

December 17, 2019

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

After discussion was held by the Board, a Motion was made by Drake, and seconded by Grobe, to approve

- A. December 10, 2019, Minutes as read.
- B. Treasurer – Employment of Alisha Schultz, as Finance Assistant.
- C. Renewal of Class C Liquor License (LC) (Commercial), granting privileges of Class C Liquor License (LC) Commercial)/Outdoor Service/Sunday Sales for Mile A Way Hall and Tavern, LLC, Council Bluffs.

UNANIMOUS VOTE. Motion carried.

2. SCHEDULED SESSIONS

After discussion was held by the Board, a Motion was made by Schultz, and seconded by Drake, to approve funding request by West Central Community Action for FY 20/21 in the amount of \$15,000.00. Said funds are to be paid out of the Gaming Fund. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Schultz, to open public hearing on proposed reclassification of A 66 foot wide county road located in the West half of the NW1/4 of Section 2, Township 74 North, Range 40 West of the 5th P.M., Pottawattamie County, Iowa, approximately 0.24 mile. (Carson Township), from a Level A road to a Level C road. **Roll Call Vote: AYES: Drake, Belt, Wichman, Schultz, Grobe. Motion carried.**

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

Motion by Belt, second by Drake, to approve and authorize Board to sign **Resolution No. 59-2019**. Said Resolution is set out as follows:

RESOLUTION NO. 59-2019

WHEREAS, Pottawattamie County desired to classify certain roads on the area service system in the County to provide for a minimal level of maintenance and access by means of a gate or barrier; and

WHEREAS, the County, after consultation with the County Engineer, has the authority to specify certain roads with the County as Area Service “C” roads pursuant to Iowa Code Section 309.57; and

WHEREAS, the County has received notification from the Engineer, requesting that the following road be classified as an Area Service “C” road:

A 66 foot wide county road located in the West half of the NW1/4 of Section 2, Township 74 North, Range 40 West of the 5th P.M., Pottawattamie County, Iowa, described as follows: Commencing at the NW corner of said Section 2; thence east along the north line of said Section 2 a distance of 460 feet, more or less, to the east right-of-way line of the former Chicago, Rock Island & Pacific Railroad; thence running in a southerly direction 66 feet from and parallel with said right-of-way line a distance of 1290 feet, more or less, and terminating on the northerly right-of-way line of 400th Street. This portion of road was petitioned for as Field Change No. 976 and established by the Board of Supervisors, November 13, 1894 and recorded in Pottawattamie County Road Calendar Book D, Page 46. Length of road to be vacated is approximately 0.24 mile. (Carson Township)

WHEREAS, maintenance levels are established as follows:

1. Blading. Blading or dragging will not be performed on a regular basis.
2. Snow and Ice Removal. Snow and ice removal will not be performed. Sanding and salting will not be performed.
3. Bridges. Bridges on Area Service “C” roads may not be maintained to carry legal loads, but will be posted as appropriate to advise of any loan limitations.
4. Weeds, Brush, and Trees. Mowing or spraying weeds, cutting brush and tree removal will not be performed on a regular basis. Adequate sight distance will not be maintained on a regular basis.
5. Structures. Bridges and culverts may not be maintained on a regular basis to carry legal loads. Upon failure or loss, the replacement structure, if any, may be adequate for traffic thereon.
6. Road Surfacing. There will be no surfacing materials applied to Area Service “C” roads by Pottawattamie County.
7. Shoulders. Shoulders will not be maintained.
8. Crown. A crown will not be maintained.
9. Repairs. There will be no road repairs on a regular basis.
10. Uniform Width. Uniform width for the traveled portion of the road will not be maintained.
11. Inspections. Regular inspections will not be conducted.
12. Gate. The gate shall be purchased and installed by the County, and maintenance by the adjoining landowners. If not so maintained, the County may remove the gate.
13. Lock and keys. Locks will be purchased and installed by the owners, lessees or other persons in lawful possession of any adjoining land. Keys will be purchased and distributed by the owners, lessees or other persons in lawful possession of any adjoining land. Keys will be distributed to all persons or agencies having access rights to the road; and

WHEREAS, the only persons who will have access rights to the road shall be:

1. the owner, lessee, or person in lawful possession of any adjoining land;
2. the agent or employee of the owner, lessee or person in lawful possession of any adjoining land;
3. any peace officer;
4. any magistrate;
5. any public employee whose duty it is to supervise the use or perform maintenance of the road;
6. any agent or employee of any utility located upon the road.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Pottawattamie County, Iowa in session on the 17th of December, 2019, that this County does hereby establish the road described as an Area Service “C” road, and restricted access and a minimal level of maintenance.

