADJOURN**

Motion by Belt, second by Hanafan to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 10:45 A.M.

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Lynn Grobe, Chairman

ATTEST:

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Marilyn Jo Drake, County Auditor

APPROVED: May 24, 2016

PUBLISH: X



**MAY 24, 2016**

**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 AM. All members present. Chairman Grobe presiding.

PLEDGE OF ALLEGIANCE

**CONSENT AGENDA**

Motion by Schultz, second by Hanafan, to approve:

1. May 17, 2016, Minutes as read.
2. Conservation – Employment of Sam Stivers as Full-Time Administrative Director at \$21.77 per hour, effective May 16, 2016.
3. Conservation – Employment of Katlyn Schulz, as Part-Time Seasonal Ranger Intern at \$11.00 per hour, effective May 16, 2016.
4. Recorder – Job Reclassification of Thomas Scott Mefferd from Clerk II at \$19.50 per hour, to Account Clerk II at \$21.30 per hour, effective March 16, 2016.
5. Class C Liquor License (LC) (Commercial) Renewal Application, to grant privileges of Class C Liquor License (LC) (Commercial) / Outdoor Service / Sunday Sales, to Genevieve Stueve d/b/a Aeroplane Inn, Honey Creek, Iowa.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Houser, second by Hanafan, to open public hearing on proposed road vacation of A 50 foot wide road (Cottonwood Road) on the South line of the SW1/4 SE1/4 of Section 32, Township 75 North, Range 38 West of the 5<sup>th</sup> Principal Meridian, Pottawattamie County, Iowa; and a 50 foot wide road (Cottonwood Road) on the North line of Section 5, Township 74 North, Range 38 West of the 5<sup>th</sup> Principal Meridian, Pottawattamie County, Iowa. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Hanafan, second by Houser, to close public hearing. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Hanafan, second Schultz, to approve and sign **Resolution No. 42-2016**, a resolution to dispose of certain property as follows:

**RESOLUTION NO. 42-2016**

**WHEREAS**, the following described road has a very low volume of traffic; and

**WHEREAS**, budget and liability constraints dictate the secondary roads system be reduced; and

**WHEREAS**, it is in the best interest of Pottawattamie County to vacate the road right-of-way described below.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County in session this 24<sup>th</sup> day of May, 2016, that the following described road easement be vacated:

A 50 foot wide road (Cottonwood Road) on the South line of the SW1/4 SE1/4 of Section 32, Township 75 North, Range 38 West of the 5<sup>th</sup> Principal Meridian, Pottawattamie County, Iowa described as follows:

Beginning at the S1/4 Corner of said Section 32; thence running East 1320 feet and terminating at the Southeast corner of said SW1/4 SE1/4. The road described to be vacated was established on June 17, 1881 by Original Petition No. 103 and recorded in County Road Calendar Book C, Page 248 establishing the right-of-way at 50 feet north of the above described line. Length of road to be vacated is 1320 feet (0.25 mile).

also,

A 50 foot wide road (Cottonwood Road) on the North line of Section 5, Township 74 North, Range 38 West of the 5th Principal Meridian, Pottawattamie County, Iowa described as follows:

Commencing at the NW Corner of said Section 5; thence running East along the North line of said Section 5 approximately 0.48 mile to the Point of Beginning; thence continuing East approximately 0.02 mile and terminating at the N1/4 Corner of said Section 5. The road described to be vacated was established on June 17, 1881 by Original Petition No. 103 and recorded in County Road Calendar Book C, Page 248 establishing the right-of-way at 25 feet north and south of the above described line. Length of road to be vacated is approximately 0.02 mile.(Waveland and Wright Townships)

Note: Utilities are granted a permanent and perpetual easement for the continuance of maintaining existing facilities for such construction, reconstruction, replacement, and repair thereof as may be deemed necessary by the utilities in the future (Iowa Code 306.22, 479.17, 479.24).

DATED THIS 24<sup>th</sup> day of May, 2016.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

Recommended: \_\_\_\_\_  
John A. Rasmussen, County Engineer

**Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Hanafan, second by Houser, to approve Funding Agreement with the Iowa DOT for Surface Transportation Program, Project No. STP-CO78(155) – 5E-78. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to authorize Engineer to execute Funding Agreement for a Living Roadway Trust Fund Grant for Counties, Project No. 99-00-LR15-(104). UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Belt, to authorize Chairman and County Engineer to sign and submit as directed the Iowa Department of Transportation’s Secondary Road Budget Amendment; and sign **Resolution No. 44-2016**, a resolution to Revise Pottawattamie County 2016 Five Year Program as follows:

**RESOLUTION NO. 44-2016**

**RESOLUTION TO REVISE POTTAWATTAMIE COUNTY 2016 FIVE YEAR ROAD PROGRAM.**

**WHEREAS**, unforeseen circumstances have arisen since adoption of the approved Secondary

Road Construction Program, and previous revisions, requiring changes to the sequence, funding and timing of the proposed work plan; and

**WHEREAS**, the Board of Supervisors of Pottawattamie County, Iowa, in accordance with Iowa Code section 309.22, initiates and recommends modification of the following project(s) in the accomplishment year (State Fiscal Year 2016), for approval by the Iowa Department of Transportation (Iowa DOT), per Iowa Code 309.23 and Iowa DOT Instructional Memorandum 2.050.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors, the following approved Priority Year projects shall be ADDED to the Program's Accomplishment year:

Project Number Local ID TPMS #	Project Location Description of work	AADT Length NBIS #	Type Work Fund basis	Accomplishment Year (\$1000's of dollars)		
					New amount	
L-WS17--73-78 WS17 TPMS ID: 14546	320th ST.: Over SILVER CREEK REPLACE EXISTING BRIDGE/NEW DAY LABOR BRIDGE	2004 0.25 MI 286150	Bridges LOCAL		\$175	
L-(VA05)--73-78 VA05 Bridge Replacement TPMS ID: 35631	On 420 <sup>TH</sup> ST, Over LITTLE SILVER CREEK Replace high truss bridge with drop inlet precast RDC culvert	40 0 287450	Bridges LOCAL		\$175	
<b>Totals</b>					<b>\$350</b>	

Fund ID	Accomplishment year (\$1000's of dollars)		
	Previous Amount	New Amount	Net Change
<b>Local Funds</b>	<b>\$2,380</b>	<b>\$2,730</b>	<b>\$350</b>
<b>Farm to Market Funds</b>	<b>\$1,550</b>	<b>\$1,550</b>	<b>\$0</b>
<b>Special Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Federal Aid Funds</b>	<b>\$3,000</b>	<b>\$3,000</b>	<b>\$0</b>
<b>Total construction cost (All funds)</b>	<b>\$6,930</b>	<b>\$7,280</b>	<b>\$350</b>
<b>Local 020 Construction cost totals (Local Funds + BROS-8JFA funds)</b>	<b>\$2,380</b>	<b>\$2,730</b>	<b>\$350</b>

DATED THIS 24<sup>th</sup> day of May, 2016.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

Recommended: \_\_\_\_\_  
John A. Rasmussen, County Engineer

**Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Houser, second by Hanafan, to approve and authorize Recorder to sign Addendum to Computer System and Software License Sales Agreement Five Year Life Cycle Renewal Dated February 2, 2015, between Pottawattamie County, Iowa and Fidlar Technologies, for Phase 2 (1970 – 1989) of the digitizing of documents. UNANIMOUS VOTE. Motion carried.

Motion by Schultz, second by Hanafan, to approve and authorize Recorder to sign Addendum to Computer System and Software License Sales Agreement Five Year Life Cycle Renewal Dated February 2, 2015, between Pottawattamie County and Fidlar Technologies, for Phase 1 of the crowdforce redaction of documents. UNANIMOUS VOTE. Motion carried.

Motion by Schultz, second by Hanafan, to approve and authorize Recorder to sign Addendum to Computer System and Software License Sales Agreement Five Year Life Cycle Renewal Dated February 2, 2015, between Pottawattamie County and Fidlar Technologies, for Phase 2 of the crowdforce redaction of documents. UNANIMOUS VOTE. Motion carried.

Motion by Schultz, second by Houser, to approve new hours of the Recorder’s Office, effective June 1, 2016, as follows: Monday through Friday from 8:00 AM to 4:00 PM. With this change, the Recorder’s Office will only accept applications for passports and marriage licenses from 8:00 AM to 3:30 PM. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Schultz, to approve and sign **Resolution No. 43-2016**, a Resolution to authorize Chairman to sign Interlocal Agreement between the City of Council Bluffs, Iowa, and County of Pottawattamie, Iowa, with respect to the 2016 Byrne Justice Assistance Grant (JAG) Program Award, as follows:

**RESOLUTION NO. 43-2016**

**A RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN AN INTERLOCAL AGREEMENT BETWEEN THE COUNTY OF POTTAWATTAMIE AND CITY OF COUNCIL BLUFFS WITH RESPECT TO THE 2016 BYRNE JUSTICE ASSISTANCE GRANT PROGRAM AWARD.**

**WHEREAS**, the Justice Assistance Grant (JAG) Program has funds available to award the County and City; and

**WHEREAS**, the heads of both law enforcement agencies have determined the best way to utilize said funds and agree that the proposed use is in the best interest of the public.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County, Iowa, that the Chairman of the Board is hereby authorized and directed to sign the Interlocal Agreement between the County and City for use of the 2016 JAG funds.

**DATED THIS 24<sup>th</sup> day of May, 2016.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lynn G. Grobe, Chairman				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Scott A. Belt				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tom Hanafan				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Melvyn J. Houser				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Justin Schultz				

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

Recommended: \_\_\_\_\_  
John A. Rasmussen, County Engineer

**Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Houser, second by Schultz, to approve salary increases effective July 1, 2016, for non-union employees at 3%. UNANIMOUS VOTE. Motion carried. Motion by Hanafan, second by Schultz, to amend salary increases effective July 1, 2016, as follows: 3% for non-union employees, AND 3% for department heads. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Hanafan, to approve and sign **Resolution No. 45-2016**, a Resolution Appointing Paying Agent, Note Registrar, and Transfer Agent, Approving the Paying Agent and Note Registrar and Transfer Agent Agreement and Authorizing the Execution of the Agreement – RE: \$4,670,000 General Obligation Capital Loan Notes, Series 2016, as follows:

**RESOLUTION NO. 45-2016**

**RESOLUTION APPOINTING BANKERS TRUST COMPANY OF DES MOINES, IOWA, TO SERVE AS PAYING AGENT, NOTE REGISTRAR, AND TRANSFER AGENT, APPROVING THE PAYING AGENT AND NOTE REGISTRAR AND TRANSFER AGENT AGREEMENT AND AUTHORIZING THE EXECUTION OF THE AGREEMENT.**

**WHEREAS**, \$4,670,000 General Obligation Capital Loan Notes, Series 2016, dated June 7, 2016, have been sold and action should now be taken to provide for the maintenance of records, registration of certificates and payment of principal and interest in connection with the issuance of the Notes; and

**WHEREAS**, this Board has deemed that the services offered by Bankers Trust Company of Des Moines, Iowa, are necessary for compliance with rules, regulations, and requirements governing the registration, transfer and payment of registered notes; and

**WHEREAS**, a Paying Agent, Bond Registrar and Transfer Agent Agreement (hereafter "Agreement") has been prepared to be entered into between the County and Bankers Trust Company.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County, States of Iowa:

1. That Bankers Trust Company of Des Moines, Iowa, is hereby appointed to serve as Paying Agent, Bond Registrar and Transfer Agent in connection with the issuance of \$4,670,000 General Obligation Capital Loan Notes, Series 2016, dated June 7, 2016.
2. That the Agreement with Bankers Trust Company of Des Moines, Iowa, is hereby approved and that the Chairperson and Auditor are authorized to sign the Agreement on behalf of the County.

**DATED THIS 24<sup>th</sup> day of May, 2016.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	○	○	○	○
_____ Scott A. Belt	○	○	○	○
_____ Tom Hanafan	○	○	○	○
_____ Melvyn J. Houser	○	○	○	○
_____ Justin Schultz	○	○	○	○

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

**Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Hanafan, second by Houser, to approve and sign **Resolution No. 46-2016**, a Resolution approving and authorizing a form of Loan Agreement and authorizing and providing for the issuance of \$4,670,000 general obligation capital loan notes, Series 2016, and levying a tax to pay said Notes; approval of the Tax Exemption Certificate and Continuing Disclosure Certificate, as follows:

**RESOLUTION NO. 46-2016**

**RESOLUTION APPROVING AND AUTHORIZING A FORM OF LOAN AGREEMENT AND AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$4,670,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2016, AND LEVYING A TAX TO PAY SAID NOTES; APPROVAL OF THE TAX EXEMPTION CERTIFICATE AND CONTINUING DISCLOSURE CERTIFICATE**

**WHEREAS**, the Issuer is a political subdivision, organized and exists under and by virtue of the laws and Constitution of the State of Iowa; and

**WHEREAS**, the Issuer is in need of funds to pay costs of improvements and equipment for the Recorder's, Auditor's and Information Technology offices, essential county purposes, and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$800,000 be authorized for said purposes; and

**WHEREAS**, pursuant to notice published as required by Sections 331.402 and 331.443 of the Code of Iowa, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of the Notes, and the Board is therefore now authorized to proceed with the issuance of said Notes for such purposes; and

**WHEREAS**, the Issuer is also in need of funds to pay costs of improvements to the sprinkler system on the 2nd floor of the Courthouse, an essential county purpose, and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$900,000 be authorized for said purpose; and

**WHEREAS**, pursuant to notice published as required by Sections 331.402 and 331.443 of the Code of Iowa, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of the Notes, and the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose; and

**WHEREAS**, the Issuer is also in need of funds to pay costs of improvement, equipping and repair of the County Jail, essential county purposes, and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$150,000 be authorized for said purposes; and

**WHEREAS**, pursuant to notice published as required by Sections 331.402 and 331.443 of the Code of Iowa, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of the Notes, and the Board is therefore now authorized to proceed with the issuance of said Notes for such purposes; and

**WHEREAS**, the Issuer is also in need of funds to pay costs of funding or refunding outstanding indebtedness exceeding five thousand dollars on the first day of June, 2016, essential county purposes, and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$2,500,000 be authorized for said purposes; and

**WHEREAS**, pursuant to notice published as required by Sections 331.402 and 331.443 of the Code of Iowa, this Board has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of the Notes, and the Board is therefore now authorized to proceed with the issuance of said Notes for such purposes; and

**WHEREAS**, the Issuer is also in need of funds to pay costs of body cameras for the Sheriff's Department, a general county purpose, and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$300,000 be authorized for said purpose; and

**WHEREAS**, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

**WHEREAS**, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Notes for the general county purpose in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose; and

**WHEREAS**, the Issuer is also in need of funds to pay costs of vehicles for the Sheriff's Department, a general county purpose, and it is deemed necessary and advisable that General Obligation Capital Loan Notes, to the amount of not to exceed \$300,000 be authorized for said purpose; and

**WHEREAS**, the Issuer has a population in excess of 50,000, and the Notes for these purposes do not exceed \$300,000; and

**WHEREAS**, pursuant to notice published as required by Sections 331.402 and 331.442 of the Code of Iowa, the Board of the County has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Notes for the general county purpose in the amounts as above set forth, and, no petition for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Notes for such purpose; and

**WHEREAS**, pursuant to Section 331.445 of the Code of Iowa, it is hereby found and determined that the various General Obligation Capital Loan Notes authorized as hereinabove described shall be combined for the purpose of issuance in a single issue of \$4,670,000 General Obligation Capital Loan Notes, Series 2016 as hereinafter set forth; and

**WHEREAS**, the above mentioned Notes were heretofore sold and action should now be taken to issue said Notes conforming to the terms and conditions of the best bid received at the sale.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County, State of Iowa:

**Section 1. Definitions.** The following terms shall have the following meanings in this Resolution unless the text expressly or by necessary implication requires otherwise:

- "Authorized Denominations" shall mean \$5,000 or any integral multiple thereof.
- "Beneficial Owner" shall mean, whenever used with respect to a Note, the person in whose name such Note is recorded as the beneficial owner of such Note by a Participant on the records of such Participant or such person's subrogee.
- "Blanket Issuer Letter of Representations" shall mean the Representation Letter from the Issuer to DTC, with respect to the Notes.
- "Cede & Co." shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Notes.
- "Continuing Disclosure Certificate" shall mean that certain Continuing Disclosure Certificate approved under the terms of this Resolution and to be executed by the Issuer and dated the date of issuance and delivery of the Notes, as originally executed and as it may be amended from time to time in accordance with the terms thereof.
- "Current Refunded Portion" shall mean \$2,185,000 of the Notes to refund the Refunded Bonds.
- "Depository Notes" shall mean the Notes as issued in the form of one global certificate for each maturity, registered in the Registration Books maintained by the Registrar in the name of DTC or its nominee.
- "DTC" shall mean The Depository Trust Company, New York, New York, which will act as security depository for the Note pursuant to the Representation Letter.
- "Issuer" and "County" shall mean Pottawattamie County, State of Iowa.
- "Loan Agreement" shall mean a Loan Agreement between the Issuer and a lender or lenders in substantially the form attached to and approved by this Resolution.

- "New Money Portion" shall mean \$2,485,000 of the notes issued to pay the costs of improvements and equipment for the Recorder's, Auditor's and Information Technology offices, improvements to the sprinkler system on the 2nd floor of the Courthouse, body cameras for the Sheriff's Department, vehicles for the Sheriff's Department, and improvement, equipping and repair of the County Jail.
- "Note Fund" shall mean the fund created in Section 3 of this Resolution.
- "Notes" shall mean \$4,670,000 General Obligation Capital Loan Notes, Series 2016, authorized to be issued by this Resolution.
- "Participants" shall mean those broker-dealers, banks and other financial institutions for which DTC holds Notes as securities depository.
- "Paying Agent" shall mean Bankers Trust Company, or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein as Issuer's agent to provide for the payment of principal of and interest on the Notes as the same shall become due.
- "Project" shall mean the:
  - a) improvements and equipment for the Recorder's, Auditor's and Information Technology offices;
  - b) improvements to the sprinkler system on the 2nd floor of the Courthouse;
  - c) body cameras for the Sheriff's Department;
  - d) vehicles for the Sheriff's Department;
  - e) improvement, equipping and repair of the County Jail;
  - f) funding or refunding outstanding indebtedness exceeding five thousand dollars on the first day of June, 2016.
- "Project Fund" shall mean, as to the New Money Portion, the fund established under this Resolution for the deposit of a portion of the proceeds to pay the costs of improvements and equipment for the Recorder's, Auditor's and Information Technology offices, improvements to the sprinkler system on the 2nd floor of the Courthouse, body cameras for the Sheriff's Department, vehicles for the Sheriff's Department, and improvement, equipping and repair of the County Jail. As to the Current Refunded Portion, "Project Fund" shall mean the portion of the proceeds that will be used, together with interest earnings thereon, to pay the principal, interest and redemption premium, if any, on the Refunded Bonds.
- "Rebate Fund" shall mean the fund so defined in and established pursuant to the Tax Exemption Certificate.
- "Refunded Bonds" shall mean \$2,215,000 of the \$5,000,000 General Obligation Taxable Bonds, Series 2009 (Build America Bonds - Direct Pay), dated October 27, 2009.
- "Registrar" shall mean Bankers Trust Company of Des Moines, Iowa, or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein with respect to maintaining a register of the owners of the Notes. Unless otherwise specified, the Registrar shall also act as Transfer Agent for the Notes.
- "Resolution" shall mean this resolution authorizing the Notes.
- "Tax Exemption Certificate" shall mean the Tax Exemption Certificate approved under the terms of this Resolution and to be executed by the County Treasurer and delivered at the time of issuance and delivery of the Notes.
- "Treasurer" shall mean the County Treasurer or such other officer as shall succeed to the same duties and responsibilities with respect to the recording and payment of the Notes issued hereunder.

**Section 2. Levy and Certification of Annual Tax; Other Funds to be Used.**

- a) **Levy of Annual Tax.** That for the purpose of providing funds to pay the principal and interest of the Notes hereinafter authorized to be issued, there is hereby levied for each future year the following direct annual tax on all of the taxable property in Council Bluffs, Iowa, to-wit:



AMOUNT	FISCAL YEAR (JULY 1 TO JUNE 30) YEAR OF COLLECTION
\$ 642,557 (cash on hand)	2016/2017
\$1,203,125	2017/2018
\$1,200,725	2018/2019
\$1,197,925	2019/2020
\$ 129,725	2020/2021
\$ 127,425	2021/2022
\$ 100,125	2022/2023
\$ 98,325	2023/2024
\$ 101,525	2024/2025
\$ 99,387	2025/2026
\$ 102,250	2026/2027

(NOTE: For example the levy to be made and certified against the taxable valuations of January 1, 2017 will be collected during the fiscal year commencing July 1, 2018.)

**b) Resolution to be Filed With County Auditor.** A certified copy of this Resolution shall be filed with the Auditor of Pottawattamie County, Iowa and the Auditor is hereby instructed in and for each of the years as provided, to levy and assess the tax hereby authorized in Section 2 of this Resolution, in like manner as other taxes are levied and assessed, and such taxes so levied in and for each of the years aforesaid be collected in like manner as other taxes of the County are collected, and when collected be used for the purpose of paying principal and interest on said Notes issued in anticipation of the tax, and for no other purpose whatsoever.

**c) Additional County Funds Available.** Principal and interest coming due at any time when the proceeds of said tax on hand shall be insufficient to pay the same shall be promptly paid when due from current funds of the County available for that purpose and reimbursement shall be made from such special fund in the amounts thus advanced.

**Section 3. Note Fund.** Said tax shall be assessed and collected each year at the same time and in the same manner as, and in addition to, all other taxes in and for the County, and when collected they shall be converted into a special fund within the Debt Service Fund to be known as the "GENERAL OBLIGATION CAPITAL LOAN NOTE FUND NO. 1" (the "Note Fund"), which is hereby pledged for and shall be used only for the payment of the principal of and interest on the Notes hereinafter authorized to be issued; and also there shall be apportioned to said fund its proportion of taxes received by the County from property that is centrally assessed by the State of Iowa.

