

March 10, 2020

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. March 4, 2020, Minutes as read.
- B. Publication of Claims Allowed for February, 2020.
- C. Jail – Employment of Brent Fauble, as Detention Officer.
- D. Jail – Employment of Jacob Meyer, as Detention Officer.
- E. Jail – Employment of Valerie Garrean, as Secretary.
- F. Secondary Roads – Employment of Brody Darrington, as Truck Driver/Laborer.
- G. Secondary Roads – Employment of Wylie McIntire, as Truck Driver/Laborer.
- H. Renewal of Class B Beer (BB) (Includes Wine Coolers) Liquor License, granting privileges of Class B Beer (BB) (Includes Wine Coolers)/Outdoor Service for Westfair Association, d/b/a/ Westfair, Council Bluffs.

UNANIMOUS VOTE. Motion carried.

2. SCHEDULED SESSIONS

Motion by Drake, second by Wichman, to open public hearing on Pottawattamie County's Maximum Property Tax Levy for Fiscal Year Ending June 30, 2021, in accordance with SF 634.

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

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

Motion by Belt, second by Drake, to approve and authorize Board to sign **Resolution No. 27-2020**, a Resolution to Approve Pottawattamie County's Maximum Property Tax Levy for Fiscal Year Ending June 30, 2021. Said Resolution is set out as follows:

RESOLUTION NO. 27 - 2020

A Resolution Approving Pottawattamie County's Property Tax Levy for Fiscal Year Ending June 30, 2021.

WHEREAS, the Pottawattamie County Board of Supervisors have has considered the proposed fiscal year ending June 30, 2021 County maximum property tax dollars for the affected levy total; and

WHEREAS, a notice concerning the proposed County maximum property tax dollars was published as required and posted on the Pottawattamie County web site and social media accounts, where applicable; and

WHEREAS, a public hearing concerning the proposed Pottawattamie County maximum property tax dollars was held on March 10, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Pottawattamie County Board of Supervisors that the maximum property tax dollars for the affected tax levies for fiscal year ending June 30, 2021, shall not exceed the following total:

Total maximum levy for affected property tax levies for General Services \$36,477,348; and for Rural Services \$6,160,300.

The maximum property tax dollars requested in the total maximum levy for the affected property tax levies for fiscal year ending June 30, 2021, does not represent greater than 102% of the maximum property tax dollars requested for current fiscal year ending June 30, 2020.

Dated this 10th day of March, 2020.

ROLL CALL VOTE

| | AYE | NAY | ABSTAIN | ABSENT |
|-----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| _____ Justin Schultz, Chairman | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Tim Wichman | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Scott Belt | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Marilyn Jo Drake | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Lynn Grobe | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

ATTEST: _____
Melvyn Houser, County Auditor

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

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Belt, to approve and authorize Chairman to sign Authorization for Alternate Signatories for Section 106 Compliance Forms for Community Development Block Grant; and to approve and authorize the Board to sign **Resolution No. 25-2020**, a Resolution of Pottawattamie County Adopting Certain Policies, Rules and Regulations During the Performance of the Community Development Block Grant Program. Said Resolution is set out as follows:

RESOLUTION NO. 25- 2020

RESOLUTION OF POTTAWATTAMIE COUNTY ADOPTING CERTAIN POLICIES, RULES AND REGULATIONS DURING THE PERFORMANCE OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, Pottawattamie County was the applicant of Community Development Block Grant (CDBG) funds to aid in the implementation of downtown façade improvements in the Cities of Carson and Macedonia; and

WHEREAS, Pottawattamie County was awarded \$500,000.00 in CDBG funds through the Iowa Economic Development Authority, Project #18-DTR-004, in which to complete this work; and

WHEREAS, Pottawattamie County must adopt certain policies and abide by certain rules and laws during the performance of this project.

NOW, THEREFORE, BE IT RESOLVED that Pottawattamie County hereby adopts the following policies and statements, and authorizes the Board of Supervisors Chairperson to sign the same:

- Code of Conduct
- Affirmative Fair Housing
- Procurement

Dated this 10 day of March, 2020.

ROLL CALL VOTE

| | AYE | NAY | ABSTAIN | ABSENT |
|-----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| _____ Justin Schultz, Chairman | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Tim Wichman | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Scott Belt | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Marilyn Jo Drake | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Lynn Grobe | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

ATTEST: _____
Melvyn Houser, County Auditor

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

After discussion was held by the Board, a Motion was made by Drake, and seconded by Belt, to approve and authorize the Chairman to sign Services Agreement – Mental Health Advocate, by and between the Board of Supervisors or Pottawattamie County, Fremont County, Harrison County, Mills County, Montgomery County, Monona County, Page County, and Shelby County. UNANIMOUS VOTE. Motion carried.

After discussion was held by the Board, a Motion was made by Belt, and seconded by Drake, to approve not pay the payment to Central Square Technologies for Annual Software Maintenance at this time, and to reschedule this matter for March 24, 2020. UNANIMOUS VOTE. Motion carried. (Note: After the meeting, it was decided that there was a scheduling conflict with Information Officer David Bayer, and this matter will be rescheduled for March 31, 2020.)

After discussion was held by the Board, a Motion was made by Belt, and seconded by Grobe, to approve and authorize Chairman to sign July 1, 2020, Renewal Recommendation IGHCP Partially Self-Funded premium sheet, and Wellmark Iowa Governmental Health Care Plan for Rating Period 7/1/20 – 6/30/2021. UNANIMOUS VOTE. Motion carried.

After discussion was held by the Board, a Motion was made by Belt, and seconded by Drake, to approve the appointments of Tracy Nosekable and Dusty Crisler as 2020 County Weed Commissioners. UNANIMOUS VOTE. Motion carried.

