

April 20, 2021

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

After discussion was held by the Board, a Motion was made by Grobe, and second by Shea, to approve:

- A. April 13, 2021, Minutes as read.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Shea, second by Schultz, to approve and sign CO #5. UNANIMOUS VOTE. Motion Carried.

Jason Slack/ Director, Buildings and Grounds and Kim Bogatz from HGM Associates, Inc. appeared before the Board to open Bids for the Courthouse Addition Project. Seven bids were received from Prairie Construction, CR Anderson, Lund Ross, ConStruct Inc., AOI Corporation, Meco-Henne, and Ronco Construction. No action taken.

After discussion was held by the Board regarding tax suspension pursuant to Iowa Code Section 427.9, for property located at 130 Wallace Ave, Council Bluffs, IA, the Board tabled the item until they receive more information. No action taken.

Motion made by Wichman, second by Schultz, to approve appointment of Tracy Nosekabel as County Weed Commissioner. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 29-2021** entitled: Resolution for the Destruction of Noxious Weeds.

RESOLUTION NO. 29-2021

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 20th day of April, 2021, 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, 2021, as is necessary to prevent seed production.

PRIMARY NOXIOUS WEEDS:

- (1) Quack grass,
- (2) Perennial sow thistle,
- (3) Canada thistle,
- (4) Bull thistle,
- (5) European morning glory or field bindweed,
- (6) Horse nettle,
- (7) Leafy spurge,
- (8) Perennial pepper-grass,
- (9) Russian knapweed,
- (10) Buckthorn,
- (11) All species of thistles belonging in the genera of *Cirsium* and *Carduus*.
- (12) Palmer amaranth,

SECONDARY NOXIOUS WEEDS:

- (1) Butterprint annual,
- (2) Cocklebur annual,
- (3) Wild mustard annual,
- (4) Wild carrot biennial,
- (5) Buckhorn,
- (6) Sheep sorrel,
- (7) Sour dock perennial,
- (8) Smooth dock,
- (9) Poison hemlock,
- (10) Multiflora rose,
- (12) Puncture vine,
- (13) Teasel biennial,
- (14) Shattercane

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 20th day of April, 2021.

ROLL CALL VOTE

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

ATTEST: _____
Melvyn J. Houser, County Auditor

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried.

Motion by Schultz, second by Shea, to approve MAPA to move forward with the RFPs for Legal Services, Abstracting Services and Asbestos Surveying Services associated with the HMGP DR-4421. UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 33-2021 entitled:** Adoption of the Administrative Plan for Voluntary Property Acquisition Funded Under the Hazard Mitigation Grant Program – HMGP DR-4421-IA-0048.

RESOLUTION NO. 33-2021

Adoption of the Administrative Plan for Voluntary Property Acquisition Funded Under the Hazard Mitigation Grant Program – HMGP DR-4421-IA-0048.

WHEREAS, On March 26, 2021, Pottawattamie County, Iowa was awarded Hazard Mitigation Grant Program (HMGP) funding under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (PL93-288, as amended) and the Code of Iowa, Chapter 29C and administered by Iowa Department of Homeland Security and Emergency Management (HSEMD). And;

WHEREAS, Said award is in accordance with the scope of work and budget that were included in the County’s application package submitted to and approved by HSEMD and the Federal Emergency Management Agency. And;

WHEREAS, The Pottawattamie County Board of Supervisors subsequently authorized the execution of a Sub Award Agreement between HSEMD and County on April 6, 2021. And;

WHEREAS, The County is committed to making this Voluntary Acquisition Program work as quickly as possible so that the affected property owners may promptly make their property decisions with as much information as is available. And,

WHEREAS, The County is required to adopt an Administrative Plan to outline procedures on how the County’s Voluntary Property Acquisition Program will operate. Therefore;

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA, that Board of Supervisors hereby adopts the Administrative Plan for Voluntary Property Acquisition Funded Under the Hazard Mitigation Grant Program – HMGP DR-4421-IA-0048.

DATED THIS 20th day of April, 2021.

ROLL CALL VOTE

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

ATTEST: _____
Melvyn J. Houser, County Auditor

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried.

Motion by Schultz, second by Shea, to approve and authorize Chairman to sign Amended Development Agreement with Armstrong Investments, LLC, Authorizing Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement. AYES: Belt, Grobe, Schultz, Shea. NAYS: Wichman. Motion Carried.

Motion by Shea, second by Schultz, to approve further planning for proposed route for waterline extension down Woodland Trail in southwestern Pottawattamie County. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve and authorize Chairman to sign Final voucher for FM-CO78(202)—55-78. UNANIMOUS VOTE. Motion Carried. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Schultz, to approve and authorize Chairman to sign Funding agreement for STP-SWAP-CO78(204)—FG-78. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board, approval of Final Design Services Agreement for the Roads Operational Center was tabled awaiting more details. No action taken.