**Section 4. Application of Note Proceeds.** Proceeds of the Notes, other than accrued interest except as may be provided below, shall be credited to the Project Fund and expended therefrom for the purposes of issuance. Any amounts on hand in the Project Fund shall be available for the payment of the principal of or interest on the Notes at any time that other funds shall be insufficient to the purpose, in which event such funds shall be repaid to the Project Fund at the earliest opportunity. Any balance on hand in the Project Fund and not immediately required for its purposes may be invested not inconsistent with limitations provided by law or this Resolution.

Proceeds invested shall mature before the date which the moneys are required for payment of principal and interest on the Refunded Bonds. Accrued interest, if any, shall be deposited in the Note Fund.

**Section 5. Investment of Note Fund Proceeds.** All moneys held in the Note Fund, provided for by Section 3 of this Resolution shall be invested in investments permitted by Chapter 12B, Code of Iowa, 2015, as amended, or deposited in financial institutions which are members of the Federal Deposit Insurance Corporation and the deposits in which are insured thereby and all such deposits exceeding the maximum amount insured from time to time by FDIC or its equivalent successor in any one financial institution shall be continuously secured in compliance with Chapter 12C of the Code of Iowa, 2015, as amended, or otherwise by a valid pledge of direct obligations of the United States Government having an equivalent market value. All such interim investments shall mature before the date on which the moneys are required for payment of principal of or interest on the Notes as herein provided.

**Section 6. Note Details, Execution and Redemption.**

**a) Note Details.** General Obligation Capital Loan Notes of the County in the amount of \$4,670,000, shall be issued to evidence the obligations of the Issuer under the Loan Agreement pursuant to the provisions of Sections 331.402 and 331.443 of the Code of Iowa for the aforesaid purposes. The Notes shall be issued in one or more series and shall be on a parity and secured

equally and ratably from the sources provided in Section 3 of this Resolution. The Notes shall be designated "GENERAL OBLIGATION CAPITAL LOAN NOTE, SERIES 2016", be dated June 7, 2016, and bear interest from the date thereof, until payment thereof, at the office of the Paying Agent, said interest payable on June 1, 2017, and semiannually thereafter on the 1st day of June and December in each year until maturity at the rates hereinafter provided.

The Notes shall be executed by the manual or facsimile signature of the Chairperson and attested by the manual or facsimile signature of the Auditor, and impressed or printed with the seal of the County and shall be fully registered as to both principal and interest as provided in this Resolution; principal, interest and premium, if any, shall be payable at the office of the Paying Agent by mailing of a check to the registered owner of the Note. The Notes shall be in the denomination of \$5,000 or multiples thereof. The Notes shall mature and bear interest as follows:

Principal Amount	Interest Rate	June 1 <sup>st</sup>
\$ 550,000	2.000%	2017
\$1,120,000	2.000%	2018
\$1,140,000	2.000%	2019
\$1,160,000	2.000%	2020
\$ 230,000	2.000%	2022*
\$ 180,000	2.000%	2024*
\$ 290,000	2.250%	2027 *

\*Term Notes

**b) Redemption.**

**i. Optional Redemption.** Notes maturing after June 1, 2022, may be called for optional redemption by the Issuer on that date or any date thereafter, from any funds regardless of source, in whole or from time to time in part, in any order of maturity and within an annual maturity by lot. The terms of redemption shall be par, plus accrued interest to date of call.

Thirty days' written notice of redemption shall be given to the registered owner of the Note. Failure to give written notice to any registered owner of the Notes or any defect therein shall not affect the validity of any proceedings for the redemption of the Notes. All Notes or portions thereof called for redemption will cease to bear interest after the specified redemption date, provided funds for their redemption are on deposit at the place of payment. Written notice will be deemed completed upon transmission to the owner of record.

If selection by lot within a maturity is required, the Registrar shall designate the Notes to be redeemed by random selection of the names of the registered owners of the entire annual maturity until the total amount of Notes to be called has been reached.

If less than all of a maturity is called for redemption, the Issuer will notify DTC of the particular amount of such maturity to be redeemed prior to maturity. DTC will determine by lot the amount of each Participant's interest in such maturity to be redeemed and each Participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at a price of par plus accrued interest.

**ii. Mandatory Payment and Redemption of Term Notes.** All Term Notes are subject to mandatory redemption prior to maturity at a price equal to 100% of the portion of the principal amount thereof to be redeemed plus accrued interest at the redemption date on June 1st of each of the years in the principal amount set opposite each year in the following schedule:

Principal Amount	Term Note # 1 Interest Rate	Maturity June 1st
\$115,000	2.000%	2021
\$115,000	2.000%	2022*

\*Final Maturity

**Term Note # 2**

Principal Amount	Interest Rate	Maturity June 1st
\$ 90,000	2.000%	2023
\$ 90,000	2.000%	2024*

\*Final Maturity

**Term Note # 3**

Principal Amount	Interest Rate	Maturity June 1st
\$ 95,000	2.250%	2025
\$ 95,000	2.250%	2026
\$100,000	2.250%	2027*

\*Final Maturity

The principal amount of Term Notes may be reduced through the earlier optional redemption, with any partial optional redemption of the Term Notes credited against future mandatory redemption requirements for such Term Notes in such order as the County shall determine.

**Section 7: Issuance of Notes in Book-Entry Form; Replacement Notes.**

a) Notwithstanding the other provisions of this Resolution regarding registration, ownership, transfer, payment and exchange of the Notes, unless the Issuer determines to permit the exchange of Depository Notes for Notes in Authorized Denominations, the Notes shall be issued as Depository Notes in denominations of the entire principal amount of each maturity of Notes (or, if a portion of said principal amount is prepaid, said principal amount less the prepaid amount). The Notes must be registered in the name of Cede & Co., as nominee for DTC. Payment of semiannual interest for any Notes registered in the name of Cede & Co. will be made by wire transfer or New York Clearing House or equivalent next day funds to the account of Cede & Co. on the interest payment date for the Notes at the address indicated or in the Representation Letter.

b) The Notes will be initially issued in the form of separate single authenticated fully registered bonds in the amount of each stated maturity of the Notes. Upon initial issuance, the ownership of the Notes will be registered in the registry books of the Bankers Trust Company kept by the Paying Agent and Registrar in the name of Cede & Co., as nominee of DTC. The Paying Agent and Registrar and the Issuer may treat DTC (or its nominee) as the sole and exclusive owner of the Notes registered in its name for the purposes of payment of the principal or redemption price of or interest on the Notes, selecting the Notes or portions to be redeemed, giving any notice permitted or required to be given to registered owners of Notes under the Resolution of the Issuer, registering the transfer of Notes, obtaining any consent or other action to be taken by registered owners of the Notes and for other purposes. The Paying Agent, Registrar and the Issuer have no responsibility or obligation to any Participant or Beneficial Owner of the Notes under or through DTC with respect to the accuracy of records maintained by DTC or any Participant; with respect to the payment by DTC or Participant of an amount of principal or redemption price of or interest on the Notes; with respect to any notice given to owners of Notes under the Resolution; with respect to the Participant(s) selected to receive payment in the event of a partial redemption of the Notes, or a consent given or other action taken by DTC as registered owner of the Notes. The Paying Agent and Registrar shall pay all principal of and premium, if any, and interest on the Notes only to Cede & Co. in accordance with the Representation Letter, and all payments are valid and effective to fully satisfy and discharge the Issuer's obligations with respect to the principal of and premium, if any, and interest on the Notes to the extent of the sum paid. DTC must receive an authenticated Bond for each separate stated maturity evidencing the obligation of the Issuer to make payments of principal of and premium, if any, and interest. Upon delivery by DTC to the Paying Agent and Registrar of written notice that DTC has determined to substitute a new nominee in place of Cede & Co., the Notes will be transferable to the new nominee in accordance with this Section.

c) In the event the Issuer determines that it is in the best interest of the Beneficial Owners that they be able to obtain Notes certificates, the Issuer may notify DTC and the Paying Agent and Registrar, whereupon DTC will notify the Participants, of the availability through DTC of Notes certificates. The Notes will be transferable in accordance with this Section. DTC may determine to discontinue providing its services with respect to the Notes at any time by giving notice to the Issuer and the Paying Agent and Registrar and discharging its responsibilities under applicable law. In this event, the Notes will be transferable in accordance with this Section.

**d)** Notwithstanding any other provision of the Resolution to the contrary, so long as any Note is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal of and premium, if any, and interest on the Note and all notices must be made and given, respectively to DTC as provided in the Representation letter.

**e)** In connection with any notice or other communication to be provided to Noteholders by the Issuer or the Paying Agent and Registrar with respect to a consent or other action to be taken by Noteholders, the Issuer or the Paying Agent and Registrar, as the case may be, shall establish a record date for the consent or other action and give DTC notice of the record date not less than 15 calendar days in advance of the record date to the extent possible. Notice to DTC must be given only when DTC is the sole Noteholder.

**f)** The Representation Letter is on file with DTC and sets forth certain matters with respect to, among other things, notices, consents and approvals by Noteholders and payments on the Notes. The execution and delivery of the Representation Letter to DTC by the Issuer is ratified and confirmed.

**g)** In the event that a transfer or exchange of the Notes is permitted under this Section, the transfer or exchange may be accomplished upon receipt by the Registrar from the registered owners of the Notes to be transferred or exchanged and appropriate instruments of transfer. In the event Note certificates are issued to holders other than Cede & Co., its successor as nominee for DTC as holder of all the Notes, or other securities depository as holder of all the Notes, the provisions of the Resolution apply to, among other things, the printing of certificates and the method or payment of principal of and interest on the certificates. Any substitute depository shall be designated in writing by the Issuer to the Paying Agent. Any such substitute depository shall be a qualified and registered "clearing agency" as provided in Section 17A of the Securities Exchange Act of 1934, as amended. The substitute depository shall provide for (i) immobilization of the Depository Notes, (ii) registration and transfer of interests in Depository Notes by book entries made on records of the depository or its nominee and (iii) payment of principal of, premium, if any, and interest on the Notes in accordance with and as such interests may appear with respect to such book entries.

**h)** The officers of the Issuer are authorized and directed to prepare and furnish to the purchaser, and to the attorneys approving the legality of Notes, certified copies of proceedings, ordinances, resolutions and records and all certificates and affidavits and other instruments as may be required to evidence the legality and marketability of the Notes, and all certified copies, certificates, affidavits and other instruments constitute representations of the Issuer as to the correctness of all stated or recited facts.

**Section 8. Registration of Notes; Appointment of Registrar; Transfer; Ownership; Delivery; and Cancellation.**

**a)** Registration. The ownership of Notes may be transferred only by the making of an entry upon the books kept for the registration and transfer of ownership of the Notes, and in no other way. Bankers Trust Company is hereby appointed as Note Registrar under the terms of this Resolution and under the provisions of a separate agreement with the Issuer filed herewith which is made a part hereof by this reference. Registrar shall maintain the books of the Issuer for the registration of ownership of the Notes for the payment of principal of and interest on the Notes as provided in this Resolution. All Notes shall be negotiable as provided in Article 8 of the Uniform Commercial Code and Section 331.446 of the Code of Iowa, subject to the provisions for registration and transfer contained in the Notes and in this Resolution.

**b)** Transfer. The ownership of any Note may be transferred only upon the Registration Books kept for the registration and transfer of Notes and only upon surrender thereof at the office of the Registrar together with an assignment duly executed by the holder or his duly authorized attorney in fact in such form as shall be satisfactory to the Registrar, along with the address and social security number or federal employer identification number of such transferee (or, if registration is to be made in the name of multiple individuals, of all such transferees). In the event that the address of the registered owner of a Note (other than a registered owner which is the nominee of the broker or dealer in question) is that of a broker or dealer, there must be disclosed on the Registration Books the information pertaining to the registered owner required above. Upon the transfer of any such Note, a new fully registered Note, of any denomination or denominations permitted by this Resolution in aggregate principal amount equal to the unmatured and unredeemed principal amount of such transferred fully registered Note, and bearing interest at the same rate and maturing on the same date or dates shall be delivered by the Registrar.

**c)** Registration of Transferred Notes. In all cases of the transfer of the Notes, the Registrar shall register, at the earliest practicable time, on the Registration Books, the Notes, in accordance with the provisions of this Resolution.

**d) Ownership.** As to any Note, the person in whose name the ownership of the same shall be registered on the Registration Books of the Registrar shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any such Notes and the premium, if any, and interest thereon shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note, including the interest thereon, to the extent of the sum or sums so paid.

**e) Cancellation.** All Notes which have been redeemed shall not be reissued but shall be cancelled by the Registrar. All Notes which are cancelled by the Registrar shall be destroyed and a certificate of the destruction thereof shall be furnished promptly to the Issuer; provided that if the Issuer shall so direct, the Registrar shall forward the cancelled Notes to the Issuer.

**f) Non-Presentation of Notes.** In the event any payment check representing payment of principal of or interest on the Notes is returned to the Paying Agent or if any note is not presented for payment of principal at the maturity or redemption date, if funds sufficient to pay such principal of or interest on Notes shall have been made available to the Paying Agent for the benefit of the owner thereof, all liability of the Issuer to the owner thereof for such interest or payment of such Notes shall forthwith cease, terminate and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the owner of such Notes who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Resolution or on, or with respect to, such interest or Notes. The Paying Agent's obligation to hold such funds shall continue for a period equal to two years and six months following the date on which such interest or principal became due, whether at maturity, or at the date fixed for redemption thereof, or otherwise, at which time the Paying Agent, shall surrender any remaining funds so held to the Issuer, whereupon any claim under this Resolution by the Owners of such interest or Notes of whatever nature shall be made upon the Issuer.

**g) Registration and Transfer Fees.** The Registrar may furnish to each owner, at the Issuer's expense, one note for each annual maturity. The Registrar shall furnish additional Notes in lesser denominations (but not less than the minimum denomination) to an owner who so requests.

**Section 9. Reissuance of Mutilated, Destroyed, Stolen or Lost Notes.** In case any outstanding Note shall become mutilated or be destroyed, stolen or lost, the Issuer shall at the request of Registrar authenticate and deliver a new Note of like tenor and amount as the Note so mutilated, destroyed, stolen or lost, in exchange and substitution for such mutilated Note to Registrar, upon surrender of such mutilated Note, or in lieu of and substitution for the Note destroyed, stolen or lost, upon filing with the Registrar evidence satisfactory to the Registrar and Issuer that such Note has been destroyed, stolen or lost and proof of ownership thereof, and upon furnishing the Registrar and Issuer with satisfactory indemnity and complying with such other reasonable regulations as the Issuer or its agent may prescribe and paying such expenses as the Issuer may incur in connection therewith.

**Section 10. Record Date.** Payments of principal and interest, otherwise than upon full redemption, made in respect of any Note, shall be made to the registered holder thereof or to their designated agent as the same appear on the books of the Registrar on the 15th day of the month preceding the payment date. All such payments shall fully discharge the obligations of the Issuer in respect of such Notes to the extent of the payments so made. Payment of principal shall only be made upon surrender of the Note to the Paying Agent.

**Section 11. Execution, Authentication and Delivery of the Notes.** Upon the adoption of this Resolution, the Chairperson and Auditor shall execute and deliver the Notes to the Registrar, who shall authenticate the Notes and deliver the same to or upon order of the Purchaser. No Note shall be valid or obligatory for any purpose or shall be entitled to any right or benefit hereunder unless the Registrar shall duly endorse and execute on such Note a Certificate of Authentication substantially in the form of the Certificate herein set forth. Such Certificate upon any Note executed on behalf of the Issuer shall be conclusive evidence that the Note so authenticated has been duly issued under this Resolution and that the holder thereof is entitled to the benefits of this Resolution.

No Notes shall be authenticated and delivered by the Registrar unless and until there shall have been provided the following:

1. A certified copy of the resolution of Issuer approving the execution of a Loan Agreement and a copy of the Loan Agreement;

2. A written order of Issuer signed by the County Treasurer of the Issuer directing the authentication and delivery of the Notes to or upon the order of the Purchaser upon payment of the purchase price as set forth therein;

3. The approving opinion of Ahlers & Cooney, P.C., Bond Counsel, concerning the validity and legality of all the Notes proposed to be issued.

**Section 12. Right to Name Substitute Paying Agent or Registrar.** Issuer reserves the right to name a substitute, successor Registrar or Paying Agent upon giving prompt written notice to each registered noteholder.

**Section 13. Form of Note.** Notes shall be printed substantially in the form as follows:

"STATE OF IOWA"  
"COUNTY OF POTTAWATTAMIE"  
"GENERAL OBLIGATION CAPITAL LOAN NOTE"  
"SERIES 2016"  
COUNTY PURPOSE

Rate: 2.000%  
Maturity: June 1, 2017  
Note Date: June 7, 2016  
CUSIP No.: 737875GM0  
"Registered"  
Certificate No. 1  
Principal Amount: \$550,000

Pottawattamie County, State of Iowa, a political subdivision organized and existing under and by virtue of the Constitution and laws of the State of Iowa (the "Issuer"), for value received, promises to pay from the source and as hereinafter provided, on the maturity date indicated above, to

CEDE & CO.

or registered assigns, the principal sum of FIVE HUNDRED FIFTY THOUSAND DOLLARS in lawful money of the United States of America, on the maturity date shown above, only upon presentation and surrender hereof at the office of Bankers Trust Company, Paying Agent of this issue, or its successor, with interest on the sum from the date hereof until paid at the rate per annum specified above, payable on June 1, 2017, and semiannually thereafter on the 1st day of June and December in each year.

Interest and principal shall be paid to the registered holder of the Note as shown on the records of ownership maintained by the Registrar as of the 15th day of the month preceding such interest payment date. Interest shall be computed on the basis of a 360-day year of twelve 30-day months.

This Note is issued pursuant to the provisions of Sections 331.402 and 331.443 of the Code of Iowa, for the purpose of paying costs of:

- a) improvements and equipment for the Recorder's, Auditor's and Information Technology offices;
- b) improvements to the sprinkler system on the 2nd floor of the Courthouse;
- c) body cameras for the Sheriff's Department;
- d) vehicles for the Sheriff's Department;
- e) improvement, equipping and repair of the County Jail;
- f) funding or refunding outstanding indebtedness exceeding five thousand dollars on the first day of June, 2016,

and in order to evidence the obligations of the Issuer under a certain Loan Agreement dated the date hereof, in conformity to a Resolution of the Board of said County duly passed and approved. For a complete statement of the revenues and funds from which and the conditions under which this Note is payable, a statement of the conditions under which additional Notes of equal standing may be issued, and the general covenants and provisions pursuant to which this Note is issued, reference is made to the above described Loan Agreement and Resolution.

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a limited purpose trust company ("DTC"), to the Issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other Issuer as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

Notes maturing after June 1, 2022, may be called for optional redemption by the Issuer and paid before maturity on said date or any date thereafter, from any funds regardless of source, in whole or from time to time in part, in any order of maturity and within an annual maturity by lot. The terms of redemption shall be par, plus accrued interest to date of call.

Thirty days' written notice of redemption shall be given to the registered owner of the Note. Failure to give written notice to any registered owner of the Notes or any defect therein shall not affect the validity of any proceedings for the redemption of the Notes. All notes or portions thereof called for redemption will cease to bear interest after the specified redemption date, provided funds for their redemption are on deposit at the place of payment. Written notice will be deemed completed upon transmission to the owner of record.

If selection by lot within a maturity is required, the Registrar shall designate the Notes to be redeemed by random selection of the names of the registered owners of the entire annual maturity until the total amount of Notes to be called has been reached.

If less than all of a maturity is called for redemption, the Issuer will notify DTC of the particular amount of such maturity to be redeemed prior to maturity. DTC will determine by lot the amount of each Participant's interest in such maturity to be redeemed and each Participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at a price of par plus accrued interest.

The Notes maturing on 2022 are subject to mandatory redemption prior to maturity by application of money on deposit in the Note Fund and shall bear interest at 2.000% per annum at a price of the portion of the principal amount thereof to be redeemed plus accrued interest at the redemption date on June 1st of each of the years in the principal amount set opposite each year in the following schedule:

Principal Amount	Maturity June 1st
\$115,000	2021
\$115,000	2022*

\*Final Maturity

The Notes maturing on 2024 are subject to mandatory redemption prior to maturity by application of money on deposit in the Note Fund and shall bear interest at 2.000% per annum at a price of the portion of the principal amount thereof to be redeemed plus accrued interest at the redemption date on June 1st of each of the years in the principal amount set opposite each year in the following schedule:

Principal Amount	Maturity June 1st
\$ 90,000	2023
\$ 90,000	2024*

\*Final Maturity

The Notes maturing on 2027 are subject to mandatory redemption prior to maturity by application of money on deposit in the Note Fund and shall bear interest at 2.250% per annum at a price of the portion of the principal amount thereof to be redeemed plus accrued interest at the redemption date on June 1st of each of the years in the principal amount set opposite each year in the following schedule:

Principal Amount	Maturity June 1st
\$ 95,000	2025
\$ 95,000	2026

\$100,000

2027\*

\*Final Maturity

The principal amount of Term Notes may be reduced through the earlier optional redemption, with any partial optional redemption of the Term Notes credited against future mandatory redemption requirements for such Term Notes in such order as the County shall determine.

Ownership of this Note may be transferred only by transfer upon the books kept for such purpose by Bankers Trust Company, the Registrar. Such transfer on the books shall occur only upon presentation and surrender of this Note at the office of the Registrar as designated below, together with an assignment duly executed by the owner hereof or his duly authorized attorney in the form as shall be satisfactory to the Registrar. Issuer reserves the right to substitute the Registrar and Paying Agent but shall, however, promptly give notice to registered Noteholders of such change. All notes shall be negotiable as provided in Article 8 of the Uniform Commercial Code and Section 331.446 of the Code of Iowa, subject to the provisions for registration and transfer contained in the Note Resolution.

This Note is a "qualified tax-exempt obligation" designated by the County for purposes of Section 265(b)(3)(B) of the Internal Revenue Code of 1986.

And it is hereby represented and certified that all acts, conditions and things requisite, according to the laws and Constitution of the State of Iowa, to exist, to be had, to be done, or to be performed precedent to the lawful issue of this Note, have been existent, had, done and performed as required by law; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the territory of the Issuer for the payment of the principal and interest of this Note as the same will respectively become due; that such taxes have been irrevocably pledged for the prompt payment hereof, both principal and interest; and the total indebtedness of the Issuer including this Note, does not exceed the constitutional or statutory limitations.