Motion by Belt, second by Drake, to approve and authorize Board to sign **Resolution No. 24-2020**, a Resolution for the Destruction of Noxious Weeds. Said Resolution is set out as follows:

RESOLUTION NO. 24-2020

RESOLUTION FOR THE DESTRUCTION OF NOXIOUS WEEDS

NOTICE TO ALL PROPERTY OWNERS AND THOSE IN CONTROL THEREOF: You are hereby notified that the Board of Supervisors of Pottawattamie County, Iowa, did on the 10th day of March, 2020, pass the following resolution:

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA, that pursuant to the provisions of Chapter 317.14, Code of Iowa, it is hereby ordered:

1. That each person in possession or control of all noxious weeds thereon as defined in this Chapter, at such times each year and in such a manner as shall prevent said weeds from blooming or coming to maturity, and shall keep lands free from such growth of any other weeds, as shall render the streets and highways adjoining said land unsafe for public travel. Noxious weeds shall be controlled, cut or otherwise destroyed between April 1 and November 15, 2020, as is necessary to prevent seed production.

PRIMARY NOXIOUS WEEDS:

QUACK GRASS,
PERENNIAL SOW THISTLE,
CANADA THISTLE,
BULL THISTLE,
FIELD BINDWEED,
HORSE NETTLE,
LEAFY SPURGE,
PERENNIAL PEPPER-GRASS,
RUSSIAN KNAPWEED,
BUCKTHORN,
MUSK THISTLE,
TALL THISTLE,
PALMER AMARANTH

SECONDARY NOXIOUS WEEDS:

BUTTERNPRINT ANNUAL,
COCKLEBUR ANNUAL,
WILD MUSTARD ANNUAL
WILD CARROT BIENNIAL,
BUCKHORN PERENNIAL,
SHEEP SORREL PERENNIAL,
SOUR DOCK PERENNIAL,
SMOOTH DOCK PERENNIAL,
POISON HEMLOCK,
MULTIFLORA ROSE,
WILD SUNFLOWER ANNUAL,
PUNCTURE VINE ANNUAL,
TEASEL BIENNIAL,
SHATTERCANE ANNUAL

2. That each owner and each person in possession or control of any land in Pottawattamie County, Iowa, infested with any Primary and Secondary Noxious Weed, and all other species of thistles belonging to the genera of *Cirsium* and *Carduus*, shall adopt or enter into a program of weed destruction, and treatment of control, described by the Weed Commissioner, which in five years may be expected to destroy and will immediately keep under control such infestation of said noxious weeds.
3. That all weeds other than noxious weeds on all county trunk and local county roads between the fence line thereof, shall be destroyed and controlled by the adjoining property owner, to prevent seed production.
4. That if the owners or persons in possession or control of any land in Pottawattamie County fails to comply with the foregoing order, the Weed Commissioner shall cause this to be done and the expense of said work, including cost of serving notice and other costs, if any, to be assessed against the land and their owners thereof.
5. That the County Auditor be and is hereby directed to cause notice of this making and entering of the foregoing order shall be given by one publication in each of the official newspapers of the County.

Dated this 10th day of March, 2020.

ROLL CALL VOTE

| | AYE | NAY | ABSTAIN | ABSENT |
|-----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| _____ Justin Schultz, Chairman | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Tim Wichman | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Scott Belt | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Marilyn Jo Drake | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| _____ Lynn Grobe | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

ATTEST: _____
Melvyn Houser, County Auditor

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

After discussion was held by the Board, a Motion was made by Belt, and seconded by Grobe, to approve the release of RFP for appraisals of properties affected by 2019 flood for 30 days. **UNANIMOUS VOTE. Motion carried.**

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Belt, to approve setting the date and time for the public hearing on the FY 2020-21 Budget for Tuesday, March 31, 2020, at 6:00 PM. **UNANIMOUS VOTE. Motion carried.**

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Drake, to approve setting the date and time for the public hearing and signing of **Resolution No. 26-2020** on the FY 2020-21 salaries for the elected officials for Tuesday, March 31, 2020, at 6:00 PM. **UNANIMOUS VOTE. Motion carried.**

After discussion was held by the Board, a Motion was made by Wichman, and seconded by Belt, to approve setting the date and time for the public hearing on Amendment of the FY 2019-20 Budget for Tuesday, March 31, 2020, at 6:00 PM. **UNANIMOUS VOTE. Motion carried.**

3. CLOSED SESSION(S)

Motion by Belt, second by Drake, to go into Closed 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: Drake, Belt, Schultz, Wichman, Grobe. Motion carried.**

Motion by Wichman, second by Drake, to go out of Closed Session. **Roll Call Vote: AYES: Drake, Belt, Schultz, Wichman, Grobe. Motion carried.**

4. RECEIVED/FILED

A. Salary Actions:

- 1) Secondary Road – Payroll Status Change of Scott Konz.
- 2) Communications – Payroll Status Change of Tammy Jensen, Eric Wallner.
- 3) GIS – Payroll Status Change of William Shrader.
- 4) Mental Health – Payroll Status Change of Thomas Olsen, Amy Jobe.
- 5) Environmental Health / Planning – Payroll Status Change of Dustin Crisler.

B. Out of State Travel Notification:

- 1) County Attorney.

5. ADJOURN

Motion by Wichman, second by Grobe, to adjourn meeting. **UNANIMOUS VOTE.** Motion carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:40 A.M.

Justin Schultz, Chairman

ATTEST:

Melvyn Houser, County Auditor

APPROVED: March 17, 2020

PUBLISH: X