Dated this 17th day of December, 2019.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tim Wichman, Chairman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
_____	<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"/>

_____	○	○	○	○
Justin Schultz				
_____	○	○	○	○
Marilyn Jo Drake				
_____	○	○	○	○
Lynn Grobe				

ATTEST: _____
Melvyn Houser, County Auditor

RECOMMENDED: _____
Pottawattamie County Engineer

Roll Call Vote: AYES: Drake, Belt, Wichman, Schultz, Grobe. Motion carried.

After discussion was held by the Board, a Motion was made by Drake, and seconded by Belt, to approve request to install a 26,000 gallon anhydrous ammonia tank at the Heartland Co-op property located at 31616 Hwy 92 in Treynor, Iowa. UNANIMOUS VOTE. Motion carried.

After discussion was held by the Board, a Motion was made by Schultz, second by Belt, to approve Agreement by and between Terracon Consultants, Inc. and Pottawattamie County for NESHAP Pre-Renovation Asbestos Inspection Services regarding the CDBG Downtown Revitalization project 18-DTR-004. UNANIMOUS VOTE. Motion carried.

Don Gross, Community and Economic Development Manager with MAPA came before the Board to discuss the Hazard Mitigation Grant Program (HMGP) / FEMA Flood Buyout and Priorities. This was a discussion only. No action was taken.

Motion by Belt, second by Schultz, to approve and authorize Board to sign **Resolution No. 60-2019**, a Resolution entitled: Resolution Adopting Flood Prone Property Buyout Program Guidance. Said Resolution is set out as follows:

RESOLUTION NO. 60-2019

RESOLUTION ADOPTING FLOOD PRONE PROPERTY BUYOUT PROGRAM GUIDANCE

WHEREAS, The County of Pottawattamie, Iowa had significant flooding beginning on or about March 12, 2019 and continuing and;

WHEREAS, The County of Pottawattamie, Iowa has determined it is in the best interest of the County and affected property owners to participate in the 2019 Flood Prone Property Buyout Program in order to mitigate future flood risks and;

WHEREAS, the Pottawattamie County Multi-Jurisdictional Hazard Mitigation Plan (Reference Resolution No. 45-2018) identifies this activity as a means to “minimize the potential impact and damages from flooding events” and;

WHEREAS, the 2019 Flood Prone Property Buyout Program Guidance document includes information concerning eligibility, priorities and processes for the program; now,

THEREFORE, BE IT RESOLVED by the Pottawattamie County Board of Supervisors adopts the attached 2019 Flood Prone Property Buyout Program guidance document.

Dated this 17th day of December, 2019.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____	○	○	○	○
Tim Wichman, Chairman				
_____	○	○	○	○
Scott A. Belt				
_____	○	○	○	○
Justin Schultz				

	○	○	○	○
Marilyn Jo Drake				
	○	○	○	○
Lynn Grobe				

ATTEST: _____
Melvyn Houser, County Auditor

RECOMMENDED: _____
Doug Reed, Emergency Management Director

Roll Call Vote: AYES: Drake, Belt, Wichman, Schultz, Grobe. Motion carried.

After discussion was held by the Board, a Motion was made by Belt, and seconded by Drake, to approve the updated Computer Replacement Policy. UNANIMOUS VOTE. Motion carried.

After discussion was held by the Board, a Motion was made by Schultz, and seconded by Belt, to approve GIS Department’s updated Print and Copy Policy. UNANIMOUS VOTE. Motion carried.

Mark Shoemaker, Director of Conservation came before the Board for his department’s budget study session. This was a discussion only. No action was taken.

Motion by Belt, second by Drake, to close meeting pursuant to Iowa Code Section 20.17(3) which exempts meetings to discuss strategies in collective bargaining from the provision of Iowa Code Chapter 21 (Open Meetings). **Roll Call Vote: AYES: Drake, Belt, Wichman, Schultz, Grobe. Motion carried.**

Motion by Schultz, second by Belt, to convene in open session. **Roll Call Vote: AYES: Drake, Belt, Wichman, Schultz, Grobe. Motion carried.**

3. OTHER BUSINESS

After discussion was held by the Board, a Motion was made by Belt, and seconded by Drake, to approve NACO membership dues for 2020 in the amount of \$1,863.00. UNANIMOUS VOTE. Motion carried.

4. RECEIVED/FILED

A. Salary Actions:

- 1) Communications – Payroll Status Change of Jaron Neumann.
- 2) Secondary Roads – Payroll Status Change of Mike Bonnet.
- 3) Jail – Payroll Status Change of Tim Curry, Billy Wilson, Miles Cleveland, Shannon Holman, Chris Bradford.

5. ADJOURN

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

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:31 PM.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, County Auditor

APPROVED: December 23, 2019
PUBLISH: X