

August 24, 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 \_\_\_\_\_, and second by \_\_\_\_\_, to approve:

- A. August 17, 2021, Minutes as read.
- B. Public Health – Employment of Maria Torres as Health Equity Coordinator; Jason Kuehnhold as Quality Assurance Coordinator; and Brittany McGee as Promotions Coordinator.
- C. Class E Liquor License (LE), granting privileges of Class B Wine Permit, Class C Beer Permit (Carryout Beer), Class E Liquor License (LE), and Sunday Sales for Taylor Oil Company d/b/a Taylor Quik Pik, Council Bluffs.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion made by Schultz, second by Shea, to approve and authorize Chairman to sign Contract for Workforce Development Services with the Council Bluffs Area Chamber of Commerce to be paid out of Gaming. UNANIMOUS VOTE. Motion Carried.

Motion made by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 96-2021** entitled: RESOLUTION SUPPORTING A COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY APPLICATION FOR PROPERTY BUYOUTS; and to authorize chairman to sign Federal Assurances Signature Page and HUD Form No. 2880 – Applicant/Recipient Disclosure/Update Report.

**RESOLUTION NO. 96-2021**

**RESOLUTION SUPPORTING A COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY APPLICATION FOR PROPERTY BUYOUTS.**

- WHEREAS,** Pottawattamie County (County) sustained flood damage in March 2019 and was declared a disaster area by Presidential Declaration DR-4421-01 dated March 12, 2019; and
- WHEREAS,** as a result of the flood damage, the State of Iowa was awarded \$96,741,000 in Community Development Block Grant – Disaster Recovery (CDBG-DR) by the U.S. Department of Housing and Urban Development (HUD) for flood recovery, including Mills County; and
- WHEREAS,** the Iowa Economic Development Agency (IEDA) prepared an Action Plan for Disaster Recovery outlining the use of CDBG-DR funding; and
- WHEREAS,** the buyout of flood damaged properties is one of four eligible activities for the use of CDBG-DR funds; and
- WHEREAS,** County is proposing the acquisition and demolition of 8 properties using Hazard Mitigation Grant Program and Iowa Flood Recovery Fund; and
- WHEREAS,** the County is eligible entity to received CDBG-DR funds; and
- WHEREAS,** after consideration and review, the Pottawattamie County Board of Supervisors finds that an application to IDEA would be in the best interest of the County.

**NOW THEREFORE BE IT RESOLVED,** that the Pottawattamie County Board of Supervisors hereby supports the CDBG-DR application to IEDA; and

**BE IT FURTHER RESOLVED,** that the Board of Supervisors authorizes the Metropolitan Area Planning Agency to submit an application to IEDA on behalf of the County.

**Dated this 24<sup>th</sup> Day of August, 2021.**

**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.

**3. OTHER BUSINESS**

Motion made by Schultz, second by Shea, to approve new Cyber Security Analyst I job description and to allow IT to pursue filling the role. UNANIMOUS VOTE. Motion Carried.

Discussion was held on the use of Courthouse Conference Rooms. Discussion only. No action taken.

Motion by Wichman, second by Shea, to approve and authorize Board to sign **Resolution No. 89-2021** entitled: RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF \$5,955,000 (DOLLAR AMOUNT SUBJECT TO CHANGE) GENERAL OBLIGATION LOCAL OPTION SALES AND SERVICE TAX BONDS, SERIES 2021C, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND OFFICIAL STATEMENT.

**RESOLUTION NO. 89-2021**

**RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF \$5,955,000 (DOLLAR AMOUNT SUBJECT TO CHANGE) GENERAL OBLIGATION LOCAL OPTION SALES AND SERVICE TAX BONDS, SERIES 2021C, AND APPROVING ELECTRONIC BIDDING PROCEDURES AND OFFICIAL STATEMENT**

**WHEREAS**, the County is in need of funds to pay costs of acquisition of land and construction and equipping of county shops to service secondary roads, general county purpose(s), and it is deemed necessary and advisable that General Obligation Local Option Sales and Services Tax Bonds, to the amount of not to exceed \$8,000,000 be authorized for said purpose(s); and

