

September 10, 2024

MET IN REGULAR SESSION

The Board of Supervisors met in regular session at 10:00 A.M. all members, except Supervisor Shea present. Chairperson Miller presiding.

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

After discussion was held by the Board, a Motion was made by Belt, and second by Wichman, to remove items 2. G. and 3. B. from the agenda and to approve Consent Agenda:

- A. September 3, 2024, Minutes as read.
- B. Medical Examiner – Employment of Kathleen Schwisow as a On Call Medical Examiner Investigator.
- C. Medical Examiner – Employment of Caitlin Albright as a On Call Medical Examiner Investigator.
- D. August 2024 Vendor Publication Report.

UNANIMOUS VOTE. Motion Carried.

2. SCHEDULED SESSIONS

Presentation of check to Pottawattamie County Fair Association in the amount \$125,000.

Rick Killion/Marketing President, Deric Poldberg/VP Commercial Lending, and Amy Olson/SVP Treasury Management, American National Bank appeared before the Board to discussion positive pay and County accounts.

Discuss only. No Action Taken.

Motion made by Belt, second by Wichman, to approve and sign Proclamation designating the month of September 2024 as Library Card Sign-Up Month.

Library Card Sign-up Month 2024 Proclamation

WHEREAS, libraries are essential for the education and development of children, offering everything from preschool storytimes to college and career planning resources for high school students, nurturing literacy and a love for reading;

WHEREAS, libraries provide welcoming and inclusive spaces where individuals from all backgrounds can learn and connect, bridging cultural, ethnic, generational, and economic divides, and strengthening the social fabric of their communities;

WHEREAS, libraries are committed to creating and maintaining diverse programs and collections that reflect the communities they serve, ensuring equitable access for all;

WHEREAS, libraries assist people of all ages in navigating life's complexities, offering access to research, information, and government services that enhance productivity and fulfillment;

WHEREAS, libraries boost the local economy by providing critical access to technology and training for job-seekers, entrepreneurs, and students;

WHEREAS, during times of crisis, libraries and their staff play a vital role in supporting communities both in-person and virtually;

WHEREAS, the shared resources provided by libraries help households save money, conserve resources, and reduce waste, offering a simple way to make a positive impact;

WHEREAS, a library card ignites creativity and empowers individuals to explore new interests and pursue lifelong learning;

WHEREAS, libraries uphold democracy by promoting civic engagement and the free exchange of information and ideas for all;

THEREFORE, be it resolved that the Pottawattamie County Board of Supervisors proclaim September as Library Card Sign-Up Month in Pottawattamie County, Iowa and encourage everyone to sign up for a library card today.

ROLL CALL VOTE

	AYE	NAY	ABSTAIN	ABSENT
_____ Susan Miller, Chairperson	<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"/>
_____ Tim Wichman	<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"/>
_____ Jeff Jorgensen	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ATTEST: _____
Melvyn Houser, County Auditor

Roll Call Vote: **AYES: Miller, Belt, Wichman, Jorgensen. Motion Carried.**

Motion by Belt, second by Jorgensen, to approve Second Consideration of **Ordinance No. 2024-05**, an Ordinance to add Chapter 7.70; Restricting Certain Secondary Roads for Use by Trucks and Commercial Vehicles.

**POTTAWATTAMIE COUNTY, IOWA
ORDINANCE NO. 2024-05**

AN ORDINANCE to add the following Chapter 7.70 Restricting Certain Secondary Roads For Use by Trucks and Commercial Vehicles.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF POTTAWATTAMIE COUNTY, IOWA

SECTION 1 - REPEAL OF CONFLICTING ORDINANCES: All other Ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

SECTION 2 – AMENDMENTS: That the Pottawattamie County, Iowa, Code, be and the same is hereby amended by adding thereto the following new Section, to be codified as Section 7.70 Restricting Certain Secondary Roads For Use by Trucks and Commercial Vehicles:

SECTIONS

- 7.70.010 PURPOSE**
- 7.70.020 RESTRICTIONS**
- 7.70.030 EXEMPTIONS**
- 7.70.040 PERMITS AND FEES**
- 7.70.050 SIGNS**
- 7.70.060 RESTRICTED ROADS**
- 7.70.070 PENALTY**

7.70.010 PURPOSE. The purpose of this ordinance is to establish restrictions on the use of certain secondary roads by trucks and commercial vehicles to eliminate hazards to persons using the roads and to protect the roadways from damage and deterioration. This ordinance is adopted pursuant to the authority of Iowa Code §321.236(8) and §321.473.

7.70.020 RESTRICTIONS. No Commercial Vehicle with a Gross Vehicle Weight Rating greater than 26,001 pounds in any combination may be operated or towed at any time on the roads or sections of roads described in Section 7.70.060 of this ordinance. For purposes of this ordinance, “combination” shall be defined as provided in Iowa Code §321.1(9).

7.70.030 EXEMPTIONS. The restrictions of this ordinance shall not apply to the following vehicles:

1. State, county, and city vehicles.
2. Implements of husbandry as defined in Iowa Code §321.1(32).

- 3. Implements of husbandry loaded on hauling units for transporting the implements to locations for repair.
- 4. Vehicles moving farm produce, fuel, feed, household waste, well drillers, wastewater (septic pumpers).
- 5. Vehicles moving construction materials to a farm or home on a restricted road.
- 6. Fire or emergency medical apparatus owned by, under lease to, or used in the performance of a contract with a state or local authority.
- 7. Vehicles authorized to use the road under a current permit issued by the County Engineer.
- 8. Any Commercial Vehicle, with a destination point on the road, shall not enter designated routes except at the point on the road nearest to its destination and then proceed directly to such destination.