IN TESTIMONY WHEREOF, the Issuer by its Board, has caused this Note to be signed by the manual or facsimile signature of its Chairperson and attested by the manual or facsimile signature of its County Auditor, with the seal of the County printed or impressed hereon, and to be authenticated by the manual signature of an authorized representative of the Registrar, Bankers Trust Company, Des Moines, Iowa.

Date of authentication: \_\_\_\_\_

This is one of the Notes described in the within mentioned Resolution, as registered by Bankers Trust Company.

BANKERS TRUST COMPANY, Registrar  
Des Moines, Iowa 50309

By: \_\_\_\_\_

Authorized Signature

Registrar and Transfer Agent:

Bankers Trust Company

Paying Agent:

Bankers Trust Company

SEE REVERSE FOR CERTAIN DEFINITIONS

(Seal)

(Signature Block)

POTTAWATTAMIE COUNTY, STATE OF IOWA

By: \_\_\_\_\_ (manual or facsimile signature)

Chairperson

ATTEST:

By: \_\_\_\_\_ (manual or facsimile signature)

County Auditor

(Information Required for Registration)



**ASSIGNMENT**

For value received, the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_ (Social Security or Tax Identification No. \_\_\_\_\_) the within Note and does hereby irrevocably constitute and appoint \_\_\_\_\_ attorney in fact to transfer the said Note on the books kept for registration of the within Note, with full power of substitution in the premises.

Dated: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(Person(s) executing this Assignment sign(s) here)

SIGNATURE )  
GUARANTEED)\_\_\_\_\_

**IMPORTANT - READ CAREFULLY**

The signature(s) to this Power must correspond with the name(s) as written upon the face of the certificate(s) or note(s) in every particular without alteration or enlargement or any change whatever. Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signature to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.

**INFORMATION REQUIRED FOR REGISTRATION OF TRANSFER**

Name of Transferee(s) \_\_\_\_\_  
Address of Transferee(s) \_\_\_\_\_  
Social Security or Tax Identification \_\_\_\_\_  
Number of Transferee(s) \_\_\_\_\_  
Transferee is a(n): \_\_\_\_\_  
Individual\* \_\_\_\_\_ Corporation \_\_\_\_\_  
Partnership \_\_\_\_\_ Trust \_\_\_\_\_

\*If the Note is to be registered in the names of multiple individual owners, the names of all such owners and one address and social security number must be provided.

The following abbreviations, when used in the inscription on the face of this Note, shall be construed as though written out in full according to applicable laws or regulations:

- TEN COM - as tenants in common
- TEN ENT - as tenants by the entireties
- JT TEN - as joint tenants with rights of survivorship and not as tenants in common
- IA UNIF TRANS - ..... Custodian .....
- MIN ACT (Cust) (Minor)
- Under Iowa Uniform Transfers to Minors Act.....
- (State)

ADDITIONAL ABBREVIATIONS MAY  
ALSO BE USED THOUGH NOT IN THE ABOVE LIST

(End of form of Note)

**Section 14. Loan Agreement and Closing Documents.** The form of Loan Agreement in substantially the form attached to this Resolution is hereby approved and is authorized to be executed and issued on behalf of the Issuer by the Chairperson and attested by the County Auditor. The Chairperson and County Auditor are authorized and directed to execute, attest, seal and deliver for and on behalf of the County any other additional certificates, documents, or other papers and perform all other acts, including without limitation the execution of all closing documents, as they may deem necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

**Section 15. Contract Between Issuer and Purchaser.** This Resolution constitutes a contract between said County and the purchaser of the Notes.

**Section 16.**     **Non-Arbitrage Covenants.** The Issuer reasonably expects and covenants that no use will be made of the proceeds from the issuance and sale of the Notes issued hereunder which will cause any of the Notes to be classified as arbitrage notes within the meaning of Sections 148(a) and (b) of the Internal Revenue Code of the United States, as amended, and that throughout the term of the Notes it will comply with the requirements of statutes and regulations issued thereunder.

To the best knowledge and belief of the Issuer, there are no facts or circumstances that would materially change the foregoing statements or the conclusion that it is not expected that the proceeds of the Notes will be used in a manner that would cause the Notes to be arbitrage notes. Without limiting the generality of the foregoing, the Issuer hereby agrees to comply with the provisions of the Tax Exemption Certificate and the provisions of the Tax Exemption Certificate are hereby incorporated by reference as part of this Resolution. The Treasurer is hereby directed to make and insert all calculations and determinations necessary to complete the Tax Exemption Certificate in all respects and to execute and deliver the Tax Exemption Certificate at issuance of the Notes to certify as to the reasonable expectations and covenants of the Issuer at that date.

**Section 17.**     **Approval of Tax Exemption Certificate.** Attached hereto is a form of Tax Exemption Certificate stating the Issuer's reasonable expectations as to the use of the proceeds of the Notes. The form of Tax Exemption Certificate is approved. The Issuer hereby agrees to comply with the provisions of the Tax Exemption Certificate and the provisions of the Tax Exemption Certificate are hereby incorporated by reference as part of this Resolution. The County Treasurer is hereby directed to make and insert all calculations and determinations necessary to complete the Tax Exemption Certificate at issuance of the Notes to certify as to the reasonable expectations and covenants of the Issuer at that date.

**Section 18.**     **Continuing Disclosure.** The Issuer hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate, and the provisions of the Continuing Disclosure Certificate are hereby incorporated by reference as part of this Resolution and made a part hereof. Notwithstanding any other provision of this Resolution, failure of the Issuer to comply with the Continuing Disclosure Certificate shall not be considered an event of default under this Resolution; however, any holder of the Notes or Beneficial Owner may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Issuer to comply with its obligations under the Continuing Disclosure Certificate. For purposes of this section, "Beneficial Owner" means any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Note (including persons holding Notes through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Notes for federal income tax purposes.

**Section 19.**     **Additional Covenants, Representations and Warranties of the Issuer.** The Issuer certifies and covenants with the purchasers and holders of the Notes from time to time outstanding that the Issuer through its officers, (a) will make such further specific covenants, representations and assurances as may be necessary or advisable; (b) comply with all representations, covenants and assurances contained in the Tax Exemption Certificate, which Tax Exemption Certificate shall constitute a part of the contract between the Issuer and the owners of the Notes; (c) consult with Bond Counsel (as defined in the Tax Exemption Certificate); (d) pay to the United States, as necessary, such sums of money representing required rebates of excess arbitrage profits relating to the Notes; (e) file such forms, statements and supporting documents as may be required and in a timely manner; and (f) if deemed necessary or advisable by its officers, to employ and pay fiscal agents, financial advisors, attorneys and other persons to assist the Issuer in such compliance.

**Section 20.**     **Amendment of Resolution to Maintain Tax Exemption.** This Resolution may be amended without the consent of any owner of the Notes if, in the opinion of Bond Counsel, such amendment is necessary to maintain tax exemption with respect to the Notes under applicable Federal law or regulations.

**Section 21.**     **Qualified Tax-Exempt Obligations.** For the sole purpose of qualifying the Notes as "Qualified Tax-Exempt Obligations" pursuant to Section 265(b)(3)(B) of the Internal Revenue Code of the United States, as amended, the Notes are deemed designated and may be treated as designated pursuant to Internal Revenue Code Section 265(b)(3)(D)(ii) and (iii) to the extent the amount of the Notes does not exceed the outstanding amount of the Refunded Bonds (\$2,215,000) previously designated under Section 265(b)(3)(B), the average maturity date of the Notes is not later than the average maturity date of the Refunded Bonds, and the Notes will finally mature not later than 30 years after the date the original qualified tax-exempt obligation was issued. The Issuer further represents that the Notes are issued to refund (other than to advance refund within the meaning of Section 149(d)(5) of the Internal Revenue Codes of 1986, as amended) the Refunded Bonds. Finally the aggregate face amount of the Notes does not exceed Ten (10) Million Dollars.

For the sole purpose of qualifying the remainder of the Notes (\$2,445,000) as "Qualified Tax Exempt Obligations" pursuant to Section 265(b)(3)(B) of the Internal Revenue Code of the United States, as amended, the Issuer hereby designates the Notes as qualified tax-exempt obligations and represents that the reasonably anticipated amount of tax-exempt governmental and qualified 501(c)(3) obligations which will be issued during the current calendar year will not exceed Ten (10) Million Dollars.

**Section 22. Repeal of Conflicting Resolutions or Ordinances.** All ordinances and resolutions and parts of ordinances and resolutions in conflict herewith are hereby repealed.

**Section 23. Severability Clause.** If any section, paragraph, clause or provision of this Resolution be held invalid, such invalidity shall not affect any of the remaining provisions hereof, and this Resolution shall become effective immediately upon its passage and approval.

DATED THIS 24<sup>th</sup> day of May, 2016.

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

Roll Call Vote: **AYES: Houser, Belt, Grobe, Hanafan, Schultz.** Motion carried.

**OTHER BUSINESS**

Motion by Schultz, second by Houser, to deny funding request from Friends of Lake Manawa for 2016 Lake Manawa Fireworks. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED**

**Salary Actions:**

- Attorney – Payroll Status Change of Hope Rodarte

**Reports:**

- Sheriff – Report of Fees Collected and Disbursed for April 2016.
- Proposed Amendment No. 4 to the Playland Park Urban Renewal Plan for the City of Council Bluffs, Sate of Iowa.

**ADJOURN**

Motion by Hanafan, second by Schultz, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:22 AM.

\_\_\_\_\_  
Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

APPROVED: June 7, 2016

PUBLISH: X

**JUNE 2, 2016**

**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:00 AM. All members, except Hanafan present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE**

Motion by Belt, second by Houser, to adjourn as Board of Supervisors and meet as Trustees of Nobles Lake Drainage District. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Schultz, to reconvene as Board of Supervisors. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Houser, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 9:20 AM.

\_\_\_\_\_  
Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

APPROVED: June 7, 2016  
PUBLISH: X

**JUNE 7, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 A.M. All members present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

Motion by Hanafan, second by Schultz, to approve:

1. May 24, 2016, and June 2, 2016, Minutes as read.
2. Out of State travel request for Thad Pothast, Dan Wolf, and Kody Wohlers with the Conservation Department, for fire training classes in Jefferson City, MO.
3. Employment of James Burger as a full-time Assistant County Attorney in the County Attorney's Office, at \$37.72 per hour, effective May 31, 2016.
4. Employment of Jeremy Harker as a full-time Detention Officer in the Jail, at \$19.78 per hour, effective June 1, 2016.
5. Publication of Claims allowed for May 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Hanafan, second by Houser, to open public hearing to amend FY2015-16 Budget. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Hanafan, second by Houser, to close public hearing. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Hanafan, second by Houser, to approve and sign **Resolution No. 47-2016**, a Resolution to amend FY 2015-16 Budget. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Houser, second by Hanafan, to approve and sign **Resolution No. 48-2016**, a Resolution to appropriate funds from budget amendment as follows: 06 - Debt Service/Supervisors; 99 - Non Departmental. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

**OTHER BUSINESS**

Motion by Hanafan, second by Schultz, to approve and authorize Board to purchase drainage warrants at 6% interest for Nobles Lake Drainage District, to be paid out of the General Basic Fund. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to approve and authorize Board to pay Iowa Drainage District Association's dues in the amount of \$1,175.00. Said funds are to be paid out of General Basic Fund. AYES: Houser, Belt, Schultz, Grobe. NAYS: Hanafan. Motion carried.

Motion by Hanafan, second by Schultz, to approve Application for Permit to Display Fireworks filed by Robert L. Caputo with Caputo Enterprises d/b/a Mother Goose Child Care & Preschool, granting them the right to shoot and display fireworks on the 4<sup>th</sup> of July 2016, on property located at 22881 Three Bridge Road in Council Bluffs. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED****Salary Actions:**

- Conservation – Employment of Garrett Dara as Park Ranger Intern, and Grace Millage as EE – Intern.

- SW Iowa Juvenile Detention – Employment of Dusty Williams as Part-Time Youth Corrections Worker.
- Jail – Payroll Status Change of Oral White.
- Community Services – Payroll Status Change of Sandra Fox; Corliss Klungseth.
- Board of Supervisors – Payroll Status Change of Melissa Joslin.
- Conservation – Payroll Status Change of Cory Thomas.
- Treasurer – Payroll Status Change of Mary Jo Turpen; Brandy Olsen.
- Engineer/Secondary Roads – Payroll Status Change of Clayton Davis; Josh Kohl; Doug Engel.
- Attorney – Payroll Status Change of Janice Warnke.

**Reports:**

- EBS Receipt and Disbursement Report, through April 2016.
- Recorder’s Fee Book for 5/1/2016 – 5/31/2016.

**ADJOURN:**

Motion by Hanafan, second by Schultz, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:06 PM.

\_\_\_\_\_  
Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

APPROVED: June 14, 2016  
PUBLISH: X

**JUNE 14, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 AM. All members present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

Motion by Schultz, second by Houser, to approve:

1. June 7, 2016, 2016, Minutes as read.
2. Class E Liquor License (LE) Renewal Application, to grant privileges of Class B Wine/Class C Beer (Carryout Beer)/Class E Liquor License (LE)/Sunday Sales, to Fill R Up, Council Bluffs.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Houser, second by Schultz, to canvass Primary Election, and to authorize Auditor to pay election costs. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to approve and award bid on Project STP-S-CO78(188) – 5E-78, and authorize Chairman to sign Contract with Western Engineering. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Houser, to approve of Life Insurance and AD&D, and Long Term Disability insurance effective July 1, 2016, with National Insurance Services. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Houser, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(1)(c) for discussion and/or decision on current litigation matter. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Belt, second by Houser, to go out of Executive Session. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Hanafan, second by Houser, to approve Job Descriptions for Human Resources Assistant and Risk Manager positions, and approval to post said job descriptions. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to approve funding request by SW Iowa Leadership Academy in the amount of \$2,500.00 for FY 2015/2016, and \$2,500.00 for FY 2016/2017, to be paid out of Gaming Fund. UNANIMOUS VOTE. Motion carried.

**OTHER BUSINESS**

Motion by Belt, second by Schultz, to approve Application for Permit to Display Fireworks filed by Bill Bracker for Boomer Township Pyrotechnics, granting them the right to shoot and display fireworks on July 3, 2016, on property located at 28949 Road L34, Underwood, Iowa. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Hanafan, to approve Application for Permit to Display Fireworks filed by Patrick Roberts, granting him the right to shoot and display fireworks on July 2, 2016, on property located at 23590 Old Lincoln Highway in Crescent, Iowa. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Schultz, to approve appointment of Kathy Fiscus as the Pottawattamie County Representative to the Western Iowa Tourism Region. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan second by Houser, to approve the removal of Anna Hoegh and Cindy Thompson on the Countywide Tourism and Promotion Committee; and the appointment of Sam Stivers on said Committee. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Belt, to approve and sign **Resolution No. 49-2016**, a Resolution entitled: Resolution for Fourth Quarter 2015-2016 Transfer to Secondary Roads Fund. Said Resolution is set out as follows:

**RESOLUTION NO. 49-2016**

**RESOLUTION FOR FOURTH QUARTER 2015-2016 TRANSFER TO SECONDARY ROADS FUND**

**WHEREAS**, it is desired to transfer money from the Rural Services Fund to the Secondary Roads Fund; and

**WHEREAS**, said transfer is in accordance with Section 331.432, Code of Iowa.

**NOW THEREFORE BE IT RESOLVED**, that the Pottawattamie County Board of Supervisors as follows:

**SECTION 1:** The sum of \$1,175,000.00 is ordered to be transferred from the Rural Services Fund to the Secondary Road Fund; and

**SECTION 2:** The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

**DATED THIS 14<sup>th</sup> DAY OF JUNE, 2016.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	○	○	○	○
_____ Scott A. Belt	○	○	○	○
_____ Tom Hanafan	○	○	○	○
_____ Melvyn J. Houser	○	○	○	○
_____ Justin Schultz	○	○	○	○

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

**Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Hanafan, second by Schultz, to approve and sign **Resolution No. 50-2016**, a Resolution entitled: Resolution for Interfund Operating Transfer. Said Resolution is set out as follows:

**RESOLUTION NO. 50-2016**

**RESOLUTION FOR INTERFUND OPERATING TRANSFER**



**WHEREAS**, it is desired to transfer money from the Bond Series 2016A Capital Fund to the Gaming Fund; and

**WHEREAS**, said transfer is in accordance with Section 331.432, Code of Iowa.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County, Iowa, as follows:

**SECTION 1:** The sum of \$46,497.00 is ordered to be transferred from the Bond Series 2016A Capital Fund to the Gaming Fund; and

**SECTION 2:** The Auditor is directed to correct his/her books accordingly and to notify the Treasurer of this operating transfer.

**DATED THIS 14<sup>th</sup> DAY OF JUNE, 2016.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

**Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Belt, second by Houser, to approve and sign **Resolution No. 51-2016**, a Resolution entitled: Resolution for Interfund Operating Transfer. Said Resolution is set out as follows:

**RESOLUTION NO. 51-2016**

**RESOLUTION FOR INTERFUND OPERATING TRANSFER**

**WHEREAS**, it is desired to transfer money from the General Basic Fund to the Land Fund; and

**WHEREAS**, said transfer is in accordance with Section 331.432, Code of Iowa.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County, Iowa, as follows:

**SECTION 1:** The sum of \$500,000.00 is ordered to be transferred from the General Basic Fund to the Land Fund; and

**SECTION 2:** The Auditor is directed to correct his/her books accordingly and to notify the Treasurer of this operating transfer.

**DATED THIS 14<sup>th</sup> DAY OF JUNE, 2016.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Scott A. Belt				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tom Hanafan				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Melvyn J. Houser				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Justin Schultz				

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

Roll Call Vote: **AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Houser, second by Schultz, to approve and sign **Resolution No. 52-2016**, a Resolution entitled: Resolution for Interfund Operating Transfer. Said Resolution is set out as follows:

**RESOLUTION NO. 52-2016**

**RESOLUTION FOR INTERFUND OPERATING TRANSFER**

**WHEREAS**, it is desired to transfer money from the General Supp Fund to the Land Fund; and

**WHEREAS**, said transfer is in accordance with Section 331.432, Code of Iowa.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County, Iowa, as follows:

**SECTION 1:** The sum of \$500,000.00 is ordered to be transferred from the General Supp Fund to the Land Fund; and

**SECTION 2:** The Auditor is directed to correct his/her books accordingly and to notify the Treasurer of this operating transfer.

**DATED THIS 14<sup>th</sup> DAY OF JUNE, 2016.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lynn G. Grobe, Chairman				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Scott A. Belt				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tom Hanafan				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Melvyn J. Houser				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Justin Schultz				

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

Roll Call Vote: **AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

**RECEIVED/FILED**

**Salary Actions:**

- Jail – Payroll Status Change of Amber Roberts.
- SW Iowa Juvenile Detention Center – Employment of Jolene Fauble as part-time Youth Corrections Worker.

**ADJOURN**

Motion by Houser, second by Hanafan, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:30 PM.

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Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

APPROVED: June 21, 2016  
PUBLISH: X

**JUNE 21, 2016**

**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 AM. All members, except Hanafan and Schultz present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE**

**CONSENT AGENDA**

Motion by Belt, second by Houser, to approve:

- 1. June 14, 2016, minutes as read.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Houser, second by Belt, to approve and sign **Resolution No. 53-2016**, a Resolution to Appropriate Funds for FY 2016-17, as follows:

**RESOLUTION NO. 53-2016**

**APPROPRIATIONS RESOLUTION**

**WHEREAS**, it is desired to make appropriations for each of the different officers and departments for the fiscal year beginning **July 1, 2016**, in accordance with Section 331.434, Subsection 6, Code of Iowa.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County, Iowa, as follows:

**SECTION 1:** The amounts itemized by fund and by department or office on the attached Schedule "B" are hereby appropriated from the resources of each fund so itemized, to the department or office listed in the first column on the same line of the attached Schedule.

**SECTION 2:** Subject to the provisions of other County procedures and regulations, and applicable State Law, the appropriations under Section 1 shall constitute authorization for the department or officer to make expenditures or incur obligations from the itemized fund, effective **July 1, 2016**.

**SECTION 3:** In accordance with Section 331.437, Code of Iowa, no department or office shall expend or contract to expend any money or incur any liability, or enter into the contract which by its terms involves the expenditure of money for any purpose in excess of the amounts appropriated pursuant to this resolution.

**SECTION 4:** If any time during the **2016-2017** Budget Year the Auditor ascertains that the available resources of a fund for that year will be less than said fund's total appropriations, the Auditor shall immediately so inform the Board and recommend appropriate corrective action.

**SECTION 5:** The Auditor shall establish separate accounts for the appropriations authorized in Section 1, each of which account shall indicate the amount of the appropriation, the amounts charged thereto, and the unencumbered balance. The Auditor shall report the status of such accounts to the applicable departments and officers as prescribed by law or as otherwise required and determined within reasonable limits during the **2016-2017** Budget Year.

**SECTION 6:** All appropriations authorized in accordance with this resolution lapse, **June 30, 2017**.

**DATED THIS 21<sup>st</sup> DAY OF JUNE, 2016.**

**ROLL CALL VOTE**

AYE	NAY	ABSTAIN	ABSENT
-----	-----	---------	--------

\_\_\_\_\_

Lynn G. Grobe, Chairman

○	○	○	○
---	---	---	---

_____	○	○	○	○
Scott A. Belt				
_____	○	○	○	○
Tom Hanafan				
_____	○	○	○	○
Melvyn J. Houser				
_____	○	○	○	○
Justin Schultz				

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

Roll Call Vote: AYES: Houser, Belt, Grobe. Motion carried.

Motion by Belt, second by Houser, to approve and authorize Chairman to sign Agreement between Pottawattamie County Information Technology (IT) Department and the Southwest Iowa MHDS Region for IT Support. UNANIMOUS VOTE. Motion carried.