**WHEREAS**, pursuant to notice published as required by Section 423B.9(4) of the Code of Iowa, the Board of the County has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of Bonds, and no petitions for referendum having been received, the Board is therefore now authorized to proceed with the issuance of said Bonds for such purposes; and

**WHEREAS**, in conjunction with its Municipal Advisor, Speer Financial, Inc., the County has caused an Official Statement to be prepared outlining the details of the proposed sale of the Bonds; 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 Bonds 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 SpeerAuction 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 Local Option Sales and Service Tax Bonds, Series 2021C, of Pottawattamie County, State of Iowa, in the amount of \$5,955,000 (Dollar Amount Subject to Change), to be issued as referred to in the preamble of this Resolution, to be dated October 12, 2021, 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 Municipal Advisor, shall determine to be appropriate, and is authorized to be distributed in connection with the offering of the Bonds for sale.

Section 4. That the Auditor is hereby directed to publish notice of sale of the Bonds at least once, the last one of which shall be not less than four clear days nor more than twenty days before the date of the sale. Publication shall be made in the "Daily Nonpareil", a legal newspaper, printed wholly in the English language, published within the county in which the Bonds are to be offered for sale or an adjacent county. The notice is given pursuant to Chapter 75 of the Code of Iowa, and shall state that this Board, on the 14th day of September, 2021, at 1:00 P.M., will hold a meeting to receive and act upon bids for said

Bonds, which bids were previously received and opened by County Officials at 10:30 A.M. on said date. The notice shall be in substantially the following form:

(To be published between August 25, 2021 and September 10, 2021, inclusive)

NOTICE OF BOND SALE

Time and Place of Sealed Bids: Bids for the sale of Bonds 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 14th day of September, 2021. 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.

The Bonds: The Bonds to be offered are the following:

GENERAL OBLIGATION LOCAL OPTION SALES AND SERVICE TAX BONDS, SERIES 2021C, in the amount of \$5,955,000\*, to be dated October 12, 2021 (the "Bonds")

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

Manner of Bidding: 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 227 South 6Th Street, Council Bluffs, Iowa.
- Electronic Internet Bidding: Electronic internet bids will be received at the office of the County Treasurer at 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's Municipal Advisor, Speer Financial, Inc., Waterloo, Iowa (facsimile number: (319) 291-8628). Electronic facsimile bids will be treated as sealed bids.

Consideration of Bids: 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.

Sale and Award: The sale and award of the Bonds 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 1:00 P.M.

Official Statement: The Issuer has issued an Official Statement of information pertaining to the Bonds 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, Inc., 531 Commercial Street, Suite 608, Waterloo, Iowa, 50701, Telephone: (319) 291-2077 and 230 West Monroe Street, Suite 2630, Chicago, Illinois, 60606, Telephone: (312) 346-3700.

Terms of Offering: All bids shall be in conformity with and the sale shall be in accordance with the Terms of Offering as set forth in the Official Statement.

Legal Opinion: The Bonds 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 Bonds 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 Bonds, 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 Bonds.

Rights Reserved: 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.

By order of the Board of Supervisors of Pottawattamie County, State of Iowa.

\_\_\_\_\_  
County Auditor, Pottawattamie County, State of Iowa

(End of Notice)

Passed and Approved this 24th day of August, 2021.

ROLL CALL VOTE

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

Lynn Grobe

Justin Schultz

Brian Shea

○ ○ ○ ○

○ ○ ○ ○

ATTEST: \_\_\_\_\_  
Melvyn J. Houser, County Auditor

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

Motion by Shea, second by Schultz, to approve and authorize Board to sign **Resolution No. 90-2021** entitled: RESOLUTION for Transfer from Bond Series 2021B Debt Fund to Gaming Fund.

**RESOLUTION NO. 90-2021**

**RESOLUTION for Transfer from Bond Series 2021B Debt Fund to Gaming Fund**

**WHEREAS**, it is desired to transfer money from Bond Series 2021B Debt Fund to Gaming 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 \$6,615.00 is ordered to be transferred from Bond Series 2021B Debt Fund to Gaming 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 24<sup>th</sup> Day of August, 2021.**

	<b>ROLL CALL VOTE</b>			
	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 Shea, second by Schultz, to approve and authorize Board to sign **Resolution No. 91-2021** entitled: RESOLUTION for Transfer from Property Acquisition/ Improvement Fund to Gaming Fund.