7.70.040 PERMITS AND FEES. Those vehicles that are restricted and not on the exempted list in Section 7.70.030 may apply for a temporary exemption:

- 1. Upon written application, the County Engineer may issue temporary permits to vehicles which are shown to be needed to provide a transportation service to a destination on the restricted road which cannot be provided by a vehicle which complies with this ordinance.
- 2. A fee of \$25 will be charged for a single use permit.

7.70.050 SIGNS. The County Engineer shall mark designated routes with signs each end of the roadway or sections of roads subject to restrictions under this ordinance with “WEIGHT LIMIT 13 TONS” (R12-1).

7.70.060 RESTRICTED ROADS SET BY RESOLUTION. Any restrictions not specifically set forth in this Chapter shall be set and amended by resolution by the Board of Supervisors. The restrictions shall apply to the following routes:

- 1. Berryhill Road
- 2. Lime Kiln Road
- 3. Longview Loop
- 4. Meadowview Parkway
- 5. State Orchard Road
- 6. Sunnydale Road

7.70.070 PENALTY. Any person who operates or tows any vehicle upon any restricted and marked road in violation of this ordinance shall be subject to a fine of \$400.

SECTION 3 - SEVERABILITY: If any of the provisions of this Ordinance or the application thereof to any person or circumstances are held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION 4 - EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED AND APPROVED September 10, 2024.

	<u>ROLL CALL VOTE</u>			
	AYE	NAY	ABSTAIN	ABSENT
_____ Susan Miller, Chairperson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Scott Belt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Tim Wichman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Brian Shea	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Jeff Jorgensen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attest: _____
Melvyn Houser, County Auditor
Pottawattamie County, Iowa

NOTICE OF PUBLIC HEARING PUBLISHED: August 29, 2024

BOARD OF SUPERVISORS PUBLIC HEARING: September 3, 2024
 FIRST CONSIDERATION: September 3, 2024
 SECOND CONSIDERATION: September 10, 2024
 PUBLICATION: September 19, 2024
 RECORD: September 20, 2024

Roll Call Vote: AYES: Miller, Belt, Wichman, Jorgensen. Motion Carried.

Motion by Wichman, second by Belt, to award bid and extend contract for Project L-2025(W31MATERIALSMISC) – 78 to Husker Steel, Inc in the amount of \$14,788.80.
 UNANIMOUS VOTE. Motion Carried.

Motion by Wichman, second by Jorgensen, to award bid and extend contract for Project L-2025(W31MATERIALS) – 78 to Oden Enterprises, Inc in the amount of \$69,159.32.
 UNANIMOUS VOTE. Motion Carried.

Motion by Wichman, second by Belt, to award bid and extend contract for Project L-2025(W31DECKMATERIALS) – 78 to Wheeler in the amount of \$103,965.60.
 UNANIMOUS VOTE. Motion Carried.

Motion by Wichman, second by Jorgensen to award bid and extend contract for Project L-2025(W31BEAMMATERIALS) – 78 to Husker Steel, Inc in the amount of \$59,790.00.
 UNANIMOUS VOTE. Motion Carried.

Motion by Belt, second by Wichman, to authorize Chair to sign School District Camera Sharing Agreements.
 UNANIMOUS VOTE. Motion Carried.

3. OTHER BUSINESS

Motion by Wichman, second by Belt, to approve County funding for flu shots for part-time employees.
 UNANIMOUS VOTE. Motion Carried.

Jana Lemrick/Director, Human Resources and Mitch Kay/Chief Financial Officer appeared before the Board to discuss funding request of \$16,500 annually for Govinvest Live Compensation Benchmarking Software.
 Discussion only. No Action Taken.

4. COMMITTEE APPOINTMENTS

Board discussed Committee meetings from the past week.

5. RECEIVED/FILED

A. Salary Action(s):

- 1) Jail – Payroll status change for Rikayla Redding.
- 2) Planning-Environmental Health – Payroll status change for Alex McGee and Shawn Stevens.
- 3) Human Resources – Payroll status change for Jacob Head.
- 4) Medical Examiner – Payroll status change for Cody Pane.
- 5) Human Resources – Payroll status change for Craig Carlsen.

B. Report(s):

- 1) Recorder Fee Book for August 2024.

6. PUBLIC COMMENTS

No public comments.

7. CLOSED SESSION

Motion by Wichman, second by Belt, 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: Miller, Belt, Wichman, Jorgensen. Motion Carried.

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

Roll Call Vote: AYES: Miller, Belt, Wichman, Jorgensen. Motion Carried.

Outside of Closed Session a Motion by Belt, second by Wichman to reject the candidates' counteroffer of salary, and to rescind the original offer to the candidate.

Roll Call Vote: AYES: Belt, Wichman, Jorgensen. NAYS: Miller Motion Carried.

8. ADJOURN

Motion by Wichman, second by Belt, to adjourn meeting.

UNANIMOUS VOTE. Motion Carried.

THE BOARD ADJOURNED SUBJECT TO CALL AT 12:15 P. M.

Susan Miller, Chair

ATTEST: _____
Melvyn Houser, Auditor

APPROVED: September 17, 2024
PUBLISH: X