AYES:

NAYS:

ABSTAIN:

Motion Carried  / Motion Denied  / No Action Taken

Motion by Belt, second by Houser, to approve and sign Resolution No. 54-2016, a Resolution for Establishing Official Bituminous Roads, as follows:

**RESOLUTION NO. 54-2016**

**RESOLUTION FOR ESTABLISHING OFFICIAL BITUMINOUS ROADS**

WHEREAS, the Pottawattamie County, Iowa, Board of Supervisors, amended the Pottawattamie County, Iowa, Zoning Ordinance by adopting Ordinance #21-2016, effective March 15<sup>th</sup>, 2016; and

WHEREAS, Section 8.002.200.150 defines “hardsurfaced street” as a street which has a full-depth surfacing consisting of concrete, or asphalt with a structural capacity equivalency of concrete, constructed in accordance with appropriate local, County or state regulations or a street that the surfacing has been prepared and treated with a bituminous coating and designated by the County Board in a Resolution as an Official Bituminous Road; and

WHEREAS, the Board of Supervisors in conjunction with the County Engineer has reviewed the current Pottawattamie County, Iowa, Secondary Road System Roads and has determined that only certain roads are sufficiently improved with a bituminous product that warrants allowing residential development to take place along;

NOW, THEREFORE, BE IT RESOLVED, by the Pottawattamie County, Iowa, Board of Supervisors, that the following County Roads be classified as “Official Bituminous (Sealcoat, Blacktop, Asphalt) Roads ” for the purpose of satisfying Section 8.002.200.150 of the Pottawattamie County, Iowa, Zoning Ordinance:

Road Name	From	To
Three Bridge Road	Eastern Hills Drive	Bent Tree Ridge

DATED THIS 21<sup>st</sup> DAY OF JUNE, 2016.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

Roll Call Vote: AYES: Houser, Belt, Grobe. Motion carried.

Motion by Belt, second by Houser, to approve suspension of real estate taxes as requested in the Petition for Suspension or Cancellation of Real Property Assessment filed by Rodney Johnson and Linda Armstrong for property located at 223 East Graham Avenue, Council Bluffs. UNANIMOUS VOTE. Motion carried.

**OTHER BUSINESS**

Motion by Belt, second by Houser, to approve Lynn Grobe to set in on interview committee for Advance Southwest Iowa. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED**

**Salary Actions:**

- Engineer/Secondary Roads – Payroll Status Change of: Kevin Ausdemore; Nick McCoid; Mitch Rollins; Josh Reynolds; Zach Larimore

**Reports:**

- Sheriff – Report of Fees Collected and Disbursed for May 2016.

**ADJOURN**

Motion by Belt, second by Houser, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:05 AM.

\_\_\_\_\_  
Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

APPROVED: June 28, 2016  
PUBLISH: X

**JUNE 28, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 5:30 PM. All members present, with Schultz appearing at 5:35 PM. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

Motion by Hanafan, second by Houser, to approve:

1. June 21, 2016, Minutes as read.
2. Communications – Job Reclassification of Veronica Criss from Telecommunications Operator \$21.60 per hour, to Telecommunications Assistant Supervisor at \$26.41 per hour, effective June 16, 2016.
3. Iowa Retail Permit Applications for Cigarette/Tobacco/Nicotine/Vapor submitted by: Kum & Go #23, Neola, Iowa; Fill R Up, Council Bluffs; Casey's Marketing Company, d/b/a Casey's General Store #3205, Council Bluffs; Desoto Bend Mini Mart, Missouri Valley; Casey's Marketing Company, d/b/a Casey's General Store #3204, Minden; The Mile Away, Council Bluffs.
4. Class E Liquor License (LE) Renewal Application, to grant privileges of Class C Beer Permit (Carryout Beer) / Class E Liquor License (LE) / Sunday Sales, to Casey's Marketing Company d/b/a Casey's General Store #3205, Council Bluffs.
5. Class B Beer (BB) (Includes Wine Coolers) Renewal Application, to grant privileges of Class B Beer (BB) (Includes Wine Coolers) / Outdoor Service / Sunday Sales, to Westfair Association d/b/a Westfair, Council Bluffs.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Belt, second by Hanafan, to go into Executive Closed Session as allowed by Code of Iowa, Chapter 21.5(1)(c) for: update on litigation matters; discussion and/or decision on current and pending litigation matters; and request to hire outside counsel. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan. Motion carried.**

Motion by Hanafan, second by Belt, to go out of Executive Closed Session. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

**OTHER BUSINESS**

Motion by Houser, second by Schultz, to approve and sign **Resolution No. 55-2016**, a Resolution entitled: Resolution for Interfund Operating Transfer. Said Resolution is set out as follows:

**RESOLUTION NO. 55-2016****RESOLUTION FOR INTERFUND OPERATING TRANSFER**

**WHEREAS**, it is desired to transfer money from the Fund #2010 Bond Series 1996A Fund to Fund #2200 Bond Series 2016A Debt Fund; and

**WHEREAS**, it is desired to transfer money from the Fund #2170 Bond Series 2009 Debt Fund to Fund #2200 Bond Series 2016A Debt Fund; and

**WHEREAS**, said transfers are in accordance with Section 331.432, Code of Iowa.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County, Iowa, as follows:

**SECTION 1:** The sum of \$118,996.10 is ordered to be transferred from Fund #2010 Bond Series 1996A Fund to Fund #2200 Bond Series 2016A Debt Fund; and

**SECTION 2:** The sum of \$56,812.63 is ordered to be transferred from Fund #2170 Bond Series 2009 Debt Fund to Fund #2200 Bond Series 2016A Debt Fund; and

**SECTION 3:** The Auditor is directed to correct his/her books accordingly and to notify the Treasurer of this operating transfer.

**DATED THIS 28<sup>th</sup> DAY OF JUNE, 2016.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

Roll Call Vote: **AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

**RECEIVED/FILED**

**Salary Actions:**

- Jail - Payroll Status Change of: Doug Whittington; Taylor Thomas
- Conservation – Employment of Mick Clevenger as Part-Time Ranger Intern.

**Reports:**

- Promise Partners – Report on Achieving Designation as an Early Childhood Iowa Area Board by the Office of Early Childhood Iowa with the Iowa Department of Management Office.

**ADJOURN**

Motion by Schultz, second by Houser, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 7:40 PM.

\_\_\_\_\_  
Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

APPROVED: July 5, 2016  
PUBLISH: X



**JULY 5, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 AM. All members, except Hanafan present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

Motion by Schultz, second by Belt, to approve:

1. June 28, 2016, minutes as read.
2. Planning and Zoning – Job Reclassification of Pam Kalstrup from Office Tech II, at \$27.00 per hour, to Zoning and Land Use Coordinator, at \$28.96 per hour, effective July 1, 2016.
3. Planning and Zoning – Job Reclassification of Maria Sieck from Environmental Health Inspector II, at \$23.79 per hour, to Environmental Health Coordinator, at \$27.71 per hour, effective July 1, 2016.
4. Notices of Disallowances for Homestead Tax Credits.
5. Family Farm Credit Application.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Houser, second by Belt, to accept all of Treasurer's Year End Abatements for FY 2015/2016, EXCEPT Riverside Grill and Drainage Assessments for United States Government. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Schultz, to approve and sign **Resolution No. 56-2016**, a Resolution Designating the Bridge Over Interstate 80 on Antique City Drive and Pottawattamie County Road M47 as the Officer Kerrie Orozco Memorial Bridge, and Directing the Placement of Appropriate Signs Denoting this Designation, to read as follows:

**RESOLUTION NO. 56-2016**

**A RESOLUTION DESIGNATING THE BRIDGE OVER INTERSTATE 80 ON ANTIQUE CITY DRIVE AND POTTAWATTAMIE COUNTY ROAD M47 AS THE OFFICER KERRIE OROZCO MEMORIAL BRIDGE, AND DIRECTING THE PLACEMENT OF APPROPRIATE SIGNS DENOTING THIS DESIGNATION.**

Be It Resolved by the Pottawattamie County, Iowa, Board of Supervisors:

WHEREAS, Kerrie Holtz was born on September 19, 1985 to Kevin and Ellen Holtz, and was raised in the Pottawattamie County community of Walnut; and

WHEREAS, Kerrie graduated from Walnut High School with the Class of 2004, where she was involved in a variety of activities; and

WHEREAS, after joining the Omaha Police Department, Kerrie married Hector Orozco, and Kerrie became the stepmother to Natalia and Santiago; and

WHEREAS, Kerrie and Hector were blessed with their first child Olivia on February 17, 2015; and

WHEREAS, Kerrie was a tremendous officer and an even better person, coaching baseball at the North Omaha Boys and Girls Club, volunteering with the Special Olympics, and mentoring Girl Scouts; and

WHEREAS, Kerrie, a gang unit officer, was shot and killed in the line of duty on May 20, 2015, while serving a warrant on the Metro Area Fugitive Task Force; and

WHEREAS, Kerrie was a seven year veteran of the Omaha Police Department and had worked in the gang unit since March 2012; and

WHEREAS, Kerrie Holtz Orozco, a native of Walnut, Iowa, became Omaha’s first female police officer killed in the line of duty; and

WHEREAS, her family and the residents of Walnut and Pottawattamie County would be deeply honored by some tangible memorial to the service of Kerrie Holtz Orozco.

NOW, THEREFORE, BE IT RESOLVED by the Pottawattamie County, Iowa, Board of Supervisors, as follows:

That the bridge over Interstate 80 on Antique City Drive and Pottawattamie County Road M47 be designated as the Officer Kerrie Orozco Memorial Bridge, and shall direct the placement of appropriate signs denoting this designation.

This Resolution shall be effective upon its passage and approval in accordance with law.

**DATED THIS 5<sup>th</sup> DAY OF JULY, 2016.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

Roll Call Vote: **AYES: Houser, Belt, Grobe, Schultz. Motion carried.**

**OTHER BUSINESS**

Motion by Belt, second by Houser, to approve Employment Agreement of Doug Reed, Emergency Management Director for July 1, 2016 – June 30, 2017. **UNANIMOUS VOTE.** Motion carried.

**RECEIVED/FILED**

**Salary Actions:**

- Emergency Management Agency - Payroll Status Change of: Anthony Eblen, Scott Manz, Michell Bose
- Conservation – Thad Pothast
- Secondary Roads – John Johnson; Jake Ferro; Brady DeYeager

**Reports:**

- EBS Receipt and Disbursement Report: July 2015 – June 2016

**ADJOURN**

Motion by Belt, second by Schultz, to adjourn meeting. **UNANIMOUS VOTE.** Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 10:55 AM.

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Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

APPROVED: July 12, 2016

PUBLISH: X

**JULY 12, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 A.M. All members, except Hanafan present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

Motion by Houser, second by Schultz, to approve:

1. July 5, 2016, Minutes as read.
2. Publication of Claims allowed for June, 2016.
3. Community Services – Job Reclassification of Gina Huebner from Community Services Supervisor, at \$33.27 per hour, to Service Coordinator, at \$29.81 per hour, effective July 1, 2016.
4. Engineer/Secondary Roads – Employment of Shawn Bluml as Inventory Tech II, at \$19.05 per hour, effective June 27, 2016.
5. Attorney – Employment of Nichole Curry as Legal Assistant – Victim Witness Coordinator, at \$21.37 per hour, effective June 30, 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Belt, second by Schultz, to approve obtaining bid to remodel Annex building. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Belt, to approve staffing at Transfer Station, by hiring three part-time individuals, each to work 2 days per week. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Houser, to approve and authorize Chairman to sign Amendment to the Agreement between The Omaha-Council Bluffs Metropolitan Area Planning Agency and Pottawattamie County, Iowa, concerning the Pottawattamie County Transportation Plan. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Schultz, to approve Chairman to sign Agreement for Professional Services between Pottawattamie County and The Omaha-Council Bluffs Metropolitan Area Planning Agency for GIS Services provided by the Pottawattamie County GIS from July 1, 2016, through June 30, 2017. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Schultz, to approve and authorize Chairman to sign letter to WIDA, terminating the IT Support Agreement between the Pottawattamie County IT Department and WIDA. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Houser, to approve Assessor's approved and/or denied Business Property Tax Credit Applications. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Schultz, to approve Assessor's approved and/or denied Disabled Veteran Homestead Applications. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Schultz (for Pottawattamie County); Motion by Crouch, second by Mayberry (for Mills County), to approve and sign **Pottawattamie County Resolution No. 57-2016 / Mills County Resolution No. 16-17**, a Resolution for Proposed Road Vacation, Iowa Code Section 306, as follows:

POTTAWATTAMIE COUNTY RESOLUTION NO. 57-2016  
MILLS COUNTY RESOLUTION NO. 16-17

PROPOSED ROAD VACATION, IOWA CODE SECTION 306.

WHEREAS, a request has been filed with the Pottawattamie County Board of Supervisors asking that action be taken to vacate and clear the record of a section of Pottawattamie County and Mill County road, as follows:

A 66 foot wide road (Applewood Road) on the South line of Section 31, Township 74 North, Range 40 West, and the South line of Section 36, Township 74 North, Range 41 West of the 5<sup>th</sup> Principal Meridian, Pottawattamie County, Iowa, described as follows: Commencing at the Southeast Corner of said Section 31; thence running West along the South line of said Section 31 and along the South line of said Section 36 approximately 10,452 feet and terminating at the Southwest Corner of said Section 36, EXCLUDING the west right-of-way of County Highway M16. This portion of road segment was originally established on April 7, 1874 by Petition No. 510 and recorded in Pottawattamie County Road Book B, page 284. This road segment was later petitioned by Consent Petition No. 257 filed January 2, 1954 establishing the right-of-way at 66 feet wide.

Length of road to be vacated is approximately 1.98 miles.  
(Pottawattamie County - Macedonia and Silver Creek Townships)  
(Mills County – Anderson Township).

NOW, THEREFORE BE IT RESOLVED, that a hearing on the proposed vacation will be held at the Pottawattamie County Board of Supervisors' Hearing Room at 227 South 6<sup>th</sup> Street, Council Bluffs, Iowa, on **July 26, 2016 at 1:30 PM**, in accordance with Iowa Code Chapter 306.

DATED THIS 12<sup>th</sup> DAY OF JULY, 2016.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman Pottawattamie County Board of Supervisors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt, Member Pottawattamie County Board of Supervisors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan, Member Pottawattamie County Board of Supervisors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser, Member Pottawattamie County Board of Supervisors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz, Member Pottawattamie County Board of Supervisors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

RECOMMENDED: \_\_\_\_\_  
John Rasmussen, Pottawattamie County Engineer

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Ron Kohn, Chairman Mills County Board of Supervisors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lonnie Mayberry, Member Mills County Board of Supervisors				

	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Richard Crouch, Member Mills County Board of Supervisors				

RECOMMENDED: \_\_\_\_\_  
Kevin Mayberry, Mills County Engineer

ATTEST: \_\_\_\_\_  
Carol Robertson, Mills County Auditor

And to set a public hearing date on said proposed vacation for Tuesday, July 26, 2016, at 1:30 PM, in the Board of Supervisors’ Hearing Room, Second Floor, Courthouse, Council Bluffs, Iowa.

Roll Call Vote: AYES: Pottawattamie County: Houser, Belt, Grobe, Schultz; Mills County: Kohn, Mayberry, Crouch. Motion carried.

**OTHER BUSINESS**

Motion by Belt, second by Schultz, to approve and authorize Chairman to sign letter regarding Gas-Mart tax payments. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Schultz, to approve Employment Agreement of Don Uhlig, Director of the Southwest Iowa Juvenile Detention Center, for July 1, 2016 – June 30, 2017. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Schultz, to approve revised Employment Agreement of Doug Reed, Director of Emergency Management, showing corrected salary for July 1, 2016 – June 30, 2017. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED**

**Salary Actions:**

- Auditor’s Office - Payroll Status Change of Marilyn Kennedy.
- Communications – Payroll Status Change of Joy Wachter; and Marie Dollen.
- Jail – Payroll Status Change of Justin Cooper.
- Secondary Roads – Payroll Status Change of Mike Bonnet.

**ADJOURN**

Meeting adjourned.

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:00 PM.

\_\_\_\_\_  
Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Joan Miller, Deputy/Real Estate

APPROVED: July 19, 2016

PUBLISH: X

**JULY 19, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 A.M. All members except Grobe present at 10:00 AM; Grobe joining meeting at 11:00 AM. Chairman Pro-Tem Hanafan presiding from 10:00 AM – 11:00 AM; Chairman Grobe presiding at 11:00 AM – close of meeting.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

Motion by Houser, second by Schultz, to approve:

1. July 12, 2016, Minutes as read.
2. Attorney – Job Reclassification of Alicia Gehrman from Legal Assistant/CM Coordinator at \$24.59 per hour, to Executive Legal Assistant at \$26.11 per hour, effective 6/1/2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Schultz, second by Houser, to open public hearing on Ordinance #2016-04. **Roll Call Vote: Houser, Belt, Hanafan, Schultz. Motion carried.**

Motion by Belt, second by Houser, to close public hearing on Ordinance #2016-04. **Roll Call Vote: Houser, Belt, Hanafan, Schultz. Motion carried.**

Motion by Belt, second by Houser, to approve first consideration of **Ordinance #2016-04, AN ORDINANCE** to add the Subsection to Chapter 10 section .15, Building Code:

- 10.15.070 GRADING PERMIT EXEMPTED WORK: A grading permit is not required for the following:
- .10 The construction, reconstruction, repair, or maintenance of public infrastructure by the State, or other governmental subdivisions of the State;

and to set second consideration for **July 26, 2016, at 10:00 AM. Roll Call Vote: Houser, Belt, Hanafan, Schultz. Motion carried.**

**OTHER BUSINESS**

Motion by Belt, second by Hanafan, to approve and authorize Chairman to sign Notices of Approval and/or Disallowance of Homestead Tax Credits and Military Service Tax Exemptions. UNANIMOUS VOTE. Motion carried.

Motion by Schultz, second by Hanafan, to approve and allow for publication the Pottawattamie County Treasurer's Semi Annual Report for 01/01/2016 – 06/30/2016. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED****Salary Actions:**

- Recorder – Payroll Status Change of Paul Nelson.
- Communications – Payroll Status Change of Cheryl Hawkins; David Sands.
- GIS – Payroll Status Change of Jamie Petersen
- Attorney – Payroll Status Change of Sarah Jennings.
- Conservation – Payroll Status Change of Garrett Parr.
- Planning – Payroll Status Change of Errin Gunderson.

**Reports:**

- Recorder’s Fee Book for 6/1/2016 – 6/30/2016.

**ADJOURN:**

Motion by Schultz, second by Hanafan, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:25 AM

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Tom Hanafan, Chairman Pro-Tem

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Lynn Grobe, Chairman

ATTEST:

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Marilyn Jo Drake, County Auditor

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Becky Lenihan, Finance, Auditor’s Office

APPROVED: July 26, 2016

PUBLISH: X



**JULY 26, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 AM. All members, except Houser and Schultz present. Hanafan appearing via telephone for the 1:30 public hearing. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

Motion by Hanafan, second by Belt, to approve:

1. July 19, 2016, minutes as read.
2. Engineer/Secondary Roads – Employment of Lisa Keierleber as Assistant Engineer at \$26.59 per hour, effective July 18, 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Hanafan, second by Belt, to open public hearing on Ordinance #2016-04. **Roll Call Vote: AYES: Hanafan, Belt, Grobe. Motion carried.**

Motion by Belt, second by Hanafan, to close public hearing on Ordinance #2016-04. **Roll Call Vote: AYES: Hanafan, Belt, Grobe. Motion carried.**

Motion by Belt, second by Hanafan, to approve second consideration of Ordinance #2016-04, AN ORDINANCE to add the Subsection to Chapter 10 section .15, Building Code:

10.15.070 GRADING PERMIT EXEMPTED WORK: A grading permit is not required for the following:

- .10 The construction, reconstruction, repair, or maintenance of public infrastructure by the State, or other governmental subdivisions of the State;

and to adopt said **Ordinance #2016-04** into law. **Roll Call Vote: AYES: Hanafan, Belt, Grobe. Motion carried.**

Motion by Hanafan, second by Belt, to open public hearing on Ordinance #2016-05. **Roll Call Vote: AYES: Hanafan, Belt, Grobe. Motion carried.**

Motion by Belt, second by Hanafan, to close public hearing on Ordinance #2016-05. **Roll Call Vote: AYES: Hanafan, Belt, Grobe. Motion carried.**

Motion by Belt, second by Hanafan, to approve first consideration of **Ordinance #2016-05**, AN ORDINANCE to amend the following in Chapter 3.20 Conservation Board Lands Rules and Regulations:

**3.20.145 CONSUMPTION OF ALCOHOL:** Beer (with an alcohol content 5% or less by weight) and wine (with an alcohol content 17% or less by weight) may be consumed in camping areas of county parks and recreation areas. Drinking of these beverages is not permitted on roads, in common areas or in parking areas. Keg beer is not permitted in the camping areas. Persons wishing to serve keg beer in any other portion of a county park are required to obtain a keg beer permit in advance from the Pottawattamie County Conservation Board. Hard liquor (such as whiskey, vodka, etc.), wine with an alcohol content of more than 17 percent by

weight or other alcoholic liquors are not to be consumed in any county parks and recreation areas. Only persons renting the park shelters at the Narrows River Park shall be permitted to consume or possess alcoholic beverages at the Narrows River Park. Alcoholic beverages may not be consumed outside of the rented park shelters at the Narrows River Park.

And to set second consideration for August 2, 2016, at 1:30 PM. **Roll Call Vote: AYES: Hanafan, Belt, Grobe. Motion carried.**

Motion by Hanafan, second by Belt, to open joint public hearing on **Pottawattamie County Resolution No. 58-2016 / Mills County Resolution No. 16-18**, a Resolution for Road Vacation, pursuant to Iowa Code Section 306. **Roll Call Vote: AYES: Hanafan, Belt, Grobe (Pottawattamie County); Mayberry, Crouch, Kohn (Mills County). Motion carried.**

Motion by Mayberry, second by Crouch to close joint public hearing on **Pottawattamie County Resolution No. 58-2016 / Mills County Resolution No. 16-18**, a Resolution for Road Vacation, pursuant to Iowa Code Section 306. **Roll Call Vote: AYES: Hanafan, Belt, Grobe (Pottawattamie County); Mayberry, Crouch, Kohn (Mills County). Motion carried.**

Motion by Belt, second by Hanafan, to approve and sign **Pottawattamie County Resolution No. 58-2016 / Mills County Resolution No. 16-18**, a Resolution for Road Vacation, pursuant to Iowa Code Section 306, as follows:

**POTTAWATTAMIE COUNTY RESOLUTION NO. 58-2016  
MILLS COUNTY RESOLUTION NO. 16-18**

**WHEREAS**, the following described road has a very low volume of traffic; and

**WHEREAS**, budget and liability constraints dictate the secondary roads system be reduced; and

**WHEREAS**, it is in the best interest of Pottawattamie County and Mills County to vacate the road right-of-way described below.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County and the Board of Supervisors of Mills County, in session this July 29, 2016, that the following described road easement be vacated:

A 66 foot wide road (Applewood Road) on the South line of Section 31, Township 74 North, Range 40 West, and the South line of Section 36, Township 74 North, Range 41 West of the 5<sup>th</sup> Principal Meridian, Pottawattamie County, Iowa, described as follows: Commencing at the Southeast Corner of said Section 31; thence running West along the South line of said Section 31 and along the South line of said Section 36 approximately 10,452 feet and terminating at the Southwest Corner of said Section 36, EXCLUDING the west right-of-way of County Highway M16. This portion of road segment was originally established on April 7, 1874 by Petition No. 510 and recorded in Pottawattamie County Road Book B, page 284. This road segment was later petitioned by Consent Petition No. 257 filed January 2, 1954 establishing the right-of-way at 66 feet wide.