3. OTHER BUSINESS

Motion made by Schultz, second by Shea, to approve appointment of Jana Lemrick as Title VI Coordinator. UNANIMOUS VOTE. Motion Carried.

After discussion was held by the Board on Resolution No. 19-2021 entitled: County of Pottawattamie Resolution to Adopt the National Incident Management System (NIMS) and Pottawattamie County NIMS Implementation Plan, the Resolution was tabled awaiting recommendation from the Policy Committee. No action taken.

The Board held a discussion with Andy Brown/Sheriff and Matt Wilber/County Attorney on how to use funds from a previous bond. Discussion only. No action taken.

Motion by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 30-2021**; Funds Transfer from Rural Services Fund to Secondary Roads Fund.

RESOLUTION NO. 30-2021

RESOLUTION Transfer from Rural Services Fund to Secondary Roads Fund

WHEREAS, it is desired to transfer money from Rural Services Fund to 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 \$2,550,000 is ordered to be transferred from Rural Services Fund to Secondary Roads 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 20th day of April, 2020.

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	○	○	○	○
_____ Tim Wichman	○	○	○	○
_____ Lynn Grobe	○	○	○	○
_____ Justin Schultz	○	○	○	○
_____ Brian Shea	○	○	○	○

ATTEST: _____
Melvyn Houser, County Auditor

Roll Call Vote: AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried.

Motion by Wichman, second by Schultz, to approve and authorize Board to sign **Resolution No. 31-2021**; Funds Transfer from LOT Secondary Roads Fund to Bond Series Fund.

RESOLUTION NO. 31-2021

RESOLUTION Transfer from LOT Secondary Roads Fund to Bond Series Fund

WHEREAS, it is desired to transfer money from LOT Secondary Roads Fund to Bond Series 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 \$2,000 is ordered to be transferred from LOT Secondary Roads Fund to Bond Series 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 20th day of April, 2020.

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	○	○	○	○
_____ Tim Wichman	○	○	○	○
_____ Lynn Grobe	○	○	○	○
_____ Justin Schultz	○	○	○	○
_____ Brian Shea	○	○	○	○

ATTEST: _____
Melvyn Houser, County Auditor

Roll Call Vote: **AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried.**

Motion by Wichman, second by Grobe, to approve and authorize Board to sign **Resolution No. 32-2021**; Funds Transfer from LOT Secondary Roads Fund to Secondary Roads Fund.

RESOLUTION NO. 32-2021

RESOLUTION Transfer from LOT Secondary Roads Fund to Secondary Roads Fund

WHEREAS, it is desired to transfer money from LOT Secondary Roads Fund to 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 \$2,450,000 is ordered to be transferred from LOT Secondary Roads Fund to Secondary Roads 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 20th day of April, 2020.

	ROLL CALL VOTE			
	AYE	NAY	ABSTAIN	ABSENT
_____ Scott A. Belt, Chairman	○	○	○	○
_____ Tim Wichman	○	○	○	○
_____ Lynn Grobe	○	○	○	○
_____ Justin Schultz	○	○	○	○
_____ Brian Shea	○	○	○	○

ATTEST: _____
Melvyn Houser, County Auditor

Roll Call Vote: **AYES: Belt, Wichman, Grobe, Schultz, Shea. Motion Carried.**

Motion by Schultz, second by Wichman, to approve/disallow the following applications made to the Assessor’s Office and that further review be done on the one recommended disallowed Military Credit: Homestead (86 recommended allowed, 0 recommended disallowed), Military (17 recommended allowed, 1 recommended disallowed) Disabled Veteran Homestead (3 recommended allowed, 0 recommended disallowed), Business Property Tax Credit (7 recommended allowed, 1 recommended disallowed), Family Farm (2 recommended allowed, 0 recommended disallowed). **UNANIMOUS VOTE. Motion Carried.**

Motion by Schultz, second by Grobe, to approve Disallowed Homestead and Military Credit Applications. **UNANIMOUS VOTE. Motion Carried.**

4. RECEIVED/FILED

A. Salary Actions

- 1) Conservation – Payroll Status Change for Kimberly Wickersham
- 2) Juvenile Detention – Payroll Status Change for Erin Matter
- 3) Secondary Roads – Payroll Status Change for Tom Schneckloth, Devan Feigenbutz

5. ADJOURN

Motion by Wichman, second by Schultz, to adjourn meeting.
UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:40 P.M.

Scott Belt, Chairman

ATTEST:

Becky Lenihan, Assistant Finance Officer, Auditor's Office

APPROVED: April 27, 2021
PUBLISH: X