

November 22, 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 Shea, and second by Belt, to approve:

- A. November 15, 2022, Minutes as read.
- B. November 21, 2022, Minutes as read.
- C. Jail – Employment of Carrie Savage and Daniel Faircloth as a Detention Officers.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Motion by Schultz, second by Shea, to close public hearing.

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

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 75-2022** entitled: A RESOLUTION AUTHORIZING DISPOSAL OF AN INTEREST IN COUNTY – OWNED PROPERTY AS PROVIDED UNDER IOWA CODE SECTION 331.361.

RESOLUTION NO. 75-2022

A RESOLUTION AUTHORIZING DISPOSAL OF AN INTEREST IN COUNTY-OWNED PROPERTY AS PROVIDED UNDER IOWA CODE SECTION 331.361

WHEREAS, the Board of Supervisors has provided legal notice of and set a public hearing for the disposal of an interest in county-owned property described below:

Avoca Shop; 358 Elm Street, Avoca, Iowa

Legal Description: Lots 1,2,3 in Block 19 Original town of Avoca, Pottawattamie County, Iowa

Caledonia Shop; 15021 490th Street, Griswold, Iowa

Legal Description: A parcel of land located in part of the SW1/4 SW1/4 of Section 5, Township 74 North, Range 38 West of the 5th Principal Meridian, Pottawattamie County, Iowa, said parcel being more fully as follows: Commencing at the Southwest Corner of said Section 5; thence S88°43'34"E along the South line of said SW1/4 SW1/4 a distance of 162.00 feet to the Point of Beginning; thence continuing S88°43'34"E along said South Line a distance of 153.00 feet; thence N00°22'55"E a distance of 185.00 feet; thence N88°43'34"W a distance of 285.30 feet; thence S00°22'55"W a distance of 155.00 feet; thence S88°43'34"E a distance of 132.00 feet; thence S00°22'55"W a distance of 30 feet to the Point of Beginning.

Hancock Shop; 217 North Main Street, Hancock, Iowa

Legal Description: The North 10 feet of Lot 6, all of Lots 7, 8, and 9 in Block 2, Original Plat to the Town of Hancock, Iowa.

Lewis Shop; 15484 State Orchard Road, Council Bluffs, Iowa

Legal Description: Lewis Twp 4-74-43 Tri Lt SW Intersection Greenview Dr & State Orchard Rd NW SE N & W of Rd.

Walnut Shop; 705 Oak Street, Walnut, Iowa

Legal Description: A part of the S1/2 S1/2 NW1/4 NE1/4 SW1/4, Section 9, Township 77 North, Range 38 West of the 5th Principal Meridian, in the Town of Walnut in Pottawattamie County, Iowa and more particularly described as follows:

Commencing at the West 1/4 Corner of said Section 9 and running thence due east on the 1/4 section line a distance of 1317.81 feet to the North 1/4 Corner of the SW1/4 of Section 9; thence S0°28'E on the 1/4 1/4 section line a distance of 495.28 feet; thence N89°56'E a distance of 25.00 feet to the easterly right-of-way line of Oak Street as the True Point of Beginning; thence continuing N89°56'E a distance of 382.88 feet; thence S0°21'30"E a distance of 164.85 feet; thence S89°56'W a

distance of 382.59 feet to the easterly right-of-way line of Oak Street; thence N0°28’W on the said right-of-way line a distance of 164.90 feet to the Point of Beginning. Said parcel contains 1.449 acres, more or less, exclusive of the present established Oak Street.

and,

WHEREAS, the Board of Supervisors believes it to be in the best interests of Pottawattamie County to dispose of these county-owned parcels and to allow the property to be disposed; and

WHEREAS, the Secondary Roads Facility plan has consolidated shops to reduce operating costs; and

WHEREAS, these properties are nearing the end of their useful life; and

WHEREAS, these properties no longer serve the needs of the Secondary Roads Department functions; and

WHEREAS, these properties will be listed and sold by Real Estate Agent to private buyers; or be gifted, or be sold to an Iowa Governmental Subdivision at the appraised value as determined by the Board. The expenses incurred by any sale will be at the buyer’s cost.

WHEREAS, the cumulative appraised value of said properties was found to be \$552,500 and **NOW THEREFORE BE IT RESOLVED**, by the Board of Supervisors of Pottawattamie County, Iowa, that the Board of Supervisors does hereby authorize the disposal of Pottawattamie County, Iowa’s interest in the aforementioned properties

BE IT FURTHER RESOLVED that the terms of the disposal are as set forth above.

BE IT FURTHER RESOLVED that the County Engineer be and is hereby authorized, empowered and directed to cause all appropriate legal documents to be prepared, duly executed, and recorded along with this Resolution and the Proof of Publication of the “Notice of Public Hearing”.

Dated this 22nd Day of November, 2022.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ 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	<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 Houser, County Auditor

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

Motion by Belt, second by Schultz, to approve and authorize Board to sign the FY2024 City Bridge Funding Agreement for the Mosquito Creek Bridge on Magnolia Road. UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Shea, to approve and authorize Board to sign conditional offer to purchase real estate and acceptance of seven parcels owned by the Estate of Doris J. Ferguson. UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Motion by Shea, second by Belt, to approve and authorize Board to sign **Resolution No. 72-2022** entitled: RESOLUTION FOR TRANSFER FROM LOST SECONDARY ROADS FUND TO BOND SERIES 2020B DEBT FUND.