Length of road to be vacated is approximately 1.98 miles.  
(Pottawattamie County - Macedonia and Silver Creek Townships)  
(Mills County – Anderson Township).

Note: Utilities are granted a permanent and perpetual easement for the continuance of maintaining existing facilities for such construction, reconstruction, replacement, and repair thereof as may be deemed necessary by the utilities in the future (Iowa Code 306.22, 479.17, 479.24).

DATED THIS 26 DAY OF JULY, 2016.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman Pottawattamie County Board of Supervisors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt, Member Pottawattamie County Board of Supervisors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan, Member Pottawattamie County Board of Supervisors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser, Member Pottawattamie County Board of Supervisors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz, Member Pottawattamie County Board of Supervisors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

RECOMMENDED: \_\_\_\_\_  
John Rasmussen, Pottawattamie County Engineer

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Ron Kohn, Chairman Mills County Board of Supervisors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Lonnie Mayberry, Member Mills County Board of Supervisors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Richard Crouch, Member Mills County Board of Supervisors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

RECOMMENDED: \_\_\_\_\_  
Kevin Mayberry, Mills County Engineer

ATTEST: \_\_\_\_\_  
Carol Robertson, Mills County Auditor

Roll Call Vote: AYES: Hanafan, Belt, Grobe (Pottawattamie County); Mayberry, Crouch, Kohn (Mills County). Motion carried.

**RECEIVED/FILED**

**Salary Actions:**

- Jail – Payroll Status Change of Austin Frain; Marlys Martin
- Communications – Payroll Status Change of Eric Wallner

**Reports:**

- Sheriff – Report of Fees Collected and Disbursed for June 2016.

**ADJOURN**

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:50 PM.

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Lynn Grobe, Chairman

ATTEST:

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Marilyn Jo Drake, County Auditor

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Joan Miller, Deputy, Real Estate

APPROVED: August 2, 2016

PUBLISH: X

**AUGUST 2, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 1:30 P.M. All members present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

Motion by Hanafan, second by Schultz, to approve:

1. July 26, 2016, Minutes as read.
2. Class C Native Wine (WCN) Liquor License Renewal Application, to grant privileges of Class C Native Wine (WCN) / Outdoor Service / Sunday Sales to Two Fools and a Crusher, LLC d/b/a Prairie Hawk Vineyards, Council Bluffs.
3. Class E Liquor License (LE) Renewal Application, to grant privileges of Class B Native Wine Permit / Class C Beer Permit (Carryout Beer) / Class E Liquor License (LE) / Sunday Sales to Casey's Marketing Company d/b/a Casey's General Store #3204, Minden, Iowa.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Houser, second by Schultz, to rescind prior approval and first consideration of Ordinance #2016-05. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Houser, second by Schultz, to authorize Public Hearing for first consideration of Ordinance 2016-05 be set for August 16, 2016, at 10:00 AM. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Hanafan, second by Schultz, to approve the formation of the Public Health Division within the Office of Planning and Development / Consolidation of Environmental Health, Animal Control, and VNA Contract. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Houser, to approve the Application for Use of Pottawattamie County Grounds submitted by Kellie J. Evans, and approval of said request for a Bible Reading Marathon on Courthouse property, September 8, 2016 – September 11, 2016 (alternate dates September 6, 2016 – September 11, 2016). UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(1)(j) for discussion and/or decision on the purchase or sale of particular real estate. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Belt, second by Schultz, to go out of Executive Session. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

**OTHER BUSINESS**

Motion by Hanafan, second by Houser, to approve funding for Advance Southwest Iowa Corporation in the amount of \$100,000.00, to be paid out of Gaming Funds. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Belt, to approve payment of Hungry Canyons Alliance Membership Dues in the amount of \$3,250.00 for FY 2016-17, to be paid out of Rural Funds. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to approve appropriations for support of MAPA semi-annual payment in the amount of \$21,241.00 for FY 2016-17, to be paid out of General Basic Funds. UNANIMOUS VOTE. Motion carried.

**ADJOURN**

Motion by Schultz, second by Hanafan, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 4:50 PM.

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Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

APPROVED: August 9, 2016  
PUBLISH: X

**AUGUST 9, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 AM. All members present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

Motion by Schultz, second by Hanafan, to approve:

1. August 2, 2016, Minutes as read.
2. Sheriff's Department – Job Reclassification of Mike Hansen, from Deputy – Road, to Deputy – Civil.
3. Publication of Claims Allowed for July 2016.
4. Jail – Employment of Corey Little as Detention Officer, at \$20.08 per hour, effective August 1, 2016

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Belt, second by Hanafan, to deny appeal filed by Cynthia Collins regarding the disallowance of her Application for 2016 Homestead Tax Credit. UNANIMOUS VOTE. Motion carried.

Motion by Schultz, second by Houser, to approve request for permission to list/identify Pottawattamie County on posters/literature released by the University of Nebraska at Omaha for future projects conducted by the University. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED****Salary Actions:**

- Sheriff's Office - Payroll Status Change of Megan Wirt
- Secondary Roads – Payroll Status Change of Jon Johnson
- SWI Juvenile Detention – Payroll Status Change of Justin Wathen from Part-Time Status to Full-Time Status
- Jail – Payroll Status Change of Allison Head

**Reports:**

- EBS Report of Receipt and Disbursement (final report for FY 15/16)

**ADJOURN**

Motion by Schultz, second by Belt, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:05 AM.

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Lynn Grobe, Chairman

ATTEST:

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Marilyn Jo Drake, County Auditor

APPROVED: August 16, 2016

PUBLISH: X

**AUGUST 16, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 AM All members, except Grobe present. Chairman Pro-Tem Hanafan presiding.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

Motion by Houser, second by Schultz, to approve:

1. August 9, 2016, Minutes as read.
2. Community Services – Job Reclassification of Barbara Cheney from Social Worker I, to Service Coordinator (rate of pay same – correcting title only), effective July 1, 2014.
3. Community Services – Job Reclassification of Jody Miles from Case Manager at \$29.16 per hour, to Jail Based Service Coordinator at \$29.16 per hour (lateral move within department), effective July 25, 2016.
4. Community Services – Job Reclassification of Tom Olsen from Case Manager at \$29.56 per hour, to Jail Based Service Coordinator at \$29.56 per hour (lateral move within department) effective July 25, 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Houser, second by Belt, to open public hearing on Ordinance #2016-05. **Roll Call Vote: AYES: Houser, Belt, Hanafan, Schultz. Motion Carried.**

Motion by Belt, second by Houser, to close public hearing on Ordinance #2016-05. **Roll Call Vote: AYES: Houser, Belt, Hanafan, Schultz. Motion carried.**

Motion by Houser, second by Belt, to approve first consideration of #2016-05, AN ORDINANCE to amend the following in Chapter 3.20 Conservation Board Lands Rules and Regulations:

Amend 3.20.145 CONSUMPTION OF ALCOHOL: Beer (with an alcohol content 5% or less by weight) and wine (with an alcohol content 17% or less by weight) may be consumed in camping areas of county parks and recreation areas. Drinking of these beverages is not permitted on roads, in common areas or in parking areas. Keg beer is not permitted. Hard Liquor (such as whiskey, vodka, etc.), wine with an alcohol content of more than 17 percent by weight or other alcoholic liquors are not to be consumed in any county parks and recreation areas. Only persons renting the park shelters at the Narrows River Park shall be permitted to consume or possess alcoholic beverages at the Narrows River Park. Alcoholic beverages may not be consumed outside of the rented park shelters at the Narrows River Park;

And to set second consideration for August 23, 2016; at 10:00 AM. **Roll Call Vote: AYES: Houser, Belt, Hanafan, Schultz. Motion carried.**

Motion by Belt, second by Houser, to approve job description for Director of Buildings and Grounds position; and approval for posting said position. AT 10:30 AM, BELT WITHDREW MOTION. Discussion proceeded withdrawal.

Motion by Schultz, second by Houser, to approve job description for Director of Buildings and Grounds position, and approval for posting said position; advertise as salary negotiable. VOTE: AYES - Houser, Schultz, Hanafan; NAYS - Belt. Motion carried.

**OTHER BUSINESS**

Motion by Houser, second by Belt, to approve and sign **Resolution 59-2016**, a resolution to transfer the sum of \$15,000.00 from Gaming Fund to West SWCD/Pott Co Structures Fund; and



the sum of \$10,000.00 from Gaming Fund to East SWCD/Pott Co Structures Fund. **Roll Call Vote: AYES: Houser, Belt, Hanafan, Schultz. Motion carried.**

**RECEIVED/FILED**

**Salary Actions:**

- Treasurer - Payroll Status Change of C. Leah Smith
- Sheriff – Payroll Status Change of Jonathan Barnes; Jerome Stewart
- Communications – Payroll Status Change of Angela Dobyms
- Secondary Roads – Payroll Status Change of Kristina Hauger; Dustin Ausdemore
- Attorney – Payroll Status Change of Dawn Brockman

**Reports:**

- Recorder’s Fee Book for 7/1/16 – 7/31/16
- Sheriff – Report of Fees Collected and Disbursed for July 2016.

**ADJOURN**

Motion by Belt, second by Schultz, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:05 AM.

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Tom Hanafan, Chairman Pro-Tem

ATTEST: \_\_\_\_\_  
 Marilyn Jo Drake, County Auditor

APPROVED: August 23, 2016  
 PUBLISH: X

**August 23, 2016**

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 AM. All members, except Schultz present. Chairman Grobe presiding.

PLEDGE OF ALLEGIANCE

**CONSENT AGENDA**

Motion by Hanafan, second by Houser, to approve:

1. August 16, 2016, Minutes as read.
2. Sheriff – Job Reclassification of Adam Fields, from Deputy-Civil at \$23.88 per hour, to Deputy-Roads at \$25.75, effective August 6, 2016.
3. Sheriff – Job Reclassification of Mike Hansen, from Deputy-Roads at \$23.28 per hour, to Deputy-Civil at \$23.88 per hour, effective August 15, 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Houser, second by Hanafan, to approve second consideration of Ordinance #2016-05, **AN ORDINANCE** to amend the following in Chapter 3.20 Conservation Board Lands Rules and Regulations:

Amend **3.20.145 CONSUMPTION OF ALCOHOL**: Beer (with an alcohol content 5% or less by weight) and wine (with an alcohol content 17% or less by weight) may be consumed in camping areas of county parks and recreation areas. Drinking of these beverages is not permitted on roads, in common areas or in parking areas. Keg beer is not permitted. Hard Liquor (such as whiskey, vodka, etc.), wine with an alcohol content of more than 17 percent by weight or other alcoholic liquors are not to be consumed in any county parks and recreation areas. Only persons renting the park shelters at the Narrows River Park shall be permitted to consume or possess alcoholic beverages at the Narrows River Park. Alcoholic beverages may not be consumed outside of the rented park shelters at the Narrows River Park;

and to adopt said Ordinance #2016-05 into law. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan. Motion carried.**

Motion by Hanafan, second by Belt, to approve and authorize Chairman to signed IT Support Agreement with Southwest Iowa Juvenile Detention Center, for the services outline in said agreement. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Houser, to approve and authorize Chairman to sign IT Support Agreement with CASA, for the services outlined in said agreement. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Belt, to approve revised Rules of Use and Application for Use of Pottawattamie County Property, as amended. UNANIMOUS VOTE. Motion carried.

**OTHER BUSINESS**

Motion by Houser, second by Belt, to approve ISAC FY17 Supervisor Affiliate Dues in the amount of 350.00. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED**

**Salary Actions:**

- Sheriff – Payroll Status Change of: Megan Wirt; Lee Volkens; Dan Temeyer; Brandon Ramsey; Zach Norman; Steve Maguire; Jim Harvey;
- Jail – Payroll Status Change of: Randy Moran; Jeremy Harker

**ADJOURN**

Motion by Houser, second by Hanafan, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:00 PM.

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Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

APPROVED: August 30, 2016  
PUBLISH: X

**August 30, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 AM. All members, except Schultz present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

Motion by Hanafan, second by Houser, to approve

1. August 23, 2016, Minutes as read.
2. Communications – Employment of Kathryn Stottlemeyer as Telecommunications Operator, at \$18.39 per hour, effective August 30, 2016.
3. Communications – Employment of Matthew Corum as Telecommunications Operator, at \$18.39 per hour, effective August 31, 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Hanafan, second by Houser, to approve bid award and authorize Chairman to sign Contract 78-CO78-189 to Dixon Construction in the amount of \$1,322,383.22, for the bridge replacement of the Old Lincoln Highway Simon Run Bridge, Project No. BRS-CO78(189)--60-78. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Houser, to approve final payment to Jensen Construction on Project BRS-CO78(169)—60-78 in the amount of \$30,000.00. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Hanafan, to approve Construct Inc.'s proposal and quote on storm water requirements in the new parking lot surrounding the new building of Veteran Affairs, in the amount of \$12,780.00. AYES: Grobe, Houser, Hanafan. NAYS: Belt. Motion carried.

Motion by Houser, second by Hanafan, to approve bringing 4 empty lots back up to grade and seeding for the total cost of \$14,486.00. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Belt, to approve pay increase(s) for election poll workers, as follows: \$200.00 per day for Poll Worker; and \$250.00 per day for Chairperson. AYES: Grobe, Houser, Belt. NAYS: Hanafan. Motion carried.

**OTHER BUSINESS**

Motion by Houser, second by Hanafan, to approve payment of Drainage Taxes on County owned property in the amount of \$3,978.00. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED****Salary Actions:**

- Conservation- Payroll Status Change of Rene Stroud; Employment of Clarence Sliger as part-time Seasonal Aide, at \$10.00 per hour, effective August 25, 2016.
- Secondary Roads – Payroll Status Change of Matt White.
- Jail – Payroll Status Change of Whitney Tranmer; Tiffany Mass; Georgia Harley.
- Communications – Payroll Status Change of Becky Hermanson; Jillian Gantt.
- Southwest Iowa Juvenile Detention Center – Employment of Joseph Pawoll, Jr.

**Reports:**

- EBS monthly Receipt and Disbursement Report – Plan Year July 2016–June 2017 (reporting period: July 2016)

**ADJOURN**

Motion by Belt, second by Houser, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:50 AM.

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Lynn Grobe, Chairman

ATTEST:

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Marilyn Jo Drake, County Auditor

APPROVED: September 6, 2016

PUBLISH: X

**September 6, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 AM. All members, except Belt present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

Motion by Hanafan, second by Houser, to approve:

1. August 30, 2016, Minutes as read.
2. Sheriff's Office – Employment of Michael Bertacini as Part-Time Entry Security Personnel, at \$15.23 per hour, effective August 23, 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Hanafan, second by Houser, to approve promotion of Lynn Herrington from Second Deputy Recorder at \$29.69 per hour, to First Deputy Recorder at \$31.54 per hour, effective September 3, 2016; and to reclassify Marilyn Hebing's position as Operations and Passport Manager. UNANIMOUS VOTE. Motion carried.

Motion by Houser, and second by Schultz, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(1)(c) for discussion and/or decision on pending litigation matter. **Roll Call Vote: AYES: Houser, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Hanafan, second by Schultz, to go out of Executive Session. **Roll Call Vote: AYES: Houser, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Houser, second by Schultz, to approve creating a County Operational Polices Committee; persons to serve on the Committee; and the functions of the Committee. UNANIMOUS VOTE. Motion carried.

**OTHER BUSINESS**

Motion by Houser, second by Schultz, to approve tax abatement request for property described as Lot 2, Elm Street Subdivision, Avoca, Iowa, known as Myrtue Memorial Hospital. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED****Salary Actions:**

- Sheriff's Office – Payroll Status Change of Leslie Points.

**ADJOURN**

Motion by Schultz, second by Houser, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:30 PM.

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Lynn Grobe, Chairman

ATTEST:

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Marilyn Jo Drake, County Auditor

APPROVED: September 19, 2016

PUBLISH: X

**September 19, 2016**

**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 1:00 PM. All members, except Schultz present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE**

**CONSENT AGENDA**

Motion by Hanafan, second by Houser, to approve:

- 1. September 6, 2016, minutes as read.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Hanafan, second by Houser, to canvass Special Election for Council Bluffs Community School District, and to authorize Auditor to pay election costs. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Hanafan, to canvass Special Election for Tri-Center Schools, and to authorize Auditor to pay election costs. UNANIMOUS VOTE. Motion carried.

**ADJOURN**

Motion by Houser, second by Hanafan, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:12 PM.

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Lynn Grobe, Chairman

ATTEST:

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Marilyn Jo Drake, County Auditor

APPROVED: September 20, 2016

PUBLISH: X

**September 20, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 AM. All members present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

Motion by Hanafan, second by Schultz, to approve:

1. September 19, 2016, Minutes as read.
2. Human Resources – Employment of Elizabeth Glenn as HR Assistant at \$20.20 per hour, effective September 12, 2016.
3. Auditor’s Office – Employment of Linda Swolley at Property Description Specialist at \$27.87 per hour, effective September 6, 2016.
4. Jail – Employment of Trevor Nelson as Detention Officer at \$20.08 per hour, effective September 8, 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Belt, second by Hanafan, to approve and authorize Chairman to sign Amendment to the Consulting Services Agreement between Pottawattamie County, Iowa, and Kansas City Series of Lockton Companies, LLC. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Belt, to approve changes on health insurance billing procedures. Said changes are to be based on the plan Pott County purchased from Wellmark Blue Cross Blue Shield. UNANIMOUS VOTE. Motion carried.

Motion by Schultz, second by Hanafan, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(1)(c) for discussion and/or decision on pending litigation matter. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Hanafan, second by Schultz, to go out of Executive Session. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Hanafan, second by Schultz, to approve updates to IT Support Definition Policy. UNANIMOUS VOTE. Motion carried.

**OTHER BUSINESS**

Motion by Houser, second by Schultz, to approve Applications for Use of Pottawattamie County Property (Veteran’s Building), submitted by: Vietnam Veterans of America Chapter 798; submitted by Iowa Veterans Foundation; and by VFW Post 11355. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED****Salary Actions:**

- Attorney’s Office - Payroll Status Change of Nicole Mann.
- Communications – Payroll Status Change of David Gentleman.
- Conservation – Employment of Bethany Thornton as Hawkwatch Counter, at \$12.00 per hour, effective September 1, 2016.
- Jail – Payroll Status Change of Betty Collinson.
- Sheriff – Payroll Status Change of Meghan Thomson; Brian Miller; Stephanie Shea Krammerer.



**Reports:**

- Recorder's Fee Book for 8/1/2016 – 8/31/2016

**ADJOURN**

Motion by Hanafan, second by Schultz, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 2:20 PM.

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Lynn Grobe, Chairman

ATTEST:

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Marilyn Jo Drake, County Auditor

APPROVED: September 22, 2016

PUBLISH: X

**September 22, 2016**

**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 2:00 PM. All members, except Houser present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE**

**CONSENT AGENDA**

Motion by Schultz, second by Hanafan, to approve:

- 1. September 20, 2016, minutes as read.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Hanafan, second by Schultz, to canvass Special Election for Treynor Schools, and to authorize Auditor to pay election costs. UNANIMOUS VOTE. Motion carried.

**ADJOURN**

Motion by Hanafan, second by Schultz, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 2:02 P.M.

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Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
 Kristi Everett, Elections, County Auditor

APPROVED: September 27, 2016  
 PUBLISH: X

**September 27, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 A.M.. All members, except Hanafan present. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

Motion by Schultz, second by Belt, to approve:

1. September 22, 2016, Minutes as read.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Belt, second by Houser, to approve for publication, the County Annual Financial Report for FY ending June 30, 2016. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Houser, to approve request for County to act as conduit issuer for The Bethany Lutheran Home Financing, not to exceed \$5,000,000.00 for FY 2016, subject to the approval of legal counsel, bond counsel, and the City of Crescent. UNANIMOUS VOTE. Motion carried.

**OTHER BUSINESS**

Motion by Belt, second by Houser, to postpone payment on the following invoices for the Annex Building remodeling project, until October 4, 2016:

Bushman Floor Coverin – Invoice No. 046334, in the amount of \$437.50

Dicenzo Painting & Carpet Cleaning – Invoice dated September 5, 2016, in the amount of \$5,876.50

Able Locksmiths – Invoice No. 136530, in the amount of \$187.50;

McGinnis Construction, Inc. – Invoice No. 061613, in the amount of \$9,750.00;

UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Schultz, to approve and authorization Chairman to sign Notices of Approval and/or Disallowance of Homestead Tax Credits, and Military Services Tax Exemptions. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED****Salary Actions:**

- Auditor – Payroll Status Change for: Jodie Beckman; Andrew Moats.
- Planning – Payroll Status Change for: Matthew Wyant; Deborah Miller.
- Conservation – Payroll Status Change for: Samantha Stivers; Ryan Penney; Kristen Bieret.
- Attorney – Payroll Status Change for: Robin Riso; Brianne Shriver; James Burger.
- Emergency Management – Payroll Status Change for: Michell Bose.
- IT – Payroll Status Change for: Rafael Rodriguez.
- Jail – Payroll Status Change for: Matt ODonnell.
- Sheriff – Payroll Status Change for: Kathryn Stacy; Ryan Olderog; Ryan Avis; Robin Ambrose.

**Reports:**

- Sheriff's Report of Fees and Disbursements for 8/1/16 – 8/31/16.

**ADJOURN**

Motion by Belt, second by Schultz, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:34 AM.