**RESOLUTION NO. 91-2021**

**RESOLUTION for Transfer from Property Acquisition/ Improvement Fund to Gaming Fund**

**WHEREAS**, it is desired to transfer money from Property Acquisition/ Improvement Fund to Gaming 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 \$141,815.50 is ordered to be transferred from Property Acquisition/ Improvement Fund to Gaming 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 24<sup>th</sup> Day of August, 2021.**

**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 Shea, to approve and authorize Board to sign **Resolution No. 92-2021** entitled: RESOLUTION for Transfer from Bond Series 2021B Debt Fund to Property Acquisition/ Improvement Fund.

**RESOLUTION NO. 92-2021**

**RESOLUTION for Transfer from Bond Series 2021B Debt Fund to Property Acquisition/ Improvement Fund**

**WHEREAS**, it is desired to transfer money from Bond Series 2021B Debt Fund to Property Acquisition/ Improvement 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 \$1,672,805.00 is ordered to be transferred from Bond Series 2021B Debt Fund to Property Acquisition/ Improvement 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 24<sup>th</sup> Day of August, 2021.**

	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 Shea, second by Schultz, to approve and authorize Board to sign **Resolution No. 93-2021** entitled: RESOLUTION for Transfer from American Rescue Plan Act (ARPA) Fund to Property Acquisition/ Improvement Fund.

**RESOLUTION NO. 93-2021**

**RESOLUTION for Transfer from American Rescue Plan Act (ARPA) Fund to Property Acquisition/ Improvement Fund**

**WHEREAS**, it is desired to transfer money from American Rescue Plan Act (ARPA) Fund to Property Acquisition/ Improvement 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 \$500,000.00 is ordered to be transferred from American Rescue Plan Act (ARPA) Fund to Property Acquisition/ Improvement 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 24<sup>th</sup> Day of August, 2021.

	<b>ROLL CALL VOTE</b>			
	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 Shea, to approve and authorize Board to sign **Resolution No. 94-2021** entitled: RESOLUTION for Transfer from Special Law Enforcement Fund to Property Acquisition/ Improvement Fund.

**RESOLUTION NO. 94-2021**

**RESOLUTION for Transfer from Special Law Enforcement Fund to Property Acquisition/ Improvement Fund**

**WHEREAS**, it is desired to transfer money from Special Law Enforcement Fund to Property Acquisition/ Improvement 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 \$1,500,000.00 is ordered to be transferred from Special Law Enforcement Fund to Property Acquisition/ Improvement 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 24<sup>th</sup> Day of August, 2021.

	<b>ROLL CALL VOTE</b>			
	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 Shea, second by Schultz, to approve and authorize Board to sign **Resolution No. 95-2021** entitled: RESOLUTION for Transfer from Bond Series 2021A Debt Fund to Rural Basic Fund.

**RESOLUTION NO. 95-2021**

**RESOLUTION for Transfer from Bond Series 2021A Debt Fund to Rural Basic Fund**

**WHEREAS**, it is desired to transfer money from Bond Series 2021A Debt Fund to Rural Basic 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 \$20,477.00 is ordered to be transferred from Bond Series 2021A Debt Fund to Rural Basic 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 24<sup>th</sup> Day of August, 2021.

	<b>ROLL CALL VOTE</b>			
	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.

**4. CLOSED SESSION**

Motion by Wichman, second by Shea, to go into Closed Session pursuant Iowa Code 21.5(1)(j), for discussion and/or decision on the purchase or sale of particular real estate.

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

Motion by Shea, second by Grobe, to go out of Closed Session.

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

**5. RECEIVED/FILED**

- A. Salary Actions
  - 1) Jail – Payroll Status Change of David Button, Corey Little
- B. Reports
  - 1) Sheriff’s Report of Fees Collected and Disbursed for July 2021

**6. ADJOURN**

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

THE BOARD ADJOURNED SUBJECT TO CALL AT 11:45 P.M.

\_\_\_\_\_  
Scott A. Belt, Chairman

ATTEST: \_\_\_\_\_  
Becky Lenihan, Finance & Tax Officer

APPROVED: August 31, 2021  
PUBLISH: X