RESOLUTION NO. 72-2022

RESOLUTION FOR TRANSFER FROM LOST SECONDARY ROADS FUND TO BOND SERIES 2020B DEBT FUND.

WHEREAS, it is desired to transfer money from the LOST Secondary Roads Fund to Bond Series 2020B Debt Fund; and

WHEREAS, said transfers are in accordance with Section 331.432, Code of Iowa.

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors authorizes the following transfers:

SECTION 1: The sum of \$8,600 is ordered to be transferred from the LOST Secondary Roads Fund to Bond Series 2020B Debt fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of these operating transfers.

Dated this 22nd Day of November, 2022.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ 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	<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 Houser, County Auditor

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

Motion by Schultz, second by Shea, to approve and authorize Board to sign **Resolution No. 73-2022** entitled: RESOLUTION FOR TRANSFER FROM SECONDARY ROADS FUND TO BOND SERIES 2021C DEBT FUND.

RESOLUTION NO. 73-2022

RESOLUTION FOR TRANSFER FROM LOST SECONDARY ROADS FUND TO BOND SERIES 2021C DEBT FUND.

WHEREAS, it is desired to transfer money from the LOST Secondary Roads Fund to Bond Series 2021C Debt Fund; and

WHEREAS, said transfers are in accordance with Section 331.432, Code of Iowa.

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors authorizes the following transfers:

SECTION 1: The sum of \$56,600 is ordered to be transferred from the LOST Secondary Roads Fund to Bond Series 2021C Debt fund, and

SECTION 2: The Auditor is directed to correct his/her book accordingly and to notify the Treasurer of these operating transfers.

Dated this 22nd Day of November, 2022.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ 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	<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 Houser, County Auditor

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

Motion by Schultz, second by Belt, to approve and authorize Board to sign **Resolution No. 74-2022** entitled: RESOLUTION FOR TRANSFER FROM RURAL SERVICES FUND TO SECONDARY ROADS FUND.

RESOLUTION NO. 74-2022

RESOLUTION FOR TRANSFER FROM RURAL SERVICES FUND TO SECONDARY ROADS FUND.

WHEREAS, it is desired to transfer money from the Rural Services Fund to Secondary Roads Fund; and

WHEREAS, said transfers are in accordance with Section 331.432, Code of Iowa.

NOW THEREFORE BE IT RESOLVED, that the Pottawattamie County Board of Supervisors authorizes the following transfers:

SECTION 1: The sum of \$1,325,000 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 these operating transfers.

Dated this 22nd Day of November, 2022.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ 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	<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 Houser, County Auditor

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

Motion by Shea, second by Schultz, to approve the updated End User Security policy in the Employee Handbook, #805 (Appendix A – Multi-Factor Authentication).
UNANIMOUS VOTE. Motion Carried.

Motion by Schultz, second by Grobe, to approve the updated Sick Leave policy, #603.
UNANIMOUS VOTE. Motion Carried.

Motion by Shea, second by Schultz, to approve the Job Description of Ski/Snowboard Instructor.
UNANIMOUS VOTE. Motion Carried.

Motion by Belt, second by Schutz, to canvass the recount of House District 20.
UNANIMOUS VOTE. Motion Carried.

4. RECEIVED/FILED

A. Salary Action(s):

- 1) Sheriff – Payroll status change for Brandon Allen and Hadley Mikovec.
- 2) SWI Juvenile Detention – Employment of Ashly Capistrant, Teagan Brown, and Rafael Jenkins as a Part time Youth Corrections Worker.
- 3) Conservation – Employment of Sterling Smith and Jordyn Reimer as Rental Shop Team Members.
- 4) Conservation – Employment of Emma Jedlicka and Peyton Bell as a Hospitality and Guest Services members.
- 5) Conservation – Employment of Gia Stang as a Chair Lift Operator.
- 6) Conservation – Employment of Kodie Donovan, Jace Thomason, Evan Wham and Elliott Coziahr as Rental Shop Team Members.
- 7) Conservation – Employment of Bradley Kenealy as a Cleaning and Support Team Member.

5. PUBLIC COMMENTS

Mary Stanley appeared before the Board and indicated she went to the Planning & Zoning meeting and wants to know why her property is a R1.

6. CLOSED SESSION

Motion by Belt, second by Schultz, 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, Schultz, Shea. Motion Carried.**

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

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

Motion by Schultz, second by Grobe, to go into Closed Session pursuant to Iowa Code 21.5 (1)(i) for discussion and/or decision on personnel matters.

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

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

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

7. STUDY SESSION

Discussion and/or decision on selection process for Veterans Commission members. Discussion only.
No action taken.

8. ADJOURN

Motion by Belt, second by Shea, to adjourn meeting.
UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:42 P. M.

Tim Wichman, Chairman

ATTEST: _____
Melvyn Houser, Auditor

APPROVED: November 29, 2022
PUBLISH: X