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Lynn Grobe, Chairman

ATTEST:

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Marilyn Jo Drake, County Auditor

APPROVED: October 4, 2016

PUBLISH: X

**October 4, 2016**

**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 AM. All members, except Hanafan present. Chairman Grobe presiding.

PLEDGE OF ALLEGIANCE

**CONSENT AGENDA**

Motion by Houser, second by Belt, to approve:

1. September 27, 2016, Minutes as read.
2. Planning Department – Employment of Steven Hansen as Part-Time Transfer Station Operator, at \$14.44 per hour, effective September 21, 2016.
3. Secondary Roads – Employment of Bryan Mead as IRVM Roadside Seasonal, at \$11.14 per hour, effective September 21, 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Belt, second by Houser, to approve IT Reorganization Plan, to include:

- New Network Administrator III position;
- New Job Descriptions (Help Desk I, II, III, Network; Administrator I, II, III, IT Supervisor/Security Officer);
- Reclassification of Tim Norris to Help Desk III;
- Reclassification of Todd Butterbaugh to Help Desk III;
- Promotion of Rafael Rodriguez to Help Desk III;
- Promotion of Jordan Powell to Network Administrator II;
- Promotion of Anthony McCartney to Network Administrator III; and
- On-Call Pay: \$30 flat rate for each night of on-call duty.

UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Belt, to approve and authorize Chairman to sign letter requesting a grant extension on CITIES Grant Q4 2014 #38. UNANIMOUS VOTE. Motion carried.

**OTHER BUSINESS**

Motion by Belt, second by Houser, to approve Class C (LC) (Commercial) Liquor License Renewal Application, to grant privileges of Catering Privilege / Class C Liquor License (LC (Commercial) / Outdoor Service / Sunday Sales to Double Diamond Inc. d/b/a Mt. Crescent Ski Area, Crescent. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Schultz, to approve payment for work conducted by:

Dicenzo Painting & Carpet Cleaning – Invoice dated September 5, 2016, in the amount of \$5,876.50; Able Locksmiths – Invoice No. 136530, in the amount of \$187.50; and McGinnis Construction, Inc. – Invoice No. 061613, in the amount of \$9,750.00, for the Annex Building remodeling project. Said funds are to be paid out of Gaming / General Fund.

UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED**

**Salary Actions:**

- Veteran Affairs – Payroll Status Change of Lori Swisher.
- Communications – Payroll Status Change of Matthew Corum.

- Treasurer – Payroll Status Change of Brenda Stotts; Edward Kalick.

**Reports / Other:**

- Original Notice and Petition filed in the Iowa District Court for Pottawattamie County, Case No. EQCV115203, naming Pottawattamie County, Iowa as a Respondent / lienholder of record who holds an interest in certain property for unpaid property taxes.

**ADJOURN**

Motion by Schultz, second by Houser, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:01 AM.

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Lynn Grobe, Chairman

ATTEST:

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Becky Belt, Finance, Auditor's Office

APPROVED: October 11, 2016

PUBLISH: X

**October 11, 2016**

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 AM. All members, except Schultz present. Chairman Grobe presiding.

PLEDGE OF ALLEGIANCE

**CONSENT AGENDA**

Motion by Hanafan, second by Belt, to approve:

1. October 4, 2016, Minutes as read.
2. Sheriff's Office – Job Reclassification of Mark Burbridge from Deputy–Civil at \$31.40 per hour, to Deputy–Court Security at \$31.40, effective September 26, 2016.
3. Human Resources – Employment of Garfield Coleman as Risk Manager at \$38.30 per hour, effective October 17, 2016.
4. Claims allowed for August, 2016.
5. Claims allowed for September, 2016.

UNANIMOUS VOTE. Motion Carried

**SCHEDULED APPOINTMENTS**

Motion by Belt, second by Houser, to approve renewing Lease between Pottawattamie County and the City of Avoca, and Newtown Avoca Historical Society for the Avoca Courthouse, as follows: \$15,000 annual rent for 2017. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to approve Final Payment Voucher to Approval of Final Payment Voucher to Western Engineering for FM-CO78(186) – 55-78; Final Payment Voucher to Western Engineering for FM-CO78(187) – 55-78. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Hanafan to approve Living Roadway Trust Fund (LRTF) grant agreement 90-78-LR17-(328) for fire PPE and hand tools in the amount of \$4,418.71. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to approve Iowa West Foundation Grant Application for CITIES Program 2017 Re-Capitalization Project, and authorization for Chairman to sign the Application's Authorization form. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by House, to approve and authorize Board to sign **Resolution No. 60-2016**, a Resolution to set public hearing on November 1, 2016, at 10:00 AM, regarding the Issuance of Not to Exceed \$4,500,000 in Aggregate Principal Amount of the County's Senior Housing Revenue Bond (Bethany Lutheran Home Project) of Pottawattamie County, Iowa, Directing Publication of Notice of Intention to Issue, Calling a Public Hearing on the Proposal to Issue Said Bond, and Declaring an Official Intent to Reimburse. Said Resolution is set out as follows:

**RESOLUTION NO. 60-2016**

**A RESOLUTION REGARDING THE ISSUANCE OF NOT TO EXCEED \$4,500,000 IN AGGREGATE PRINCIPAL AMOUNT OF SENIOR HOUSING REVENUE BOND (BETHANY LUTHERAN HOME PROJECT) OF POTTAWATTAMIE COUNTY, IOWA, DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE, CALLING A PUBLIC HEARING ON THE PROPOSAL TO ISSUE SAID BOND, AND DECLARING AN OFFICIAL INTENT TO REIMBURSE**

**WHEREAS**, Pottawattamie County, Iowa (the "Issuer") is a political subdivision organized and existing under the Constitution and laws of the State of Iowa, and is authorized and empowered by Chapter 419 of the Code of Iowa (the "Act"), to issue its bonds and loan the proceeds from the sale of said bonds to one or more parties to be used to defray all or a portion of the cost of acquiring, constructing, improving and equipping a "project", as that term is defined in the Act, including a facility for an organization described in Section 501(c)(3) of the Internal Revenue

Code of 1986, as amended (the “Code”), which is exempt from federal income tax under Section 501(a) of the Code (a “Tax Exempt Organization”); and

**WHEREAS**, the Issuer has been requested by Bethany Lutheran Home (the “Borrower”), an Iowa nonprofit corporation and a Tax Exempt Organization, to authorize and issue its revenue bond pursuant to the provisions of the Act for the purposes of (i) refunding the Pottawattamie County, Iowa Senior Housing Revenue Refunding Bond (Bethany Lutheran Home Project) Series 2006 (the “Prior Bonds”) originally used for the purposes of financing and refinancing, including by refunding prior bonds, the costs of senior living facility projects of the Borrower at 7 and 11 Elliott Street in Council Bluffs, Iowa; (ii) financing or refinancing the costs of a senior living facility project to be constructed and located at 2410 North Broadway in Council Bluffs, Iowa (the “Project”); and (iii) paying related costs, including costs of issuance of the Bond; and

**WHEREAS**, the Issuer has been advised that the amount necessary to refund the Prior Bonds and finance the costs of the Project and related costs will require the issuance of its bond in an aggregate principal amount not to exceed \$4,500,000 (the “Bond”) pursuant to the provisions of the Act, and it is proposed that the Issuer loan the amount issued to the Borrower under a Loan Agreement between the Issuer and Borrower pursuant to which loan payments will be made by the Borrower in amounts sufficient to pay the principal of, premium, if any, and interest on said Bond, as and when the same shall be due; and

**WHEREAS**, the Bond, if issued, shall be a limited obligation of the Issuer, and shall not constitute nor give rise to a pecuniary liability of the Issuer or a charge against its general credit or taxing powers, and the principal of, interest and premium, if any, on the Bond shall be payable solely out of the revenues derived from the Loan Agreement; and

**WHEREAS**, before the Bond may be issued, it is necessary to conduct a public hearing on the proposal to issue the Bond and to proceed with the plan of finance and finance or refinance the project facilities as described in the form of notice herein, all as required and provided by Section 419.9 of the Act and Section 147(f) of the Code.

**NOW, THEREFORE**, be it hereby resolved by the Board of Supervisors of the Issuer as follows:

**Section 1.** A public hearing shall be conducted on November 1, 2016, at 10:00 a.m., before this Board of Supervisors in the Board Room, Pottawattamie County Courthouse, 227 S. 6th Street, Council Bluffs, Iowa, on the proposal to issue not to exceed \$4,500,000 aggregate principal amount of the Issuer’s Senior Housing Revenue Bond (Bethany Lutheran Home Project) pursuant to the provisions of the Act, for the purposes of refunding the Prior Bonds and financing the costs of the Project and related costs, and all local residents who appear at said hearing shall be given an opportunity to express their views for or against the proposal to issue such Bond; and at said hearing, or any adjournment thereof, this Board shall adopt a Resolution determining whether or not to proceed with the issuance of said Bond.

**Section 2.** The County Auditor of the Issuer is hereby directed to publish one time, not less than 15 days prior to the date fixed for said hearing, in a legal newspaper published and having a general circulation within the Issuer, a Notice of Intention to issue said Bond in substantially the following form:

**NOTICE OF PUBLIC HEARING REGARDING PROPOSED ISSUANCE OF  
SENIOR HOUSING REVENUE BONDS  
(BETHANY LUTHERAN HOME PROJECT)**

Notice is hereby given that a public hearing will be conducted before the Board of Supervisors of Pottawattamie County, Iowa (the “Issuer”), in the Board Room, Pottawattamie County Courthouse, 227 S. 6th Street, Council Bluffs, Iowa, at 10:00 a.m. on November 1, 2016, regarding the proposal to issue not to exceed \$4,500,000 aggregate principal amount of the Issuer’s Senior Housing Revenue Bond (Bethany Lutheran Home Project) (the “Bond”), pursuant to the provisions of Chapter 419 of the Code of Iowa, for the purpose of loaning the proceeds thereof to Bethany Lutheran Home (the “Borrower”), an Iowa nonprofit corporation and organization, to be used, together with the proceeds of not to exceed \$8,000,000 of other bonds expected to be issued by the City of Crescent, Iowa, to finance the costs of (i) refunding the Issuer’s Senior Housing Revenue Refunding Bonds (Bethany Lutheran Home Project) Series 2006 originally used for the purposes of financing and refinancing, including by refunding prior bonds, the costs of senior living facility projects of the Borrower at 7 and 11 Elliott Street in Council Bluffs, Iowa, (ii) financing or refinancing the costs of an approximately 58,000 square feet senior living facility project to be constructed and located at 2410 North Broadway in Council Bluffs, Iowa, and (iii) paying costs of issuance of the Bond. Each facility listed above is



owned and operated by the Borrower. Such Bond, if issued, and the interest thereon, will be payable solely out of the revenues of loan payments made by the Borrower under the related loan agreement and shall never constitute an indebtedness of the Issuer within the meaning of any state constitutional provision or statutory limitation, and will not constitute or give rise to a pecuniary liability of the Issuer or a charge against its general credit or its taxing powers.

All local residents who appear at the hearing shall be given an opportunity to express their views for or against the proposal to issue the Bond and the plan of finance for the facilities to be financed or refinanced as described above, and at the hearing, or any adjournment thereof, the Board of Supervisors of the Issuer shall adopt a resolution determining whether or not to proceed with the issuance of the Bond.

\_\_\_\_\_  
Lynn Grobe, Chairman Board of Supervisors  
Pottawattamie County, Iowa

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

**Section 3.** Based upon representations of the Borrower, it is reasonably expected that original expenditures for Project costs will be paid from the Borrower’s own funds prior to the issuance of the Bond and the Issuer hereby declares an official intent in accordance with Treasury Regulation 1.150-2 to reimburse such original expenditures with proceeds of the Bond.

**Section 4.** Officials of the Issuer are hereby authorized to take such further action as may be necessary to carry out the intent and purpose of this Resolution.

**Section 5.** All Resolutions and Orders or parts thereof, in conflict herewith are, to the extent of such conflict, hereby repealed, and this Resolution shall be in full force and effect immediately upon its adoption.

**DATED THIS 11<sup>th</sup> DAY OF OCTOBER, 2016.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

**Roll Call Vote: AYES: Houser, Belt, Grobe, Schultz. Motion carried.**

Motion by Hanafan, second by Belt, to approve signing a contract with Midwest Compliance Associates for \$17,000.00 for the updating of HIPAA policies, procedures and training, on behalf of the County of Pottawattamie and Southwest Iowa Mental Health Region. UNANIMOUS VOTE. Motion carried.

**OTHER BUSINESS**

Motion by Houser, second by Hanafan, to approve and authorize Board to sign **Resolution No. 61-2016**, a Resolution entitled: Resolution for First Quarter 2016-17 Transfer to Secondary Roads fund. Said Resolution is set out as follows:

RESOLUTION NO. 61-2016

RESOLUTION FOR FIRST QUARTER 2016-2017 TRANSFER TO SECONDARY ROADS FUND

WHEREAS, it is desired to transfer money from the Rural Services Fund to the Secondary Roads Fund, and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa, and

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors as follows:

SECTION 1: The sum of \$1,225,000.00 is ordered to be transferred from the Rural Services Fund to the Secondary Road Fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of this operating transfer.

DATED THIS 11<sup>th</sup> DAY OF OCTOBER, 2016.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

Roll Call Vote: **AYES: Houser, Belt, Grobe, Hanafan. Motion carried.**

Motion by Hanafan, second by Belt, to approve and authorize Board to sign **Resolution No. 62-2016**, a Resolution entitled: Resolution for Interfund Operating Transfer. Said Resolution is set out as follows:

RESOLUTION NO. 62-2016

RESOLUTION FOR INTERFUND OPERATING TRANSFER

WHEREAS, it is desired to transfer money from the Fund #2170 Bond Series 2009 Debt Fund to Fund #2185 Bond Series 2013B Debt Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Pottawattamie County, Iowa, as follows:

SECTION 1: The sum of \$5,110.17 is ordered to be transferred from Fund #2170 Bond Series 2009 Debt Fund to Fund #2185 Bond Series 2013B Debt Fund;

SECTION 2: The Auditor is directed to correct his/her books accordingly and to notify the Treasurer of this operating transfer.

DATED THIS 11<sup>th</sup> DAY OF OCTOBER, 2016.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

Roll Call Vote: **AYES: Houser, Belt, Grobe, Hanafan. Motion carried.**

Motion by Hanafan, second by Houser, to approve and authorize Board to sign **Resolution No. 63-2016**, a Resolution entitled: Resolution for Interfund Operating Transfer. Said Resolution is set out as follows:

RESOLUTION NO. 63-2016

RESOLUTION FOR INTERFUND OPERATING TRANSFER

WHEREAS, it is desired to transfer money from the Fund #2010 Bond Series 1996A (Jail) Debt Fund to Fund #2185 Bond Series 2013B Debt Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Pottawattamie County, Iowa, as follows:

SECTION 1: The sum of \$8,813.27 is ordered to be transferred from Fund #2010 Bond Series 1996A (Jail) Debt Fund to Fund #2185 Bond Series 2013B Debt Fund; and

SECTION 2: The Auditor is directed to correct his/her books accordingly and to notify the Treasurer of this operating transfer.

DATED THIS 11<sup>th</sup> DAY OF OCTOBER, 2016.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

Roll Call Vote: **AYES: Houser, Belt, Grobe, Hanafan. Motion carried.**

Motion by Houser, second by Hanafan, to approve and authorize Board to sign **Resolution No. 64-2016**, a Resolution entitled: Resolution for Interfund Operating Transfer. Said Resolution is set out as follows:

RESOLUTION NO. 64-2016

RESOLUTION FOR INTERFUND OPERATING TRANSFER

WHEREAS, it is desired to transfer money from the Gaming Fund to the General Basic Fund; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Pottawattamie County, Iowa, as follows:

SECTION 1: The sum of \$375,000.00 is ordered to be transferred from the Gaming Fund to the General Basic Fund; and

SECTION 2: The Auditor is directed to correct his/her books accordingly and to notify the Treasurer of this operating transfer.

DATED THIS 11<sup>th</sup> DAY OF OCTOBER, 2016.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

**Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan. Motion carried.**

Motion by Hanafan, second by Houser, to approve and authorize Board to sign **Resolution No. 65-2016**, a Resolution entitled: Resolution for Interfund Operating Transfer. Said Resolution is set out as follows:

RESOLUTION NO. 65-2016

RESOLUTION FOR INTERFUND OPERATING TRANSFER

WHEREAS, it is desired to transfer money from Fund 1600 Bond Series 2016A Capital Fund to Fund 003 Gaming; and

WHEREAS, said transfer is in accordance with Section 331.432, Code of Iowa.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Pottawattamie County, Iowa, as follows:

SECTION 1: The sum of \$12,679.00 is ordered to be transferred from Fund 1600 Bond Series 2016A Capital Fund to Fund 0003 Gaming; and

SECTION 2: The Auditor is directed to correct his/her books accordingly and to notify the Treasurer of this operating transfer.

DATED THIS 11<sup>th</sup> DAY OF OCTOBER, 2016.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

Roll Call Vote: **AYES: Houser, Belt, Grobe, Hanafan. Motion carried.**

Motion by Hanafan, second by Houser, to approve payment of Tyco Integrated Security LLC for work performed during remodeling project at Annex Building in the amount of \$1,869.40. Said funds are to be paid out of Gaming Fund. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED**

**Salary Actions:**

- Jail – Payroll Status Change of Theodore Gillespie; and Teresa Schultz

**Reports:**

- Fourth Judicial District Department of Correctional Services Annual Report for FY16.
- EBS Monthly Receipt / Disbursement Report – Plan Year July 2016 through June 2017 (reporting period August 2016).
- IMWCA Fiscal Year 2015-2016 Payroll Audit & Audited Premium Schedule.
- Recorder’s Fee Book for 9/1/2016 – 9/30/2016.

**ADJOURN**

Motion by Hanafan, second by Houser, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:45 AM.

\_\_\_\_\_  
Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

APPROVED: October 25, 2016.

PUBLISH: X

**October 25, 2016**

**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 AM. All members present. Chairman Grobe presiding.

PLEDGE OF ALLEGIANCE

**CONSENT AGENDA**

Motion by Schultz, second by Houser, to approve:

1. October 11, 2016, Minutes as read.
2. Supplement to Class E Liquor License (LE) Application, to include the privileges of Class B Native Wine Permit to Casey’s Marketing Company d/b/a Casey’s General Store #3205, Council Bluffs.
3. Rules of Use and Application for Use of Pottawattamie County Property submitted by VFW Post 11355, for use of the Veteran Affairs Building on January 7, 2017.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Hanafan, second by Schultz, to commence process to contract for operational support of the Pottawattamie Arts/Culture Entertainment in the amount of \$50,000.00 for a certain number of years, contingent on gaming revenues. Said funds to be paid out of Gaming Fund. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Houser, to approve and authorize Board to sign **Resolution No. 66-2016**, a Resolution entitled: Proposed Cost Assessment for Destruction of Noxious Weeds, pursuant to Iowa Code Chapter 317. Said Resolution is set out as follows:

**RESOLUTION NO. 66-2016**

**PROPOSED COST ASSESSMENT FOR DESTRUCTION OF NOXIOUS WEEDS,  
PURSUANT TO IOWA CODE CHAPTER 317**

**WHEREAS**, a request has been filed with the Pottawattamie County Board of Supervisors, asking that action be taken to assess the costs for destruction of noxious weeds on the property located at 19395 Hawthorne Avenue, Council Bluffs, Iowa 51503, legally described as follows:

Lot 31, except the South 125 feet, Garner Township, Glendale Acres, Council Bluffs, Pottawattamie County, Iowa.

(Parcel No. 7543 16 327 001)

**NOW, THEREFORE BE IT RESOLVED** that a hearing on the proposed assessment will be held at the Board of Supervisors Hearing Room at 227 South 6<sup>th</sup> Street, Council Bluffs, Iowa on **November 22, 2016, at 10:00 AM**, in accordance with Iowa Code Chapter 317.

**DATED THIS 26 DAY OF JULY, 2016.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman Pottawattamie County Board of Supervisors	○	○	○	○
_____ Scott A. Belt, Member Pottawattamie County Board of Supervisors	○	○	○	○

Tom Hanafan, Member Pottawattamie County Board of Supervisors	○	○	○	○
Melvyn J. Houser, Member Pottawattamie County Board of Supervisors	○	○	○	○
Justin Schultz, Member Pottawattamie County Board of Supervisors	○	○	○	○

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

**Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Hanafan, second by Belt, for approval to obtain bids for construction repairs on County owned property located at 600 Ninth Avenue, Council Bluffs (facility formerly leased by Mosaic). UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Houser, to approve and authorize Chairman to sign Attachment A – Service Definitions and Rates for the Mental Health and Substance Abuse Network, for the continuation of services through the Federal Mental Health Court Grant for the extended period of October 1, 2016, through March 31, 2017. UNANIMOUS VOTE. Motion carried.

**OTHER BUSINESS**

Motion by Houser, second by Schultz, to approve job reclassification of Jason Slack from Jail Maintenance Superintendent, at \$26.69 per hour, to Pottawattamie County Building and Grounds Director, at \$65,000 annually, effective October 15, 2016. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED**

**Salary Actions:**

- Assessor – Employment of Lauren Campbell as Clerk I.
- Secondary Roads - Payroll Status Change of John Ehren; Craig Jensen.
- SWI Juvenile Detention – Employment of Erin Matter as Part-Time Youth Corrections Worker.

**Reports:**

- Sheriff’s Office - Report of Fees Collected and Disbursed for September, 2016.

**ADJOURN**

Motion by Schultz, second by Hanafan, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:40 PM.

\_\_\_\_\_  
Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Becky Belt, Finance, Auditor’s Office

APPROVED: November 1, 2016  
PUBLISH: X

**November 1, 2016**

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 AM. All members, except Schultz present. Chairman Grobe presiding.

