

April 5, 2022

MET IN REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

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

- A. March 29, 2022, Minutes as read.
- B. New Ownership Class B Native Wine Liquor License, granting privileges of Class B Native Wine Liquor License/Sunday Sales for Olive Branch Inc d/b/a Olive Branch, Council Bluffs.
- C. Renewal of Class C Native Wine (WCN) Liquor License, granting privileges of Class C Native Wine (WCN); Outdoor Service; Sunday Sales for Breezy Hills Winery, LLC d/b/a Breezy Hills Vineyard, Minden, Iowa.
- D. Renewal of Class B Beer (BB) (includes Wine Coolers) Liquor License, granting privileges of Class B Beer (BB) (Includes Wine Coolers); Class C Native Wine Permit (On Premises); Outdoor Service; and Sunday Sales for Lyle Ditmars d/b/a Ditmars Orchard and Vineyard, Council Bluffs.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Shea, second by Belt, to approve funding of \$500k per Hospital for Mercy and Jennie Edmundson with expenditure line yet to be determined. County Funds will be last into the project.

UNANIMOUS VOTE. Motion Carried. Hospitals will provide any documentation if ARPA funds are to be used.

Motion by Shea, second by Schultz, to approve Secondary Roads Budget and County Five Year Plan for Department of Transportation Submittal.

UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Grobe, to approve and authorize Board to sign **Resolution No. 30-2022** entitled: RESOLUTION for construction agreement between the City of Underwood and Pottawattamie County for a secondary road extension project.

RESOLUTION NO. 30-2022

**RESOLUTION FOR CONSTRUCTION AGREEMENT
BETWEEN THE CITY OF UNDERWOOD AND POTTAWATTAMIE COUNTY FOR A
SECONDARY ROAD EXTENSION PROJECT**

Pottawattamie County Resolution No. 30-2022

Project No. FM-CO78(TBD)—55-78

Consenting to and approving the plans for the improvement of the extension of Secondary Road G30 (Magnolia Road) within the City of Underwood, Iowa (“City”).

WHEREAS, Pottawattamie County proposes to improve Magnolia Road within the City of Underwood, Iowa in accordance with plans filed in the office of the Clerk of said City as follows:

Remove and Replace Pavement and reconstruct Mosquito Creek Bridge to support turn lanes as necessitated by the Jack Links Expansion project, identified as project number FM-CO78(TBD)—55-78, and

WHEREAS, the City has informed itself as to the proposed improvement and has examined the plans thereof,

WHEREAS, the City recognizes the County will develop the project and the City supports the proposed improvements, the Jack Links Expansion, and grant applications made by the County for this project.

WHEREAS, the City is aware that the purpose of the agreement is to apply for and secure RISE funding. Failure to receive RISE funding will terminate this agreement and future project development would require a separate agreement.

NOW, THEREFORE, BE IT RESOLVED by the said Council of the City of Underwood, as follows:

1. The City hereby approves the plans for the said project and consents to the improvement in accordance with the plans.
2. The City will take such legal steps and procedures to a conclusion such legal action and/or proceedings as are now or may hereafter be required.
 - a. To legally establish the grade lines of the street in accordance with and as shown by the project plans, and to cause any damage accruing there from to be determined and paid pursuant to Iowa Code Section 364.15.
 - b. To take such steps as may be necessary to secure the consent to the removal of any trees that may interfere with the construction of the project.
 - c. To remove existing and prevent future encroachments and obstructions upon streets or highways covered by the project.
 - d. To remove or cause to be removed without expense to the County all water hydrants, curb boxes, electroliers and cables, poles, parking meters, traffic signals, and any other facilities or obstructions which interfere with the construction of the project.

All above ground utilities shall be placed as close to the right of way line as practical.

3. Since this project may be partly financed with Federal-aid funds, the grant of which requires that the Iowa Department of Transportation (Iowa DOT) and the County comply with federal laws and regulations with respect thereto, the City agrees to take such action as may be necessary to comply with such federal laws and regulations. (Approval of the plans by the City satisfies the requirements of this paragraph.)
4. The City further agrees that within the limits of the proposed surfacing and for one foot outside thereof where the City or utility companies may be digging ditches prior to the proposed surfacing, the City will require that all backfilling and compaction of ditches shall be made in accordance with the Iowa DOT's current Standard Specifications. The work will be subject to the approval of the County.
5. The City will, by ordinance, prohibit or restrict diagonal parking throughout the project.
6. Upon completion of the project, the City agrees that:
 - a. Any changes in the physical features of the project will be authorized only after approval has been secured from the County.
 - b. The City will furnish and erect all traffic signage and signaling in accordance with the current Manual on Uniform Traffic Control Devices.
 - c. All traffic signage and signaling shall be approved by the County before placement.

Passed this 5th day of April, 2022.

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"/>
Scott Belt				
_____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lynn Grobe				

Chairman Wichman resumed as Chair.

4. RECEIVED/FILED

- A. Salary Action(s):
- 1) Sheriff – Payroll status changes for Eric Shea.
 - 2) Sheriff – Payroll status change for Aaron Soucie.

5. CLOSED SESSION

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

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

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

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

Motion by Schultz, second by Shea, to go into Closed Session pursuant to Iowa Code 20.17(3), for discussion and/or decision on labor negotiations/collective bargaining matters.

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

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

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

6. STUDY SESSION

Mark Shoemaker/Director, Conservation

7. ADJOURN

Motion by Shea, second by Grobe, to adjourn meeting.

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 2:10 P.M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Auditor

APPROVED: April 12, 2022

PUBLISH: X