PLEDGE OF ALLEGIANCE

**CONSENT AGENDA**

Motion by Hanafan, second by Houser, to approve:

1. October 25, 2016, Minutes as read.
2. Sheriff's Office – Employment of Douglas Arrick as Part-Time Entry Security Personnel, at \$15.23 per hour, effective October 21, 2016; and Employment of Kelsie Forristall as Part-Time Entry Security Personnel, at \$15.23 per hour, effective October 21, 2016.
3. Communications – Employment of Rebecca Liston as Full-Time Telecommunications Operator, at \$18.39 per hour, effective October 27, 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Hanafan, second by Houser, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(1)(c) for purposes of discussing labor negotiations. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan. Motion carried.**

Motion by Houser, second by Hanafan, to go out of Executive Session. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan. Motion carried.**

Motion by Hanafan, second by Houser, to open public hearing on discussion and/or decision to pass and sign Resolution No. 67-2016, Authorizing the Issuance and Sale of Senior Housing Revenue Bond (Bethany Lutheran Home Project) in the principal amount of not to exceed \$4,500,000, and authorizing the execution of documents related thereto. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan. Motion carried.**

Motion by Belt, second by Houser, to close public hearing. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan. Motion carried.**

Motion by Belt, second by Houser, to approve and sign **Resolution No. 67-2016**, a Resolution entitled: Public Hearing and Resolution Authorizing the Issuance and Sale of Senior Housing Revenue Bond (Bethany Lutheran Home Project) and Authorizing the Execution of Documents Relating Thereto. Said Resolution is set out as follows:

**RESOLUTION NO. 67-2016**

**PUBLIC HEARING AND RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF SENIOR HOUSING REVENUE BOND (BETHANY LUTHERAN HOME PROJECT) AND AUTHORIZING THE EXECUTION OF DOCUMENTS RELATING THERETO**

**WHEREAS**, Pottawattamie County, Iowa (the “Issuer”) is a political subdivision organized and existing under the Constitution and laws of the State of Iowa, and is authorized and empowered by Chapter 419 of the Code of Iowa (the “Act”), to issue revenue bonds and loan the proceeds from the sale of said bonds to one or more parties to be used to defray all or a portion of the cost of acquiring, constructing, improving and equipping a “project”, as that term is defined in the Act, including land, buildings and improvements suitable for use as a facility for an organization described in Section 501(c)(3) of the Internal Revenue Code which is exempt from federal income tax under Section 501(a) of the Internal Revenue Code (a “Tax Exempt Organization”) and to retire any existing indebtedness on a facility for a Tax Exempt Organization; and

**WHEREAS**, the Issuer has been requested by Bethany Lutheran Home, an Iowa nonprofit corporation (the “Borrower”), to authorize and issue its Senior Housing Revenue Bond pursuant to the provisions of the Act for the purposes of (i) refunding the



Pottawattamie County, Iowa Senior Housing Revenue Refunding Bonds (Bethany Lutheran Home Project) Series 2006 (the "Prior Bonds") originally used for the purposes of financing and refinancing, including by refunding prior bonds, the costs of senior living facility projects of the Borrower at 7 and 11 Elliott Street in Council Bluffs, Iowa; (ii) financing or refinancing the costs of a senior living facility project to be constructed and located at 2410 North Broadway in Council Bluffs, Iowa (the "Project"); and (iii) paying related costs, including costs of issuance of the Bond; and

**WHEREAS**, the proceeds from the sale of the Bond are to be loaned by the Issuer to the Borrower pursuant to the provisions of a Loan Agreement (the "Loan Agreement") among American National Bank (the "Lender"), the Issuer and the Borrower; and

**WHEREAS**, a notice of hearing on the proposal to issue the Senior Housing Revenue Bond (Bethany Lutheran Home Project) of the Issuer and the approval of the plan of finance to finance or refinance the project facilities as required by Section 147(f) of the Internal Revenue Code has been published as required by law; and

**WHEREAS**, a public hearing has been held at the time and place as specified in said notice of hearing and any and all objections or other comments relating to such Bond have been heard and it is deemed to be in the best interests of the Issuer that said Bond be issued as proposed; and

**WHEREAS**, the Issuer proposes to sell the Bond to the Lender.

**NOW, THEREFORE**, be it resolved by the Board of Supervisors of the Issuer as follows:

Section 1. (A) That at the public hearing conducted by this Board of Supervisors in accordance with the provisions of Section 419.9 of the Act and Section 147(f) of the Internal Revenue Code of 1986, as amended, pursuant to published notice, all persons who appeared were given an opportunity to express their views with respect to the proposal to issue said Bond and proceed with the plan of finance to finance or refinance the project facilities as described in the notice of public hearing, and that it is hereby determined that any and all objections to the issuance of said Bond are hereby overruled and this Board of Supervisors shall proceed with the necessary proceedings relating to the issuance of said Bond and the approval of the plan of finance (including without limiting the foregoing a potential bond issuance by the City of Crescent or other governmental issuer to finance or refinance the project facilities described in the notice of public hearing).

(B) That it is hereby determined that it is necessary and advisable that the Issuer proceed with the issuance of its Senior Housing Revenue Bond (Bethany Lutheran Home Project), to be issued in the principal amount of not to exceed \$4,500,000 (the "Bond"), as authorized and permitted by the Act, and make a loan (the "Loan") of the proceeds of the sale of the Bond to the Borrower for the purposes described herein.

(C) Pursuant to the Loan Agreement, the Borrower agrees to repay the Loan in specified amounts and at specified times sufficient to pay in full when due the principal of, premium, if any, and interest on the Bond. In addition, the Loan Agreement contains provisions relating to the completion of the Project, the maintenance and operation of the Project, indemnification, insurance, and other agreements and covenants which are required or permitted by the Act and which the Issuer and the Borrower deem necessary or desirable for the financing of the Project. A draft of the Loan Agreement has been submitted to the Board of Supervisors for its review.

(D) The Issuer and the Borrower shall set forth certain representations and certifications with respect to maintaining the tax-exempt status of the Bond as required by the Internal Revenue Code of 1986, as amended, in the Tax Compliance Agreement (the "Tax Agreement"). A draft of the Tax Agreement has been submitted to the Board of Supervisors for its review. The form and content of the Tax Agreement, the provisions of which are incorporated herein by reference, are hereby authorized, approved and confirmed.

(E) The Bond will be a special limited obligation of the Issuer payable solely from payments derived pursuant to the Loan Agreement. The Bond shall not be payable from or charged upon any funds other than the revenues pledged to the payment thereof, nor shall the Issuer be subject to any liability thereon. No holder of the Bond shall ever have the right to compel any exercise of the taxing power of the Issuer to pay the Bond or the interest thereon, nor to enforce payment thereof against any property of the Issuer.

The Bond shall never constitute a debt of the Issuer within the meaning of any constitutional or statutory limitation and shall never constitute or give rise to a pecuniary liability of the Issuer or a charge against its general credit or taxing power. A draft of the Bond has been submitted to the Board of Supervisors for its review.

Section 2. In order to provide for the refunding of the Prior Bonds, the Issuer hereby authorizes the issuance of the Bond in the principal amount of not to exceed \$4,500,000. The Bond shall be in substantially the form submitted to the Board of Supervisors and shall mature in the years and amounts, be subject to redemption, and bear interest at an initial rate not to exceed 3.5% per annum, as adjusted from time to time as set forth therein and in the Loan Agreement.

Section 3. The Loan Agreement, the Tax Agreement and the Bond are hereby made a part of this Resolution as though fully set forth herein and are hereby approved in substantially the forms presented to the Board of Supervisors. The Chairman and the County Auditor are authorized and directed to execute, acknowledge and deliver said documents on behalf of the Issuer with such changes, insertions and omissions therein as such officers may hereafter deem appropriate and approved by bond counsel, such execution to be conclusive evidence of approval of such documents in accordance with the terms hereof.

Section 4. The Chairman and the County Auditor are authorized and directed to execute and deliver all other documents which may be required under the terms of the Loan Agreement, or by bond counsel, and to take any other action as may be required or deemed appropriate for the performance of the duties imposed thereby to carry out the purposes thereof.

Section 5. In order to qualify the Bond as a “qualified tax exempt obligation” within the meaning of Section 265(b)(3) of the Code, the Issuer hereby makes the following factual statements and representations:

(A) The Issuer hereby designates the Bond as a “qualified tax-exempt obligation” for purposes of Section 265(b)(3) of the Code;

(B) The reasonably anticipated amount of tax-exempt obligations (other than obligations described in clause (ii) of Section 265(b)(3)(c) of the Code) which will be issued by the Issuer (and all entities whose obligations will be aggregated with those of the Issuer) during this calendar year 2016 will not exceed \$10,000,000; and

(C) Not more than \$10,000,000 of obligations issued by the Issuer during this calendar year 2016 have been designated for purposes of Section 265(b)(3) of the Code.

The Issuer shall use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designation made by this paragraph.

Section 6. The Chairman, County Auditor and other officers of the Issuer are authorized to furnish to the Lender, the Borrower and bond counsel certified copies of all proceedings and records of the Issuer relating to the Bond, and such other affidavits and certificates as may be required to show the facts relating to the legality and marketability of the Bond as such facts appear from the books and records in the officer’s custody and control or as otherwise known to them; and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the Issuer as to the truth of all statements contained therein.

Section 7. All Resolutions and Orders or parts thereof, in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its adoption.

**DATED THIS 1<sup>st</sup> DAY OF NOVEMBER, 2016.**

**ROLL CALL VOTE**

AYE      NAY      ABSTAIN      ABSENT

○            ○            ○            ○

\_\_\_\_\_  
Lynn G. Grobe, Chairman

_____	○	○	○	○
Scott A. Belt				
_____	○	○	○	○
Tom Hanafan				
_____	○	○	○	○
Melvyn J. Houser				
_____	○	○	○	○
Justin Schultz				

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

**Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan. Motion carried.**

Motion by Belt, second by Houser, to approve the scanning of Real Estate / Land Records books in Recorder’s Office, not to exceed \$8,000.00. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Belt, to approve Southwest Iowa Juvenile Detention Center’s request to use Pottawattamie County Human Resources Director for their union negotiations. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to approve the Planning Department’s request to wave the \$10.00 late fee for 2016 dog license renewals. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED**

**Salary Actions:**

- Engineer/Secondary Roads - Payroll Status Change of Devan Feigenbutz.
- Communications – Payroll Status Change of Jason Study; and Jacob Hardiman.

**Reports:**

- EBS Monthly Receipt / Disbursement Report – Plan Year July 2016 through June 2017 (reporting period: September 2016).

**Other:**

- Notice of Consultation to be Held Between the City of Carter Lake, State of Iowa, and all Affected Taxing Entities Concerning the Proposed Amendment No. 3 to the Carter Lake Amended and Restated Urban Renewal Plan #5 for the City of Carter Lake, State of Iowa; Notice of Public Hearing to Consider Approval of a Proposed Amendment No. 3 to the Carter Lake Amended and Restated Urban Renewal Plan #5 for an Urban Renewal Area in the City of Carter Lake, State of Iowa.

**ADJOURN**

Motion by Hanafan, second by Belt, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:30 A.M.

\_\_\_\_\_  
Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

APPROVED: November 8, 2016  
PUBLISH: X

**November 8, 2016**

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 AM. All members present. Chairman Grobe presiding.

PLEDGE OF ALLEGIANCE

**CONSENT AGENDA**

Motion by Schultz, second by Houser, to approve:

1. November 1, 2016, Minutes as read.
2. Planning Department – Employment of Edward Feldhacker as Transfer Station Attendant, as \$14.44 per hour, effective October 20, 2016.
3. Sheriff's Office – Promotion of Jeff Walker from Jail Maintenance Worker II, from \$19.35 per hour, to Jail Maintenance Superintendent, at \$22.17 per hour, effective October 29, 2016.
4. Class C Beer Permit (BC) Renewal Application, to grant privileges of Class C Beer Permit (BC) and Sunday Sales to Donald Rief d/b/a Desoto Bend Mini Mart, Missouri Valley, Iowa.
5. Publication of Claims Allowed for October, 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Houser, second by Belt, to approve Pottawattamie County Medical Examiner Agreement for a year term commencing January 1, 2017, through June 30, 2019. UNANIMOUS VOTE. Motion carried.

Motion by Schultz, second by Houser, to approve Victim Advisory Council's funding request for the 10<sup>th</sup> Annual Crime Victim's Rights Week Gala scheduled for April 2017, in the amount of \$4,500.00. Said funds are to be paid out of the Gaming Fund. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to approve Shelby / Pottawattamie County TIF Annual Urban Renewal Report for FY 15/16. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Schultz, to approve the signing of a Proclamation designating Community Foundation Week as November 12 – 18, 2016. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Houser, to approve forty-seven (47) 2016 Family Farm Credit Applications. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED**

**Salary Actions:**

- Secondary Roads – Payroll Status Change of Chad Hiller.
- Communications – Payroll Status Change of Matthew Corum; Kathryn Stottlemeyer

**Reports:**

- State Auditor's Combined Report of Recommendations to the Eight Judicial District Departments of Correctional Services for FY ending 6/30/15.
- Pottawattamie County Transfer Station Inspection Report prepared by Pottawattamie County Engineer John Rasmussen, dated October 28, 2016.

**ADJOURN**

Motion by Belt, second by Schultz, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:25 PM.

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Lynn Grobe, Chairman

ATTEST:

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Marilyn Jo Drake, County Auditor

APPROVED: November 15, 2016

PUBLISH: X

**NOVEMBER 15, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:00 A.M. All members present, except Schultz who appeared at 9:45 AM. Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

Motion by Houser, second by Hanafan, to approve:

1. November 8, 2016, Minutes as read.
2. County Attorney's Office – Employment of Patrick Eppler as Assistant County Attorney, at \$38.84 per hour, effective November 7, 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Houser, second by Hanafan, to canvass 2016 General Election, and to authorize Auditor to pay election costs. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(1)(j) for discussion and/or decision on the purchase or sale of particular real estate. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Hanafan, second by Belt, to go out of Executive Session. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Hanafan, second by Belt, to authorize Advance Southwest Iowa to negotiate for the County for the acquisition of property. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Schultz, to approve Application for Use of Pottawattamie County Property for Annual Adoption Day Celebration on November 19, 2016, from 7:00 AM – 1:00 PM. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to approve the hiring of two maintenance workers for jail. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Houser, to approve IT Support Agreement between Pottawattamie County IT and the City of Carter Lake. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED****Salary Actions:**

- Sheriff's Office – Payroll Status Change of: Mike Hansen; Patrick Morgan.

**Reports:**

- Recorder's Fee Book for 10/1/16 – 10/31/16.

**ADJOURN**

Motion by Houser, second by Hanafan, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:05 AM.

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Lynn Grobe, Chairman

ATTEST:

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Marilyn Jo Drake, County Auditor

APPROVED: November 17, 2016

PUBLISH: X

**NOVEMBER 15, 2016 (AMENDED)**

## MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:00 A.M. All members present, except Schultz who appeared at 9:45 AM. Chairman Grobe presiding.

## PLEDGE OF ALLEGIANCE

**CONSENT AGENDA**

Motion by Houser, second by Hanafan, to approve:

1. November 8, 2016, Minutes as read.
2. County Attorney's Office – Employment of Patrick Eppler as Assistant County Attorney, at \$38.84 per hour, effective November 7, 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Houser, second by Hanafan, to canvass 2016 General Election, and to authorize Auditor to pay election costs. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(1)(j) for discussion and/or decision on the purchase or sale of particular real estate. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Hanafan, second by Belt, to go out of Executive Session. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Hanafan, second by Belt, to authorize Advance Southwest Iowa to negotiate for the County for the acquisition of property. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Schultz, to approve Application for Use of Pottawattamie County Property for Annual Adoption Day Celebration on November 19, 2016, from 7:00 AM – 1:00 PM. UNANIMOUS VOTE. Motion carried.

**(AMENDED): Motion by Belt, second by Hanafan, to approve the hiring of ~~two~~ one additional maintenance workers for the jail. UNANIMOUS VOTE. Motion carried.**

Motion by Hanafan, second by Houser, to approve IT Support Agreement between Pottawattamie County IT and the City of Carter Lake. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED****Salary Actions:**

- Sheriff's Office – Payroll Status Change of: Mike Hansen; Patrick Morgan.

**Reports:**

- Recorder's Fee Book for 10/1/16 – 10/31/16.

**ADJOURN**

Motion by Houser, second by Hanafan, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:05 AM.

\_\_\_\_\_  
Lynn Grobe, Chairman

ATTEST:

\_\_\_\_\_  
Marilyn Jo Drake, County Auditor

APPROVED: November 17, 2016

PUBLISH: X

**November 17, 2016**

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 AM. All members present, except for Hanafan and Schultz; with Schultz appearing at 9:50 AM. Chairman Grobe presiding.

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PLEDGE OF ALLEGIANCE

**CONSENT AGENDA**

Motion by Houser, second by Belt, to approve:

1. November 15, 2016, Minutes as read, with correction of: hiring one additional maintenance worker for the jail.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Belt, second by Houser, to approve changes on Memorandum of Agreement with Pottawattamie Arts/Culture Entertainment; and authorizes Chairman to forward Agreement to Pottawattamie Arts/Culture Entertainment for approval. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Schultz, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(1)(i) for purposes of conducting the performance review of Mary Davis, Director of Human Resources. **Roll Call Vote: Houser, Belt, Grobe, Schultz. Motion carried.**

Motion by Houser, second by Schultz, to go out of Executive Session. **Roll Call Vote: Houser, Belt, Grobe, Schultz. Motion carried.**

Motion by Houser, second by Schultz, to approve Employment Contract with Mary Davis, Director of Human Resources, commencing July 1, 2016, through June 30, 2017. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Schultz, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(1)(i) for purposes of conducting the performance review of Suzanne Watson, Director of Community Services. **Roll Call Vote: Houser, Belt, Grobe, Schultz. Motion carried.**

Motion by Houser, second by Schultz, to go out of Executive Session. **Roll Call Vote: Houser, Belt, Grobe, Schultz. Motion carried.**

Motion by Schultz, second by Belt, to approve Employment Contract with Suzanne Watson, Director of Human Services, commencing July 1, 2016, through June 30, 2017. UNANIMOUS VOTE. Motion carried.

Motion by Schultz, second by Belt, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(1)(i) for purposes of conducting the performance review of David Bayer, Director of IT. **Roll Call Vote: Houser, Belt, Grobe, Schultz. Motion carried.**

Motion by Houser, second by Belt, to go out of Executive Session. **Roll Call Vote: Houser, Belt, Grobe, Schultz. Motion carried.**

Motion by Houser, second by Belt, to approve Employment Contract with David Bayer, Director of IT, commencing July 1, 2016, through June 30, 2017. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Schultz, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(1)(i) for purposes of conducting the performance review of Darlene McMartin, Administrator of Veteran Affairs. **Roll Call Vote: Houser, Belt, Grobe, Schultz. Motion carried.**



Motion by Schultz, second by Belt, to go out of Executive Session. **Roll Call Vote: Houser, Belt, Grobe, Schultz. Motion carried.**

Motion by Belt, second by Schultz, to approve Employment Contract with Darlene McMartin, Director of Veteran Affairs, commencing July 1, 2016, through June 30, 2017. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Schultz, to conduct performance review; and to approve Employment Contract with Matt Wyant, Director of Planning and Zoning, commencing July 1, 2016 – June 30, 2017. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Schultz, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(1)(i) for purposes of conducting the performance review of Jason Slack, Director of Building and Grounds. **Roll Call Vote: Houser, Belt, Grobe, Schultz. Motion carried.**

Motion by Schultz, second by Belt, to go out of Executive Session. **Roll Call Vote: Houser, Belt, Grobe, Schultz. Motion carried.**

Motion by Schultz, second by Belt, to approve Employment Contract with Jason Slack, Director of Building and Grounds, commencing October 15, 2016, through June 30, 2017 (with a six month probationary period at the beginning of the contract). UNANIMOUS VOTE. Motion carried.

#### **ADJOURN**

Motion by Schultz, second by Belt, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:40 PM.

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Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

APPROVED: November 22, 2016  
PUBLISH: X

**November 22, 2016**

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 9:30 A.M. All members present. Chairman Grobe presiding.

PLEDGE OF ALLEGIANCE

**CONSENT AGENDA**

Motion by Houser, second by Hanafan, to approve:

1. November 17, 2016, Minutes as read, with correction of: Hanafan motion to Houser.
2. Sheriff's Office – Employment of Logan Lieber as Deputy at \$23.28 per hour effective November 14, 2016.
3. Veteran's Affairs – Employment of Jill Mankel as Receptionist at \$14.68 per hour effective November 16, 2016.
4. Planning – Employment of Christopher Smith as Transfer Station Operator at \$14.44 per hour effective November 16, 2016.

UNANIMOUS VOTE. Motion Carried.

**SCHEDULED APPOINTMENTS**

Motion by Hanafan, second by Schultz, to approve the recommendation of Matt Wyant/Director, Planning Department, to deed the property, Animal Control Building, located at 142 3<sup>rd</sup> Street, Underwood, IA to the City of Underwood. UNANIMOUS VOTE. Motion Carried.

Motion by Houser, second by Hanafan, to open public hearing on proposed assessment of costs for destruction of weeds on property located at 19395 Hawthorne Avenue, Council Bluffs.

**Roll Call Vote: AYES: Houser, Hanafan, Grobe, Schultz, Belt. Motion Carried.**

Motion by Belt, second by Houser, to close public hearing.

**Roll Call Vote: AYES: Belt, Houser, Hanafan, Grobe, Schultz. Motion Carried.**

Motion by Belt, second by Hanafan, to approve assessment of costs for destruction of weeds on property located at 19395 Hawthorne Avenue, Council Bluffs, and authorize Board to sign Resolution No. 69-2016, a Resolution entitled: Assessment for Destruction of Noxious Weeds, Pursuant to Iowa Code Chapter 317. Said Resolution is set out as follows:

**RESOLUTION NO. 69-2016**

**ASSESSMENT FOR DESTRUCTION OF NOXIOUS WEEDS, PURSUANT TO IOWA CODE CHAPTER 317**

**WHEREAS**, a request has been filed with the Pottawattamie County Board of Supervisors, asking that action be taken to assess the costs for destruction of noxious weeds on the property located at 19395 Hawthorne Avenue in Council Bluffs, Iowa, legally described as follows:

Lot 31, except the South 125<sup>th</sup> feet, Garner Township, Glendale Acres, Council Bluffs, Pottawattamie County, Iowa. (Parcel No. 7543 16 327 001)

**WHEREAS**, Notice of Public Hearing was published in the Nonpareil on October 27, 2016, noting that a hearing on this issue was set for November 22, 2016, at 10:00 AM.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Supervisors of Pottawattamie County in session this 22<sup>nd</sup> day of November, 2016, that the amount assessed on the property described above is as follows:

Destruction Costs:                    \$165.00

Administrative Fee: \$150.00  
25% Assessment Fee: \$ 78.75

Total Amount to be Assessed: \$393.75

Dated this 22<sup>nd</sup> day of November, 2016.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

Roll Call Vote: **AYES: Belt, Hanafan, Houser, Grobe, Schultz. Motion Carried.**

Motion by Houser, second by Schultz, to open public hearing on disposal of Real Property by Lease pursuant to Iowa Code Section 331.361 (2).

Roll Call Vote: **AYES: Houser, Schultz, Belt, Hanafan, Grobe. Motion Carried.**

Motion by Belt, second by Hanafan, to close public hearing.

Roll Call Vote: **AYES: Belt, Hanafan, Houser, Grobe, Schultz. Motion Carried.**

Motion by Belt, second by Hanafan, to approve to the disposal of Real Property by Lease pursuant to Iowa Code Section 331.361 (2), and authorize Board to sign Resolution No. 68-2016 for disposal of real property, a Resolution entitled: Resolution to Dispose of Real Property by Lease Pursuant to Iowa Code Section 331.361(2). Said Resolution is set out as follows:

**RESOLUTION NO. 68-2016**

**RESOLUTION TO DISPOSE OF REAL PROPERTY BY LEASE  
PURSUANT TO IOWA CODE §331.361(2)**

**WHEREAS**, following the flooding event of 2011, Pottawattamie County, Iowa, has acquired a parcel of land through the Hazard Mitigation Grant Program, which consisting of **3.11 acres** and legally described as follows:

8-76-44 PT SE NE COMM SE COR TH W398.49' N230.22'  
NELY160' E324.64' S367.73' TO POB(PARCEL A)

**WHEREAS**, in the acquisition of said Parcel, Pottawattamie County, Iowa, signed a Hazard Mitigation Grant Program Deed Restriction Agreement with the Federal Emergency Management Agency (FEMA) and Iowa Homeland Security and Emergency Management, which requires that the land be maintained as “open space” in perpetuity; and

**WHEREAS**, Pottawattamie County, Iowa, has explored various options for maintenance of said Parcel as open space, including entering into a long term farm lease (15 years plus) with the adjoining property owner which requires the Tenant maintain responsibility for the clearing the trees and weed vegetation, as well as the annual maintenance and upkeep of the property as required by the Hazard Mitigation Grant Program Deed Restriction Agreement.

**WHEREAS**, entering into such a long-term lease is the most cost-effective option for the county to maintain said Parcel as open space.

**WHEREAS**, Section 331.361(2), Code of Iowa, requires that in disposing of an interest in real property by lease for a term of more than three (3) years

- a. The Board shall set forth its proposal in a resolution and shall publish notice of the time and place of a public hearing on the proposal, in accordance with Section 331.305.
- b. After the public hearing, the Board may make a final determination on the proposal by resolution; and

**WHEREAS**, the proposal for a long term lease of the Parcel has been submitted to Iowa Homeland Security and Emergency Management and has been approved.

**WHEREAS**, a Notice of Public Hearing on the proposal was published in The Nonpareil, an official County newspaper, on November 17, 2016 and the Board of Supervisors conducted a Public Hearing on the said proposal on November 22, 2016 and after hearing all interested parties, the Board approved the execution of said Lease.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of Pottawattamie County, Iowa, that after having examined the Hazard Mitigation Grant Program Deed Restriction Agreement which limits the use the subject property to that of open space and that the subject property is of such a size and location that it is not reasonable to assume that the property, as described above, will have any beneficial use by the County or the taxpayers of Pottawattamie County, Iowa, and that the Chairman is hereby authorized to sign a Farm Lease with **Eugene Walters**.

**DATED THIS 22<sup>nd</sup> day of November, 2016.      ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Melvyn J. Houser	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Justin Schultz	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

**Roll Call Vote: AYES: Belt, Hanafan, Houser, Grobe, Schultz. Motion Carried.**

Motion by Hanafan, second by Schultz, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(1)(i) for purposes of conducting the performance review of Mark Shoemaker/Director, Conservation.

**Roll Call Vote: AYES: Hanafan, Schultz, Belt, Grobe, Houser. Motion Carried.**

Motion by Schultz, second by Hanafan, to go out of Executive Session.

**Roll Call Vote: AYES: Schultz, Hanafan, Belt, Grobe, Houser. Motion Carried.**

Motion by Belt, second by Schultz, to approve plans and specifications of railroad highway trail.  
UNANIMOUS VOTE. Motion Carried.

Motion by Belt, second by Schultz to conduct performance review; and to approve employment contract with John Rasmussen/Engineer. UNANIMOUS VOTE. Motion Carried.

Motion by Hanafan, second by Belt, to approve project STP-s-C078(155)-5E-78 for Hot Mix Asphalt Resurfacing with Milling on L55; from Dobney Avenue in Mills County, North 12 miles to Hwy 6. UNANIMOUS VOTE. Motion Carried.

### **OTHER BUSINESS**

Motion by Hanafan, second by Belt, to approve payment of Performance Landscaping LLC bill involving dirt hauled to vacant lots, grading, and drill seeding vacant lots in the amount of \$13,485.00 to be paid out of Gaming fund. UNANIMOUS VOTE. Motion Carried.

### **RECEIVED/FILED**

#### **Salary Actions:**

- Southwest Iowa Juvenile Detention Center – Hiring of Robert Bradley as Part-time Youth Correction Worker
- Auditor's Office – Payroll Status Change, Marilyn Kennedy
- Sheriff's Office – Payroll Status Change, John Wilson
- Veteran's Affairs – Payroll Status Change, Pamela Wilke

#### **Reports:**

- **Sheriff's Office Report of Fee Disburse and Collected for October 1 to October 31, 2016**

### **ADJOURN**

Motion by Hanafan, second by Schultz, to adjourn meeting.  
UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 2:15 P.M.

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Lynn Grobe, Chairman

ATTEST:

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Becky Belt, Finance, Auditor's Office

APPROVED: November, 29, 2016

PUBLISH: X

**November 29, 2016**

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

**CONSENT AGENDA**

Motion by Belt, second by Houser, to approve:

1. November 22, 2016, Minutes as read.
2. Sheriff's Office - Promotion of Megan Leggett from Detention Officer to Detention Supervisor at \$29.61 per hour effective November 12, 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Belt, second by Houser, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(1)(c) for discussion and/or decision on pending litigation matter. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan. Motion carried.**

Motion by Belt, second by Houser, to go out of Executive Session **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan. Motion carried.**

Motion by Hanafan, second by Belt, to approve liability and work comp billing and disbursement procedures. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Hanafan, to approve lease agreement with Heartland Family Service for County property located at 600 9<sup>th</sup> Ave., Council Bluffs, subject to discussed changes. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED**

**Salary Actions:**

- Sheriff's Office- Payroll Status Change of Robert Awe
- Sheriff's Office- Payroll Status Change of Stephanie Ford

**ADJOURN**

Motion by Hanafan, second by Houser, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:20 PM.

Lynn Grobe, Chairman

ATTEST:

\_\_\_\_\_  
Becky Belt, Finance, Auditor's Office

APPROVED: December 6, 2016

PUBLISH: X

**DECEMBER 6, 2016**

**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 10:00 A.M. All members present, with Hanafan appearing at 10:05 AM. □ Chairman Grobe presiding.

**PLEDGE OF ALLEGIANCE**

**CONSENT AGENDA**

Motion by Houser, second by Schultz, to approve:

1. November 29, 2016, Minutes as read.
2. Publication of Claims allowed for November, 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Belt, second by Houser, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(1)(c) for purposes of labor negotiations. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion Carried.**

Motion by Belt, second by Houser, to go out of Executive Session. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion Carried.**

Motion by Belt, second by Hanafan, to approve revised credit card policy as amended in discussion. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Belt, to approve and sign **Resolution 70-2016**, a Resolution to set public hearing to consider the disposal of county-owned property, legally described as: Lot 9, Block 6 in the Original Plat of Town of Underwood, Pottawattamie County, Iowa, more commonly known as 142 Third Street, Underwood, Iowa; with said Resolution set forth as follows:

**RESOLUTION NO. 70-2016**

WHEREAS, the Board of Supervisors of Pottawattamie County, Iowa, have resolved in accordance with the Code of Iowa Section 331.361 and Section 350.4, to hold a public hearing to consider disposing of the following county-owned property:

Lot 9, Block 6 in the Original Plat of Town of Underwood, Pottawattamie County, Iowa, more commonly known as 142 Third Street, Underwood, Iowa; and

WHEREAS, the Board of Supervisors of Pottawattamie County, Iowa, have viewed the property and determined the concerned property to be in the name of Pottawattamie County.

NOW, THEREFORE, BE IT RESOLVED, by the Pottawattamie County Board of Supervisors that a Public Hearing to consider the disposal of county-owned property legally described above, be held on Tuesday, December 20, 2016, at 8:45 AM., in the Board of Supervisors Hearing room, Second Floor, Courthouse, Council Bluffs, Iowa. At the hearing any member of the public may voice objections to or speak in favor of this disposal.

**DATED THIS 6<sup>th</sup> DAY OF DECEMBER, 2016.**

**ROLL CALL VOTE**

	AYE	NAY	ABSTAIN	ABSENT
_____ Lynn G. Grobe, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Scott A. Belt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____ Tom Hanafan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

_____	○	○	○	○
Melvyn J. Houser				
_____	○	○	○	○
Justin Schultz				

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Schultz, to approve termination of 28E Agreement with the City of Shelby, Iowa, for Animal Control Services; and to authorize Chairman to sign letter addressed to City of Shelby, Iowa, concerning said termination. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Hanafan, to approve payment of invoice from McGinnis Construction in the amount of \$10,629.00, for the remodel of the Planning Department. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Schultz, to approve 2016 Weed Commissioner Reports. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Houser, to approve for publication, Form F638-S, Annual Financial Report for FY ending June 30, 2016. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED**

**Salary Actions:**

- Attorney – Payroll Status Change of: Christina Boldra; Janice Warnke

**ADJOURN**

Motion by Hanafan, second by Belt, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:05 PM.

\_\_\_\_\_  
Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Becky Belt, Finance, Auditor’s Office

APPROVED: December 12, 2016  
PUBLISH: X



**December 12, 2016**

**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 1:00 PM. All members present.

**PLEDGE OF ALLEGIANCE**

**CONSENT AGENDA**

Motion by Schultz, second by Houser, to approve:

- 1. December 6, 2016, Minutes as read.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Houser, second by Hanafan, to canvass Special Iowa Western Community College Election (Pottawattamie County only), and to authorize Auditor to pay election costs. UNANIMOUS VOTE. Motion carried.

**ADJOURN**

Motion by Schultz, second by Hanafan, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 1:09 PM.

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Lynn Grobe, Chairman

ATTEST:

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Kristi Everett, Elections, Auditor's Office

APPROVED: December 13, 2016

PUBLISH: X

**December 13, 2016****MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 9:15 AM. All members, except Hanafan and Grobe present; with Grobe appearing at 9:40 AM, and Hanafan appearing at 1:00 PM. Hanafan presiding until Chairman Grobe appeared.

**PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

Motion by Schultz, second by Belt, to approve:

1. December 12, 2016, Minutes as read.
2. Communications – Employment of Rebecca Liston as Telecommunications Operator at \$18.84 per hour, effective November 27, 2016.
3. IT – Job Reclassification of Randall Thompson from Tech Support Specialist III, at 33.59 per hour, to Help Desk Tech III at 33.59 per hour, effective December 12, 2016.
4. IT – Job Reclassification of Timothy Norris from Network Administrator 1 at \$29.95 per hour, to Help Desk Tech III, at \$29.95, effective December 12, 2016.
5. IT – Job Reclassification of Todd Butterbaugh from Tech Support Technician Lead, at \$36.36, to Help Desk Tech III \$33.99 per hour, effective December 12, 2016.
6. IT – Job Reclassification of Anthony McCartney from Network Administrator II, at \$34.52 per hour, to Network Administrator III at \$36.99 per hour, effective December 12, 2016.
7. IT – Job Reclassification of Jordan Powell from Network Administrator I, at \$29.95 per hour, to Network Administrator II at \$32.19 per hour, effective December 12, 2016.
8. IT – Job Reclassification of Rafael Rodriguez from Tech Support Technician II, at \$25.95 per hour, to Help Desk Tech III at \$29.95 per hour, effective December 12, 2016.
9. Jail – Job Reclassification of Samantha McKern from Deputy, at \$23.28 per hour, to Detention Officer at \$21.55 per hour, effective November 30, 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Schultz, second by Belt, to approve the hiring of Community Services Supervisor and replace Case Manager position(s). UNANIMOUS VOTE. Motion carried.

Adjourned for lunch at 11:45 AM; reconvened at 1:00 PM.

Motion by Houser, second by Belt, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(1)(c) for labor negotiations. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Houser, second by Belt, to go out of Executive Session. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

**OTHER BUSINESS**

Motion by Belt, second by Hanafan, to approve Farm Lease with Respelier Farms, Inc. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED****Salary Actions:**

- Communications – Payroll Status Change of Matthew Corum.
- Jail – Payroll Status Change of Rory Curtis; Mike Mantell; Chris Curtis.
- Sheriff – Payroll Status Change of John Cool.

**Reports:**

- Recorder's Fee Book for November 1, 2016 – November 30, 2016.

**ADJOURN**

Motion by Schultz, second by Houser, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 4:05 PM.

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Melvyn Houser

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Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Becky Belt, Finance, Auditor's Office

APPROVED: December 14, 2016

PUBLISH: X

**December 14, 2016**

**MET IN REGULAR SESSION**

The Board of Supervisors met in regular session at 1:30 PM. All members, except Houser present. Chairman Grobe presiding.

PLEDGE OF ALLEGIANCE

**CONSENT AGENDA**

Motion by Schultz, second by Hanafan, to approve:

- 1. December 13, 2016, Minutes as read.

UNANIMOUS VOTE. Motion carried.

[this meeting consisted of budget study sessions]

**ADJOURN**

Motion by Belt, second by Schultz, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 4:07 PM.

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Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
 Becky Belt, Finance, Auditor's Office

APPROVED: December 19, 2016

PUBLISH: X

**December 19, 2016**

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 1:00 PM. All members present. Chairman Grobe presiding.

PLEDGE OF ALLEGIANCE

**CONSENT AGENDA**

Motion by Hanafan, second by Schultz, to approve:

1. December 14, 2016, Minutes as read.
2. IT / GIS – Employment of Adam Klein as Network Administrator I at \$26.89 per hour, effective December 12, 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Hanafan, second by Houser, to canvass Special Iowa Western Community College Election (all 13 Counties), and to authorize Auditor to pay election costs. UNANIMOUS VOTE . Motion carried.

Motion by Hanafan, second by Houser, to approve HIPAA Consulting Contract between SW Iowa MHDS Region & Pottawattamie County and Midwest Compliance Associates, LLC. UNANIMOUS VOTE. Motion carried.

Motion by Hanafan, second by Schultz, to go into Executive Session as allowed by Code of Iowa, Chapter 21.5(1)(c) for purpose of labor negotiations. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Schultz, second by Hanafan, to go out of Executive Session. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

**OTHER BUSINESS**

Motion by Houser, second by Belt, to approve 2017 Parking Passes for Courthouse East Metered Lot. AYES: Houser, Belt, Schultz, Grobe; NAYS: Hanafan. Motion carried.

Motion by Houser, second by Belt, to approve and authorize Chairman to sign Memorandum directed to the Elected Officials and Department Heads concerning the early closing of offices on December 23, 2016. AYES: Houser, Belt, Schultz, Grobe; NAYS: Hanafan. Motion carried.

Motion by Houser, second by Schultz, to approve and authorize Chairman to sign Amendment No. 1 to the Proposal to Pottawattamie County to Conduct a Workflow Study between Pottawattamie County and the Board of Regents of the University of Nebraska, on behalf of the University of Nebraska at Omaha. Approval of said amendment is for extension of time only, not additional cost. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Belt, to approve 2017 Mileage Rate of 53.5¢ per mile for business miles driven. UNANIMOUS VOTE. Motion carried.

**ADJOURN**

Motion by Schultz, second by Hanafan. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 2:20 PM.

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Lynn Grobe, Chairman

ATTEST:

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Kristi Everett, Elections, Auditor's Office

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Becky Belt, Finance, Auditor's Office

APPROVED: December 20, 2016

PUBLISH: X

**December 20, 2016**

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 8:45 AM. All members present. Chairman Grobe presiding.

PLEDGE OF ALLEGIANCE

**CONSENT AGENDA**

Motion by Hanafan, second by Schultz, to approve:

- 5. December 19, 2016, Minutes as read. UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Houser, second by Hanafan, to open public hearing on disposal of county-owned property, legally described as: Lot 9, Block 6 in the Original Plat of Town of Underwood, Pottawattamie County, Iowa, more commonly known as 142 Third Street, Underwood, Iowa. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Hanafan, second by Houser, to close public hearing. **Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Hanafan, second by Houser, to approve and authorize Board to sign **Resolution No. 71-2016**, a Resolution entitled: A Resolution Authorizing Disposal of an Interest in County-Owned Property as Provided Under Iowa Code §331.361 and Iowa Code §350.4. Said Resolution is set out as follows:

**RESOLUTION NO. 71-2016**

**A RESOLUTION AUTHORIZING DISPOSAL OF AN INTEREST IN COUNTY-OWNED PROPERTY AS PROVIDED UNDER IOWA CODE §331.361 AND IOWA CODE §350.4.**

**WHEREAS**, the Board of Supervisors has provided legal notice of and set a public hearing for the disposal of an interest in county-owned property described below; and

**WHEREAS**, the Board of Supervisors believes it to be in the best interests of Pottawattamie County to dispose of certain county-owned property and to allow the property be transferred and assessed for taxation; and

**WHEREAS**, on August 28, 2006, Pottawattamie County, Iowa purchased the property from Dennis Sturgill and Karen Sturgill; and

**WHEREAS**, the City of Underwood, has expressed interest in obtaining title and ownership of said property from Pottawattamie County, Iowa.

**NOW THEREFORE BE IT RESOLVED**, by the Board of Supervisors of Pottawattamie County, Iowa that the Board of Supervisors does hereby authorize the disposal of Pottawattamie County’s interest in the property legally described as follows:

Lot 9, Block 6 in the Original Plat of Town of Underwood, Pottawattamie County, Iowa, more commonly known as 142 Third Street, Underwood, Iowa.

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

**DATED THIS 20<sup>th</sup> DAY OF DECEMBER, 2016.**

**ROLL CALL VOTE**

AYE	NAY	ABSTAIN	ABSENT
○	○	○	○

\_\_\_\_\_  
Lynn G. Grobe, Chairman

_____	○	○	○	○
Scott A. Belt				
_____	○	○	○	○
Tom Hanafan				
_____	○	○	○	○
Melvyn J. Houser				
_____	○	○	○	○
Justin Schultz				

ATTEST: \_\_\_\_\_  
Marilyn Jo Drake, County Auditor

**Roll Call Vote: AYES: Houser, Belt, Grobe, Hanafan, Schultz. Motion carried.**

Motion by Belt, second by Houser, to approve the Project Plans for DeSoto Avenue Boyer River Bridge (Project No. BROS-CO78(190)-5F-78). UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED**

**Reports:**

- Revised and substituted Fee Book reports from Recorder’s Office for 6/1/2016 – 6/30/2016, and 8/1/2016 – 8/31/2016.

**ADJOURN**

Motion by Belt, second by Houser, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 4:15 PM.

\_\_\_\_\_  
Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Becky Belt, Finance, Auditor’s Office

APPROVED: December 27, 2016  
PUBLISH: X



**December 27, 2016**

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:30 A.M. All members, except Hanafan present. Chairman Grobe presiding.

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PLEDGE OF ALLEGIANCE

**CONSENT AGENDA**

Motion by Houser, second by Belt, to approve:

6. December 20, 2016, Minutes as read.
7. Animal Control – Employment of Jill Chapman as Part-Time On-Call Animal Control Officer at \$15.27 per hour, effective December 16, 2016.

UNANIMOUS VOTE. Motion carried.

**SCHEDULED APPOINTMENTS**

Motion by Belt, second by Schultz, to approve the appointment of Tim White to the Zoning Board of Adjustment, for a term to expire December 31, 2022; the appointment of Lisa Fox to the Zoning Board of Adjustment, for a term to expire December 31, 2019; and the appointment of Michael Genereux to the Zoning Board of Adjustment, for a term to expire December 31, 2018. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Houser, to approve the appointment of Rick Larson to the Planning and Zoning Commission, for a term to expire December 31, 2022. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Houser, to approve the appointment of Brett Larson to the Planning and Zoning Commission, for a term to expire December 31, 2022. UNANIMOUS VOTE. Motion carried.

Motion by Schultz, second by Belt, to approve the appointment of Joyce Isaacson to the Conservation Board, for a term to expire December 31, 2021. UNANIMOUS VOTE. Motion carried.

Motion by Schultz, second by Houser, to approve funding request by Southwest Iowa Transit Agency (SWITA) for FY 2018, in the amount of \$6,000.00. Said monies to be paid out of Gaming Fund. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Schultz, to approve funding request by West Central Community Action in the amount of \$15,000.00. Said monies to be paid out of Gaming Fund. UNANIMOUS VOTE. Motion carried.

Motion by Houser, second by Belt, to approve funding request by Loess Hills Alliance for FY 2018, in the amount of \$2,000.00. Said monies to be paid out of Gaming Fund. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Schultz, to approve funding request by Western Iowa Tourism Region for FY 2018, in the amount of \$500.00. Said monies to be paid out of Gaming Fund. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Schultz, to approve funding request by Hungry Canyons Alliance for FY 2018, in the amount of \$3,500.00. Said monies to be paid out of Secondary Roads Fund. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Houser, to approve Employee Benefit Systems (EBS) Renewal Agreement for Plan Year January 1, 2017 – December 31, 2017. UNANIMOUS VOTE. Motion carried.

**RECEIVED/FILED**

**Salary Actions:**

- SW Iowa Juvenile Detention - Payroll Status Change of: Amy Mendoza as Part-Time Youth Corrections Worker.

**ADJOURN**

Motion by Belt, second by Schultz, to adjourn meeting. UNANIMOUS VOTE. Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:45 AM.

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Lynn Grobe, Chairman

ATTEST: \_\_\_\_\_  
Mark Brandenburg, Recorder

APPROVED: January 3, 2017  
PUBLISH: X